

Environmental Legislation Update

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Shepstone & Wylie's Environmental and Sustainability Law Department advises clients in both the public and private sector on a range of environmental and sustainability 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

No new items of relevance during this time period.

1.2 BILLS, WHITE PAPERS

Electricity Regulation Act 4 of 2006

Extension of grace period on new activities requiring a licence: unlicensed generators, transmitters, distributors, importers or exporters of electricity and traders required to be licensed or registered (GN167, GG29662, 28 February 2007, pg 2)

1.3 GENERAL / BOARD NOTICES

No new items of relevance during this time period.

1.4 RULES, REGULATIONS, GUIDELINES & POLICIES

National Environmental Management: Biodiversity Act 10 of 2004

- (a) Commencement of Threatened or Protected Species Regulations, 2007 (GNR150, GG29657, 23 February 2007, pg 3)
- (b) Publication of list of Critically Endangered, Endangered, Vulnerable and Protected Species (GNR151, GG29657, 23 February 2007, pg 4)
- (c) Threatened or Protected Species Regulations (GNR152, GG29657, 23 February 2007, pg 12)

Agricultural Products Standards Act 119 of 1990

Amendment: Standards and requirements regarding control of the export of –

- (a) citrus fruits (GN193, GG29636, 23 February 2007, pg 33)
- (b) strawberries (GN200, GG29636, 23 February 2007, pg 48)

- (c) litchis (GN201, GG29636, 23 February 2007, pg 49)
- (d) avocados (GN202, GG29636, 23 February 2007, pg 50)
- (e) mangoes (GN203, GG29636, 23 February 2007, pg 51)

Environment Conservation Act 73 of 1989

For comment: Waste Tyre Regulations. Note: comment period is 30 days (GN147, GG29647, 23 February 2007, pg 3)

Plant Improvement Act 53 of 1976

Amendment: SA Seed Certification Scheme (GNR55, GG29559, 2 February 2007, pg 69)

Animal Identification Act 6 of 2002

Amendment: Regulations (GNR60, GG29559, 2 February 2007, pg 98)

2. PROVINCIAL LEGISLATION

2.1 ACTS

No new items of relevance during this time period.

2.2 BILLS, WHITE PAPERS

No new items of relevance during this time period.

2.3 GENERAL / BOARD NOTICES

NORTHERN CAPE

Nature & Environmental Conservation Ordinance 19 of 1974

Hunting seasons, daily bag limits and hunting by prohibited hunting methods (PN2, PG1102, 27 February 2007, pg 3)

WESTERN CAPE

Environmental Conservation Act 73 of 1989

For comment: Draft Regulations relating to Noise Control (PN14, PG6412, 25 January 2007, pg 2)

Nature & Environmental Conservation Ordinance 19 of 1974

Hunting seasons, daily bag limits and hunting by prohibited hunting methods (PN451, PG6408, 22 December 2006, pg 2264)

2.4 RULES, REGULATIONS, FEES, AMOUNTS

LIMPOPO

Disaster Management Act 57 of 2002

Notice in terms of Section 28(3)(a) of the Disaster Management Act: Limpopo Provincial Disaster Management Framework (PN38, PG1324, 26 January 2007, pg 3)

3. LOCAL LEGISLATION

MPUMALANGA

Steve Tshwete Municipality

- a. Aerodrome Bylaws (LAN62, PG1412, 23 February 2007, pg 41)
- b. Fences & Fencing Bylaws (LAN61, PG1412, 23 February 2007, pg 30)

FREE STATE

Tswelopele Municipality

For comment: Impoundment of Animals Bylaws (PG11, 23 February 2007, pg 8)

KWAZULU NATAL

Hibiscus Coast Municipality

Environment Conservation Bylaws (LAN1, PG6538, 8 February 2007, pg 296)

EASTERN CAPE

Amahlati Municipality

- i. Advertising Signs Bylaw (LAN27, PG1668, 29 January 2007, pg 111)
- ii. Cemeteries & Crematoria Bylaw (LAN28, PG1668, 29 January 2007, pg 130)
- iii. Community Fire Safety Bylaw (LAN31, PG1668, 29 January 2007, pg 169)
- iv. Keeping of Dogs and Other Animals Bylaw (LAN21, PG1668, 29 January 2007, pg 15)
- v. Neglected Buildings and Premises Bylaw (LAN22, PG1668, 29 January 2007, pg 33)
- vi. Prevention of Nuisances Bylaw (LAN23, PG1668, 29 January 2007, pg 42)
- vii. Solid Waste Disposal Bylaw (LAN24, PG1668, 29 January 2007, pg 63)

WESTERN CAPE

Stellenbosch Municipality

Burial Park / Cemetery Bylaw (LAN19441, PG6408, 22 December 2006, pg 2268)

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 the Shepstone & Wylie's Environmental & Sustainability Law Department by contacting -

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