

NEWSLETTER OHS-2-2023

1 February 2023 – 28 February 2023

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HEALTH & SAFETY LEGISLATION

REGULATIONS:

DISASTER MANAGEMENT ACT 57 OF 2002

REGULATIONS ISSUED IN TERMS OF SECTION 27(2) OF THE ACT AFTER THE IMPACT OF SEVERE ELECTRICITY SUPPLY CONSTRAINT WAS DECLARED A NATIONAL STATE OF DISASTER

The Minister of Cooperative Governance and Traditional Affairs made the abovementioned Regulations, which were published under Government Notice R.3089, Government Gazette 48145 of 27 February 2023.

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

PROMULGATION OF MAJOR HAZARD INSTALLATION REGULATIONS, 2022

The Minister of Employment and Labour promulgated the new regulations relating to Major Hazard Installations under Government Notice R. 2989, Government gazette 47970 of 31 January 2023. The Regulations will come commence on a date determined by the Minister by Notice in the Government Gazette. You may access these Regulations on <https://implex.co.za/wp-content/uploads/2023/02/HS-OHSA-MHIR-G47970-GoN2989-Jan2023.pdf>

NOTICES:

DISASTER MANAGEMENT ACT 57 OF 2002

CLASSIFICATION OF NATIONAL DISASTER: IMPACT OF SEVERE ELECTRICITY SUPPLY CONSTRAINT

The impact of the severe electricity supply constraint was classified as a national disaster under Government Notice 3019, Government Gazette 48009 of 9 February 2023.

DECLARATION OF A NATIONAL STATE OF DISASTER: IMPACT OF SEVERE ELECTRICITY SUPPLY CONSTRAINT

The Minister of Cooperative Governance and Traditional Affairs declared the impact of the severe electricity supply constraint as a national state of disaster under Government Notice 3020, Government Gazette 48009 of 9 February 2023.

LABOUR LEGISLATION

NOTICES:

BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

DETERMINATION: EARNINGS THRESHOLD

The Minister of Employment and Labour determined that all employees earning in excess of R241 110,59 (two hundred and forty-one thousand, one hundred and ten rands, fifty-one cents) per annum be excluded from sections 9, 10, 11, 12, 14, 15, 16, 17(2) and 18(3) of the Act with effect from 1 March 2023. Published under Government Notice 3067, Government Gazette 48092 of 20 February 2023.

NATIONAL MINIMUM WAGE ACT 9 OF 2018

The Minister of Employment and Labour amended the minimum wages contained in Schedule 1 and Schedule 2 of the National Minimum Wage Act, which was published on 7 February 2022. Published under GN 3069, GG 48094 of 21 February 2023.

GENERAL LEGISLATION

NOTICES:**CIVIL AVIATION ACT 13 OF 2009**

CIVIL AVIATION REGULATIONS, 2011

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

Schedule 1 Part 91 General Aviation and Operating and Flights Rules

Schedule 2 Part 139 Aerodromes and Heliports

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

Schedule 3 SA CATS 91 General Aviation and Operating and Flights Rules

Schedule 4 SA CATS 139 Aerodromes and Heliports

Schedule 5 SA CATS 139, subpart 5 Aerodromes and Heliports

Published under Government Notice 3015, Government Gazette 47996 of 6 February 2023.

PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

RULES OF PROCEDURE RELATING TO THE MANNER IN WHICH A COMPLAINT OR ANY MATTER IN TERMS OF THE POPIA MAY BE REFERRED TO AND CONSIDERED FOR A FINDING, AND RECOMMENDATION BY THE ENFORCEMENT COMMITTEE, 2023.

The Information Regulator invited interested parties to submit written comments on the proposed draft Rules of Procedure for the Enforcement Committee, issued under Section 92(2) of the Protection of Personal Information Act 4 of 2013. A copy of the proposed Rules is available on the Regulator's website at <https://info regulator.org.za/rules-of-procedures/>. The comments on the draft Rules must be submitted to the Chief Legal Officer, Mr Jaco Jansen on or before 24th March 2023.

Published under Government Notice 3052, Government Gazette 48062 of 17 February 2023.

HEALTH LEGISLATION

REGULATIONS:**NATIONAL HEALTH ACT 61 OF 2003**

REGULATIONS RELATING TO THE SURVEILLANCE AND THE CONTROL OF NOTIFIABLE MEDICAL CONDITIONS: AMENDMENT

The Minister of Health amended the abovementioned Regulations by declaring Monkey Pox to be a Notifiable Medical Condition.

Published under Government Notice 3007, Government Gazette 47983 of 3 February 2023.

NOTICES:**HEALTH PROFESSIONS ACT 56 OF 1974**

REGULATIONS

The Minister of Health intends to make the following 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 Notices in the Government Gazette.

Published under Government Notice, Government Gazette 47983 of 3 February 2023.

- Regulations regarding names that may not be used in relation to the profession of Optometry and Dispensing Opticians: Amendment – GN 3002
- Regulations relating to the qualifications for registration of Biokineticists – GN 3003
- Regulations defining the scope of the profession of Orthopaedic Footwear Technicians – GN 3004

NURSING ACT 33 OF 2005

REGULATIONS RELATING TO THE DISTINGUISHING DEVICES FOR NURSES AND MIDWIVES

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 Notices in the Government Gazette.

Published under Government Notice 3005, Government Gazette 47983 of 3 February 2023.

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

GENERAL REGULATIONS MADE IN TERMS OF THE MEDICINES AND RELATED SUBSTANCES ACT, 1965

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 date of publication of the Notice in the Government Gazette.

Published under Government Notice 3026, Government Gazette 48017 of 10 February 2023.

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT 19 OF 1982

RULES RELATING TO THE PRACTICING OF PARA-VETERINARY PROFESSION OF VETERINARY PHYSIOTHERAPIST

The south African Veterinary Council made the abovementioned Rules, which the Minister of Agriculture, Land Reform & Rural Development approved. These rules came into operation on the date of publication.

Published under General Notice 1626, Government Gazette 48104 of 24 February 2023.

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SOURCES



Our sincere gratitude to the following valuable sources:

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