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OUR REF: MD/update_aug22	YOUR REF:	2 September 2022
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**ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT  
(SOUTH AFRICA)  
AUGUST 2022**

Dear Clients,

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

**NATIONAL LEGISLATION**

**1) National Water Act**

- **National Pricing Strategy for Raw Water Use Charges (draft)**

A draft (version 3:2022) was released for public comment.

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

This was published by the Department of Water and Sanitation.

**2) Air Quality Act**

- **Consultation on Proposed Regulations for Implementing and Enforcing Priority Area Air Quality Management Plans**

These draft Regulations were published for public comment.

### 3) **Biodiversity Act**

- **Revised National Biodiversity Framework 2019 - 2014**

The revised Framework was published by the Department of Forestry, Fisheries and the Environment.

### 4) **Occupational Health and Safety Act**

- **National Code of Practice for Electrical Machinery in Hazardous Locations (Regulatory Requirements for Explosion-protected Apparatus)**

Reg 9 of the Electrical Machinery Regulations requires every employer or user to identify all hazardous locations and to classify them in accordance with the relevant health and safety standard incorporated into the Regulations under section 44 of the Occupational Health and Safety Act.

This new National Code of Practice was published on 19 August 2022 and deals extensively with the regulatory requirements for explosion-protected apparatus. It takes effect on 1 November 2022 when it will also be incorporated into the Regulations. This means it is a law, and not just a code of practice.

### 5) **Agricultural Product Standards Act**

- **Regulations regarding the Classification, Packing and Marking of Certain Raw Processed Meat Products intended for Sale in the RSA**

These new Regulations were published.

They should not be confused with the very similar Regulations regarding the Classification, Packing and Marking of Processed Meat Products intended for Sale in the RSA, GN R 1283 of 4 October 2019.

The new Regulations do not apply to the following foodstuffs:

- Canned meat products as defined in the compulsory specification for the manufacture, production, processing and treatment of canned meat products published under the National Regulator for Compulsory Specifications Act, 2008
- Raw (fresh) processed meat products

- Meat analogue products or non-meat based products that in general appearance, presentation and intended use correspond to processed meat products (e.g. vegan or vegetarian type processed products).

## **PROVINCIAL LEGISLATION**

No relevant provincial legislation was published during this month.

## **MUNICIPAL LEGISLATION**

### **6) City of Johannesburg**

A notice was published by the City requesting public comment for the following:

- Draft Outdoor Advertising By-law
- Draft Water Services By-law
- Draft Wayleave By-law
- Electricity By-law (proposed amendments).

As only the notices were published and not the actual proposed by-laws it is unclear whether the first three are all new by-laws, or if existing ones will be amended. Copies can, however, be downloaded from the City's website.

### **7) King Sabata Dalindyebo Local Municipality**

The Waste Management By-law was published.

### **8) Dhlabeng Local Municipality**

Various new by-laws were promulgated, but for purposes of this update report only the following are relevant:

- By-law relating to Dumping and Littering
- Refuse Removal By-law
- Environmental Management By-law
- Waste Management By-laws
- Stormwater By-laws
- By-law relating to Building Regulations (this also sets out effluent quality limits).

Some by-laws (like eg. the Environmental Management By-law) contain serious numbering errors, and furthermore appear to be missing large parts of text.

It is further unclear why there are three by-laws dealing with waste.

**9) City of Matlosana Local Municipality**

New Electricity By-laws were promulgated which repeal those from 2017.

**10) Moses Kotane Local Municipality**

The following new by-laws were promulgated:

- Control of Public Transport and related Nuisances By-law
- Impoundment of Vehicles and Goods By-law
- Business Regulation and Permit By-law
- Street Trading By-law
- By-law relating to Outdoor Advertising and Signage.

**11) City of uMhlathuze Local Municipality**

The Aesthetics By-law was promulgated. The by-law also briefly recognises the need for green building initiatives and energy efficiency.

**12) Phumela Local Municipality**

The Municipal Land Use Planning By-law was amended.

**13) Letsemeng Local Municipality**

The Municipal Land Use Planning By-law was amended.

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

Kind regards

**MARK DITKE**