

NEWSLETTER ENV-1-2024

1 December 2023 – 31 January 2024

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NOTICES:

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

EXTENSION OF THE COMMENCEMENT DATE OF THE REGULATIONS TO DOMESTICATE THE REQUIREMENTS OF THE ROTTERDAM CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN INTERNATIONAL TRADE, 2023

The Minister of Forestry, Fisheries and the Environment extended the commencement date of the Regulations to domesticate the requirements of the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in the international trade, 2023.
Published under Government Notice 4204, Government Gazette 49892 of 14 December 2023.

CONSULTATION ON THE DRAFT NATIONAL REGULATIONS FOR THE MANAGEMENT OF MERCURY IN SOUTH AFRICA

The Minister of Forestry, Fisheries and the Environment intends to publish the Regulations for the Management of Mercury in South Africa. These Regulations are intended to manage and regulate mercury in South Africa, and to domesticate the Minamata Convention on Mercury, of which South Africa is a party and ratified in 2019. The draft Mercury Regulations are in line with the objectives of the Convention. The purpose of the draft Regulations is-

- to eliminate the anthropogenic releases of mercury;
- to manage processes releasing mercury into the environment;
- to phase out mercury added products;
- to phase down dental amalgam; and
- to regulate mercury storage facilities, including mercury added products as listed on the annexures of the Minamata Convention.

The Draft Regulations were published for comments under GN 3189, GG 48292 of 24 March 2023, but were republished due to the number of comments received and the revisions made to them.

Members of the public were invited to submit, within sixty days of publication of the Notice in the Government Gazette or the newspaper, whichever date is the later date, written comments on the draft Mercury Regulations, to the Director-General: Department of Forestry, Fisheries and the Environment.

Published under Government Notice 4144, Government Gazette 49816 of 4 December 2023.



EXTENSION OF THE APPOINTMENT OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONERS ASSOCIATION OF SOUTH AFRICA AS THE SINGLE REGISTRATION AUTHORITY IN TERMS OF SECTION 24H(3), READ WITH SECTION 24H(6), OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998, FOR A PERIOD OF TWENTY-FOUR MONTHS

The Minister of Forestry, Fisheries and the Environment extended the appointment of the Environmental Assessment Practitioners Association of South Africa, as a single registration authority, in terms of section 24H(3), of the National Environmental Management Act, 1998, for a period of twenty-four months. The Environmental Assessment Practitioners Association of South Africa was appointed as the single registration authority for a period of five years, with effect from 8 February 2018 until 7 February 2023, whereafter the period of appointment was extended until 7 February 2024. This appointment is further extended until 7 February 2026 to enable the Minister to adequately consider what the most sustainable way forward would be for the long-term regulation of environmental assessment practitioners.

Published under Government Notice 4292, Government Gazette 50046 of 30 January 2024.

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

*NATIONAL GREENHOUSE GAS EMISSION REPORTING REGULATIONS, 2016
NOTICE REGARDING MANUAL REGISTRATION OF DATA PROVIDERS AND REPORTING OF GREENHOUSE GAS EMISSIONS FOR 2023/2024 & 2024/2025 REPORTING CYCLES*

The Minister of Forestry, Fisheries and the Environment gave notice regarding the manual registration of data providers and reporting greenhouse gas emissions for the 2023/2024 and 2024/2025 reporting cycles. Data providers must register and report greenhouse gas emissions data and information manually using the templates attached to the Schedule to the said notice. 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 & 2024/2025 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, 2016.

Published under Government Notice 4248, Government Gazette 49984 of 11 January 2024.

MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS) ACT, 1986

PROPOSED AMENDMENTS TO SCHEDULE IN THE ACT

The Minister of Transport intends to amend the Schedule in the Act, so as to reflect amendments and give effect to Annex 1 to Annex VI inclusive, of the International Convention for the Prevention of Pollution from Ships, 1973, as set out in the schedule published in the South African Maritime Safety Authority website. The proposed amendment anticipates the promulgation of the Marine Pollution (Prevention of Pollution from Ships) Amendment Bill which seeks to insert section 2A to incorporate the Convention into law and empower the Minister to reflect amendments to the Convention by Notice in the Government Gazette. Interested persons were invited to submit written comments on the Draft schedule of Annex I to Annex VI of the Marine Pollution (Prevention of Pollution from Ships) Act, 1986, on or before the 29 January 2024 to the Chief Executive Officer: SAMSA.

Published under Government Notice R.4225, Government Gazette 49946 of 29 December 2023.

NATIONAL WATER ACT 36 OF 1998

GENERAL AUTHORISATIONS IN TERMS OF SECTION 39 OF THE NATIONAL WATER ACT 36 OF 1998 FOR WATER USES AS DEFINED IN SECTION 21(c) OR SECTION 21 (i), SUBJECT TO PROVISIONS CONTAINED IN THE NOTICE

The Director-General of the Department of Water and Sanitation Generally Authorized all persons or any category of persons to use water in terms of section 39(1) of the National Water Act 36 of 1998, read together with section 21(c) (Impeding or diverting the flow of water in a watercourse) or section 21(i) (Altering the bed, banks, course or characteristics of a watercourse), subject to the provisions contained in the Notice.

Published under Government Notice 4167, Government Gazette 49833 of 8 December 2023.

https://implex.co.za/wp-content/uploads/2024/02/ENV_NWA_GenWaterUse_G49833_GoN4167_Jan2023.pdf

WATER SERVICES ACT 108 OF 1997

PROPOSED COMPULSORY NATIONAL WATER AND SANITATION SERVICES NORMS AND STANDARDS

The Minister of Water and Sanitation intends to make the above norms and standards. Interested persons were invited to submit, within 60 days from the date of publication of the Notice in the Government Gazette, written comments or representations on the proposed regulations to the Director-General, Department of Water and Sanitation.

Published under Government Notice 4246, Government Gazette 49949 of 12 January 2024.

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SOURCES

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- SA Government Online Information Services
- IOL
- DMR
- DWEA
- DWA
- DEA
- Sabinet