

## Environmental Legislation Update

7<sup>th</sup> February 2014 to 28<sup>th</sup> February 2014  
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*Shepstone & Wylie's Environmental and Clean Energy Department advises clients in both the public and private sector on a range of environmental and clean energy issues. Assistance is given to companies in a number of industries, including mining and resources, utilities, chemicals, steel, agriculture, automotive, waste, storage, building and transport. Issues covered include environmental compliance assessments; due diligence assessments; contracts; structured finance; environmental management systems; new and pending legislation, and permitting and licence requirements.*

### 1. NATIONAL LEGISLATION

#### 1.1. ACTS

**Compensation of Occupational Injuries and Diseases Act 130 of 1993**

Amendment of Schedule 4 of the Act  
(Gov N138, GG37379, 26 February 2014, pg 5)

**National Environmental Management Act 107 of 1998**

Amendments to Schedules 1 and 2  
(Gov N152, GG37401, 28 February 2014, pg 3)

#### 1.2. BILLS, WHITE PAPERS

**Draft Medicines and Related Substances Amendment Bill, 2013**

Publication of explanatory summary  
(Gen N117, GG37361, 20 February 2014, pg 3)

**National Water Amendment Bill**

(B3-2014)

**Medicines and Related Substances Amendment Bill**

(B6-2014)

### 1.3. **GENERAL / BOARD NOTICES**

#### **Fire Brigade Services Act 99 of 1987**

National Urban Search and Rescue Framework  
(Gen N120, GG37374, 26 February 2014, pg 3)

#### **Disaster Management Act 57 of 2002**

National Urban Search and Rescue Framework  
(GEN N120, GG37374, 26 February 2014, pg 3)

#### **National Health Act 61 of 2003**

- National Urban Search and Rescue Framework  
(Gen N120, GG37374, 26 February 2014, pg3)
- Publication of Health Infrastructure Norms and Standards Guidelines  
(Gov NR116, GG37348, 17 February 2014, pg 3)

#### **Astronomy Geographic Advantage Act 21 of 2007**

- Declaration of the Sutherland Central Astronomy Advantage Areas  
(Gen, N140, GG37397, 28 February 2014, pg 3)
- Declaration of the Karoo Central Astronomy Advantage Areas  
(Gen N141, GG37397, 28 February 2014, pg 5)

#### **National Heritage Resources Act 25 of 1999**

Declaration of "Lake Fundudzi Cultural Landscape" situated in Venda, Limpopo Province as a National Heritage Site  
(Gov N78, GG37287, 7 February 2014, pg 7)

#### **Mineral and Petroleum Resources Development Act 28 of 2002**

Restriction in terms of Section 49(1) of the Act on granting of new applications for reconnaissance permits, technical cooperation permits, exploration rights and production rights in terms of Sections 74, 76, 79 and 83 of the Act  
(Gov N71, GG37294, 3 February 2014, pg 3)

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

Norms and Standards for Biodiversity Management Plans for Ecosystems  
(Gov N83, GG37302, 7 February 2014, pg 3)

#### **Water Services Act 108 of 1997**

Extension of service area of Rand Water  
(Gov N115, GG37342, 14 February 2014, pg 2)

### 1.4. **RULES, REGULATIONS, GUIDELINES & POLICIES**

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

- Regulations regarding Inspections and appeals: Local: Amendment  
(Gov NR130, GG37365, 28 February 2014, pg 4)
- Regulations regarding Inspections and Appeals: Export: Amendment  
(Gov NR131, GG37365, 28 February 2014, pg 12)

### **Compensation for Occupational Injuries and Diseases Act 130 of 1993**

- Increase of maximum amount of earnings on which the assessment of an employer shall be calculated  
(Gov N136, GG37379, 26 February 2014, pg 3)
- Increase in month pensions  
(Gov N137, GG37379, 26 February 2014, pg 4)

### **National Environmental Management Act 1097 of 1998**

Fees for consideration and processing of applications for environmental authorisations and amendments thereto  
(Gov N141, GG37383, 28 February 2014, pg 3)

### **National Environmental Management: Waste Act 59 of 2008**

Fee structure for consideration and processing of applications for waste management licences, transfer and renewal thereof  
(Gov N142, GG37383, 28 February 2014, pg 7)

### **Conservation of Agricultural Resources Act 43 of 1983**

Revised tariffs for services rendered in terms of the Act  
(Gov N67, GG37286, 5 February 2014, pg 3)

### **Animal Diseases Act 35 of 1984**

Tariffs payable for Veterinary import permits from 1 April 2014  
(Gen N51, GG37287, 7 February 2014, pg 16)

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

- Construction Regulations, 2014  
(Gov NR84, GG37305, 7 February 2014, pg 3)
- Notice of approval of a statutory body  
(Gov NR85, GG37305, 7 February 2014, pg 57)

### **Health Professions Act 56 of 1974**

- Regulations relating to the registration of speech language therapy students  
(Gov N86, GG37312, 10 February 2014, pg 3)
- Regulations relating to the registration by environmental Health Practitioners of additional qualifications: Amendment  
(Gov NR102, GG37316, 11 February 2014, pg 3)
- Regulations relating to the registration of medical technicians in teh category tuberculosis (bacterium): Correction notice  
(Gov NR103, GG37317, 11 February 2014, pg 3)
- Regulations relating to the undergraduate Curricula and Professional Examinations in Audiology  
(Gov NR106, GG37323, 12 February 2014, pg 3)

## 1.5. **LEGISLATION FOR COMMENT**

### **National Environmental Management Act 107 of 1998**

Draft National Exemption Regulations  
(Gen N142, GG37400, 28 February 2014, pg 3)

### **Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947**

Sterilizing Plants and Pest Control Operators  
(Gen N54, GG37287, 7 February 2014, pg 21)



### **National Forests Act 84 of 1998**

Releasing remnant of Erf 578 of Portion of Erf 118  
(Gov N55, GG37287, 7 February 2014, pg 33)

### **Mineral and Petroleum Resources Development Act 28 of 2002**

Invitation for representations from relevant stakeholders on a proposed restriction under Section 49(1) of the Act on the granting of reconnaissance permits, technical cooperation permits, exploration rights and production rights in terms of Section 74, 76, 79 and 83 of Act  
(Gov N72, GG37294, 3 February 2014, pg 4)

### **National Environmental Management: Waste Act 59 of 2008**

Draft national norms and standards for organic waste composting  
(Gen N68, GG37300, 7 February 2014, pg 3)

### **Merchant Shipping Act 57 of 1951**

- Publication for comments of amendment of the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2014  
(Gen N71, GG37314, 11 February 2014, pg 3)
- Publication for comments of amendment of the Merchant shipping (Eyesight and Medical Examination) Regulations, 2014  
(Gen N72, GG37315, 11 February 2014, pg 3)

### **Health Professions Act 56 of 1974**

- Regulations relating to the qualifications for the registration of emergency care consultants  
(Gov NR101, GG37319, 11 February 2014, pg 3)
- Regulations relating to the qualifications for the registration of emergency care specialists  
(Gov NR107, GG37324, 13 February 2014, pg 3)
- Regulations relating to the qualifications for the registration of emergency care assistants  
(Gov NR109, GG37326, 13 February 2014, pg 3)
- Regulations relating to the registration by Medical Practitioners and Dentists of additional qualifications: Amendment  
(Board N12, GG37307, 14 February 2014, pg 3)
- Regulations relating to the qualifications for the registration of emergency care technicians  
(Gov NR111, GG37329, 14 February 2014, pg 3)

### **South African Weather Services Act 8 of 2001**

Proposed regulations regarding fees for the provision of aviation meteorological services  
(Gen N99, GG37343, 14 February 2014, pg 3)

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

- Draft Alien and Invasive Species Lists, 2014  
(Gen N78, GG37320, 12 February 2014, pg 3)
- Draft Alien and Invasive Species Regulations, 2014  
(Gen N79, GG37320, 12 February 2014, pg 63)
- Intention to declare the Kwelela National Botanical Garden  
(Gen N74, GG37307, 14 February 2014, pg 39)

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

Draft amendment regulations on bio-prospecting, access and benefit-sharing  
(Gen N73, GG37331, 17 February 2014, pg 3)

## 2. PROVINCIAL LEGISLATION

### 2.1. EASTERN CAPE:

Disaster Management Act 57 of 2002

Joe Gqabi District Municipality: Declaration of Local State of Drought Disaster  
(PN6, PG3123, 14 February 2014, pg 3)

### 2.2. KWAZULU-NATAL:

#### **KwaZulu-Natal Health Act 4 of 2000**

Regulations relating to the Administration, Management and Control of Provincial Hospitals, Services and Institutions  
(PN50, PG1102, 26 February 2014, pg 3)

### 2.3. LIMPOPO

#### **National Environmental Management: Protected Areas Act 57 of 2003**

- Intention to declare the farms as Nature Reserve (Happy Rest Nature Reserve)  
(PN1, PG2319, 25 February 2014, pg 3)
- Intention to declare attached respective land parcels as nature reserves and protected environment  
(GN74, PG2321, 28 February 2014, pg 40)

#### **Limpopo Environmental Management Act 7 of 2003**

Open Season to hunt game  
(GN32, PG2312, 7 February 2014, pg 3)

### 2.4. MPUMALANGA

#### **Spatial Planning and Land Use Management Act 16 of 2013**

Umjindi Local Municipality: Invitation for comments on the Umjindi Draft Spatial Development Frame work 2014  
(LAN19, PG2264, 21 February 2014, pg 20)

### 2.5. WESTERN CAPE

#### **National Environmental Management: Protected Areas Act 57 of 2003**

- Declaration of the Wolwekraal Nature Reserve  
(PN38, PG7229, 14 February 2014, pg 475)
- Declaration of the Rooiberg Nature Reserve  
(PN48, PG7231, 21 February 2013, pg 509)

### 3. LOCAL LEGISLATION

#### 3.1. WESTERN CAPE:

##### **City of Cape Town:**

Wastewater and Industrial Effluent By-law, 2013  
(LAN, PG7227, 7 February 2014, pg 417)

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*The content of this update is intended for information purposes only and should not be considered as legal advice. While every effort has been made to ensure the comprehensive nature of the information, the list of legislation should not be considered as definitively exhaustive. More information on the laws covered, is available from Shepstone & Wylie's Environmental & Clean Energy Law Departments by contacting -*

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