

## 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

##### **National Radioactive Waste Management Bill**

Notice of intention to introduce the Bill into Parliament during May (GN654, GG31090, 26 May 2008, pg 3)

##### **Mine Health & Safety Amendment Bill, 2008**

**For comment** (GN623, GG31063, 16 May 2008, pg 3)

##### **National Environmental Management Laws Amendment Bill, 2008**

**For comment** (GN648, GG31075, 20 May 2008, pg 3)

##### **National Road Traffic Act Amendment Bill, 2008**

Notice of intention to introduce the Bill into Parliament (GN618, GG31058, 15 May 2008, pg 3)

##### **National Railway Safety Regulator Amendment Bill, 2008**

Notice of intention to introduce the Bill into Parliament (GN622, GG31062, 15 May 2008, pg 3)

#### 1.3 GENERAL / BOARD NOTICES

##### **Foodstuff, Cosmetics & Disinfectants Act 54 of 1972**

Enforcement by local authority (GN557, GG31064, 23 May 2008, pg 9)

##### **Fertilizers Farm Feeds, Agricultural Remedies & Stock Remedies Act 36 of 1947**

Publication of South African Policy on Animal Feeds (GN511, GG31005, 30 April 2008, pg 181)

##### **National Water Act 36 of 1998**

Delegation of powers and duties (GN486, GG31005, 30 April 2008, pg 179)

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

### **Agricultural Product Standards Act 119 of 1990**

**Regulations:** Grading, packing and marking of sorghum intended for sale in the Republic of South Africa (GNR532, GG31042, 16 May 2008, pg 4)

### **Foodstuff, Cosmetics & Disinfectants Act 54 of 1972**

- (a) Regulations relating to maximum levels of metals (GNR545, GG31065, 23 May 2008, pg 11)
- (b) **Amendment:** Regulations governing microbiological standards for foodstuffs and related matters (GNR547, GG31065, 23 May 2008, pg 14)
- (c) **For comment:** Regulations: Tolerances for fungus-produced toxins in foodstuffs (GNR512, GG31022, 9 May 2008, pg 4)
- (d) **For comment:** Amendment: Regulations relating to the hazard analysis and critical control point system (HACCP system) (GNR546, GG31065, 23 May 2008, pg 12)

### **National Building Regulations & Building Standards Act 103 of 1977**

National Building Regulations (GNR574, GG31084, 30 May 2008, pg 45)

### **Fertilizers, Farm Feeds, Agricultural Remedies & Stock Remedies Act 36 of 1947**

- (a) **Proposed Amendment:** Regulations relating to sterilizing plants, appeals and imports (GNR548, GG31065, 23 May 2008, pg 4)
- (b) **Proposed Amendment:** Regulations relating to stock remedies (GNR570, GG31084, 30 May 2008, pg 4)
- (c) **Proposed Amendment:** Regulations relating to fertilizers (GNR571, GG31084, 30 May 2008, pg 5)
- (d) **Proposed Amendment:** Regulations relating to pest control operators (GNR572, GG31084, 30 May 2008, pg 6)
- (e) **Proposed Amendment:** Regulations relating to agricultural remedies (GNR573, GG31084, 30 May 2008, pg 7)

## 2. **PROVINCIAL LEGISLATION**

### **EASTERN CAPE: Disaster Management Act 57 of 2002**

Declaration of local state of disaster in terms of Section 55(1) (PN18, PG1888, 7 May 2008, pg 3)

### **NORTH WEST: Nature Conservation Ordinance, Bophuthatswana Nature Conservation Act, 1973 and Cape Nature and Environmental Conservation Ordinance Regulations** (ON11, PG6487, 9 May 2008, pg 3)

### **NORTH WEST: Wildlife Fencing Policy**

For public representation or comments (GN297, GG6492, 20 May 2008, pg 3)

## 3. **LOCAL LEGISLATION**

No new items of relevance during this time period.

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***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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