

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

Diamonds Amendment Act 29 of 2005

Date of commencement: 1 July 2007 (Proc NR17, GG30071, 12 July 2007, pg 3)

Diamonds Second Amendment Act 30 of 2005

Date of commencement: 1 July 2007 (Proc NR17, GG30071, 12 July 2007, pg 3)

Precious Metals Act 37 of 2005

Date of commencement: 1 July 2007 (Proc NR17, GG30071, 12 July 2007, pg 3)

1.2 BILLS, WHITE PAPERS

No new items of relevance during this time period.

1.3 GENERAL / BOARD NOTICES

World Heritage Convention Act 49 of 1999

Proclamation of the Richtersveld Cultural and Botanical Landscape as a World Heritage Site (GN563, GG30043, 4 July 2007, pg 3)

Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947

Withdrawal of Correction Notice relating to GN1360 of 22 September 2006 – Prohibition or the Acquisition, Disposal or Use of Certain Farm Feeds, maintained as originally published (GNR542, GG30023, 6 July 2007, pg 11)

National Environmental Management Act 107 of 1998

National Environmental Advisory Forum: Final Constitution (GN514, GG29999, 21 June 2007, pg 3)

Department of Environmental Affairs and Tourism

For comment: Draft policy for the development of a sustainable marine aquaculture sector in South Africa (GN799, GG30020, 29 June 2007, pg 2)

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

Diamonds Act 56 of 1986

Amendment: Regulations (GNR569, GG30061, 9 July 2007, pg 3)

Precious Metals Act 37 of 2005

Regulations (GNR570, GG30061, 9 July 2007, pg 51)

National Environmental Management: Air Quality Act 39 of 2004

For comment: Notice of intention to establish the National Framework in terms of Section 7(1) (GN830, GG30057, 6 July 2007, pg 3)

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972

For comment: Regulations relating to the labelling and advertising of foodstuffs (GNR642, GG30075, 20 July 2007, pg 69)

Marketing of Agricultural Products Act 47 of 1996

Amendment: Statutory measures for oilseeds, sorghum, winter cereal and maize (GNR540, GG30023, 6 July 2007, pg 3)

Petroleum Pipelines Act 60 of 2003

For comment: Draft Petroleum Pipelines Regulations (GN788, GG30009, 25 June 2007, pg 7)

National Environmental Management: Biodiversity Act 10 of 2004

For comment: Biodiversity Framework for South Africa (GN801, GG30027, 29 June 2007, pg 3)

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**

GAUTENG: Kungwini Local Municipality

Approved Integrated Development Plan 2007 / 2008 (PN1618, PG164, 27 June 2007, pg 125)

NORTHERN CAPE: National Heritage Resources Act 25 of 1999

Notice in terms of Section 31(4) to provide for the establishment of a heritage area known as the "Richtersveld Cultural and Botanical Gardens" (PN64, PG1123, 18 June 2007, pg 3)

2.4 **RULES, REGULATIONS, FEES, AMOUNTS**

No new items of relevance during this time period.

3. LOCAL LEGISLATION

NORTHERN CAPE: Sol Plaatjie Local Municipality of the Frances Baard District

- (a) Notice in terms of Section 162(1): Publication of Municipal Bylaws (PN61, PG1121, 11 June 2007, pg 3)
- (b) Keeping of Dogs Control Amendment Bylaws (PN62, PG1121, 11 June 2007, pg 4)

NORTHERN CAPE: Hantam Local Municipality of the Namakwa District

For comment: Notice in terms of Section 12(3)(b): Publication of Draft Bylaws. These include Cemeteries, Keeping of Dogs Control, Keeping of Animals, Poultry and Bees Control, Advertising Signs and Disfigurement of the Fronts and Frontages of Street Control, Water Services, Electricity, Fire Brigade, Refuse Removal, Municipal Commonage, Fireworks, Antennae Systems, Liquefied Petroleum Gas and Prevention and Suppression of Nuisances (PN69, PG1126, 4 July 2007, pg 3)

NORTHERN CAPE: Khara Hais Local Municipality of the Siyanda District

Notice in terms of Section 12(3)(b): Publication of Municipal Bylaws (PN70, PG1127, 13 July 2007, pg 3)

KWAZULU NATAL: City of uMhlathuze of the Uthungulu District

Amendment to the Water Services Bylaws (PN17, PG16, 12 July 2007, pg 8)

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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