

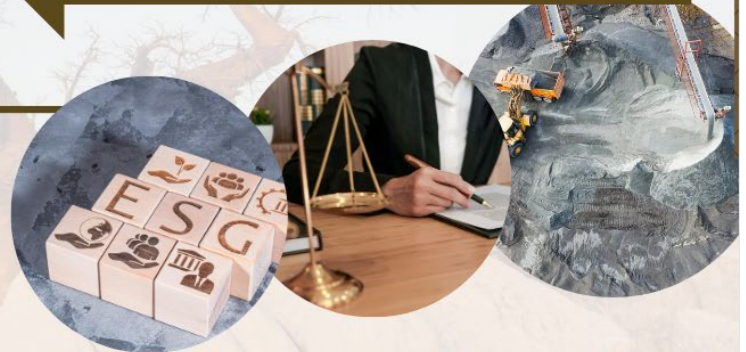
IMBEWU

Sustainability Legal Specialists (Pty) Ltd

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NOVEMBER 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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PART TWO: PARLIAMENTARY MONITORING

SECTION A: ENVIRONMENTAL (NATIONAL)

National Environmental Management: Waste Act 59 of 2008

1. Guideline and Toolkit for the Determination of Extended Producer Responsibility Fees. Published in GG 51534 NN 5535 dated 11 November 2024.
2. Amendments to the Waste Classification and Management Regulations, 2013, published under GG 36784 NN R.634 on 23 August 2013. Published in GG 51522 NN 5524 dated 7 November 2024.
3. Norms and Standards for the Assessment of Waste for Landfill Disposal, 2013, published under GG 36784 NN R. 635 on 23 August 2013. Published in GG 51520 NN 5522 dated 7 November 2024.
4. Norms and Standards for the Disposal of Waste to Landfill, 2013, published GG 36784 NN R. 636 on 23 August 2013. Published in GG 51521 NN 5523 dated 7 November 2024.

National Water Act 36 of 1998 (NW)

5. Transformation and Amalgamation of Sunday's River and Dwars Nkunzi Irrigation Board into the Biggarsberg Water User Association in terms of section 98(6) of the Act. Published in GG 51556 NN 5552 dated 15 November 2024.
6. Reserve Determination for Water Resources of the Thukela Catchments in the Pongola-Mtamvuna Water Management Area. Published in GG 51556 NN 5553 dated 15 November 2024.

Disaster Management Act 57 of 2002 (DMA)

7. Classification of a National Disaster in terms of section 23 of the Act:
 - a. Impact of Severe Weather in the Country. Published in GG 51510 NN 5517 dated 12 November 2024.
 - b. Foodborne Illness. Published in GG 51624 NN 5557 dated 12 November 2024.

National Heritage Resources Act 25 of 1999

8. Declaration of the UmQwashu Memorial Site, Peddie, Eastern Cape as a National Heritage Site. Published in GG 51657 NN 5590 dated 29 November 2024.

SECTION B: SAFETY AND HEALTH (NATIONAL)

Occupational Health and Safety Act 85 of 1993

9. Explanatory Notes: Major Hazard Installation Regulations, 2022. Published in GG 51628 NN 2841 dated 20 November 2024.
10. As Amended: Incorporation of the National Code of Practice for the Training Providers of Lifting Machine Operators into Driven Machinery Regulations 2015. Published in GG 51657 NN 5588 dated 29 November 2024.

Compensation for Occupational Injuries and Diseases Act 130 of 1993 (COIDA)

11. Notice issued by the Compensation Commissioner under the Act. Published in GG 51555 NN 5585 dated 25 November 2024.

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

United Nations Framework Convention on Climate Change

12. Publication of the Draft Article 6 Framework for the Republic of South Africa. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51637 NN 5570 dated 22 November 2024.

Mineral and Petroleum Resources Development Act 28 of 2002

13. Proposed Investigation in terms of section 50 of the Act. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51637 NN 5572 dated 22 November 2024.

National Environmental Management: Biodiversity Act 10 of 2004

14. Consultation on the Draft Notice Prohibiting Certain Activities involving African Lion (*Panthera leo*). Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51581 NN 5555 dated 15 November 2024.
15. Consultation on the Intention to Set and Allocate Annual Export Quotas for Elephant, Black Rhinoceros and Leopard Hunting Trophies for the 2024 and 2025 Calendar Years. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51644 NN 5583 dated 22 November 2024.
16. Publication of the Draft Biodiversity Management Plan for the *Pelargonium sidoides* in South Africa. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51662 NN 5592 dated 27 November 2024.

National Water Act 36 of 1998 (NWA)

17. Proposed Reserve Determination for Water Resources of the Berg Catchment in the Berg-Olifants 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 51556 NN 5554 dated 15 November 2024.
18. Notice for the Registration of Existing Dams with a Safety Risk in terms of the Act. Members of the public are invited to submit their written comments within 60 days of publication of this notice. Published in GG 51631 NN 5576 dated 22 November 2024 and GG 51657 NN 5591 dated 29 November 2024.
19. Regulations for the Use of Water for Exploration and Production of Onshore Naturally Occurring Hydrocarbons. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51642 NN 5582 dated 22 November 2024.

National Environmental Management: Waste Act 59 of 2008

20. Proposed Amendments to the Regulations and Notices Regarding Extended Producer Responsibility, 2020. Members of the public are invited to submit their written comments by 13 November 2024. Published in GG 51513 NN 5520 dated 6 November 2024 and GG 51528 NN 5534 dated 7 November 2024.

National Environmental Management Act 107 of 1998

21. General Notice Calling for Persons to Register their Details and Participate in the Voluntary Exit from the Captive Lion Industry Programme by Surrendering their Legal Stockpiles of Lion (*Panthera leo*) Bones and Derivatives. Members of the public are invited to submit their written comments within 120 days of publication of this notice. Published in GG 51551 NN 5539 dated 14 November 2024.
22. Environmental Impact Assessment Regulations, 2021: The Proposed Searcher Seismic Survey Basic Assessment Project, Located Offshore Extending from Approximately 256km Offshore of St Helena Bay to 220km Offshore off Hondeklip Bay, Off the West Coast, South Africa. Members of the public are invited to submit their written comments by 13 December 2024. Published in GG 51499 NN 2817 dated 1 November 2024.

Merchant Shipping Act 57 of 1951

23. Marine Pollution (Prevention of Pollution from Ships) Act 2 of 1986: Draft Merchant Shipping/Marine Pollution (IBC Code) Regulations, 2024. Members of the public are invited to

submit their written comments by 2 December 2024. Published in GG 51486 NN 5495 dated 1 November 2024.

24. Draft Merchant Shipping (IGC Code) Regulations, 2024. Members of the public are invited to submit their written comments by 2 December 2024. Published in GG 51486 NN 5496 dated 1 November 2024.

Marine Living Resources Act 18 of 1998

25. Draft Policy on the Allocation and Management of Rights to Operate Fish Processing Establishments and the Draft Policy for the Transfer of Commercial Fishing Rights. Members of the public are invited to submit their written comments within 30 days of publication of this notice. Published in GG 51499 NN 5504 dated 1 November 2024.

Civil Aviation Act 13 of 2009

26. Civil Aviation Regulations, 2011. Members of the public are invited to submit their written comments on or before 5 December 2024. Published in GG 51508 NN 5516 dated 5 November 2024.

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 (FCDA)

27. Regulations Relating to Maximum Levels of Mycotoxins in Foodstuffs. Members of the public are invited to submit their written comments within 3 months of publication of this notice. Published in GG 51499 NN 5505 dated 1 November 2024.
28. Regulations Relating to the Use of Food Additives in Foodstuffs in terms of the Act. Members of the public are invited to submit their written comments within 3 months of publication of this notice. Published in GG 51499 NN 5506 dated 1 November 2024.

Standards Act 8 of 2008

29. 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 51556 NN 2833 dated 15 November 2024, GG 51556 NN 2834 dated 15 November 2024, GG 51556 NN 2835 dated 15 November 2024 and GG 51556 NN 2836 dated 15 November 2024.

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

Mpumalanga Province

30. Mpumalanga Nature Reserve Conservation Act 10 of 1998:
- Publication of Revised Tariffs for Permits, Licenses and Exemption Fees in terms of section 86(3) of the Act. Published in PG 3737 dated 15 November 2024.
 - Open Season: Ordinary Game. Published in PG 3737 NN 347 dated 15 November 2024.

Western Cape Province

31. Bergrivier Municipality: By-law Relating to Prevention of Public Nuisances and the Keeping of Animals. Published in PG 9012 dated 29 November 2024.

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

Western Cape Province

32. Bergrivier Municipality: Proposed Amendment of the Air Quality By-law. Members of the public are invited to submit their written comments by no later than 13 January 2025. Published in PG 9004 dated 8 November 2024.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE PARLIAMENT (AS OF 30 NOVEMBER 2024)

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

BILLS BEFORE THE PRESIDENT (AS OF 30 NOVEMBER 2024)

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