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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6138 **22 April 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

PROPOSED AMENDMENTS TO THE NATIONAL WASTE INFORMATION REGULATIONS, 2012

I, Dion Travers George, Minister of Forestry, Fisheries and the Environment, hereby in terms of section 69(1)(t), (y)(aa) and (ee), read with sections 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), give notice of my intention to amend the National Waste Information Regulations, 2012, published under Government Notice No. R.625, Government *Gazette* No. 35583 of 13 August 2012, as set out in the Schedule hereto.

Members of the public are invited to submit written representations or objections, within 30 days from the date of publication of this notice in the Government *Gazette* or in the newspaper, whichever is the later date, to any of the following addresses:

By post to: The Director General
Attention: Mr Jeremia Sibande
The Department of Forestry, Fisheries and the Environment
Private Bag X447
PRETORIA
0001

By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0001.

By email to: jsibande@dffe.gov.za.

Any enquiries in connection with the Notice can be directed to Mr Jeremia Sibande jsibande@dffe.gov.za.at (012) 399 9832/067 417 3844.

The proposed amendments to the National Waste Information Regulations, 2012 can be accessed at http://sawic.environment.gov.za/ under "Draft documents for comment".

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto will be included in a comments and response report which may be made available to the public. If a commenting party has any objection to his or her name, or the name of the represented company/organization, being made publicly available in any comments and responses report, such objection should be highlighted as part of the comments submitted.

Comments received after the closing date may not be considered.



DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

Definitions

1. In this Schedule, any word or expression to which a meaning has been assigned in the Act bears that same meaning, and unless the context indicates otherwise –

"the Regulations" means the National Waste Information Regulations, 2012, published under Government Notice No. R.625 of Government *Gazette* No. 35583 on 13 August 2012.

Amendment of regulation 1 of the Regulations

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

(a) the deletion of the definition of **"these Regulations"**; and

(b) the insertion after the definition of **"the Act"**, of the following definition:

"transporter of waste for gain" means a person whose business involves transporting waste using a motorised vehicle or locomotive and who receives a direct income from transporting waste, excluding where the transportation of waste is by a municipality;";

Amendment of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended by the insertion after subregulation (3), of the following subregulation:

"(4) These Regulations do not apply to mining residue stockpiles or residue deposits.".

Amendment of regulation 5 of the Regulations

4. Regulation 5 of the Regulations is hereby amended by —

(a) the substitution for subregulation (3) of the following subregulation:

"(3) Where a person referred to in subregulation (1) conducts more than one activity in different facilities or the same facility, such activities must be registered individually.".

(b) the insertion after subregulation (4), of the following subregulation:

"(5) A person registered as a waste transporter for gain must comply with section 25 of the Act.".

Amendment of regulation 6 of the Regulations

5. Regulation 6 of the Regulations is hereby amended by —

(a) the substitution for subregulation (1)(a), of the following subregulation:

"(a) register the applicant and issue a registration certificate to the applicant which contains-

(i) name of the activity;
(ii) a waste information registration number;
(iii) waste management method or hazardous waste generator;
(iv) the date of registration; and
(v) date of expiry; or";

(b) the insertion, after subregulation (1)(b), of the following subregulations:

"(c) the registration certificate issued in (a) is valid for three years from the date of issue; thereafter, it may be renewed, provided a registered person complies with the provisions of regulation 8."; and

"(d) the Department may withdraw the registration certificate if it believes that a registered person is not complying with the provisions of the Regulations.".

Amendment of regulation 7 of the Regulations

6. Regulation 7 of the Regulations is hereby amended by —

(a) the substitution for subregulation (5) of the following subregulation:

"(5) the Department may withdraw the registration certificate if it believes that the activity is no longer applicable, or if a registered person is not complying with the provisions of these Regulations.".

(b) the insertion after subregulation (5), of the following subregulations:

"(6) If a person intends to recommence an activity for which the registration was withdrawn, the person must comply with the legal requirements set out in regulation 5.".

"(7) the Department may reinstate an activity that has been withdrawn, subject to reasons provided.".

Amendment of regulation 8 of the Regulations

7. Regulation 8 of the Regulations is hereby amended by —

(a) the substitution for subregulation (1), of the following subregulation:

"(1) The submission of information to the SAWIS commences ninety (90) days after the end of the registration period contemplated in regulation 5(1).".

(b) the substitution for subregulation (3), of the following subregulation:

"(3) Subregulations (1) and (2) do not apply to the registered generators of hazardous waste and registered transporters of waste for gain.".

(c) the substitution for subregulation (9) of the following subregulation:

"(9) If a registered person cannot submit the required information to the SAWIS, a registered person must submit the required information to the Department within sixty (60) days of the end of a reporting period.".

Amendment of regulation 9 of the Regulations

8. Regulation 9 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) the record contemplated in subregulation (1) must –

(a) include but not limited to, calibration certificate, source documents, such as weighbridge/scale slips, waste manifest documents, and daily records of waste transactions that inform the monthly tonnages reported to the SAWIS, where applicable;

(b) be retained for a period of at least five (5) years, and

(c) be made available for an inspection by a representative of the Department, on request.".

Amendment of regulation 11 of the Regulations

9. Regulation 11 of the Regulations is hereby amended by the insertion after subregulation (11), of the following regulation:

"Transitional arrangements"

"11A. Any person who conducts a new or an amended activity listed in Annexure 1, must apply to register in terms of regulation 5 of these Regulations, before 30 September 2025.".

Amendment of regulation 12 of the Regulations

10. Regulation 12 of the Regulations is hereby amended by the substitution for regulation 12, of the following regulation:

"**12. Offences and penalties.** — (1) A person commits an offence if that person —

(a) provides incorrect or misleading information to the SAWIS or the Department; or

(b) fails to comply with regulations 3(2), 4; 5(1), (2), (3), (4), (5), 6(2), 7(1), (2), (3), (5), 8(1), (2), (4), (5), (8), (9) or 9.";

(2) A person who commits an offence in terms of subregulation (1) is liable on conviction to —

(a) imprisonment for a period not exceeding five years or a fine not exceeding five million rand, and

(b) in the case of a second or subsequent conviction, to a fine not exceeding 10 million rand, or

"(c) imprisonment for a period not exceeding 10 years or in both instances to both a fine and such imprisonment.".

Amendment of regulation 13 of the Regulations

11. Regulation 13 of the Regulations is hereby amended by the substitution for regulation 13 of the following regulation:

"These Regulations are called the National Waste Information Regulations, 2012 and will take effect on the date of publication for implementation by the Minister in the Government *Gazette*.".

Amendment of the Table of Contents of the Regulations

12. The Table of contents of the Regulations is hereby amended by the insertion after content 11, of the following content:

"11A. Transitional arrangements.".

Amendment of Annexure 1 of the Regulations

13. Annexure 1 of the Regulations is hereby amended by the substitution for Annexure 1, of the following Annexure:

"ANNEXURE 1

LIST OF PERSONS CONDUCTING THE FOLLOWING ACTIVITIES MUST APPLY TO BE REGISTERED ON THE SAWIS IN TERMS OF REGULATION 5

Generators of waste

(a) Generators of hazardous waste in excess of 20kg per day, calculated as a monthly average.

Recovery or recycling of waste

(b) Recovery of energy from general waste at a facility that has the capacity to process in excess of three tonnes of general waste per day.

(c) Recovery of waste at a facility that has the capacity to process in excess of 10 tonnes of general waste or in excess of 100kg of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises and excluding where the recovered waste will be sent for recycling but including where the recovered waste will be exported.

(d) The scrapping or recovery of motor vehicles at a facility that has an operational area in excess of 500m^2.

(e) Recycling of general waste at a facility that has an operational area in excess of 500m^2.

(f) Recycling of hazardous waste in excess of 100kg per day, calculated as a monthly average.

Treatment of waste

(g) Treatment of waste using any form of treatment at a facility that has the capacity to process in excess of 10 tonnes of general waste or 100kg of hazardous waste per day, excluding the treatment of effluent, wastewater, or sewerage.

(h) Treatment of health care risk waste regardless of size or capacity of the facility.

Disposal of waste

(i) Disposal of general waste to land covering an area in excess of $200m^2$.

(j) Disposal of any quantity of hazardous waste to land.

Exportation of hazardous waste

(k) Hazardous waste exported from the Republic of South Africa.

Transportation of waste

(l) Transportation of waste for gain."

Amendment of Annexure 2 of the Regulations

14. Annexure 2 of the Regulations is hereby amended by the substitution for Annexure 2, of the following Annexure:

"ANNEXURE 2

REPORTING REQUIREMENTS IN TERMS OF REGULATION 8

The required quarterly information for reporting to the SAWIS, read with Annexure 1 of these Regulations, must include—

(a) The month and year to which the information applies;

(b) Categories of waste as detailed in Annexes 3 and 4;

(c) Source from which waste comes; and

(d) The quantity of waste reported in tonnes."

Amendment of Annexure 3 of the Regulations

15. Annexure 3 of the Regulations is hereby amended by the substitution for Annexure 3, of the following Annexure:

"ANNEXURE 3

GENERAL WASTE TYPES FOR REPORTING TO THE SAWIS

LEVEL 1	LEVEL 2 -Major Waste Type		LEVEL 3 - Specific Waste Type	
GENERAL WASTE	No	Name	No	Name
	GW 01	Municipal waste	01	
	GW10	Commercial and industrial waste	01	
	GW13	Brine	01	
	GW14	Fly ash and dust from miscellaneous filter sources	01	
	GW15	Bottom ash	01	
	GW16	Slag	01	Ferrous metal slag
			02	Non-ferrous metal slag
			03	Other
	GW17	Mineral waste	01	Foundry sand
			02	Refractory waste
			03	Other
	GW18	Waste of Electric and Electronic Equipment (WEEE) from which hazardous components/substances have been removed	01	Large Household Appliances
			02	Small Household Appliances
			03	Office, information & Communication Equipment
			04	Entertainment & Consumer Electronics and toys, leisure, sports & recreational equipment and automatic issuing machines
			05	Lighting equipment
			06	Electric and Electronic tools
			07	Security & healthcare equipment
			08	Solar equipment
			09	Printed circuit boards
			10	Mixed WEEE
	GW20	Organic waste	01	Garden waste
			02	Food waste
			03	Wood waste
			04	Used edible oil
	GW21	Sewage sludge	01	
	GW22	Animal waste	01	Non-infectious animal carcasses
	GW30	Construction and demolition waste	01	
	GW50	Paper	01	Newsprint and magazines
			02	Brown grades
			03	White grades
			04	Liquid packaging boards
			05	Mixed grades

	GW51	Plastic	01	Polyethylene Terephthalate (PET)
			02	High –density Polyethylene (HDPE)
			03	Polyvinyl Chloride (PVC)
			04	Low-density polyethylene (LPDE)
			05	Polypropylene (PP)
			06	Polystyrene (PS)
			07	Biodegradable plastic
			08	Compostable plastic
			09	Other
	GW52	Glass	01	
	GW53	Metals	01	Ferrous metal
			02	Non-ferrous metal
	GW54	Tyres	01	
	GW55	Absorbent Hygiene Products (AHP)	01	Absorbent Hygiene Products (AHP)
	GW56	Clothing, Textile and Footwear	01	Clothing
			02	Textile
			03	Footwear
			04	Mixed
	GW99	Other	01	

Amendment of Annexure 4 of the Regulations

16. Annexure 4 of the Regulations is hereby amended by the substitution for Annexure 4, of the following Annexure:

"ANNEXURE 4

HAZARDOUS WASTE TYPES FOR REPORTING TO THE SAWIS

LEVEL 1	LEVEL 2 - Major Waste Type		LEVEL 3 - Specific Waste Type	
HAZARDOUS WASTE	No	Name	No	Name
	HW 01	Gaseous waste	01	Gases (excluding Greenhouse gases)
			02	Obsolete ozone-depleting gases
	HW 02	Mercury containing waste	01	Liquid waste containing mercury
			02	Solid waste containing mercury
	HW 03	Batteries	01	Lead Batteries
			02	Mercury batteries
			03	Ni/Cd batteries
			04	Manganese dioxide and alkali batteries
			05	Lithium & Lithium-ion batteries
			06	Nickel-metal hydride batteries

			07	Silver oxide batteries
			08	Zinc-air batteries/ Air depolarised batteries
			09	Mixed batteries
				Other (specify)
	HW 04	POP Waste	01	Waste containing PCB (>50mg/kg)
			02	Waste containing Pesticides
			03	Waste containing POP
	HW 05	Inorganic waste	01	Liquid and sludge inorganic waste
			02	Solid inorganic waste
			03	Spent pot lining (inorganic)
	HW 06	Asbestos-containing waste	01	waste containing Asbestos
	HW 07	Waste Oils	01	Waste oil
	HW 08	Organic halogenated and /or sulphur-containing solvents	01	Solvents containing halogens and/or sulphur
	HW 09	Organic halogenated and/or sulphur-containing waste	01	Liquids and sludge containing halogens and/or sulphur
			02	Solids containing halogens and/or sulphur
	HW 10	Organic solvents without halogens and sulphur	01	Solvents without halogens and sulphur
	HW 11	Other organic waste without halogen or sulphur	01	Liquid and sludge organic waste
			02	Solid organic waste
			03	Spent pot lining (organic)
	HW 12	Tarry and Bituminous waste	01	Tarry waste
			02	Bituminous waste
	HW 13	Brine	01	Brine
	HW 14	Fly ash and dust from miscellaneous filter sources	01	Fly ash
	HW 15	Bottom ash	01	Bottom ash
	HW 16	Slag	01	Ferrous metal slag
			02	Non-ferrous metal slag
			03	Other
	HW 17	Mineral waste	01	Foundry sand
			02	Refractory waste
			03	Other
	HW 18	Waste of Electric and Electronic Equipment (WEEE)	01	Large Household Appliances
			02	Small Household Appliances
			03	Office, information & Communication Equipment
			04	Entertainment & Consumer Electronics and toys, leisure, sports & recreational equipment and automatic issuing machines
			05	Lighting equipment

			06	Electric and Electronic tools
			07	Security & healthcare equipment
			08	Solar Panels (Photovoltaic)
			09	Printed circuit boards
			10	Mixed WEEE
	HW 19	Health Care Risk Waste	01	Pathological waste
			02	Infectious waste and sharps
			03	Pharmaceutical waste
	HW 20	Sewage sludge	01	Sewage sludge
	HW21	Abattoir waste	01	Condemned meat
	HW22	Animal waste	01	Infectious carcasses
	HW23	Food waste	01	Condemned foods
	HW24	Absorbent Hygiene Products (AHP)	01	Absorbent Hygiene Products (AHP)
	HW25	Chemical waste	01	
	HW 99	Miscellaneous	01	Miscellaneous

For mixtures, report under the waste type representing the largest fraction of the waste under consideration. Report under a specific waste type, e.g., a mercury battery, would be reported under a mercury battery and not mercury-containing waste."

Amendment of Annexure 5 of the Regulations

17. Annexure 5 of the Regulations is hereby amended by the substitution for Annexure 5, of the following Annexure:

"ANNEXURE 5

WASTE MANAGEMENT METHODS:

LIST OF RECYCLING, RECOVERY, TREATMENT AND DISPOSAL (R, R, T & D) CODES FOR CATEGORISATION

Code	Description
RECYCLING AND RECOVERY	
R1	Direct recovery of energy from waste
R2	Direct recovery of raw material from waste
R3	Regeneration or rejuvenation of waste (solvents, carbons, acids & alkalis)
R4	Recycling of organic substances
R5	Recycling of metals and metal compounds
R6	Recycling of other inorganic materials
R7	Used oil re-refining
Treatment (treatment not for the purposes of disposal)	
T1	Biological treatment (e.g. biodegradation, composting, biogas generation)
T2	Physical treatment

T3	Chemical treatment
T4	Thermal treatment (incineration, pyrolysis, etc.)
T5	Physio-chemical treatment
T6	Blending or mixing
Disposal	
D1	Disposal of waste to land (i.e. specially engineered landfill)
D2	Disposal of waste to land (i.e. non-engineered landfill)
D3	Storage/disposal of waste in surface impoundments (e.g. placement of liquid or sludge discards into pits, ponds, lagoons, etc.)
D4	Permanent storage (stabilisation, micro-encapsulation)

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