

Environmental Legislation Update

24 October 2008 – 21 November 2008
Volume 5, Issue 10

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

Agricultural Product Standards Act 119 of 1990

Amendment: Standards and requirements regarding control of the export of cherries (BN1165, GG31555, 30 October 2008)

1.4 RULES, REGULATIONS, GUIDELINES & POLICIES

Marine Living Resources Act 18 of 1998

Amendment of Regulations (GNR1223, GG31601, 14 November 2008)

Petroleum Pipelines Act 60 of 2003

For comment: National Energy Regulator of South Africa: Notice of intention to make rules (GN1420, GG31609, 17 November 2008)

Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972

- (a) Amendment of Regulations relating to the Fortification of Certain Foodstuffs (GNR1206, GG31584, 14 November 2008)
- (b) Regulations governing Microbiological Standards for Foodstuffs and Related Matters: Amendment (NR1207) GG31584, 14 November 2008)
- (c) Amendment to Regulations relating to Health Messages on Container Labels of Alcoholic Beverages (GNR1208. GG31584, 14 November 2008)

Ports Regulator of South Africa

For comment: Economic Review of Ports Environment (GN1186, GG31563, 7 November 2008)

National Road Traffic Act 93 of 1996

For Comment: Amendment of the National Road Traffic Regulations (GN1359, GG31557, 3 November 2008)

National Railway Safety Regulator Act 16 of 2002

Regulations (GNR1135, GG31520, 24 October 2008)

2. PROVINCIAL LEGISLATION

KwaZulu-Natal Rationalisation of Planning and Development Laws Act 2 of 2008

Date of commencement: 1 November 2008 (PN212, PG189, 30 October 2008)

KwaZulu-Natal Town Planning Ordinance Amendment Act 3 of 2008

Date of commencement: 10 October 2008 (GN6, PG181, 10 October 2008)

KwaZulu-Natal Planning and Development Bill 2008

Invitation to submit representations (GN23, PG181, 10 October 2008)

Northern Cape: Problem Animal Control Ordinance 26 of 1957

For comment: Invitation for written representation (GN87, PG1238, 15 October 2008)

3. LOCAL LEGISLATION

NORTH WEST: Mafikeng Local Municipality (Central District Municipality)

- (a) Bylaw relating to the Keeping of Animals (LAN464, PG6548, 4 November 2008)
- (b) Bylaw relating to the Keeping of Animals (LAN465, PG6548, 4 November 2008)
- (c) Bylaw relating to the Prevention of Nuisances (LAN466, PG6548, 4 November 2008)

WESTERN CAPE: Breede Valley Local Municipality (Boland District)

- (a) Bylaw relating to Prevention of Public Nuisances and Public Nuisances arising from the Keeping of Animals (PG6560, 22 October 2008)
- (b) Bylaw relating to Solid Waste Disposal (PG6560, 22 October 2008)
- (c) Bylaw relating to Stormwater Management (PG6560, 22 October 2008)
- (d) Bylaw relating to Water Supply, Sanitation Services and Industrial Effluent (PG6560, 22 October 2008)
- (e) Bylaw relating to Aerodrome (PG6560, 22 October 2008)
- (f) Bylaw relating to Cemeteries and Crematoria (PG6560, 22 October 2008)
- (g) Bylaw relating to Fences and Fencing (PG6560, 22 October 2008)
- (h) Bylaw relating to Fire Safety (PG6560, 22 October 2008)
- (i) Bylaw relating to Outdoor Advertising and Signage (PG6560, 22 October 2008)

EASTERN CAPE: Maletswai Local Municipality (Ukhahlamba District)

- (a) Bylaw relating to Funeral Parlours, Cemeteries and Crematoria (LAN114, PG1997, 31 October 2008)
- (b) Bylaw relating to Outdoor Signs (Advertising and Other) (LAN117, PG1997, 31 October 2008)
- (c) Bylaw relating to Prevention of Public Nuisances and Keeping of Animals (LAN117, PG1997, 31 October 2008)
- (d) Bylaw relating to Stormwater Management (LAN119, PG1997, 31 October 2008)
- (e) Bylaw relating to Waste Management (LAN122, PG1997, 31 October 2008)

NORTHERN PROVINCE (LIMPOPO): Blouberg Local Municipality (Capricorn District)

Bylaw relating to the Control of Pollution and Nuisances (LAN345, PG1550, 24 October 2008)

NORTHERN PROVINCE (LIMPOPO): Modimolle Local Municipality (Capricorn District)

- (a) Bylaw relating to Abattoir (LAN346, PG1550, 24 October 2008)
- (b) Bylaw relating to Food Handling (LAN349, PG1550, 24 October 2008)
- (c) Bylaw relating to Cemeteries and Crematoria (LAN347, PG1550, 24 October 2008)
- (d) Bylaw relating to Refuse and Sanitary (LAN350, PG1550, 24 October 2008)
- (e) Bylaw relating to Water Supply (LAN354, PG1550, 24 October 2008)

NORTHERN PROVINCE (LIMPOPO): Vhembe District Municipality

Bylaw relating to Water and Sanitation (LAN 359, PG1550, 24 October 2008)

EASTERN CAPE: Makana Local Municipality (Cacadu District)

- (a) Keeping of Animals, Birds and Poultry, and Businesses involving Keeping of Animals, Birds, Poultry or Pets (LAN106, PG1991, 10 September 2008)
- (b) Prevention of Public Nuisances (LAN107, PG1991, 10 September 2008)

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 -

Ian Sampson (Partner)

Johannesburg: Tel: +27 11 340 6960 Fax: +27 11 880 4546
Durban: Tel: +27 31 302 0449 Fax: +27 31 304 3289
Cell: 082 775 3720 Email: sampson@wylie.co.za

Dean Nortje (Partner)

Durban: Tel: +27 31 302 0439 Fax: +27 31 304 3289
Cell: 082 379 3222 Email: nortje@wylie.co.za