

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

Marine Living Resources Act 18 of 1998

- (a) Publication of policy of the management of seals, seabirds and shorebirds (GN1717, GG30534, 7 December 2007, pg 3)
- (b) **For comment:** Draft regulations for the protection of Abalone (*Haliotis*) (wild) (GNR1141, GG30542, 3 December 2007, pg 3)
- (c) **For comment:** Invitation to comment on the draft policy and application forms concerning the allocation and management of long term fishing rights in the Large Pelagic (Tuna and Swordfish) sector, 007 (GN1718, GG30535, 7 December 2007, pg 3).
- (d) **For comment:** Draft Policy for the Transfer of Commercial Fishing Rights 2007 (GN1767, GG30574 of 21 December 2007, pg 3)
- (e) **For comment:** Notice in terms of Section 16: Recreational permits for West Coast Rock Lobster (GNR15, GG30645, 4 January 2008, pg 3)

Sea Birds and Seals Protection Act 46 of 1973

Correction Notice: Publication of policy on the Management of Seals, Seabirds and Shorebirds (GN1768, GG30575, 21 December 2007, pg 2)

National Environmental Management: Biodiversity Act 10 of 2004

Amendment of Critically Endangered, Endangered, Vulnerable and Protected Species list (GNR1187, GG30568, 14 December 2007, pg 3)

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

National Ports Act 12 of 2005

National Ports Regulations, 2007 (GNR1091, GG30486, 23 November 2007, pg 15)

National Environmental Management: Biodiversity Act 10 of 2004

Threatened or Protected Species Amendment Regulations (GNR1188, GG30568, 14 December 2007, pg 13)

2. PROVINCIAL LEGISLATION

EASTERN CAPE: Nature and Environmental Conservation Ordinance 19 of 1974

Hunting seasons and daily bag limits for 2008 (Proc 4, PG1818 of 20 December 2007, pg 3)

KWAZULU NATAL: KwaZulu Natal Heritage Bill, 2007

For comment (PN28, PG52, 23 November 2007, pg 3)

GAUTENG: Environment Conservation Act 73 of 1989

Gauteng Health Care Waste Management Regulations, 2004. Date of **commencement**: 3 December 2007 (GN5324, PG348, 3 December 2007, pg 3)

NORTHERN CAPE: Nature and Environmental Conservation Ordinance 19 of 1974

Hunting seasons, daily bag limits and hunting by prohibited methods (Proc 7, PG1160, 18 December 2007, pg 15)

FREE STATE: Nature Conservation Ordinance

Hunting season 2008 (Proc 56, PG98, 28 November 2007, pg 2)

3. LOCAL LEGISLATION

KWAZULU NATAL: Umdoni Local Municipality (Ugu District)

Fire Brigade Services Bylaws (GN28, PG51, 22 November 2007, pg 45)

EASTERN CAPE: Nelson Mandela Bay Metropolitan Municipality

(f) Disaster Management Bylaws (LAN172, PG1803, 30 November 2007, pg 3)

(g) Fire Safety Bylaws (LAN173, PG1803, 30 November 2007, pg 5)

(h) Roads, Traffic and Safety Bylaws (LAN174, PG1803, 30 November, pg 48)

EASTERN CAPE: Intsika Yethu Local Municipality (Chris Hani District)

Bylaws relating to Dumping, Littering and Waste Collection (PN3, PG1814, 14 January 2008, pg 18)

LIMPOPO: Khara Hais Local Municipality (Siyanda District)

Publication of Municipal Bylaws including Cemeteries, Water Services, Fire Brigade, Refuse Removal Fireworks bylaws (GN109, PG1149, 23 November 2007, pg 3)

GAUTENG: Kungwini Local Municipality (Metsweding District)

Draft Bylaws including Air Pollution, Water Safety, Noise Management, Water Reticulation and Drainage, and Illegal Littering, Dumping and Abandoning of Waste (LAN185, PG11, 23 January 2008, pg 137)

GAUTENG: City of Johannesburg

Amendment: Public Health Bylaws (GN5319, PG347, 5 December 2007, pg 53)



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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