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**ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT
(SOUTH AFRICA)
MAY 2022**

Dear Clients,

Below please find a summary of selected relevant environmental, health and safety and foodstuffs legal developments that took place during May 2022.

NATIONAL LEGISLATION

1) Occupational Health and Safety Act

- **Commercial Diving Regulations**

These new very detailed Regulations replace the 2010 Diving Regulations.

- **Asbestos Abatement Regulations**

Minor amendments were made to the Regulations.

The definition of "**OEL for asbestos**" was amended and now means "an occupational exposure limit of 0,1 regulated asbestos fibres per millilitre of air over a continuous period of four hours measured in accordance with HSG 248". (The underlined part was inserted into the definition).

Reg 7 deals with information, instruction and training. Reg 7(4)(a) was amended as follows:

7. (4) Training contemplated in subregulation (3) must-

(a) be provided by a competent person ~~deemed competent by the chief inspector.~~
(The struck through part was deleted. This means that while training must still be given by a competent person, the latter does not have to be approved or accredited by the Department of Employment and Labour).

Regs 10(5) and 13 (e) were repealed. These required the Chief Director: Provincial Operations to confirm acknowledgement of receipt within seven days in respect of the:

- notification of asbestos work which must be given by an employer, self-employed person or asbestos client
- approved inspection authority's submitted plan of work for type 2 or type 3 asbestos work.

The notification and plan must still be submitted, but the Department is no longer required to confirm receipt within seven days.

PROVINCIAL LEGISLATION

No relevant provincial legislation was published during this month.

MUNICIPAL LEGISLATION

2) *Bergriver Local Municipality*

The By-law relating to Public Nuisances and the Keeping of Animals was published. This repeals the 2009 by-law.

3) *King Sabata Dalindyebo Local Municipality*

The Business Licencing By-law was published.

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

Kind regards

MARK DITKE