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OUR REF: MD/update\_aug24

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## **ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT**

**(SOUTH AFRICA)**

**AUGUST 2024**

Dear Clients,

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

### **NATIONAL LEGISLATION**

#### **ENVIRONMENTAL LEGISLATION**

##### **1) National Environmental Management Act**

- ***Proposed procedures to be followed for the assessment and minimum criteria for reporting on identified environmental themes in terms of section 24 (5) (a) and (h) of the Act, when applying for environmental authorisation***

Protocol for the specialist assessment and minimum report content requirements for environmental impacts on Cape Vultures by onshore wind energy generation facilities - published for comment.

##### **2) Air Quality Act**

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

In terms of the Air Quality Act (section 19) the Minister can identify priority areas and impose restrictions on air pollution. This is currently in place for the Vaal Triangle, Highveld and Waterberg areas. Moreover, there are the Vaal Triangle Priority Area AQMP Implementation Regulations, GN R 614 of 2009.

The new Regulations do not set aside the current plans, but instead provide requirements that must be complied with. They also repeal the 2009 Regulations.

### **3) *Electricity Regulation Act***

A detailed amendment Act (38 of 2024) was published, but this is not yet in force. One of the proposed changes is the formation of a state owned company.

## **HEALTH AND SAFETY LEGISLATION**

### **4) *Merchant Shipping Act***

- ***Merchant Shipping (Collision and Distress Signals) Regulations, 2005 - Amendment***

An amendment was made to the 2005 Regulations.

### **5) *Animal Diseases Act***

- ***Control Measures relating to Foot and Mouth Disease, 2024***

New legislation was brought out which replaces that from 2022.

### **6) *Mine Health and Safety Act***

The following were published by the Department:

- Guideline for a Mandatory Code for Practice for Minimum Standards on Ground Vibrations, Noise, Air-Blast and Flyrock near Surface Structures and Communities to be protected
- Guidance Note for the Management of GBVF, Safety and Security Challenges for Women in the South African Mining Industry
- Guideline for a Mandatory Code of Practice for a Quality Assurance Programme for a System of Occupational Hygiene and Ventilation Engineering Measurements.

## **PROVINCIAL LEGISLATION**

No relevant provincial legislation was published this month.

## **MUNICIPAL LEGISLATION**

### **7) Mquma Local Municipality**

Various by-laws were passed by the municipality. For purposes of this update report the following are relevant:

- By-law relating to Unsightly and Neglected Buildings and Premises
- By-law relating to Keeping of Animals
- By-laws relating to the Prevention of Fires
- By-law relating to Streets
- Traffic By-Law, 2024 (to be proclaimed)
- Coastal By-Law
- Nuisances and Behaviour in Public Places By-Law
- Solid Waste Management By-laws (previous by-laws repealed).

### **8) George Local Municipality**

Amendments were made to the Integrated Zoning Scheme By-Law, 2023.

### **9) City of Cape Town**

The new Outdoor Advertising By-law was published by the City. It repeals the 2001 Outdoor Advertising and Signage By-Law.

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

The Spatial Planning and Land Use Management By-law was amended.

### **11) Dr Nkosazana Dlamini Zuma Local Municipality**

The Integrated Waste Management By-law was published by the municipality. This repeals the Waste Management By-law, 1972, Refuse Removal By-law, 2017, and Dumping and Littering By-law, 2017.

### **12) Garden Route District Municipality**

A notice of public participation on the Draft Fire Safety By-Law was published.

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

Kind regards

**MARK DITKE**