

DEPARTMENT OF HEALTH

NO. 5179

6 September 2024

HAZARDOUS SUBSTANCES ACT 15 OF 1973

DECLARATION OF LEAD IN PAINT AS A GROUP II HAZARDOUS SUBSTANCE

The Minister of Health, hereby in terms of section 2 (1) of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), declares leaded paint or coating material to be a Group II hazardous substance.

SCHEDULE

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context indicates otherwise indicates:

**“Coating material”** means a product, in liquid, paste or powder form, that, when applied to a substrate, forms a layer possessing protective, decorative and/or other specific properties;

**“Leaded paint or coating material”** means paint or similar coating material used for any purpose with a total lead content above 0.009 percent (90 ppm) or 90mg/kg, based on the weight of the total non-volatile content;

**“Paint”** means a pigmented coating material which, when applied to a substrate, forms an opaque dried film having protective, decorative or specific technical properties.

**“the Act”** means the Hazardous Substances Act, 1973 (Act No. 15 of 1973).

### Hazardous Substance Declaration

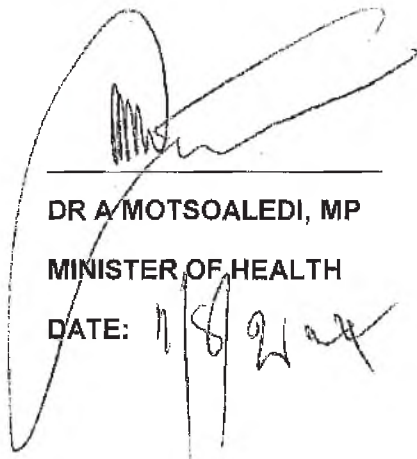
2. (1) Leaded paint or coating material is hereby declared as a Group II hazardous substance.
- (2) The declaration contemplated in subparagraph (1) applies to all paints and coating materials.

### Repeal

3. The declaration of leaded paint as Group I hazardous substance, published in Government Notice No. R 801, Gazette Number 32455 of 31 July 2009 is hereby repealed.

### Commencement date

4. This notice comes into operation one year after the date of final publication.



DR A MOTSOALEDI, MP  
MINISTER OF HEALTH  
DATE: 1/8/2024