

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

No new items of relevance during this time period.

1.3 GENERAL / BOARD NOTICES

National Environmental Management: Air Quality Act 39 of 2004

Notice to establish the National Framework in terms of Section 7(1) (GN1138, GG30284, 11 September 2007, pg 3)

Plant Improvement Act 53 of 1976

- (a) **Amendment:** South African Seed Potato Certification Scheme (GNR812, GG30254, 7 September 2007, pg 3)
- (b) **Amendment:** South African Plant Certification Scheme for Wine Grapes (GNR814, GG30254, 7 September 2007, pg 6)

Marine Living Resources Act 18 of 1998

Policy for the Development of a Sustainable Marine Aquaculture Sector in South Africa (GN1109, GG30263, 7 September 2007, pg 3)

National Forests Act 84 of 1998

- (a) List of protected tree species (GN817, GG30253, 7 September 2007, pg 47)
- (b) Forest management (FMU) level principles, criteria, indicators and standards (GN790, GG30220, 31 August 2007, pg 70)
- (c) Exemptions in terms of Section 7(1) and 15(1) (GN773, GG30183, 24 August 2007, pg 57)
- (d) National level principles, criteria, indicators and standards (GN774, GG30183, 24 August 2007, pg 60)

Fertilizer, Farm Feeds, Agricultural Remedies & Stock Remedies Act 36 of 1947

Extension of the definition of farm feeds to include farm feeds prepared for any person in accordance with his directions for his own use (GN1013, GG30183, 24 August 2007, pg 66)

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

National Environmental Management: Biodiversity Act 10 of 2004

- (a) Proposed Guideline regarding the Determination of Bioregions and the Protection and Publication of Bioregional Plans (GN1112, GG30262, 5 September 2007, pg 3)
- (b) National Norms and Standards for the Development of the Biodiversity Management Plans for Species (BMP-S) (GN1108, GG30269, 6 September 2007, pg 3)
- (c) Draft Alien and Invasive Species Regulations, 2007 (GN1146, GG30293, 17 September 2007, pg 3)
- (d) Draft Lists of Exempted Alien Species, Prohibited Alien Species and Invasive Species for which a Permit is required under Certain Circumstances (GN1147, GG30293, 17 September 2007, pg 72)

National Ports Act 12 of 2005

For comment: Transnet National Ports Authority Notice of and invitation to submit comments on the draft Port Rules and Harbour Master's Written Instructions (GN1090, GG30253, 7 September 2007, pg 49)

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**

No new items of relevance during this time period.

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

No new items of relevance during this time period.

3. LOCAL LEGISLATION

LIMPOPO: Greater Letaba Local Municipality (Mopani District)

Various Bylaws *inter alia* including Advertising Signs and Hoardings; Waste Management; and Cemetery and Crematoria Bylaws (LAN216, PG1390, 3 September 2007, pg 3)

LIMPOPO: Fetakgomo Local Municipality (Sekhukhune Cross Boundary District)

Various Bylaws *inter alia* including Keeping of Animals Bylaws (LAN215, PG1388, 3 September 2007, pg 3)

GAUTENG: Ekurhuleni Metropolitan Municipality

- (a) Bylaws for the Planting, Pruning, Removal and Treatment of Street Trees (LAN1120, PG112, 25 April 2007, pg 151)
- (b) Regulation of Parks and Open Spaces Bylaws (LAN1119, PG112, 25 April 2007, pg 146)



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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