

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3180

23 March 2023

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****PROPOSED AMENDMENTS TO THE REGULATIONS TO PHASE-OUT THE USE, PRODUCTION,  
DISTRIBUTION, SALE, IMPORT AND EXPORT OF PERSISTENT ORGANIC POLLUTANTS**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, as required by section 47 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), hereby give notice of my intention to amend the Regulations to phase-out the use, production, distribution, sale, import and export of persistent organic pollutants 2019 published in Government Notice R.1150 in Government Gazette 42693 of 10 September 2019, set out in the Schedule hereto.

Members of the public are invited to submit, within thirty (30) days from the date of publication of this notice in the Government Gazette or in a national newspaper, whichever date comes last, written comments on the proposed amendments to any of the following addresses:

**By post to:** The Director-General: Department of Forestry, Fisheries and the Environment  
Attention: Ms Margaret Molefe  
Private Bag X447  
**PRETORIA**  
0001

**By hand at:** Environment House, 473 Steve Biko Road, Arcadia, 0083

**By email at:** [smolefe@dffe.gov.za](mailto:smolefe@dffe.gov.za)

Any enquiries in connection with the proposed Notices can be directed to Ms Margaret Molefe at 012 399 9845

**Comments received after the closing date may not be considered.**

  
**BARBARA DALLAS CREECY**  
**MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

## SCHEDULE

### Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act bears that meaning and, unless the context otherwise indicates—

**"the Regulations"** means the Regulations to phase-out the use, production, distribution, sale, import and export of persistent organic pollutants 2019, published in Government Notice R.1150 in *Government Gazette* 42693 of 10 September 2019; and

**"the Act"** means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

### Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by—

(a) the substitution of the definition for **"listed substance"** for the following definition:

"**"listed substance"** means any chemical listed in regulation 2(1)(a) of these Regulations, including formulations and products containing any of these chemicals;" and

(b) the deletion of the definition of **"waste disposal facility"**.

### Amendment of regulation 2 of the Regulations

3. Regulation 2 of the Regulations is hereby amended by the deletion of paragraph (b) of subregulation (1).

### Amendment of regulation 4 of the Regulations

4. Regulation 4 of the Regulations is hereby amended by the deletion of subregulation (2).

### Amendment of regulation 7 of the Regulations

5. Regulation 7 of the Regulations is hereby amended by the substitution of subregulation (2) for the following subregulation:

"(2) The report contemplated in sub-regulation (1) must include a detailed progress report regarding the implementation of the approved phase-out plan contemplated in regulation 6."