

Environmental Legislation Update

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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; audits; contracts; structured finance; environmental management systems; new and pending legislation, and permitting and licence requirements.

1. NATIONAL LEGISLATION

1.1. ACTS

No new items of relevance during this time period.

1.2. BILLS, WHITE PAPERS

No new items of relevance during this time period.

1.3. GENERAL / BOARD NOTICES / REGULATIONS

National Water Act 36 of 1998

- Establishment of Olifants catchment management agency (w.e.f. 27 February 2015). (GN168, GG38492, 27 February 2015, pg 39)

Genetically Modified Organisms Act 15 of 1997

- Tariffs for services (w.e.f. 1 April 2015). (Gen N87, GG38458, 13 February 2015, pg 29)
- Regulations amended (w.e.f. 1 April 2015). (Gen N87A, GG38458, 13 February 2015, pg 30)

Subdivision of Agricultural Land Act 70 of 1970 & Conservation of Agricultural Resources Act 43 of 1983

- Revised tariffs for services rendered (w.e.f. 20 February 2015).
(GN 102, GG38478, 20 February 2015, pg 7)

1.4 **RULES, GUIDELINES & POLICIES**

International Trade Administration Act 71 of 2002

- International Trade Commission of South Africa (ITAC): Amended export control guidelines on the exportation of ferrous and non-ferrous waste and scrap published in GN R714 in GG37992 of 12 September 2014 amended.
(Gen R84, GG38459, 13 February 2015, pg 10)

1.5 **LEGISLATION FOR COMMENT**

National Environmental Management: Biodiversity Act 10 of 2004

- Bioprospecting permit application.
(Gen N83, GG38436, 30 January 2015, pg 3)

National Environmental Management: Waste Act 59 of 2008

- Draft national pricing strategy for waste management charges published for comment.
(Gen N84, GG38438, 3 February 2015, pg 3)
- Amendment to the list of waste management activities that have, or are likely to have a detrimental effect of the environment.
(Gen N130, GG38472, 13 February 2015, pg 3)

National Water Act 36 of 1998

- Draft regulations regarding the procedural requirements for licence applications in terms of section 26(1)(k).
(Gen N126, GG38465, 12 February 2015, pg 3)
- Proposal for the establishment of the Vaal River Catchment Management Agency in terms of section 78(3).
(Gov N107, GG38478, 20 February 2015, pg 25)

National Environmental Management Act 107 of 1998

- Final draft environmental management framework for the Mapungubwe Cultural Landscape World Heritage Site.
(Gen N136, GG38478, 20 February 2015, pg 32)

National Environmental Management: Protected Areas Act 57 of 2003

- Intention to declare certain land situated in the Western Cape Province as part of the existing West Coast National Park.
(Gen N135, GG38478, 20 February 2015, pg 29)

2. PROVINCIAL LEGISLATION

2.1 EASTERN CAPE

- Nature and Environmental Conservation Ordinance (19/1974) and the Problem Animal Control Ordinance (26/1957): Bisho/King William's Town: Determination of 2015 hunting season, daily bag limits and hunting by the use of prohibited hunting methods.
(Proc N1, PG3331, 30 January 2015, pg 3)
- Nature Conservation Act 10 of 1987 (Ciskei): Hunting Seasons: Former Ciskei and Transkei published.
(PN5, PG3331, 30 January 2015, pg8)

2.2 WESTERN CAPE

- Nature Conservation Ordinance (19/1974): Hunting seasons, daily bag limits and hunting by the use of prohibited hunting methods.
(PN15, PG7345, 23 January 2015, pg 53)
- Western Cape Land Use Planning Act: Overstrand Local Municipality: Department of Environmental Affairs and Development Planning: draft Western Cape Land Use Planning Regulations, 2015.
(PN41, PG7353, 16 February 2015, pg 2)

National Environmental Management: Protected Areas Act 57 of 2003

- Declaration of the Skimmelberg Nature Reserve.
(PN3, PG7344, 16 January 2015, pg 4)
- Declaration of the part of Wolwekop Nature Reserve.
(PN4, PG7344, 16 January 2015, pg 7)
- Declaration of the Towerland Wilderness Nature Reserve.
(PN5, PG7344, 16 January 2015, pg 10)
- Declaration of the Kleyn Hagelkraal Nature Reserve.
(PN6, PG7344, 16 January 2015, pg 13)
- Declaration of the Grootwinterhoek Protected Environment.
(PN7, PG7344, 16 January 2015, pg 16)
- Witzenberg Local Municipality: Declaration of the Grootvlei Nature Reserve.
(PN48, PG 7355, 20 February 2015, pg 174)

2.3 **LIMPOPO**

Limpopo Environmental Management Act 7 of 2003

- Open Season: Game 2015.
(Gen N19, PG2470, 3 February 2015, pg3)

2.4 **KWAZULU-NATAL**

- Kwazulu-Natal, Environmental, Biodiversity and Protected Areas Management Bill, 2014 – Bill and memorandum on the objects of the bill.
(Gen N4, PG1314, 25 February 2015)

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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