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ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT
(SOUTH AFRICA)
AUGUST 2021

Dear Clients,

Below please find a summary of selected relevant environmental, health and safety and foodstuffs legal developments that took place during August 2021.

NATIONAL LEGISLATION

1) Mine Health and Safety Act

- **Guideline for the Compilation of a Mandatory Code of Practice for the Prevention, Mitigation and Management of [a] COVID-19 Outbreak**

This new Code of Practice was published in August 2021 and replaces the earlier one from 2020.

2) Air Quality Act

- **Second Generation Air Quality Management Plan for the Vaal Triangle Airshed Priority Area**

The second generation plan was published. This is a government policy document and therefore currently has no direct implication for industries within that area.

3) National Water Act

- **Proposed Reserve Determination for Water Resources of the Breede-Gouritz Water Management Area**

This draft proposal was published for public comment.

4) Integrated Coastal Management Act

- **Draft Coastal Management Line for Garden Route National Park**

This was published for public comment.

5) Agricultural Pests Act

- **Control Measures relating to the Polyphagous Shot Hole Borer**

Control measures were promulgated.

6) Electricity Regulation Act

Schedule 2 of the Act was substituted. One of the main changes brought about is that electricity generating facilities with a capacity of no more than 100 kilowatts are exempt from licencing, but must register with the Regulator.

7) Promotion of Access to Information Act

New Regulations were published in terms of the Act which repeal the earlier ones from 2002.

8) National Environmental Management Act

- **Proposed Regulations pertaining to Financial Provisioning for the Mitigation and Rehabilitation of Environmental Damage caused by Reconnaissance, Prospecting, Exploration, Mining or Production Operations**

These draft Regulations were published for public comment. Should they enter into force they will repeal the existing 2015 Regulations.

PROVINCIAL LEGISLATION

No relevant provincial legislation was published during this month.

MUNICIPAL LEGISLATION

9) *Steve Tshwete Local Municipality*

The following new by-laws were promulgated:

- Sand Mining By-law
- Noise By-law
- Electricity By-law.

If you have any questions please feel free to contact us.

Kind regards

MARK DITKE