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JANUARY 2026 SHE LEGISLATION UPDATE

SAFETY, HEALTH & ENVIRONMENTAL (SHE) LEGISLATION UPDATE

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PART TWO: PARLIAMENTARY MONITORING

SECTION A: ENVIRONMENTAL (NATIONAL)

Disaster Management Act 57 of 2002 (“DMA”):

1. Notice sets forth the classification of a national disaster under section 23 of the Disaster Management Act 57 of 2002, following severe weather events and flooding from late December 2025 across multiple provinces. It outlines the designation of primary coordinating responsibility to the National Executive, calls upon organs of state to reinforce disaster management measures, and recommends the implementation of multisectoral prevention, mitigation, relief, and rehabilitation actions. Published in GG 53982 NN 7009 dated 22 January 2026.

National Environmental Management Act 107 of 1998 (“NEMA”):

2. Notice extends the appointment of the Environmental Assessment Practitioners Association of South Africa as the single registration authority in terms of section 24H(3), read with section 24H(6), of the National Environmental Management Act 107 of 1998. The notice outlines the continuation of this appointment beyond 7 February 2026 in order to allow the Minister to consider sustainable long-term regulatory arrangements and undertake necessary law reform processes. Published in GG 54044 NN 7059 dated 30 January 2025.

SECTION B: SAFETY, HEALTH & OTHER (NATIONAL)

Basic Conditions of Employment Act 75 of 1997 (“BCEA”):

3. Notice sets out the withdrawal of a 2003 variation issued under section 50(9)(a) of the Basic Conditions of Employment Act 75 of 1997. It establishes that the exclusion of section 34A, which previously applied to employers and employees contributing to benefit funds regulated under the Pension Funds Act 24 of 1956, is now revoked. Published in GG 53951 NN 6994 dated 13 January 2026.

Compensation for Occupational Injuries and Diseases Amendment Act 10 of 2022 (“COIDAA”):

4. Notice announces the commencement dates for various sections of the Compensation for Occupational Injuries and Diseases Amendment Act 10 of 2022, issued in terms of section 64 of that Act. It sets out the immediate commencement of all provisions except section 1(g) and parts of section 1(h), stipulates that sections 3, 4, 5 and 6 will commence on 1 February 2026, and provides that sections 19(a) and (b), 20(c), 28(c), 36(1), 50(3), 52, and 54(1) and (2) will commence on 1 April 2026. Published in GG 53990 NN 306 dated 23 January 2026.
5. Notice outlines the prescribed supporting documents required from employers flagged for audit by the Compensation Fund, issued in terms of sections 81, 82 and 83 of the Compensation for Occupational Injuries and Diseases Act 130 of 1993. The notice sets out the mandatory submission of EMP 501 records, detailed payroll reports, annual financial statements, variance affidavits, ROE forms and powers of attorney where applicable. Published in GG 54043 NN 3753 dated 30 January 2026.

Occupational Health and Safety Act 85 of 1993 (“OHSA”):

6. Notice sets forth corrections to the **National Code of Practice for Training Providers of Lifting Machine Operators**, issued under the Occupational Health and Safety Act 85 of 1993. The correction notice introduces an additional duty for training providers to continue issuing the carry card until a licensing body is formally created, establishes the requirement for this licensing body to be in place by 29 May 2027, and revises clauses related to certificates of competence by removing the word 'initial'. Published in GG 54036 NN 7052 dated 30 January 2026.

Occupational Diseases in Mines and Works Act 78 of 1973 (“ODIMWA”):

7. Notice sets out the **declaration of controlled mines and prescribed risk work** in terms of section 10 and section 13 of the Occupational Diseases in Mines and Works Act 78 of 1973. It establishes a list of mines across several provinces that are designated as controlled mines, and it puts forth the categories of work regarded as risk work, including underground and surface excavations, materials handling, crushing and screening activities, laboratory processes, and associated industrial operations. Published in GG 54045 Notice 7060 dated 30 January 2026.

Civil Aviation Act 13 of 2009 (“CAA”):

8. Notice introduces the Thirty-Fourth Amendment to the Civil Aviation Regulations, issued under section 155(1) of the Civil Aviation Act 13 of 2009. It stipulates fee structures for both domestic and foreign oversight activities, clarifies data verification requirements, and confirms **commencement on 1 April 2026**. Published in GG 54050 NN 7064 dated 30 January 2026.

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

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947 (“FFASA”):

9. Notice puts forth a prohibition under section 7bis of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947. It establishes an intended **ban on the acquisition, disposal, sale, or use of agricultural remedies containing Terbufos**, with effect from 28 February 2026. Members of the public are invited to submit written comments within forty-five days of publication of this notice. Published in GG 53950 NN 6993 dated 13 January 2026.

10. Notice sets out the **Amended Regulations** Relating to Farm Feeds, issued under section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947. These regulations put forth updated requirements for the registration, labelling, manufacturing, importation, advertising, and quality control of farm feeds, including provisions on undesirable substances, feed additives, pet food standards, inspections, penalties, and appeal procedures. Members of the public are invited to submit written comments within 30 days of publication of this notice. Published in GG 53956 NN 6998 dated 16 January 2026.

National Water Act 36 of 1998 (“NWA”):

11. Notice proposes the **Regulations for the Management and Control of Government Waterworks and Surrounding State-Owned Land**, issued under section 116 of the National Water Act 36 of 1998. The regulations outline governance arrangements for recreational access, establish rules for vessels, fishing, events, accommodation, and night-time activities, set forth biodiversity protection requirements, stipulate safety obligations, and prescribe procedures for authorisations, incident reporting, and enforcement at state-owned dams. Members of the public are invited to submit written comments within 60 days of publication of this notice. Published in GG 53963 NN 7002 dated 16 January 2026.

Standards Act 8 of 2008 (“SA”):

12. Notice sets out a comprehensive list of **draft South African National Standards issued for public comment** in terms of section 23(2)(a)(ii) of the Standards Act 8 of 2008. It outlines proposed new standards and amendments covering building materials, thermal performance, electrical installations, fire detection, energy storage systems, distributed energy resources, artificial intelligence risk management, medical

equipment, and a range of specialised technical requirements. Members of the public are invited to submit written comments on or before 18 February 2026. Published in GG 53991 NN 3738 dated 23 January 2026.

13. Notice sets out **draft South African National Standards** issued for public comment under section 23(2)(a)(ii) of the Standards Act 8 of 2008. The notice puts forth proposed standards relating to LPG cylinder valves, LPG equipment connection dimensions, mine shaft overwind and underwind protection systems, and frameworks for supply chain authenticity, integrity, and anti-counterfeiting measures. Members of the public are invited to submit written comments on or before 1 March 2026. Published in GG 54047 NN 3754 dated 30 January 2026.

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

Eastern Cape Province:

14. The notice sets out the approval of the Environmental Management Plan for the Ingquza Hill Local Municipality, issued in terms of the National Environmental Management Act 107 of 1998 and related municipal legislation. Published in PG 5563 NN 1605 dated 19 January 2026.

Gauteng Province:

15. Notice publishes the **amended Cemeteries and Crematoria By-laws for the City of Johannesburg**, issued under section 13(a) of the Local Government: Municipal Systems Act 32 of 2000. These by-laws set out the rules for the disposal of bodies, funerals, cremations, exhumations, memorial work, care of graves, private cemeteries, private business activities, cemetery tourism, memorial donations, and general enforcement provisions. Published in PG 001 NN 1 dated 7 January 2026.

16. The notice promulgates the **City of Johannesburg Municipality: Nature Reserves By-laws, 2025**, issued in terms of section 13(a) of the Local Government: Municipal Systems Act 32 of 2000. These by-laws set out a comprehensive regulatory framework governing the management, protection, development, access, permitted activities, prohibited conduct, enforcement mechanisms, and administrative arrangements applicable to nature reserves under the jurisdiction of the City of Johannesburg. Published in PG 001 NN dated 7 January 2026.

17. Notice promulgates the **Public Open Spaces By-laws, 2003, as amended 2025**, published in terms of section 13(a) of the Local Government: Municipal Systems Act 32 of 2000. The by-laws put forth a comprehensive regulatory framework governing the management, protection, administration and use of public open spaces within the City of Johannesburg. Published in PG 001 NN 3 dated 7 January 2026.

Western Cape:

18. Notice introduces the **Cederberg Municipality By-law Relating to Events**, which sets out procedures, obligations and prohibitions governing the organisation and management of events within the municipal area. It outlines application requirements, approval criteria, compliance duties, inspection powers, enforcement mechanisms, appeal procedures, and exclusions for certain categories of gatherings. Published in PG 9182 dated 30 January 2026.

19. Notice introduces the **Cederberg Municipality: Community Fire Safety By-Law**, which sets out comprehensive measures for fire prevention, building fire safety, veldfire management, public safety in assembly venues, the control of flammable substances, and the regulation of dangerous goods transportation. Published in PG 9182 dated 30 January 2026.

20. Notice sets out the **Cederberg Commonage By-Law**, which outlines the framework for the administration, protection, and sustainable use of municipal commonage, setting out prohibited activities, prescribing grazing controls, regulating animal numbers and health, defining application procedures for grazing approval, and providing for enforcement, penalties, and appeals. Published in PG 9182 dated 30 January 2026.

21. Notice introduces the **Cederberg Local Municipality Animal Keeping and Impounding By-Law**. This by-law sets out detailed rules for the keeping, control, welfare, breeding, sale, seizure, and impoundment of animals within the municipality. It puts forth requirements relating to permits, hygiene and accommodation standards, restrictions on the numbers and types of animals that may be kept, measures for preventing nuisances, management of working and stray animals, wildlife and beekeeping provisions, and procedures governing pounds, pound masters, and the sale or destruction of impounded animals. Published in PG 9182 dated 30 January 2026.

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

Free State Province:

22. Notice sets out the **Draft Technical Services Policies and By-Laws for the Ngwathe Local Municipality**, issued under section 12(3)(b) of the Local Government: Municipal Systems Act 32 of 2000. The notice puts forth proposed measures regulating water services, sanitation, electricity supply, roads, storm water management and related technical functions for the 2025/26 and 2026/27 financial years. Members of the public are invited to submit written comments on or before 15 February 2026. Published in PG 92 NN 195 dated 30 January 2026.

KwaZulu-Natal Province:

23. Notice introduces the **Draft Air Quality Management By-law for the Harry Gwala District Municipality**, issued in terms of the Municipality's constitutional and legislative mandate to regulate air pollution. This By-law sets out comprehensive measures for air quality governance, including emission standards, licensing requirements for listed activities, controls on smoke, dust, open burning, pesticide spraying, and the operation of controlled emitters. Published in PG 2881 NN 688 dated 29 January 2026.

24. Notice publishes the **Draft Municipal Health Services By-laws of the Harry Gwala District Municipality**, issued under section 13(a) of the Local Government: Municipal Systems Act 32 of 2000. These By-laws establish a comprehensive regulatory framework for public health, setting out obligations, prohibitions, permit requirements and operational standards for water quality, food premises, sanitary services, accommodation establishments, childcare facilities, beauty salons, dry-cleaning and laundry businesses, health establishments, the keeping of animals, offensive trades, schools and street trading. Published in PG 2881 MN 689 dated 29 January 2026.

PART TWO: PARLIAMENTARY MONITORING

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

BILLS BEFORE THE NATIONAL ASSEMBLY (AS OF 31 JANUARY 2026)

1. National Water Amendment Bill (B1-2026).
2. Water Services Amendment Bill (B24-2025).
3. South African National Water Resources Infrastructure Agency SOC Limited Amendment Bill (B13-2025).
4. Performing Animals Protection Amendment Bill (B12-2025).
5. Merchant Shipping Bill (B12-2023).
6. Prevention of Illegal Eviction from and Unlawful Occupation of Land Amendment Bill (B6-2023).
7. Marine Oil Pollution (Preparedness, Response and Cooperation) Bill (B10-2022).

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.*