

## Environmental Legislation Update

29<sup>th</sup> March 2013 to 26<sup>th</sup> April 2013  
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*Shepstone & Wylie's Environmental and Clean Energy Departments advise 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

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

Amendment of Schedule 2 to the National Environmental Management  
(Gov N236, GG36295, 27 March 2013, pg 3)

**National Environmental Management Protected Areas Amendment Act 15 of 2009**

Date of commencement of Sections 1 and 8: 1 April 2013  
(Proc N7, GG36296, 27 March 2013, pg 3)

**National Environmental Management Act 107 of 1998**

Proposed amendments to Schedule 1 and 2  
(Gen N412, GG36392, 26 April 2013, pg 68)

#### 1.2 BILLS, WHITE PAPERS

**Draft Ballast Water Management Bill, 2013**

For public comments  
(Gen N340, GG36330, 3 April 2013, pg 3)

**National Environmental Management: Integrated Coastal Management Amendment Bill**

(B8-2013)

**National Animal Pounds Bill**

For public comments  
(Gen N398, GG36385, 18 April 2013, pg 3)



**Marine Living Resources Amendment Bill, 2013**

Publication of and invitation to comment  
(Gen N434, GG36413, 25 April 2013, pg3)

1.3 **GENERAL / BOARD NOTICES**

**Marine Living Resources Act 18 of 1998**

Declaration of the Prince Edward Islands Marine Protected Area under Section 43 of the Act  
(Gov N251, GG36307, 5 April 2013, pg 8)

**National Water Act 36 of 1998**

Final allocation schedule for the Jan Dissels River Catchment  
(Gov N323, GG36417, 26 April 2013, pg 3)

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

Biodiversity Management Plan for Pelargonium Sidoides in South Africa 2011 – 2020  
(Gen N433, GG36411, 26 April 2013, pg 3)

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

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

Regulations relating to the registration of Fertilizers, Farm Feeds, Agricultural Remedies, Stock remedies, Sterilizing Plants and Pest Control Operations, Appeals and Imports: Amendment  
(Gov NR259, GG36345, 5 April 2013, pg 3)

**Marine Living Resources Act 18 of 1998**

Regulations for the management of the Prince Edward Islands Marine Protected Area  
(Gov N252, GG36307, 5 April 2013, pg 10)

**South African Weather Service Act 8 of 2001**

Regulations regarding fees for the provision of Aviation Meteorological Services  
(Gov NR307, GG36391, 19 April 2013, pg 3)

1.5 **LEGISLATION FOR COMMENT**

**Department of Agriculture, Forestry and Fisheries**

Draft revised general policy on the Allocation and Management of Fishing Rights: Invitation to comment  
(Gen N396, GG36383, 17 April 2013, pg 3)

**National Forests Act 84 of 1998**

Intention to declare state forests properties in Mpumalanga as forest nature reserves  
(Gen N383, GG36371, 19 April 2013, pg 29)

**National Forests Act 84 of 1998**

Invitation to submit written comments on the proposed list of particular trees and particular groups of trees "Champion Trees"  
(Gen N383, GG36371, 19 April 2013, pg 29)

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

Basic assessment and water use licence application for the proposed construction of the 132KVDipompong and Tswaing Substations, and their associated overhead power lines: Invitation to comment  
(Gen N397, GG36384, 17 April 2013, pg 3)

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

Invitation for representations from relevant stakeholders on proposed prohibition against granting of new applications for prospecting rights, mining rights, reconnaissance permission and mining permits  
(Gov N399, GG36390, 19 April 2013, pg 3)

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

Threatened or protected species regulations  
(Gen N388, GG36375, 16 April 2013, pg 3)

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

Publication of lists of species that are threatened or protected, activities that are prohibited and exemption from restriction  
((Gen N389, GG36375, 16 April 2013, pg 104)

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

Redeclaration of Kathu Forest as protected woodland: For public comments  
(Gen N408, GG36392, 26 April 2013, pg50)

## **2. PROVINCIAL LEGISLATION**

### **KWAZULU-NATAL:**

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

Regulations relating to the administration, management and control of provincial hospitals, services and institutions established  
(MN23, PG920, 25 March 2013, pg 3)

## **3. LOCAL LEGISLATION**

### **EASTERN CAPE:**

#### **Local Government Municipal Systems Act 32 of 2000: Municipality of Inxuba Yethemba**

By-law relating to the Prevention of Nuisances  
(LAN18, PG2935, 10 April 2013, pg 3)

By-law relating to Refuse Removal and Disposal  
(LAN18, PG2935, 10 April 2013, pg 22)

By-laws relating to the keeping of Animals, Birds and Poultry and Business involving the keeping of Animals, Birds, Poultry and/or Pets  
(LAN18, PG2935, 10 April 2013, pg 43)

## **GAUTENG:**

### **Local Government Affairs Act 10 of 1998 and Local Government: Municipal Systems Act 32 of 2000**

City of Tshwane Metropolitan Municipality: Green Building Development By-law  
(LAN328, PG79, 27 March 2013, pg 113)

## **KWAZULU-NATAL**

### **Local Government: Municipal Systems Act 32 of 2000: City of uMhlatuze**

Amendment to the Nuisance By-laws  
(MN24, PG922, 26 March 2013, pg 7)

### **Local Government: Municipal Systems Act 32 of 2000: Endumeni Municipality**

Keeping of Animals By-law  
(MN27, PG928, 16 April 2013, pg 3)

## **LIMPOPO:**

### **Local Government: Municipal Systems Act 32 of 2000: Mogalakwena Municipality**

Cemetery By-laws  
(LAN46, PG2190, 12 April 2013, pg3)

Public Amenities By-law  
(LAN46, PG2190, 12 April 2013, pg 20)

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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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