

Environmental Legislation Update

4th April 2014 to 2nd May 2014
Volume 11, Issue 4

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

National Environmental Management: Waste Act 59 of 2008

Determining the date on which Part 8 in Chapter 4 of the Act will come into operation
(Proc N26, GG37547, 11 April 2014, pg 2)

Traditional Health Practitioners Act 22 of 2007

Date of commencement of Sections 4, 5, 6, 8, 9, 16 to 46, 49 and 51: 1 May 2014
(Proc N29, GG37600, 2 May 2014, pg 3)

Merchant Shipping (International Oil Pollution Compensation Fund) Contributions Act 35 of 2013

Date of commencement: 1 May 2014
(Proc N27, GG37597, 29 April 2014, pg 3)

Merchant Shipping (International Oil Pollution Compensation Fund) Contributions Act 36 of 2013

Date of commencement: 1 May 2014
(Proc N28, GG37597, 29 April 2014, pg 5)

1.2. BILLS, WHITE PAPERS

No new items of relevance during this time period.

1.3. **GENERAL / BOARD NOTICES**

Occupational Health and Safety Act 85 of 1993

Notice regarding application of the Construction Regulations, 2014
(Gov NR227, GG37491, 4 April 2014, pg 4)

Water Services Act 108 of 1997

- Disestablishment of Botshelo Water
(Gov N239, GG37503, 1 April 2014, pg 3)
- Extension of Service Area of Rand Water
(Gov N240, GG37503, 1 April 2014, pg 3)
- Disestablishment of Bushbuckridge Water
(Gov N241, GG37503, 1 April 2014, pg 4)
- Extension of area of Sedibeng Water
(Gov N242, GG37503, 1 April 2014, pg 4)
- Extension of area of Magalies Water
(Gov N243, GG37503, 1 April 2014, pg 5)

National Heritage Resources Act 25 of 1999

Declaration of the Parliament of South Africa, Erf 95165; Erf 95164; Stal Plein, Erf 3741; Erf 9557; Erf 3789; Erf 3790; Erf 3794 and Erf 3798, as a National Heritage Site
(Gen N269, GG37535, 7 April 2014, pg 3)

National Health Act 61 of 2003

National Health Normative Standards Framework for Interoperability in eHealth
(Gov N314, GG37582, 23 April 2014, pg 3)

National Environmental Management: Biodiversity Act 10 of 2004

Benefit Sharing Agreement concluded between the Council of Scientific and Industrial Research and the Traditional Healers Council
(Gen N330, GG37582, 23 April 2014, pg 3)

National Water Act 36 of 1998

Establishment of the Inkomati-Usuthu Catchment Management Agency through extending the boundary and area of operation of the Inkomati Catchment Management Agency in terms of Section 78(4)
(Gov N330, GG37602, @ May 2014, pg 3)

National Environmental Management: Waste Act 59 of 2008

- National Norms and Standards for the remediation of contaminated land and soil quality
(Gov N331, GG37603, 2 May 2014, pg 3)
- Amendment to the list of Waste Management Activities that have or are likely to have a detrimental effect on the environment
(Gov N332, GG37604, 2 May 2014, pg 3)

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

Fertilizers, Farm Feeds, 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 NR207, GG37468, 1 April 2014, pg 3)

Medicines and Related Substances Act 101 of 1965

Regulations relating to a transparent pricing system for medicines and scheduled substances: Amendment (dispensing fee to be charged by persons licensed in terms of Section 22C(1)(a)).
(Gov NR264, GG37527, 3 April 2014, pg 3)

Natural Scientific Professions Act 27 of 2003

South African Council for Natural Scientific Professions: Fee structure for 2014/2015
(Board N45, GG37534, 4 April 2014, pg 3)

Compensation for Occupational Injuries and Diseases Act 130 of 1993

- Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Correction Notice: Chiropractors
(Gov N299, GG37570, 24 April 2014, pg 3)
- Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Correction Notice: Occupational Therapist
(Gov N300, GG37571, 24 April 2014, pg 2)
- Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Correction Notice: Physiotherapist
(Gov N301, GG37572, 24 April 2014, pg 3)
- Compensation for Occupational Injuries and Diseases Act: Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Social Workers and Psychologists
(Gov N302, GG37573, 24 April 2014, pg 3)
- Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Ambulance
(Gov N303, GG37574, 24 April 2014, pg 3)
- Annual increase in medical tariffs for medical services providers, pharmacies, ambulances and hospital groups: Hospital
(Gov N311, GG37576, 24 April 2014, pg 3)

National Environmental Management: Biodiversity Act 10 of 2004

- Amendments to CITES Regulations, 2014
(Gov NR323, GG37596, 29 April 2014, pg 3)
- Amendment to the Threatened or Protected Species Regulations, 2007
(Gov NR324, GG37596, 29 April 2014, pg 8)

1.5. **LEGISLATION FOR COMMENT**

National Environmental Management: Biodiversity Act 10 of 2004

Draft Shark Biodiversity Management Plan
(Gen N331, GG37586, 29 April 2014, pg 3)

2. PROVINCIAL LEGISLATION

2.1 EASTERN CAPE:

Disaster Management Act 57 of 2002

Alfred Nzo District Municipality: Declaration of Local State of Disaster
(PN22, PG3156, 2 April 2014, pg 3)

Disaster Management Act 57 of 2002

Chris Hani District Municipality (CHDM): The Disaster Risk Management Policy Framework
(DRMPF)
(PN23, PG3162, 23 April 2014, pg 3)

2.2 FREE STATE:

Nature Conservation Ordinance 8 of 1969

Hunting Season: 2014
(Proc N7, PG6, 11 April 2014, pg 2)

2.3 GAUTENG

Nature Conservation Ordinance 12 of 1983

Open Season: Ordinary Game
(GN1250, PG104, 25 April 2014, pg 3)

2.4 LIMPOPO

National Environmental Management: Protected Areas Act 57 of 2003

Correction Notice: Declaration of Welgevonden, Luvhondo, Mokolo, Happy Rest and Bothasvley
Nature Reserves
(PN5, PG2341, 10 April 2014, pg 3)

2.5 MPUMALANGA

Disaster Management Act 57 of 2002

Declaration of a Provincial state of disaster in Nkomazi Local Municipality, Bushbuckridge Local
Municipality, Mbombela Local Municipality, Umjindi Local Municipality, Mkhondo Local
Municipality, Chief Albert Luthuli Local Municipality, Lekwa Local Municipality and Msukaligwa
Local Municipality
(Premier's N3, PG2287, 25 April 2014, pg 3)

2.6 NORTHERN CAPE

Khara Hais Municipality

Compiling of a Draft Zoning Scheme, Land Development Procedures and Regulations (LUMS)
(GN36, PG1792, 31 March 2014, pg 3)

2.6 NORTH WEST

National Environmental Management Act 107 of 1998

Establishment of a military health care centre: For comment
(GN194, PG7270, 22 April 2014, pg 21)

2.7 WESTERN CAPE

Western Cape Independent Health Complaints Committee Act 2 of 2014

Date of commencement: To be proclaimed
(PN98, PG7249, 7 April 2014, pg 2)

Western Cape Land Use Planning Act 3 of 2014

Date of commencement: To be proclaimed
(PN99, PG7250, 7 April 2014, pg 2)

3. LOCAL LEGISLATION

No new items of relevance during this time period.

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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