

## Environmental Legislation Update

5<sup>th</sup> May 2014 to 30<sup>th</sup> May 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

**Medicines and Related Substances Act 101 of 1965**

Amendment of Schedules  
(Gov NR352, GG37622, 8 May 2014, pg 3)

**Merchant Shipping (Civil Liability Convention) Act 25 of 2013**

Date of commencement: 30 May 2014  
(Proc N34, GG37687, 26 May 2014, pg 3)

**Marine Living Resources Amendment Act 5 of 2014**

Date of commencement: To be proclaimed  
(Gov N383, GG37659, 19 May 2014, pg 3)  
Proposed amendment of Subsections 1, 2, 14 and 18 and proposed substitution of Subsection 19 and 24 to the *Marine Living Resources Act 18 of 1998*

**National Environmental Management: Air Quality Amendment Act 20 of 2014**

Date of commencement: 19 May 2014  
(GOV N390, GG37666, 19 May 2014, pg 3)  
Amendment of Subsections 1, 13, 29, 36, 38, 39, 40, 41, 49, 51 and 53 and Table of Contents; insertion of Section 22A and repeal of Subsection 62 and 63 and Schedule 2 of the *National Environmental Management Act quality Act 39 of 2004*

**Merchant Shipping (international Oil Pollution Compensation Fund) Act 24 of 2013**

Date of commencement: 30 May 2014  
(Proc N35, GG37696, 29 May 2014, pg 3)

### **National Environmental Management: Protected Areas Amendment Act 21 of 2014**

Date of commencement: 2 June 2014

(Gov N445, GG37710, 2 June 2014, pg 2)

Amendment of Subsection 1, 2, 4, 28, 31, 34, 37, 38, 41, 48, 52, 90 and 91 and the Arrangement of Sections; Substitution of Section 14 and insertion of Section 48A and Part 2A to the *National Environmental Management: Protected Areas Act 57 of 2003*

### **Infrastructure Development Act 23 of 2014**

Date of commencement: To be proclaimed

(Gov N447, GG37712, 2 June 2014, pg 2)

### **National Environmental Management Laws Amendment Act 25 of 2014**

Date of commencement: 2 September 2014

(Gov N448, GG37713, 2 June 2014, pg 2)

Amendment of Subsection 1, 24, 24C, 24L, 24N, 24O, 24P, 24R, 28, 31D, 42A, 43, 44 and the Arrangement of Sections and insertion of Subsection 24S, 31BB, 47CA, 47CB and 50A to the *National Environmental Management Act 107 of 1998*

Amendment of Subsection 1, 4, 43, 67, 69 and the Table of Contents and insertion of Subsection 20A, 43A and 79A to the *National Environmental Management: Waste Act 59 of 2008*

Amendment of Subsection 12 and 14 and repeal of Section 13 and the Schedule to the *National Environmental Management Amendment act 62 of 2008*

### **National Environmental Management: Waste Amendment Act 26 of 2014**

Date of commencement: 2 June 2014

(Gov N449, GG37714, 2 June 2014, pg 2)

Amendment of Subsection 1, 4, 11, 12, 13, 28, 29, 30, 32, 33 and 34 and the Table of Contents; insertion of Subsection 69A, Chapter 3A, Part 7A and Schedule 3 and repeal of Section 78 to the *National Environmental Management: waste Act 59 of 2008*

### **National Water Amendment Act 27 of 2014**

Date of commencement: 2 September 2014

(Gov N450, GG37715, 2 June 2014, pg 2)

Amendment of Subsection 1, 26, 41, 48 and Arrangement of Sections and insertion of Section 163A to the *National Water Act 36 of 1998*

## 1.2. **BILLS, WHITE PAPERS**

### **White Paper on National Environmental Management of the Ocean**

For general information

(Gov N426, GG37692, 29 May 2014)

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

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

Plan for *Gypaetus Barbatus Meridionalis*

(Gov N350, GG37620, 8 May 2014, pg 3)

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

Registration of Employer

(Gov N358, GG37629, 13 May 2014, pg 3)



### **National Regulator for Compulsory Specifications Act 5 of 2008**

The compulsory specification for safety glass and other safety glazing materials: VC 9003  
(Gov NR363, GG37631, 16 May 2014, pg 10)

### **National Water Act 36 of 1998**

- Establishment of the Limpopo-North Catchment Management Agency  
(Gov N409, GG37674, 23 May 2014, pg 3)
- Establishment of the Pongola-Umzimkulu Catchment Management Agency  
(Gov N411, GG37676, 23 May 2014, pg 3)
- Establishment of the Breede-Gouritz Catchment Management Agency through extending the boundary and area of operation of the Breede-Overberg Catchment Management Agency  
(Gov N412, GG37677, 23 May 2014, pg 3)

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

### **National Environmental Management: Air Quality Act 39 of 2004**

Regulations regarding the phasing-out and management of ozone-depleting substances  
(Gov N351, GG37621, 1 May 2014, pg 3)

## 1.5. **LEGISLATION FOR COMMENT**

### **National Nuclear Regulator Act 47 of 1999**

Notice of application for Nuclear Vessel Licence in terms of Section 21(3)  
(Gen N342, GG37605, 9 May 2014, pg 38)

### **Medicines and Related Substances Act 101 of 1965**

Regulations relating to a transparent pricing system for medicines and scheduled substances (Benchmark Methodology)

(Gov NR354, GG37625, 12 May 2014, pg 3)

### **Department of Public Works**

Built Environment Policy (BEP) for public comment  
(Gen N370, GG37653, 23 May 2014, pg 67)

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

The Safe Transportation of Dangerous Goods by Road Regulations  
(Gen N379, GG37671, 23 May 2014, pg 3)

### **National Water Act 36 of 1998**

Proposal for the establishment of the Olifants Catchment Management Agency  
(Gov N410, GG37675, 23 May 2014, pg 3)

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

Final Draft Environmental Management Framework for the Vredefort Dome World Heritage Site  
(Gen N366, GG37653, 23 May 2014, pg 62)

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

Regulations Relating to Health Care Waste Management in Health Establishments, 2014  
(Gov NR375, GG37654, 23 May 2014, pg 4)

## **National Environmental Management: Integrated Coastal Management Act 24 of 2008**

The Draft National Coastal Management Programme  
(Gen N383, GG37682, 30 May 2014, pg 47)

## **2. PROVINCIAL LEGISLATION**

### **2.1 MPUMALANGA**

#### **Mpumalanga Nature Conservation Act 10 of 1998**

Proclamation in terms of the Act: Amendments of Provincial Nature Reserves  
(GN185, PG2302, 22 May 2014, pg 3)

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

Directions issued regarding the declared provincial state of disaster  
(GN187, PG2304, 23 May 2014, pg 3)

### **2.2 NORTHERN CAPE**

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

- Nama Khoi Municipality: Declaration of the Melkriver Nature Reserve  
(ON4, PG1804, 12 May 2014, pg 3)
- Declaration of the Tswalu Kalahari Nature REserv  
(ON5, PG1804, 12 May 2014, pg 5)
- Hantam Municipality: Declaration of the Wit Clay Gat Nature Reserve  
(ON6, PG1804, 12 May 2014, pg 7)
- Hantam Municipality: Declaration of the Blomfontein Nature Reserve  
(ON7, PG1804, 12 May 2014, pg 9)
- Correction Notice: Extraordinary Northern Cape Gazette No. 1804 of 12 May 2014: Official Notice No. 7  
(PG1805, 19 May 2014, pg 2)

## **3. LOCAL LEGISLATION**

### **3.1 LIMPOPO**

#### **Makhado Municipality**

- Determination of charges: Refuse Removal  
(LAN70, PG2366, 30 May 2014, pg 26)
- Abattoir By-laws  
(LAN51, PG2366, 30 May 2014, pg 3)
- Building By-laws  
(LAN56, PG2366, 30 May 2014, pg 8)
- Cemetery By-laws  
(LAN58, PG2366, 30 May 2014, pg 10)
- Amended Electricity By-laws  
(LAN59, PG2366, 30 May 2014, pg 11)
- By-laws Relating to the Control of Inflammable Liquids and Substances  
(LAN61, PG2366, 30 May 2014, pg 15)

## 3.2 **MPUMALANGA**

### **Gert Sibande District Municipality**

- Noise Control By-law  
(LAN86, PG2300, 21 May 2014, pg 13)
- Municipal Health By-law  
(Lan86, PG2300, 21 May 2014, pg 25)
- Air Quality Management By-law  
(LAN87, PG2300, 21 May 2014, pg 94)

### **Bushbuckridge Local Municipality**

- Land Use By-laws, 2014  
(LAN116, PG2310, 30 May 2014, pg 3)
- Cemeteries and Crematoria By-laws  
(LAN112, PG2307, 29 May 2014, pg 17)
- Public Health By-laws, 2013  
(LAN114, PG2307, 29 May 2014, pg 52)

## 3.3 **WESTERN CAPE**

### **Cape Agulhas Municipality**

Proposed Municipal Land Use Planning By-laws  
(LAN, PG7271, 30 May 2014, pg 923)

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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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