



IMBEWU

Sustainability Legal Specialists (Pty) Ltd

MONTHLY SUSTAINABILITY LEGAL NEWSLETTER AND LEGISLATION UPDATE DECEMBER 2009



PLEASE NOTE: The legislation update section of the IMBEWU Newsletter can be found in the attached PDF document.

COMPANY NOTICE: IMBEWU moved offices in December 2009. Our new physical and postal address is 53 Dudley Road, Corner Bolton Avenue, Parkwood, Johannesburg, 2193. Our new telephone and fax numbers are: 011 214 0660 (Tel) and 011 880 6577 (fax).

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The information in this section is drawn from a number of sources including, but not limited to: www.gov.environmental.co.za ; www.engineeringnews.co.za ; www.iisd.org ; www.buanews.gov.za ; www.edie.net

International

General

Australia - Whaling: Australia's Prime Minister, Kevin Rudd, has threatened legal action against Japan if it does not stop its research whaling programme that kills up to 1000 whales a year. See: http://www.iol.co.za/index.php?set_id=1&click_id=31&art_id=nw20091211082407395C715348&newslett=1

Zimbabwe - National park threatened: Hwange Colliery only has enough coal to power its plant for three more years and believes its only viable new deposits of coal lie in the heart of the Hwange National Park under a river that supplies nearby towns and many animals. See: <http://www.independent.co.uk/environment/need-for-power-coal-threatens-zimbabwe-national-park-1851732.html>

Climate Change

COP 15 (7 December 2009 - 18 December 2009 - Copenhagen, Denmark): UN Secretary General, Ban Ki-moon, believes the deal reached at COP15, the "Copenhagen Accord" may not be a strong and legally binding treaty but it is an important beginning for the future. The Accord expresses the ambition of limiting global warming to a maximum of 2 degrees Celsius over pre-industrial times, but does not state how this may be achieved. The Accord also notes that \$100 billion dollars in annual aid for developing countries needs to be allocated but, it does not specify where the money will come from. See: http://communities.thomsonreuters.com/Carbon/485105?utm_source=20091221&utm_medium=email South Africa's Environment Minister, Buyelwa Sonjica, believes that COP15's failure to produce a legally binding climate change agreement was unacceptable but noted that the "Copenhagen Accord" did resolve some key issues and should help the issue of climate change "move forward". South Africa played a key role in devising the text of the Accord. See: http://www.25degrees.net/index.php?option=com_content&view=article&id=143:results-of-cop15&catid=34:latest&Itemid=110 The "Copenhagen Accord" can be downloaded from www.unfccc.int

President Jacob Zuma attended COP15 and announced a timeline for the country's emissions to peak and decline. The World Wide Fund for Nature commended the announcement as it is the first

such commitment offered by a major developing country. See: www.wwf.org.za

13 Accounting bodies, including the South African Institute for Chartered Accountants, co-signed an open letter to political leaders requesting that a single set of global reporting standards on climate change be implemented. They believe global standards will promote more accurate, trusted and reliable information to investors and other stakeholders. See: <http://www.engineeringnews.co.za/article/concerns-raised-over-noise-and-hearing-protection-at-stadiums-2009-12-11>

Billionaire investor, George Soros, unveiled a plan to provide up to \$150 billion to poor countries to access clean technology. He believes that political will is all that is needed and rich countries could double the funding available to combat climate change by donating recently issued Spread Drawing Rights (SDR) to a new green fund. See: <http://www.euractiv.com/en/climate-change/ahead-eu-summit-soros-unveils-climate-finance-plan/article-188234?Ref=RSS>

Chair of the Copenhagen climate change talks, Connie Hedegaard, announced that South Africa will host the 17th Conference of the Parties in 2011 (COP17). See: http://www.sagoodnews.co.za/south_africa_in_the_world/sa_to_host_un_climate_talks_in_2011.html

EU - Directive: The EU Eco-Design Directive (2009/125/EC) which is intended to change the way in which "energy related" products are designed in order to make them more environmentally friendly has been published in the EU's Official Journal. See: <http://www.internationallawoffice.com/Newsletters/Detail.aspx?g=bb020ec2-2ba8-4238-a40d-fc3ade3640d3>

US - Rule: The Environmental Protection Agency has published its final Rule on Mandatory Reporting of greenhouse gases which became effective on 29 December 2009. The Rule requires certain covered facilities to report their annual emissions of greenhouse gases. See: <http://www.internationallawoffice.com/Newsletters/Detail.aspx?g=00540d18-bab4-4fcb-a5cb-cd96fb4d3357>

US - List released: The Wildlife Conservation Society has released a report "Species Feeling the Heat: Connecting Deforestation and Climate Change" which lists animal species and groups threatened due to climate change impacts. See: <http://www.sciencedaily.com/releases/2009/12/091207131605.htm>

Africa - Renewable energy: Various African countries have established the African Renewable Energy Alliance (AREA) in which utilities, industries, policy makers and civil society will work together to boost the uptake of renewable energy in Africa with the aim of expediting electrification and fighting climate change. See: <http://www.reeep-sa.org/news/89-new-alliance-area-established-in-addis-ababa>

National

Noise pollution: The National Occupational Safety and Health Board has raised concerns with government and the FIFA 2010 World Cup Organising Committee in regard to the level of noise and hearing protection at stadia ahead of the tournament. See: <http://www.engineeringnews.co.za/article/concerns-raised-over-noise-and-hearing-protection-at-stadiums-2009-12-11>

Electricity: Cabinet has approved the Integrated Resource Plan (IRP), formulated under the Electricity Regulation Act, and it will guide government on how it can meet the country's electricity demands. see: <http://www.buanews.gov.za>

Medical waste: During December 2009, the Green Scorpions discovered 20 tonnes of medical waste buried at an unused gold mine in Welkom. See: <http://www.simplygreen.co.za/local-stories/biz-and-community/medical-waste-now-found-in-gold-mine.html> Water and Environmental Affairs Minister, Buyelwa Sonjica condemned the illegal dumping of medical waste in Welkom and indicated that a zero tolerance approach would be adopted with the medical waste sector. See: <http://www.simplygreen.co.za/local-stories/biz-and-community/sonjica-talks-tough-on-illegal-dumping.html>

Air pollution: According to the South African Air Quality Information System, air pollution in the Vaal Triangle Area has exceeded government's Air Quality Management Plan maximum allowance limits. See: http://www.fin24.com/articles/default/display_article.aspx?Channel=News_Home&ArticleId=1518-24_2564919&IsColumnistStory=False

Green Transport: The South African National Energy Research Institute (SANERI) is hosting a National Research and Demonstration Centre for Green Transport in Midrand which will play a lead role in preparing for the Green Transport Technology options at the 2010 FIFA World Cup. See: <http://www.reeep-sa.org/news/88-south-africas-green-transport-initiative>

Renewable energy: Energy Minister, Dipuo Peteres announced that the state did not intend to increase its target of producing 10000 GWh of renewable energy by 2013 but would review the renewable energy white paper to determine medium and long term targets. See: <http://www.businessday.co.za/articles/Content.aspx?id=88986>

Conferences and other events

ENERGY INDABA 2010: A time of change: will be held from 24-26 February 2010 at the Sandton Convention Centre. It is an annual event on the African business calendar with a specific focus on exploring solutions for a new energy future for Africa. For more information on the event please see: www.energyafricaexpo.com or send an email to info@siyenza.za.com

2nd Africa Carbon Forum: will be held from 3-5 March 2010 in Nairobi, Kenya. Partner UN agencies and the International Emissions Trading Association announced they will organise the event because of a growing interest in Clean Development Mechanism projects in Africa. See: http://www.carbonoffsetsdaily.com/global/second-all-africa-carbon-forum-to-be-held-in-nairobi-kenya-on-3-5-march-2010-30249.htm?utm_source=feedburner&utm_medium=email&utm_campaign=Feed%3A+CarbonOffsetsDaily+%28Carbon+Offsets+Daily%29

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