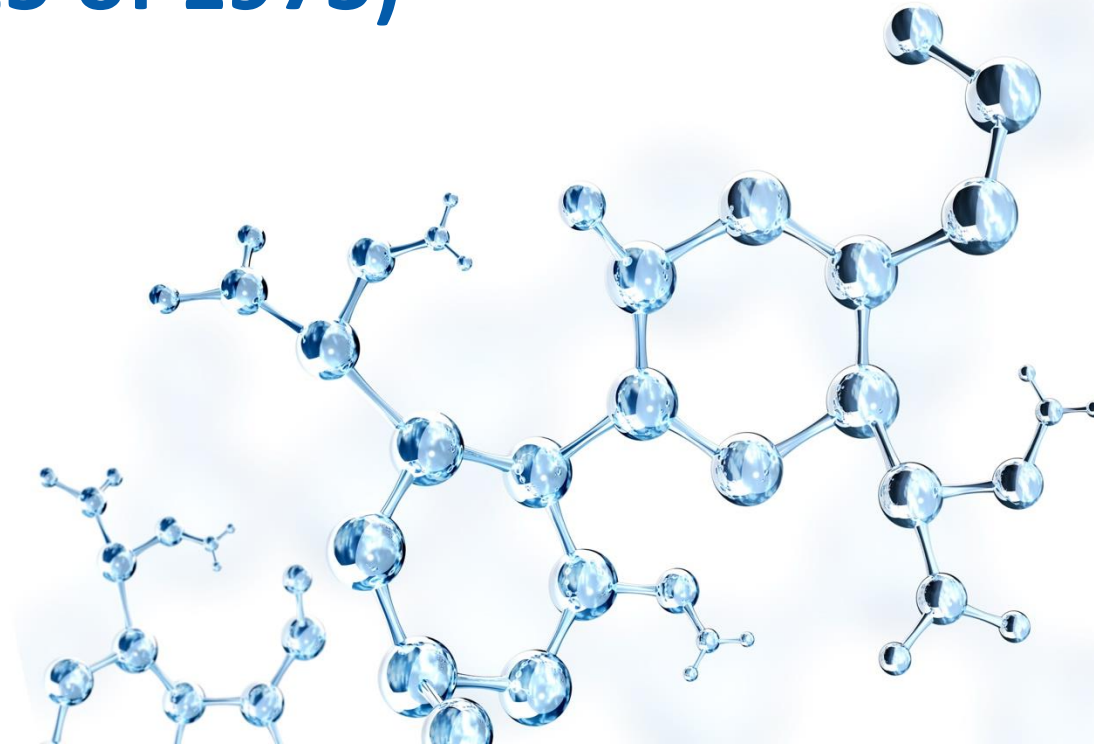


Engagement with the Department of Health on the Hazardous Substances Act (Act 15 of 1973) Declaration Notices

1 September 2026



Key Issues of Concern - 1

Overlapping provisions of chemicals management:

- Potential regulatory overlap
- Industry is already regulated through various legal frameworks

Key Issues of Concern - 2

Expansion of listed hazardous chemicals:

- Transition from regulating specific substances to broad hazard category classification
- Expands the scope of regulated products
- Implication to industry – potential need of licences for a wide range of products

Key Issues of Concern - 3

Definitions:

- Broad definition of “sell” creates uncertainty
- Clarity is required on who is intended to be licensed in the value chain – e.g. final products only, intermediates requiring storage, transient intermediates in a closed system, or wastes?

Key Issues of Concern - 4

Regulator capacity:

- Capacity to process licences - currently takes about 10 months
- Annual renewal of licence
- Requires interpretation and enforcement consistency

Key Issues of Concern - 5

Transitional arrangements:

- 6 month transitional period not sufficient
- Staggered transition up to 36 months proposed

Key Issues of Concern - 6

Regulations regarding fees payable:

- Notice of intention to implement regulations regarding fees payable in terms of provisions of the HSA
- Relate to Group III and Group IV hazardous substances
- Clarity required on whether approach to be extended to other hazardous substances