

## 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

##### **National Radioactive Waste Disposal Institute Act 53 of 2008**

Date of commencement: To be proclaimed (Gov N19, GG31786, 9 January 2009, pg 2)

##### **National Environmental Management Amendment Act 62 of 2008**

Date of commencement: To be proclaimed (Gov N22, GG31789, 9 January 2009, pg 2)

- (a) Proposed amendment of ss 1, 24C, 24F, 24H, 24M, 24R, 43, 47 and certain expressions
- (b) Proposed insertion of ss 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R and 42B
- (c) Proposed repeal of s 42B
- (d) Proposed substitution of ss 24, 24C, 24D, 24G, 43 and certain expressions of the *National Environmental Management Act 107 of 1998*

#### 1.2 BILLS, WHITE PAPERS

No new items of relevance during this time period.

#### 1.3 GENERAL / BOARD NOTICES

No new items of relevance during this time period.

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

##### **Petroleum Products Act 120 of 1977**

- (a) Regulations in respect of the single maximum national retail price for illuminating paraffin (Gov NR8, GG31771, 6 January 2009, pg 2)
- (b) Amendment of the Regulations in respect of petroleum products (Gov NR9, GG31771, 6 January 2009, pg 3)

## 1.5 **LEGISLATION FOR COMMENT**

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

Draft Regulations for the proper administration of the Knysna Protected Environment  
(Gen N27, GG31775, 16 January 2009, pg 3)

## **2. PROVINCIAL LEGISLATION**

### **MPUMALANGA: Mpumalanga Roads Act 1 of 2008**

Date of commencement to be proclaimed (PN7, PG1606, 24 December 2008, pg 4)  
Proposed repeal of the *Advertising on Roads and Ribbon Development Act, 21 of 1940*

### **NORTHERN CAPE: Northern Cape Nature Conservation Bill, 2009**

Publication of Northern Cape Nature Conservation Bill, 2009: For comment  
(Gen N105, PG1258, 19 December 2008, pg 3)

### **NORTHERN CAPE: Nature and Environmental Conservation Ordinance 19 of 1974**

Hunting seasons, daily bag limits and hunting by prohibited hunting methods  
(Proc N2, PG1261, 23 December 2008, pg 3)

### **EASTERN CAPE: Nature and Environmental Conservation Ordinance 19 of 1974 and Problem Animal Control Ordinance 24 of 1957**

Hunting seasons and daily bag limits for the year 2009  
(Proc N1, PG2037, 6 January 2008, pg 3)

### **EASTERN CAPE: Nature Conservation Act 10 of 1987**

Hunting seasons: Former Ciskei (Gen N5, PG2037, 6 January 2009, pg 9)

### 3. LOCAL LEGISLATION

#### **LIMPOPO: Local Government: Municipal Systems Act 32 of 2000**

Bela-Bela Local Municipality

- (a) Advertising Signs and Hoardings By-law (LAN396, PG1572, 24 December 2008, pg 13)
- (b) Noise Abatement and Prevention of Nuisance By-law (LAN395, PG1572, 24 December 2008, pg 3)

#### **NORTHERN CAPE: Constitution of the Republic of South Africa 108 of 1996**

Frances Board District Municipality: Publication of District Municipality By-laws:

Cemetery By-law and Water Services By-law (Gen N103, PG1257, 15 December 2008, pg 3)

#### **NORTH WEST: Local Government: Municipal Systems Act 32 of 2000**

Local Municipality of Madibeng: Waste Management By-law (LAN528, PG6566, 17 December 2008, pg 3)

#### **NORTHERN CAPE: Local Government: Municipal Systems Act 32 of 2000**

Dikgatlong Local Municipality: Draft By-laws: For comment (Gen N1, PG1263, 12 January 2009, P3)

- (a) Building Regulations By-Law
- (b) Credit Control, Debt Collection and Waste Services By-law.

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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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