

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

National Environmental Management Second Amendment Bill, 2007

For comment: Explanatory summary (GN392, GG29862, 4 May 2007, pg 3)

1.3 GENERAL / BOARD NOTICES

Mineral and Petroleum Resources and Development Act 28 of 2002

Exemption of organs of state from certain provisions of the Act: roads Agency Limpopo (Pty) Ltd (GNR446, GG29881, 18 May 2007, pg 5)

1.4 RULES, REGULATIONS, GUIDELINES & POLICIES

Animal Improvement Act 62 of 1998

Amendment: Regulations (GNR450, GG29898, 25 May 2007, pg 3)

Agricultural Product Standards Act 119 of 1990

Amendment: Standards and Requirements regarding control of the export of frozen fruit and frozen vegetables (GN549, GG29857, 11 May 2007, pg 23)

National Environmental Management Act 107 of 1998

- (a) **For comment:** Draft amendment: Environmental Impact Assessment Regulations, 2006 (GN393, GG29862, 4 May 2007, pg 17)
- (b) **For comment:** Amendment to the List of Activities and Competent Authorities Identified in terms of Section 24(2) and 24D (GN394, GG29862, 4 May 2007, pg 29)
- (c) **For comment:** Amendment to the List of Activities and Competent Authorities Identified in terms of Section 24(2) and 24D (GN395, GG29862, 4 May 2007, pg 63)

National Environmental Management: Air Quality Act 39 of 2004

Intention to declare the Highveld Priority Area in terms of Section 18(1) (GN396, GG29864, 4 May 2007, pg 3)

Animal Disease Act 35 of 1984

- (a) **Rescission:** Control measures relating to Classical Swine Fever in certain area (GNR370, GG29837, 26 April 2007, pg 3)
- (b) **Amendment:** Regulations (GNR371, GG29837, 26 April 2007, pg 4)

Hazardous Substances Act 15 of 1973

For comment: Declaration of Leaded Paint as Group 1 Hazardous Substances (GNR375, GG29840, 4 May 2007, pg 3)

2. PROVINCIAL LEGISLATION

2.1 ACTS

No new items of relevance during this time period.

2.2 BILLS, WHITE PAPERS

MPUMALANGA

Mpumalaga Agricultural Development Corporation Bill, 2007

For general comment (PN243, PG1433, 14 May 2007, pg 3)

2.3 GENERAL / BOARD NOTICES

No new items of relevance during this time period.

2.4 RULES, REGULATIONS, FEES, AMOUNTS

NORTH WEST

Nature Conservation Ordinance 12 of 1983 (Transvaal Province): Bophuthatswana Nature Conservation, 1973 and Nature and Environmental Conservation Ordinance 19 of 1974 (Cape Province)

Hunting Regulations, 2007 (PN5, PG6398, 3 May 2007, pg 3)

3. LOCAL LEGISLATION

WESTERN CAPE: Drakenstein Local Municipality of the Boland District

- (a) Advisory Board of Nature Reserves: Paarlberg Nature Reserve (PN1, PG6426, 16 March 2007, pg 2)
- (b) Cemeteries and Crematoria (PN2, PG6426, 16 March 2007, pg 4)
- (c) Electricity Supply (PN3, PG6426, 16 March 2007, pg 16)
- (d) Prevention of Public Nuisances and the Keeping of Animals (PN4, PG6426, 16 March 2007, pg 35)
- (e) Paarl Mountain Nature Reserve (PN7, PG6426, 16 March 2007, pg 57)
- (f) Management of Premises provided by the Municipality for Dwelling Purposes (PN10, PG6426, 16 March 2007, pg 66)
- (g) Prevention of Atmospheric Pollution (PN11, PG6426, 16 March 2007, pg 69)
- (h) Impoundment of Animals (PN12, PG6426, 16 March 2007, pg 71)
- (i) Control of Waste Disposal Sites (PN13, PG6426, 16 March 2007, pg 76)
- (j) Refuse Removal (PN17, PG6426, 16 March 2007, pg 99)
- (k) Water Supply, Sanitation Services and Industrial Effluent (PN18, PG6426, 16 March 2007, pg 104)

- (l) Repeal of Bylaw: Paarl, Wellington, Gouda and Mboweni Bylaws Repealed (PN22, PG6426, 16 March 2007, pg 163)

MPUMALANGA: Thaba Chweu Municipality of the Ehlanzeni District

- (a) Electricity Supply Bylaws (LAN195, PG1434, 18 May 2007, pg 36)
(b) Water Supply Bylaws (LAN196, PG1434, 18 May 2007, pg 58)

MPUMALANGA: Msukaligwa Local Municipality of the Gert Sibande District

- (a) Bylaw relating to Nuisances (PN175, PG1430, 11 May 2007, pg 35)
(b) Water Bylaw (PN176, PG1430, 11 May 2007, pg 39)
(c) Public Health Bylaw (PN178, PG1430, 11 May 2007, pg 108)
(d) Waste Water Bylaw (PN179, PG1430, 11 May 2007, pg 190)
(e) Bylaw relating to Dogs (PN180, PG1430, 11 May 2007, pg 227)
(f) Bylaw relating to Fire Brigade Services (PN181, PG1430, 11 May 2007, pg 233)
(g) Regulation of Parks and Open Spaces Bylaw (PN182, PG1430, 11 May 2007, pg 245)
(h) Waste Management Bylaw (PN183, PG1430, 11 May 2007, pg 253)
(i) Advertising Signs Bylaw (PN184, PG1430, 11 May 2007, pg 292)

KWAZULU NATAL: KwaSani Local Municipality of the Sisonke District

Waste Management Bylaw (PN10, PG6553, 26 April 2007, pg 1108)

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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