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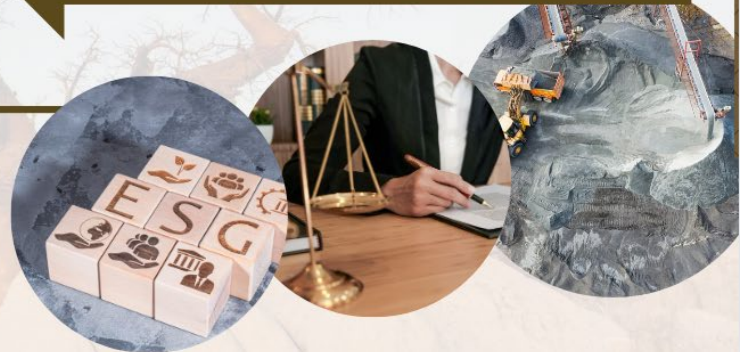
Sustainability Legal Specialists (Pty) Ltd



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AUGUST 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)

South African National Water Resources Infrastructure Agency SOC Limited Act 34 of 2024

1. Assented to by the President. Commencement date to be proclaimed. Published in GG 51163 NN 5170 dated 2 August 2024.

National Environmental Management Act 107 of 1998 (NEMA)

2. Extension of the Period for Establishment of the National Environmental Consultative and Advisory Forum. Published in GG 51119 NN 5152 dated 26 August 2024.

National Environmental Management: Air Quality Act 39 of 2004 (NEM:AQA)

3. Regulations for Implementing and Enforcing Priority Area Air Quality Management Plans. Published in GG 51120 NN 5153 dated 26 August 2024.

Electricity Regulation Amendment Act 38 of 2024

4. Electricity Regulation Amendment Act, 2024. Published in GG 51100 NN 5139 dated 20 August 2024.

Merchant Shipping Act 57 of 1951

5. Amendments to the Regulations Relating to Merchant Shipping: Collision and Distress Signals, 2024. Published in GG 51003 NN 2671 dated 2 August 2024.

National Land Transport Act 5 of 2009

6. Amendment to the Second Amendment to the National Land Transport Regulations, 2009. Published in GG 51003 NN 2670 dated 2 August 2024.

SECTION B: SAFETY AND HEALTH (NATIONAL)

Mine Health and Safety Act 29 of 1996

7. Guideline for a Mandatory Code of Practice for Minimum Standards on Ground Vibrations, Noise, Air-Blast and Flyrock near Surface Structures and Communities to be Protected. Published in GG 51003 NN 5097 dated 2 August 2024.
8. Guidance Note for the Management of GBVF, Safety and Security Challenges for Women in the South African Mining Industry. Published in GG 51003 NN 5098 dated 2 August 2024.
9. Guideline for a Mandatory Code of Practice for a Quality Assurance Programme for a System of Occupational Hygiene and Ventilation Engineering Measurements. Published in GG 51003 NN 5099 dated 2 August 2024.

Occupational Diseases in Mines and Works Act 78 of 1973

10. Declaration of Controlled Mines and Risk Work. Published in GG 51137 NN 5166 dated 30 August 2024.

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

National Environmental Management Act 107 of 1998 (NEMA)

11. Procedures to be Followed for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes in terms of section 24(5)(a) and (h) of NEMA, when Applying for 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 51022 NN 5113 dated 8 August 2024.

National Minimum Wage Act 9 of 2018

12. Investigation into the National Minimum Wage. Members of the public are invited to submit their written representations concerning possible adjustments to the national minimum wage. Published in GG 51099 NN 5138 dated 20 August 2024.

Civil Aviation Act 13 of 2009

13. Civil Aviation Regulations, 2011. Members of the public are invited to submit their written comments on or before 29 September 2024. Published in GG 51132 NN 5163 dated 8 August 2024.

Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA)

14. Proposed Investigation in terms of section 50 of the MPRDA. Members of the public are invited to submit their written comments within 30 days of the publication of this notice. Published in GG 51138 NN 5167 dated 30 August 2024.

Standards Act 8 of 2008

15. 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 51050 NN 2686 dated 16 August 2024.

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

KwaZulu Natal Province

16. Spatial Planning and Land Use Management Act 16 of 2013: Adoption of the Second Review of the Fifth Generation Spatial Development Framework, 2022/2023 – 2026/2027. Published in PG 2724 NN 495 dated 8 August 2024.
17. Disaster Management Act 57 of 2002: Classification of a Provincial Disaster in terms of section 23 of the DMA: Strong Winds in KwaZulu-Natal. Published in PG 51052 NN 5120 dated 15 August 2024.
18. Municipal Systems Act 32 of 2000: Harry Gwala District Municipality: Water Services By-laws. Published in PG 2727 NN 470 dated 27 June 2024.
19. Dr Nkosazana Dlamini Zuma Local Municipality: Integrated Waste Management By-law, 2024. Published in PG 2728 NN 497 dated 22 August 2024.

Western Cape Province

20. City of Cape Town Outdoor Advertising By-law, 2023 Published in PG 8969 dated 15 August 2024.

Eastern Cape Province

21. Nelson Mandela Bay Metropolitan Municipality: Outdoor Signs (advertising and other signs) First Amendment By-Law, 2023. Published in PG 5267 NN 992 dated 26 August 2024.
22. Eastern Cape Environmental Management Act 2 of 2024: Office of the Premier has assented to the above-mentioned ECEMA. Published in PG 5256 NN 974 dated 5 August 2024.
23. Eastern Cape Repeal of Agricultural Laws Act 1 of 2024. Published in PG 5256 NN 975 dated 5 August 2024.
24. Municipal Systems Act 32 of 2000: Mnquma Local Municipality: By-law relating to the Prevention of Fires; Swimming Bath By-law; Coastal By-Law; Nuisances and Behaviour in Public Places By-Law; and Solid Waste Management By-laws. Published in PG 5260 NN 1176 dated 12 August 2024.

Northern Cape Province

25. National Environmental Management: Protected Areas Act 57 of 2003: Declaration of Areas Situated in the Northern Cape Province to be Part of the Existing Mokala National Park in Terms of the NEM: PAA. Published in PG 51050 NN 5119 dated 16 August 2024.

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

Eastern Cape Province

26. Spatial Planning and Land Use Management Act 16 of 2013: Kouga Municipality:
- a. Notice No. 151/2024: Draft St Francis Bay Local Spatial Development Framework. Members of the public are invited to a public meeting on 6 August 2024. Published in GG 5252 NN 1164 dated 29 July 2024.
 - b. Notice No. 150/2024: Draft Hankey Local Spatial Development Framework. Members of the public are invited to a public meeting on 6 August 2024. Published in GG 5252 NN 1165 dated 29 July 2024.

Limpopo Province

27. National Environmental Management: Protected Areas Act 57 of 2003: As amended intention to Withdraw the Declaration of a 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 3578 NN 613 dated 23 August 2024.

Northern Cape Province

28. National Environmental Management: Protected Areas Act 57 of 2003: Consultation Process in terms of section 28(3) of the NEM:AQA: Notice of Intention to Declare Portion 1 (Hotson) of the Farm Wortel 42, as Part of the Gamsberg 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 2713 NN 620 dated 26 August.

Mpumalanga Province

29. Mpumalanga Nature Conservation Act 10 of 1998: Intention to Withdraw the Declaration of a Nature Reserve in Terms of the MNCA: Langcarel 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 3698 NN 486 dated 2 August 2024.

Western Cape Province

30. Garden Route District Municipality: Notice of Public Participation for the Garden Route District Municipality Fire Safety By-law relating to Veld, Mountain and Chemical Fires. Members of the public are invited to submit their written on or before 23 September 2024. Published in PG 8972 dated 23 August 2024.
31. Department of Environmental Affairs and Development Planning: Notice of Intention to Compile a New Western Cape Provincial Spatial Development Framework: Extension of Commenting Period. Published in PG 8966 BB 86 dated 8 August 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 AUGUST 2024)

1. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (B10-2022)
2. Merchant Shipping Bill (B12-2023)

BILLS BEFORE THE PRESIDENT (AS OF 31 AUGUST 2024)

1. Agricultural Product Standards Amendment Bill (B15 – 2021).
2. Electricity Regulation Amendment Bill (B23 – 2023).
3. Expropriation Bill (B23-2020).
4. Marine Pollution (Prevention of Pollution from Ships) Amendment Bill (B5- 2022)
5. National Nuclear Regulator Amendment Bill (B25 – 2023)
6. National Road Traffic Amendment Bill (B7 – 2020).
7. Preservation and Development of Agricultural Land Bill (B8 – 2021).
8. Railway Safety Bill (B7 – 2021).
9. Upstream Petroleum Resources Development Bill (B13 – 2021).
10. South African National Water Resources Infrastructure Agency SOC Limited Bill (B24 – 2023)

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