

## 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

Mine Health & Safety Amendment Bill (B54B of 2008)  
National Environmental Management: Integrated Coastal Management Bill (B40D of 2007)  
National Environment Laws Amendment Bill (B66B of 2008)

#### 1.3 GENERAL / BOARD NOTICES

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

Declaration of work in national interest -

- (a) Burnstone Gold Mine (GN1103, GG31503, 17 October 2008, pg 31)
- (b) Savuka Mine (GN1104, GG31503, 17 October 2008, pg 32)

##### **Marine Living Resources Act 18 of 1998**

Notice declaring the Stilbaai Marine Protected Area under Section 43 to be a Marine Protected Area (GN1109, GG31517, 17 October 2008, pg 3)

##### **National Forest Act 84 of 1998**

List of protected tree species (GN1080, GG31482, 3 October 2008, pg 3)

##### **Protected Areas Act 57 of 2003**

Declaration of land to be part of -

- (a) Augrabies Falls National Park (GN1054, GG31461, 3 October 2008, pg 9)
- (b) Agulhas National Park (GN1055, GG31461, 3 October 2008, pg 11)
- (c) Mapungubwe National Park (GN1056, GG31461, 3 October 2008, pg 13)
- (d) Namaqua National Park (GN1057, GG31461, 3 October 2008, pg 15)
- (e) Marakele National Park (GN1058, GG31461, 3 October 2008, pg 17)

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

**Amendment:** Standards and requirements regarding control of the export of apples (GN1185, GG31417, 19 September 2008, pg 133)

### **National Roads Act 7 of 1998**

South African National Roads Agency Limited:

- (a) Declaration of N1 – N2 Winelands Toll highway: National Road N1, Bellville (R300 Interchange to Sandhills and National Road N2, Swartklip (R300 Interchange) to Bot River as toll roads (GN978, GG31422, 15 September 2008, pg 3)
- (b) Declaration amendment of National Road R61 Section 11 (GN979, GG31423, 22 September 2008, pg 3)

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

Second Edition Environmental Implementation and Management Plan (EIMP) (GN1138, GG31415, 15 September 2008, pg 3)

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

### **Marine Living Resources Act 18 of 1998**

Regulations on the Stilbaai Marine Protected Area (GNR1108, GG31516, 17 October 2008, pg 3)

### **Mineral & Petroleum Resources Development Act 28 of 2002**

Exemption of an organ of state from certain provisions (GN1081, GG31485, 10 October 2008, pg 122)

### **Electricity Regulation Act 4 of 2006**

Amendments to Regulations 773 and 147 of 2008 (GN1190, GG31436, 17 September 2008, pg 3)

### **Aviation Act 74 of 1962**

**For comment:** Proposed amendment to the Civil Aviation Regulations, 1997 (GN977, GG31414, 16 September 2008, pg 3)

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

**For comment:** Establishment of a water resource classification system (GN999, GG31417, 19 September 2008, pg 71)

## **2. PROVINCIAL LEGISLATION**

### **NORTH WEST: North West Health Bill, 2008**

Publication for comment (GN559, PG6538, 29 September 2008, pg 2)

### **NORTH WEST: North West Pounds Bill, 2008**

Publication for comment (Regulate for the establishment, erection and control of pounds in the Province)

### **NORTH WEST: North West Roads Bill, 2008**

Publication for comment (GN515, PG6528, 12 September 2008, pg 3)

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

Notice in terms of Section 28(3) (GN298, PG1542, 17 September 2008, pg 2)

## **3. LOCAL LEGISLATION**

### **KWAZULU NATAL: uMlalazi Local Municipality (Uthungulu District)**

Fire Prevention Bylaws (MN35, PG182, 9 September 2008, pg 33)

### **MPUMALANGA: Umjindi Local Municipality (Ehlanzeeni District)**

Control of Outdoor Advertising Bylaws (LAN299, PG1584, 8 October 2008, pg 3)

**KWAZULU NATAL: Greater Kokstad Local Municipality (Sisonke District)**

- (a) Cemeteries Bylaws (GN25, PG173, 19 September 2008, pg 3)
- (b) Fire Prevention Bylaws (GN27, PG173, 19 September 2008, pg 26)
- (c) Keeping of Animals Bylaws (GN28, PG173, 19 September 2008, pg 50)
- (d) Outdoor Advertising and Signage Bylaws (GN29, PG173, 19 September 2008, pg 78)
- (e) Refuse Removal and Disposal Bylaws (GN34, PG173, 19 September 2008, pg 124)

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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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