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OUR REF: MD/update_jan24

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ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT

(SOUTH AFRICA)

JANUARY 2024

Dear Clients,

Below please find a summary of selected relevant environmental, health and safety and foodstuffs legal developments that took place during January 2024.

NATIONAL LEGISLATION

1) Air Quality Act

- ***Notice regarding the Manual Registration of Data Providers and Reporting of Greenhouse Gas Emissions for the 2023/2024 and 2024/2025 reporting cycles***

A notice was published stating that data providers must register and report greenhouse gas emissions data and information manually using the templates in the Schedule. The reasons for manual registration of data providers and reporting of greenhouse gas emissions is that the South African Greenhouse Gas Emission Reporting System (SAGERS) will no longer be used for registration and reporting during the 2023/2024 and 2024/2025 reporting cycles due to planned system upgrades. Data providers must submit the reports as per the stipulated timeframes in the National Greenhouse Gas Emission Reporting Regulations by email to: GHGreporting@dfpe.gov.za.

2) Water Services Act

- **Proposed new Compulsory National Water and Sanitation Services Norms and Standards**

Detailed proposed new Norms and Standards were published for public comment. Should they enter into force they will replace the Regulations relating to Compulsory National Standards and Measures to Conserve Water, GN R 509 of 2001.

3) Government Immovable Asset Management Act

- **Draft Integrated Renewable Energy and Resource Efficiency Regulations**

These draft Regulations were published on four separate occasions in one week by the Government Printers as there were apparently several errors with each version. In terms of the notice the "Regulations are developed for participants implementing the Programme for purposes of enabling energy and water efficiency in public buildings, the reduction of the production of waste by public buildings and their occupants, reducing the carbon footprint of Government immovable assets, expenditure on utilities and waste management and facilitating good governance of Government's assets".

4) National Environmental Management Act

- **Extension of the Appointment of the Environmental Assessment Practitioners Association of South Africa as the Single Registration Authority**

The appointment of the Environmental Assessment Practitioners Association of South Africa as single registration authority was extended once more for a period of 24 months.

5) Marine Living Resources Act

- **Draft Regulations Relating to the Entry of Foreign Fishing Vessels into South African Waters**

Draft Regulations were published for public comment.

6) Gas Act – Draft Amendment Bill

A draft amendment Bill was published for public comment. The Act (and proposed amendments) is aimed at the gas industry and not ordinary users.

7) National Radioactive Waste Disposal Institute Act

- ***Draft Regulations on the Format of the Application for a Radioactive Waste Disposal Certificate***

Draft Regulations were published for public comment.

PROVINCIAL LEGISLATION

No relevant provincial legislation was published this month.

MUNICIPAL LEGISLATION

8) eThekweni Metropolitan Municipality

On 20 July 2023 the municipality published the following new by-laws:

- Food, Milk and Milk Products By-law
- Municipal Public Health By-law.

These were, however, only to enter into force six months later, i.e. 20 January 2024.

The 1950 Milk (and Milk Products) By-law, as well as 1911 Public Health By-law, were repealed on 20 January 2024 by the above.

9) Midvaal Local Municipality

The Draft Emergency Services By-law was published for public comment.

10) Dr Beyers Naude Local Municipality

New Water Supply and Sanitation Services By-laws were published; these repeal the 2006 Water Supply and Sanitation Services By-laws.

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

Kind regards

MARK DITKE