

## SAPVIA Policy Tracker

### Key Policies and Regulations Affecting Renewable Energy Development in South Africa

Policy / Regulation	Responsible Authority
Integrated Resource Plan (IRP)	Department of Energy and Electricity (DoEE)
South African Renewable Energy Masterplan (SAREM)	Department of Trade, Industry and Competition (DTIC) & DoEE
Electricity Regulation Act, 2006 (Act No. 4 of 2006)	DoEE / NERSA
ERA Amendment Bill	DoEE
National Energy Act, 2008 (Act No. 34 of 2008)	DoEE
Integrated Energy Plan (IEP)	DoEE
Energy Security Bill	DoEE
National Energy Efficiency Strategy	DoEE
Renewable Energy Independent Power Producer Procurement Programme (REIPPPP)	DoEE / IPP Office / DBSA
Carbon Tax Act, 2019 (Act No. 15 of 2019)	National Treasury / SARS
National Environmental Management Act (NEMA), 1998 (Act No. 107 of 1998)	Department of Forestry, Fisheries and the Environment (DFFE)
NEMA: EIA Regulations (Listing Notices 1, 2 & 3)	DFFE
National Environmental Management: Air Quality Act (AQA), 2004 (Act No. 39 of 2004)	DFFE

<b>National Water Act, 1998 (Act No. 36 of 1998)</b>	Department of Water and Sanitation (DWS)
<b>Electricity Pricing Policy (EPP)</b>	DoEE / NERSA
<b>Trading Rules</b>	NERSA
<b>Multi-Year Price Determination (MYPD)</b>	Eskom / NERSA
<b>Retail Tariff Plan (RTP)</b>	Eskom / NERSA
<b>Grid Capacity Allocation Rules</b>	NERSA / Eskom
<b>Wheeling Framework (Eskom &amp; Municipal)</b>	Eskom / Municipalities
<b>Net Billing Rules</b>	NERSA
<b>SPLUMA (Spatial Planning and Land Use Management Act), 2013</b>	Department of Agriculture, Land Reform and Rural Development (DALRRD) / Local Municipalities
<b>Carbon Budget Regulations</b>	DFFE
<b>Nationally Determined Contributions (NDCs)</b>	DFFE
<b>Renewable Energy Grid Code (incl. Small-Scale Embedded Generation (SSEG) Rules)</b>	Eskom / NERSA
<b>National Development Plan 2030</b>	National Planning Commission

<b>National Infrastructure Plan 2050</b>	Department of Public Works and Infrastructure (DPWI)
<b>Green Finance Taxonomy (2022)</b>	National Treasury / Presidential Climate Commission
<b>Environmental Authorisation (EA)</b>	Department of Forestry, Fisheries and Environment (DFFE)
<b>Atmospheric Emissions License (AEL)</b>	DFFE (via SAAELIP system)
<b>Water Use License / General Authorisation</b>	Department of Water and Sanitation (DWS)
<b>Heritage Permit</b>	SAHRA (South African Heritage Resources Agency)
<b>Obstacle Consent</b>	Civil Aviation Authority (CAA) & Air Traffic Navigation Services (ATNS)
<b>Rezoning Approval (SPLUMA)</b>	Local Municipality
<b>Construction Permit</b>	Local Municipality
<b>Fire, Sanitation &amp; Waste Management Plans</b>	Local Municipality
<b>Subdivision of Agricultural Land (SALA)</b>	DALRRD (Department of Agriculture, Land Reform and Rural Development)
<b>CARA Compliance</b>	Provincial Department of Agriculture
<b>Land Claim Clearance</b>	DALRRD - Land Claims Commission
<b>Section 53 Approval</b>	DMRE (Department of Mineral Resources and Energy)
<b>Generation License</b>	NERSA (National Energy Regulator of SA)

<b>Wheeling Agreement</b>	Eskom
<b>Budget Quote / Cost Estimate Letter</b>	Eskom
<b>Access Authorization (Telecoms)</b>	Mobile Network Providers
<b>Transnet Authorization</b>	Transnet
<b>SANDF Authorization</b>	South African National Defence Force
<b>Astronomy Authority Approval (SKA/DSI)</b>	Square Kilometre Array / Department of Science & Innovation
<b>Weather Consent</b>	South African Weather Service (SAWS)
<b>Municipal Consents</b>	Local Municipality
<b>Permits for Equipment Transport (Wayleaves)</b>	Provincial/Local Road Authorities
<b>Strategic Infrastructure Project (SIP) Classification</b>	Presidential Infrastructure Coordinating Commission (PICC)
<b>Renewable Energy Development Zone (REDZ) Classification</b>	DFFE
<b>Strategic Transmission Corridor (STC) Classification</b>	Eskom/DFFE
<b>Waste Management License:</b>	DFFE / Provincial Authority
<b>National Environmental Management Act (NEMA), Act 107 of 1998</b>	
<b>National Environmental Management: Waste Act, Act 59 of 2008</b>	
<b>NEMA Environmental Authorisation</b>	Department of Forestry, Fisheries and the Environment (DFFE)
<b>EPR Registration &amp; Compliance: Extended Producer Responsibility Regulations (GN R1184-2020)</b>	DFFE
<b>Hazardous Waste Transport Permit: National Road Traffic Act 93 of 1996</b>	DFFE / Provincial Waste Authorities

<b>Battery Safety and Compliance Certificate: SANS 62133-2 and SANS 10142-1</b>	NRCS / Accredited Certification Body
<b>Electrical Contractor Registration: Occupational Health and Safety Act (OHSA) in South Africa, Act 85 of 1993</b>	Department of Employment and Labour
<b>Company Registration</b>	Companies and Intellectual Property Commission (CIPC)
<b>Company Lease or Title Deed</b>	Deeds Office (Department of Agriculture, Land Reform and Rural Development)
<b>Facility Lay-out Plan</b>	Municipal Planning Department / Local Municipality
<b>Company Organogram</b>	Internal company document
<b>Process Flow Diagram</b>	Internal company document
<b>All relevant ISO Certificates</b>	Certification Bodies (e.g., SABS, TÜV, Bureau Veritas, DNV)
<b>Last Audit Reports from ISO External Auditor</b>	Certification Body that issued the ISO certificate
<b>Last External Audit Report (WML / NS Registration / EA)</b>	DFFE or appointed auditor
<b>Water Use Authorisation (General Authorisation or License)</b>	Department of Water and Sanitation (DWS)

<b>Protected Species Permits (If relevant)</b>	Department of Forestry, Fisheries and the Environment (DFFE)
<b>Forestry License (If relevant)</b>	Department of Agriculture, Land Reform and Rural Development (DALRRD) / Forestry South Africa
<b>Trade in Second Hand Goods</b>	South African Police Service (SAPS) – Second Hand Goods Unit
<b>Scheduled Trade Permits</b>	South African Police Service (SAPS) – Firearms and Explosives Unit
<b>Affiliation and Membership Certificates</b>	Producer Responsibility Organisations (PROs) / Industry Associations
<b>Health and Safety Risk Assessment</b>	Department of Employment and Labour (DoEL) – Occupational Health and Safety (OHS)
<b>Environmental Management Plan (EMP)</b>	Department of Forestry, Fisheries and the Environment (DFFE) or Local Municipality
<b>Waste Management Plan</b>	Department of Forestry, Fisheries and the Environment (DFFE) or Local Municipality
<b>Occupational Health and Safety Act (OHSA, 1993)</b>	Department of Employment and Labour (DoEL)
<b>General Safety Regulations (GSR)</b>	Department of Employment and Labour (DoEL)
<b>Major Hazard Installations (MHI) Regulations</b>	Department of Employment and Labour (DoEL)
<b>Construction Regulations</b>	Department of Employment and Labour (DoEL)

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Description	Status
A roadmap for electricity generation planning, including targets for renewable energy integration.	Anticipated date of completion: August 2025.
Industrial policy roadmap aimed at localising manufacturing, creating green jobs, and building a competitive RE value chain. It focuses on economic development alongside energy transition.	Approved in March 2025.
Governs electricity generation and licensing. NERSA uses it to issue generation licenses and register SSEG projects.	
Aims to enable the formation of a competitive electricity market and enhance private participation.	Effective as of January 2025.
Promotes sustainable energy development and diversification of energy sources.	
Similar to the National Energy Act. This plan intends to provide a comprehensive framework for energy planning across electricity, gas and liquid fuels.	Planning yet to commence – target for completion is September 2026.
Overarching bill meant to tie into IEP and enable ERA Amendment bill.	Scope still to be defined.
Framework to reduce energy consumption and promote efficiency across all sectors, including renewable energy adoption.	
Competitive bidding programme for procurement of renewable energy from IPPs.	Bid Window 7 held in 2024. No updates on timing for Bid Window 8.
Tax on greenhouse gas emissions, incentivizing low-carbon technologies like solar PV.	National Treasury released a discussion paper for public comment on Phase 2 of the Carbon Tax in August 2024.
Main environmental legislation governing Environmental Impact Assessments (EIAs) for renewable projects.	
Identify activities requiring Basic Assessments or full Scoping and EIA. Essential for project approvals.	
Governs air quality and requires emission licenses for projects that release pollutants (e.g. biomass or waste-to-energy).	

Regulates use of water resources; projects requiring abstraction, discharge, or diversion need a Water Use License.	
Guides electricity pricing, including cost-reflectivity and tariffs impacting wheeling and use of system charges.	Minister to release updates soon.
Trading rules are being developed to guide key electricity trading principles.	NERSA has started the process in July 2025 with the aim to conclude by November 2025.
Eskom applies to NERSA for tariff increases based on its cost of supply and Regulatory Asset Base.	MYPD6 approved for the period 2025-2028, at levels below Eskom's request.
Eskom is seeking more cost-reflective tariffs, moving to greater fixed costs. NERSA approves any changes to the cost structure.	RTP 2024 approved in most part in February 2025.
Access to grid capacity application, allocation and reservation has moved from first-come-first-serve principle to first-ready-first-serve. Eskom has developed Interim Grid Capacity Allocation Rules (IGCAR), but NERSA is seeking to implement rules applicable to all Network Service Providers (NSPs).	NERSA published the rules for consultation in July 2025 with public hearing held on 8 August. Unclear by when rules will be finalised.
Sets out technical and commercial rules for wheeling electricity across the grid, essential for distributed generation.	Eskom launched virtual wheeling in April 2025. Portfolio wheeling yet to be launched.
Rules are designed to empower licensed Distributors to establish tariffs and develop terms and conditions to allow Prosumers to export excess power back to the distribution network.	Requires minor updates - SAPVIA engaging via Energy Council
Governs rezoning and land-use decisions that impact solar and wind project sites.	
SA's first mandatory carbon budgeting system. Affected companies will be expected to register, determine company level carbon budget, prepare mitigation plan and report every year from 1 January 2026.	Draft regulations released on 1 August 2025 for comments due by 30 September 2025
As part of the UNFCCC and the Paris Agreement, SA is required to submit successive NDCs that update climate change mitigation targets and adaptation goals till 2035.	Second draft NDCs released 30 July 2025 for comment.
Technical standards for grid connection, especially important for rooftop PV and small IPPs.	Active technical standards in use; municipalities & Eskom require SSEG registration and follow NRS 097 series.
The NDP aims to eliminate poverty and reduce inequality by 2030.	Still SA's long-term framework; continues guiding government strategy though targets remain challenging.

Strategic plan that outlines infrastructure priorities including energy transmission and renewables.	Phase 2 published, in active use; prioritises transmission, grid expansion, private investment facilitation.
Defines sustainable investments in line with ESG and climate goals. Affects access to green financing for RE projects.	Active since 2022; in pilot/implementation; Treasury/FSCA running usability studies and pilots.
Required under NEMA for developments affecting the environment. Involves Scoping/EIA or Basic Assessment.	Screening Tool mandatory; EA process remains core; amendments under consultation (2024–2025).
Required under the Air Quality Act for operations emitting air pollutants. Includes public participation and specialist studies.	Still active under Air Quality Act; applications handled via SAAELIP online system.
For projects affecting water resources (National Water Act, Sections 21 & 22). Includes hydrological studies and public participation.	General Authorisations active; WULA process in use for high-impact activities via DWS online system.
For developments affecting heritage resources. Requires NID or 38(8) application, depending on project scale.	Active; Section 34/38 processes continue; NID/HIA and mitigation permits required where impacts arise.
Ensures that infrastructure (like wind turbines) does not interfere with aviation safety.	Active; SACAA/ATNS obstacle consent required; guidance updated 2024–2025.
Converts land use rights to permit renewable energy development. Often includes public participation.	Active under SPLUMA; processes vary by municipality; public participation applies.
Authorisation to begin construction work on site.	Building plan approvals remain required; some metros offer online systems.
Required to comply with municipal bylaws for infrastructure and safety.	Enforced by municipalities to meet bylaws and safety standards.
Required for splitting or converting agricultural land.	SALA consent required for subdivision; DALRRD notices updated in 2025.
Under the Conservation of Agricultural Resources Act – prevents soil degradation.	CARA remains enforced provincially; compliance with soil/erosion controls mandatory.
Ensures land is not under dispute or claim before development.	Active; land claim checks required; unresolved claims can delay projects.
Necessary if land has been designated for mining.	Active; Section 53 approvals required if land overlaps mining rights.
Legal approval to generate electricity for the grid (IPPs).	Active; NERSA continues to register generation facilities—111 new facilities (~1,916 MW, R51.9 bn) registered in Q1 of 2025/26.

Enables transfer of power over Eskom's grid from generator to consumer.	Operating under emerging liberalisation—wheeling (allowing IPPs to transfer power through Eskom grid) is common in private off-take market.
Cost projection for grid connection infrastructure.	Standard practice—Eskom issues cost estimates and connection quotes for new generators. Not publicly tracked.
Approvals for use of telecom masts or infrastructure.	Standard commercial process—MNOs require project proposals and site reviews. No recent reforms reported.
For developments near ports or railways.	No national changes noted.
Required if infrastructure may impact national defense zones.	No public updates yet, EOSS assisting with this process
Prevents interference with sensitive radio astronomy operations.	Mandatory near radio astronomy zones; protected by radio quiet measures. No reported changes
For installations that may interfere with meteorological equipment.	No specific updates—projects near meteorological stations should ensure no interference.
Additional approvals based on local jurisdiction regulations.	Municipal approvals vary by jurisdiction; still required for local planning and utility connections.
Required to transport large infrastructure components via public roads.	
Enables fast-tracking of projects of national importance.	The Energy One-Stop-Shop (EOSS), launched in July 2023, coordinates approvals and includes SIPs
Designation allows streamlined environmental authorisation in priority zones.	
Fast-tracked grid connection processes.	
Required under the Waste Act for storage, treatment, recycling, or disposal of waste generated (e.g. solar panels, batteries).	
Mandatory for large-scale Renewable Energy projects under NEMA EIA Regulations. Required before construction begins (e.g., wind farms near sensitive ecosystems).	
Required under EPR Regulations for producers of PV modules, batteries, and inverters. Must implement and report take-back schemes.	
Required for transporting hazardous waste such as end-of-life batteries or PV panels.	

Ensures batteries meet national safety standards.	
Required for contractors conducting electrical work under OHSA and Electrical Installation Regulations.	In force; required under OHSA for electrical installations
Legal requirement for operating any business in South Africa.	
Needed to enter into Power Purchase Agreements (PPAs) with Eskom or private buyers under the REIPPPP (Renewable Energy Independent Power Producer Procurement Programme)	
Proof of land ownership or lease agreement is required for site development (e.g., solar/wind farms). Required by lenders (banks, DFIs) for project financing.	
Demonstrates project management and operational structure to investors, lenders, and government (e.g., Department of Mineral Resources and Energy (DMRE).	
Needed for BBBEE compliance and skills development reporting.	
Required for environmental impact assessments (EIAs) and municipal approvals.	
Ensures optimal placement of solar panels, wind turbines, or biomass facilities.	
Shows how energy generation, storage, and distribution will work (important for Eskom grid connection). Needed for *ISO certification (e.g., ISO 9001 for quality management).	
Standard dependant: ISO 14001 (Environmental Management): Critical for RE projects to prove sustainable operations. ISO 45001 (Occupational Health & Safety): Ensures worker safety during construction/operations. ISO 27001 (Information Security): Needed if handling smart grid/data systems.	
Proof compliance.	Still mandatory for maintaining ISO certification (e.g., ISO 14001, ISO 9001, ISO 45001). Audits are annual or triennial depending on standard.
Proves ongoing compliance with environmental laws to DFFE and investors.	Active requirement; ongoing compliance audits tied to Environmental Authorisations, Waste Management Licences, and National Screening system.
Needed for hydropower projects or solar plants using water for cleaning panels. Required under National Water Act (NWA)	

Required if the project impacts protected flora/fauna (e.g., wind farms near bird migratory routes).	Active under NEMBA. Required if projects may impact protected flora/fauna (e.g., wind farms in bird/bat zones).
Needed for biomass energy projects sourcing wood waste.	
Ensures sustainable forestry practices.	Required under National Forests Act for afforestation or biomass sourcing. Still enforced in 2025.
Relevant if dealing with used solar panels, batteries, or inverters.	Still legally required for trading in second-hand solar panels, batteries, or inverters.
Needed if handling hazardous materials (e.g., battery storage systems).	Required for handling/delivery of hazardous substances (e.g., battery electrolytes). Still enforced.
Producer Responsibility Organizations (PROs) manage waste compliance (e.g., solar panel recycling). Enhances credibility for REIPPPP bidding. Required for end-of-life solar panel/battery recycling under Extended Producer Responsibility (EPR) regulations.	EPR Regulations (2021) remain in force; membership in a PRO is compulsory for solar PV/battery end-of-life management.
Mandatory under Occupational Health & Safety Act (OHSA). Critical for worker safety during construction/maintenance.	Mandatory under OHSA. Projects must prepare baseline and activity-specific risk assessments.
Required by DFFE for mitigating environmental impacts (e.g., soil erosion from solar farms).	EMPs remain required under NEMA EA conditions. Must be approved by DFFE or delegated authority.
Ensures proper disposal/recycling of project waste (e.g., old solar panels, lubricants from wind turbines).	Required under Waste Act and municipal bylaws. Often a condition in EA approval
Legal requirement for all workplaces; critical for RE construction and maintenance safety.	Still the primary occupational safety legislation in force. Applies to all RE project sites.
Prevents fatalities/injuries during high-risk RE activities.	Active under OHSA; governs safety in high-risk activities (e.g., working at heights, electrical safety).
Risk Assessments Critical for battery storage facilities (fire/explosion risks). Emergency plans Required for large-scale RE plants.	
Construction appointments Legal requirement for all RE project construction. Medical surveillance Ensures worker fitness for high-risk RE tasks.	

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<a href="https://www.dmre.gov.za/mining-minerals-energy-policy-development/integrated-resource-plan/irp-2023">https://www.dmre.gov.za/mining-minerals-energy-policy-development/integrated-resource-plan/irp-2023</a>	SAPVIA - ZB 010925
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