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YOUR REF:

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ENVIRONMENTAL, HEALTH AND SAFETY AND FOODSTUFFS LEGAL UPDATE REPORT
(SOUTH AFRICA)
MAY 2026

Dear Clients,

Below please find a summary of selected relevant environmental, health and safety and foodstuffs legal developments that took place during May 2026.

NATIONAL LEGISLATION

ENVIRONMENTAL LEGISLATION

1) Waste Act

- ***List of Waste Management Activities that have, or a likely to have, a Detrimental Effect on the Environment – DRAFT list***

A draft list of activities requiring a waste management licence, alternatively exempt activities, was published for public comment. If it enters into force, it will repeal the current 2013 list. The proposed amendments set out revised activity categories, refined thresholds, and updated requirements for waste generation, storage, treatment, and disposal.

2) National Environmental Management Act

- ***Regulations relating to the Procedure to be followed and criteria to be considered when determining an Appropriate Fine in terms of section 24G – Draft Amendment***

A draft amendment to the Regulations was published for comment. Section 24G of the Act deals with the rectification of an unlawful activity (eg. commencing an activity without a prior EIA). The Regulations stipulate the procedure to be followed during this process.

3) *Petroleum Pipeline Act*

- ***Rules***

New Rules were brought out by the National Energy Regulator which replace the 2019 Rules.

4) *National Water Act*

- ***Regulations for the Establishment of a Water Resource Classification System – Draft amendments***

Draft amendments to the 2010 Regulations were published for comment.

5) *Nuclear Energy Act – Amendment Bill*

Draft amendments to the 1999 Act were released for comment.

6) *Biodiversity Act*

- ***National Elephant Heritage Strategy for South Africa 2026-2036***

The Minister brought out the heritage strategy for elephants.

7) *Energy Regulation Act*

- A Notice inviting public comment on the Wholesale Electricity Pricing Methodology Consultation Paper was released by NERSA. The paper establishes a proposed framework for determining wholesale electricity prices, setting out the structure of regulated charges, cost recovery mechanisms, tariff components, and the role of market participants within the transitioning South African Wholesale Energy Market. It further outlines pricing principles, market arrangements, risk allocation, and regulatory processes to support a transparent, cost-reflective, and competitive electricity market.

8) *Air Quality Act*

- ***10th National Greenhouse Gas Inventory - Draft***

This draft notice sets out the latest national inventory of greenhouse gas emissions and removals, outlining sectoral contributions, methodological approaches and updated data used to quantify South Africa's emissions profile.

HEALTH AND SAFETY LEGISLATION

9) *National Railway Safety Act*

- ***Approval of the new Safety Permit Fee Model, 2026***

The new model was approved by the Minister for implementation.

- ***Draft Determination of Safety Permit Fees***

Draft fees were published.

10) *Draft National Rail Master Plan*

The draft plan was issued by Department of Transport following the National Rail Policy (White Paper, 2022). It sets out the intention to undertake a nationwide consultation process on a strategic framework designed to revitalise, modernise and integrate the country's passenger and freight rail network over the long term. The document further describes the objectives of the consultations, provides background to the development of the draft plan and describes the use of a centralised digital platform to support transparent and inclusive engagement.

11) *National Nuclear Regulator Act*

- ***Statement providing Information outlining the Procedures and Requirements for the Suspension, Modification, Renewal, Revocation and Surrender of Authorisations***

This statement was brought out by the Regulator's CEO.

FOODSTUFFS AND AGRICULTURAL LEGISLATION

12) *Agricultural Product Standards Act*

- ***Regulations relating to the Grading, Packing and Marking of Sorghum Products intended for sale in the Republic of South Africa***

These new Regulations were published on 30 May 2025 but were intended to only enter into force on 30 May 2026.

- ***Intention to register Rooibos/Red Bush as a South African Geographical Indication***

A draft notice was published for comment indicating the intention to register rooibos/red bush as South African Geographical Indication in terms of the Regulations relating to the Protection of Geographical Indications and Designations of Origin used on Agricultural Products intended for sale in the Republic of South Africa.

- ***Draft regulations regarding the Classification and Marking of Meat intended for Sale in the Republic of South Africa***

Draft amendments to the Regulations were published for comment.

13) *Agricultural Produce Agents Act*

- ***Rules in respect of Export Agents***

New Rules were promulgated replacing those published by Government Notice BN 62 in GG 41632.

14) *Animal Diseases Act*

- ***Control Measures relating to Foot and Mouth Disease Routine Vaccination***

Control measures for vaccination were published.

- ***Notice rescinding the Foot and Mouth Disease Management Area in KwaZulu-Natal***

A notice rescinding the disease management area in the province was published.

15) *Animal Health Act*

- ***Draft Animal Health Regulations***

Draft Regulations were published for comment.

16) *Fertilizer, Farm Feeds, Agricultural Remedies and Stock Remedies Act*

- ***Prohibition Notice regarding the Use of Certain Agricultural Remedies***

The acquisition, disposal, sale or use of agricultural remedies containing Terbufos is now prohibited.

PROVINCIAL LEGISLATION

17) *Eastern Cape - Environmental Conservation Decree 9 of 1992: Extension of the commenting period on the Draft Wild Coast Coastal Development Plan*

This draft plan was initially published under GN 160 in PG 5351 of 3 February 2025. An extension notice for commenting until 18 July 2026 was now released.

No other relevant provincial legislation was passed this month.

MUNICIPAL LEGISLATION

18) *Buffalo City Metropolitan Municipality*

The Noise Control By-law was published.

At the same time parts of sections 30 and 31 of the Municipal Health Services By-law dealing with noise control and noise pollution control were repealed.

19) Msunduzi Local Municipality

New Advertising Signs By-laws were brought out which repealed the 2006 by-laws.

20) Sekhukhune District Municipality

Municipal Health Services By-laws were promulgated by the municipality. The 2015 Public and Environmental Health By-laws were repealed at the same time.

21) Kouga Local Municipality

The Aesthetics By-law was promulgated.

22) Kgetlengrivier Local Municipality

Waste Management By-laws were passed.

23) uMgungundlovu District Municipality

New Water Services By-laws were enacted by the municipality and which repealed those from 2009.

24) Ba-Phalaborwa Local Municipality

The municipality brought out the following:

- Draft Air Quality By-law
- By-laws for Invasive Alien Flora and Fauna
- By-laws for the Trade of Endangered Flora and Fauna of Phalaborwa
- By-laws for the Planting, Pruning, Removal and Treatment of Street Trees
- By-laws for hunting Wild Animals and Birds
- By-laws for Animal Keeping.

25) City of Cape Town

Amendments were made to the Events By-law.

SANS AND OTHER STANDARDS**26) SANS 14001:20xx Ed4**

The new standard for environmental management systems was released by the SABS for comment.

27) SANS 2180:2026 – Ed 1

This new five part standard deals with *mine shaft overwind protection*.

28) SANS 8429:2026 – Ed 1

Standard Test Method for Legionella pneumophila in Water Samples Using Legiolert 1,2.

This new standard describes a procedure for the detection of Legionella pneumophila (L. pneumophila) in potable water and non-potable waters (eg. cooling towers).

29) SANS 8433:2026 – Ed 1

Standard Specification for Food Safety and Quality of Hempseed Intended for Dehulling or Oil Extraction Food Purposes.

This new standard establishes the maximum allowable E. coli and Salmonella microbial levels, moisture content, peroxide value (PV), free fatty acid (FFA) content, yeast and mold levels, representative heavy metals, total coliforms, foreign material, and discoloration for hempseed intended for human consumption.

30) SANS 22002-4:2026 – Ed 1

Prerequisite programmes on food safety - Part 4: Food packaging manufacturing.

This new standard specifies, in conjunction with ISO 22002-100 (published in South Africa as an identical adoption under the designation SANS 22002-4), requirements for establishing, implementing and maintaining prerequisite programmes (PRPs) to control food safety hazards in the manufacture of food and feed packaging.

31) SANS 10400-F:2026 – Ed 3.2

The application of the National Building Regulations Part F: Site operations.

Amended to update referenced standards, and the clause on requirements.

32) SANS 10400-G:2026 – Ed 3.2

The application of the National Building Regulations Part G: Excavations.

Amended to update definitions and the clause on requirements.

33) SANS 10400-H:2026 - Ed 3.1

The application of the National Building Regulations Part H: Foundations.

Amended to remove referencing standards by date (Normative references, 3.14, Table 2, Annex A Note, Annex A.8.1, Annex B.3.1, Table B.2, Table B.3, Table B.4, Annex C.4.2, Annex D.2), delete the note of 3.8, delete the definitions (3.9 & 3.10), updated 3.14 Note, and eliminating specification references to a competent person and reference by year (4.1.1 c, 4.2.1, 4.2.2, 4.2.4,

4.3.1.1, 4.3.1.2, 4.3.1.3, 4.3.1.4, 4.3.1.5, 4.3.2.1.3 (Note), table 2, 4.3.2.1.5, 4.3.2.1.7, Annex A Note, A.8.1 e), B.3.1, Table B.2, Table B.3, Table B.4, C.4.2, and D.2.

34) SANS 10400-J:2026 – Ed 3.2

The application of the National Building Regulations Part J: Floors.

Amended to update referenced standards, definitions, and the clause on requirements.

35) SANS 10400-N:2026 – Ed 3.2

The application of the National Building Regulations Part N: Glazing.

Amended to delete the note to the scope, and the clause on requirements, and to delete the annex on National Building Regulations Part N: Glazing.

36) SANS 10400-W:2026 – Ed 3.1

The application of the National Building Regulations Part W: Fire installation.

Amended to update definitions and the clause on requirements, and to delete the annex on National Building Regulations Part W: Fire Installation.

37) SANS 50054-3:2026 – Ed 2

Fire detection and fire alarm systems Part 3: Fire alarm devices – Sounders.

This amended standard specifies the requirements, test methods and performance criteria for fire alarm sounders, including voice sounders, in a fixed installation intended to signal an audible warning between the fire detection and fire alarm systems and the occupants of a building (see EN 54-1:2011 published in South Africa as an identical adoption under the designation SANS 50054-1). Provides for the assessment and verification of constancy of performance (AVCP) of fire alarm sounders to this EN.

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

Kind regards

MARK DITKE