



**NEWSLETTER OHS-1-2023**

**16 December 2022 – 31 January 2023**

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**HEALTH & SAFETY LEGISLATION**

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**NOTICES:**

CODE OF PRACTICE: MANAGING EXPOSURE TO SARS-COV-2 IN THE WORKPLACE, 2022

The Code Practice: Managing Exposure to SARS-COV-2 in the Workplace, 2022, which was published under Government Notice R. 2191, Government Gazette 46596 of 24 June 2022, was amended by amending the

interpretation of “HBA Regulations” to include the publication details of these Regulations. In terms of the correction notice, “HBA Regulations” means Regulations for Hazardous Biological Agents promulgated in terms of section 43 of the OHSA in Government Notice R.1887, published in Government gazette 46051 of 16 March 2022.

Published under GN R. 2957, GG 47919 of 27 January 2023.

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## LABOUR LEGISLATION

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### NOTICES:

#### BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

##### INVESTIGATION INTO THE WAGES AND CONDITIONS OF EMPLOYMENT OF THE COMMUNITY HEALTH WORKERS (CHWs) IN SOUTH AFRICA

The Chairperson of the National Minimum Wage Commission gave notice of the commencement of the investigation into Community Health Workers in South Africa. The terms of reference of the investigation shall be to investigate the wages and conditions of employment of the Community Health Workers.

Published under Government Notice R. 2870, Government Gazette 47752 of 15 December 2022.

#### NATIONAL MINIMUM WAGE ACT 9 OF 2018

##### INVITATION FOR WRITTEN REPRESENTATIONS

The Chairperson of the National Minimum Wage Commission presented the Commission’s report and recommendations on the annual review of the national minimum wage.

Published under Government Notice R. 2871, Government Gazette 47752 of 15 December 2022

##### SETTING OF THE MEDIUM-TERM TARGETS FOR THE NATIONAL MINIMUM WAGE

The National Minimum Wage Commission proposed that the medium-term target should be the following: “All wage-earning workers must earn enough to maintain a decent standard of living, defined as sufficient to support themselves and their families at a level that is both socially acceptable and economically viable. The target should ensure that the value of the national minimum wage does not decline relative to the median wage.

Published under Government Notice R. 2872, Government Gazette 47752 of 15 December 2022.

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## GENERAL LEGISLATION

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### NOTICES:

#### ELECTRICITY REGULATION ACT 4 OF 2006

##### LICENCING EXEMPTION AND REGISTRATION NOTICE

The Minister of Mineral Resources and Energy amended Schedule 2 of the Act regarding the “Exemption from obligation to apply for and hold a license.”

Published under Government Notice 2875, Government Gazette 47757 of 15 December 2022.

CORRECTION OF GOVERNMENT NOTICE 2875, PUBLISHED ON 15 DECEMBER 2022 IN GOVERNMENT GAZETTE 47757: LICENSING EXEMPTION ON REGISTRATION NOTICE

The Minister of Mineral Resources and Energy amended Schedule 2 of the Act regarding the “Exemption from obligation to apply for and hold a license.

Published under Government Notice 2935, Government Gazette 47877 of 17 January 2023.

### **CIVIL AVIATION ACT 13 OF 2009**

#### **CIVIL AVIATION REGULATIONS, 2011**

The Minister of Transport intends to amend the Civil Aviation Regulations, 2011, by amendment of the following Parts:

- Schedule 1 Part 172.02.6 Airspace and Air Traffic Service

The Director of Civil Aviation intends to amend the Technical Standards by the amendment of the following Part:

- Schedule 2 SA CATS 172.02.6 Airspace and Air Traffic Service

Published under Government Notice 2885, Government Notice 47766 of 19 December 2022.

The Minister of Transport intends to amend the Civil Aviation Regulations, 2011, by amendment of the following Parts:

- Schedule 1 Part 101 Remotely Piloted Aircraft Systems

The Director of Civil Aviation intends to amend the Technical Standards by the amendment of the following Part:

- Schedule 2 SA CATS 101 Remotely Piloted Aircraft Systems Schedule 3 SA CATS 139 Aerodromes and Heliports

Published under Government Notice 2953, Government Notice 47910 of 24 January 2023

#### **NOTICE IN TERMS OF REGULATION 11.03.1 OF THE CIVIL AVIATION REGULATIONS, 2011**

In 2021, the Director of Civil Aviation promulgated the amendment of SA-CATS 2 of 2021, which came into operation on 15 November 2021. The SA-CATS 2 of 2021 promulgated, among other provisions, Document SA CATS 91, 121, 127 and 135 Flight Data Recorders (FDR) Technical Standards. The FDR Technical Standard requirements provide that all aircraft, irrespective of their operations or weight requirements, must be equipped with FDR or equivalent. In terms of SA CATS 2 of 2021, the said FDR Technical Standards will come into operation on 1 January 2023. The Director of Civil Aviation deferred the scheduled date (1 January 2023) for coming into operation of the abovementioned FDR Technical Standards for a period of 12 months. The affected FDR Technical Standards will come into operation on 1 January 2024.

Published under Government Notice 2910, Government Gazette 47793 of 22 December 2022.

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## **HEALTH LEGISLATION**

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### **NOTICES:**

#### **FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972**

##### **REGULATIONS GOVERNING THE MAXIMUM LIMITS FOR PESTICIDE RESIDUES THAT MAY BE PRESENT IN FOODSTUFFS: AMENDMENT**

The Minister of Health intends to amend the abovementioned Regulations. Interested persons were invited to submit substantive comments within three months of the publication of the Notice in the Government Gazette, to [foodcontrol@health.gov.za](mailto:foodcontrol@health.gov.za).

Published under Government Notice 2864, Government Gazette 47729 of 15 December 2022.

## REGULATIONS RELATING TO THE LABELLING AND ADVERTISING OF FOODSTUFFS

The Minister of Health intends to make the abovementioned Regulations. Interested persons were invited to submit any substantiated comments or representations on the proposed regulations, to the Director - General of Health within three months of the date of publication of the notice in the Government Gazette. Published under Government Notice R. 2986, Government Gazette 47965 of 31 January 2023.

## PHARMACY ACT 53 OF 1974

### PRIMARY CARE DRUG THERAPY (PCDT) PHARMACIST

The South African Pharmacy Council published for implementation, the scope of practice for a Primary Care Drug Therapy (PCDT) Pharmacist, the competency standards of such pharmacists and the criteria for the approval of a curriculum of a PCDT course. Published under Board Notice 384, Government Gazette 47926 of 27 January 2023.

## ALLIED HEALTH PROFESSIONS ACT 63 OF 1972

### REGULATIONS RELATING TO THE PROFESSION OF TRADITION CHINESE MEDICINE AND ACUPUNCTURE

The Minister of Health intends to make the abovementioned Regulations. Interested persons were invited to submit substantiated comments or representations in writing on the proposed amendments to the Regulations, to the Director-General: Health, within one month of the date of publication of the notice in the Government Gazette. Published under Government Notice 2966, Government Gazette 47926 of 27 January 2023.

### DRAFT REGULATIONS RELATING TO THE PROFESSIONS OF AROMATHERAPY AND THERAPEUTIC AROMATHERAPY

The Minister of Health intends to make the abovementioned Regulations. Interested persons were invited so submit substantiated comments or representations on the proposed amendments to the director-General: Health, within one month of the date of publication of the notice in the Government Gazette. Published under Government Notice 2969, Government Gazette 47926 of 27 January 2023.

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## MARITIME LEGISLATION

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### REGULATIONS:

#### MARINE LIVING RESOURCES ACT 18 OF 1998

##### AMENDMENT OF THE REGULATIONS IN TERMS OF THE MARINE LIVING RESOURCES ACT 18 OF 1998

The Minister of Forestry, Fisheries and the Environment promulgated the amendment regulations, which was published under Government Notice R. 2911, Government Gazette 47796 of 23 December 2022

### NOTICES:

#### SOUTH AFRICAN MARITIME SAFETY AUTHORITY LEVIES ACT 6 OF 1998

##### DETERMINATION OF LEVIES

The South African Maritime Safety Authority revoked the determinations published by GN 243 in GG 44303 of 19 March 2021 and has made the determination as published under Government Notice R. 2873, Government Gazette 47755 of 15 December 2022.

#### DETERMINATION OF CHARGES

The South African Maritime Safety Authority revoked the determinations published by GN 244 in GG 47823 of 19 March 2021 and has made the determination as published under Government Notice R. 2926, Government Gazette 47823 of 6 January 2023.

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#### SOURCES

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- SA Government Online Information Services
- IOL
- DOL
- DOH
- DOA
- Sabinet