

## Environmental Legislation Update

8 August 2008 - 12 September 2008  
Volume 5, Issue 8

*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 Energy Regulator of South Africa**

Regulatory Reporting Manual:

- (a) Volume 1: General Regulatory Reporting Procedures and Administrative matters (GN1115, GG31392, 10 September 2008)
- (b) Volume 2: Electricity (GN1116, GG31392, 10 September 2008)
- (c) Volume 3: Piped-gas (GN1117, GG31392, 10 September 2008)
- (d) Volume 4: Petroleum Pipelines (GN1118, GG31392, 10 September 2008)

##### **National Forests Act 84 of 1998**

Release of state forest land areas not required for forestry (GN969, GG31403 12 September 2008)

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

**Correction Notice:** Regulations relating to sterilizing plans (GNR937, GG31374, 5 September 2008)

##### **National Environmental Management Act 107 of 1998**

Environmental Implementation Plan and Environmental Management Plan under Section 15(1) (GN897, GG31354, 22 August 2008)

##### **National Environmental Management: Biodiversity Act 10 of 2004**

Threatened or Protected Species: Second Amendments Regulation, 2008 (GNR916, GG31360, 29 August 2008)

### **Mine & Works Act 27 of 1956**

Declaration of work in the national interest: De Beers, Voorspoed Mine (GN859, GG31322, 15 August 2008)

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

### **National Nuclear Regulator Act 47 of 1999**

Establishment of Public Safety Information Forum by the holder of a nuclear installation licence to inform the persons living in the municipal area in respect of which an emergency plan has been established (GN968, GG31403, 12 September 2008)

### **National Environmental Management: Protected Areas Act 57 of 2003**

Declaration of intention to propose extensions to and exclusions from, and a buffer zone for the fossil hominid sites of Sterkfontein, Swartkrans, Kromdraai and the environs (Cradle of Humankind) (GN949, GG31380, 5 September 2008) (*Note: Also promulgated under the World Heritage Convention Act 49 of 1999*)

### **National Environmental Management: Biodiversity Act 10 of 2004**

- (a) **For comment:** Threatened or Protected species: Second Amendments Regulation, 2008 (GNR917, GG31360, 29 August 2008)
- (b) National Moratorium on the Trade of Individual Rhinoceros Horns within South Africa (GN835, GG31301, 8 August 2008)

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

**Amendment:** Regulations relating to milk and dairy products (GNR866, GG31331, 15 August 2008)

## **2. PROVINCIAL LEGISLATION**

### **GAUTENG: Disaster Management Act 57 of 2002**

#### **City of Tshwane**

- (a) Disaster Risk Management Policy Framework (LAN2009, PG239, 3 September 2008)
- (b) Extension of declaration of provincial state of disaster (Proc N2, PG243, 5 September 2008)

### **KWAZULU NATAL: KwaZulu Natal Heritage Bill, 2008**

**For comment:** Publication of KwaZulu Natal Heritage Bill, 2008 (GN20, PG159, 18 August 2008)

### **GAUTENG: City of Johannesburg**

Have your say on the proposed bylaws for 2010 FIFA World Cup South Africa (GN2919, PG207, 31 July 2008)

## **3. LOCAL LEGISLATION**

### **KWAZULU NATAL: Ugu District Municipality**

**Correction Notice:** Advertising Signs & Hoardings Bylaw (GN86, PG154, 7 August 2008)

### **EASTERN CAPE: Elundini Local Municipality (Ukhahlamba District)**

Various Bylaws (LAN60, PG1929, 30 July 2008)

### **EASTERN CAPE: Mnquma Local Municipality (Amatole District)**

Various Bylaws (LAN61, PG1928, 30 July 2008)

### **EASTERN CAPE: Ngqushwa Local Municipality (Amatole District)**

- (a) Bylaws relating to Advertising Signs (LAN62, PG1931, 25 July 2008)
- (b) Bylaws relating to Cemeteries & Crematoria (LAN63, PG1931, 25 July 2008)
- (c) Bylaws relating to Community Fire Safety (LAN64, PG1931, 25 July 2008)
- (d) Bylaws relating to the Keeping of Dogs & Other Animals (LAN67, PG1931, 25 July 2008)
- (e) Bylaws relating to Neglected Buildings & Premises (LAN68, PG1931, 25 July 2008)
- (f) Bylaws relating to the Prevention of Nuisances (LAN69, PG1931, 25 July 2008)
- (g) Bylaws relating to Solid Waste Disposal (LAN71, PG1931, 25 July 2008)



**KWAZULU NATAL: uMshwathi Local Municipality (uMgungundlovu District)**

- (a) Advertising Signs Bylaws (GN78, PG148, 30 July 2008)
  - (b) Cemetery Bylaws (GN83, PG148, 30 July 2008)
  - (c) Keeping of Dogs Bylaws (GN73, PG148, 30 July 2008)
  - (d) Nuisances Bylaws (GN72, PG79, 30 July 2008)
  - (e) Removal of Refuse Bylaws (GN80, PG148, 30 July 2008)
  - (f) Solid Waste Bylaws (GN75, PG148, 30 July 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