

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3189

24 March 2023

#### NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998)

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

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby consult on my intention to publish the Regulations for the Management of Mercury in South Africa, developed in terms of section 25(3), read with section 47(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

The draft Mercury Regulations are intended to manage and regulate mercury in South Africa, and to domesticate the Minamata Convention on Mercury (the Convention), of which South Africa is a party and which was ratified in 2019. The objectives of the draft Mercury Regulations are in line with the objectives of the Convention. The purpose of the draft Mercury 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.

Members of the public are invited to submit, within thirty (30) days of publication of this Notice in the *Government Gazette* or the newspaper, whichever date is the later date, written comments to the proposed draft regulations to the following addresses:

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

**By email to:** [tsebejo@dfre.gov.za](mailto:tsebejo@dfre.gov.za)

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

Any enquiries in connection with the draft Notice can be directed to Ms Noluzuko Gwayi at (012) 399 9854 or by email at [N.gwayi@dfre.gov.za](mailto:N.gwayi@dfre.gov.za)

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

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

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## CHAPTER 1

### DEFINITIONS AND PURPOSE

#### 1. Definitions

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

**“Artisanal Small-Scale Gold Mining” (ASGM)** means gold mining conducted by individual miners or small enterprises with limited capital investment and production;

**“Environmentally Sound Management (ESM)”** means taking all practicable steps to ensure that mercury, mercury stocks, mercury added products, dental amalgam, and mercury storage facilities are managed in a manner which protects human health and the environment against the adverse effects which may result from mercury;

**“export”** means to take out, send or transfer goods, or to cause them to be taken out, sent or transferred, from the Republic to a country or territory outside the Republic;

**“import”** means to land on, bring into or introduce goods, or cause them to be landed on, brought into or introduced, from outside the Republic into the Republic;

**“mercury”** means metallic mercury (Hg, CAS RN 7439-97-6). It also includes mixtures of mercury with other substances, including alloys of mercury;

**“mercury-added product”** means a product or product component that contains mercury or a mercury compound that was intentionally added;

**“mercury compound”** means any substance consisting of atoms of mercury, and one or more atoms of other chemical elements that can be separated into different components only by chemical reactions;

**“Mercury Management Plan”** means the plan referred to in regulation 13 of these Regulations;

**“Mercury Phase-down Plan”** means the plan referred to in regulation 12 of these Regulations;

**“Mercury Phase-out Plan”** means the plan referred to in regulation 11 of these Regulations;

**“Minamata Convention on Mercury”** means the multilateral environmental agreement that South Africa is a party to, and whose objective is to protect human health and the environment from the anthropogenic emissions and releases of mercury and mercury compounds;

**“mixture”** means a combination of two or more substances;

**“new manufacturing processes”** means manufacturing processes involving the use of mercury or mercury compounds that were not used in such processes prior to 1 April 2025;

**“new mercury-added products”** means mercury-added products that were not manufactured, imported or exported prior to 1 April 2023;

“**party**” means a State or a regional economic integration organization, that has consented to be bound by the Minamata Convention and for which the Minamata Convention is in force;

“**person**” means a natural person and includes a juristic person;

“releases” means releases of mercury or mercury compounds to land or water;

“**stabilisation of mercury**” means the mixing mercury with pure sulfur (purity >99.9%) and treatment in a specialized equipment to produce Mercury Sulfide (HgS);

“**these Regulations**” means the draft Regulations for the Management of Mercury in South Africa, developed in terms of section 25(3) of the National Environmental Management Act, 1998 (Act No. 107 of 1998);

“**trade**” means the action of buying and selling goods and services and including for making financial or other forms of gain;

“**the Act**” means the National Environmental Management Act, 1998 (Act No. 107 of 1998);  
and

“**value chain**” means the full lifecycle of a product or process, including material sourcing, production, consumption and disposal/recycling processes.

## 2. Purpose of the Regulations

- (1) The purpose of these Regulations is to manage and regulate mercury throughout its life cycle and value chain, in order to protect the environment and human health from the anthropogenic releases of mercury and mercury compounds. In particular, the purpose of these Regulations is to—
  - (a) ensure the environmentally sound management of mercury;
  - (b) establish measures for the phase-out and phase-down of mercury added products;
  - (c) regulate the manufacturing processes in which mercury is used; and
  - (d) regulate the management of mercury stocks.

## 3. Application of the Regulations

- (1) These Regulations apply to:
  - a) sellers, distributors, importers and exporters of mercury;
  - b) manufacturers of mercury-added products;
  - c) users of mercury-added products, and
  - d) manufacturing processes in which mercury is used.
- (2) These Regulations do not apply to:
  - a) Mercury emissions;
  - b) Mercury waste,
  - c) Artisanal Small-scale Gold Mining (ASGM), and
  - d) The Prior Informed Consent Procedure (PIC) process.

## CHAPTER 2

### MERCURY-ADDED PRODUCTS

#### 4. Phasing out mercury-added products

- (1) No person may—
  - (a) Manufacture, import or export the mercury-added products listed in Part I of Annexure A to these Regulations;
  - (b) manufacture or distribute new mercury-added products, unless an assessment of the risks and benefits of the product demonstrates environmental and human health benefits has been conducted;
  - (c) manufacture, import or export, the mercury-added products in the manufacturing processes as set out in Annexure B to these Regulations, except for the following mercury-added products:
    - (i) products that are essential for military use and for the protection of the local population and;
    - (ii) products for research, for calibration of instrumentation, or for use as a reference standard;
  - (d) manufacture, import or export, or sell, new mercury-added products;

## CHAPTER 3

### DENTAL AMALGAM

#### 5. Phasing-down dental amalgam

- (1) Measures to be taken to phase-down the use of dental amalgam may take relevant international guidance into consideration, but must take into account domestic circumstances and include the required measures from Part II of Annexure A to these Regulations.
- (2) Dental amalgam may only be used in pre-dosed encapsulated but not in bulk form.
- (3) Dental facilities in which dental amalgam is used, or where dental amalgam fillings or teeth containing such fillings are removed, must ensure that their facilities are equipped with amalgam separators for the retention and collection of amalgam particles, including those contained in used water.
- (4) The dental facilities mentioned in subregulation (5) must ensure that amalgam separators in use from 1 April 2024, provide a retention level of at least 95% of amalgam particles.
- (5) Amalgam separators must be maintained in accordance with the manufacturer's instructions to ensure the highest practicable level of retention.
- (6) Dental practitioners must ensure that their amalgam waste, including amalgam residues, particles and fillings, and teeth, or parts thereof contaminated by dental amalgam, are handled and collected by a licensed hazardous waste management establishment or undertaking, in line with the National Environmental Management: Waste Act, 2008 (Act No.

59 of 2008) and specific environmental management Acts, as defined in section 1 of the Act. The environmentally sound disposal of mercury, mercury compounds, mixtures of mercury, and waste shall be undertaken in accordance with the National Environmental Management: Waste Act, 2008, (Act No. 59 of 2008).

- (7) Dental practitioners may not release amalgam waste directly or indirectly into the environment under any circumstances.
- (8) Dental associations, or individual practitioners, must submit their national Phase-down Plans to the Director General, email (DG@dffe.gov.za), or registered mail, Department of Forestry, Fisheries and the Environment, 473 Steve Biko Street, Arcadia, Pretoria, or uploading on the Department's website within one month of their adoption and make them publicly available on the internet.

## CHAPTER 4

### MERCURY SUPPLY SOURCES AND TRADE

#### 6. Export restrictions

- (1) No person may export mercury or mercury compounds or the mixtures of mercury except for a use allowed in Annexure A to these Regulations;
  - (a) for a use allowed to the importing Party under the Minamata Convention;
  - (b) for environmentally sound interim storage as set out in Article 10 of the Minamata Convention;
  - (c) for its disposal in an environmental sound manner; and
  - (d) for research or laboratory analysis use of not more than 250 grams per annum.
- (2) No person may export mercury for the purpose of reclaiming mercury, mercury compounds or mixtures of mercury not listed in Annexure A, to these Regulations.
- (3) The importing country or country of destination for disposal must provide written assurances that it has facilities available for disposing mercury or mercury compounds or the mixtures of mercury in an environmentally safe manner.

#### 7. Import restrictions

- (1) No person may—
  - (a) import mercury or mercury compounds or the mixtures of mercury listed in Annexure A; or
  - (b) import mercury for use in artisanal and small-scale gold mining and processing.
- (2) Import restrictions in terms of these Regulations do not apply to—
  - (a) the importation of up to 250g of mercury or mercury compounds annually, per research institution, to be used for laboratory-scale research;

- (b) the importation of naturally occurring trace quantities of mercury or mercury compounds present in such products as non-mercury metals, ores, or mineral products, including coal, or products derived from these materials, and unintentional trace quantities in products; or
- (c) mercury-added products listed in Annexure A to these Regulations.

## CHAPTER 5

### MANUFACTURING PROCESSES IN WHICH MERCURY OR MERCURY COMPOUNDS ARE USED

#### 8. Restriction of mercury in manufacturing processes

- (1) No person may use mercury or mercury compounds listed in Part I of Annexure B to these Regulations in their manufacturing processes after the phase-out date specified in that Annexure.
- (2) Eligible persons must take measures to restrict the use of mercury or mercury compounds in the processes listed in Part II of Annexure B to these Regulations in accordance with the provisions set out therein.
- (3) Eligible persons with one or more facilities that use mercury or mercury compounds listed in Annexure B to these Regulations in their manufacturing processes, must take measures to prevent releases of mercury or mercury compounds from those facilities.
- (4) No person may use mercury or mercury compounds, except for the scope allowed in these Regulations.
- (5) No person may develop any facility using any other manufacturing process in which mercury or mercury compounds are intentionally used that did not exist prior to 01 April 2024, except where the person can demonstrate, by submitting an application for approval by the Minister, that the manufacturing process provides significant environmental and health benefits above the associated risks, and that there are no other technically and economically feasible mercury-free alternatives available providing such benefits.
- (6) The use of mercury and mercury compounds in the manufacturing processes listed in Part II of Annexure B to these Regulations, may only be allowed by submitting an application to the satisfaction and approval of the Minister.

## CHAPTER 6

### INTERIM STORAGE OF MERCURY, MERCURY COMPOUNDS AND MIXTURES OF MERCURY

- 9. Environmentally sound interim storage of stocks of mercury, mercury compounds, and mixtures of mercury



- (1) Mercury and mercury compounds that are not waste must not be stored for more than 3 months.
- (2) Persons must take measures to ensure that the interim storage of mercury stocks and mercury compounds is undertaken in an environmentally sound manner.

## CHAPTER 7

### REGISTRATION AND REPORTING

#### 10. Registration

- (1) A person who undertakes or intends to undertake an activity allowed under regulation 3(1), 5, and 6 of these Regulations, must register the activity with the Minister through the application form contained in Annexure C to these Regulations, within 90 days of the commencement of these Regulations.

As a pre-requisite for registration, and for an application to be processed, the Minister must be satisfied that all of the documents submitted in support of the application are complete and correct.

- (2) The Minister will issue the applicant with a registration number within 90 days of submission of the application form if all the documents required are submitted to the Minister.
- (3) The registered person must display the registration number on all their trading documentation.

#### 11. Reporting

- (1) A person referred to in regulation 9(1), must before 31 March of every year, submit through e-mail (DG@dfre.gov.za), or registered mail, Department of Forestry, Fisheries and the Environment, 473 Steve Biko Street, Arcadia, Pretoria, or uploading on the Department's website, [www.dfre.gov.za](http://www.dfre.gov.za), an annual report to the Director-General, from an external independent auditor commissioned at own expense to audit at least the following that will be treated as confidential information between the company and the Department:
  - (a) The correctness of the information supplied on the registration form;
  - (b) In the case of identified products, progress made in terms of the Mercury Phase-out Plan provided in terms of these Regulations;
  - (c) In the case of dental amalgam, progress made in terms of the Mercury Phase-down Plan, and the provisions set out in Part II of Annexure A to these Regulations;
  - (d) The person's extent of compliance with these Regulations and other relevant legislation;
  - (e) In the case of the transport of mercury, the amount of mercury transported through the country; and
  - (f) In the case of a research project, how much mercury or mercury added products were used in the research project and the outcome of that research.

- (2) A person or association undertaking activities using mercury-added products referred to in Part II of Annexure A, must, before 31 March of every year, submit to the Director-General, through an e-mail (DG@dfre.gov.za), registered mail, Department of Forestry, Fisheries and the Environment, 473 Steve Biko Street, Arcadia, Pretoria, or uploading on Department's website, [www.dfre.gov.za](http://www.dfre.gov.za), an annual report on the implementation of measures taken related to the phase-down of the use of dental amalgam.

## CHAPTER 8

### MERCURY PHASE-OUT, PHASE-DOWN, AND MANAGEMENT PLANS

#### 12. Mercury Phase-out Plan

- (1) A person or an association contemplated in sections 4, 5 and 6 of these Regulations must submit, through an e-mail (DG@dfre.gov.za), registered mail, Department of Forestry, Fisheries and the Environment, 473 Steve Biko Street, Arcadia, Pretoria, or uploading on the Department's website, [www.dfre.gov.za](http://www.dfre.gov.za), a Mercury Phase-out Plan to the Minister for approval, within one year of the commencement of these Regulations, and the DG must acknowledge receipt of the Plan within 14 days after receiving the plan.
- (2) An association may submit a joint Mercury Phase-out or Phase-down Plan as applicable, for the purposes of the individual persons' compliance with subregulation (1).
- (3) A Mercury Phase-out Plan must at least contain the following information:
  - (a) baseline data and relevant information;
  - (b) proposed technically and economically feasible alternatives to the use of mercury or mercury added products in the manufacture of the identified products; and
  - (c) the time periods within which the manufacturer intends replacing the use of mercury with technically and economically feasible alternatives to mercury or mercury containing materials.
- (4) The Minister may require a person who has submitted a Mercury Phase-out Plan to provide any missing information as required in the Plan, and to submit a revised Mercury Phase-out Plan within a once-off 30 days' time period, or to furnish the Minister with a written independent review of the Mercury Phase-out Plan by an independent expert within a time period indicated by the Minister.
- (5) The Minister may, on written application by a person who is required to submit a Mercury Phase-out Plan, grant a once-off extension of 30 days upon request, in respect of the period within which the plan must be submitted, on good cause shown, with or without conditions attached to such an extension.
- (6) After considering any Mercury Phase-out Plan that has been submitted in terms of subregulations (1) or (2) and other relevant information at his or her disposal, the Minister may—
  - (a) accept the plan and set conditions for the implementation of such a plan; or
  - (b) reject the plan with reasons provided.

### 13. Mercury Phase-down Plan

- (1) A person or an association contemplated in sections 4, 5 and 6 of these Regulations must submit, through an email (DG@dfpe.gov.za), registered mail, 473 Steve Biko Street, Arcadia, Pretoria, or uploading on the Department's website, www.dfpe.gov.za, a Mercury Phase-down Plan/ to the Minister for approval within one year of the commencement of these Regulations.
- (2) An association may submit a joint Mercury Phase-down Plan for the purposes of complying with these Regulations.
- (3) A Mercury Phase-down Plan must at least contain the following information:
  - (a) Baseline data and relevant information;
  - (b) Proposed technically and economically feasible alternatives to the use of mercury or mercury added products in the manufacture of the identified products; and
  - (c) The time periods within which the manufacturer intends replacing the use of mercury with technically and economically feasible alternatives to mercury or mercury containing materials.
- (4) The Minister may require a person who has submitted a Mercury Phase-down Plan to provide any missing information as required in the Plan and to submit a revised Mercury Phase-down Plan within a 30 days once-off time period indicated by the Minister, or to furnish the Minister with a written review of the Mercury Phase down Plan by an independent expert within a time period indicated by the Minister.
- (5) The Minister may, on written application by a person who is required to submit a Mercury Phase-down Plan, grant a 30 days once-off extension in respect of the period within which the plan must be submitted, on good cause shown, with or without conditions attached to such an extension.
- (6) After considering any Mercury Phase-down Plan that has been submitted in terms of these regulations, the Minister may:
  - (a) accept the plan and set conditions for the implementation of such a plan; or
  - (b) reject the plan with reasons provided.

### 14. Mercury Management Plan

- (1) A person or an association contemplated in regulations 7 and 8 of these Regulations, must submit, through registered mail, 473 Steve Biko Street, Arcadia, Pretoria, or email (DG@dfpe.gov.za), a Mercury Management Plan to the Minister for approval within one year of the commencement of these Regulations.
- (2) The Mercury management plan should include the phase-out plan or the phase-down plan, as applicable, as contemplated in regulations 11 and 12, respectively.
- (3) An Association may submit a joint Mercury Management Plan for the purposes of complying with these Regulations.

- (4) A Mercury Management Plan must at least contain the following information:
  - (a) Proposed technically and economically feasible alternatives to the use of mercury or mercury added products in the manufacture of the identified products;
  - (b) Where technically and economically feasible alternatives as envisaged in paragraph (a) do not exist, reasons why such alternatives do not exist and the steps that will be taken to develop such alternatives; and
  - (c) the time periods within which the manufacturer intends replacing the use of mercury with technically and economically feasible alternatives to mercury or mercury containing materials.
- (5) The Minister may require a person who has submitted a Mercury Management Plan to provide additional information and to submit a revised Mercury Management Plan within a time period indicated by the Minister, or to furnish the Minister with a written review of the Mercury Management Plan by an independent expert within a time period indicated by the Minister.
- (6) The Minister may, on written application by a person, submitted through post or email, who is required to submit a Mercury Management Plan, grant an extension in respect of the period within which the plan must be submitted, on good cause shown, with or without conditions attached to such an extension.
- (7) After considering any Mercury Management Plan that has been submitted in terms of these regulations, the Minister may—
  - (a) accept the plan and set conditions for the implementation of such a plan; or
  - (b) reject the plan with reasons provided.
  - (c) Should the plan be rejected, a revised plan should be submitted within 31 days.

## CHAPTER 9

### GENERAL MATTERS

#### 15. Short title and commencement

These Regulations are called the Regulations for the Management of Mercury in South Africa and will commence on 1 April 2024.

#### 16. Offences

- (1) A person who contravenes regulations 3, 4, 5, 6, 7, or 8 of these Regulations, is guilty of an offence and is liable on conviction to a fine and/or imprisonment as indicated in regulation 17 of these Regulations.
- (2) A person who contravenes regulations 9, 10, 11, 12, and 13 of these Regulations, commits an offence and is liable for a fine as indicated in regulation 17 of these Regulations.

#### 17. Penalties

- (1) A person convicted of an offence under regulations 3, 4, 5, 6, 7 or 8 is liable to a maximum fine not exceeding R5 million or/and to imprisonment for a period not exceeding 5 years in

the case of a first offence, and in the case of a second or subsequent conviction to a fine not exceeding R10 million or/and to imprisonment for a period not exceeding 10 years, and in both instances to both such fine and such imprisonment.

- (2) A person convicted of an offence under regulations 9, 10, 11, 12, or 13 is liable for a fine of up to R500 000.



**ANNEXURE A**  
**Mercury-added products (MAPs)**

1. The following products are excluded from this Annexure:
  - (a) Products essential for civil protection and military uses;
  - (b) Products for research, calibration of instrumentation, for use as reference standard;
  - (c) Where no technically and/or economically feasible mercury-free alternative for replacement is available, switches and relays, cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays, and measuring devices; and
  - (d) Vaccines containing thiomersal as preservatives.
  
2. *Part I: Mercury-added products subject to a phase-out:*

Mercury-added products (MAPs)	Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)
Batteries, except for button zinc silver oxide batteries with a mercury content < 2% and button zinc air batteries with a mercury content < 2%	1 April 2025
Switches and relays, except very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay	1 April 2025
Compact fluorescent lamps (CFLs) for general lighting purposes that are ≤ 30 watts with a mercury content exceeding 5 mg per lamp burner	1 April 2025
Linear fluorescent lamps (LFLs) for general lighting purposes: (a) Triband phosphor < 60 watts with a mercury content exceeding 5 mg per lamp; (b) Halophosphate phosphor ≤ 40 watts with a mercury content exceeding 10 mg per lamp	1 April 2025
High pressure mercury vapour lamps (HPMV) for general lighting purposes	1 April 2025
Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: (a) short length (≤ 500 mm) with mercury content exceeding 3.5 mg per lamp (b) medium length (> 500 mm and ≤ 1 500 mm) with mercury content exceeding 5 mg per lamp (c) long length (> 1 500 mm) with mercury content exceeding 13 mg per lamp	1 April 2025
Cosmetics (with mercury content above 1ppm), including skin lightening soaps and creams, and not including eye area cosmetics where mercury is used as a preservative and no effective and safe substitute preservatives are available	1 April 2025
Pesticides, biocides and topical antiseptics	1 April 2025
The following non-electronic measuring devices except non-electronic measuring devices installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available:	1 April 2025

<p>(a) barometers;                  (b) hygrometers;                  (c) manometers;                  (d) thermometers;                  (e) sphygmomanometers.</p>	
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3. *Part II: Mercury- added products subject to a phase-down:*

<b>Mercury-added products</b>	<b>Provisions</b>
Dental amalgam	<p>Measures to be taken to phase down the use of dental amalgam shall take into account the domestic circumstances and relevant international guidance and shall include more than the two required measures from the following list:</p> <ul style="list-style-type: none"> <li>i. Setting national objectives aiming at dental caries prevention and health promotion, thereby minimizing the need for dental restoration;</li> <li>ii. Setting national objectives aiming at minimizing its use;</li> <li>iii. Promoting the use of cost-effective and clinically effective mercury-free alternatives for dental restoration;</li> <li>iv. Promoting research and development of quality mercury-free materials for dental restoration;</li> <li>v. Encouraging representative professional organizations and dental schools to educate and train dental professionals and students on the use of mercury-free dental restoration alternatives and on promoting best management practices;</li> <li>vi. Discouraging insurance policies and programmes that favour dental amalgam use over mercury-free dental restoration;</li> <li>vii. Encouraging insurance policies and programmes that favour the use of quality alternatives to dental amalgam for dental restoration;</li> <li>viii. Restricting the use of dental amalgam to its encapsulated form; and</li> <li>ix. Promoting the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds to water and land.</li> </ul>

**ANNEXURE B***Manufacturing processes in which mercury or mercury compounds are used*1. *Part I: Processes subject to a mercury-phase-out plan:*

<b>Manufacturing processes using mercury or mercury compounds</b>	<b>Phase-out date</b>
Chlor-alkali production	1 April 2025
Acetaldehyde production in which mercury or mercury compounds are used as a catalyst	1 April 2025

2. *Part II: Processes subject to a mercury phase-down plan:*

<b>Mercury process/uses using</b>	<b>Provisions</b>
Vinyl chloride monomer production	<ol style="list-style-type: none"> <li>i. Measures to be taken shall include a minimum of the following: Reduce the use of mercury in terms of per unit production by 15 per cent by the year 1 April 2024 against 1 April 2021 use;</li> <li>ii. Promoting measures to reduce the reliance on mercury from primary mining;</li> <li>iii. Supporting research and development in respect of mercury-free catalysts and processes;</li> <li>iv. Not allowing the use of mercury five years after the Conference of the Parties to the Minamata Convention has established that mercury-free catalysts based on existing processes have become technically and economically feasible;</li> <li>v. Reporting to the Minister on its efforts to develop and/or identify alternatives and phase out mercury use.</li> </ol>
<ul style="list-style-type: none"> <li>• Sodium methylate</li> <li>• Sodium ethylate</li> <li>• Potassium methylate</li> <li>• Potassium ethylate</li> </ul>	<ol style="list-style-type: none"> <li>i. Measures to be taken shall include but not be limited to:</li> <li>ii. Measures to reduce the use of mercury aiming at the phase out of this use as fast as possible and within 10 years of the entry into force of the Convention;</li> <li>iii. Prohibiting the use of fresh mercury from primary mining;</li> <li>iv. Supporting research and development in respect of mercury-free processes;</li> <li>v. Not allowing the use of mercury five years after the Conference of the Parties to the Minamata Convention has established that mercury-free processes have become technically and economically feasible;</li> <li>vi. Reporting to the Minister on its efforts to develop and/or identify alternatives and phase out mercury use.</li> </ol>
Production of polyurethane using mercury containing catalysts	<p>Measures to be taken shall include but not be limited to:</p> <ol style="list-style-type: none"> <li>i. Taking measures to reduce the use of mercury, aiming at the phase out of this use as fast as possible, by 16 August 2027;</li> <li>ii. Taking measures to reduce the reliance on mercury from primary mercury mining;</li> <li>iii. Taking measures to reduce emissions and releases of mercury to the environment;</li> </ol>



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|  | <ul style="list-style-type: none"><li>iv. Encouraging research and development in respect of mercury-free catalysts and processes;</li><li>v. Reporting to the Minister on its efforts to develop and/or identify alternatives and phase out mercury use in accordance with these Regulations.</li></ul> |
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**ANNEXURE C**

Application Form for registration in terms of regulation 9 of these Regulations

**A. APPLICANT DETAILS:**

Name of applicant:	
Identity or passport no in the case of an individual:	
Registration number in the case of a juristic person:	
Company registration in case of an international company:	
Tel no:	
Fax no:	
E-mail address:	
Postal Address:	Physical Address:

**B. TYPE OF REGISTRATION APPLIED FOR (Tick off):**

Import, manufacture or distribution of an identified product or use of an identified process, as listed in Annexure A (2), Annexure A (3), Annexure B (1) and Annexure B (2).	<input type="checkbox"/>	Import of mercury or mercury waste from a SADC country (that is a party to Minamata Convention on mercury) for the purpose of safe disposal.	<input type="checkbox"/>
Import, storage or use of mercury or mercury added products (MAPs) for research purposes.	<input type="checkbox"/>	Transport of mercury or mercury containing materials shall be in accordance with the Transportation of Dangerous Goods Regulations as set out in the National Road Traffic Act 93 of 1996, of the Department of Transport.	<input type="checkbox"/>

**PLEASE PROVIDE THE FOLLOWING INFORMATION THAT RELATES TO THE ACTIVITY FOR WHICH REGISTRATION IS APPLIED FOR**

**C. IMPORT, MANUFACTURE OR DISTRIBUTE AN IDENTIFIED PRODUCT**

**The address where the business is carried on:**

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 .....  
 .....

**The quantity of identified products that is manufactured, stored or distributed:**

**Manufactured:** .....

**Stored:** .....

**Distributed:** .....

**D. TRANSPORT OF MERCURY OR MERCURY ADDED PRODUCTS.**

The name and domicile address of the transporter.

Name: .....

Domicile: .....

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The port of entry and exit.

Entry: .....

Exit: .....

The type and quantity of mercury or mercury added product(s) usually transported in an average month.

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**E. IMPORT, STORAGE OR USE OF MERCURY OR MERCURY ADDED PRODUCTS (MAPs) FOR RESEARCH PURPOSES.**

The name and domicile of the associated academic institution responsible for the research to be conducted.

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The nature and purpose of the research.

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The quantity and type of mercury or mercury added product(s) to be used in the research per annum.

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**F. IMPORT OF MERCURY OR MERCURY WASTE FROM SADC COUNTRY (THAT IS A PARTY TO THE MINAMANATA CONVENTION ON MERCURY) FOR THE PURPOSE OF SAFE DISPOSAL**

**The quantity of mercury or mercury waste that is imported:**

**The country from which it is imported:**

**The conditions and period of the contract under which, the mercury or mercury waste is accepted:**

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**The location of the authorised disposal site where the mercury waste is being disposed of and the environmental licence details and conditions of the site or facility:**

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