

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

South African National Water Resources Infrastructure Agency Limited Bill, 2008

Publication of the explanatory summary (GN313, GG30827, 29 February 2008, pg 3)

1.3 GENERAL / BOARD NOTICES

National Health Act 61 of 2003

For comment: Draft Regulations regarding the general control of human bodies, tissue and organs of transplantation (GN320, GG30828, 7 March 2008, pg 16)

National Environmental Management: Protected Areas Act 57 of 2003

- (a) Addo Elephant National Park: Exclusion of land from the park (GN231, GG30805, 29 February 2008, pg 7)
- (b) Intention to declare certain land situated in the Bredasdorp Registration Division, Western Cape Area as part of the Agulhas National Park (GN232, GG30805, 29 February 2008, pg 8)
- (c) Intention to declare certain land situated in the KQ Registration Division, Limpopo Province as part of the Marakele National Park (GN233, GG30805, 29 February 2008, pg 10)
- (d) Intention to declare certain land situated in the MS Registration Division, Limpopo Province as part of the Mapungubwe National Park (GN234, GG30805, 29 February 2008, pg 13)
- (e) Intention to declare certain land situated in the Namaqualand Registration Division, Northern Cape Province as part of the Namaqua Park (GN235, GG30805, 29 February 2008, pg 15)
- (f) Intention to declare certain land situated in the Kenhardt Registration Division, Northern Cape as part of the Augrabies Falls National Park (GN236, GG30805, 29 February 2008, pg 17)
- (g) Intention to declare certain land situated in the Calvinia, Ceres and Suterland Divisions, Northern Cape as part of the Tankwa-Karoo National Park (GN237, GG30805, 29 February 2008, pg 19)

National Environmental Management: Biodiversity Act 10 of 2004

National norms and standards for the management of elephants in South Africa (GN251, GG30833, 29 February 2008, pg 3)

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

National Environmental Management: Biodiversity Act 10 of 2004

For comment: Threatened or Protected Species Second Amendment Regulations (GNR270, GG30853, 7 March 2008, pg 3)

Agricultural Product Standards Act 119 of 1990

Regulations: Grading, Packing and Marking of wheat products intended for sale in the Republic of South Africa (GNR186, GG30782, 22 February 2008, pg 3)

Petroleum Pipelines Act 60 of 2003

For comment: Draft Regulations (GN254, GG30776, 15 February 2008, pg 3)

2. PROVINCIAL LEGISLATION

EASTERN CAPE

Disaster Management Act 57 of 2002

Declaration of local state of disaster in terms of Section 55: Cacadu District Municipality (PN8, PG1854, 10 March 2008, pg 8)

WESTERN CAPE

Western Cape Health Care Waste Management Act 7 of 2007

Date of commencement to be proclaimed (PN369, PG6489, 18 December 2007, pg 2)

WESTERN CAPE

Nature Conservation Ordinance 19 of 1974

Western Cape Nature Conservation Board: Hunting seasons, daily bag limits and hunting by use of prohibited hunting methods, 2008 (PN368, PG1488, 14 December 2007, pg 1791)

3. LOCAL LEGISLATION

EASTERN CAPE

Ukhahlamba District Municipality

Water Services and Sanitation Bylaw (LAN13, PG1851, 7 March 2008, pg 3)

EASTERN CAPE

Inkwanca Municipality (Chris Hani District)

Municipal Bylaws (LAN13, PG1851, 7 March 2008, pg 3)

NORTHERN CAPE

Namakwa District Municipality

Municipal Bylaws (GN23, PG1176, 10 March 2008, pg 3)

GAUTENG

City of Johannesburg

(a) For comment: Notice to amend public health bylaws (PG59, LAN678, 5 March 2008, pg 128)


(b) For comment: Notice to amend water services bylaw (PG59, LAN679, 5 March 2008, pg 131)

KWAZULU NATAL

Okhahlamba Local Municipality (Uthukela District)

(a) Advertising Signs Bylaws (MN8, PG79, 29 February 2008, pg 41)

(b) Dogs Bylaws (MN10, PG79, 29 February 2008, pg 63)

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- (c) Dumping & Littering Bylaws (MN2, PG79, 29 February 2008, pg 7)
 - (d) Keeping of Animals, Birds and Poultry and Businesses involving the Keeping of Animals, Birds and Poultry Bylaws (MN12, PG79, 29 February 2008, pg 120)
 - (e) Public Amenities Bylaws (MN4, PG79, 29 February 2008, pg 11)
 - (f) Public Health Bylaws (MN11, PG79, 29 February 2008, pg 68)
 - (g) Waste Management Bylaws (MN6, PG79, 29 February 2008, pg 21)

WESTERN CAPE

Emalahleni Local Municipality (Nkangala District)

- (a) Cemeteries & Crematoria Bylaws (LAN64, PG1510, 27 February 2008, pg 3)
- (b) Public Health Bylaws (LAN65, PG1510, 27 February 2008, pg 29)
- (c) Waste Management Bylaws (LAN67, PG1510, 27 February 2008, pg 103)

WESTERN CAPE

Problem Animal Control Ordinance 26 of 1957

For comment: Proposed repeal by Western Cape Nature Conservation Board (PG6496, 28 January 2008, pg 2)

FREE STATE

Naledi Local Municipality (Motheo District)

For comment: Draft Bylaws (PG12, 22 February 2008, pg 2)

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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