



Tel: + 27 21 790 5977
Fax: + 27 86 616 8070
Email: info@dittke.com
Address: 15 Laurentia Way
Hout Bay, 7806
South Africa
Managing Attorney:
Mark Dittke - B.A LL.B LL.M (UCT)
www.dittke.com

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

Dear Clients,

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

NATIONAL LEGISLATION

1) National Health Act

- **Regulations relating to the Standards for Emergency Medical Services**

These new Regulations apply to public and private emergency medical services, but excluding the SANDF, and will enter into force on 2 December 2023. They will have to be read together with the Emergency Medical Services Regulations, 2017.

2) Waste Act

- **Consultation on the Draft section 29 Industry Waste Management Plan for Tyres**

Following the Minister's decision in November 2019 to reject all the Industry Waste Management Plans for Tyres the CSIR was appointed to develop a plan. This was completed and the draft plan was published for public comment (the commenting period closes on 6 February 2023).

The plan is aimed at the tyre industry, and not individuals or companies. The industry will be required to implement mechanisms for:

- Managing waste tyres
- Facilitating waste tyre processing capacity and to reduce the negative environmental impacts of waste tyres while supporting enterprise development and job creation in a circular economy
- Expanding the waste tyre processing capacity as quickly as possible
- Developing systems to monitor progress and to manage the implementation of the plan.

3) National Environmental Management Act

- **Ministerial Task Team to Identify and Recommend Voluntary Exit Options and Pathways for the Captive Lion Industry**

The Minister appointed members of the task team and furthermore set out their terms of reference.

4) Draft Green Hydrogen Commercialisation Strategy

The Department of Trade, Industry and Competition released a notice advising that the draft strategy is available for comment by the public. According to the Government Gazette notice a copy can be downloaded from either <http://www.thedtic.gov.za/green-hydrogen-commercialisation-strategy/> or <http://idc.piidigital.co.za/key-policies>.

5) Foodstuffs, Cosmetics and Disinfectants Act

- **Regulations Governing the Maximum Limits for Pesticide Residues that may be present in Foodstuffs – DRAFT AMENDMENT**

A draft amendment to the Regulations was published on 2 December, and once again on 15 December, for comment. Presumably the first notice contained errors. The proposed changes are in respect of the Annex which sets out numerous permissible chemical substances with maximum limits for various foodstuffs. Comments can be submitted to the Department until 15 March 2023.

5) Mine Health and Safety Act

- **Mine Health and Safety Regulations, GN R 93 of 1997**

Regulations 8.10.1.2(b) and 8.10.2.1(b) were added to the Regulations by GN R 125 of 2015, but only took effect on 21 December 2022 when GN 2908 was published. They are part of Chapter 8 .10 which deals with trackless mobile machinery.

In addition, Chapter 21 (which sets out various forms) was amended by the substitution of new forms.

PROVINCIAL LEGISLATION

No relevant provincial legislation was published this month.

MUNICIPAL LEGISLATION

6) Matjhabeng Local Municipality

The following new by-laws were added:

- Dumping and Littering By-law (this repeals the 2008 Dumping and Littering By-law)
- Electricity Supply By-law
- Water Restrictions By-law
- Water Services By-law (this repeals the 2010 Water Services By-law).

7) George Local Municipality

The Problem Premises By-law was promulgated.

8) Winnie Madikizela-Mandela Local Municipality

The Waste Management By-law was promulgated.

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

Kind regards

MARK DITKE