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LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwnonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
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Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES**EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s).

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

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Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

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0001

GPW Banking Details:
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For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

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E-mail: info.egazette@gpw.gov.za
Tel: 012-748 6200

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 276

31 MARCH 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998
(ACT NO. 107 OF 1998)****DRAFT NATIONAL BIODIVERSITY OFFSET POLICY**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to publish the National Biodiversity Offset Policy, under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), as set out in the Schedule hereto. The aim of the National Biodiversity Offset Policy is to ensure that significant residual impacts of developments are remedied as required by NEMA, thereby ensuring sustainable development as required by section 24 of the Constitution of the Republic of South Africa, 1996. This policy should be taken into consideration with every development application that still has significant residual impact after the Mitigation Sequence has been followed in the Environmental Impact Assessment process, and should be applied taking the principles of NEMA into consideration.

Members of the public are invited to submit to the Minister within 60 days after the publication of the notice in the *Gazette*, written representations on, or objections to the following addresses:

By post to: The Director-General
 Department of Environmental Affairs
 Attention: Ms Willeen Olivier
 Private Bag X447
 PRETORIA
 0001


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

By e-mail: wolivier@environment.gov.za

Any enquiries in connection with the draft National Biodiversity Offsets Policy can be directed to Ms Willeen Olivier at 012 399 9581.

An electronic copy of the draft National Biodiversity Offsets Policy can be downloaded from the following link: <https://www.environment.gov.za/legislation/guidelines>

Comments received after the closing date may not be considered.



BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

SCHEDULE: DRAFT NATIONAL BIODIVERSITY OFFSET POLICY

Preamble

South Africa is one of the most biodiverse countries, and a large portion of our economy is based on sustainable or extractive use of natural resources. South Africa is also a developing country with a rapidly growing population. As populations grow and countries need to develop, transformation of the natural environment increases. Transformation of natural areas can in most cases not be restored to what it was before transformation. The increased transformation is also not limitless or sustainable – unlike financial capital that can draw interest and grow; natural capital is fixed, and can even decrease with development. This places an ever increasing and cumulative pressure on natural resources and ecosystem services in two ways. The first is the consumptive use of biodiversity (e.g. commercial fishing), and the second is the competition for physical space required for development (landscape transformation). While the first can be either sustainable or not, depending on whether the level of use is within the limits of the biological resource to replenish itself, the second is by its very nature limited and unsustainable – very much like a mine where the minerals are removed, and the extraction process has to be terminated. While a certain amount of transformation is not only necessary but within the ecosystem's ability to handle, there is growing international recognition of the impact of unsustainable transformation and the importance of the functioning of these ecosystems that underpin human needs.

As we lose more of this function, the importance of these functions in supporting food security, health and development becomes more apparent. The loss has, in some cases reached critical proportions, with a resultant negative impact on aspects of human social and economic development, and it is more and more necessary to look for ways to appropriately remedy the environmental costs of

human activity, in order to make development more sustainable and have less of an impact on particularly poor communities who are most reliant on these services. The National Development Plan (Vision 2030) provides a succinct summary of the nature of the environmental problem to which biodiversity offsets are a response:

Market and policy failures have resulted in the global economy entering a period of "ecological deficit", as natural capital (ground water, marine life, terrestrial biodiversity, crop land and grazing) is being degraded, destroyed, or depleted faster than it can be replenished."

In order to manage the impact of development on biodiversity, the Environmental Impact Assessment (EIA) process has been developed and legislated. One of the first steps in this process entails the application of a mitigation sequence where the developer has to look, consecutively, at avoiding or preventing the loss, then at minimising or mitigating what cannot be avoided, rehabilitating where possible, and as a last resort, offsetting the residual impact. Although most impacts on biodiversity are mitigable, one impact that has come across consistently in this process as unmitigatable is the **rapid and consistent transformation** of certain ecosystems and vegetation types, leading to the loss of ecosystems and extinction of species. The loss of some of these ecosystems, particularly in wetlands and mountain catchment areas, have a significant negative economic impact, affecting the sustainable water supply to downstream factories, food security through irrigation schemes, and flood damage. Often this "off-site" impact is not included in the impact assessment, as it is difficult to quantify, even though the cumulative impact of development in these areas have significant negative environmental, social and economic impacts. South Africa is also

losing the ability to protect viable 'witness sites' for certain ecosystems that is not only an international obligation, but also a constitutional imperative that we as a country have committed to, and will lead to a serious impact on ecosystem services that especially rural people are dependent on for survival. Losing the ability to protect these sites as set out in our National Protected Areas Strategy is unmitigable, and the only way in which development can address this is to **avoid the impact** by planning the proposed development in another location.

There are however ecosystems where, although we are close to losing the ability to reach our protected area targets, we can still afford to exchange some of our ecological capital for economic development. This impact cannot be mitigated as set out in the mitigation sequence, and the developer therefore needs to either find an alternative site for development (avoid), or offset remaining portions of this ecosystem **by legally securing these areas** for conservation and managing it for its biodiversity value through Protected Area declaration or by creating lasting servitudes. These areas have been identified, not only in the planning tools available, but also in the listing of threatened and protected ecosystems through the National Environmental Management: Biodiversity Act, Act 10 of 2004 (NEMBA).

Where ecosystems remain largely untransformed, intact and functional, an offset would not be required for developments that lead to transformation, provided that they have not been identified as a biodiversity priority. Already transformed areas would also not require an offset, unless they serve a purpose as important ecological infrastructure, and as such needs to be offset in accordance with the Wetland Offset Policy.

Further, the NDP proposes:

“measures to protect the country's natural resources including an environmental management framework in which developments that have serious

environmental or social effects need to be offset by support for improvements in related areas and a target for the amount of land and oceans under protection”¹.

Habitat loss is recognized as the primary driver of biodiversity loss and biodiversity offsets are becoming an internationally accepted tool which can be used to ensure that development is ecologically sustainable by enhancing the conservation and sustainable use of priority ecosystems and fragile biodiversity-rich areas not under formal protection. However, although offsets are a useful tool, they are not appropriate in situations where critical or irreplaceable biodiversity would be adversely impacted, and in these cases the development is fatally flawed.

Although the above strongly indicates that offsets should be applied to all activities that transforms an ecosystem, this policy sets out to identify and define instances where offsets would be required for activities that trigger the NEMA EIA process, as well as the legal framework, principles, and requirements for the offset process, in order to set standards for provincial policies and guidelines.

This policy applies to land-use decisions that lead to land cover change, and should apply to all decisions where the mitigation sequence is applicable. It should therefore be used in all related decision-making processes in South Africa. The policy must be read with the National Environmental Management Act, 107 of 1998 Environmental Impact Assessment (EIA) regulations (2014), the Guideline on Need and Desirability (2014), the Minimum Requirements for Biodiversity in EIAs (draft 2016), the Wetland Offsets - A best-practice guideline for South Africa (SANBI and Department of Water Affairs, 2014), Mining and Biodiversity Guideline - Mainstreaming Biodiversity in the Mining Sector, 2013 and any applicable national and provincial policies or guidelines.

¹ National Development Plan 2030

Acronyms

BAR	Basic Assessment Report
BBOP	Business and Biodiversity Offsets Programme
CBA	Critical Biodiversity Area
CBD	Convention on Biological Diversity
CEA	Competent Environmental Authority in terms of NEMA
DEA	Department of Environmental Affairs
DAFF	Department of Agriculture, Forestry and Fisheries
DMR	Department of Mineral Resources
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMP	Environmental Management Plan
EMPr	Environmental Management Programme
ESA	Ecological Support Area
I&AP	Interested and affected party
IEM	Integrated Environmental Management
NBA	National Biodiversity Assessment
NBSAP	National Biodiversity Strategy Action Plan
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NEMBA	National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)
NEMPAA	National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003)
NDP	National Development Plan 2030
NFEPA	National Freshwater Ecosystem Priority Areas project
NFSD	National Framework for Sustainable Development (2008)
S&EIR	Scoping and Environmental Impact Report
SANBI	South African National Biodiversity Institute,
SANParks	South African National Parks
SEA	Strategic Environmental Assessment
SDF	Spatial Development Framework
ToR	Terms of Reference

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1 BACKGROUND AND INTRODUCTION

Globally, biodiversity and ecosystems are threatened. The ongoing loss of biodiversity together with the complicating effects of climate change place increasing demands on dwindling resources, and are key challenges to sustainable development. In South Africa, pressure for economic growth and the additive effects of development pose a threat to the remaining biodiversity through the destruction and fragmentation of natural habitat, introduction of alien invasive organisms and pollution, amongst other impacts.

One specific challenge identified through the trends analysis in developing the NFSD was the need to reverse the “*continuing degradation or loss of biodiversity and functioning ecosystems*” on which sustainable development is dependent (DEAT 2008). ‘Sustaining our ecosystems and using natural resources efficiently’ is one of five ‘strategic focus areas’ in the NFSD. The promulgation of NEMBA and NEMPAA, as well as the gazetting of the National Biodiversity Framework (2009) and the adoption of the NBSAP and the review thereof in 2015, provides the context and tools to address this challenge. Further, the NDP proposes “*measures to protect the country’s natural resources including an environmental management framework in which developments that have serious environmental or social effects need to be offset by support for improvements in related areas and a target for the amount of land and oceans under protection*”.

Although proposed development that could result in significant environmental impacts on the environment is subject to EIAs in terms of NEMA, it is increasingly acknowledged that EIA as a tool cannot address the cumulative impacts on biodiversity and ecosystem services at landscape scale. EIA aims to find the ‘best practicable environmental option’, invariably allowing some loss of biodiversity in each instance. The additive effects of these numerous minor losses of biodiversity means that, at ecosystem or landscape scale, biodiversity continues to decline, as do our ecosystem services.

In recognition of the above challenges, interest in ways to stop the loss of biodiversity has escalated in recent years. An emerging tool in this regard is ‘biodiversity offsets’. While offsets offer clear benefits, they are not appropriate in situations where irreplaceable biodiversity would be adversely impacted. There is a concern, therefore, that unless their use is strictly controlled, they could be used as leverage to obtain authorization for listed activities in cases where offsets should not be considered, resulting in the loss of critical biodiversity.

Biodiversity offsets are explicitly recognized in the National Biodiversity Framework (NBF), (gazetted in 2009); wherein the development of a national policy framework for biodiversity offsets and its application

across the country is identified as one of its priorities. The NBF states that “*In some cases, following avoidance and mitigation, there is still residual damage to biodiversity as a result of a development. In such cases, if the development is socially and economically sustainable, ecological sustainability may be achieved through a biodiversity offset. A biodiversity offset involves setting aside land in the same or a similar ecosystem elsewhere, at the cost of the applicant, to ensure no net loss of important biodiversity. Biodiversity offsets are particularly important in securing threatened ecosystems and critical biodiversity areas. They are already being implemented to some extent in South Africa, but in the absence of a legal or policy framework and thus with little consistency. Systematic application of biodiversity offsets could provide significant benefits at little cost to the fiscus*”.

This document presents a draft policy on biodiversity offsets for South Africa. Implementation of the policy would ensure that due remedy is obtained for significant adverse impacts on biodiversity resulting from development. The policy would contribute to securing priority biodiversity and ecosystem functioning in perpetuity, for the benefit of both present and future generations.

The different provinces in South Africa have particular characteristics, priorities for biodiversity conservation and institutional capacities. It is thus important for them to develop their own, tailored offsets policies that are at minimum consistent with this national policy on biodiversity offsets. This National Policy is designed to be used by any CEA in the absence of its own policy on biodiversity offsets.

2 DEFINITION OF TERMS

Defining Offsets:

Biodiversity offsets are conservation measures designed to remedy the residual negative impacts of development on biodiversity and ecological infrastructure, once the first three groups of measures in the mitigation sequence have been adequately and explicitly considered (i.e. to avoid, minimize and rehabilitate/ restore impacts). Offsets are the ‘last resort’ form of mitigation, only to be implemented if nothing else can mitigate the impact.

<i>Alternatives*</i>	<ul style="list-style-type: none"> • property on which or location where the activity is proposed to be undertaken; • type of activity to be undertaken; • design or layout of the activity; • technology to be used in the activity; or • operational aspects of the activity; • the option of not implementing the activity.
<i>Biodiversity pattern</i>	Structure and composition of ecosystems
<i>Biodiversity process</i>	Ecological processes and functions that sustain biodiversity

<i>Biodiversity network</i>	Core areas and interlinking ecological corridors contributing to a biodiversity plan within an urban edge and/or in a municipal spatial development framework
<i>Biodiversity Management Plan</i>	Plan aimed at ensuring the survival of a species or ecosystem not listed in terms of the NEMBA but that warrants special conservation attention (s43 of that Act)
<i>Biodiversity Plan</i>	Any systematic conservation plan prepared for a region, at scales ranging from 1:250 000 (Biome or Province) to fine-scale plans at 1:10 000 (municipal or specific ecosystem), and published by a statutory authority.
<i>Biodiversity specialist</i>	There is no one 'biodiversity specialist'. Rather, the term is used to cover a range of specialists in the field of biodiversity, from broad areas of expertise (e.g. plant or terrestrial ecologist, marine ecologist or freshwater ecologist) to narrow areas of expertise (e.g. mammalogist, herpetologist, avian specialist, ichthyologist, wetland specialist, specialist in marine algae, fungi or bacteria, etc.). The term also covers specialists with expertise in the functional attributes of ecosystems (e.g. nutrient cycling, carbon cycling)
<i>Bioregional Plan</i>	Plan adopted in terms of NEMBA, highlighting CBA's, ESA's and other natural areas, and in line with the Guidelines for Bioregional Plans published in terms of NEMBA. They are the biodiversity sector's input into SDFs, EMFs, SEAs and EIAs. They are based on systematic biodiversity plans developed using best available science, and are intended to inform land-use planning, environmental assessment and natural resource management by a range of sectors whose policies and decisions impact on biodiversity, and to support and streamline environmental decision-making.
<i>Critical Biodiversity Areas (CBAs)</i>	Sites selected to be the most efficient configuration in the landscape for meeting biodiversity targets of representivity and persistence. CBAs are irreplaceable or 'important and necessary' in terms of meeting targets for biodiversity pattern and process, and large enough and connected enough to be functional and persist in the long term.
<i>Conservation servitude</i>	Legally binding provision or obligation on property for conservation purposes
<i>Cumulative impact*</i>	Past, current and reasonably foreseeable future impacts of an activity, considered together with the impact of the proposed activity, that in itself may not be significant, but may become significant when added to the existing and reasonably foreseeable impacts eventuating from similar or diverse activities
<i>Ecological Infrastructure</i>	Ecological infrastructure refers to naturally functioning ecosystems that deliver valuable services to people, such as water and climate regulation, soil formation and disaster risk reduction. It is the nature-based equivalent of built or hard infrastructure, and can be just as important for providing services and underpinning socio-economic development.
<i>Ecological integrity</i>	The state or condition of an ecosystem that displays the biodiversity characteristic of the reference, such as species composition and community structure, and is fully capable of sustaining normal ecosystem functioning
<i>Ecological processes</i>	The dynamic attributes of ecosystems, including interactions between/among organisms and interactions between organisms and their environment. They are the basis for self-maintenance in an ecosystem.
<i>Ecosystem</i>	An ecological system with particular defining characteristics. In South Africa, ecosystems tend to be broadly grouped in terms of freshwater ecosystems, terrestrial ecosystems and marine ecosystems. Within these groupings, there are further sub-groupings of ecosystems (e.g. terrestrial ecosystems are described and defined primarily in terms of vegetation type). This guideline deals primarily with terrestrial ecosystems and wetlands (a type of freshwater

	ecosystem).
<i>Ecosystem services</i>	The benefits to society in general and communities in particular provided by ecosystems; or 'the components of nature, directly enjoyed, consumed or used to yield human wellbeing'. The Millennium Ecosystem Assessment 2003 classifies the services that ecosystems can provide into four broad categories: provisioning services, regulating services, cultural services, and supporting services
<i>Ecosystem status</i>	Indicates the condition of an ecosystem relative to thresholds for its continued existence (or persistence), both in terms of the ecological processes to maintain ecosystem function and the conservation of the species and habitats characteristic of that ecosystem. Threatened ecosystems comprise Critically Endangered, Endangered and Vulnerable ecosystems.
<i>Environmental authorization</i>	Decision taken by the competent environmental authority in terms of the NEMA EIA Regulations (see below)
<i>Ecological Support Areas</i>	Sites not explicitly targeted for biodiversity pattern or process, but which underpin the delivery of key ecosystem services or goods (e.g., water) and whose basic structure and ecological function thus require protection.
<i>Fatal flaw</i>	A major defect or deficiency in a project proposal that should result in authorization being refused
<i>Fine-scale plans</i>	Biodiversity plans that have a high degree of confidence with regard to the accuracy of mapping vegetation and land cover at a scale of 1:50 000, and a lower degree of confidence at scales of 1:10 000
<i>Mitigation</i>	A sequence of possible measures to avoid, minimize, rehabilitate and/or remedy negative impacts (e.g. NEMA s2 principles). Anticipation and prevention of negative impacts and risks, then minimization, rehabilitation or 'repair' (NEMA 2014 EIA Regulations)
<i>NEMA EIA regulations</i>	R982-R985 of 4 December 2014, in terms of Chapter 5 of NEMA
<i>'Out of kind' offsets</i>	Offsets not targeting the same ecosystem or habitat as the one affected. 'Trading up' is one of these offsets.
<i>Protected Area</i>	Area declared as such in terms of Chapter 3 of NEMPAA
<i>Protected Ecosystem</i>	Ecosystem declared as such in terms of s52(2)(d) of NEMBA
<i>Remedy</i>	To solve, correct, counteract or improve.
<i>Rehabilitation</i>	Returning a disturbed, degraded or destroyed ecosystem to productive use, with the emphasis on repairing ecosystem processes and services (i.e. need not involve re-establishing species composition and community structure, or associated ecological integrity)
<i>Residual impacts</i>	Impacts that remain after the proponent has made all reasonable and practicable changes to the location, siting, scale, layout, technology and design of the proposed development, in consultation with the environmental assessment practitioner and specialists (including a biodiversity specialist), in order to avoid, minimize, and/or rehabilitate negative impacts on, amongst others, biodiversity. That is, after consideration has been given to the first three measures in the mitigation sequence.
<i>Restoration (of an ecosystem or a species' habitat)</i>	An intentional activity that initiates or accelerates the recovery of a damaged, degraded or destroyed ecosystem with respect to its health, integrity and sustainability. An ecosystem has recovered - and is restored - when it contains sufficient biotic and abiotic resources to continue

	its development without further assistance or subsidy.
<i>Significant impact*</i>	An impact that may have a notable effect on one or more aspects of the environment or may result in non-compliance with accepted environmental quality standards, thresholds or targets
<i>Spatial component of ecological process</i>	Spatial surrogates for landscape-scale ecological and evolutionary processes (ecological processes cannot be 'seen' in the landscape, so spatial 'indicators' are used as a practical substitute)
<i>Sustainable</i>	Use of a biological resource in a way and at a rate that would not lead to its long-term decline, would not disrupt the ecological integrity of the ecosystem in which it occurs and would ensure its continued use to meet the needs and aspirations of present and future generations of people (NEMBA, s1)
<i>Threatened ecosystem</i>	Threatened ecosystems are listed in terms of NEMBA, using the following categories. Critically Endangered, Endangered, Vulnerable
<i>'Trading up'</i>	Offsets target an ecosystem of greater value or priority to biodiversity conservation from the one being impacted.

3 POLICY IMPERATIVE

South Africa is an arid country, with a high portion of the population living in rural areas and dependent on sustainable livelihoods provided by their environment. These are the very resources that development requires. It is necessary to balance the two needs, and the importance of this balance has been emphasised with the recent 2015/16 drought. Without a clear and explicit policy on the use of biodiversity offsets it is likely that biodiversity and ecological functioning will continue to be lost, rural communities' livelihoods endangered, and that offsets will continue to be used inconsistently, inappropriately, and ineffectively as a tool purportedly to benefit the conservation of biodiversity and ecosystem services and pursue sustainable development.

It is imperative that a national policy is adopted, to ensure that offsets are used in a controlled, consistent, and predictable way to make a material contribution to conservation in South Africa.

4 POLICY PRINCIPLES

In addition to the general principles under NEMA which govern all environmental policy making, the following specific principles² underpin the biodiversity offsets policy:

² The principles listed below are adapted and drawn from a synthesis of principles used locally and internationally (DEA&DP 2015; KZN 2009; BBOP 2012; Australia 2006; International Council on Mining and Metals 2005; WWF 2006).

1. The Ecosystem Approach

Biodiversity offsets take an 'ecosystem approach' to biodiversity conservation which promotes the integrated management of land, water and natural capital to achieve conservation and sustainable use of biodiversity. This approach recognizes the interdependence between biodiversity, ecosystems and the benefits they provide for people through use and cultural values. It takes a landscape-scale, rather than a site-specific scale view, to enable consideration of cumulative impacts.

2. Offsets - the last resort in the Mitigation Sequence

Biodiversity offsets should only be considered as a mitigation option once all feasible actions and alternatives, first to avoid or prevent impacts on important biodiversity, then to minimize impacts, and then to repair or restore areas harmed by impacts to the condition before impact or better, have been taken into account.

3. Limits to what can or should be offset

Biodiversity offsets are to be used in cases where the EIA process identifies negative residual impacts of 'medium' or 'high' significance on biodiversity. Activities resulting in impacts of 'low' significance may not require an offset.

Impacts on biodiversity of 'very high' significance may not be able to be fully offset because of the conservation status, irreplaceability, or level of threat to affected biodiversity, or the risk of preventing scientific targets for conserving that biodiversity from being met. In these cases, given that the proposed activity would lead to irreversible impacts and irreplaceable loss of biodiversity, alternatives to the proposal should be sought; i.e. the proposed activity should not be authorized in its current form.

4. Ecosystem protection

Biodiversity offsets should ensure the long-term protection of priority ecosystem on the ground and improve their condition and function, thereby resulting in measurable positive outcomes for biodiversity conservation 'on the ground'. These outcomes could contribute to improved ecosystem integrity and increased use and/or cultural value of offset areas and the ecosystems of which they are part.

5. No Net Loss up to specified limits of acceptable change

Offsets should not be used to 'soften' a development proposal that would result in unacceptable loss of biodiversity. Biodiversity offsets should be designed in such a way that scientific targets for conserving ecosystems and other biodiversity features in the long term are attainable and not undermined as a consequence of the proposed activity. No biodiversity feature (species or ecosystem) should be at risk of being pushed beyond an Endangered threat status by a development.

6. Locating biodiversity offsets in the landscape

Biodiversity offsets should be located in the landscape in such a way that they help to secure priority areas for conservation, improve connectivity between these priority areas, and/or consolidate or expand existing protected areas. Where priority ecosystem services are residually affected, biodiversity offsets should preferably be located in the landscape in such a way that they deliver equivalent services to affected parties; that failing, additional compensation measures would be needed for these parties.

7. Equivalence – ‘like for like’

Biodiversity offsets should comprise - or benefit - the same biodiversity components as those components that would be negatively affected by development. *In exceptional cases* only, and only with support from the provincial conservation agency, could consideration be given to the biodiversity offset targeting a relatively more threatened ecosystem or habitat.

8. Additionality – new action required

Biodiversity offsets must result in conservation gains above and beyond measures that are already required by law or would have occurred had the offset not taken place.

9. Timing and duration of biodiversity offsets

The design of the biodiversity offset and plans for its implementation should be approved by the provincial biodiversity conservation agency and the CEA before the proposed listed activity starts. Implementation of the biodiversity offset should preferably take place before the impacts of the activity occur, or as soon thereafter as reasonable and feasible.

The biodiversity offset site(s) should endure at least for the duration of the residual impact on biodiversity, but preferably in perpetuity, in order to make a long-term contribution to biodiversity conservation. It should be monitored and managed adaptively to sustain biodiversity outcomes.

10. Defensibility

The measure of residual negative impacts on biodiversity caused by a proposed development, as well as the design and implementation of biodiversity offsets, should be based on the best available biodiversity information and sound science, and should incorporate local traditional or conventional knowledge as appropriate.

Offsets must consider all significant residual impacts on biodiversity: direct, indirect and/ or cumulative impacts. The scope of assessment must include due consideration of impacts on recognized priority areas for biodiversity conservation; impacts on biodiversity pattern (conservation status of ecosystem and species, importance to migratory species) and ecological and evolutionary processes (must look across scales and take into account connectivity, gradients and corridors); and impacts on ecosystems or species on which there is high dependence for health, livelihoods, and/ or wellbeing.

11. Precaution

The biodiversity offset must be designed in a risk-averse and cautious way to take into account uncertainties about the measure of residual negative impacts (including uncertainties about the effectiveness of planned measures to avoid/ prevent, minimize and rehabilitate impacts), and the successful outcome and/ or timing of the biodiversity offset.

12. Fairness and equity

The determination of residual negative impacts, and the design and implementation of biodiversity offsets, should be undertaken in an open and transparent manner, providing for stakeholder engagement, respecting recognised rights, and seeking positive outcomes for affected parties.

Biodiversity offsets should not displace negative impacts on biodiversity to other areas, and/ or cause significant negative effects that in turn would need to be remedied.

13. Non substitutable

A biodiversity offset cannot be exchanged for, or traded off against, compensation for social, cultural heritage or other residual impacts unrelated to biodiversity. Moreover, offsets for residual impacts on use or cultural values of biodiversity cannot be exchanged or substituted for offsets on intrinsic values of biodiversity.

14. Enforceable and auditable

Offsets must be able to be monitored and audited in relation to clear management and performance targets. In addition, they must be able to be enforced through explicitly worded, legally binding conditions, and/or common law contracts.

5 PURPOSE OF POLICY

Biodiversity offsets have been included as negotiated conditions of development authorisations in South Africa since at least 2006. However, the application of an offset requirement has been *ad hoc* and the methodology for determining an appropriate offset has been inconsistent in the absence of clear policy and guidance. The adoption of this policy would serve to standardise the requirements for biodiversity offsets in South Africa, and ensure consistency in approaches and implementation.

The biodiversity offsets policy gives effect to a number of the NEMA principles, including the requirement to 'minimize and remedy' impacts on biodiversity where they cannot be avoided, to protect ecological integrity, and the polluter-pays principle in particular. Currently, the costs of residual and cumulative impacts on biodiversity and ecosystem services are being borne by society as 'externalities', rather than by those responsible for these impacts.

The desired outcome of biodiversity offsets is to ensure that:

1. The cumulative impact of development authorization and land use change does not:
 - result in the loss of CBA's or jeopardize the ability to meet South Africa's targets for biodiversity conservation;
 - lead to ecosystems becoming more threatened than 'Endangered'³; and/or
 - cause a decline in the conservation status of species and the presence of 'special habitats'⁴.
2. Conservation efforts arising from the development application process, and contributing to improved protection of South Africa's unique species and ecosystems in perpetuity, are focused in areas identified as priorities for biodiversity conservation. Particular emphasis is on consolidation of priority areas and securing effective ecological links between priority areas; and
3. Ecosystem services provided by affected biodiversity and on which local or vulnerable human communities - or society as a whole - are dependent for livelihoods, health and/or safety, are at minimum safeguarded, and preferably improved.

³ NEMBA makes provision (s52) for listing threatened ecosystems (Critically Endangered, Endangered and Vulnerable) and for listing (s56) threatened species (Critically Endangered, Endangered and Vulnerable). Threatened terrestrial ecosystems were listed in 2011 and threatened species (as a result of commercial utilisation or harvesting) in 2007. South Africa's Red Data Books and Red Lists indicate threatened species.

⁴ As referred to in the NBSAP, and defined in some fine-scale biodiversity plans (e.g. rocky outcrops, wetlands, etc). The identification of these 'special habitats' captures elements of significant biodiversity that would not be covered by considering coarser indicators like threatened ecosystem or species. They could foreseeably include habitat known to be important for migratory species, for particular life-stages of threatened or commercially important species, to support keystone species that 'drive' ecosystems, and/or for locally rare or range-restricted species. In addition to being identified in fine-scale biodiversity plans, these features could be identified by statutory competent or commenting authorities or biodiversity specialists.

6 POLICY OBJECTIVES

The objective of the biodiversity offsets policy in South Africa, through the development authorization and any change in land use process, is to ensure that residual impacts on biodiversity and ecosystem services that are of medium to high significance (i.e. that do not represent a 'fatal flaw' from a biodiversity perspective) are duly remedied by applicants in such a way that a material contribution is made to safeguarding remaining areas supporting the impacted biodiversity (thus to reach associated national biodiversity targets) and valued ecosystem services. An additional objective is to achieve sustainable development and conservation objectives more effectively by internalising costs of some environmental externalities and creating opportunities for conservation beyond the site of development, rather than focusing only on that site.

This policy:

- Defines offsets; the purpose and desired outcomes of biodiversity offsets in the country;
- Specifies when biodiversity offsets would and would not be appropriate;
- Requires offsets to be considered as an integral part of the mitigation sequence during the planning of all EIAs conducted in terms of the NEMA EIA Regulations. It should therefore also apply to the following activities insofar as they trigger the NEMA EIA process:
 - applications for authorization in terms of the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);
 - changes in land use in terms of the Spatial Planning and Land Use Act, 2013 (Act No. 16 of 2013); and
 - other relevant planning and land use change legislation where proposed development may have a significant negative impact on the environment;
- Sets out the legal framework and principles of offsets;
- Specifies the requirements of the offset process in South Africa;
- Sets standards and create consistency and predictability in the use of biodiversity offsets across the country.

7 POLICY ASSUMPTIONS

It is **assumed** that:

- The policy would be applied by officials in the CEA in reviewing EIAs⁵ and preparing authorizations, with the support and input of statutory commenting authorities⁶, and by EAPs in carrying out EIAs.

⁵ The term 'EIA' is used to refer to both Basic Assessment and Scoping and Impact Assessment requirements in terms of the NEMA EIA regulations.

- Offsets would apply to all applicants for listed activities/proponents of development, regardless of whether they are from the private or public sectors.
- The guidance provided in the policy document would provide a sufficient basis for these parties to implement this policy in practice.
- Judicious indication of the likely need for an offset would be made, such that an EAP could have the requisite studies, analysis and design completed for an offset within the timeframes stipulated by the “One Environmental System”.

There may be **financial and capacity implications** associated with the policy:

- There are likely to be additional demands on staff of provincial conservation authorities through increased requests for advice and assistance in designing, locating and implementing biodiversity offsets. In addition, there are likely to be additional demands on staff to negotiate and conclude protected area legal agreements to secure ‘on the ground’ offsets.
- There will be a need for increased capacity in the CEA to identify the need for a biodiversity offset, evaluate a proposed offset’s design and implementation assurance, and to draft defensible, robust and enforceable conditions of authorization.
- There will be a need for increased capacity in the institution or agency tasked to set up and maintain a register of biodiversity offsets, and to carry out periodic evaluation of the performance of these offsets (refer to Paragraph 11 of this Policy).
- There is likely to be a minor incremental increase in the time needed by CEA officials to check and enforce any biodiversity offset conditions attached to development authorizations, over and above checking and enforcement of other conditions.
- There is likely to be an increase in the work load or staff capacity in statutory agencies that may be responsible for implementing or taking over offset areas, even though this might be funded by the applicant for the duration of the offset condition requirements.

8 SCOPE OF APPLICATION

The policy applies to the evaluation of all development (including mining) applications submitted to the CEA. It will thus affect the authorities’ expectations of the EIA processes and outcomes, and thus of the scope of work to be undertaken by the proponent and his or her EAP, possibly including specialists contributing to these processes. In addition, it will affect the way the CEA processes applications and drafts authorizations, permits, rights and associated conditions. It may be appropriate in certain circumstances for a CEA to consider the use of offsets in applications for remediation terms of Section 24G of NEMA, after

⁶ Including DAFF, DWS, SAN Parks, SANBI and provincial conservation authorities

appropriate administrative and other penalties have been applied. It may also be appropriate to mitigate the impacts of emergency activities authorised under Section 30A of NEMA.

The policy would be implemented and administered by DEA and all other CEAs. Provinces are encouraged to develop specific and more detailed provincial offset policies if they are required to address issues unique to the biodiversity of those provinces, provided that they are not in conflict with this policy.

National and provincial conservation authorities would likely play a key role in guiding offset selection, location, establishment and maintenance, and would ultimately assume responsibility for managing the offset area as a part of the conservation estate held in the public trust.

The public, for whom biodiversity and ecosystem services are held in trust, would benefit from the policy. It is likely that non-government and community-based organizations may play a key role in helping to identify and evaluate suitable biodiversity offsets.

9 PROCEDURES, APPROACHES AND GUIDELINES

9.1 When should biodiversity offsets be considered?

The need for offsets would not depend on the scale or nature of the particular development, but on the **significance of residual negative impacts on biodiversity and ecosystem services** predicted as a result of that development. Biodiversity offsets should be considered to remedy residual negative impacts on biodiversity of **'medium' to 'high'** significance.

- Residual impacts of **'very high'** significance are a fatal flaw for development. Impacts would in all likelihood lead to irreplaceable loss of biodiversity, and/ or irreversible deterioration in valued ecosystem services, and therefore should not be authorised; applicants must be asked to pursue alternative proposals. In such cases where the development is authorised for overriding public and economic considerations, offset ratios are typically set very high and may require "out-of-kind" or "trading-up" offsets (see below).
- Residual impacts of **'medium'** to **'high'** significance should trigger a requirement for a biodiversity offset; and
- Residual biodiversity impacts of **'low'** significance would usually not require offsets, provided that all factors informing the evaluation of impact significance have been taken into account (see Table 1: Guidelines of appropriate offset ratios based on the impacted biodiversity feature.)

The focus of biodiversity offsets is to provide an *'in kind'*, or **'like for like'** area of the same ecosystem type, species composition and ecological function to fully remedy that which is lost or negatively affected by development, and/or result in an overall improvement in biodiversity conservation and delivery of associated ecosystem services. In exceptional cases, **'out of kind'** provision of an offset area of greater

conservation significance (*'trading up'*) may be considered if it would have greater conservation benefit from a strategic perspective.

Development inside a Protected Area needs to be handled differently, because of the double impact – loss of an existing Protected Area as well as destruction of critical habitat. The area lost should be replaced, and then the offset should be determined in the usual manner according to the impact on biodiversity in the footprint of the development, which will be high, as it is already in a Protected Area.

There are four main approaches to offsetting residual negative impacts:

1. Averting risk of imminent or projected loss of biodiversity by securing areas for protection and effective management in perpetuity. A developer that is planning future development can, ahead of time, identify possible receiving areas and secure them with the view to use them as future offsets.
2. Enhancing the management of degraded areas e.g. by re-introducing native species, rehabilitation measures, etc. This can only be considered an offset if it is not already the responsibility of a conservation authority.
3. Averting risk of imminent or projected loss of biodiversity by tackling the underlying causes or drivers of biodiversity loss in an area. Only if the risk is successfully removed will it be considered an offset.
4. Re-creating or fully restoring lost habitat. Best available science should determine the possibility of success of this option.

9.2 When should biodiversity offsets *not* be considered?

There are instances where biodiversity offsets should not be considered, but for different reasons, and the environmental authorisation should take this into account:

- When residual impacts are of **very high** significance (e.g. when critical biodiversity areas identified in provincial conservation plans identified as irreplaceable, Critically Endangered ecosystems or ecosystems containing irreplaceable biodiversity, or ecosystems that provide irreplaceable or critical ecosystem services would be seriously affected). In these cases, the proponent should be asked to seek alternatives to the proposed development and/ or revisit earlier steps in the mitigation sequence.
- When residual impacts are of **low** significance (and therefore there would not be any meaningful impacts to be remedied), the environmental authorisation should not require offsets. A developer may however, as part of their environmental responsibility plan, contribute to the achievement of biodiversity targets. This should not be seen as an offset.

9.3 General procedures to be followed when considering offsets

The 2014 EIA Regulations as part of the introduction of the “One Environmental System” (where different application and authorisation processes are run concurrently), impose very tight timeframes on BAR and S&EIR processes. In order for the biodiversity impacts to be adequately assessed and evaluated, and the

mitigation sequence applied, it is desirable to evaluate the probable need for – and design of - offsets in the pre-application phase. It is therefore important for the applicant and EAP to work with the CEA in the pre-application phase to finalise as much of the biodiversity-related work as possible before the application is submitted. This should include:

- a. Pre-application meeting with the CEA and EAP to determine the possibility of an offset being required. If an offset might be required, it becomes imperative for the applicant to investigate other project alternatives during the EIA process, particularly where impacts are likely to be of high or very high significance. The pre-application GIS tool that DEA is developing to make the EIA process easier may serve to give an early 'red flag' of biodiversity significance.
- b. The biodiversity specialist(s), appointed by the applicant, should be fully appraised of the development proposal, including feasible location or siting alternatives, proposed layouts, operational activities, associated activities and infrastructure on which the development depends, likelihood of risks (amongst others) in order to perform specialist studies that can produce reliable and defensible **significance ratings** for negative impacts on biodiversity⁷, as well as mitigation recommendations. Specialist studies⁸ should be done well in advance of the submission of the application.
- c. Should there be potentially significant negative impacts on biodiversity, the environmental assessment should undertake a process to exhaust the mitigation sequence to reduce the impact on biodiversity through the investigation of alternatives. The study should clearly show how the mitigation sequence has been followed.
- d. Should residual impacts of very high significance be probable, the applicant would effectively be pursuing his/ her application on risk.
- e. If the biodiversity specialist(s) subsequently confirms that the residual negative impacts on biodiversity of medium/high significance would be unavoidable, offsets should be discussed with the CEA and, if deemed appropriate, offset investigation, planning and design would best commence pre-authorisation and be incorporated into all stages of the EIA process.
- f. If an offset is required, the authorisation should state that development may only commence after the offset has been secured.

The general procedure to be followed should be in line with NEMA requirements at the time of the study. The mitigation sequence has to be seen to be followed in the process, as depicted in Figure 1.

Cooperative governance is key for the effective implementation of environmental decision making and the use of offsets. As with other mitigation measures, addressing the biodiversity offset requirements as an integral form of mitigation within the EIA process is 'good practice' that gives the applicant and project funders a reliable indication of the likely costs of offsets that should be taken into account in overall project budgets.

⁷ The significance rating system applied is subject to acceptance by the Competent Authority, who may have guidelines in place for the conducting of biodiversity specialist studies. Please see DEA's Minimum Requirements for Biodiversity Reporting in EIAs (DEA 2016).

⁸ Baseline biodiversity studies are crucial to identify likely significant impacts and risks, and specialist inputs should shape the final development proposal to satisfy the NEMA s2 requirements.

With the ‘One Environmental System’, where decisions on other licences and authorizations must be made within the same timeframes as the environmental authorization, it is crucial that collaboration takes place between authorities with an interest in offsets. In particular, there must be collaboration and cooperation to avoid duplication between the CEA and the Department of Water and Sanitation (DWS) with regard to offsets for impacts on freshwater (wetlands, rivers) and estuarine ecosystems where Water Use Licences as well as Environmental Authorizations are needed for a particular project. Offsets as required by DWS should be integrated with biodiversity offsets.

DAFF should be engaged where impacts would have consequences for forest or woodland ecosystems and/or protected tree species or could trigger offset requirements, particularly those required by DAFF policies and legislation; Land Use Planning authorities should be engaged in cases where they may also require offsets.

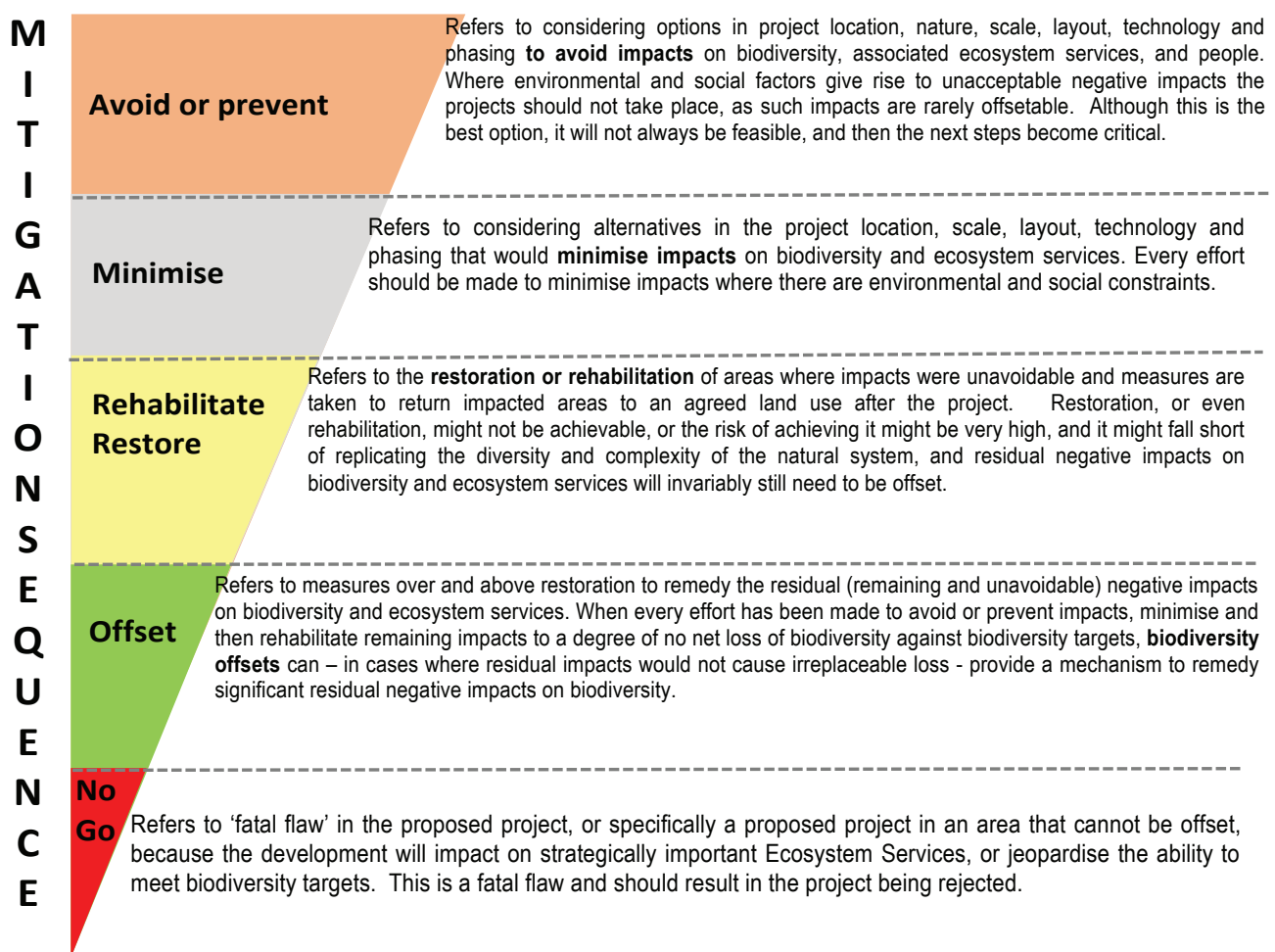


Figure 1: Placing offsets in the environmental impact mitigation sequence in South Africa. Adapted from Department of Environmental Affairs, et al, 2013

9.4 Designing and locating an offset

There is no single best approach to decide on an appropriate offset. However, unless there is compelling reason not to follow this process, the offset design process should comprise of the following seven steps:

1. Obtain a measure of the residual loss of biodiversity (i.e. residual negative impacts) as a consequence of the proposed development. This measure at minimum relates to the area and condition of affected ecosystem/ habitat;
2. Determine the best type of offset;
3. Determine the required size of offset and, where applicable, its optimum location;
4. Investigate candidate offset site(s) in the landscape that could meet the offset requirements. Check whether any eligible offset receiving area is suitable;
5. Decide on the best way to secure the offset, and ensure that the offset option would be acceptable to the CEA and the statutory conservation authorities;
6. Prepare an Offsets Report or dedicated section within the EIA report; and
7. Conclude agreements on offsets (between the applicant and an implementing agent) and develop an Offset Management Programme, where applicable.

Biodiversity targets (DEA&SANBI 2011) provide a sound foundation for determining the size of offset required. A basic offset ratio is used, linked to the particular biodiversity feature affected, and adjusted according to a number of biodiversity and ecosystem services considerations.

Table 1: Guidelines of appropriate offset ratios based on the impacted biodiversity feature.⁹

Feature	Basic offset ratio and specific requirements of the offset	Adjustments to size and/ or number of offsets
Composite biodiversity attributes		
Areas of irreplaceable biodiversity	Impacts on irreplaceable biodiversity to be avoided Offset at 30:1 only where no alternatives to the development project are deemed feasible and where project is of overriding public importance. Refer to the DEA guideline on "Need and Desirability". Offset sites to comprise areas of highest conservation priority that are currently without protection.	
Areas of composite biodiversity significance recognised in approved biodiversity policy, bioregional, biodiversity or spatial conservation plans	Impacts preferably to be avoided Offset ratio <u>at minimum</u> 20 times the impacted area. Offset sites to comprise areas of highest conservation priority that are currently without protection. e.g. Protected areas ¹⁰ , CBAs, verified wetland and river feature FEPAs, areas earmarked for protected area expansion.	
Biodiversity pattern		
Ecosystem status (using most up-to-date and reliable biodiversity information, and	Impacts on Critically Endangered ecosystems should be avoided. Offset at 30:1 only where no alternatives to the	Offset sites to comprise areas of highest priority for conservation currently without protection.

¹⁰ This table of ratios applicable to specific biodiversity features is the most generic guidance possible and in alignment with existing provincial guidance. It should be considered the minimum required, although provinces may chose some higher ratios based on provincial biodiversity targets.

¹⁰ As identified in S9 of the NEM: Protected Areas Act.

<p>applying all relevant criteria for listing threat status (e.g. criteria established in GN 1002 see DEA, 2011)¹¹.</p>	<p>listed activity are feasible and where activity is of overriding public importance;</p> <p>Basic offset ratio¹²:</p> <p>Endangered ecosystems <u>at least 10 but up to 20 times</u> impacted area</p> <p>Vulnerable ecosystems <u>from 1 to 5 times</u> impacted area.</p> <p>Least Threatened, then generally no offset required, provided that other criteria do not apply.</p>	<p>Offset requirements should be adjusted where necessary on the advice of a biodiversity specialist, to account for the condition of impacted site, and the condition of and ability to restore offset areas.</p>
<p>Species threat status (using most up-to-date and reliable biodiversity information).</p>	<p>Impacts on the habitat of Critically Endangered species and local endemic species with highly restricted distributions should be avoided.</p> <p>When threatened or localised endemic species are impacted, the offset must cater explicitly for the habitat needs of the affected species and prevent any change (i.e. increase) in their threat status. A precautionary approach to determining the size of offset must be exercised in cases where highly threatened or vulnerable species are affected.</p>	<p>Where the ecosystem is listed as Least Threatened, it may be necessary to provide an offset to cater for residual negative impacts on threatened species.</p> <p>Where an offset requirement has been determined for a threatened ecosystem (i.e. recognised as Vulnerable, Endangered or Critically Endangered) using the basic offset ratio, it may be necessary to increase size of offset and/ or number of offset sites on the advice of a relevant biodiversity specialist to ensure enough of that species' habitat would be protected and managed to ensure its status would not change (i.e. worsen).</p>
<p>Special habitats.</p>	<p>The offset area must include good examples of impacted special habitats.</p>	<p>Where the ecosystem is Least Threatened, it may be necessary to provide an offset to cater for residual negative impacts on special habitats.</p> <p>Where an offset requirement has been determined for a threatened ecosystem using the basic offset ratio, it may be necessary to provide an offset, and/ or to increase size of offset and/ or number of offset sites on the advice of a relevant biodiversity specialist to ensure that special habitats are represented.</p>
Biodiversity process		
<p>Important ecological, corridors (e.g. linking mountains to coast, along gradients, linking protected areas or other priority areas for biodiversity) or areas important for ecological functioning.</p>	<p>If any important corridors are impacted, the offset must incorporate areas that would provide substitute corridors or linkages connecting priority areas.</p>	<p>Where the ecosystem is Least Threatened, it may be necessary to provide an offset to cater for residual negative impacts on important biodiversity process areas.</p> <p>Where an offset requirement has been determined for a threatened ecosystem using the basic offset ratio, it may be necessary to provide an offset, and/ or to increase size of offset and/ or number of offset sites on the advice of a relevant biodiversity specialist to ensure</p>

¹¹ Please note that Listed Threatened Terrestrial Ecosystems (DEA, 2011) may have been augmented by more recent provincial biodiversity planning, and associated categorisation of different ecosystems and their status. Department of Environmental Affairs 2011. National List of Threatened Ecosystems. Government Gazette No 34809 General Notice 1002 of 9 December 2011. National Printer, Pretoria.

¹² Determined according to the relevant biodiversity target for the affected ecosystem, area already protected and remainder of original extent of that ecosystem, to ensure status does not drop below Endangered (i.e. target plus at least 5%)

		that ecological linkages are represented and connectivity maintained.
Ecosystem services		
Areas that provide ecological goods and services of high value to communities or society as a whole, and on which there is a high level of dependence.	The offset must provide acceptable substitute goods and services.	Where the ecosystem is Least Threatened, it may be necessary to provide an offset to cater for residual negative impacts on ecosystem services. Where an offset requirement has been determined using the basic offset ratio, it may be necessary to provide additional offset sites that would provide the necessary ecosystem services, and/ or compensation in kind. The potential to rehabilitate degraded parts of earmarked offset areas, to improve ecosystem services delivery to affected communities, should be considered.

Where significant wetland impacts are likely, specific guidance from DWS, including the Wetland Offset Best Practice Guideline (SANBI/DWS 2016) should be used for determining appropriate offsets.

Any part of an offset that satisfies the requirements for any particular biodiversity feature can also contribute to the offset requirements of any another feature, and are not necessarily mutually exclusive.

As a general rule, the most recent biodiversity plans at the finest scale should take precedence over coarser scale, older biodiversity plans when assessing potential impacts, evaluating impact significance and determining optimum offset areas. Information from biodiversity plans at coarser scales must be verified in field by an appropriate biodiversity specialist. A useful source of information on biodiversity plans is the SANBI Geographic Information System website (<http://bgis.sanbi.org>).

PLEASE NOTE: If a provincial or municipal plan has been developed, and is consistent with “best available information and science”, then that information should be used, according to the criteria set out above. If a fine-scale bioregional/ biodiversity/ spatial biodiversity plan at provincial or municipal scale is not available, then national ecosystem status and ratios must be used as a departure for offset quantification.

Where there are residual impacts on pattern, process and/ or ecosystem services, a single biodiversity offset may not suffice. In these situations, a ‘package’ of offsets may be required.

For **wetland/ coastal** ecosystems (special habitats), consideration of the functionality of the affected ecosystem as well as that of the proposed offset area, are significant additional considerations to determine the appropriate size and location of offset.

A CEA may publish or adopt a map of suitable offset receiving sites, establish programmes to simplify the design, location, administration and securing of offset areas, and/or to facilitate the establishment of offsets in its area of jurisdiction.

Offsets should be located in the landscape to (in order of priority):

- Be in the same bioregion, vegetation or ecosystem type and, preferably, the same quinary catchment as the impact site;

- Consolidate or buffer existing protected or priority conservation areas and/or minimize fragmentation of habitat;
- Make a maximum contribution to securing, protecting and/or linking biodiversity priority areas, and consolidating ecological corridors in the landscape identified in the provincial biodiversity plan, bioregional or other provincial or municipal biodiversity plans, SDF, EMF, fine scale plans, (etc.);
- Provide habitat for threatened species that would be adversely impacted; and
- Provide comparable ecosystem services specifically to those parties adversely affected by impacts on 'their' ecosystem services;

Offsets could be considered close to, or at some distance from the site on which the listed activity is to be located. It is important to consider the possible negative impacts associated with setting aside an area as a biodiversity offset: this action may negatively affect current users of that area, in turn requiring compensation, or may displace activities that are impacting biodiversity elsewhere so that there is little overall benefit of the offset. Existing/ planned development, land claims or mineral rights on a candidate offset site may pose a threat to the viability of a potential offset area and must be taken into consideration when identifying potential sites and designing protection strategies for them.

9.5 Securing an offset

It is preferable for an offset site to be declared as a protected area under NEMPAA. If this is not recommended by the relevant statutory conservation authorities, or is not possible or appropriate in the circumstances, then some other effective means of preserving the biodiversity values on the offset site in the long term must be found.

Offsets can be secured through:

- Land donation by the applicant to an appropriate statutory conservation authority or a PBO approved by the CEA and willing to receive such land;
- Conservation servitudes (e.g. stewardship agreements, or the purchase and retirement of development rights) entered into between the applicant, landowner and the state conservation authority; and
- Purchase or other acquisition of land or rights to land by the applicant for either of the above purposes;

Suitable financial provision for meeting the needs of an offset may be required by the CEA, prior to the issue of an environmental authorization. These financial provisions may include, but are not limited to:

- The probable costs of acquiring/ securing a sufficient area of suitable land, including transaction costs;
- The costs of protection, rehabilitation and management of the offset area and, where necessary, obtaining specialist input about its management, for at least the duration of the residual impact, or until such time as a closure certificate is issued or other extended time frame as may be determined by the CEA; and

- The costs of monitoring and auditing performance and compliance;

9.6 Requirements for a proposed offset as part of the EIA process

A CEA may require that an Offset Report or an Offset Agreement to be submitted as part of the final Basic Assessment or EIA Report, or that an Offset Agreement be concluded prior to the commencement of the listed activity. Where the applicant has secured and will manage (or contract a third party to manage) an offset, an Offsets Management Plan/ Programme may also be required to be submitted to the CEA.

Reporting on Offset performance and sufficiency should be included in the EMP for any project.

Any Offset Report would be submitted as a specialist report with, and incorporated into, the BAR or EIR. At minimum, it should include the following information (see Appendix 3 of the 2014 EIA Regulations):

1. An evaluation of the adequacy of measures considered and adopted to avoid, minimize and rehabilitate potentially significant negative impacts on biodiversity. (That is, were these measures sufficient; were reasonable and feasible alternative measures investigated, or could greater effort have been made particularly to avoid and minimize these impacts?)
2. A clear statement regarding the appropriateness of considering biodiversity offsets in this case. (That is, are there any residual impacts of 'very high' significance that could lead to irreplaceable loss of biodiversity and/ or priority ecosystem services?).
3. A reliable measure of residual negative impacts on significant biodiversity and ecosystem services requiring offsets.
 - It must take into account gaps in information or low levels of confidence in the predicted negative impacts.
 - It must give due consideration to uncertainties or low levels of confidence in the outcome of proposed measures to avoid, minimise and/ or rehabilitate negative impacts.
4. The duration of residual negative impacts of the proposed activity on biodiversity, taking a risk-averse approach, to determine the minimum duration of the biodiversity offset(s).
5. An explicit statement on the required size of the biodiversity offset to remedy these residual negative impacts, applying the basic offset ratio and adjustments as appropriate.
6. A description of the offset options considered (like for like habitat, trading up, or other), giving defensible reasons for arriving at the proposed offset type.
7. Where the proposed offset comprises land to be secured and managed:
 - a) Evaluation of the probable availability of suitable offset site(s) in the surrounding landscape to meet offset requirements.
 - b) Description of potential site(s) for biodiversity offset(s).
 - c) Description of stakeholder engagement process in identifying and evaluating the adequacy and acceptability of the proposed offset site.
 - d) Description of proposed approach to securing the offset site(s) (e.g. conservation servitude, protected area consolidation/ stewardship) and how it would be managed.
 - e) Evaluation of probable adequacy of proposed offset site(s) by biodiversity specialist(s) and, where relevant, a social/ livelihood specialist:

- *Is there a high level of confidence that offset site(s) would remedy residual impacts on a) biodiversity pattern (threatened ecosystems, threatened species and special habitats), b) biodiversity process, and c) on ecosystem services, while making a positive contribution to the long term conservation of biodiversity in the South Africa?)*
 - *Would the offset sites be located in recognised 'offset receiving areas'?*
 - *If relevant, is the motivation for a 'trading up' offset defensible in the specific context?*
 - *Would the offset site(s) be functionally viable in the long term?*
- f) A reliable estimate of the costs of acquiring or securing, rehabilitating and managing the necessary offset site(s) for the duration of residual negative impacts (See Appendix 1 as a guide for cost calculation);
- g) Responsibility for managing, monitoring and auditing the biodiversity offset;
- *Who would be responsible for implementing, managing and auditing the biodiversity offset?*
 - *Statement regarding the adequacy of capacity of the institution, organization or other party to meet obligations in terms of above responsibilities;*
- h) What measures would be taken to ensure that society as a whole, and affected communities in particular, would not be left more vulnerable or less resilient as a consequence of the proposed development [i.e. where offsets are to remedy loss of biodiversity underpinning valued ecosystem services, would the proposed offset(s) be affordable, accessible and acceptable to the main affected parties];
- *Any negative impacts on local communities and/or society as a whole as a consequence of the proposed offset. If yes, how would these negative impacts be avoided;*
 - *Would the proposed use of the biodiversity offset site(s) be compatible with biodiversity conservation objectives? In particular, where an offset for residual negative impacts on biodiversity also provides offsets for residual impacts on ecosystem services, assurance must be provided that the latter would not compromise the biodiversity value of that offset (e.g. if biodiversity is to be a direct-use resource, then use could lead to degradation of that biodiversity / ecosystem).*
- i) What mechanism is to be used to provide sufficient funds for acquiring/ securing and managing the biodiversity offset site(s) for the duration of residual negative impacts of the proposed activity (i.e. Who will be the recipient of money? How will funds flow to the implementing agent?)

If an offset is to be included as a part of the EA, a CEA must:

- Include an accurate description of the offset activities and required outcomes;
- State clearly who would be responsible for carrying out the offset activities – including implementation, management, monitoring and reporting, auditing;
- Specify what must be done by when, linked to the timing of development activities in the EA;
- State for how long the developer is responsible for the offset area/ activities/ monitoring.

A CEA may include as conditions of an EA, the following requirements for:

- Guarantees of adequate financial resources to comply with the offset conditions. These guarantees must be held in the name of the implementing agent (e.g. statutory conservation authority, conservation NGO or PBO), or held in an escrow¹³ account of a reputable financial institution or auditing firm; and/or
- Binding agreements with landowners to purchase or otherwise secure suitable offset sites, for biodiversity conservation (e.g. documented purchase agreements, agreements of sale, stewardship agreements or other legal agreements related to the securing of offset site(s));
- Rezoning, subdivision or other such requirements as may be necessary for the continued success of the offset.

If a CEA includes an offset requirement as a condition of an EA, the EA must **specify the consequences of failure** to fulfil any of the conditions.

Where no offsets are required but there would clearly be residual, significant impacts, the authority must give explicit and defensible reasons with justification, in particular, for:

- Not applying the NEMA principles as set out above; and
- Permitting development that would not qualify as ecologically sustainable

10 INSTITUTIONAL ARRANGEMENTS

The CEA is responsible for evaluating development applications on the basis of their EIAs¹⁴, and for issuing EAs with conditions. EIAs should apply the mitigation sequence and incorporate biodiversity offsets, where appropriate, as the final mechanism to remedy negative impacts. The authority must review the adequacy of the EIA and take a decision on the development, ensuring that (where relevant) explicit biodiversity offsets acceptable to either the National (if an impact is in a buffer zone of National Park) or Provincial conservation authorities - or both - are incorporated in the conditions of an EA.

In preparing an EA and associated conditions requiring an offset, the CEA must at a minimum:

- Prescribe the amount and type of biodiversity feature(s) that must be secured as an offset and an **accurate description** of the offset activities that must be undertaken;
- Allocate clear and unambiguous responsibility for carrying out the offset activities;
- Provide clear time frames for delivery and completion of offset activities. The authority could specify that the authorized activity may not commence before specified conditions are complied with;
- Specify the duration of the offset obligation;

¹³ 'Escrow account is a temporary pass through account held by a third party during the process of a transaction between two parties

¹⁴ The term 'EIA' is used to refer to both Basic Assessment and Scoping and Impact Assessment requirements in terms of the NEMA EIA Regulations.

- Require notification of establishment or completion of the offset;
- Provide for management, monitoring and reporting requirements, as appropriate and auditing arrangements;
- Determine penalties and consequences, including the suspension of the EA or the ineligibility to apply for further EAs, which apply if the conditions are not met.

The applicant may need to appoint an independent EAP and biodiversity specialists (amongst others) to carry out an EIA process to find the Best Practicable Environmental Option that is consistent with NEMA's national environmental management principles (section 2 of NEMA). As part of this process, it may be necessary to investigate biodiversity offsets as a 'last resort' form of mitigation in order to remedy residual negative impacts on biodiversity. The applicant may need to appoint relevant specialists or service providers to compile any documentation, including but not limited to agreements for the implementation of the offset, for review by the CEA.

All costs related to the investigation and implementation of biodiversity offsets would be to the applicant's account.

The **national and provincial biodiversity conservation authorities** will play a lead role in advising on and approving proposed biodiversity offsets to the competent authority. Biodiversity specialists and EAPs **must** involve these authorities in proposed developments that could adversely affect biodiversity and protected areas and engage staff with regard to finding optimum offsets. Statutory Authorities receiving offset sites to manage as part of protected areas should report on those offsets as part of their statutory reporting responsibilities.

The EAP provides an assessment of how the mitigation sequence has been adhered to, and may need to appoint biodiversity specialists (and other specialists, as appropriate) to determine the need for, and investigate and evaluate potential biodiversity offsets. The EAP must also ensure that all relevant statutory commenting authorities have been adequately informed of the offset.

Specialists will give site- and context-specific information, assess and evaluate potential impacts on biodiversity and ecosystem services, provide an estimate of residual biodiversity impact, propose appropriate offset metrics and components, and, where appropriate, investigate and advise on securing, rehabilitating and managing biodiversity offsets.

11 MONITORING AND EVALUATION

- a) A biodiversity offset register and associated map reference must be set up and updated by each CEA on the number, form, description and location of biodiversity offsets in their jurisdiction. These updated registers need to be submitted to DEA and SANBI annually at the latest one month after the end of the financial year. This should be done through Working Group 5

- b) The implementation of biodiversity offsets, as one of a possible range of conditions specified in an EA, must be monitored and enforced in accordance with these conditions.
- c) Every three years, the CEA must conduct an evaluation of the number and forms of biodiversity offsets, and of their performance/ success in meeting the policy objectives. The results of this evaluation should inform revision of the policy and associated guidelines. In addition, it should indicate non-compliance with conditions of an EA and the need for remedial action and/ or enforcement by the CEA.
- d) The monitoring contemplated in paragraph (c) above may cease once the offset is incorporated into a protected area. In this event, the Management Authority shall report annually to the Minister or the MEC for environment on the performance/success of the offset as part of their statutory reporting requirements under NEMPAA.
- e) The basic offset ratios used in this policy should be updated at any time that the ecosystem status or targets for different vegetation types or species are formally revised, so that the offset requirements respond effectively to the changing situation.

12 REFERENCES

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13 APPENDICES

Appendix 1: Considerations for determining financial provision for biodiversity offsets

Financial provision to secure and manage biodiversity offset			
A: Estimated cost of acquiring and securing offset land			
Ecosystem type	Average cost of land in that vegetation type (R/ha) ¹⁵	Offset area (ha)	Anticipated cost of offset (R)
(name)			
(name)			
Etc.			
<i>Land survey costs</i>			
<i>Legal/ transaction costs (e.g. lodging notarial deeds, gazetting, advertisements or legal notices)</i>			
<i>Costs of fencing, equipment, infrastructure needed to implement offset</i>			
<i>Other (e.g. signage, compensation of affected parties)</i>			
Total cost			
B: Estimated cost of offset establishment			
Item	Area, number or extent	Anticipated cost (R)	
<i>Costs of any permits, authorizations triggered by offset activities (e.g. rehabilitation works)</i>			
<i>Costs of fencing, equipment, infrastructure needed to implement offset</i>			
<i>Other (e.g. signage, compensation of affected parties)</i>			
Total cost			
C: Estimated cost of intensive initial management			
<i>For each ecosystem type and for offset area as a whole during the first x years</i>			
Item	Area, number or extent	Anticipated cost (R)	
<i>Rehabilitation of eroded areas or physical / structural rehabilitation work</i>			
<i>Intensive clearing of dense infestations of invasive alien species</i>			

¹⁵ It is crucial that this estimated cost of land is up to date and/ or projected in terms of longer term trends in land value over the period during which land must be secured. If underestimated, it would be impossible to secure the necessary offset.

C: Estimated cost of intensive initial management		
<i>For each ecosystem type and for offset area as a whole during the first x years</i>		
Item	Area, number or extent	Anticipated cost (R)
<i>Costs of any permits, authorizations triggered by offset activities (e.g. rehabilitation works)</i>		
	Total cost	
D: Estimated cost of annual management		
<i>For each ecosystem type and for offset area as a whole over the required timeframe, taking into account escalation/inflation</i>		
Item	Area, number or extent	Anticipated cost (R)
<i>Fire management</i>		
<i>Erosion management</i>		
<i>Alien and invasive species control/management</i>		
<i>Faunal management</i>		
	Total cost	
E: Other costs		
<i>For each offset area</i>		
Administrative costs		
Risk premium/ insurance		
Other (specify)		
	Total costs (sum A-E)	

Good practice dictates that all costing exercises should be peer reviewed by a qualified, competent specialist.

**Appendix 2: Conventions, Laws, Policies, Plans, Strategies and Guidelines
Directing or Informing Biodiversity Offsets**

This section provides information on the international, national, and provincial legal and policy frameworks, and information guiding or informing biodiversity offsets.

A International Conventions and Guidelines**1 Convention on Biological Diversity**

South Africa is a signatory to the Convention on Biological Diversity (1992). The Convention gives an obligation to member countries to:

1. Protect species and ecosystems that warrant national or local protection, including:
 - ecosystems that are threatened, important for maintaining key ecological or evolutionary processes and/or functions, ecosystems that contain rich biodiversity or large numbers of threatened or endemic species, with social, economic, cultural or scientific value;
 - species and communities of species that are threatened, related to domesticated or cultivated species, and/or have medicinal, agricultural or other economic, social, cultural or scientific significance;
 - genotypes with social, scientific or economic significance.
2. Use indigenous biological resources sustainably; and
3. Share the benefits of biodiversity equitably.

The CBD adopted Voluntary Guidelines on biodiversity-inclusive impact assessment in 2006.

At its tenth Conference of the Parties in Nagoya, Japan 18-29 October 2010, Parties, including South Africa, adopted the Strategic Plan for Biodiversity 2011-2020, with its Aichi Targets. Specifically the following Aichi targets refer to offsetting:

Strategic goal B: Reduce the direct pressures on biodiversity and promote sustainable use

Target 5: By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced

Target 12: By 2020 the extinction of known threatened species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained.

Target 14: By 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable.

2 Millennium Ecosystem Assessment (MA) and the Southern African component of the Millennium Ecosystem Assessment (Scholes and Biggs 2004)

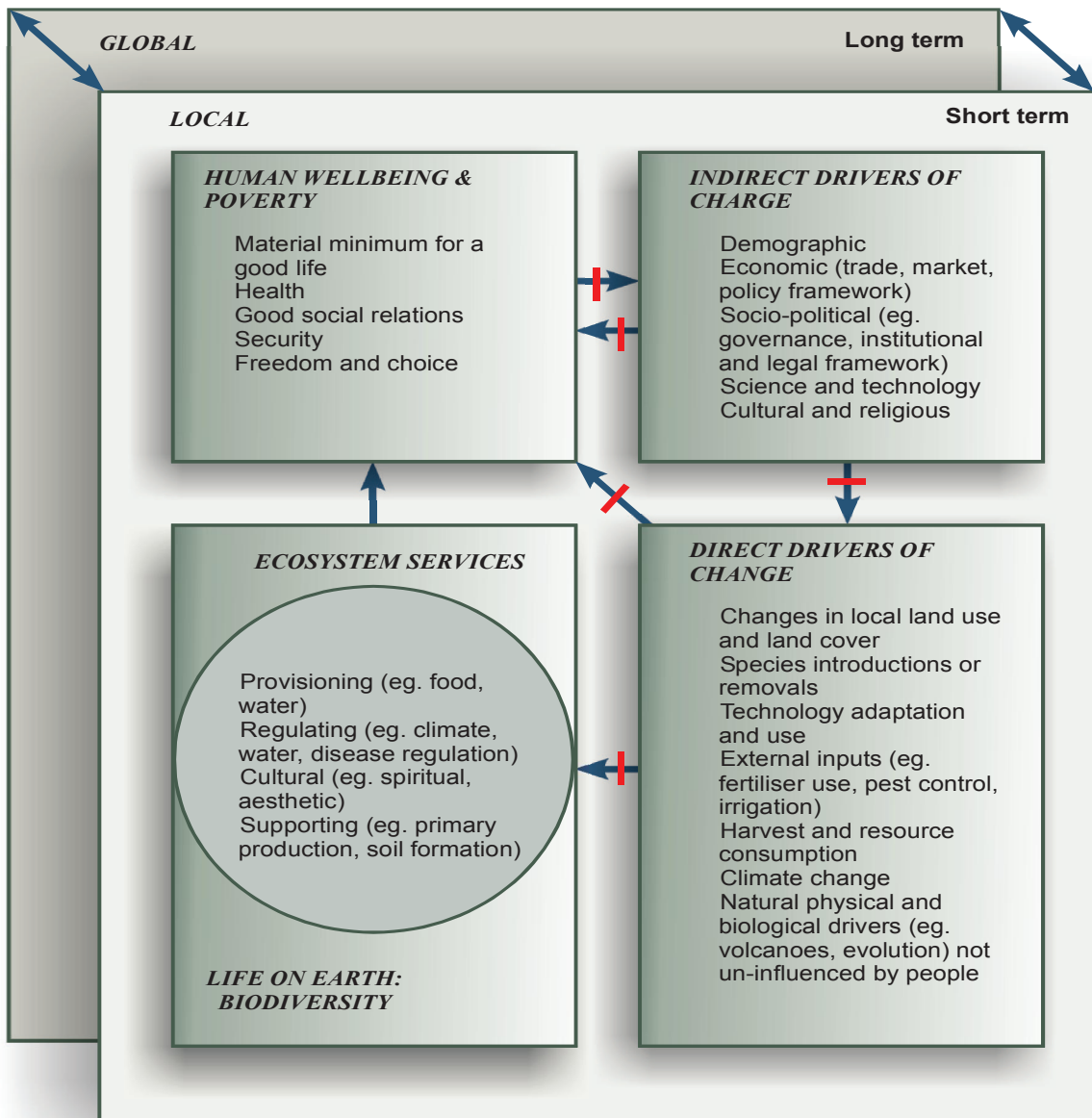
The Millennium Ecosystem Assessment is an international work program designed to meet the needs of decision makers and the public for scientific information concerning the consequences of ecosystem change for human well-being and options for responding to those changes. As such, it provides a global perspective on the importance of biodiversity and ecosystem services. Figure 7

shows the Millennium Assessment Framework that highlights the interdependencies of human-wellbeing and ecosystem services.

The MA focuses on ecosystem services (the benefits people obtain from ecosystems), how changes in ecosystem services have affected human wellbeing, how ecosystem changes may affect people in future decades, and response options that might be adopted at local, national, or global scales to improve ecosystem management and thereby contribute to human well-being and poverty alleviation.

Particularly in sub-Saharan Africa, the condition and management of ecosystem services is a major factor influencing prospects for reducing poverty. The South African Component of the Millennium Ecosystem Assessment concluded, amongst others, that:

- there is a high correlation between environmental sustainability and human wellbeing;
- livelihoods are often linked directly or indirectly to ecosystem services;
- the greatest potential for limiting biodiversity loss is through preventing degradation of semi-natural ecosystems used outside of public protected areas.



The drivers of change are affected by human wellbeing. Feedback [black arrows] occurs at all scales, from individuals to the entire globe. The red lines across the arrows represent points of intervention to influence feedback in beneficial ways.

Figure 7: Biodiversity-socioeconomic- human wellbeing links¹⁶

3 Business and Biodiversity Offsets Programme guidance and handbooks

The Business and Biodiversity Offsets Programme (BBOP) is a partnership of some 40 leading organisations and individuals including companies, governments, conservation experts and financial institutions from around the world. Since 2004 it has produced a Biodiversity Offset Design

¹⁶ The Millennium Ecosystem Assessment (2003) conceptual framework

Handbook (revised 2012), a Biodiversity Offset Implementation Handbook and a Biodiversity Offset Cost-Benefit Handbook (2009), a number of resource papers, a Standard on Biodiversity Offsets (2012), as well as case studies on offsets.

4 International Finance Corporation (World Bank Group) Performance Standards, adopted by Equator Banks

The revised IFC Performance Standards (PS, 2012) must be satisfied by corporate clients. PS6 Biodiversity Conservation and Sustainable Management of Living Natural Resources explicitly cover biodiversity offsets, requiring 'no net loss' of biodiversity for projects affecting Natural Habitats and 'net gain' of biodiversity for projects affecting Critical Habitat. PS 6 emphasizes the need to apply the mitigation sequence, and to seek 'like for like or better' exchanges in compensating for residual negative impacts on biodiversity. Ecosystem services are also covered in PS6 and are grouped according to levels of dependence on them by affected parties. Projects financed by these banks must maintain the value and functionality of priority ecosystem services.

B Laws informing and directing biodiversity offsets

Constitution of the Republic of South Africa, 1996, article 24 (b) – (c)	<i>“everyone has the right to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development”</i>
National Environmental Management Act, 1998 (Act No. 107 of 1998)	<p>The National Environmental Management Act, 1998 (Act 107, 1998) states in section 2(4)(k) that The environment is held in public trust for the people, the beneficial use of resources must serve the public interest and the environment must be protected as the people’s common heritage.</p> <p>Section 2(4)(a) (‘the NEMA principles’) specifies that sustainable development requires the consideration of all relevant factors including the following:</p> <ul style="list-style-type: none"> ▪ that the disturbance of ecosystems and loss of biological diversity are avoided, or, where they cannot be altogether avoided, are minimised and remedied; ▪ that the development, use and exploitation of renewable resources and the ecosystems of which they are part do not exceed the level beyond which their integrity is jeopardised; ▪ that a risk-averse and cautious approach is applied, which takes into account the limits of current knowledge about the consequences of decisions and actions ▪ that negative impacts on the environment and on people’s environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied; and ▪ that equitable access to environmental resources, benefits and services be pursued to meet basic human needs and ensure well-being. Special measures may be taken to ensure access by categories of persons disadvantaged by unfair

	<p>discrimination</p> <p>Section 2(4)(p) states that the costs of remedying pollution, environmental degradation and consequent adverse health effects and of preventing, controlling or minimising further pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment.¹⁷</p> <p>According to section 24(P), an applicant for an environmental authorization relating to prospecting, exploration, mining or production must, before the Minister responsible for mineral resources issues the environmental authorization, comply with the prescribed financial provision for the management of negative environmental impacts. 'Financial provision' is defined (section 1) as the insurance, bank guarantee, trust fund or cash that applicants for an environmental authorization must provide in terms of this Act guaranteeing the availability of sufficient funds to undertake, amongst others, the '<i>remediation of any other negative environmental impacts</i>'.</p>
<p>National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)</p>	<p>The objectives of this Act are within the framework of the National Environmental Management Act, include:</p> <ul style="list-style-type: none"> ▪ The management and conservation of biological diversity within the Republic of South Africa and the components of such biological diversity ▪ The use of indigenous biological resources in a sustainable¹⁸ manner; and ▪ The fair and equitable sharing among stakeholders of benefits arising from bio prospecting involving indigenous biological resources; and ▪ Giving effect to ratified international agreements relating to biodiversity which are binding on the Republic. <p>The Act, amongst others, provides the framework for biodiversity management and planning, comprising a national biodiversity framework, bioregions and bioregional plans, and biodiversity management plans and agreements.</p> <p>Threatened and protected ecosystems (section 52) have been listed (December 2011) and activities or processes within those ecosystems may be listed as 'threatening processes', thus triggering the need to comply with the NEMA EIA regulations. Lists of critically endangered, endangered, vulnerable and protected species have also been promulgated in terms of this Act (2007), covering species affected by 'restricted' activities; effectively those species hunted, bred or traded for economic gain. In</p>

¹⁷ According to the *polluter (or environmental degrader) pays principle*, resource users should pay full costs of the use of resources including environmental damage and the costs of mitigating adverse effects on the environment. The failure of the market economy is widely acknowledged. Some costs are *externalised*, in particular the costs to biodiversity and the ecosystem services. The costs accrue to the natural economy as loss of biodiversity, and the economy of the society as costs of restoration or substitution of the ecosystem services. The costs are carried by the society as a whole, while the benefits are received by private individuals or companies (Suvantola 2004).

¹⁸ The term 'sustainable' in relation to biological resources is defined as 'sustainable' in relation to the use of a biological resource, means the use of such resource in a way and at a rate that

- a) *would not lead to its long term decline*
- b) *would not disrupt the ecological integrity of the ecosystem in which it occurs and*
- c) *would ensure its continued use to meet the needs and aspirations of present and future generations of people*

	<p>addition, regulations addressing alien and invasive species and their management/control were promulgated in 2014.</p> <p>The Act further provides (section 43) for 'biodiversity management plans' approved by the Minister to manage ecosystems or species that warrant special conservation attention. The Act establishes the South African National Biodiversity Institute (SANBI), with a range of functions and powers (Chapter 2 Part 1).</p>
National Environmental Management Protected Areas Act, 2003 (Act No. 57 of 2003)	<p>The objectives of this Act within the framework of the National Environmental Management Act, include the protection and conservation of ecologically viable areas representative of South Africa's biological diversity and its natural landscapes and seascapes in order to:</p> <ul style="list-style-type: none"> ▪ Protect areas with significant natural features or biodiversity ▪ Protect areas in need of long-term protection for the provision of environmental goods and services ▪ Provide for sustainable flow of natural products and services to meet the needs of a local community <p>Involvement of private landowners.</p> <p>The Act provides for the involvement of parties other than organs of State in the declaration and management of protected areas.</p>
National Environmental Management Integrated Coastal Management Act, 2008 (Act No. 24 of 2008)	<p>The Act aims to integrate coastal and estuarine management in South Africa, to promote the conservation of the coastal environment, and maintain the natural attributes of coastal landscapes and seascapes, and to ensure that development and the use of natural resources within the coastal zone is socially and economically justifiable and ecologically sustainable. The Act defines a coastal protection zone, coastal public property and coastal protected areas, as well as providing for development setback lines. A National Estuarine Management Protocol (2013) has been drafted.</p>
Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)	<p>The requirement in PAJA and the EIA Regulations for empowering provisions for administrative actions would indicate that proactive strategies for offset receiving areas would need to be catered for in policy, and subsequently empowered in legislation. It might be necessary to include such a provision in the forthcoming EIA Regulations amendment.</p>
Spatial Planning and Land Use Management Act, 2003 (Act No. 16 of 2013)	<p>Sustainability and resilience principles apply to all aspects of spatial development planning, land development and land use management, specifically with reference to ensuring sustainable livelihoods in communities most likely to suffer the impacts of environmental shocks.</p>
National Forests Act, 1998 (Act No. 84 of 1998)	<p>Permits required for damage or destruction of protected tree species, natural forest. Offsets may be required where damage or loss is deemed significant</p>
The Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983)	<p>Addresses the need to protect soils, wetlands and water resources, natural vegetation through its grazing capacity regulations as well as the categorization and supporting regulations pertaining to weeds and alien and invasive plants.</p>

<p>Sub-division of Agricultural Land Act, 1970 (Act No. 70 of 1970) (SALA)</p>	<p>The Sub-division of Agricultural Land Act, 1970 (Act No. 70 of 1970) (SALA) is applicable to all demarcated agricultural land in South Africa. Proclaiming an area as a conservation site should be with the support of the said Act as this land, depending on the agreed upon conservation status / level may result in its loss for agricultural production purposes. The same principle applies under this Act pertaining to the registering of a servitude on a demarcated agricultural land parcel.</p> <p>3.9 Paragraph 6.2: As indicated above SALA may have an indirect impact on biodiversity offset principles. The same implications are of relevance to the draft Preservation and Development of Agricultural Land Framework Bill and policy that have been developed to protect and management agricultural land in favour of agricultural production and food security. This draft bill and policy has been gazetted for comments and is aimed to replace SALA.</p>
<p>Income Tax Act, 1962 (Act No. 58 of 1962)</p>	<p>Inclusion of 'conservation, rehabilitation or protection of the natural environment, including flora, fauna or the biosphere' as approved public benefit activities for purposes of section 18A (1) (a) of the Income Tax Act (GN 403 of 26 April 2006). [In order to qualify as a 'public benefit organisation' under this Act and thus qualify for tax exemptions or reductions, the organisation must, amongst others, be a trust or association of persons, be incorporated under Section 21 of the Companies Act, register as a non-profit organisation under the Non-profit Organisations Act, and the organisation's sole objective must be to carry on a 'public benefit activity'.]</p>
<p>Revenue Laws Amendment Act, 2008 (Act No. 60 of 2008)</p>	<p>Insertion of section 37C into the Income Tax Act, 1962: "Deductions in respect of environmental conservation and maintenance": Tax relief for expenditure incurred by the taxpayer in conserving or maintaining land that forms part of either (i) a biodiversity management agreement of at least 5 years duration in terms of s44 of the NEM Biodiversity Act, (ii) a declaration of at least 30 years duration in terms of s20, 23 or 28 of the NEM Protected Areas Act; or (iii) a national park or nature reserve in terms of an agreement under section 20(3) or 23(3) of the NEMPAA and the declaration has been endorsed on the title deed for a period of 99 years.</p>
<p>Mineral and Petroleum Resources Development Act, 2008 (Act No. 29 of 2008)</p>	<p>The MPRDA governs mining and prospecting in South Africa, and contains a number of environmental provisions. The Act ensures the sustainable development of South Africa's mineral resources, within the framework of national environmental policies, norms and standards, while promoting economic and social development. Section 37(1) of the MPRDA provides that the environmental management principles listed in Section 2 of the National Environmental Management Act (No. 107 of 1998) (NEMA) must guide the interpretation, administration and implementation of the environmental requirements of the MPRDA, and makes those principles applicable to all prospecting and mining operations. Section 37(2) of the MPRDA states that "any prospecting or mining operation must be conducted in accordance with generally accepted principles of sustainable development by integrating social, economic and environmental factors into the planning and implementation of prospecting and mining projects in order to ensure that exploitation of mineral resources (Wetland Offsets Guideline 2014).</p>

C Policies, plans, and guidelines directing or informing biodiversity offsets

Policies and plans informing biodiversity offsets include:

1. National Biodiversity Strategy and Action Plan 2015

The National Biodiversity Strategy and Action Plan (NBSAP) is a requirement of contracting parties to the Convention on Biological Diversity (CBD). NBSAPs set out a strategy and plan for contracting parties to fulfil the objectives of the Convention. With the adoption of the CBD's Strategic Plan for Biodiversity for 2011-2020, parties agreed to revise and align their NBSAPs to the Strategic Plan and the Aichi Targets.

This document is South Africa's revised NBSAP for the period 2015 – 2025. It identifies the priorities for biodiversity management in South Africa for this period, aligning these with the priorities and targets in the global agenda, as well as national development imperatives

- Both the **National Framework for Sustainable Development** in South Africa (2008) and the **National Strategy for Sustainable Development** (2010) highlight the value of biodiversity to society, its importance in sustaining our life support systems and livelihoods, and the range of benefits for people of healthy, functioning ecosystems

3. National Development Plan (Vision 2030)

Chapter 5 of the NDP builds on the National Strategy for Sustainable Development, which defines sustainable development as:

***Sustainable development** is the process that is followed to achieve the goal of sustainability. Sustainable development implies the selection and implementation of a development option, which allows for appropriate and justifiable social and economic goals to be achieved, based on the meeting of basic needs and equity, without compromising the natural system on which it is based.*

Chapter 5 of the NDP makes an implicit case for biodiversity offsets:

“The biodiversity and ecosystems in conservation areas are national assets. Long-term planning to promote biodiversity and the conservation and rehabilitation of natural assets is critical, and should be complemented by a strategy for assessing the environmental impact of new developments as an important component of overall development and spatial planning. Where damage cannot be avoided or mitigated, and where the social and economic benefits justify the development, a commensurate investment in community development and the rehabilitation and conservation of biodiversity assets and ecosystem services is required.”

- The **National Biodiversity Framework** (NBF, 2009) notes that biodiversity offsets are already being implemented to some extent in South Africa, but with little consistency. It thus called for a national framework for biodiversity offsets to be prepared as a priority, and for it to be applied across the country.

5. The **Principles and Guidelines for Control of Development Affecting Natural Forests** of the Department of Agriculture, Forestry and Fisheries (DAFF, undated) includes biodiversity offsets with respect to impact on protected trees and set out the steps to be taken and aspects to be addressed.
6. **Wetland Offsets Guideline (2014)**
A distinguishing feature of wetlands offsets is that they combine the need to address residual impacts on biodiversity with an explicit focus on the key regulating and supporting ecosystem services provided by wetlands in relation to water resource management and quality objectives.

Due to the social and economic importance of water and the vital role wetlands play in water purification, regulating water flows and supporting rich species diversity that has both high cultural and economic value, the Department of Water Affairs and Sanitation has produced *Wetlands Offsets: A Best Practice Guideline for South Africa*, in conjunction with SANBI and its Grasslands Programme
7. The **National Climate Change Response White Paper** (2011) points to the need to conserve, rehabilitate and restore natural systems to improve our resilience to climate change impacts and/ or to reduce impacts. It also advocates expanding the protected area network where it improves resilience to climate change, and to manage threatened ecosystems and species to minimize the risks of species extinction.
8. The **National Framework for Biodiversity Offsets** (SANBI/DEA, 2012) provides an overarching framework and national context for biodiversity offsets in South Africa. The Framework provides national definitions and understanding of key concepts relating to biodiversity offsets, and outlines the key legal context for biodiversity offsets in South Africa. It is also intended to provide authorities with a template to prepare specific guidelines on biodiversity offsets, and the procedures that need to be in place to implement offsets.
9. In addition to the National Framework, South Africa has draft biodiversity offset guidelines and/ or policies in three provinces, namely in Kwa-Zulu Natal (EKZNW, 2009, 2010), in the Western Cape (DEA&DP, 2007), and in Gauteng (GDARD, 2013).
10. The **Mining and Biodiversity Guidelines** sets out how biodiversity should be considered in mining applications, and during the mining process, up to and including rehabilitation.

DEPARTMENT OF HOME AFFAIRS

NO. 277

31 MARCH 2017

ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the surnames printed in *italics*:

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176. Nkonzo Thandanani Msani - 941127 5505 089 - Luthuli Area, Umgababa Area, UMKHOMAZI, 4170 - *Ndlovu*
177. Hubert Sibusiso Zondi - 720805 5323 085 - V307 Umlazi Township, UMLAZI, 4031 - *Mbanjwa*
178. Vuyisile Phaniel Khumalo - 930405 5382 086 - 562 Evaton North, EVATON, 1984 - *Bans*
179. Ramadimetja Petje - 371130 0159 083 - P O Box 6133, BOLOPA, 0782 - *Hlokoe*
180. David Hugo Mc Laren - 890304 5053 086 - 22 Eros Street, BOKSBURG, 1406 - *Bruheim*
181. Langelihle Nqobile Sithole - 970427 5688 081 - Fakude Area, NONGOMA, 3950 - *Khanyile*
182. Moshiana Ester Motloutsi - 970309 0868 084 - Sekororo Village, NAPHUNO, 0870 - *Mohlabe*
183. Msawenkosi Dlamini - 840820 5605 089 - Engobeni Area, MAPHUMULO, 4470 - *Maphumulo*
184. Noziphiwe Mgweshe - 821007 1064 080 - Stand No 105, NJHAKANJHAKA, 0920 - *Valoyi*
185. Mthokozisi Chiliza - 920514 6206 087 - Mahawini Area, UMZIMKULU, 3297 - *Mtolo*
186. Puseletso Michael Motshoeneng - 950831 5354 087 - 4542 Selepe Street, Extension 23, RATANDA, 1441 - *Mavundla*
187. Bhemane Patric Mashifane - 720103 5933 081 - 53 Sewerfontein, MPUDULLE, 1057 - *Masehlele*
188. Itumeleng Rapodile - 810927 5781 087 - 14692 Extension 8a, ORANGE FARM, 1841 - *Mokoena*
189. Mzwakhe Percy Sekhakhana - 960822 6333 087 - 10721 Kgotsong, BOTHAVILLE, 9660 - *Jantjie*
190. Mosimanegape Gordon Tsibogo - 790212 5995 084 - 131 Boshee Street, Munsieville, KRUGERSDORP, 1739 - *Chaleko*
191. Moses Tshepo Sekanka - 920810 5947 089 - B99 Greenside, MAUBANE, 0412 - *Putswane*
192. Relebogile Mampeule - 930426 6039 087 - 726 Phumlani Gardens, Newtown, JOHANNESBURG, 2001 - *Ramalepe*
193. Ayanda Langelot Mpotoane - 910127 5240 080 - 1268 Zinu Street, DUDUZA, 1496 - *Fihla*

194. Ntsikelelo Tini - 840711 6135 087 - 30125 Chefane Location, Mooiplaas, EAST LONDON, 5288 - *Yeko*
195. Nontlantla Pretty Nqadu - 801225 1081 086 - Corinth Area, UMZIMKHULU, 3297 - *Dzanibe*
196. Lerato Welhemina Sekanka - 891006 0959 089 - B99 Greenside, MAUBANE, 0412 - *Putswane*
197. Refilwe Valencia Xekana - 980407 0843 087 - 4492 Extension 3, BOIKHUTSO, 2740 - *Motebe*
198. Themba Mbuyiseni Mbatha - 701029 5649 083 - Manekwane Area, MAHLABATHINI, 3865 - *Mahaye*
199. Douglas Audis Ncube - 820101 8424 081 - Stand No 101, NGODWANA, 1269 - *Lubisi*
200. Martha Mashego Makhathu - 970707 0684 080 - 2909 Extension 4, Second Inner Crescent, KWAZAMOKUHLE, 1098 - *Motshwene*
201. Senzo George Mthembu - 680126 5700 083 - Odondolo Reserve, EMPANGENI, 3880 - *Nsele*
202. Mandla Cyprian Mkhuma - 811129 5333 089 - 916 Ndudula Street, DUDUZA, 1496 - *Ndlovu*
203. Mbali Rebecca Ngalo - 950322 0453 082 - Sakhamkhaya Area, STANGER, 4450 - *Mzobe*
204. Nqcebo Vincent Mndebele - 950713 5460 082 - 2154 Matshotshombeni, VOLKSRUST, 2470 - *Dlomo*
205. Katlego Rasekgololo - 970831 5772 086 - Mohlakamosoma Village, BOLOBEDU, 0837 - *Mohale*
206. Thusile Mthembu - 890813 0419 084 - 60 Phase 2, Portion 53, Extension 28, VOSLOORUS, 1475 - *Maletse*
207. Mosimanewapula Jerry Moepadira - 810930 5694 086 - Ditshipeng Village, KURUMAN, 8460 - *Disipinyane*
208. Thembinkosi Antony Malindisa - 810605 5686 080 - 3721 Extension 10, LESLEY, 2265 - *Cindi*
209. Sibusiso Albert Wana - 870901 5232 083 - 440 Tusha Avenue, ZWELETEMBA, 6852 - *Spondo*
210. Clerice Nontombi Mzimkulu - 900620 1004 080 - Lubacweni Area, MOUNT FRÈRE, 5090 - *Mngeyane*
211. Dasirai Lisa Dube - 971013 0062 081 - 41 Sunk Street, 44 Caroline Street, Berea, JOHANNESBURG, 2198 - *Mudavanhu*
212. Sphiwe Frederick Mokoena - 901025 6203 084 - 32 Makong, WITSIESHOEK, 9870 - *Xaba*
213. Raisibe Stephina Teffo - 540627 0740 081 - 10152 Monotloane, MASHASHANE, 0742 - *Shadung*
214. Simphiwe Chiya - 801006 6129 082 - F407 Umbokodweni, ISIPINGO RAIL, 4110 - *Jali*
215. Joseph Obrey Monate - 820707 5701 089 - Stand No 331, KWAGGAFONTEIN D, 0458 - *Mokoena*
216. Promise Nonhlanhla Nzama - 850726 0877 085 - 2376 -12th Street, Emzinoni, BETHAL, 2310 - *Tshabalala*
217. Thenjiwe Sithole - 810125 0889 084 - 1445b Mofokeng Street, Mofolo Central, SOWETO, 1818 - *Mkhonza*
218. Salamina Keamohetswe Mlangeni - 970626 0769 081 - 14564/60 Extension 7b, Evaton West, EVATON, 1984 - *Molakeng*
219. Johannes Polane Mphela - 860919 5982 087 - Ga-Mphana Village, SEKHUKHUNE, 1124 - *Makuwa*
220. Gabriel Mduduzi Manana - 950719 6189 083 - Bothashope Area, PIET RETIEF, 2380 - *Sukazi*
221. Eunice Mandisa Simelane - 951113 1019 082 - Nooibesfontein Farm, BETHAL, 2300 - *Maseko*
222. Njabulo Percival Mthonti - 950106 6378 082 - Mandabeni Area, ESTCOURT, 3310 - *Mazibuko*
223. Thabang Zacharia Mogoswane - 980825 5358 084 - 4013 Section M, MAMELODI WEST, 0122 - *Mothudi*
224. Kabelo Khit Kedithibetse - 690605 6323 084 - House No 31, TSHUKUDUNG, 8460 - *Machogo*
225. Lorraine Kelebogile Chida - 790429 0768 080 - 1 Banaras Street, ROSHNEE, 1936 - *Phemelo*
226. Mduduzi Sihle Mazibuko - 920415 5934 085 - Nkonyeni Area, MAHLABATHINI, 3865 - *Luthuli*
227. Marthinus Christoffel Pretorius - 920423 5154 084 - 74 De La Haye Avenue, De La Haye, BELLVILLE, 7530 - *Wakefield*

228. Lebogang Kevin Mampuru - 910618 5535 081 - 294 Section C, SIYABUSWA, 0472 - *Maleka*
229. Mfanafuthi Leago Makalela - 970310 5552 087 - 172 Elidinga Section, TEMBISA, 1632 - *Mabunda*
230. Siyabonga Nicholas Bhengu - 970608 5737 081 - D1264 Siganga Highway, Mpumalanga Township, HAMMARSDALE, 3700 - *Makhathini*
231. Paballo Prichard Mokoena - 840216 6101 089 - P O Box 143, WHITE RIVER, 1240 - *Malikane*
232. Simon Papi Manyaka - 720313 6256 081 - 2103 African Wanderes Street, Extension 3, Nellmapius, MAMELODI EAST, 0122 - *Ditabo*
233. Khulekani Gumede - 961108 5162 084 - L376 Umlazi Township, UMLAZI, 4066 - *Ngcobo*
234. Linda Sydney Shabane - 700713 5613 089 - Sakhamkhaya Area, Doringkop, STANGER, 4450 - *Chili*
235. Anelisiwe Thafeni - 971109 0776 082 - Noxolo Area, LIBODE, 5760 - *Mtshokwana*
236. Gogi George Sontshantsha - 790505 6527 081 - 2349 Extension 3, Kgakala Location, LEEUDORINGSTAD, 2640 - *Mokhuane*
237. Raymond Tau - 790617 5655 084 - 7331 Dodo Street, Emaphupheni Location, DAVEYTON, 1520 - *Dludlu*
238. Thubelihle Matatshi - 980920 5868 081 - Pumlo Area, LUSIKISIKI, 4820 - *Mpondo*
239. Alfred Tebogo Mokoena - 740306 5681 081 - 7133 Phase 3, Kwanokuthula Location, PLETTENBERG BAY, 6600 - *Molefe*
240. Katieho Calvin Nogqala - 961221 5207 088 - 1339 Phaliso View, TROUPSBURG, 9913 - *Koloba*
241. Wiseman Thamsanqa Dlomo - 791006 5586 086 - 20 Ebrahim Drive, High Ridge, KWADUKUZA, 4450 - *Ntuli*
242. Phaswa Vincent Ramphisa - 840820 5824 086 - Stand No 53, Mogaung Section, TSHILWANENG, 0491 - *Phetla*
243. Lazarus Last Makweya - 830916 5763 084 - 1604 Khoza Stand, WINTERVELDT, 0001 - *Masubebele*
244. Mandla Macdonald Moses Tefu - 761210 5569 086 - 14342 Tshabadi Street, MAMELODI EAST, 0122 - *Motsepe*
245. Musawenkasi Jabulani Manzini - 780719 5299 087 - P O Box 180, HLUHLUWE, 3960 - *Linda*
246. Mohlodi Maiketso - 910708 5545 089 - 56 Catalina Bay, Crn Joubert & Galway Road, GERMISTON, 2574 - *Lebethe*
247. Zamani Elvis Ngobese - 850619 5378 086 - C37 Sompukane Road, EZIBOKODWENI, 4126 - *Mdladla*
248. Berzilius Bennett Harmse - 790609 5153 087 - 274 Khwezi Location, HANOVER, 7005 - *Henge*
249. Tokamile Christopher Mafumana - 711018 5130 085 - Gxulu Area, LIBODE, 5160 - *Nkalane*
250. Lerato Sharon Moeketsi - 891223 0215 087 - 9234 Unomyayi Street, PIMVILLE, 1809 - *Moeletsi*
251. Phumlani Phinda Macwele - 950105 6658 089 - P O Box 121, INGWAVUMA, 3968 - *Sikhonde*
252. Simphiwe James Mhlongo - 840906 5956 083 - 689 Mseni Road, Imbali Unit B, PIETERMARITZBURG, 3201 - *Mkhize*
253. Matikwane Peter Matetoane - 830821 5623 082 - 1730 Nokwe Street, MOHLAKENG, 1759 - *Makhele*
254. Mothobi Elliot Mofokeng - 690207 5680 083 - 7093 Phomolong, KROONSTAD, 9499 - *Mabitle*
255. Nqubeko Dlomo - 950502 5423 087 - Mthandeni Area, MAPHUMULO, 4470 - *Hlongwana*
256. Marlon Modiselle - 931003 5356 082 - 9 Walson Schoongezicht, EMALAHLENI, 1035 - *Issufo*
257. Allister Mndaweni - 950922 5267 088 - 445 Carlsward North Estate, Tambohe Road, MIDRAND, 0157 - *Mabena*
258. Nkosimayibongwe Goge - 960919 6494 081 - P O Box 0211, KWADUKUZA, 4450 - *Makhathini*
259. Clerence Jele - 930502 5708 086 - Ph1-2009 Mamelodi, MAMELODI EAST, 0122 - *Tjebane*
260. Mmeme Agnes Mokoena - 670410 0446 088 - 8372 Phase 7, BETHLEHEM, 9701 - *Mashinini*

261. Thandeka Princess Ntshalintshali - 880707 0586 086 - Woodford Area, BERGVILLE, 3350 - *Dladla*
262. Lindaokuhle Mhlongo - 840123 5376 086 - 1452 Chris Hani Street, PHATSIMA, 0300 - *Mbhele*
263. Tebogo Mashala - 820330 5421 085 - Ga-Wale Village, BOLOBEDU, 0838 - *Rapetsoa*
264. Kgokwane Joseph Mabotha - 910807 5807 083 - P O Box 144, GROOTHOEK, 0628 - *Mathabathe*
265. Quete Twala - 840429 5633 081 - Majojombeni Location, MASHISHING, 1123 - *Segane*
266. Timothy David Cilliers Botha - 900530 5252 082 - 66 High Street, MOSSELBAY, 0500 - *Cilliers*
267. Zola Martin Shasha - 751025 5961 089 - Mlamli Area, STERKSPRUIT, 9762 - *Mbambani*
268. Peter Themba Mahlangu - 741017 5282 080 - 38905 Extension 18, MAMELODI EAST, 0122 - *Mnguni*
269. Ndivhuwo Tycoon Tshikhudo - 830201 5877 089 - Nico Modikane Street, Makwela Valley, Paballelo, UPINGTON, 8806 - *Makhubela*
270. Phistus Sthembile Rampou - 810809 5814 086 - 5053 -20th Street, Extension 2 &3, KIETVALEI, 1760 - *Nxamangele*
271. Tebogo Ophney Sekhula - 830221 5417 082 - Stand No 212, Rapitsi Village, MODJADJISKLOOF, 0838 - *Mathekga*
272. Paul Lebohana Tsosane - 920226 5286 081 - 2609 Mokoena Street, Extension 1, VOSLOORUS, 1475 - *Mhlophe*
273. Thulani Nkandi - 640124 5388 081 - Ofafa Location, IXOPO, 3276 - *Dlamini*
274. Raisibe Francina Magata - 670502 0350 086 - 80b Gachaba, MAPELA, 0610 - *Ramashala*
275. Themhani Elizabeth Ngwenya - 600325 0175 088 - 546 Morgenzon, SIVUKILE, 1098 - *Mathebula*
276. Zandile Madlamini Mlahlwa - 630202 1758 085 - Xura Area, LUSIKISIKI, 4820 - *Bazana*
277. Elvis Innocent Makombe - 820617 5920 086 - Stand No 5671, Brian Tsoka, Extension 10, WITBANK, 1035 - *Mabuza*
278. Tshwarelo Alliance Moriri - 820607 6070 080 - Stand No 85c, Marite Trust, HAZYVIEW, 1242 - *Mokoena*
279. Musawenkosi Edward Dlamini - 830804 6312 087 - Stand No 221, Extension 14, EMALAHLENI, 1035 - *Simelane*
280. Ju-An Kroeger - 801110 5294 085 - 3 Kraaibosch Boulevard, Kraaibosch Estate, GEORGE, 6546 - *Berlowitz*
281. Nomvuyo Mpongo - 940912 1246 080 - Gcebeni Location, UMZIMKULU, 3297 - *Manci*
282. Lethogonolo Ramoneng - 811003 5907 087 - 1797 Extension X, MABOPANE, 0190 - *Tsomele*
283. Sandile Mkize - 980916 6186 085 - Nhlanguyuka Reserve, NTUNZINI, 3862 - *Mzimela*
284. Thandokuhle Marvin Zulu - 850519 5618 087 - 08 Enfield, 03 Jacaranda Avenue, Olivedale, RANDBURG, 2158 - *Mngadi*
285. Bonga Praise Silwane - 850409 5541 085 - E738 Kwadabeka, PINETOWN, 3610 - *Biyase*
286. Koketso Alice Mabelane - 910417 0956 081 - Phiring Area, BURGERSFORT, 1150 - *Rachoshi*
287. Patrick Zenzele Kekana - 890402 5753 083 - 1293 Section D, MAMELODI WEST, 0122 - *Ngobeni*
288. Kholiwe Matumbu - 840603 1476 089 - 53 Unity Avenue, CHATSWORTH, 4092 - *Mpondo*
289. Carrol Khumbulani Mduduzi Dladla - 710205 5779 083 - Mpolweni Mission, NEWHANOVER, 3225 - *Mcineka*
290. Wellington Vusi Gibixhegu - 611225 6152 080 - F885 Ihobhe Road, NTUZUMA, 4359 - *Dlamini*
291. Thato Moses Mohammed - 870103 5631 089 - 2806 Section J, MAMELODI WEST, 0122 - *Mnisi*
292. Sizwe Trevor Mlungisi Zulu - 871211 5621 080 - Magayisa Road, CATORIDGE, 3680 - *Mkhize*
293. Mphumuzeni Eugene Mdabe - 760323 6034 082 - B55 D1071 Road, Ngonyameni, UMLAZI, 4031 - *Gumede*
294. Sekakole Selby Mavwane - 760914 5535 085 - Stand No 2788, NAMAAGALE, 1291 - *Mauwane*

295. Choene Allan Mamaleka - 690703 5864 081 - 20120 Phola Park, MAHWELERENG, 0626 - *Mashotja*
296. Ishmael Monyai - 580610 5663 087 - 60 Thabakhubedu, DENNILTON, 1030 - *Mathabathe*
297. Zolile Gqube - 580328 5794 089 - 15405 Elliot Street, Bloekombos, KRAAIFONTEIN, 7570 - *Kwenene*
298. Velly Mokgoledi Rashilo - 670327 5232 083 - 970 Mamphokgo, MOGANYAKA, 0459 - *Maloma*
299. Morei Nicholas Nthene - 761216 5832 085 - 645a More Street, Zone 2, MEADOWLANDS, 1852 - *Ramorola*
300. Phiko Magazi - 960606 6183 083 - Block 20, Student Village, Walter Sisulu University, BUTTERWORTH, 4960 - *Mndayi*
301. Mahlabele Evelyn Masegare - 651027 0335 088 - 16689 Pretoria North, PRETORIA, 0116 - *Kgoedi*
302. Khutsahalo Maggie Witbooi - 661020 0846 087 - House No 7749, Extension 25, VRYBURG, 8601 - *Valela*
303. Flathela Frans Radebe - 790528 5523 083 - 7387 Zone 12, SEBOKENG, 1983 - *Mthimkulu*
304. Peter Kgaugelo Molefe - 820619 5242 081 - 85 Castle Rock, RUSTENBURG, 0299 - *Putuka*
305. Sefodi Lydia Mametja - 810825 0523 084 - Seokodibeng Area, PRAKTISEER, 1150 - *Lesufi*
306. Bheki Hendry Sibeko - 790105 5517 082 - 39 Malope Village, MHLUZI, 1053 - *Nkosi*
307. Penuel Chris Masango - 971225 5579 089 - 385 Skhululiwe Village, MIDDELBURG, 1051 - *Mokoena*
308. Dumisani Nicodimus Nkosi - 631230 5758 081 - 12523 Extension 10, EMBALENHLE, 2285 - *Gama*
309. Baphelile Kelly Mnguni - 640820 0301 082 - 1964-1st Avenue, Kwaguqa, EMALAHLENI, 1034 - *Mahlangu*
310. Lebo Mokau - 940420 1361 081 - 8275 Extension 24, MIDDELBURG, 1050 - *Mohubedu*
311. Norris Teke - 600704 5782 082 - 15 Kgope Street, KWA-THEMA, 1575 - *Masekela*
312. Molebogeng Montshiwa - 970529 0492 086 - 1189 Phuting Section, KGABALATSANE, 0204 - *Mafate*
313. Boitumelo Joseph Seshoka - 870316 5302 085 - 335 Block B, KLIPGAT, 0190 - *Nene*
314. Siphemathi Quvana - 950802 6258 080 - 10534 George Kerridge, Ongegund, VREDENBURG, 7380 - *Kwaza*
315. Ngako Bryton Seratha - 980329 5319 089 - P O Box 122, RADITSHABA, 0718 - *Sekuba*
316. Mashilo Hareton Seratha - 860221 5587 085 - P O Box 122, RADITSHABA, 0718 - *Sekuba*
317. Mthwalo Samuel Rikhotso - 660102 6302 082 - Chujwana Village, LETABA, 0870 - *Modiba*
318. Keamogetswe Primrose Mochawe - 981023 0490 081 - 166 Verdwaal 1, ITSOTSENG, 2744 - *Gqeba*
319. Phemelo Lekgoe - 970625 5718 085 - 4566 Cliff Jonas Street, Huhudi Township, VRYBURG, 8601 - *Sithole*
320. Kholofelo Manyelo - 980916 5577 086 - 737 Extension 4, Ivory Park, MIDRAND, 1658 - *Matlou*
321. Martha Mule Modige - 601211 0963 088 - Stand No 1922, SEABE, 0417 - *Moloto*
322. Solomon Bongani Moremi - 880904 6295 081 - E100 Winsor Section 1, PHOKENG, 0335 - *Mosenkeng*
323. Peter Ntuli - 971116 5868 087 - 19820 Extension 18, EMBALENHLE, 2280 - *Mthombeni*
324. Nthabiseng Maphanga - 970729 0719 088 - Gqumeni Location, BULWER, 3244 - *Mkhwanazi*
325. Dineo Octavia Motete-Lieke - 930211 0947 083 - 30799 Sikwatsha Street, Asanda Village, STRAND, 7140 - *Motete*
326. Sanele Vilakazi - 971022 5698 088 - Mpande Location, PIETERMARITZBURG, 3201 - *Mkhize*
327. Bhekuyise Goodman Selwane - 770602 5849 089 - Mngobokazi Area, HLUHLUWE, 3960 - *Mthembu*
328. Thabang Moses Maoba - 710720 5527 084 - 2390 Zone 9, MEADOWLANDS, 1852 - *Karedi*

329. Dumisane Motshana - 980325 5855 080 - Ga-Mampuru Village, STEELPOORT, 1133 - *Radingwane*
330. Ntsieni Michael Muthombeni - 810305 5611 085 - Tshifulanani Village, LWAMONDO, 0985 - *Maphangula*
331. Mandisa Shangase - 990111 1261 087 - 510 Umthathelwa Road, UMKOMAAS, 4170 - *Msiya*
332. Dumisani Eshely Mtwi - 870217 5311 086 - 4259 Extension 7, Tanti Location, GRAHAMSTOWN, 6139 - *Dondashe*
333. Daniel Kamfer – 720514 5291 082 – your wife – Anna Johanna Kamfer – 760226 0155 086 - 8 Kader Street, Louisevaldorp, 8809 - *Bekebu*
334. Themba Moses Ngcobo – 670221 5350 088 – your wife – Nomusa Viera Ngcobo – 730210 0547 085 - Elandskop Location, Pietermaritzburg, 3201 - *Mhlawuli*
335. Vutomi Caswell Chuma – 840607 5851 080 – your wife – Rudzani Pinkie Chuma – 820818 0683 089 – and your two minor children – Vukona Faith Chuma – 140801 5713 088 – Vutivi Hope Chuma – 090203 5595 088 - 7821 Ndebele Street, Dobsonville, 1725 - *Chauke*
336. Moeketsi Andries Tsoanetse – 680823 5405 081 – your wife – Mpho Maria Tsoanetse – 741110 0532 086 – and a minor child – Dieketseng Amanda Tsoanetse – 020919 0449 089 - 39870 Matsikeng, Witsieshoek, 9870 - *Mokwena*
337. Petrus Khumalo – 720420 5917 082 – and a minor child – Dineo Yvette Khumalo – 070616 1105 087 - Stand No 302, Orinocco C, Mhala, 1280 - *Dibakoane*
338. Silindile Sithokozile Mvubu – 840914 1084 082 – and a minor child – Mpendulo Lungelo Mvubu – 110622 5514 086 - Sganseni Area, Ward 2, Kwambomo, Harding, 4680 - *Gasa*
339. Tsokolo Martin Lesabana – 650531 5443 087 – your wife – Keneilwe Dorcus Lesabana – 741101 0966 085 – and your three minor children – Mpeli Lerato Lesabana – 061124 5147 081 – Thabiso Rethabile Lesabana – 990307 5281 085 – Makataka Tumelo Lesabana – 010626 5509 088 - 1127 Bluegumbosch, Phuthaditjhaba, 9880 - *Mashiloane*
340. Emmanuel Mthembu – 760505 6951 089 – your wife – Purity Shongani Mthembu – 840803 0635 087 – and your four minor children – Olwethu Jacinto Chiyi – 080330 5615 087 – Malwande Sonia Chiyi – 050712 1330 082 – Lwanele Matthews Chiyi – 141204 6348 088 – Luyanda Ida Mthembu – 090707 1220 087 - Mavela Location, Ward 14, Ndwedwe, 4340 - *Mambo*
341. Bonginkosi Patrick Nkosi – 830202 6444 085 – your wife – Bonginkosi Patrick Nkosi – 850522 1233 083 - and your four minor children – Sibonginkosi Hleloluhle Nkosi – 130906 5505 087 – Hlelolwethu Nokubonga Shabangu – 101119 1326 087 – Thoko Luyanda Clementine Shabangu – 050531 1462 087 – Hlelelo Bongokuhle Shabangu – 091119 6356 081 - F177 Lindelani, Kingsway, 1500 - *Mathe*
342. Lindile Mpikwa – 630505 6551 085 – your wife – Novuyisile Mpikwa – 731008 0959 089 – and your six minor children – Ahlumile Mpikwa – 090819 1043 086 – Zizo Mpikwa – 041105 1061 082 – Yolokazi Mpikwa – 010424 1075 084 – Amphiwe Mpikwa – 020721 0656 089 – Luniko Precious Mpikwa – 150731 0868 081 – Sinenkosi Mpikwa – 990803 5490 080 - Gabazi Area, Qumbu, 5150 - *Mavango*
343. Mihloti Sylvester Minyuku – 811010 5431 083 – your wife – Avhapfani Elisa Minyuku – 801205 0941 084 – and your two minor children – Nsuku Minyuku – 140111 0262 085 – Rifumo Junior Minyuku - 080607 5166 082 - 21667 Persimmon Street, Extension 29, Protea Glen, Soweto, 1818 - *Baloyi*
344. Andrian Trevino Stryers – 851210 5229 088 – your wife – Megan Andrea Stryers – 851022 0091 086 - 26 Bleshouder Street, Avian Park, 6850 - *Wessels*
345. Rankotsana Mercy Mathabatha – 620824 0734 080 – and your two minor children – Mpho Mathabatha – 001109 5082 084 – Tshepo Mathabatha – 990309 5054 082 - 959 Zone A, Lebowakgomo, 0737 - *Leshaba*
346. Vincent Themba Phenyane – 600910 5846 088 – your wife – Zibonele Phenyane – 730103 0869 080 - Block B1544, Emondlo, 3105 - *Gamede*
347. Lekhoa Andrew Ngoma – 700102 6277 088 – your wife – Duduzile Eleanor Ngoma – 810115 0960 084 - 1038 Khoda Street, Botleng, Delmas, 2210 - *Thankge*
348. Bonginkosi Romeo Sephofane – 801226 5298 080 – your wife – Ntomboxolo Millicent Sephofane – 830926 1319 088 - 10821 Morubisi Street, Extension 2, Thokoza, Alberton, 1426 - *Mafanya*
349. Jabulani Jafta Maseko – 700802 5707 080 – your wife – Elizabeth Ouma Maseko – 750531 0531 083 - 3311 Section K, Mamelodi West, 0122 - *Madonsela*

350. Mirimisi Wilson Rikhotso – 570313 5552 085 – your wife – Sithabile Rikhotso – 680417 0088 081 - 70-19th Avenue, Alexandra, 2090 - *Mathebula*
351. Samson Molautsi – 570125 5895 086 – your wife – Magdalena Molautsi – 600202 0087 086 - 569 Loeriesfontein Street, Extension 1, Nellmapius, 0102 - *Mashao*
352. Roy Joseph Zimu – 651212 5478 089 – your wife – Zabenzeni Elsie Zimu – 721019 0687 085 - 266 Thabana, Siyabuswa, 0472 - *Makeke*
353. Masai Gilbert Moremi – 720404 6179 082 – your wife – Kanyane Paulina Moremi – 750824 0679 089 - 2721 Cobalt Street, Clayville, Olifantsfontein, 1666 - *Makgakga*
354. Dikeledi Annah Baloyi – 751121 0806 088 – and your two minor children – Oupa Tebogo Baloyi – 150124 5692 088 – Calvin Polasa Baloyi – 110417 5794 089 - Stand No 2618, Ga-Thoka, 0726 - *Sebati*
355. Valencia Lebogang Ncukana – 901030 0781 085 – and a minor child – Moeletsu Ncukana – 150122 5388 087 - 88 Block BB, Soshanguve, 0152 - *Modiba*
356. Tebello Piet Ralebanya – 790720 5970 089 – and a minor child – Ofentse Natasha Ralebanya – 140224 0535 085 - 97 Turfontein, Witsieshoek, 9870 - *Mokhatla*
357. Maleage Joseph Mamogobo – 661116 5391 085 – your wife – Tabudi Elsie Mamogobo – 691231 0960 086 - 1763 Xhosa Street, Tsakane, 1550 - *Masemola*
358. Moses Zondo – 691022 5340 086 – your wife – Sannah Namsibi Zondo – 740713 0405 087 - 10838 Gumede Street, Kwa-Thema, 1575 - *Ntuli*
359. Bhekimpi Simon Mane – 750228 5844 088 – your wife – Dimakatso Melita Mane – 790403 0565 085 - 1234 Polokong, Sebokeng, 1953 - *Simelane*
360. Patrick Thokozani Khumalo – 670808 5883 082 – your wife – Alletta Nomadlozi Khumalo – 790607 0637 088 - 5190 Mavuso Street, Extension 7, Ratanda, Heidelberg, 1438 - *Myeza*
361. Lekakaba Patric Boo – 780206 5410 088 – and your two minor children – Innocent Tumelo Boo – 040117 5460 088 – Kedumetse Boo – 020207 0414 083 - 485 Vuyani Street, Impumelelo Section, Devon, 2260 - *Makabolane*
362. Tshifularo Steven Khethani – 630403 5053 081 – your wife – Munyadziwa Mecky Khethani – 670607 0797 085 - Stand No 10248, Bale Village, Manenzhe, 0967 - *Ramphabana*
363. Godfrey Tsepo Majadibodu – 710818 5624 081 – your wife – Thandiswa Samprey Majadibodu – 720202 0816 083 – and a minor child – Thato Majadibodu – 080522 6267 088 - 4285 Clayville, Extension 34, Olifantsfontein, 1666 - *Leta*
364. Shaik Imraan Shaik Habib – 700306 5146 083 – and your three minor children – Asma Shaik Habib – 121112 1245 080 – Abdul Qadir Shaik Habib – 000131 5881 084 – Muhammad Shuaib Shaik Habib – 980915 5402 089 - 16 Delta Road, Overport, 4091 - *Subrathie*
365. Sipho Phillips – 791127 6002 087 – your wife – Anna Margaret Phillips – 800517 0299 086 – and a minor child – Zwelakhe Phillips – 160812 5321 082 - 545 Henron Loop Street, Cintsa East, East London, 5275 - *Mnembe*
366. Kearabetswe Tlhapi – 920720 0423 087 – and a minor child – Onkabetse Tlhapi – 131112 0583 083 - 4430 Pitsi Street, DUDUZA, 1496 - *Rakosa*
367. Simo Shange - 930814 5871 081 - 218469 Bhatata Road, ZWELIBOMVU, 3600 - *Nyathikazi*
368. Katlego Isaac Modika - 970614 5212 083 - 590 Block Bb, SOSHANGUVE, 0152 - *Dube*
369. Simon Aaron Maseko - 711130 5732 081 - 3770 Extension 1, KWAGUQA, 1039 - *Mondhlana*
370. Raesibe Ellah Mochitele - 920214 0842 082 - Thabo Mbeki Location, LEPHALALE, 0609 - *Mashabane*
371. Dineo Monicca Moubane - 871007 0624 081 - 10035 Marapallo Section, RHENOSTERKRAAL, 0344 - *Everson*
372. Matlhomola Mokgabane - 731108 5672 081 - P O Box 1004, GANYESA, 8613 - *Matsime*
373. Paul Koketso Mokonyane - 980827 5880 083 - 2745 Phase 4, Slovoville, WINTERVELDT, 0198 - *Legodi*
374. Ailwei Raymond Ramalamula - 780801 5534 083 - Private Bag X 631, MUSINA, 0900 - *Ramambila*

375. Vincent Sbusiso Mzelemu - 841024 6077 088 - 7 Reitz Street, South Hills, JOHANNESBURG, 2197 - *Mbotho*
376. Simiso Ndawonde - 881016 6095 087 - George Goch Hostel, BENROSE, 2094 - *Gumbi*
377. Bruce Tshepiso Bopape - 970410 5716 086 - Stand No 1084, Tilkyline Village, TZANEEN, 0857 - *Matlala*
378. Nolwazi Makhathini - 980916 1086 082 - Ntembisweni Area, GREYTOWN, 3250 - *Msomi*
379. Gilindoda Moyo - 770427 5382 083 - 3260 Moloto Area, KWAMHLANGA, 1022 - *Maake*
380. Khotso Abel Moloantoa - 791112 5519 083 - 1016 Extension 1, Kokosi Location, CARLETONVILLE, 2515 - *Magakwe*
381. Moshe Isaac Mokwena - 700225 5772 088 - 35213 Monamane Street, Extension 6, MAMELODI EAST, 0122 - *Mampholo*
382. Sikhumbuzo Nyalaba - 781026 5815 089 - Ngxogi Area, NGCOBO, 5050 - *Siyo*
383. Siphon Edward Madihlaba - 620303 5643 083 - 5629/121 Extension 2, MHLUZI, 1055 - *Masinga*
384. Siyabonga Prince Mayisela - 991024 5356 085 - No 730a Nhlanzatshe, EERSTEHOEK, 1192 - *Mbokane*
385. Mabuti Amos Twala - 680917 5423 084 - 5009 Extension 4, Sakhile, STANDERTON, 2430 - *Mathebula*
386. Ayanda Precious Mhlongo - 870418 0722 083 - 689 Mseni Road, Imbali Unit 13, PIETERMARITZBURG, 3201 - *Mkhize*
387. Lesago Donald Mphahlele - 740407 5572 088 - P O Box 1533, CHUENESPOORT, 0745 - *Moteane*
388. Qinisela Timoty Sibiya - 791010 7167 085 - 1720 Bloubosrand, Extension 21, Kya-Sand Estate, RANDBURG, 2188 - *Khomo*
389. Mduduzi Zondo - 820208 5798 084 - 1127/61 Qhakaza Street, Extension 27, DEVLAND, 1811 - *Zulu*
390. Nchaupa Eneva Radingwana - 570223 0556 082 - 35 Matthee Avenue, Eastlynne, PRETORIA, 0186 - *Matlanato*
391. Olebogeng Emmanuel Thape - 781130 5614 086 - 17 Hinda Street, ROODEPOORT, 1709 - *Mogapi*
392. Thando Methuko - 860123 5456 081 - 36665 Galela Street, Makhaza, KHAYELITSHA, 7784 - *Maraqana*
393. Prince Ellan Singwana - 781212 5766 080 - Stand No B222, Bhuga Trust, HAZYVIEW, 1245 - *Mbethe*
394. Themba Shange - 900818 5802 083 - P O Box 72171, PORT SHEPSTONE, 4240 - *Cele*
395. Tumelo Mongale - 980207 6146 083 - House No 64a, Dryharts, TAUNG, 8588 - *Gaorongwe*
396. Thembisile Chiliza - 980303 0758 088 - Mnyandu Location, PIETERMARITZBURG, 3201 - *Sibetho*
397. Busisiwe Chanelle Jeanette Ngobeni - 740818 0178 087 - 75 Cricklewood, Jordie Street, MULBARTON, 2059 - *Ngwenya*
398. Freedom Taelo Nkosi - 860214 5932 088 - 384a Heald Road, MEADOWLANDS, 1852 - *Letsaba*
399. Tharollo Nkwamba - 900131 0622 088 - P O Box 5445, CASTEEL, 1280 - *Mathebula*
400. Sepoko Andries Maoko - 410425 5387 082 - 10 Kameelpoort, MBIBANE, 0449 - *Masoga*
401. Nkosikono Reford Manyamalala - 471210 5525 089 - Dt1788 Henry Gwala , Site C, KHAYELITSHA, 7784 - *Giyose*
402. Sizwe Sirnate Ngomane - 910503 5711 082 - 1629 Selwane Street, WINTERVELDT, 0198 - *Ntuli*
403. Sicelo Kafumani - 471015 5554 082 - Toleni Area, NTABANKULU, 5150 - *Mbiko*
404. Nokuthula Loveble Ndlovu - 871104 0494 084 - 12 Street 8 Louis Botha, No 4 Maxoon Court, ORANGE GROOVE, 2109 - *Madela*
405. Siyabonga Benson Manyoni - 980819 5986 085 - 176 Uvenyane Street, Kingsway, BENONI, 1501 - *Kunene*
406. Mduduzi Sobapha - 900420 5333 084 - 74880 New Village, SEBOKENG, 1983 - *Mbatha*
407. Sandile Sherphard Dlamini - 960704 6375 088 - 94 Block 5, ODENDAALSRUS, 9483 - *Ramotsilisi*
408. Samson Jabulani Dlamini - 931005 6535 085 - 94 Block 5, ODENDAALSRUS, 9483 - *Ramotsilisi*

409. Paballo Lyn Mofokeng - 970531 0190 082 - 10915 Extension 11, EVATON WEST, 1984 - *Ndumo*
410. Terrence Mlungisi Nduli - 970525 5683 083 - 1148 Phumula Street, MAPHOTLA, 0001 - *Mahlangu*
411. Tembakazi Gloria Matwa - 830120 0860 082 - 19 Sakabula Crescent, RUYTERWACHT, 7460 - *Tapu*
412. Bogatsu Theo Moubane - 940528 6048 089 - 10035 Marapaloe Section, RHENOSTERKRAAL, 0344 - *Everson*
413. Jabulani Hamilton Maseko - 890202 6309 087 - 1624 Nyushman Street, Zondi I, SOWETO, 1818 - *Tshabalala*
414. Cedrick Chauke - 900603 5712 080 - 2813 Lovhulo Street, Zone 02, Diepkloof, SOWETO, 1818 - *Khosa*
415. Lungile Nosizo Myeni - 960127 0944 081 - Kwaqatha Area, INGWAVUMA, 3968 - *Mngomezulu*
416. Siphumelele Yoyo - 970703 6177 088 - P O Box 2, FRANKLIN, 4706 - *Vundisa*
417. Mookgo Maria Rathaba - 980624 1193 086 - 2722 Moemarens Location, MARQUARD, 9610 - *Finger*
418. Elby Vincent Dibakoane - 850315 6186 087 - P O Box 922, HAZYVIEW, 1242 - *Selepe*
419. Mxolisi Given Mahlangu - 970728 5589 082 - 8103 Sugarbird Street, Extension 9, EMAPHUPHENI, 1519 - *Matshika*
420. Carl Tristan Theron - 970530 5073 087 - 7 Bryntirroid Way, Aston Manor, KEMPTON PARK, 1619 - *Cox*
421. Mphikeleli Cornelius Mbatha - 731008 5803 084 - 3078 Extension 6, DIEPSLOOT, 2194 - *Hlophe*
422. David Mokoka - 830319 5762 083 - 11835 Bojatladi Street, Zone 7, SEBOKENG, 1983 - *Molefe*
423. Sipiwe Innocent Hlapi - 930116 5175 087 - No 1669 Khutsong, Extension 4, CARLETONVILLE, 2951 - *Mthethwo*
424. Anele Gcoko - 960426 6296 086 - 27 Kanana Park, Extension 3, GRASMERE, 1828 - *Giyama*
425. Sello Calvin Makgilla - 900318 5774 085 - 776 Thorn Valley Estates, Stoneridge Drive, GREENSTONE HILL, 1609 - *Mofokeng*
426. Louis Mashiteng Mashishi - 871222 5826 082 - 440 Tlama-Tlama Extension, TEMBISA, 1632 - *Makopo*
427. Vuyani Jotina - 930906 5215 085 - 2074 Flycatcher Street, Extension 3, Riverlea, JOHANNESBURG, 2093 - *Sotsaka*
428. Armand Bushney - 900303 5679 088 - 7 Allie Van Bergen, WHITE RIVER, 1240 - *Coetser*
429. Mduduzi Magnificent Mabuza - 770227 5822 082 - 814 Ingwempisi Street, SENAOANE, 1818 - *Mthembu*
430. Abel Mfundisi - 900321 6018 080 - 9777 Extension 8, NELLMAPIUS, 0122 - *Raserora*
431. Patrick Maranela - 840819 5678 088 - 58 Section U, MAMELODI WEST, 0122 - *Mgomezulu*
432. Thabo Joseph Kekana - 840616 6780 081 - 1293 Lamula Street, Section D, MAMELODI WEST, 0122 - *Ngobeni*
433. Jacob Thabo Moabi - 880521 5290 085 - House No 0439, Tlaseng, RUSTENBURG, 0300 - *Sebowa*
434. Joseph Madidimalo Mathobela - 470821 5239 082 - 1555 Khoza Stand, WINTERVELDT, 0198 - *Mathedimosa*
435. Thabang Given Mahlaba - 820401 6254 088 - 559 Block T, SOSHANGUVE, 0152 - *Moki*
436. Mandla Mdlovu - 891002 6061 087 - Stand No 2250/51, KAMHLUSHWA, 1332 - *Ngwenya*
437. Bhekani Robert Mthombeni - 801002 5392 086 - M1323 Mfiyezi Road, KWAMASHU, 4360 - *Ludidi*
438. Thulani Joshua Mavuso - 971003 5604 086 - 11019 Jappie Masemula, WITBANK, 1035 - *Zwane*
439. Mathetje Gabriel Nkuna - 881023 5558 081 - No16 Garden Court, LYDENBURG, 1120 - *Moanakoena*
440. Nkululeko Wilson Mbembele - 980203 5461 086 - 944 Elandsdoorn, DENNILTON, 1030 - *Ntuli*
441. Simiso Andile Kuzwayo - 830919 5979 080 - 27 Campile Crescent, AVOCA HILLS, 4051 - *Nkosi*
442. Derrick Lumkile Nuba - 541011 5661 080 - Ward 01, Nzimakwe Location, MARGATE, 4275 - *Nuba-Sosibo*

443. Albert Khensane Chauke - 660711 5543 080 - 9556 Ivory Park, MIDRAND, 1685 - *Manzini*
444. Andrew Mongezi Malakwane - 930630 5345 086 - 421a Ntsu Street, Zone 7, MEADOWLANDS, 1852 - *Mlungwana*
445. Aobakwe John Katt - 790608 5881 085 - P O Box 128, SOUTHEY, 8484 - *Vaneck*
446. Stephen Nanayi Dlangisa - 630520 6017 086 - Dumisa Area, UMZINTO, 4200 - *Hlongwa*
447. Morena Godfrey Mile - 790504 5614 081 - Unit 27, Cosmos Manor, KINROSS, 2270 - *Kotoane*
448. Thulani Ben Sibanyoni - 671018 5276 084 - Stand No 889, EMTHONJENI, 1170 - *Sibiya*
449. Andile Ngobe - 890526 5239 089 - 190 St Amant, MALVERN, 2094 - *Davids*
450. Nompilo Aphile Khanyile - 980529 0787 087 - Kwapata Location, PIETERMARITZBURG, 3201 - *Khuzwayo*
451. Amos Marweshi Maipiya - 740329 5778 087 - Stand No 1113, Leeufontein, MOGANYAKA, 0459 - *Mapea*
452. Orlando Ntsazane - 931018 6090 084 - Sipoti Area, MOUNT AYLIFF, 4735 - *Nkwili*
453. Nondalo Jane Ndumo - 930903 0474 080 - 1675 Phezulu Road, Imbali Unit 13, PIETERMARITZBURG, 3200 - *Zuma*
454. Katlego Mahlangu - 940907 5751 085 - P O Box 2210, MAROWE, 0786 - *Choshi*
455. Chiara Lynn Gorrie - 971009 0258 083 - 23 Lantana, KAMPERSRUS, 1380 - *Fergusson*
456. Kagiso Tshokela - 920709 5402 089 - 801 Monsterlus, MPUDULLE, 1057 - *Kabine*
457. Khomotso Elizabeth Tshokela - 940621 0195 087 - 801 Monsterlus, MPUDULLE, 1057 - *Kabine*
458. Itumeleng John Nonyane - 950404 6069 086 - House No 31040, Motlhabeng Village, MMABATHO, 2745 - *Legwabe*
459. Sibusiso Lindokuhle Madide - 921202 6399 081 - Gluckstadt Area, VRYHEID, 3100 - *Masondo*
460. Sibahle Mbali Khumalo - 920404 1479 089 - P O Box 7133, NDUMO, 3996 - *Mhlongo*
461. Dumazile Sondlovu - 721229 0909 088 - Silangwe Location, BIZANA, 4800 - *Mhleka*
462. Thabang Ofentse Monnye - 981107 5066 085 - 5 Marthinus Crouse Avenue, NORKEM PARK, 1618 - *Tshubiyane*
463. Khumbulani Dingani Bhengu - 930310 6513 087 - Seven Oaks Primary School, SEVEN OAKS, 3249 - *Radebe*
464. Pheneus Bongani Nzama - 690415 5901 082 - 4 Orchird Gardens, Musgrave, DURBAN, 4001 - *Ngcobo*
465. Monusi Gasempe - 941221 6149 086 - House No I2797, SETABENG, 8617 - *Gabohole*
466. Mooketsi Jonathan Thihire - 870821 5905 084 - House No 3169, Mositoane Section, LEROME, 0497 - *Cele*
467. Ivey Tshishi Mhlongo - 590221 0639 086 - 867 Block Jj, SOSHANGUVE, 0152 - *Mbewe*
468. Sizwe Brian Mthethwa - 940702 6126 084 - 3527 Mabeleni Street, DAVEYTON, 1520 - *Mtshali*
469. Matshweu Elizabeth Selatela - 941024 0998 080 - 5523 Refengkhoto Location, DANNYSVILLE, 1947 - *Mnisi*
470. Themba Ntuli - 980516 6218 084 - 14457/97 Phase 2, Braamfisherville, NTABAMHLOPHE, 1725 - *August*
471. Kenneth Maurice Christie - 660105 5083 082 - 5 Ridgeview Heights, 111 Ridge Road, Musgrave, DURBAN, 4091 - *Hoffman*
472. Joseph Kali Masilela - 730514 5949 083 - 1320 Ndaba Stand, WINTERVELDT, 0198 - *Ngwenya*
473. Lwazi Mqweba - 980930 5748 084 - 26 Merle Street, Riviera, PRETORIA, 0084 - *Mthyobile*
474. Cutters Ernest Mathibela - 840530 5308 085 - 2783 Extension 4, KWAZAMOKUHLE, 1098 - *Mofokeng*
475. Tebogo Surprise Nkosi - 970418 1234 087 - Tukakgoko Village, STEELPOORT, 1133 - *Boshego*
476. Thabile Qhamukile Ndebele - 980810 0824 082 - Donini Area, HLABISA, 3937 - *Shongwe*

477. Tankiso Lombard Dhlamini - 930210 5389 085 - 5096 Extnsion 2, BETHLEHEM, 9701 - *Mahloko*
478. Tsekiso Visenti Ntho - 690101 8451 081 - 6555 Phase 4, Bloemside, BLOEMFONTEIN, 9300 - *Moloi*
479. Sithembiso Professor Cele - 630502 5423 085 - Malangeni Area, UMZINTO, 4200 - *Kawula*
480. Elizabeth Matshidiso Nhlapo - 621009 0643 080 - 2804 Mabanga Street, Sakhile, STANDERTON, 2430 - *Tsotetsi*
481. Nhlanhla Shivambu - 980719 5437 081 - P O Box 631, GIYANI, 0826 - *Nkuna*
482. Mojalefa Silverster Finger - 900825 5688 081 - 22 Faibain Street, Dagbreek, WELKOM, 9459 - *Ramasedi*
483. Hanswell Mangoro - 980816 5734 085 - Xihoko Area, TZANEEN, 0850 - *Rikhotso*
484. Benny Buthane - 950919 5904 082 - P O Box 320, DIKGALE, 0721 - *Kubjana*
485. Oupa Petrus Mofokeng - 581022 5531 083 - Stand No 118444/2, Extension 5, MHLUZI, 1055 - *Makua*
486. Msawenkosi Nzama - 870223 5937 086 - 17 Firtree Avenue, Cleland, PIETERMARITZBURG, 3201 - *Dlamini*
487. Mashego Richard Selala - 850328 5830 084 - F238 Coronation, WITBANK, 1039 - *Kekana*
488. Siyabonga Innocent Mteka - 951010 6170 086 - Room G5, Sulabasha, KWAMASHU, 4023 - *Nxumalo*
489. Slindile Innocentia Shezi - 870416 0730 080 - Kwakhoza Area, ESHOWE, 3518 - *Mbesi*
490. Oratile Thatoyaone Phaloane - 991211 0436 083 - 11669 Magogoe, Koikoi, MAHIKENG, 2745 - *Tlale*
491. Sphesihle Ndlovu - 980118 5712 082 - Y2037 Philani Valley, UMLAZI, 4031 - *Mngoma*
492. Lungelo Zondi - 960729 5732 088 - A71 Dikwe Area, INANDA, 4310 - *Nzama*
493. Nonsikelelo Ndlovu - 970901 0991 088 - Nhlonga Area, TUGELA FERRY, 3010 - *Ngubane*
494. Thamaga Charles Moraila - 820214 5888 081 - Ga-Mashegoana Village, SCHOONORD, 1124 - *Madibana*
495. Khotso Refuoe Thokoane - 920514 5745 085 - S2 Honeybell Crescent, Lourierpark, BLOEMFONTEIN, 9300 - *Lekhula*
496. Mfundo Thubelihle Phahla - 940517 5837 089 - Mayekeni Area, NDWEDWE, 4342 - *Ndlovu*
497. Princess Nokukhanya Hlengiwe Mtungwa - 920829 0628 080 - 19 Cobalt Street, Proclamation Hill, PRETORIA WEST, 0183 - *Ngubane*
498. Sizwe Khanyezi - 981024 5500 080 - Nkwezela Location, BULWER, 3244 - *Kandi*
499. Thulani Given Ntshingila - 801105 5554 082 - 409 Nhlapo Section, KATLEHONG, 1431 - *Fanie*
500. Mamotshabi Penecia Molefe - 730504 0420 081 - 900 Makapane Street, Molapo, SOWETO, 1818 - *Ngakane*
501. Nkululeko Aubrey Thwala - 780217 5722 083 - 11 Glen Eagles Road, Hurlingham, RANDBURG, 2196 - *Molefe*
502. Lydia Nyameka Ndlovu - 900106 0247 086 - 11 Chitembo Street, Port 48 Extension 28, Phase 01, VOSLOORUS, 1475 - *Nyangule*
503. Jack Pat Maziya - 611224 5408 080 - 40 Mzamo Section, CAROLINA, 1185 - *Mahlangu*
504. Thulani Patrick Mbhele - 681020 5899 087 - Antioqua Location, UMZIMKHULU, 3297 - *Madlala*
505. Zinhle Prudence Mncwabe - 831123 1184 089 - B831 Sihlabelelo Road, KWAMASHU, 4360 - *Gazu*
506. Siboniso Mbusi Mhlaba - 950903 5685 081 - Somkhele Residence, MTUBATUBA, 3935 - *Mbuyisa*
507. Seemole Joyce Mpya - 720903 0606 081 - P O Box 10, MMOTONG, 0751 - *Ranoto*
508. Bonginkosi Ambrose Madonsela - 801211 5446 087 - Stand No 0108, Ajax, PIET RETIEF, 2380 - *Khumalo*
509. Vusi Petrick Nkosi - 790819 5818 080 - Vuka Trust, Panbult, PIET RETIEF, 2380 - *Ngobeze*
510. Sisekelo Khumalo - 980818 5907 083 - 609 Sibusiso Street, BENONI, 1501 - *Motha*

511. Lindokuhle Masoga - 961207 5202 088 - 1517 Sepeng Street, Extension 2, VOSLOORUS, 1475 - *Manqele*
512. Tumelo Mbambo - 951021 0121 082 - 4 Klaat Place, PALM RIDGE, 1458 - *Mosia*
513. Mpaballeng Promise Mokoena - 811214 0504 080 - 2945 Phokojoe Street, Everest, THOKOZA, 1426 - *Lebitsa*
514. Doctor Mandlenkosi Gumede - 740102 6358 088 - Madonela Area, UBOMBO, 3970 - *Mhlanga*
515. Mchithwa Manakaza - 551012 5860 083 - Nokhwe Location, BIZANA, 4800 - *Dimane*
516. Ilke Janine Minords - 900715 0066 088 - 18 Prinspark, Dr Malan Street, STELLENBOSCH, 7600 - *Julius*
517. Sfiso Abednigo Mabuza - 941122 5782 085 - Stand No 66, DENNILTON, 1030 - *Mabaso*
518. Lekula Jonas Modise - 691010 6684 081 - Shongoane Village, LEPHALALE, 0555 - *Morudu*
519. Thabelo Bologo - 910306 5565 080 - Stand No 165, MARAXWE, 0984 - *Baloyi*
520. Sinokuhle Mnculwane - 980820 5296 087 - Mhlwazini Area, BERGVILLE, 3350 - *Zondo*
521. Nkosingiphile Lindumbuso Madonsela - 950327 6005 083 - 2860 Solomon Location, GREYTOWN, 3250 - *Hadebe*
522. Lindokuhle Phungula - 970322 5646 082 - Jabulani Hostel, Block 8/5, JOHANNESBURG, 1868 - *Mbatha*
523. Kedibone Doreen Mabodimo - 881204 0736 084 - Z1a670 Tafelkop, BOLEU, 0470 - *Ramatje*
524. Sesi Elizabeth Makola - 320423 0239 084 - 1523 Maboka Stand, WINTERVELDT, 0198 - *Mosia*
525. Tyrone Maoka - 600216 5405 085 - 3 David Street, OLIFANTSFONTEIN, 1665 - *Ngwenya*
526. Moffat Ntshimane Nkooe - 570209 5183 089 - 2116b Mosidi Section, MABESKRAAL, 0313 - *Modise*
527. Moeketsi Andrew Malebo - 791229 5253 081 - 302 Moshoeshoe Section, KATLEHONG, 1431 - *Serathi*
528. Sinazo Tshona - 990301 1383 086 - 4472 Nu 2, MDANTSANE, 5219 - *Sonjica*
529. Gugu Godfrey Ntuli - 920705 5493 086 - 8106/29 Limpopo Hanani Street, WITBANK, 1039 - *Mahlangu*
530. Xolisile Angelinah Theledi - 950104 1005 081 - Stand No 35, Marite Trust, HAZYVIEW, 1242 - *Masuku*
531. Thato Sheryl Machobane - 910831 1170 080 - 120 Mashemong Section, TEMBISA, 1632 - *Maleka*
532. Lentikile Johannes Morokgweng - 710420 5481 081 - 5291 Extension 6, KHUMA, 2551 - *Gaobape*
533. Humphrey Monosi Makola - 910920 6191 082 - 129 Jabulani Street, LOTUS GARDENS, 0008 - *Masalesa*
534. Goodwin Ramohoebo - 950409 5005 080 - 52 Mogolodi Street, Saulsville, PRETORIA, 0125 - *Mashilo*
535. Mojalefa Jeremiah Motaung - 800531 5514 084 - 1612 Moloi Street, REITZ, 9810 - *Muso*
536. Lebohang Joshua Motaung - 810805 5904 083 - 1612 Moloi Street, REITZ, 9810 - *Muso*
537. Mmajako Angelinah Motaung - 721214 0599 089 - 1612 Moloi Street, REITZ, 9810 - *Muso*
538. Nokwanda Nolwazi Ndlovu - 990103 1265 085 - P O Box 415, INGWAVUMA, 3968 - *Nyawo*
539. Modupi Clenten Malepe - 990103 5965 086 - P O Box 44, TRICHARDTSDAL, 0890 - *Mametja*
540. Shokahle Shabalala - 990417 1126 083 - P O Box 369, LOSKOP, 3930 - *Zwane*
541. Mthenjwa Johannes Makhathini - 750514 5631 082 - Machibisa Area, PIETERMAROTZBURG, 3201 - *Njilo*
542. Ingrid Eleanora Wile - 660521 0020 087 - 715 Rapallo, 292 Beach Road, Sea Point, CAPE TOWN, 8005 - *Morche*
543. Anina Burger - 971006 0148 082 - 21 Rivermoore Court, 21 Rawson Street, KNYSNA, 6570 - *Hughes*
544. Katlego Mpho Rapasa - 900723 5172 083 - 509b Dawn Road, LYNNWOOD, 0081 - *Moshira*

545. Maria Nomthandazo Hlatshwayo - 960115 1270 085 - P O Box 329, KWANGWANASE, 3973 - *Moyana*
546. Bukhosibemvelo Alton Dlamini - 660228 5875 081 - C206 Folweni Township, ISIPINGO RAIL, 4110 - *Macholana*
547. Bonga Michael Mkhize - 721223 5472 085 - D12 Umlazi Township, UMLAZI, 4031 - *Mngadi*
548. Tendani Joubert Tshikhudo - 850505 6708 084 - 8379 Moeta Street, Extension 36, Olievenhoutbosch, CENTURION, 0175 - *Tshikalange*
549. Moloko Peter Sephuma - 870406 6163 089 - 6627 Cosmo City, Extension 6, RANDBURG, 2188 - *Seabi*
550. Matlakala Sana Mngomezulu - 841204 1291 088 - 1003 Mabeleng, SANNIESHOF, 2760 - *Mologetso*
551. Mphumzeni Nkosinathi Madonsela - 791123 5595 080 - 0108 Ajax, PIET RETIEF, 2380 - *Khumalo*
552. Sydney Siphwe Nkabinde - 660702 5591 088 - 43 Buffalo Street, Leondale, GERMISTON, 1400 - *Zungu*
553. Dean Lawrence Frasmus - 970209 5124 089 - 11 Eekhorning Street, Van Riebeeck Park, KEMPTON PARK, 1619 - *Roux*
554. Sabelo Dladla - 990730 5703 081 - 14835 Extension 15, EMBALENHLE, 3170 - *Mdluli*
555. Mbulelo Marhangqolo - 770523 5409 080 - Ncihana West, ELLIOTDALE, 5070 - *Nduna*
556. Nomandla Qondayo - 950303 0862 084 - Cwebe Area, ELLIOTDALE, 5070 - *Ndoko*
557. Siphamandla Qondayo - 950303 5884 083 - Hobeni Area, ELLIOTDALE, 5070 - *Ndoko*
558. Nombuso Charity Olifant - 871001 0286 082 - 24 Genekaal Street, UTRECHT, 2980 - *Buthelezi*
559. Nikita Shenade Bharathnam - 940202 0255 088 - 76 Quilpalm Avenue, Palmview, Phoenix, DURBAN, 4068 - *Ajodha*
560. Thandikhaya Bango - 901220 6164 085 - Gomolo Area, PORT ST JOHNS, 5120 - *Mgxotheni*
561. Tshokolo David Kelapile - 590418 5832 084 - 4253 Kelebogile Street, Huhudi Location, VRYBURG, 8601 - *Sibanda*
562. Dingane Izak Mosia - 591113 5502 089 - 1993/5 Bhekuzulu Street, BOIPATONG, 1930 - *Zwane*
563. Zukisa Mdoko - 720110 6113 084 - 1496 Giyogi Street, Phillipi Brown Farm, PHILLIPI, 7750 - *Nonxuba*
564. Isaac Qenemuzi Lengoabala - 911024 5976 087 - 10 Suprais Street, VEREENIGING, 1939 - *Radebe*
565. Mpumelelo Bhekamahlobo Mlambo - 971001 6021 086 - Ndlongubo Road, NKANDLA, 3810 - *Ntombela*
566. Nothi Abram Sikwane - 521226 5656 088 - 10127 Ditshoswane Section, MONONONO, 0371 - *Letshwiti*
567. Themba Johannes Zwane - 870404 5417 085 - 3193 Cross Road, Sakhile, STANDERTON, 2430 - *Nkutha*
568. Thulani Gregory Sengwayo - 830323 5829 082 - 162 B Ramaite Street, White City, JABAVU, 1809 - *Mthembu*
569. Katlego Macdonald Sebele - 920214 5872 084 - No 11 No 1 Village, TAUNG, 0200 - *Segopolo*
570. Tumelo Selepe - 960118 5707 086 - 15 Hermo Street, Birchleigh North, KEMPTON PARK, 1619 - *Lecholo*
571. Mmanare Mashilo - 931202 0862 082 - 4 David Webster Street, SESHEGO, 0742 - *Mabutla*
572. Bokie Refiloe Masebe - 730827 0544 083 - 18 Andrew Street, Extension 13, REGENTS PARK, 2195 - *Ntoke*
573. Jimmy Goitsewang Nkhumishe - 830708 5841 089 - 69 Block D, MABOPANE, 0190 - *Pitse*
574. Sakhile Shepherd Mkhwanazi - 960606 6451 084 - House No 1325, Amaluhlo Location, AMERSFORT, 2490 - *Mnisi*
575. Joseph Surprise Mnisi - 941216 6163 087 - P O Box 56, MKHUHLU, 1246 - *Siwelane*
576. Khukhu Hendrick Mosutho - 850715 5951 086 - 1393 Rockdale, MIDDELBURG, 1050 - *Mmadi*
577. Kingsley Radebe - 880422 6115 084 - House No 114, New Village, SABIE, 1260 - *Shakoane*

578. Kgothatso Seokoma - 981105 5652 086 - Sofaya Village, MARULENG, 0890 - *Mohlabe*
579. Siyabonga John Mbhele - 931211 5607 087 - Kwanzimakwe Location, MUNSTER, 4278 - *Mjoli*
580. Sbusile Prince Nkosi - 800903 5355 083 - Stand No 366, KANYAMAZANE, 1214 - *Sedibe*
581. Bongiwe Angel Zwane - 911216 1082 080 - Bilanyoni Area, EDUMBI, 3180 - *Shabalala*
582. Queen Duduzile Miya - 780128 0314 083 - 135990 Makhathini Road, KWANDENGEZI, 3607 - *Cele*
583. Thandazile Mnguni - 980216 0675 088 - Hlokozi Location, HIGHFLATS, 3306 - *Mjilo*
584. Shaun Meiring - 900213 5258 082 - 61 B Gars Street, FOCHVILLE, 2515 - *Mac Donald*
585. Thokozani Owen Mokwena - 861214 5335 083 - 9688 Extension 6, MHLUZI, 1033 - *Tala*
586. Goodwell Mahlangu - 860614 5654 089 - 1639 Moeketsi Stand, WINTERVELDT, 0198 - *Maseko*
587. Kabelo Wessel Kats - 760519 5679 088 - Sloja, MADIBOGO, 2770 - *Dipheko*
588. Kebitsaone Shadrack Pipi - 651210 5927 089 - Block 8 B, Tlhabane Flats, FOXLAKE, 0099 - *Sedumedi*
589. Ramagalane Agnes Mojapelo - 620404 0790 083 - P O Box 1915, MPHABLELE, 0736 - *Mphahlele*
590. Katlego Xolani Maphanga - 970415 5300 088 - 107 Section A, Nkwana Street, KWAMHLANGA, 1022 - *Phele*
591. Kgotso Selomo - 950203 6120 083 - Mandlakazi, TZANEEN, 0800 - *Mokhobi*
592. Matome Selomo - 860723 5958 083 - Musipani , TZANEEN, 0850 - *Mokhobi*
593. Bonginkosi Ntuthuko Dlamini - 920225 5950 084 - Enembeni Area, NDWEDWE, 4342 - *Ntuli*
594. Muzi Jama - 860907 6292 085 - Kwa Madakeni Location, UMZIMKULU, 3297 - *Manci*
595. Itumeleng Monepya - 980430 0597 081 - Eldorado Village, BOCHUM, 0790 - *Ntlema*
596. Tlou Peter Seanego - 870705 5693 081 - Devilliers Park, BOCHUM, 0790 - *Tsita*
597. Nonhlanhla Schalkwyk - 970906 0395 081 - 233 Sivana Section, TEMBISA, 1632 - *Miya*
598. Uvone Madodenzani Bikizenzo Makhaye - 900625 5230 086 - P O Box 16, NKANDLA, 3880 - *Magwaza*
599. Patric Madimetja Kwakwa - 790606 6537 086 - 47 Lepakeng, Zone 2, SESHEGO, 0751 - *Madiba*
600. Tshephisho Mosima Patricia Nkhumane - 980517 0451 085 - P O Box 1082, BAKONE, 0746 - *Matjeyakgang*
601. Vusi Sydwell Ditshego - 960928 5440 086 - Kendal Farm, DELMAS, 2210 - *Maisela*
602. Sanele Kingwell Nxasana - 800916 5815 088 - Sisulu Location, P O Box 104, UMZIMKHULU, 3297 - *Tshazi*
603. Themba Siphoh Mahlangu - 841225 6695 080 - 138 Sun City C, KWAMHLANGA, 1022 - *Masango*
604. Lindiwe Kelly Purity Zama - 780608 0488 086 - 32 Wilgeboom Place, Eastwood, PIETERMARITZBURG, 3200 - *Boucher*
605. Masekobane Carol Mokgobu - 820202 0818 088 - 5003 Extension 4, SOSHANGUVE, 0152 - *Nkgogo*
606. Bongani Frank Maduku - 890130 5388 085 - 28919 Cornwell Street, BRAKPAN, 1550 - *Sondezi*
607. Lindokuhle Mthunzi Myeni - 970910 6063 081 - H 12 Current Ndlovu Highway, DURBAN, 4001 - *Ndlovu*
608. Bonokuhle Msani - 980907 5671 086 - Cornfield Area, ESTCOURT, 3310 - *Khumalo*
609. Cebolenkosi Percival Simelane - 931117 5919 085 - Qwongwana Area, MBAZWANA, 3974 - *Zikhali*
610. Siyabonga Mgobozi - 961118 5985 087 - 418 Malukazi , Enyosini, ISIPINGO RAIL, 4133 - *Mbambo*
611. Anna Samoraka Motshegoa - 981209 1016 088 - 352 Extension 3, VAALWATER, 0330 - *Kgomontsho*

612. Lucia Sindisiwe Malay - 890426 0815 084 - 12462 Extensio 7, EVATON, 1984 - *Mofokeng*
613. Maseatlana Johanna Weni - 920616 0700 088 - 32 Sechaba Street, BOITUMELO, 1983 - *Mosoetsa*
614. Nkululeko Eugene Cele - 871010 7015 089 - F 183, UMLAZI, 4100 - *Mkhungo*
615. Khanyisani Chabatshe - 970920 6271 089 - Ntlenzi Area, FLAGSTAFF, 4810 - *Mgcabatshe*
616. Owothando Kayi - 980428 1081 089 - Mthontsasa Area, FLAGSTAFF, 4810 - *Nkayi*
617. Owen Ndhlopfu - 820929 6178 089 - P O Box 1250, POLOKWANE, 0700 - *Ndlovu*
618. Dimakatso Elizabeth Rapoe - 860404 0541 089 - 1590 Maimane Street, Reagile Location, KOSTER, 0348 - *Rapooe*
619. Eugene Vusi Mabundza - 790816 5481 083 - 3508 Mangwenya Street, KAGISO, 1754 - *Mabunda*
620. Siphwe Inginia Mene - 981202 0707 088 - 2027 Zone 4, Zonkizizwe, KATLEHONG, 1432 - *Nene*
621. Kholeka Cutswela - 780411 0710 082 - Cc 1553, Cato Crest, MAYVILLE, 4020 - *Chutshela*
622. Mkhusele Sheperd Mthombeni - 881003 5827 082 - 36979 Bonakude Street, MAKHAZA, 7784 - *Mtombeni*
623. Vuyiswa Dora Mhlathi - 740802 0631 089 - 1285 Mandela, VREDEFORT, 9391 - *Ntlathi*
624. Mihloti Millicent Mthombeni - 830227 0797 089 - Selema, MALAMULELE, 0981 - *Mthombeni*
625. Selaelo Jerry Ramabala - 600424 5870 080 - 1440 Mtipa Street, Dube, SOWETO, 0812 - *Ramabale*
626. Michael Mfanfikle Dovisa - 551114 5472 081 - N 1219, UMLAZI, 4001 - *Doyisa*
627. Henry Charles Du Plessis - 791120 5492 086 - 123 Lang Street, RIVERSDALE, 6670 - *Du Plessis*
628. Lebohlang Melvin Chalatshe - 850814 6109 081 - 733 Mzwandile Street, WESTONARIA, 1779 - *Chalatsi*
629. Madimetja Alpheus Petje - 750506 5453 087 - Ga Thaba, GA MOLEPO, 0700 - *Petja*
630. Ali Albert Kunana Mabena - 681101 5419 082 - 2181 Archbishop, Dtutu Street, Mahubei Valley, GIYANI, 0122 - *Mnisi*
631. Alice Cathryn Bosch - 951123 0214 089 - 09 Molebatsi Street, Bongani, DOUGLAS, 8730 - *Matshedisho*
632. Neli Princess Khumalo - 821012 0869 083 - Ntinini Area, NQUTU, 3135 - *Ntombela*
633. Nomcebo Precious Mzolo - 851129 0427 085 - 28524 Lower Thornwood, MARRIANHILL, 0610 - *Sibisi*
634. Syanda Lindani Mnyandu - 980713 5705 084 - K 154 Bhekulwandle Area, AMAMZIMTOTI, 4126 - *Gudaza*
635. Lerato Lovedelia Monama - 830909 0821 080 - No 10147, Sekgakgapeng Village, MOKOPANE, 0600 - *Molefe*
636. Sandile Treasure Jokweni - 8901125526 088 - 10875 Hlanganani Road, ST WENDOLINS, 3602 - *Ncanana*
637. Stiene Albert Mahlangu - 740310 6069 080 - Ba 75, Strekfontein, BOLEU, 0474 - *Mphelane*
638. Zanele Mnguni - 980223 0780 082 - Shalom Farm, GREYTOWN, 3250 - *Mweli*
639. Fanie Assa Motau - 660614 5409 080 - Stand No 5566, Extension 22, KAALFONTEIN, 1632 - *Xulu*
640. Mpho Amogetswe Mahapa - 780201 1076 082 - 1415 Morolong Section, KGABALATSANE, 0208 - *Komane*
641. Modise Sidwell Matlanyane - 790304 5245 089 - 14842 Extension 13, JOUBERTON, 2574 - *Molise*
642. Ronaldo Jermaine Nelman - 971224 5056 081 - 76 Rheeboek Crescent, Summerville, KRAAIFONTEIN, 7570 - *Carolus*
643. Liliitha Doko - 961225 0405 084 - Danti Location, MT AYLIFF, 4735 - *Jakuja*
644. Isaac Moloi Mokhobo - 741009 5899 088 - 2309 - 12 Street, Mzinoni, BETHAL, 2310 - *Nkhashu*
645. Desmond Michael Malatji - 831219 5435 087 - 1797 Full Moon Street, Freedom Park, ORLANDO, 1812 - *Mokoena*

646. Masilo Elliot Rikhotso - 890606 5758 088 - P O Box 290, RADITSHABA, 0718 - *Kiti*
647. Thabiso Mshengu - 980106 5494 082 - Willow, PIETERMARITZBURG, 3200 - *Mncwabe*
648. Lebohang Motaung - 910828 5905 081 - 12029 Mandela Park, PHUTHADITJHABA, 9800 - *Radebe*
649. Nompumelelo Mgobhozi - 920119 0133 087 - Bb 1073 Jeqe Location, UMLAZI, 4001 - *Mgobozi*
650. Bolokang Ntchanakoe - 920416 5934 083 - P O Box 66, MATATIELE, 4730 - *Phakane*
651. Patrick Sechaba Machosi - 920305 5904 081 - Section M 2166, BOTSHABELO, 9781 - *Tsehlo*
652. Thabo Shane Tibane - 870210 5863 081 - Zc 189, Brazaville, SAULSVILLE, 0008 - *Ngobeni*
653. Mackson Malapane Moswedi - 941230 5649 087 - P O Box 316, SOVENGA, 0727 - *Lekganyane*
654. Bodudu Phineas Malebana - 980424 5434 085 - P O Box 738, LESHOANE, 0724 - *Maponya*
655. Thabo Johannes Mahlangu - 970304 6172 086 - Stand No 1915, KWAGGAFONTEIN, 0458 - *Mongwe*
656. Vonani Lucky Zaba - 740215 5936 082 - 23296 Orange Street, Protea Glen, SOWETO, 1717 - *Mthombeni*
657. Deon Nomruca - 821208 5732 082 - Ny 131 – 6, GUGULETHU, 7750 - *Kota*
658. Alex Mgidi - 930427 6218 085 - Plot 1335, WINTERVELDT, 0198 - *Sithole*
659. Ngwako Simon Molaudi - 570706 5689 080 - 378/95 Denny Kekana Street, Jabavu, SOWETO, 1717 - *Chuene*
660. Mpumelelo Sothiya - 850829 5817 088 - 1534 B White City, Jabavu, SOWETO, 1717 - *Skhosana*
661. Mothikeng Edwin Malepe - 880324 6206 089 - P O Box 7, TRICHARDTSDAL, 0890 - *Byang*
662. Nhlanhla Lucky Mthembu - 741111 5042 089 - 140308 Mnyandu Location, PIETERMARITZBURG, 3200 - *Ngcobo*
663. Mandlenkosi David Bengu - 760508 5292 083 - 2470 Kaul Road, LAMONTVILLE, 4027 - *Buthlelezi*
664. Lizwi Shwayimba - 770106 5968 089 - Lukholweni Location, MATATIELE, 4730 - *Mtshizana*
665. Nhlanhla Marvin Mfuthi - 980731 5707 082 - 04075 Manking Road, Shongweni, HILLCREST, 3650 - *Mkhize*
666. Menzi Jimmy Ntshalintshali - 861009 6125 081 - Ngonyameni, LOSKOP, 3330 - *Hadebe*
667. Mahlodi Ashwin Motlhodi - 920111 5974 086 - P O Box 488, BOCHUM, 0790 - *Seanego*
668. Rayder Selomo - 880830 6096 080 - 0871 Stand, NWAMITWA, 0837 - *Mokhobi*
669. Machilo Phillemon Raseruthe - 790207 5822 080 - P O Box 1417, BOCHUM, 0750 - *Mahowa*
670. Mashoto Matsepane - 920115 0656 085 - House No 284, Unit E, MANKWENG, 0727 - *Kganane*
671. Sphamandla Innocent Khambule - 970623 5960 088 - Block D, EMONDLO, 3105 - *Mlambo*
672. Ntshimi Johannes Rakgalakane - 550407 5273 082 - Stand No 694, MONSTERLUS, 0470 - *Mokwana*
673. Tshepiso Maven Mako - 901029 5408 082 - 478 Block C, Marokolong Zone 1, HAMMANSKRAAL, 0400 - *Madisha*
674. Bridget Moshidi - 850818 5620 089 - Pshiring, MASEMOLA, 1060 - *Sefoka*
675. Sthembiso Zwane - 980828 5518 087 - Zungwini Area, VRYHEID, 3100 - *Nkosi*
676. Ntombikile Lucia Mazibuko - 971228 1136 086 - Dry Cotts, ESTCOURT, 3310 - *Kubheka*
677. Maxin Mzwandile Mntambo - 750212 5500 080 - 84 Jenneker Street, Arcadia, HUMANSDORP, 6300 - *Grootboom*
678. Motsoere Benjamin Tsie - 800929 6150 082 - Section B842, BOTSHABELO, 9789 - *Motsoere*
679. Fortia Mamakgowa Tsie - 861001 1023 080 - 842 Section B, BOTSHABELO, 9789 - *Motsoere*

680. Pontsho Mohubedu - 970817 6120 086 - Ga-Manoke, PRAKTISEER, 1150 - *Maluleke*
681. Sello Gift Mogopa - 980501 5436 085 - Gashoekwe E 63, MOLETJIE, 0709 - *Manaka*
682. Rabelani Nedzamba - 901204 6038 085 - Mapuloni, TSHILAMBA, 0956 - *Makhokha*
683. Nakedi Ally Ramoba - 960619 5350 082 - 604 Zone 1, SESHEGO, 0742 - *Khumalo*
684. Lesley Maluleke - 950815 5963 088 - P O Box 312, VUWANI, 0952 - *Munarini*
685. Siyabonga Christian Mahogany Child - 831029 5605 088 - 52 St Forth , 221 Avondale Road, Morningside, DURBAN, 4001 - *Sithole*
686. Thapelo Trevor Sebola - 880318 6131 081 - 906 Phomolo Lummbi Street, KEMPTON PARK, 1632 - *Mokami*
687. Bagcine Nompalweni - 950111 6069 087 - Bukazi A/A, FLAGSTAFF, 4810 - *Nobhadla*
688. Tuelo Lovious Saro - 811203 5610 083 - Morena Village, KHWAWANA, 2748 - *Chaba*
689. Macrown Tshepo Pako - 791007 5284 086 - P O Box 18, ACORNHOEK, 1360 - *Makwela*
690. Dinotlwane Prayer Matsimela - 970309 5198 081 - P O Box 14, LEBOWAKGOMO, 1060 - *Mokete*
691. Mfundo Simphiwe Vezokuhle Mathonsi - 920716 5455 082 - 217 Mount Batten Road, Reservoir Hills, DURBAN, 4001 - *Gama*
692. Sisekelo Monwabisi Kheswa - 970922 5632 089 - Manzamyama Location, CREIGHTON, 3263 - *Zulu*
693. Adolph Shokana - 910616 6133 088 - Rwanda Village, NWAMITWA, 0870 - *Mabunda*
694. Anelisa Tshoni - 970502 0932 088 - 1561 Nu 16, MDANTSANE, 5600 - *Dumaphi*
695. Sinaye Mtshizana - 970720 6136 088 - 14 Sun Close, Kwezi Park, KHAYELITSHA, 7784 - *Ludidi*
696. Mbali Ndebele - 830811 0915 088 - 232 Columbine Avenue, MONDEOR, 2091 - *Dubazana*
697. Joseph Dumisani Gumede - 680205 5673 084 - Emona Area, Tongaat Road, TONGAAT, 4400 - *Magwaza*
698. Sindisiwe Promise Shabangu - 850405 0643 082 - Eskom No 030007, Vaalbank, UTRECHT, 2980 - *Nkambule*
699. Thato Rampedi - 971028 5787 086 - Stand No 1065, LEEUFONTEIN, 0400 - *Segage*
700. Keletso Tabudi Magolego - 970914 1040 086 - Mokwete, JANE FURSE, 1785 - *Hlabyago*
701. Gobakwang Lekgalake Pilane - 820201 5653 086 - 547 Ntsoko Street, Zone 1, GA-RANKUWA, 0208 - *Louw*
702. Mellicent Ntokoza Mbonani - 980414 1077 087 - Stand No 213, Rakoena Street, DELMAS, 2210 - *Windvoel*
703. Pearl Philiswa Kongwana - 691019 0778 088 - , BUTTERWORTH, 4960 - *Sese*
704. Qinisile David Ngceshe - 770608 5287 089 - 65 Xohle Street, Steve Tsele Village, Motherwell, PORT ELIZABETH, 6001 - *Yoko*
705. Thembeke Lindokuhle Kunene - 980122 1226 089 - Hlathi Dam Area, NQUTU, 3135 - *Mbatha*
706. Bonginkosi Johannes Mathebula - 981105 6146 088 - Stand No 280, Extension 9, BARBERTON, 1300 - *Masilela*
707. Sizwe Ashley Mashabane - 980426 5763 082 - Stand No 1060, SWALALA, 1240 - *Theledi*
708. Julius Philani Mahlangu - 980612 5841 081 - 6793 Nongoma Close, DIEPSLOOT, 2980 - *Nkosi*
709. Danile Lawrence Sotyatya - 810427 5934 083 - 687 Extension 1, TIGANE, 2600 - *Dial*
710. Nonhlanhla Valencia Mcanyana - 870810 0999 085 - 4515 Cato Crest, Mayville, DURBAN, 4001 - *Ngubeni*
711. Luvo Mnyanda - 980621 5723 082 - Luthuli A/A, TSOMO, 5400 - *Nyeka*
712. Sandile Innocent Mabaso - 790428 5493 082 - Bb 1159, UMLAZI, 4001 - *Cele*
713. Zinhle Thobile Zuma - 901020 1360 088 - Emhlwazini, BERGVILLE, 3350 - *Miya*

714. Tshepo Collin Ngwenya - 940903 5482 086 - 18034 Zone 14, SEBOKENG, 1400 - *Thabana*
715. Thobani Mhlongo - 960523 6072 085 - Mpumazi Reserver, ESHOWE, 3815 - *Ntuli*
716. Philani Mbele - 891219 6250 086 - Mlalazi Reserve, ESHOWE, 3815 - *Ndlovu*
717. Tshepho Gilbert Moima - 760204 6096 083 - 22792 Extension 4, MAMELODI EAST, 0122 - *Nnawe*
718. Zingisile Same - 730507 6071 089 - P O Box 38, TSOLO, 5170 - *Sofonia*
719. Alfred Katishi Makofane - 770605 5376 086 - P O Box 250, DRIEKOP, 1150 - *Kawoza*
720. Mxolisi Alfred Christian - 900914 6593 084 - Hlobo A/A, NQAMAKWE, 4990 - *Malamba*
721. Nontobeko Gumede - 960110 1362 081 - Kwamxhosa, MAPHUMULO, 4470 - *Nzama*
722. Mologadi Nancy Netshidzivhani - 850315 0807 084 - No 1 Colorado Street, WESTERNBURG, 0699 - *Mathabatha*
723. Irene Nandipa Mpmvva - 810405 0891 086 - C 7 State Flats, Highlands Avenue, VIRGINIA, 9430 - *Zungula*
724. Boy Peter Mkhonza - 610530 5554 082 - P O Box 1272, STEELPOORT, 1133 - *Maimela*
725. Tshepo Tsoeueamakoa - 920904 5196 084 - 1128 / 40 Extension 27, Sekunjalo Street, DEVLAND, 1811 - *Phoofolo*
726. Wiseman Nkosingiphile Nxumalo - 800409 5437 087 - P O Box 1282, EMABALENHLE, 2285 - *Mhlongo*
727. Sitembiso Livingstone Ali - 480918 5544 087 - Phomamungu A/A, UMZIMKULU, 3297 - *Dlamini*
728. Jabulani Andries Modime - 900508 5438 083 - 1129 Ntshane Street, Extension 2, VOSLOORUS, 1475 - *Chuene*
729. Audrey Hlengiwe Shezi - 741207 0614 086 - Azaka, PIETERMARITZBURG, 3200 - *Mkhize*
730. Penwell Qongo - 691102 5373 087 - 13297 Tsomi Street, Willodale , Extension 2, VOSLOORUS, 1475 - *Ramaisa*
731. Millicent Sanelisiwe Mbuthuma - 850701 0318 083 - 380 Shabalala Road, GAMALAKHE, 4249 - *Tobo*
732. Zamokuhle Makhosi Ndlovu - 970608 1251 087 - Madwayiza View, INGWAVUMA, 3968 - *Nyawo*
733. Brysan Reginald Radebe - 850828 6332 089 - House No 114, New Village, SABIE, 1260 - *Shakoane*
734. Nkapadi Olive Mabe - 790510 0413 080 - P O Box 3040, BAKONE, 0746 - *Teffo*
735. Fezile Fantasy Tsotetsi - 961111 5988 086 - 1052 Klama Street, STANDERTON, 2430 - *Khoza*
736. Vivian Theledi - 900604 0872 085 - Stand No 35, Marite Trust, HAZYVIEW, 1242 - *Masuku*
737. Noxolo Amanda Mthimkhulu - 911228 0680 087 - Stand No 3091, BARBERTON, 1300 - *Sibiya*
738. Motlatjo Sarah Mamabolo - 590605 0583 080 - 868 No, SOVENGA, 0727 - *Malebati*
739. Innocent Mazwi Mandhlasi - 980701 6301 086 - Stand No 367, NAAS, 1300 - *Zulu*
740. Lungelo Siyanda Zungu - 970620 5425 088 - 11411 Amatikwe , Area 2, INANDA, 4310 - *Phungula*
741. Realeboha Maserai Mosepidi - 980608 0429 088 - 5466 Kgotsong, BLOEMFONTEIN, 9300 - *Mosepele*
742. Moyagabo Victor Motlhodi - 890117 6058 080 - P O Box 488, BOCHUM, 0790 - *Seanego*
743. Mathume Kgalema - 641123 5731 083 - 10173 Vergelegen C, JANE FURSE, 1088 - *Nkopodi*
744. Khetho Wiseman Ngcobo - 840728 5993 084 - Musa Road, Flat 688, KWA MASHU, 1020 - *Bhengu*
745. Retsilisitsoe Mavis Mofokeng - 910116 0808 082 - 15263 Extension 9, PALMRIDGE, 1431 - *Mobe*
746. Ntando Tuteni - 971101 5935 086 - 3747 Dikule , Extension 2, KATLEHONG, 1431 - *Phungwayo*
747. Tsholofelo Mangwane - 980509 0471 080 - 31 Mmupudu Street, TLHABANE WEST, 0299 - *Botsheleng*

748. Pontso Shirley Mpete - 961211 0490 086 - 39263 Charity Mthembu Avenue, Extension 18, MAMELODI EAST, 5100 - *Mashaba*
749. Tshothedi Abram Phopi - 700204 6105 085 - Geo-Nonyane Section, BORAKALALO, 2870 - *Tshotheli*
750. Ofentse Edith Sedumedi - 981117 0245 089 - House No 1234, Tlebebe Section, LUKA, 0322 - *Motuku*
751. Thandeka Constance Nhlapo - 970811 0314 084 - 1045 Lakeside Proper, VEREENIGING, 1930 - *Motsoeneng*
752. Bongani Andy Moseme - 950321 5342 084 - 73 Percy Street, Extension 10, ENNERDALE, 1830 - *Nkuna*
753. Lesedi Selynthia Tlabela - 980920 0421 084 - House No 235, Makobe Village, STEILLOOP, 0600 - *Monama*
754. Pule Kenneth Makwe - 741114 5488 088 - 404 A Manne Street, White City, KWA XUMA, 1868 - *Ditlhakanyane*
755. Timothy Thema - 900123 6226 089 - 308 Marokolong, TEMBA, 0400 - *Ndhlovu*
756. Lebogang Eunice Putuka - 960906 1435 086 - 1200 Carousel View, Block B, TEMBA, 0407 - *Mazibuko*
757. Tumiso Faith Ramafalo - 860903 1062 086 - P O Box 104, SENWAMOKGOPE, 0814 - *Mamaila*
758. Phuti Caswell Makgafela - 820425 5381 089 - P O Box 323, Eldorado Village, RADITSHABA, 0718 - *Boloka*
759. Paulos Puseletso Mmetheng Mtlane - 791204 5928 081 - 7525 Gumbi Street, Mayfield Extension 8, NEBO, 1520 - *Mokwala*
760. Xolani Justice Mtembu - 921003 5437 082 - P O Box 234, MBAZWANA, 3974 - *Mthembu*
761. Charles Joddy Mahlangu - 831109 5771 088 - 1505 Section C, SIYABUSWA, 0472 - *Masango*
762. Lesley Matsobane Marota - 820507 5786 084 - 12 Van Schalk Wyk, EVANDER, 2280 - *Kekana*
763. Oupa Jack Kekana - 740913 5810 089 - 222 A Majatladi, LEFISOANE, 0431 - *Boshomane*
764. Malikutu Delta Molokomme - 920711 5926 083 - P O Box 629, GA-MATHIBA, 0726 - *Motswi*
765. Lucas Malepe - 900826 6100 084 - P O Box 7, TRICHARDTSDAL, 0890 - *Byang*
766. Bonginkosi Elvis Mbhele - 701105 5471 080 - Private Bag X106, Elandslaagte, LADYSMITH, 3370 - *Fonte*
767. Msizi Blessing Nhlakanipho Zindela - 760321 5677 083 - 21184 Cucumber Crescent, JOHANNESBURG, 2001 - *Cele*
768. Sigelokuhle Terence Mazibuko - 900618 5397 088 - 11 Rosequarts, Extension 18, MIDDELBURG, 1050 - *Vilakazi*
769. Ayabonga Matimba - 980923 6161 084 - Ntafufu A/A, LUSIKISIKI, 4820 - *Mkonto*
770. Thulani Sibonelo Dube - 970926 5977 089 - Ngulule Location, GINGINDLOVU, 3815 - *Manqele*
771. Ngcebo Ndumiso Dlamini - 960912 5936 087 - Mavela Area, NDWEDWE, 4342 - *Mkhize*
772. Itani Thomas Masia - 770906 5104 084 - Tshituni, Mawoni, DZANANI, 0955 - *Maphari*
773. Rose Shilakwe - 881206 0445 087 - 10787 Extension 14, EMBALENHLE, 2285 - *Shabangu*
774. Nontlupepo Lilian Goliath - 630917 0739 089 - 6792 Mandlakaise Street, KAGISO, 1700 - *Lebeko*
775. Odirile William Mputla - 960902 5431 080 - 4 Impempe Street, Proclamation Hill, PRETORIA, 0183 - *Molefi*
776. Sibusiso Solly Mkhonza - 880614 5380 087 - Stand No 684, Mlotshwa Street, DELMAS, 2210 - *Mlangeni*
777. Bingo Masiza Tshazwa - 870117 5626 089 - 451 Monte Vista, Gateway Manor, Meloding, HARTBEESSPOORT, 0216 - *Balekwa*
778. Thabang Vincent Tsepiso Lukhele - 980119 5459 088 - 2346 Railway Houses, ETWATWA, 1519 - *Rahlogo*
779. Sekgathi Hezekiel Rattlabane - 930916 6622 080 - House No 1696, Nyakelane, BOTLOKWA, 0812 - *Ramalisa*
780. Ntateng Moses Sepampe - 580423 5434 081 - D/O, JANE FURSE, 1085 - *Mohlala*
781. Vicker Maphumulo - 780720 5328 082 - 1146 Unit J, IMBALI, 3201 - *Radebe*

782. Lungile Princess Nhleko - 950416 0900 082 - P O Box 2267, NQUTU, 3135 - *Khumalo*
783. Ashwin Graham-Lee Khalema - 940620 5321 086 - 3 Galilee Court, HANOVER PARK, 7780 - *Collins*
784. Lekau Johannes Gadebe - 880424 5430 084 - 59 Malebitsa Village, MODIMOLLE, 0510 - *Aphane*
785. Munene Anna Shipalana - 920220 0433 087 - P O Box 99, GA-DIMAMOTLA, 0728 - *Dikgale*
786. Frekkie Thulane Sandhlane - 910104 5559 082 - 534 Chiloane Street, VOSLOORUS, 1475 - *Nkosi*
787. Sisiba Floyd Shiloana - 930125 5979 083 - Private Bag X9697, KOLOTI, 0709 - *Senyatsi*
788. Choene Strike Shiloana - 901106 5962 084 - Private Bag X9697, KOLOTI, 0709 - *Senyatsi*
789. John Makonkco - 490509 5272 080 - Quru Farm, KING WILLIAMS TOWN, 5660 - *Tutani*
790. Katleho Mlangeni - 980812 5985 082 - 1591 Mangaung, WITSIESHOEK, 9870 - *Mofokeng*
791. Ashley Goitsemang Mongau - 780106 5821 088 - 1933 Berea Section, MAKAPANSTAD, 0118 - *Mfolo*
792. Lucky Nhlanhla Kubheka - 801010 6831 085 - B 66 Amatikwe, Area 2, INANDA, 4310 - *Mkhize*
793. Nontombi Gaga - 930720 0410 082 - Bomvana A/A, NGQELENI, 5140 - *Maphanjwa*
794. Tebogo Reginald Gabadise - 841019 5402 089 - 18 A Block A, SHALENG, 8586 - *Mosiapoa*
795. Moleke Israel Sennelo - 731102 5872 080 - 3484 Mokata Street, PIMVILLE, 1809 - *Mudau*
796. Bafana Jiyane - 930926 6453 089 - Plot 34, Arbor Farm, DELMAS, 2210 - *Nkosi*
797. Itumeleng Baloyi - 850819 5413 087 - 127 Fitzroy Street, GOODWOOD, 7640 - *Langa*
798. Athule Bonakele - 970112 5548 085 - Fameni A/A, ELLIOTDALE, 5070 - *Nonyambase*
799. Sakhumzi Gusha - 881105 6168 083 - 830 Tambo Street, Fisantkraal, DURBANVILLE, 1770 - *Mateyisi*
800. Mcebisi Dwayiza - 971016 5793 089 - Ward 22, Maveshe Location, MURCHISON, 4250 - *Nyawose*
801. Tshepo Given Skosana - 950906 6134 082 - Stand No 656, KWAGGAFONTEIN, 0400 - *Mthimunye*
802. Bongani Potshoza Gumede - 900619 5925 084 - A 174 Moyamnyandi Road, KWA MASHU, 4359 - *Gwala*
803. Nkosingiphile Jabulani Mabuza - 830129 6100 088 - 226 Smithfield Road, DURBAN, 4001 - *Sithole*
804. Khumo Vena - 910804 5390 087 - 130 Block Ee, SOSHANGUVE, 0152 - *Mabiletsa*
805. Siphesihle Moyeni - 960927 6092 086 - Mboya A/A, WILLOWVILLE, 5040 - *Mdukiswa*
806. Jeremiah Mpendulo Sibanyoni - 780226 5490 088 - 49 Kgeletsane Street, Kwa Thema, SPRINGS, 1575 - *Vilakazi*
807. Nofikile Nyangiwe - 381016 0428 081 - Godini A/A, NGQELENI, 5140 - *Ndamase*
808. Karabo Thyfel Phalane - 890716 5824 085 - 2793 Block B, MABOPANE, 0190 - *Makhudu*
809. Annatoria Zinhle Mbatha - 851005 0110 089 - 286 Kennedy , Clare State, SYDENHAM, 4091 - *Gcuma*
810. Andile Disene - 840505 7013 081 - Pakkies Farm, KOKSTAD, 4700 - *Pakkies*
811. Thobeka Charity Qwebani - 950717 0588 086 - Ward 25, Nyandezulu, PORT SHEPSTONE, 4240 - *Shazi*
812. Nompumelelo Rebecca Memela - 981115 0683 085 - Emqatsheni Area, HIMEVILLE, 3256 - *Mkize*
813. Mlungisi Dennis Maisela - 741223 5657 087 - 891 Long Street, Dlamini , TSHIAWELO, 1818 - *Makhubela*
814. Bongani Ephraim Qashana - 880316 5322 081 - 1382 Nu 6, MDANTSANE, 5219 - *Majola*
815. Phumlani Lucas Dlamini - 860606 6770 088 - Enkumba Location, BULWER, 3244 - *Gcina*

816. Nonhlanhla Nokuthula Chagwe - 870605 1671 083 - 1389 Townsview, MOOI RIVER, 3201 - *Mlotshwa*
817. Thabani Welcome Zulu - 910725 5814 083 - P O Box 981, VRYHEID, 3100 - *Manyathi*
818. Balungile Fortunate Mthembu - 910204 0955 085 - 76 Oak Street, Lakeside Park, VRYHEID, 3100 - *Ngwenya*
819. Bongumusa Gladwell Phungula - 760110 5526 089 - C 3532 Illovu Township, AMANZIMTOTI, 4126 - *Msoni*
820. Lungelo Percival Nkosi - 930128 5515 089 - Ngenetsheni Area, VRYHEID, 3100 - *Khumalo*
821. Siphamandla Brian Sibiya - 850222 6181 086 - Masotsheni Area, NQUTU, 3135 - *Buthelezi*
822. Prince Lucky Seroalo - 820601 6304 086 - 1893 Sandawane Street, Dlamini, CHIAWELO, 1818 - *Motsoeneng*
823. Botshelo Shima Mabelane - 971029 5111 087 - 445 B Veldkornetroos Street, PRETORIA, 0001 - *Mokone*
824. Siyabonga Steven Ntombela - 880909 5426 082 - H 64 Bhubesi Road, KWA MASHU, 4360 - *Madhlala*
825. Matuma Louis Mojapelo - 830303 5528 082 - 12 Ash Street, Noordwyk, MIDRAND, 2001 - *Mosidi*
826. Phumelele Portia Jule - 920509 1065 082 - A 1511 Folweni Township, ISIPINGO RAIL, 4110 - *Ndlovu*
827. Thapelo William Louw - 630125 5965 085 - 236 Tau Street, WARRENTON, 8530 - *Shomoleile*
828. Siphesihle Nkwenkwe - 960610 5720 085 - Cibeni, LIBODE, 5760 - *Mdabula*
829. Nolwazi Nazo - 840620 1405 082 - 62 Hlongwa Street, PINETOWN, 3600 - *Mbatha*
830. Sthembiso Shadrack Nxumalo - 801018 5290 088 - Kwashange Location, Elandskop, PIETERMARITZBURG, 3200 - *Ndawonde*
831. Ndumiso Blessing Manyakanyaka - 930210 5292 081 - D 040701 Milky Way Road, DASSENHOEK, 3610 - *Miya*
832. Annatoria Zama Lushaba - 820210 1294 084 - Hlokozi Location, HIGHFLATS, 3806 - *Gumbi*
833. Remind Mphosa - 880924 5854 084 - Hlamiki Village, GIYANI, 0826 - *Mbiza*
834. Mafemani Bethuel Baloyi - 750203 6417 085 - P O Box 95, Tiyani, VONGANI, 0800 - *Ntsumele*
835. Thandi Kekana - 820416 0757 084 - 174 Section F, GIYANI, 0826 - *Hlungwani*
836. Kwanele Lucky Ngcobo - 920526 6185 087 - 324 Khama Street, Zone 2, MEADOWLANDS, 1852 - *Lebati*
837. Aachison Sibanda - 790125 5366 082 - 8136 B , 14 Sinkwe Street, PIMVILLE, 1809 - *Khumalo*
838. Fanisile Patricia Nyawo - 660820 0316 085 - 459 Extension 1, Hlalanikahle, WITBANK, 1035 - *Sithebe*
839. Kgaogelo Elias Morena - 780508 5891 088 - Stand No 101, Old Coronation, WITBANK, 1039 - *Moima*
840. Bongani Gift Mnisi - 950830 6212 088 - 815 France Location, CHRISSEMEER, 2332 - *Thomo*
841. Banele Mncwango - 971201 1234 086 - B 1958 Isiyanda Area, KWA MASHU, 4023 - *Ngcobo*
842. Kagiso Vincent Mpopana - 820901 6317 082 - 6 Piezer Street, Cruywagen Park, ELSBURG, 1428 - *Moleme*
843. Xanas Xoli Nomawethu Mahlangabeza - 760411 0618 081 - 931 Dlangangamandla Street, Jabulani, KWA XUMA, 1868 - *Mavuso*
844. Siboniso Njabulo Buthelezi - 960104 6513 087 - Hwaqwana Area, NQUTU, 3135 - *Ngobese*
845. Bongani Thabo Mathebula - 840904 6060 088 - Stand No C1715, Mscholozi Village, WHITE RIVER, 1040 - *Dube*
846. Katlego Sophy Ntlatleng - 911003 0569 089 - 663 Block P, SOSHANGUVE, 0152 - *Seboane*
847. Moses Sekololo - 950522 5385 086 - 172 Block Ew, MABOPANE, 0190 - *Lefifi*
848. Radikatse Levy Monama - 821104 5353 088 - Plot 35, Second Road, Cloverdene, CRYSTAL PARK, 1501 - *Mmopane*
849. Endlani Enock Maluleke - 800809 5485 087 - 992 A Ngobese Street, ORLANDO WEST, 1804 - *Ngobeni*

850. Nkosinathi Mbatha - 980406 5727 089 - Magogo Area, NQUTU, 3155 - *Manyoni*
851. Sizwe Njabulo Mkhize - 980118 6095 081 - Tloeni Location, Swayimanzi, WARTBURG, 3233 - *Mzimela*
852. Karabo Komana - 940317 5735 080 - 816 Block A, MABOPANE, 0190 - *Tebele*
853. Zolani Alex Mkhwanazi - 971222 5570 085 - Embeni Location, IZINGOLWENI, 4260 - *Cele*
854. Kayaletu Agnus Madikane - 721122 5546 080 - M 378 Bokolo Drive, Site B, KHAYELITSHA, 7784 - *Tini*
855. Frans Maputle Maleka - 790713 5418 084 - 893 Temba , Unit 1, TEMBA, 0489 - *Mnguni*
856. Phomelelo Tala - 901119 5541 089 - Stand No 1187, Rockdale, MIDDELBURG, 1050 - *Nchabeleng*
857. Thabo Stone Manyaka - 831216 6498 080 - No 986, Mandela, KWAMHLANGA, 1022 - *Makuwa*
858. Treki Daniel Motshwene - 530515 5309 089 - No 5882, Extension 2, MHLUZI, 1053 - *Mahlangu*
859. Charles Maphetsa Mareme - 780419 5663 081 - 109 Warrior Street, Extension 3, NELLMAPIUS, 0162 - *Rachitanga*
860. Busiswe Esther Shongwe - 701005 0559 089 - 2548 Section D, EKANGALA, 1021 - *Mokwena*
861. Simon Nkosi - 841129 5743 083 - 11504 Ivory Park, TEMBISA, 0010 - *Kunene*
862. Kagiso Samantha Mzimba - 980605 0443 085 - Stand No 08, Green Valley, ACORNHOEK, 1360 - *Matjie*
863. Unawo Msindisi Sesisulutho Dlepu - 970311 5618 084 - Kwangose A/A, MOUNT FRERE, 5090 - *Zongwana*
864. Yongama Ngudwana - 920805 5600 084 - Gabajana A/A, FLAGSTAFF, 4800 - *Goniwe*
865. David Zwelithini Soko - 740920 5523 083 - Stand No 646, No 4, NHLAZATJIE, 1100 - *Nkosi*
866. Sbusiso Benedict Hleza - 960109 6098 088 - Stand No 1027, TSAKANE, 1550 - *Maseko*
867. Sibonelo Ndaba - 980327 6176 086 - 134 End Street, DOORNFONTEIN, 2094 - *Sikhakhane*
868. Sicelo Wonderboy Mbayi - 970828 5624 085 - P O Box 34444, HIBBERDENE, 4220 - *Khomo*
869. Lindumuzi Fantein Nkosi - 941115 6372 088 - Stand No , ZWELITSHA, 1245 - *Xaba*
870. Nosihle Nyhonyha - 970510 1089 089 - 4 Johanna Van Warmelo Street, Extension 10, Danville, PRETORIA, 0100 - *Maqubela*
871. Asiphe Mfundisi - 980607 1208 087 - Coza A/A, LIBODE, 5160 - *Zide*
872. Joseph Nhlanhla Magutshwa - 750122 5487 081 - Mthombeni Cruch6400, ISIPINGO RAIL, 4110 - *Hlengwa*
873. Maletlatle Branta Kgorutle - 560901 0627 084 - 987 Ubangeni, SIYABUSWA, 0449 - *Lebotse*
874. Naswana Elliot Magale - 841210 5991 086 - R 317 X Corronation, WITBANK, 1039 - *Mohubedu*
875. Andiswa Sanele Chiliza - 960616 6607 080 - Hluthankungu Location, HIGHFLATS, 3306 - *Mkhize*
876. Nhlakanipho Nkosenhle Kunene - 931218 5986 080 - P O Box 1103, NONGOMA, 3950 - *Zulu*
877. Sibusiso Eric Ndelela - 820517 5357 083 - 65 Washington Road, Scottsville Extension, PIETERMARITZBURG, 3200 - *Makhaye*
878. Siyanda Miselani Ncane - 880327 5272 085 - P O Box 4240, IZOTSHO, 4249 - *Gumede*
879. Mhlonipheni Moses Mncwabe - 800828 5803 081 - B 831 Sihlabelo Road, KWA MASHU, 4360 - *Gazu*
880. Joseph Sipho Masehla - 761010 6543 084 - House No 2494, Dirhareng Street, LENYENYE, 0850 - *Masihla*
881. Dineo Matthews Motlhoki - 820417 5699 081 - House No 169 B, Sedibeng, KURUMAN, 8490 - *Pule*
882. Thulile Gwala - 820809 0903 080 - 11537 B Nkwe Street, Orlandi West, SOWETO, 1804 - *Makhanya*
883. Joseph Itumeleng Mokgatle - 730820 5917 081 - 9401 Tlaseng Section, LUKA, 0322 - *Morwane*

884. John Oupa Fologang - 711003 6028 082 - 0237 Makabe Drive, PHOTSANENG, 0311 - *Legari*
885. Monique Pienaar - 990315 0085 088 - Plot 38, Wattle Street, SWAANA PARK, 0184 - *Venter*
886. Mxolisi Dennis Dlamini - 860707 5637 086 - 2526 Blesbok Street, RATANDA, 1441 - *Shabangu*
887. Thabang Mabuza - 960724 6133 089 - Ravele Village, TSHILWAVHUSIKU, 0938 - *Buasi*
888. Kamogelo Jackson Petja - 990115 5580 087 - P O Box 37, MOLETLANE, 0692 - *Huma*
889. David Thamsangoa Shongwe – 680815 5595 085 – your wife – Phephelaphi Popie Shongwe – 700211 0327 086 - 2416 Section E, EKANGALA, 1021 - *Mokwena*
890. Pulane Bridgette Koboti – 960120 0800 080 – and your two minor children – Pule Esau Koboti – 140119 6262 082 – Omolemo Koboti – 160306 5188 088 - House No A20, Dandon, KURUMAN, 8460 - *Melori*
891. Gugulethu Princess Magxunyana – 890705 0778 081 – and a minor child – Tshiamo Minenhle Magxunyana – 110629 6544 087 - 68 Robert And Zelda Court, Park Street, Wentworthpark, KRUGERSDORP, 1739 - *Mhlongo*
892. Ntombizakhe Lucia Mdlalo – 731006 0851 082 – Olwam Mdlalo – 051025 5082 081 - Mbenge Area, CALA, 5455 - *Jemlana*
893. Peter Makalla Litshibana – 860329 5692 084 – your wife – Reabetswe Allicentia Litshibana – 921108 0474 087 – and a minor child – Peter Junior Tshabangu – 120104 5572 081 - 8 Eden Plot, BETHLEHEM, 9700 - *Elvenich*
894. Dina Rangwato Ramaube – 770810 0886 085 - and a minor child – Luwi Ramaube – 000212 5533 089 - 298 Roots Street, Extension 1, DIEPSLOOT, 0157 - *Makwana*
895. Tshwarelo Charity Hlungwani – 950713 0615 086 – and a minor child – Boikanyo Oamogetswe Hlungwani – 130418 5320 087 - 1214 Atamelang Section, CHANENG, 0310 - *Masilo*
896. Johan Christiaan Grundlingh – 750121 5277 088 – your wife – Alida Johanna Grundlingh – 781012 0002 089 – and your two minor children – Johan Christiaan Grundlingh – 011001 5325 084 – Rochellé Gitta Grundlingh – 990306 0128 085 - 9 Con Joubert Street, Eikepark, RANDFONTEIN, 1765 - *Viljoen*
897. Manqoba Nelson Mthembu – 840909 5227 083 – and a minor child – Nompilo Mthembu – 051213 1070 082 - Lot 70 Mphelelwa Mavundla Road, GAMALAKHE, 4249 - *Dlamini*
898. Keabetswe Rosemary Mokopane – 830802 0120 084 – and a minor child – Reabetswe Amogelang Mokopane – 070219 5441 085 - C1798 Phokeng, RUSTENBURG, 0335 - *Tabakwe*
899. Phuti Albertina Hlako – 690316 0827 084 – and a minor child – Kgothatso Precious Hlako – 080605 0903 087 - P O Box 1426, BOCHUM, 0790 - *Kgomo*
900. Gcobani Daniel Soyizwapi – 751209 5866 080 – your wife – Linda Soyizwapi – 800918 0489 083 – and your two minor children – Hlobisa Khanyisa Soyizwapi – 040308 0247 089 – Banele Musawenkosi Soyizwapi – 070305 5602 089 - Unit 82 Summerwoods, 37 Main Road, Abbotsford, EAST LONDON, 5247 - *Ndenze*
901. Daisy Phakathi – 731017 0269 084 – and a minor child – Teboho Anacleta Phakathi – 000205 1274 088 - 2022 Rammutla Street, SPRUITVIEW, 1431 - *Khesuoe*
902. Thivhavhudzi William Madamalala – 540611 5699 088 – your wife – Dikeledi Daisy Madamalala – 710205 0776 084 – and your three minor children – Mogau Naume Madamalala – 060530 0288 084 – Rofunwa Madamalala – 090814 0967 088 – Ritshidze Madamalala – 000928 5461 084 - P O Box 751, MUTALE, 0956 - *Nethengwe*
903. Nomusa Lucrasia Gwala – 810805 0308 082 – and a minor child – Zamokuhle Sphamandla Mthembu – 060119 5081 083 - Lot 70 Mphelelwa Mavundla Road, GAMALAKHE, 4249 - *Dlamini*
904. Mathapelo Nkambule – 830418 0643 080 – and your two minor children – Themba Nkambule – 050103 5152 088 – Ntando Nkambule – 060129 0849 087 - No 603 Mashaeng, FOURIESBURG, 9725 - *Maseko*
905. Morongwa Darling Molokomme – 941225 1114 086 – and a minor child – Mologadi Grace Molokomme – 150218 0807 087 - P O Box 629, GA-MOTHIBA, 0726 - *Motswi*
906. Derrick Mduduzi Mkhize – 731108 5342 081 – and your two minor children – Mfundo Nkanyezi Mkhize – 011127 5573 082 – Nandi Mkhize – 070821 0215 081 - 1373 Tello Street, Central Western Jabavu, SOWETO, 1818 - *Ndaba*

907. Sello Petrus Ramathinyane – 790409 5716 086 – your wife – Tlhoriso Flory Ramathinyane – 810420 0858 084 – and your two minor children – Bonolo Precious Ramathinyane – 101230 0464 082 – Lerato Riah Ramathinyane – 051021 0260 087 - 55517 Thabo Mbeki Square, BLOEMFONTEIN, 9323 - *Nathane*
908. Nomzamo Mayvis Ndongela – 661027 0613 086 – and your two minor children – Nkosikhona Ndongela – 011206 6265 086 – Amanda Ndongela – 021228 0816 084 - Mawane Location, HARDING, 4680 - *Ntsele*
909. Mandlakayise Bethuel Khanyile – 731003 5650 080 – your wife – Sister Makhosazane Khanyile – 740603 1359 088 - 3A196 Umlazi Township, DURBAN, 4031 - *Smith*
910. Malekoba Betty Maimela – 630922 0815 087 – and your two minor children – Tebatso Thokgome Maimela – 931107 0496 080 – Ditiro Phorogohlo Maimela – 040919 0744 089 - P O Box 6252, BOLOPA, 0782 - *Mapheto*
911. Nositelo Mapantsela – 680129 0055 081 – and a minor child – Baluncedo Mapantsela – 000416 1086 089 - Tora Area, NGCOBO, 5080 - *Copiso*
912. Tlou Andronicca Raphokwane – 751013 0522 080 – and your two minor children – Mokopu Poledi Rosina Raphokwane – 120526 1052 082 – Karabo Josephinah Raphokwane – 090710 1233 084 - Stand No 574, NYAKELANG, 0721 - *Ngwasheng*
913. Thulane Julian Mgiba – 691101 5594 080 – your wife – Charlotte Noria Mgiba – 761123 0282 086 – and your four minor children – Bongwiwe Samkelisiwe Mgiba – 160712 0508 081 – Mpumelelo Thulare Jr Mgiba – 081002 5403 082 – Sakhile Siyabonga Mgiba – 020417 5161 080 – Mbongiseni Thabiso Mgiba – 990702 5243 087 - 8859 Khuton Crescent, Extension 13, VOSLOORUS, 1475 - *Mashile*
914. Jackson Maphutha Moipaki – 840530 5627 088 – your wife – Mokgadi Pauline Moipaki – 820510 0602 082 - 44 Mcdonald Street, FLORA PARK, 0700 - *Ngoepe*
915. Samuel Maziya – 660228 5628 084 – your wife – Amanda Lavy Maziya – 601006 0146 084 - 87 Maserumulle Street, SAULSVILLE, 0125 - *Hlabane*
916. Siphon Michael Ngxongo – 720924 5672 084 – your wife – Martha Dumisile Ngxongo – 770626 0290 080 – and your two minor children – Andile Phile Ngxongo – 050825 5181 085 – Asemaningi Buhle Ngxongo – 050825 5193 080 - Private Bag X 304, MBAZWANA, 3974 - *Zungu*
917. Sibongile Thandi Moraba – 850705 0320 080 – and a minor child – Tshiamo Lesego Faith Moraba – 080601 0694 081 - - 5306 Extension 7, Twatwa, , DAVEYTON, 1520 - *Malaza*
918. Lovemore Chester Gasa – 760724 5855 080 – and your two minor children – Tyra Gasa – 100527 0165 085 – Kyle Gasa – 130920 5917 085 - 115 Armstrong Street, Reyno Ridge, WITBANK, 1035 - *Young*
919. Didimalang Mokgalaje – 890704 0948 083 – and a minor child – Keamogetse Silver Mokgalaje – 080726 0131 089 - 527E Dithakong Village, KURUMAN, 8460 - *Sekamoeng*
920. Nonsikelelo Patricia Mabawuti – 780216 0527 083 – and your four minor children – Ayabonga Brian Mabawuti – 090112 6101 087 – Sdongakonke Mark Mabawuti – 090112 6100 089 – Vukile Vincent Mabawuti – 010416 5850 082 – Sphesihle Bright Mabawuti – 071011 5491 080 - P O Box 180, UMZUMBE, 4225 - *Dlamini*
921. Mmapula Dorothy Mbambo – 891030 0330 083 – and a minor child – Olebogeng Mbambo – 061014 0657 087 - 7422 Mzilikazi Street, KAGISO, 1754 - *Khunou*
922. Nxadzani Devilliers Seoma – 710717 5649 082 – and a minor child – Wanga Romeo Seoma – 030519 6018 082 - P O Box 5, MUNGOMANI, 0955 - *Mufara*
923. Esther Ramatsimele Ratau – 730703 0761 086 – and your two minor children – Thakgatso Ratau – 991103 0561 087 – Mancane Junior Ratau – 040924 0273 089 - P O Box 214, LEBOWAKGOMO, 0736 - *Mathabatha*
924. Machaba Reuben Poloko – 580416 5879 081 – your wife – Ntombekhaya Cynthia Poloko – 661015 0366 086 – and a minor child – Lungile Poloko – 000804 5263 087 - 483 Sitha Masingafi Bondi, SOWETO, 1818 - *Leshabane*
925. Thabiso Ronald Simelane – 850101 7562 082 – and a minor child – Mhlengi Mongezi Simelane – 130702 6424 083 - P O Box 449, CEZA, 3866 - *Zungu*

DEPARTMENT OF HOME AFFAIRS

NO. 278

31 MARCH 2017

ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the Forenames printed in *italics*:

1. Cladia Abdol - 890320 0294 087 - 68 New Flats Houtbay, HARBOUR, 7806 - *Kismiyah*
2. Cornelia Magrita Petronella Scholt - 880707 0020 086 - Eerstelaan 9713, KOTHU, 8446 - *Corné*
3. Bonita Jardine - 890102 0080 082 - 24 Smalbolaarweg, BONTHEUWEL, 7764 - *Raziah*
4. Roystan Shadwin Braaf - 880902 5255 080 - 6 Neptune Crescent, The Hague, DELFT, 7100 - *Rameez*
5. Melvin Roy Erasmus - 470827 5191 082 - 44 E Lansry Walk, Hanover Park, WESTERN CAPE, 7780 - *Adnaan*
6. Mfanawendlela John Sithole - 770505 5273 087 - Suit No 2, Private Bag X 7, KYSANDS, 2162 - *Johnny Kruger*
7. Nomathamsanqa Ndlangamandla - 980522 0503 083 - 1781 Richards Bay, PIET RETIEF, 2380 - *Nomathamsanqa Bianca*
8. Fornecia Zwane - 970502 1034 082 - Stand No 75, Marite Trust, HAZYVIEW, 1242 - *Vonecia Luthando*
9. Maphankane Klaas Thoka - 910625 5594 083 - 7397 V Mamelodi, MAMELODI WEST, 0122 - *Majeng Abel*
10. Seabata Abel Motaung - 690301 5324 089 - 1796 Extension 3, Qalabotjha, VILLIERS, 9840 - *Seabata*
11. Sibongiseni Mkangeli - 880212 5842 089 - Room 529, Blocky Hostel, ATTERIDGEVILLE, 0125 - *Simbongile*
12. Mpho Smallson Mello - 860703 5368 087 - 110 Benharris Street, Westernburg, POLOKWANE, 0699 - *Digodi*
13. Senzo John Sithole - 961205 5871 084 - 7793 Kwanyamazane, PIETERMARITZBURG, 3200 - *Senzokuhle John*
14. Silindile Ndlovu - 920226 1395 084 - 1363 Mpumelelo , Ambleton, PIETERMARITZBURG, 3200 - *Slindile Princess*
15. Nduna Sekele - 971022 5576 086 - Po Box 840, DOORNSPRUIT, 0759 - *Nduna John*
16. Khathazile Johannah Sibeko - 591225 0463 081 - 222 Soutpan, SOSHANGUVE, 0152 - *Johannah*
17. Danielle Fouché - 970529 0052 088 - 37 Greenside Road, Greenside, JOHANNESBURG, 2193 - *Daniel*
18. Linah Maleka - 891112 0346 085 - 494 B Sappers , Contour, LYNNWOOD, 1724 - *Linah Mpho*
19. Azael Tshidiso Nkala - 900322 5433 080 - Po Box 475, KABOKWENI, 1245 - *Azael Tshidiso Mbangwa*
20. Olga Sanderson - 890923 0546 081 - Stand No 88, Swalala Trust, WHITE RIVER, 1240 - *Daphney Olga*
21. Rosina Mmantlo Mokgope - 950530 0408 084 - 17 Doorn Street, ZEERUST, 2865 - *Rosina Mmantlo Olebogeng*

22. Johanna Nkosi - 890527 0340 088 - 416 Sizwe Street, Extension 2 , Langaville, TSAKANE, 1550 - *Nomsa Johanna*
23. Tshoganetso Kleinjan Sebeco - 421211 5560 085 - 872 Takeng Section, BATLHAROS, 8460 - *Tshoganetso Skierlik*
24. Joe Anne De Sousa Viveiros - Blair - 830707 0382 081 - Unit 6 Charne Park, Jan Spies Street, Langenhoven Park, BLOEMFONTEIN, 9301 - *Joe – Anne*
25. Baiha Petersen - 811211 0066 086 - 8 St Williams Road, Seawind , RETREAT, 7945 - *Bahia*
26. Ngenangani Nonhlanhla Ndlela - 941030 0672 088 - Swamp Area, IMPENDLE, 3227 - *Nonhlanhla*
27. Anar Kulati - 940330 0832 083 - Mqobiso Area, TSOLO, 5170 - *Nasipi*
28. Polo Maria Bochedi - 800710 0908 083 - 143 Block 4, Kutloanong, ONDENGALSRUS, 9480 - *Mpho Maria*
29. Thihanedzwi Mamagau - 830505 5950 088 - Plot 88, Pineheaven, KRUGERSDORP, 1740 - *Thihanedzwi Oscar*
30. Sandra Elizabeth Nowell - 611028 0124 083 - 4 Springer Close, MARINA DA GAMA, 7981 - *Ayla Sandra Elizabeth*
31. Vanasheree Zandalee Norton - 960209 0192 083 - 33 Galileo Road, BELHAR, 7493 - *Mumtaaz*
32. Johan Khetchane - 970510 5184 084 - 3422 Zone D, Ikhuseng Location, WARRENTON, 8530 - *Johan Thulani*
33. Sizwegamambo Mkhize - 940221 5140 087 - 2 B 29 Bhekuzulu Road, ASHDOWN, 3201 - *Sizwesamambo*
34. Yvonne Atsaleng Majafa - 871003 0695 080 - 96 Reitz Street, RUSTENBURG, 0300 - *Yvonne Omphile*
35. Lizzy Nwa – Mbila Hlongwane - 830704 0414 089 - Flat No 52 Library Gardens, President Street, JOHANNESBURG, 2001 - *Lizzy*
36. Petros Maletse - 941211 5427 088 - Stand No 100, Sun City, KWAMHLANGA, 1022 - *Potlelo Matsobane*
37. Mmanthakoana Sejane - 960609 0311 080 - 11 Schoeman Street, Riebeckstad, WELKOM, 9459 - *Onalenna*
38. Mogodi Lucky Phahlamohlaka - 900227 5901 087 - Masehlaneng Village, GA – PHAAHLA, 1062 - *Excellent*
39. Mongikazi Sobetshe - 730808 1805 087 - Payne Location, UMTATA, 5099 - *Mongikazi Nongenile*
40. Mnambithi Sigijimi - 770615 6364 080 - Asazani Camp , HERMANUS, 7200 - *Mnambithi Bekie*
41. Shisapesi Elizabeth Ramalepe - 680719 0542 086 - Ntsako Village, TZANEEN, 0850 - *Bela Maite*
42. Sonny-Boy Mokabane - 600102 5628 084 - Private Bag X 121, NEBO, 101051 - *Letona Phillip*
43. Nkosivumile Nyoka - 810813 5584 087 - 11 Rooieless Street, Delft South, DELFT, 7100 - *Nkosivumile Lindile*
44. Dianne Lizet Booysen - 820307 0130 085 - 4 Reindeer Crescent, Wesbank , KUILSRIVER, 7580 - *Sameegah*
45. Jameme Levime Zemobia Harmse - 820220 0219 081 - 20 Darling Street, HANOVER, 7005 - *Janine Levine Zenobia*
46. Mmanenyane Maake - 860426 0803 086 - Po Box 214, MULIMA, 0817 - *Lehlogonolo Barachiel*
47. Thozama Euphemia Sokhanyile - 791228 1347 087 - Manzana Area, MOUNT AYLIFF, 4735 - *Thozama*
48. Innis Mene - 630117 5220 082 - 22007 Xolelwa Street, Bardale, MFULENI, 7100 - *Nkululeko Innis*
49. Mabongi Ngcobo - 971216 0705 084 - 254 Msilingi Road, Link Area, ST WENDOLINS, 3609 - *Nondumiso*
50. Busisiwe Zandile Buthelezi - 830114 0382 080 - 5501 Zondi 2, Soweto, KWAXUMA, 1816 - *Fortunate*
51. Rosfida Malefo - 960509 0964 088 - 20351 Bufferzone, MAMELODI EAST, 0122 - *Rosfida Lebogang*

52. Silwayiphi Jama - 951007 6051 084 - Nkothaneni Location, Ward 8, MARGATE, 4275 - *Sihle*
53. Bongani Dauwa - 540605 5675 080 - Manzana Area, NGCOBO, 5050 - *Bongani Humphrey*
54. Lushane Van Schalkwyk - 980604 0370 083 - 1383 - 8th Avenue, CHATSWORTH, 7353 - *Laylah*
55. Lauren – Lee Hoffmeister - 910829 0017 088 - 19 Mossie Crescent, CAPE TOWN, 7423 - *Israh*
56. Joy Manong - 610405 0470 081 - Mission Station, MAPUMULONG, 8345 - *Joy Duduzile Ntombifikile*
57. Josphinah Motau - 880808 0679 085 - 012572 Stand No, MSOGWABA, 1215 - *Khanyisile Jennifer*
58. Boikie Sidlayi - 940605 5845 085 - 29806 Fukula Street, Asanda Village, STRAND, 7140 - *Boikie Tsietsi Siphokuhle*
59. Micheala Isaacs - 970122 0119 089 - 14 Lagonda Crescent, Beacon Valley, MITCHELLS PLAIN, 7789 - *Aqeedah*
60. Phangisela Mngomezulu - 940528 5880 086 - House No 718, Benoni Street, CHARLESTOWN, 2390 - *Phangisela Siphamandla*
61. Shirley Phuti Mzimba - 680407 1076 086 - 37 Gillingi Street, ATTERIDGEVILLE, 0008 - *Shirley Sontaga*
62. Khulekani Nkazimulo Ntuthuko Khoza - 930724 5800 081 - 225 Block Aa, UMLAZI, 4031 - *Khulekani Ntuthuko*
63. Matshwenyego Dorah Mmakola - 880329 0807 089 - 2053 Mphatha Street, Extension 4, Ebony Park, MIDRAND, 1690 - *Mahlogonolo Dee*
64. Chuene Ennet Molepo - 760912 0399 085 - 47 Queen Street, IVYPARK, 0699 - *Toko*
65. Baleseng Mokoena - 760430 0568 088 - 54 River Glen 54, Augrabies Street, MOOIKLOOF RIGDE, 0054 - *Kgalalelo Aobakwe*
66. Johannes Seitebaleng Dikupe - 780528 0238 085 - 18610 Extension 19, JOUBERTON, 2514 - *Johanna Setebaleng*
67. Zinzi Buku - 960610 5887 082 - Bityi Area, MTHATHA, 5099 - *Zinzi Sibulele*
68. Unathi Dyokhwe - 971028 5834 086 - Lujizweni Area, NGQELENI, 5140 - *Unathi Ndumiso*
69. Lizile Mtsho - 961117 5617 088 - Coza Area , LIBODE, 5160 - *Lizile Samkelisiwe*
70. David Mabapi Mabokela - 980427 5356 083 - Extension 3, MARAPONG, 0556 - *David Leetetja*
71. Dikeledi Bridget Moopeloa - 890320 0408 083 - 1488/27 Dirk Street, IRONSSIDE, 1984 - *Lerato Nompumelelo*
72. Jeremiah Teng Moshokwa - 830324 5897 087 - Stand No 789, Section C, KWAGGASFONTEIN, 0458 - *Jeremiah Oteny*
73. Nonhlanhla Angel Mthembu - 980515 0223 082 - St Lawrence Primary School, Private Bag X 164, BOTHA' S HILL, 3660 - *Snenhlanhla*
74. Kagobatho Aaron Gaseitsekgosi - 650727 5893 087 - Room No 221, Simunye Resident, RUSTENBURG, 0200 - *Kagobatho Aaron*
75. Mmataba Hildah Serero - 920712 0276 086 - 2974 Driezik , ORANGE FARM, 1805 - *Mamly Hildah*
76. Getrude Ayanda Mnene - 820805 1086 081 - 18 Ashton Manor, Beverly, SANDTON, 2191 - *Ayanda*
77. Obedience Nkuna - 970916 5784 080 - Stand No 105, Maviljan Trust, BUSHBUCKRIDGE, 1280 - *Obedience Wiseman*
78. Nkosingiphile Dube - 941023 5342 088 - Mevamulophe Reserve, EMPANGENI, 3910 - *Nkosingiphile Sifundo*
79. Nombeko Monica Madonelo - 660612 0898 083 - Area J, STEADVILLE, 3373 - *Celiwe*
80. Funzani Mukona - 860822 0581 088 - 570 Wonderboom Street, Eduan 22, PRETORIA NORTH, 0182 - *Olive*
81. Dingeni Balungile Ngidi - 841027 0344 081 - Umnini Area, UMGABABA, 4155 - *Hlengiwe Balungile*

82. Precious Isac Mpheroane - 970128 1329 080 - 12783 Monaona Street, PRETORIA, 0001 - *Precious Mokgethwa Choene*
83. Modiba Kgolofelo Molewa - 940407 5645 080 - Po Box 1748, TZANEEN, 0850 - *Modibe Kholofelo*
84. Nojukile Thandeka Njili - 511224 0133 080 - Qina Area, CENTANE, 2980 - *Nozukile Thandeka*
85. Sivuyisiwe Madlokazi - 960621 5507 083 - 52 Mthembu Road, Tyutyu North, BISHOP, 5605 - *Siyavuya Sivuyisiwe*
86. Malwande Jela - 960720 5631 081 - Zimbane Valley, UMTATA, 5099 - *Simthembile*
87. Athi Mxokozeli - 970501 5580 082 - Lujecweni Area, PORT ST JOHNS, 5120 - *Athenkosi*
88. Nkitseng David Magogodi - 531013 5558 086 - 30428 Greenside, MORULENG, 0318 - *Pheko Nkitseng*
89. Shikolo Dorries Hlengani - 690501 0382 087 - Xigalo Village , MALAMULELE, 0982 - *Shiluva Dorries*
90. Smangalisso Pillemon Lerobane - 890725 5559 088 - 1035 Buffer Zone , Phola Location, OGIES, 2230 - *Smangalisso Sizwe*
91. Busisiwe Maphalala - 890302 6405 081 - 9a Mzansi Street , Zola 3, ROODEPOORT, 1725 - *Junior*
92. Kashiefah September - 941210 0052 081 - 55 Brighton Street, MALIBU, 7100 - *Kayle*
93. Masolo Dineo Kgaditsi - 940321 5796 084 - 38485 13 Kenneth , Mzati Avenue, Extension 18, MAMELODI EAST, 0122 - *Ditedi Dineo*
94. Emanuel Mkhize - 930524 6277 085 - Brington Location, IMPENDLE, 3227 - *Emanuel Siyabonga*
95. Nomfundiso Spambo - 830907 1290 081 - T19 Kwezi Naledi, LADY GREY, 9755 - *Nomfundiso Limise*
96. Evah Bridget Sekhukhune - 860715 0270 084 - No 372 Old Street, MASHISHING, 1120 - *Itumeleng Evah Bridget*
97. Anthony Thamage Ramaila - 950818 5746 081 - Thabamapshe Village, MASEMOLA, 1060 - *Anthony Mapo*
98. Brendan Kganki Mosehla - 950307 6414 089 - 490 Eerstegeluk, STEELPOORT, 1133 - *Thabang Kganki*
99. Mario Masilela - 941022 6182 089 - Stand No 1265, MKHUHLU, 1246 - *Nyiko*
100. Zorba Philippa Rudy Manuels - 960804 0067 085 - 151 Ntongana Street, Walla Cedene, KRAAIFONTEIN, 7570 - *Zoë – Leigh*
101. Nondumiso Cynthia Motau - 881226 0433 081 - Stand No 416 , Nganga Location, WARBURTON, 2833 - *Nondumiso Natasha*
102. Ntsikelelo Maduna - 660902 5827 082 - Redoubt Localition, Imizizi Area, BIZANA, 4800 - *Ntsikelelo Kgare*
103. Refilwe Mme Seolweleng Tau - 860912 0298 088 - 114 1b Deysel Street, BOOYSENS, 0082 - *Refilwe Mohau*
104. Noxolo Zulu - 900629 0672 086 - 957 Jabulani Nkosi Street, KWA XUMA, 1868 - *Noxolo Xolisile*
105. Bhekokwakhe Simon Mthalane - 850124 5529 085 - 490 370 Mashumi Road, PIETERMARITZBURG , 3201 - *Bhekokwakhe Siyabonga*
106. Mokgadi Masenya - 851210 6221 084 - 68 Water Trapper Road, BIRCH ACRES, 1618 - *Mokgadi French*
107. Kyle Duncan Steyn - 880925 5226 082 - 127 Riviera Street, DOUGLAS, 8730 - *Jan – Karel*
108. Wellem Aphane - 830424 5112 089 - 3732 Extension No 6, Dikubu Street, DIEPSLOOT, 2189 - *William Ntipe*
109. Erica Fillies - 830807 1219 082 - 20 Renoster Weg, MANENBERG, 7764 - *Ganeefa*
110. Thatho Peter Hlangwane - 980422 6005 086 - 4216 Keagile Street, MODIMOLLE, 0510 - *Thato Peter*
111. Chwayita Gope - 970925 0517 080 - Balasi Location, BISHOP, 5205 - *Chwayitisa*

112. Hlobisile Princes Mngevu - 911012 0535 081 - 5934 Joe Slovo, Extension 7, BALFOUR, 2410 - *Hlobisile Princess Zinhle*
113. Maphuti Sarinah Tsebe - 930124 0916 083 - Mashifane Area, BURGERSFORT, 1150 - *Naome Charlotte*
114. Sello Philly Nonyana - 920523 5612 088 - 41 Oppehoek 845, Delfi Avenue, GARSFONTEIN, 0081 - *Phil Spirit*
115. Silingo Soldaat - 300914 5171 086 - 975 A & B Sada Township, WHITELESEA, 5360 - *Solomon Silingo*
116. Gaudencia Masango - 930630 1317 089 - Mt 38 Ivory Park, Extension 3, MIDRAND, 1685 - *Khensani Gaudencia*
117. Luricha Muller - 920117 0355 080 - 123 Roosendal Avenue, Roosendal, DELFT, 7100 - *Zakiya*
118. Douglas Baleka Gongota - 511010 6026 083 - Ngobozana Area, LUSIKISIKI, 4820 - *Balekile*
119. Oupa Daniel Masemola - 930206 5902 083 - House No 3 Lepati Street, Aloe Ridge West, BURGERSFORT, 1150 - *Ramodikwe Oupa Madira Daniel*
120. Martina Mutavhatsindi - 950205 0304 084 - 2371 Sports Street, Extension 1, DOORINKOP, 1724 - *Mulalo*
121. Kenil Kalimashe - 951022 5545 085 - Mandela Park, UMTATA, 5099 - *Mzamo Kenil*
122. Lerato Angelina Petele - 951018 0413 089 - 450 B Kgapatswai Section, KANANA, 0300 - *Lerato Angelina Leeann*
123. Ludwig Masete - 930303 6316 080 - Po Box 234, DRIEKOP, 1129 - *Codesa*
124. Lobisa Manthuding Makena - 740708 0309 081 - 7218 Musetha Street, Extension 6, NELLMAPIUS, 0162 - *Louis Manthuding*
125. Nabhiya Winnie Shekwa - 911219 1150 089 - 11 Celester Street, KRIEL, 2271 - *Winnie*
126. Mapoto Suzan Lefera - 901025 0277 084 - No 7815motsekuwa, Bohlokong, BETHLEHEM, 9701 - *Lesedi Suzan*
127. Asnath Dimakatso Mashike - 690623 0619 084 - 5351 Section P, MAMELODI WEST, 0122 - *Rachel Nnaniki*
128. Rethabile Mmotla - 901011 5561 086 - 9869 Platinum Street, Extension 8, NELLMAPIUS, 0122 - *Phuti Rethabile*
129. Noma – Afrika Nyembe - 830901 1048 086 - Upper Lotana Store, Private Bag X 1043, TSOLO, 5170 - *Nomafrika*
130. Galaletsang Nkagisang Keeme - 920320 1115 087 - House No F 10, Kagung Village, KURUMAN, 8460 - *Galaletsang*
131. Khophokhane Abel Monnya - 830612 6080 087 - 853 Phumzile Park, CAYTON, 1000 - *Mphologe Abel*
132. Mamalepetle Thabitha Dolamo - 940805 0487 087 - Ga – Marishane Village, JANE FURSE, 1085 - *Mamalepetle Thabitha Dineo*
133. Ntombovuyo Madetshane - 950905 0865 089 - Mtambalala Area, LUSIKISIKI, 1870 - *Anitha*
134. Lindelwa Melamane - 841129 0533 083 - 11 Casa Bella, 247 Sullivan Street, Die Hoewes, CENTURION, 0157 - *Lala Lindelwa*
135. Chamazi Naice Baloi - 860326 0426 088 - 357 Leyds Street, Cheyenne 201, Sunnyside, PRETORIA, 0002 - *Nhlamazi Nice*
136. Denzel Mark Jacobs - 750414 5112 086 - 322 Oyster Cather Road, PELICAN PARK, 7941 - *Daiyaan*
137. Dikeledi Rebecca Mokwena - 750211 0391 081 - 27497 Busang Street, Extension 5, MAMELODI EAST, 0122 - *Kholofelo Rachel*
138. Ferax Nqube - 801020 5297 089 - 3021 Dithakong Village, MAHIKENG, 2745 - *Felex*
139. Nojezi Mdayi - 831005 0707 087 - Ny 2 New Rest, No B 8, GUGULETHU, 7750 - *Phumeza Nojezi*
140. Ntikwani Hendrick Motshehoa - 880606 6073 083 - House No 3095extension 4, Marapong Village, LEPHALALE, 0556 - *Kendrick Ntikwani*

141. Natasha Mabunda - 940522 0303 087 - Po Box 1178, SIBUYILE, 12316 - *Natasha Nombuliso*
142. Ngwanaphaleng Gladys Boshego - 790202 1985 080 - 1369 Amon Street, Chrishani Location, DAVEYTON, 1520 - *Ngwanatsomane Gladys*
143. Ntombethemba Obena - 860813 1131 080 - 785 Marikana, BRITS, 0250 - *Ntombethemba Nomzamo*
144. Tsholofelo Gercina Thetcher Motlhoki - 850410 1174 087 - 310 Mmakau Section, MABESKRAAL, 0300 - *Tsholofelo*
145. Raphlia Mthethwa - 921210 0654 088 - Shekizwe Reserve, ESIKHAWINI, 3887 - *Raphlia Linathi*
146. Tshimangadzo Amos Raphadu - 680301 6082 084 - Po Box 353, VUWANI, 0952 - *Dimakatso Amos*
147. Raesibe Lucy Kutumela - 631005 0502 084 - Po Box 4846, KGAPANE, 0838 - *Victoria Deborah*
148. Nduma Wilfred Chauke - 650414 5934 084 - House No 1544 Section E, GIYANI, 0826 - *Wilfred Nduma*
149. Makgoma Piet Sepahane - 961129 6136 083 - Po Box 60, DENDRON, 0715 - *Piet Peterson*
150. Ncendiswa Ndzabela - 840828 1450 087 - A 101 Mandela Street, BREDASDORP, 7280 - *Ncendiswa Asithandile*
151. Bheki Bhekani Zitha - 890612 6081 082 - Stand No 315, Bhekikwako Trust, HAZYVIEW, 1242 - *Bhekizizwe Mbhedla*
152. Rahman Nicole Manuel - 920615 5269 081 - Bayview Unity Avenue 2, CHATSWORTH, 4092 - *Abdul – Rahman*
153. Khangwelo Rasivhidzhi - 900130 5685 082 - 4773 Tiger Fish Street, Allandale, MIDRAND, 1685 - *Khangwelo Malcolm Marcus*
154. Josephine Pauline Menyatso - 900714 0467 081 - 3916 Extension 1, Meriting, RUSTENBURG, 0300 - *Tlotlo Divine*
155. Christina Manini Mokono - 931002 0680 082 - E 003 C Skoolplaas, BAPONG, 0269 - *Christina Clara*
156. Mntukani Samson Dyasi - 450513 5309 080 - 8 Long Street, DE AAR, 7000 - *Mtukanti*
157. Sisonke Mgecane - 971022 5955 082 - L R Ngqungqu Area, MQANDULI, 5080 - *Sisonke Simon*
158. Bhekisisa Dhladla - 820202 6243 083 - Enngwenya Area, WEENEN, 3325 - *Bhekisisa Sthandoo*
159. Caryn Marilyn Jacobs - 960531 0212 086 - 1 Alpha Street, Private Bag X 5, MITCHELLS PLAIN, 7785 - *Imaan*
160. Matsobane Jacob Mahlakoana - 741119 5482 080 - Po Box 5129, SOLOMONDALE, 0964 - *Nkodikgolo Jape Jacob*
161. Matebeta Salthiel Maponya - 950421 6031 080 - Stand No 30, SEGOPJE, 0744 - *Mahlatse Salthiel*
162. Sethakgi Patrick Papo - 800205 5554 081 - No 262 Zone 2, MAHWELERENG, 0626 - *Lesibana Patrick*
163. Salome Anggy Jr Moloto - 921102 0776 088 - 1883 Block F, SOSHANGUVE, 0152 - *Salomé Anggy Jr Mularisi*
164. Prudence Selallo Motabeng - 770111 0598 089 - 3008 Block Vv, Extension 3, SOSHANGUVE, 0152 - *Prudence Selallo Fikile*
165. Berta Lepis Matthews - 980125 0228 089 - 354 Jonas Street, BARKLY – WEST, 8375 - *Bertha Lepis*
166. Mpoetsi Mirriam Tshabalala - 840425 0806 086 - 4856 Extension 2, BETHLEHEM, 9700 - *Mpoetsi Aprille*
167. Potsiso Mananyetso - 930710 5755 086 - 29 London Estate, LOMBARDY GLEN, 2090 - *Wisdom*
168. Cynthia Nofika Nzimeni - 810423 0875 082 - No 4 – 6th Avenue, ALEXANDRA, 2090 - *Cynthia Nofika Zamajobe*
169. Jemadari Nigel Kilele - 970104 5250 085 - 68 Natal Street, Bellview East, YEOVILLE, 2000 - *Jemadari Vi – Bee – Kil*
170. Monene Joyce Mahlo - 980727 0907 081 - 749 Titibe Village, DIKGALE, 0721 - *Machuene Sharon*

171. Elethu Lennox Skenjana - 890713 5866 083 - 6466 Samora Machell, Chie Guevava Street, NDLOVINI , 7785 - *Elethu*
172. Jackina Kwena Mashiachidi - 850425 0428 086 - 51 Sunbird Street, Randbow Park, POLOKWANE, 0699 - *Blessing Lerato*
173. Panana Rosette Ntlhaeile - 871120 0007 080 - 2892 Tom Thebe Street, VRYBURG, 8600 - *Kelebogile Rosette*
174. Elias Mahlako Maake - 920527 6209 083 - House No 321 , Tuf Unit A, SOVENGA, 0727 - *Elijah Lekganyane Makgoka*
175. Polane Jeffrey Makofane - 890120 5776 082 - Matolokwaneng, Malegale, SEKHUKHUNE, 1124 - *Kagishi Jeffrey*
176. Vuyolwethu Mqkuse - 950214 0861 085 - 31244futha Street, Makhaza, KHAYELITSHA, 7784 - *Vuyoethu Luniko*
177. Christina Letsie - 700614 0298 084 - 89 Kilpare Estate, TERENURE, 1425 - *Nkele Christina*
178. Maid Christina Skosana - 640201 0510 081 - 3 Kerk Street, KEMPTON PARK, 1619 - *Christina Sheila*
179. Liz – An Henning - 901104 0142 083 - 34 Kalden Street, SOMERSET WEST, 7130 - *Lizan*
180. Nofenishala Dlongwana - 650914 0857 081 - 277 Extension 3, Wedela Location, CARLETONVILLE, 2502 - *Nomawethu*
181. Zanele Precious Gumede - 820901 0383 080 - P O Box 93101, INANDA, 4310 - *Zanele*
182. Matome David Letsoalo - 880607 5608 - Stand No 490, Mankweng Unit E, MANKWENG, 0727 - *Sambo David*
183. Simankele Zama Mzimela - 910109 0768 080 - P O Box 604, EMPANGENI, 3880 - *Simangele Zama*
184. Dominic Johnwin Adams - 960429 5035 083 - 26 Waterman Street, EERSTERUS, 7100 - *Nick Johnwin*
185. Phologo Mathumetsa - 960418 5328 085 - 16 Astor Street, KRIEL, 2271 - *Phologo Noko*
186. Lekgotla Petrus Mofokeng - 780616 6264 088 - 308 West Street, BETHLEHEM, 9701 - *Lekgotla*
187. Kugiyah Keitumetse Peete - 820125 0599 087 - 201woodridgepark, Waterfall East, RUSTENBURG, 0300 - *Rosina Keitumetse*
188. Sophie Malemela - 641123 0341 086 - 1522 Zenzele, Thembaletu, KWA – MHLANGA, 1623 - *Sophie Kgomotso*
189. Terence Titus - 941022 6137 083 - 13 Picdally Avenue, Colorado Park, MITCHELLS PLAIN, 7789 - *Thaabiet*
190. Goodman Lihlohonolo Mashaba - 980408 5517 080 - 3427 Minanawe, DAVEYTON, 1520 - *Lehlohonolo Goodman*
191. Amanda Mama Shikwambane - 970929 0708 087 - P O Box 4096, NKOWANKOWA, 0870 - *Israella Mama*
192. Senyane Josiah Mogadime - 900706 0875 081 - 507 Mont Blanc, 315 Visagie Street, PRETORIA, 0002 - *Mahlako Senyane*
193. Malemaphuti Kgatello Mamabolo - 860417 5258 087 - 13109 Mokwane Street, MAMELODI EAST, 0122 - *Malemaphuti Hosea*
194. Sainett Zenzo Mamba - 940322 5262 085 - 15 De Korte Street, Braamfontein, JOHANNESBURG, 2001 - *Sainet Senzo*
195. Mmakgwetele Hlapolosa - 940508 0226 089 - G 037 David Webster Hall, Residence University, WITWATERSRAND, 1863 - *Cleopatra*
196. Nonkuthalo Thithi - 881024 0458 087 - B 12 Hollybank, 20 Atherstone Road, Illovo, JOHANNESBURG, 2196 - *Nonkuthalo Xapile*
197. Innocnet Gaopalelwe Mathobisa - 941114 5734 083 - 3140 Ratlou Location, THABA – NCHU, 9780 - *Innocent Gaopalelwe*
198. Grant Rushin - 941205 5191 082 - 14 De La Rey, Paron Valley, BELLVILLE, 7500 - *Adam*
199. Lisehen Ndlovu - 731114 0299 086 - 692 Meerlust Villas, EQUESTRIA, 0184 - *Lischen Akuvamile*
200. Lahliwe Victoria Majede - 661115 0345 088 - 300 West Street, Ferndale, RANDBURG, 2125 - *Nomphumelelo Victoria*

201. Avela Mditshwa - 970128 6275 080 - Po Box 109, REDOUBT, 4801 - *Mzuvele Avela*
202. Maleny Sbonisiwe Barton - 950812 0014 082 - No 61 Nelson Street, Harmony Hill, SABIE, 1260 - *Melanie Sbonisiwe*
203. Shedreck Mfuduswa - 871116 5879 085 - 2394 Sikhukhuni Street, FOCHVILLE, 2515 - *Bavuyise Shedreck*
204. Sunny – Boy Paulos Mkwazazi - 910207 6255 087 - 141 Siphwe Village, Dobsonville, Soweto, JOHANNESBURG, 1863 - *Sunny Sean Paul*
205. Suzan Khoza - 911116 0865 081 - House No 6269, Ramotse Location, HAMMANSKRAAL, 0400 - *Suzan Kgomotso*
206. Abbigail Barends - 931010 0194 087 - 19 Sok River, Leiden, DELFT, 7100 - *Ganiefah*
207. Lehuma Daniel Kgwebane - 850610 5610 081 - E 61 A Rietfontein Section, MAABAALSTAD, 2841 - *Lehuma Daniel Tekano*
208. George Mosiane - 910223 5530 081 - 234 Bafokeng Section, MABOLOKA, 0197 - *Kabelo George*
209. Bumani Harry Chauke - 790630 5470 081 - Z N 12 Brazaville, ATTERIDGEVILLE, 0008 - *Harry*
210. Letho Maria Phetlhe - 910220 1179 087 - 642 Block D3, Greenside, Maubane, HAMMANSKRAAL, 0413 - *Ashley*
211. Sanele Phakamilenjoko - 820102 1610 080 - Po Box 323, WEENEN, 3325 - *Zanele Phakamile*
212. Makubu Madaseka Mmotong - 980407 0436 080 - 43 Springbok Single, KRIEL, 2271 - *Makubu Mapaseka*
213. Noluthando Sinxoto - 930929 0605 084 - 1 Boomgom Street, Welterredenpark, ROODEPOORT, 1719 - *Noluthando Chumisa*
214. Dorothy Matshwenyego Maema - 870307 0471 082 - 16204 Extension 1, SUN – RISE, 0308 - *Dorothy Tshiamo*
215. Mpepi Ntona - 880802 0784 086 - 2170 Seweding Village, MAHIKENG, 2745 - *Mpepi Judicial*
216. Wellemina Monnagaaratwe - 911014 1072 080 - 7016 Crossroads, Ipelegeng Location, SCHWEIZER – RENEKE, 2780 - *Welheminah*
217. Tuelo Shadrack Kelesheleng - 741001 5987 088 - Glenred Village, KURUMAN, 8460 - *Tuelo Shadrack*
218. Nomsa Pikiso - 760303 0751 089 - 7510 Petersen Street, MANDELA PARK, 7806 - *Nomsa Honey*
219. Ntsholongwane Marhati - 740202 6878 083 - Siza S/C, RUSTENBURG, 0099 - *Sabelo*
220. Phatudi Cedric Mashitsoa - 750418 5611 088 - Winnie Mandela Zone 1, TEMBISA, 1632 - *Lebakalale Cedric*
221. Nophelo Kasibe - 751216 0978 083 - Extension 4, NGQELENI, 5140 - *Gcobeisa Mhiky*
222. Nwankwinika Potego Mashele - 970323 0837 080 - 40 Ida Park, Hulton Street, ORCHARDS, 6870 - *Potego*
223. Frans Teko Makudubele - 851011 5411 084 - 1 Greyling Street, BOTHAVILLE, 9660 - *Franz Tefo*
224. Mazwe Mkhize - 980227 5888 089 - Kwampanye Area, Sweetwaters, PIETERMARITZBURG, 3200 - *Mazwi*
225. Monwabisi Whitey Fihla Fihla - 641210 5883 087 - Machubini Area, LADY FRÈRE, 5410 - *Moswabisi Whitey*
226. Uyanda Letsika - 930421 0702 087 - 4025 Joe Gqabi, ALIWAL NORTH, 9750 - *Maretshepile*
227. Ntobeka Nkosi - 961009 5555 089 - Ingwavuma Village, INGWAVUMA, 3968 - *Ntobeka Thulebona*
228. Tercia Modipa - 931024 0745 087 - Mhlaba Cross Village, TZANEEN, 0850 - *Tercia Dineo*
229. Kgaogelo Alpheus Sekwati - 940712 5399 087 - Mphalele Village, SEKHUKHUNE, 0239 - *Kgaogelo Ngwato*
230. Mandlenkosi Nyathi - 840912 5963 087 - 23 Taltully Street, TURFONTEIN, 2190 - *Mandla Nkosi*

231. Chavonne Chantél Bezuidenhout - 910418 0170 087 - 7 Spurwing Drive, Electric City, EERSTE RIVER, 7100 - *Chevonne*
232. Moses Manny - 800521 5443 087 - 87 Jameson Street, GOODWOOD, 7460 - *Mohapi Moses*
233. Simoné Madatt - 920506 0433 089 - 8 Edward Street, VALHALLA PARK, 7535 - *Shameez*
234. Marissa Petersen - 890929 0142 086 - 204 Leo News , 12th Avenue, ELSIES, 7490 - *Mahmoodah*
235. Natalie Louisa Kamaar - 711102 0196 083 - Block K 25 , Blikkiesdorp, DELFT, 7100 - *Nadia*
236. Aldenro Ernest Alfred Linnet - 890920 5026 085 - 60 St Robert Road, SEAWIND, 7945 - *Ameer*
237. Ditshwanelo Lephello - 840511 0624 080 - 1311 Holomisa Windmill Park, BOKSBURG, 1460 - *Limakatso*
238. Nomalungelo Khanyisile Shabangu - 960323 1213 085 - Po Box 252, NQUTHU, 3135 - *Nomalungelo Khanyisile Zandile*
239. Ndaedzo Tshirado - 690907 5013 082 - 1198 Zone 5 E, SESHEGO, 0742 - *Ndaedzo Comfass*
240. Lethabile Mokhabuki - 950223 5649 080 - Po Box 4461, MOKWAKWAILE, 2834 - *Rethabile Victor*
241. Shanice Jean Bester - 931102 0328 086 - 34 Pelo Court, MANENBERG, 7764 - *Masnoena*
242. Rosemary Mbangi - 750126 0283 080 - Private Bag X 507, BIZANA, 4800 - *Sindiswa Rosemary*
243. Zanothando Bongisanani Zilimbola - 701021 5769 086 - 17682 Road 36, Phillipi Park, BETTERLIFE, 7785 - *Bongisanani Sam*
244. Joshua Andrew Paulse - 951006 5109 083 - 27 B Walton Road, RETREAT, 7945 - *Junaid*
245. Sefefe Pheeha - 890521 5259 088 - 12462 Uqhokolo Street, Extension 7, DOBSONVILLE, 1725 - *Edward Sefefe*
246. Collen Njikelana - 810211 5635 084 - Plot 328, 6th Street, ZUURDEKOM, 1779 - *Collen Thobile*
247. Phindile Ndhlovu - 911218 0932 083 - 845 The William Apartments, FOURWAYS, 2190 - *Shantelle Laquai*
248. Tyron Thomas Salgado - 900410 5592 086 - The Corners – Unit 54, Corner Hill 7 & York Street, FERNDAL, 2194 - *Isa Thomas*
249. Nocry Mathebula - 911219 1087 083 - 48 Wanderers And Leyds Street, Protea Flat, JOHANNESBURG, 2001 - *Khensani Nocry*
250. Noluvo Sylvia Ntshongwe - 860228 0999 082 - 3150 Bramfischerville, ROODEPOORT, 1724 - *Noluvo Faith*
251. Sydney Qupe - 481123 5214 083 - 664 Zone 4, MEADOWLANDS, 1852 - *Sydbey Siph*
252. Mfundiso Jibhana - 770502 5664 084 - 4188b Zone 3, DIEPKLOOF, 1862 - *Bryan Mfundiso*

DEPARTMENT OF SCIENCE AND TECHNOLOGY

NO. 279

31 MARCH 2017

WITHDRAWAL OF THE DECLARATION OF THE NATIONAL ZOOLOGICAL GARDENS AS A NATIONAL RESEARCH FACILITY UNDER THE CONTROL OF THE NATIONAL RESEARCH FOUNDATION

In term of section 5(1) of the National Research Foundation Act, 1998 (Act No. 23 of 1998) I, Grace Naledi Mandisa Pandor, Minister of Science and Technology, hereby withdraw Notice No. 239 of 2004 dated 27 February 2004, published in Government Gazette No. 26051, declaring the National Zoological Gardens as a National Research Facility under the control of National Research Foundation, with effect from 1 April 2017, whereafter it shall be under the control of the South African National Biodiversity Institute, established in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).


MRS GNM PANDOR, MP

MINISTER OF SCIENCE AND TECHNOLOGY

Date 20-3-2017

DEPARTMENT OF SCIENCE AND TECHNOLOGY

NO. 280

31 MARCH 2017



science
& technology
Department:
Science and Technology
REPUBLIC OF SOUTH AFRICA



CALL FOR NOMINATION OF CANDIDATES TO SERVE ON THE HUMAN SCIENCES RESEARCH COUNCIL BOARD

The Minister of Science and Technology hereby invites interested parties to nominate candidates to be considered for appointment to the Human Sciences Research Council (HSRC) Board. The Board of the Council is being reconstituted in line with section 5 of the HSRC Act, 2008 (Act No. 17 of 2008).

The objects of the Council are to (a) initiate, undertake and foster strategic basic research and applied researching human science, and to gather, analyse and publish data relevant to developmental challenges in South Africa, elsewhere in Africa and in the rest of the world, especially by means of projects linked to public sector-oriented collaborative programmes; (b) inform the effective formulation and monitoring of policy and to evaluate the implementation of policy; (c) stimulate public debate through the effective dissemination of fact-based results of research; (d) help build research capacity and infrastructure for the human sciences in South Africa and elsewhere in Africa; (e) foster and support research collaboration, networks and institutional linkages within the human sciences research community; (f) respond to the needs of vulnerable and marginalised groups in society by researching and analysing developmental problems, thereby contributing to the improvement of the quality of their lives; and (g) develop and make publicly available new data sets to underpin research, policy development and public discussion of the key issues of development, and to develop new improved methodologies for use in their development.

In terms of section 5(2) of the Act, the Board will consist of –

- (a) a chairperson designated by the Minister;
- (b) no fewer than six and no more than nine members; and
- (c) the Chief Executive Officer, who is member of the Board by virtue of his or her office.

The members will be appointed in their personal capacity and serve on a part-time basis for a period not exceeding four years, from 1 November 2017 to 31 October 2021. Allowances will be in accordance with the National Treasury guidelines for remuneration.

The members of the Board, including the Chairperson, will be appointed in their personal capacity and must be persons who –

- (a) have distinguished themselves in the field of the human sciences or who possess special qualifications, experience or skills in relation to some aspect of the functions of the Council such as (i) human and social development; (ii) health; (iii) education; (iv) economics; (v) democracy and service delivery; or
- (b) have expertise in the areas of (i) planning; (ii) finance; (iii) law; or (iv) human resources; and
- (c) are citizens of or have the right of permanent residence in South Africa, with the exception of the distinguished representative of the social science research community in the rest of Africa contemplated in section 5(5)(b) of the Act.

Nominations should clearly indicate which categories set out in the paragraph above – (a)(i) to (a)(v) and (b)(i) to (b)(iv) – apply to the nominee. Nominations should be submitted to the Minister of Science and Technology by no later than **21 April 2017**.

Relevant **curricula vitae** for nominated candidates, including the following information, should be provided: Identity number; gender; race; designation and responsibilities; contact details (postal and email addresses, and cellular and landline); qualifications and field; current and past service on boards; areas of expertise; and the names and contact details of at least two referees.

Confirmation of the availability of the nominee is also required.

Nominations may be sent to the Director-General: Science and Technology, for attention Ms Matshidiso Molefe, in one of the following ways:

- By post to the Department of Science and Technology, Private Bag X894, Pretoria, 0001.
- By hand to the Department of Science and Technology, Building 53, Scientia Campus, Meiring Naudé Road, Brummeria, Pretoria.
- By email to Matshidiso.Molefe@dst.gov.za.
- By fax to 086 680 9326.

NB: Nominations will not be considered unless all the requirements set out above are met. Correspondence will be entered into with shortlisted candidates only.

Enquiries: Ms Happy Molefe at 012 843 6651

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 281

31 MARCH 2017

CHILDREN'S ACT, 2005 (ACT NO.38 OF 2005)**CALL FOR COMMENTS ON REGULATIONS RELATING TO FEES PAYABLE TO ACCREDITED ADOPTION SOCIAL WORKERS IN RESPECT OF ADOPTION SERVICES**

I, Bathabile Olive Dlamini, Minister responsible for social development, under section 306(1)(e) of the Children's Act, 2005 (Act No. 38 of 2005), intends to make the regulations in the Schedule.

Interested persons or organisations are hereby invited to submit written comments on the draft regulations within 30 calendar days from the date of publication of this Notice. Comments must be forwarded for the attention of Dr Tebogo Mabe, by:

(a) Post to:

The Department of Social Development
Private Bag X901
Pretoria
0001;

(b) Hand to:

The Department of Social Development
Human Science Research Council Building
134 Pretorius Street

Pretoria;

(c) Fax to:

012 312 3733; and

(d) By email to:

TebogoMa@dsd.gov.za



Mrs BO DLAMINI, MP

MINISTER OF SOCIAL DEVELOPMENT

DATE: 27.02.17

SCHEDULE

Definition

1. In this Schedule "Regulation" means the General Regulations Regarding Children, 2010, published under General Notice No. 261 of 2010 (GG 33076 of 1 April 2010), as amended by General Notice No. R497 of 2012 (GG 35476 of 29 June 2012) and General Notice No. 978 of 2016 (GG 40243 of 2 September 2016).

Insertion of regulation 107A of the Regulations

2. The following regulation is hereby inserted in the Regulations after regulation 107:

"107A Fees payable to accredited adoption social workers in respect of adoption services

107 (1) The following fees, which may be reviewed annually, must be payable to a an accredited adoption social worker in respect of adoption services —

SERVICE	MAXIMUM AMOUNT
(a) Group orientation	R305.00 per session
(b) Interview or Counselling (maximum of four hours)	R305.00 per hour
(c) Home visits (maximum four hours)	R305.00 per hour
(d) Home study report	R609.00 per report
(e) Court processes	R609.00 per day
(f) Birth registration	R207.00 per hour

(g)	Administration costs	R207.00 per hour
(h)	After care services	R609.00.00 once off payment
(i)	Child study report	R530. 00 per report
(j)	Origin inquiry/tracing	R200.00 per hour".

Short title and commencement

3. These Regulations are called the General Regulations Regarding Children Second Amendment Regulations, 2017 and comes into operation on the date it is published in the Gazette.

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 282

31 MARCH 2017

**CHILDREN'S ACT
(ACT NO. 38 OF 2005)****AMENDMENT REGULATIONS RELATING TO ADOPTION FEES FOR
ACCREDITED CHILD PROTECTION ORGANISATIONS IN
RESPECT OF ADOPTION SERVICES**

I, Bathabile Olive Dlamini, the Minister responsible for Social Development has under section 249 (2) (d) and section 306 of the Children's Act made the Regulations in the Schedule.


MS ~~Mrs~~ BO DLAMINI, MP**MINISTER OF SOCIAL DEVELOPMENT**

DATE: 27.02.17

SCHEDULE

Definition

1. In this Schedule "Regulation" means the General Regulations Regarding Children, 2010, published under General Notice No. 261 of 2010 (GG 33076 of 1 April 2010), as amended by General Notice No. R497 of 2012 (GG 35476 of 29 June 2012) and General Notice No. 978 of 2016 (GG 40243 of 2 September 2016).

Amendment of regulation 107 of the Regulations

2. Regulation 107 of the Regulation is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation:

"Fees payable to accredited child protection organizations in respect of adoption services

107 (1) The following fees, which may be reviewed annually, must **[payable]** be paid to an accredited child protection organisation **[or an adoption social worker]** in respect of adoption services —

SERVICE	MAXIMUM AMOUNT
(a) Group orientation	R305.00 per session
(b) Interview or Counselling	R305.00 per hour

	(maximum of four hours)	
(c)	Home visits (maximum four hours)	R305.00 per hour
(d)	Home study report	R609.00 per report
(e)	Court processes	R609.00 per day
(f)	Birth registration	R207.00 per hour
(g)	Administration costs	R207.00 per hour
(h)	After care services	R609.00.00 once off payment
(i)	Child study report	R530. 00 per report
(j)	Origin inquiry/tracing	R200.00 per hour"

(b) the repeal of sub-regulation (2).

Short title and commencement

3. These Regulations are called the General Regulations Regarding Children Amendment Regulations, 2017 and comes into operation on the date it is published in the Gazette.

SOUTH AFRICAN QUALIFICATIONS AUTHORITY

NO. 283

31 MARCH 2017



**Policy and Criteria
for Evaluating
Foreign Qualifications
within the
South African NQF
as amended**

March 2017

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Foreword

The South African Qualifications Authority (SAQA) is mandated by the National Qualifications Framework (NQF) Act, 67 of 2008, to advance the objectives of the NQF, oversee the further development and implementation of the NQF and to co-ordinate the Sub-Frameworks. One of the objectives of the NQF is to facilitate access to, and mobility and progression within education, training, development and work. In this regard Section 13(1) (m) requires SAQA to provide an evaluation and advisory service in respect of foreign qualifications, consistent with the NQF Act.

The approved *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF* was published on 30 December 2015. It outlined the principles and criteria that constituted the policy by which SAQA evaluates foreign qualifications and serves the purpose of promoting consistency and transparency in the evaluation of foreign qualifications towards recognition and mobility. The Policy and Criteria was developed in the spirit of our participative democracy.

In the latter half of 2016 SAQA revisited the criteria guiding evaluation of foreign qualifications to be more inclusive of recognising qualifications that address certain types of international qualifications, without compromising the integrity of its evaluation function. To maintain SAQA's democratic participation, various stakeholders were consulted including the Department of Higher Education and Training (DHET); Department of Home Affairs (DHA), Quality Councils (QCs), learning and related institutions (universities, Universities South Africa (USAf), professional bodies and employers.

SAQA looks forward to working with all stakeholders involved in international mobility of knowledge and skills through recognition of foreign qualifications. This amended Policy will benefit legitimate qualification holders hoping to study or work in South Africa.

This *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF as amended in 2017* becomes effective on the date of its publication in the Government Gazette.



Joe Samuels
Chief Executive Officer
South African Qualifications Authority

Glossary of Terms

The purpose of this glossary is to define the evaluation terminology as used to develop this policy and criteria document.

“Accreditation” means the process followed by a competent recognition authority or quality assurance body to recognise a legally established institution as having the capacity to offer a qualification or part-qualification at the required standard; and/or to approve a learning programme as meeting the required standard

“Appeal” means the formal petitioning, by an appellant, either to the Foreign Qualifications Appeal Panel against a recognition decision; or to the Foreign Qualifications Appeal Committee, against an appeal decision taken by the FQ Appeal Panel in Stage 1 of the appeal process.

“Comparison” means the process which entails comparing foreign qualifications with South African qualifications, considering the structure and outcomes of foreign qualifications and locating them within the NQF

“Certification” means formal recognition of a qualification or part-qualification awarded to a successful learner

“Credit” means a measure of the volume of learning required for a qualification or part-qualification, quantified as the number of notional study hours required for achieving the learning outcomes specified for the qualification or part-qualification. In the South African education and training system one credit is equated to ten (10) notional hours of learning

“Evaluation of foreign qualifications” means the process followed by SAQA to verify the authenticity of foreign qualifications and to compare foreign qualifications with South African qualifications registered on the NQF

“Foreign qualification” means a qualification that either: (1) forms an intrinsic part of an education and training system other than South Africa, and is awarded by an institution that is accredited or recognised in that system, in accordance with the relevant laws, policies or generally accepted practice; or (2) meets other specific criteria as determined and published by SAQA

“Foreign Qualification Recognition Value Chain” means the various recognition responsibilities, undertaken by key SA role players, to recognise a foreign qualification for specific purposes

“Learning outcomes” means the contextually demonstrated end-products of specific learning processes, which include knowledge, skills and values

“Level” means one of the series of levels of learning achievement, according to which an NQF or other form of education and training system is organised, and to which qualification types are linked. The South African NQF levels are arranged in ascending order from one to ten, contemplated in the NQF Act, 2008 (Act No.67 of 2008)

“National Qualifications Framework (NQF)” means the comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications and part-qualifications. The South African NQF is a single integrated system comprising three co-ordinated Qualifications Sub-Frameworks namely for: General and Further Education and Training; Higher Education; and Trades and Occupations

“Professional body” means any body of expert practitioners in an occupational field; this includes an occupational body and statutory council

“Professional designation” means a title or status conferred by a professional body in recognition of a person's expertise and/or right to practise in an occupational field

“Qualification award” means the formal acknowledgement, by the relevant authority, of achievement of the stated learning outcomes for a qualification

“Qualifications frameworks” means systems for classification, registration, publication and articulation of quality-assured qualifications

“Quality assurance” means the processes of ensuring that specified standards or requirements for teaching, learning, education administration, assessment and the recording of achievements have been met

“Quality assurance body” means a body that is either legally mandated to undertake quality assurance within a national education and training system, or officially recognised within a framework as compliant with agreed quality assurance standards in a geographical area

“Recognition agreement” means a formal arrangement, signed between two or more countries at a designated political level, confirming the intent to mutually recognise each other's qualifications and outlining the agreed mechanisms and responsibilities

“Recognition decision (regarding a foreign qualification)” means the outcome of the evaluation of a foreign qualification conducted in terms of the *SAQA Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF*; on whether or not to recognise that qualification

“Recognition of a foreign qualification” means the formal acceptance of the appropriateness of a foreign qualification for a specific purpose

“Revocation” means the withdrawal of a prior decision by SAQA to recognise a foreign qualification and the action taken to invalidate, annul, cancel or rescind a SAQA Certificate of Evaluation, to render such certificate to have no legal status and effect.

“SAQA Certificate of Evaluation” means a certificate issued by SAQA indicating the authenticity of the foreign qualification and its location on the NQF

“South African Qualifications Authority (SAQA)” means the statutory authority established in terms of the SAQA Act (Act 58 of 1995) and continuing in terms of the NQF Act (Act 67 of 2008), which oversees the further development and implementation of the NQF, the achievement of the objectives of the NQF, and the co-ordination of the three Sub-Frameworks

“Sub-Framework of the NQF” means one of three co-ordinated Qualifications Sub-Frameworks which make up the South African NQF as a single integrated system namely the Higher Education Qualifications Sub-Framework (HEQSF), the General and Further Education and Training Qualifications Sub-Framework (GFETQSF) and the Occupational Qualifications Sub-Framework(OQSF)

“The United Nations System” means the System consisting of the United Nations, its subsidiary organs, specialised agencies, and affiliated organisations

“Verification of a foreign qualification” means the process followed by SAQA to check the authenticity of a foreign qualification. Verification includes authenticating the status of institutions and the qualifications offered by them, investigating the authenticity of qualification documentation and verifying that the qualification was awarded to the individual in question

Policy and Criteria for Evaluating Foreign Qualifications within the South African National Qualifications Framework

Purpose

1. This document outlines the principles and criteria constituting the policy by which the South African Qualifications Authority (SAQA) evaluates foreign qualifications within the context of the South African National Qualifications Framework (NQF).
2. Its purpose is to promote consistency and transparency in the evaluation of foreign qualifications towards recognition and mobility and to make the information publicly available.

Context

3. SAQA is mandated by the NQF Act, 67 of 2008, to advance the objectives of the NQF, oversee the further development and implementation of the NQF and to co-ordinate the Sub-Frameworks. SAQA executes its mandate in line with South African legislation, led by the Constitution of the Republic of South Africa, 1996.
4. The NQF is a comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications, as contemplated in Section 4 of the NQF Act, 2008.
5. One of the objectives of the NQF is to facilitate access to, and mobility and progression within, education, training, development and work. In this regard Section 13(1)(m) of the NQF Act requires SAQA to provide an evaluation and advisory service in respect of foreign qualifications.
6. SAQA and the Quality Councils (QCs), contemplated in section 5(3) of the NQF Act, 2008, must seek to achieve the objectives of the NQF by:
 - a. developing, fostering and maintaining an integrated and transparent national framework for the recognition of learning achievements;
 - b. ensuring that South African qualifications meet appropriate criteria, determined by the Minister, and are internationally comparable; and
 - c. ensuring that South African qualifications are of an acceptable quality.
7. As seen in Figure 1, just as the NQF is the recognition instrument for national qualifications, it is also used as the benchmark for recognition of foreign qualifications in South Africa:
 - a. Foreign qualifications, whether held by South Africans or foreign nationals, are evaluated to inform decisions regarding further study, employment, registration and professional licensing in South Africa;

- b. Foreign nationals must comply with the visa requirements of the Department of Home Affairs (DHA); and
- c. The evaluation of foreign qualifications by SAQA is a statutory requirement as stipulated in the South African immigration regulations.

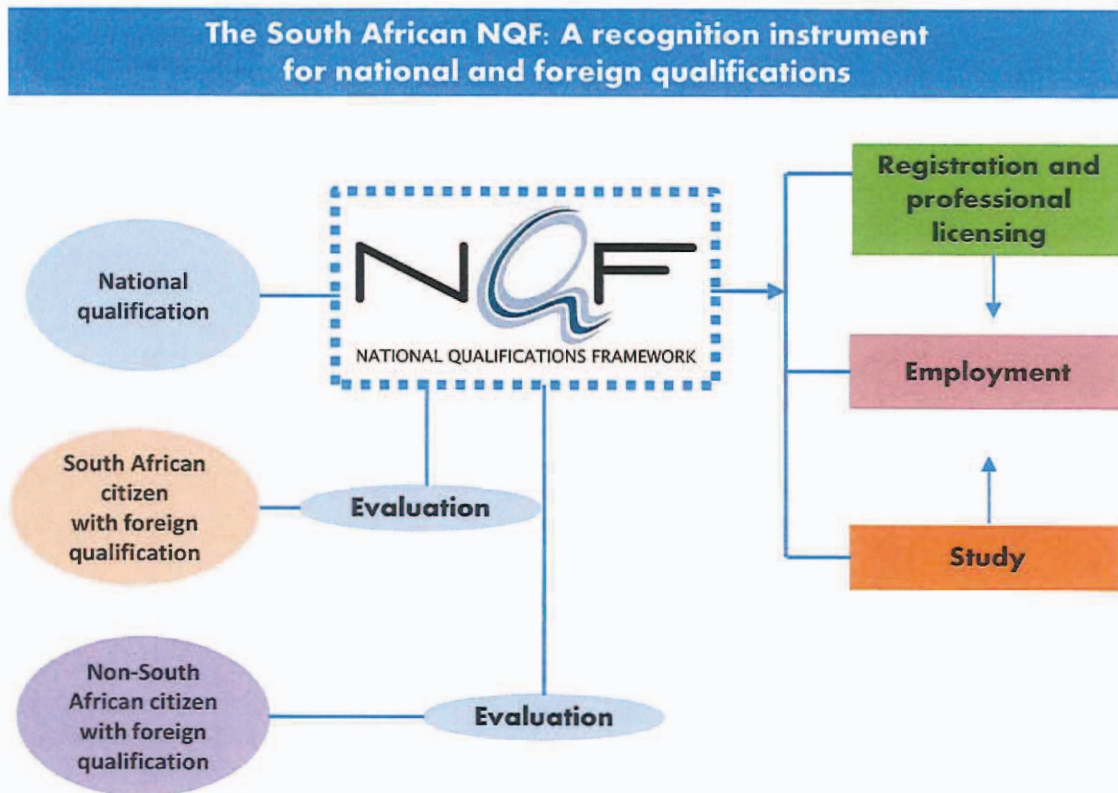


Figure 1: The South African NQF as a recognition instrument for national and foreign qualifications

8. The evaluation and advisory service provided by SAQA forms part of a value chain for the recognition of foreign qualifications for different purposes. Figure 2 shows how SAQA partners with other bodies and entities to recognise foreign qualifications. It outlines the recognition responsibilities of partners namely:
 - a. Evaluation (verification and comparison) of foreign qualifications to determine authenticity and locate the foreign qualification within the NQF - *SAQA*;
 - b. Permission to enter South Africa, the issuing of visas relating to study and work; and addressing the scarce and critical skills needs of the country - *Department of Home Affairs (DHA)*;
 - c. Registration and professional licensing - *Professional Bodies*;
 - d. Employment, promotion and remuneration - *Employers*; and
 - e. Admission to study - *Learning and related institutions*.

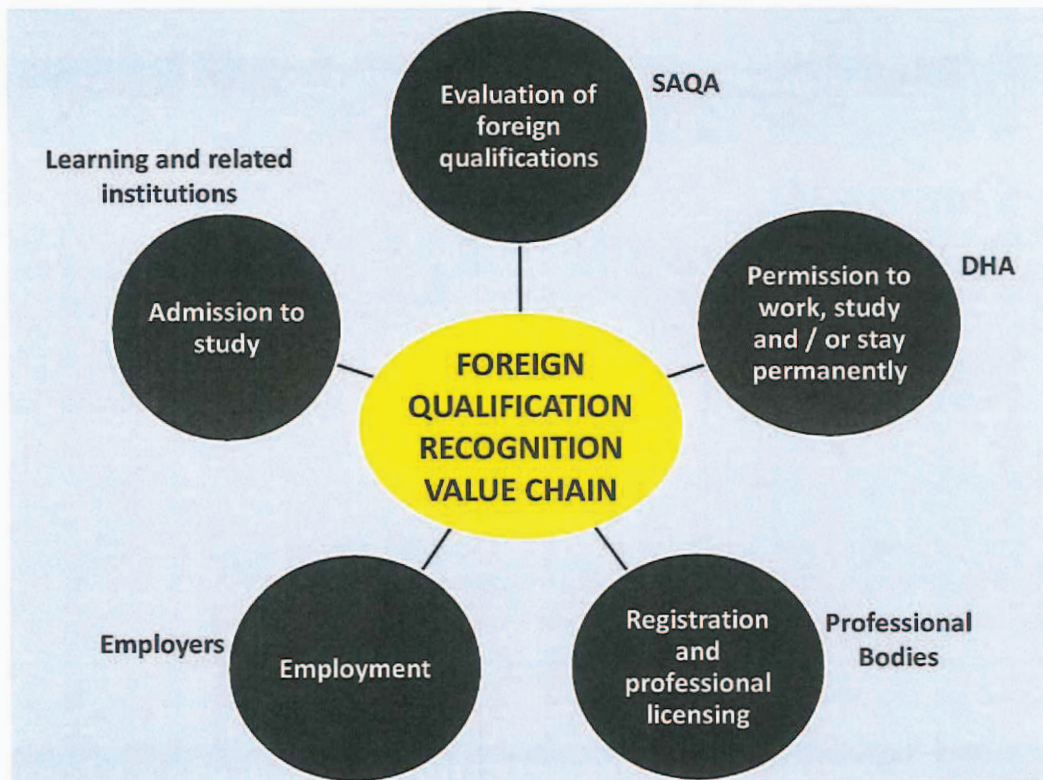


Figure 2: The Recognition Value Chain for foreign qualifications

9. SAQA issues a Certificate of Evaluation (SCoE) to reflect its recognition decision on the comparability of a foreign qualification and its appropriate location on the NQF.
10. The recognition decision on the SCoE does not replace the requirements of each of the contexts of other partners in the Recognition Value Chain as described in Clause 8 above.
11. Globally the recognition of foreign qualifications is guided by a number of legal instruments often led by the United Nations Educational, Scientific and Cultural Organization (UNESCO). South Africa notes the importance of the *Revised Convention on the Recognition of Studies, Certificates, Diplomas and Degrees and Other Academic Qualifications in Higher Education in African States* (2014).

Principles

12. The evaluation of foreign qualifications by SAQA considers all South African NQF-related legislation, regulations and policies. In this regard, national legislation takes precedence over international legislation.

13. The foreign qualifications evaluation and advisory service is provided in accordance with:
 - a. The guidance and oversight provided by SAQA governance structures, as well as SAQA policies, codes and service standards;
 - b. The principles of fairness, transparency, confidentiality and consistency; and
 - c. International good practice.
14. In providing this service, SAQA considers all NQF policies, including:
 - a. *Level Descriptors for the South African National Qualifications Framework*, (Notice No.586, GG No. 355548 of 27 July 2012);
 - b. *Policy and criteria for recognising a professional body and registering a professional designation for the purposes of the National Qualifications Framework Act, Act 67 of 2008*, (Notice No.585, GG No. 355547 of 27 July 2012);
 - c. *National Policy for the Implementation of the Recognition of Prior Learning*, (Notice No.779, GG No. 38075 of 10 October 2014);
 - d. *Policy for Credit Accumulation and Transfer within the National Qualifications Framework*, (Notice No.972, GG No. 38275 of 2 Dec 2014) and
 - e. Any other relevant existing or new policies.
15. SAQA evaluates the foreign qualification underlying a professional designation and not the professional designation itself.
16. It remains the responsibility of learning-related institutions, employers and professional bodies to take decisions concerning recognition of prior learning, admission, employment and licensing and registration, as applicable.
17. SAQA establishes recognition relationships and honours recognition agreements that the Republic of South Africa concludes with other States, as well as conventions that promote the fair recognition of qualifications and hence the worldwide mobility of learners and workers. Recognition agreements are reviewed periodically.
18. SAQA values quality information as a cornerstone of effective processes and fair recognition decisions. SAQA takes seriously its responsibility to provide true, clear and accessible information and expects the same of qualification holders and foreign institutions.
19. Where substantial difference exists and can be demonstrated between the foreign and local qualification/ qualification type, it remains SAQA's decision to recognise a foreign qualification at a designated NQF level.
20. In accordance with the rules of administrative justice, a qualification holder has the right to be informed of the rationale underlying a recognition decision and exercise the right to appeal in accordance with the *SAQA Foreign Qualifications Evaluation and Advisory Services Appeal Policy* (2016).

21. SAQA has a zero tolerance approach to fraudulent and corrupt practices.
22. The SAQA Code of Ethics and Policies relating to Fraud Prevention and Detection and Fraud Reporting apply to all members of SAQA staff and associates. Any attempts to bypass standard procedures, or influence either the process or outcome of the evaluation of foreign qualifications, must be refused and reported.
23. Members of the public are urged to:
 - a. refrain from any behaviour aimed at compromising SAQA staff or processes;
 - b. immediately report any irregular behaviour by staff; and
 - c. report any suspected irregular activities related to foreign qualifications.
24. SAQA holds the copyright to its Certificate of Evaluation (SCoE).
25. The SCoE remains the property of SAQA. SAQA reserves the right to revoke the SCoE if any evidence comes to light that compromises its integrity and validity. Revocation takes place in accordance with the SAQA *Foreign Qualifications Evaluation and Advisory Services Revocation Policy* (2016).
26. It is illegal to misrepresent a SCoE. Learning institutions, DHA, professional bodies and employers are encouraged to verify with SAQA the authenticity of the SCoE presented.

Criteria for evaluating foreign qualifications

27. To be accepted for evaluation, applications must meet all the requirements stipulated in the published application material:
 - a. Applicants must provide SAQA with a complete and credible set of documents to enable evaluation;
 - b. Education and training institutions must provide complete and credible qualification documents to qualifying learners; and
 - c. SAQA may request the relevant foreign institutions to provide additional information to conduct a fair evaluation of a foreign qualification.
28. Noting that education systems change, SAQA, in the evaluation of a foreign qualification will consider the historical context within which the foreign qualification was issued.

29. SAQA will recognise a foreign qualification after it has determined that, at the time of enrolment of the qualification holder, all the following verification requirements were met:
- a. The awarding institution was:
 - (i) Recognised, or accredited (whichever term applies) by the relevant authority in the home system, in accordance with the relevant laws, policies or generally accepted practice in that country;
 - (ii) Established within the United Nations System, listed on the International Association of Universities (IAU)/ UNESCO World Higher Education Database, and authorised to operate as a higher education institution in the country of location; or
 - (iii) If deviating from (i) or (ii) above, established on grounds that SAQA may consider on a case-by-case basis and find to be meritorious;
 - b. The qualification was:
 - (i) Part of the formal education and training system in the country of origin; or
 - (ii) In the case of (29)(a)(ii) and (iii) above, awarded on completion of a programme accredited by a quality assurance body, that meets the definition herein;
 - c. The institution was authorised to offer the qualification;
 - d. The qualification holder has successfully completed all the requirements for the award of the qualification as confirmed by the awarding body; and
 - e. The documentation in respect of the foreign qualification submitted to SAQA is authentic, with no evidence of tampering or inconsistency.
30. A qualification will proceed to the comparison phase of evaluation and qualify for the issuing of a SCoE only if all verification requirements are met.
31. Where recognition agreements exist between South Africa and foreign countries, SAQA's recognition decision will reflect the provisions of such agreements consistent with the South African NQF.
32. In the absence of a recognition agreement, the foreign qualification will be located within its national system in order to understand how the foreign system compares with the South African NQF:
- a. Where the foreign national system is a qualifications framework, the foreign qualifications framework will be compared with the South African NQF in order to locate the foreign qualification on the South African NQF (Sub-Framework, NQF Level and organising field). The recognition decision will be based on learning outcomes, both level descriptors and qualification descriptors;
 - b. Where the country does not have a qualifications framework, the foreign national system will be compared with the South African NQF in order to locate the foreign qualification on the South African NQF. The recognition decision will be based on qualification descriptors and the comparable level will be inferred; and

- c. Where the foreign qualifications were issued before the introduction of a qualifications framework, SAQA will ascertain whether provision was made for the inclusion of earlier qualifications into the qualifications framework and consider that in the comparison.
33. Where a qualification is not located within a national system of education and training but meets all the verification criteria outlined in (29)(a) and (b) above, SAQA will use appropriate measures to determine comparability in terms of the NQF.
34. Policies and criteria governing qualification types in the three Qualifications Sub-Frameworks of the South African NQF will be considered when conducting comparisons of foreign qualifications with South African qualifications.

Transitional arrangements

35. This *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF as amended in 2017* comes into effect on the date of its publication in the Government Gazette. It replaces the *Policy and Criteria for Evaluating Foreign Qualifications within the South African NQF* published in 2015. This Policy and Criteria will be reviewed procedurally after five years, or earlier if necessary.

List of acronyms and names

CHE	Council on Higher Education
DFQEAS	Directorate: Foreign Qualifications Evaluation and Advisory Service
DHA	Department of Home Affairs
GFETQSF	General and Further Education and Training Qualifications Sub-Framework
HEQSF	Higher Education Qualifications Sub-Framework
IAU	International Association of Universities
NQF	National Qualifications Framework
OQSF	Occupational Qualifications Sub-Framework
QC	Quality Council
QCTO	Quality Council for Trades and Occupations
RSA	Republic of South Africa
SAQA	South African Qualifications Authority
SCoE	SAQA Certificate of Evaluation
Umalusi	Council for Quality Assurance in General and Further Education and Training
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization

Members of the Foreign Qualifications Evaluation Reference Group

Allied Health Professions Council of South Africa	Louis Mullinder
Council on Higher Education	Amani Saidi
Department of Higher Education and Training	Shirley Lloyd
Department of Home Affairs	Amanda Ledwaba
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Quality Council for Trades and Occupations	Annemarie Janse Van Rensburg
SAQA Foreign Qualifications Board Committee	Lavern Samuels replacing David Adler
SAQA Foreign Qualifications Board Committee	Jones Moloisane
South African Nursing Council	Sipho Mkhize
Umalusi	Liz Burroughs replacing Helen Matshoba
Universities South Africa (Formerly Higher Education South Africa)	Berene Kramer

DEPARTMENT OF TRADE AND INDUSTRY

NO. 284

31 MARCH 2017

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act No. 5 of 2008), AS AMENDED THROUGH THE LEGAL METROLOGY
ACT (Act No. 9 of 2014)**

**AMENDMENT TO THE COMPULSORY SPECIFICATION FOR SAFETY OF
MEDIUM-VOLTAGE ELECTRIC CABLES (VC 8077)**

I, Dr Rob Davies, Minister of Trade and Industry, hereby under Section 13(1) of the National Regulator for Compulsory Specifications Act (Act 5 of 2008), declare the amendment of the compulsory specification for safety of medium-voltage electric cables (VC 8077) as set out in the attached schedule, effective six (6) months after the publication of this notice.



Dr Rob Davies, MP
Minister of Trade and Industry

SCHEDULE
COMPULSORY SPECIFICATION FOR SAFETY OF MEDIUM-VOLTAGE ELECTRIC
CABLES
(VC 8077)

1. SCOPE

1.1 This compulsory specification covers safety of single core and three-core cross-linked polyethylene (XLPE) insulated cables for rated voltages 3,8/6,6 kV to 19/33 kV, and impregnated paper-insulated metal-sheathed cables for rated voltages 3,3/3,3 kV to 19/33 kV (excluding pressure assisted cables).

2. DEFINITIONS

2.1 For the purposes of this document, the definitions in SANS 1339 and SAN 97 standards apply.

2.2 In addition, the following definitions shall apply:

2.2.1 Applicant: the manufacturer or importer seeking approval *medium voltage electric cable*. The applicant shall be an existing legal entity within the Republic of South Africa.

2.2.2 Conformity of Production: proof (issued less than 12 months before the date of submission to the NRCS for approval) that medium voltage electric cables offered for sale have been manufactured to the approved design and continue to comply with the requirements of this compulsory specification. The proof shall comprise of the manufacturer's quality management system certificate or report, and a control plan.

2.2.3 Declaration report: a report that is issued by an accredited conformity assessment body, indicating the equivalence of products and/or standards.

2.2.4 Full test report: a valid test report that cover the full testing of a product for NRCS approval.

- 2.2.5 **NRCS:** the National Regulator for Compulsory Specifications as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).
- 2.2.6 **Proof of approval:** a letter of authority (LoA) issued by the NRCS, which confirms that a particular medium voltage electric cable type satisfies the requirements of this compulsory specification.
- 2.2.7 **Proof of conformity:** documented evidence of conformity with the requirements of this compulsory specification.
- 2.2.8 **Product Certificate:** a document (a certificate or a permit or a license) issued by a body operating a system 5 product certification as described in ISO/IEC 17067 and accredited to SANS ISO/IEC 17065 standard.
- 2.2.9 **Valid test report:** copy of an original test report issued less than **36** months before the date of submission to the NRCS for approval.

3. GENERAL REQUIREMENTS

- 3.1 The applicant shall ensure that each type of *medium voltage electric cable* has been approved by the NRCS before offering it for sale or import or supply, in accordance with the requirements of Annex A.
- 3.2 The applicant shall inform the NRCS of any change in design or materials affecting any mandatory requirement in terms of this compulsory specification. In the event of such change(s) the NRCS may, at its discretion, demand that the applicant submit a new application for approval.
- 3.3 The applicant shall, on request, provide the NRCS, within five (5) working days, with satisfactory proof of approval in respect of any type of *medium voltage electric cable* included in the scope of this compulsory specification.
- 3.4 The applicant shall on request provide the NRCS, within five (5) working days, with satisfactory proof of conformity of production.
- 3.5 Failure to provide such proof shall constitute reasonable grounds for suspicion of non-compliance with the requirements of this compulsory specification.

4. SPECIFIC REQUIREMENTS

Medium voltage cross-linked polyethylene (XLPE) electric cable insulated cables shall comply with the requirements of SANS 1339, *Electric cables- for rated voltage 3,8/6,6 kV to 19/33 kV*.

Medium voltage paper-insulated electric cables shall comply with the requirements of SANS 97, *electric cables-Impregnated paper-insulated metal-sheathed cables for rated voltages 3,3/3,3 kV to 19/33kV*.

5. EQUIVALENCE OF STANDARDS

Standards issued by different standardization bodies such as ISO, EN, UL, AUS/NZ etc., will only be accepted if it is proven, in the form of a declaration report from an accredited conformity assessment body, that they are technically equivalent to the relevant South African National Standard. The applicant shall be responsible for obtaining such a declaration report. Proof of conformity with such a standard shall be accepted as conformity with the corresponding South African National Standard.

6. CONFORMITY TO REFERENCED STANDARDS

- 6.1 For the purposes of this compulsory specification, a new edition of a referenced standard shall become effective twelve (12) months from the date of publication as a South African National Standard.
- 6.2 New products, or products resubmitted for approval because of a change in design or materials, shall in all cases be evaluated against the requirements of the latest edition of any referenced standard.

7. EVIDENCE OF CONFORMITY

One of the following options of evidence shall be submitted to the NRCS as proof of conformity with the requirements of this compulsory specification:

- 7.1 Option 1, for *medium voltage electric cables* **without a product certification**:

- 7.1.1 Full test reports in IEC format or any equivalent format acceptable to the NRCS and issued by an appropriately accredited and internationally recognized body being a member of an IAF/ILAC/IECEE mutual recognition scheme in accordance with the NRCS's conformity assessment policy.
- 7.1.2 The test reports shall prove conformity with all the applicable mandatory requirements.
- 7.1.3 Evidence of conformity shall be traceable to the specific *medium voltage electric cables* type(s).
- 7.2 Option 2, *medium voltage electric cables* with product certification:**
- 7.2.1 A product certificate and a valid test report issued by an appropriately accredited and internationally recognized body being a member of an IAF/ILAC/IECEE mutual recognition scheme in accordance with the NRCS's conformity assessment policy.
- 7.2.2 Evidence of conformity shall be traceable to the specific *medium voltage electric cables* type(s).

ANNEX A - APPROVAL OF MEDIUM VOLTAGE ELECTRIC CABLE

A.1 APPLICATION FOR APPROVAL

An application for approval of each type *medium voltage electric cable* intended for sale shall include:

- A.1.1** Details of the type of *medium voltage electric cable* for which approval is sought and the standard(s) to which it is claimed to conform;
- A.1.2** Details of the manufacturing plant/s in which the *medium voltage electric cable* type is produced;
- A.1.3** For new applications, proof of conformity, with all the requirements of this compulsory specification, issued less than **36** months before the date of submission to the NRCS;

A.1.4 For *medium voltage electric cables* without a product certificate:

On expiry of the approval (LOA), an application for an extension may be granted, provided that all the conditions of the previous approval were met. In this case, proof of compliance, with all the requirements of the relevant compulsory specification, issued less than 60 months before the date of submission to the NRCS, shall be required;

A1.5 For *medium voltage electric cables* with a product certificate:

On expiry of the approval (LOA), an application for an extension may be granted, provided that a valid (as determined by the conformity assessment body) product certification and conformity of production are submitted to the NRCS.

A.1.6 Identification markings and other information appearing on the product; and

A.1.7 Any reasonable additional information in order to clarify the above that may be requested by the NRCS.

A.2 APPROVAL

A.2.1 The NRCS shall assess the evidence of conformity supplied by the applicant and shall decide to grant approval or not, at its sole discretion.

A.2.2 The NRCS shall assign a unique number to each approval.

A.2.3 The NRCS shall issue a letter of authority certificate (LOA) for each successful application, to the applicant, when all the requirements have been met.

A.2.4 The approval granted with respect to each type of *medium voltage electric cable* that is pursuant to this compulsory specification may be withdrawn at any time, after the manufacturer has been notified in writing, if the requirements have not been met or maintained.

DEPARTMENT OF TRADE AND INDUSTRY

NO. 285

31 MARCH 2017

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act No. 5 of 2008), AS AMENDED THROUGH THE LEGAL METROLOGY
ACT (Act No. 9 of 2014)****AMENDMENT TO THE COMPULSORY SPECIFICATION FOR
LAMP HOLDERS (VC 8011)**

I, Dr Rob Davies, Minister of Trade and Industry, hereby under Section 13(1) of the National Regulator for Compulsory Specifications Act (Act 5 of 2008), declare the amendment of the compulsory specification for lampholders (VC 8011) as set out in the attached schedule, effective six (6) months after the publication of this notice.



Dr Rob Davies, MP
Minister of Trade and Industry

SCHEDULE
COMPULSORY SPECIFICATION FOR LAMPHOLDERS
(VC 8011)

1. SCOPE

This compulsory specification covers safety requirements of lampholders and lampholders adapters.

The scope of this compulsory specification includes:

- Edison screw lampholder,
- Bayonet lampholders and
- Lampholders adapters

2. DEFINITIONS

2.1 For the purposes of this document, the definitions in SANS (South African National standard) 61184 and SANS 60238, apply.

2.2 In addition, the following definitions shall apply:

2.2.1 Applicant: the manufacturer or importer seeking approval *lampholder(s)*. The applicant shall be an existing legal entity within the Republic of South Africa.

2.2.2 Declaration report: a report that is issued by an accredited conformity assessment body, indicating the equivalence of standards.

2.2.3 NRCS: the National Regulator for Compulsory Specifications as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).

2.2.4 Proof of approval: a letter of authority (LoA) issued by the NRCS, which confirms that a particular *lampholder* type satisfies the requirements of this compulsory specification.

2.2.5 Valid test report: copy of an original test report issued less than 36 months before the date of submission to the NRCS for approval.

3. GENERAL REQUIREMENTS

- 3.1 The applicant shall ensure that each type of lampholder has been approved by the NRCS before offering it for sale or import or supply, in accordance with the requirements of Annex A
- 3.2 The applicant shall inform the NRCS of any change in design or materials affecting any mandatory requirement in terms of this compulsory specification. In the event of such change(s) the NRCS may, at its discretion, demand that the applicant submit a new application for approval.
- 3.3 The applicant shall, on request, provide the NRCS, within five (5) working days, with satisfactory proof of approval in respect of any type of lampholder (s) included in the scope of this compulsory specification.
- 3.4 Failure to provide such proof shall constitute reasonable grounds for suspicion of non-compliance with the requirements of this compulsory specification.

4. SPECIFIC REQUIREMENTS

- 4.1 **Bayonet screw lampholders** shall comply with the requirements in SANS 61184, *Bayonet lampholders*.
- 4.2 **Edison screw lampholders**, shall comply with the requirements in SANS 60232, *Edison screw lampholders*.

- 4.3 Lampholders adapter** shall comply with all applicable components and lampholders standards.

5. EQUIVALENCE OF STANDARDS

Standards issued by different standardization bodies such as ISO (International standards organisation), EN (European standard), UL (Underwrite Laboratories), AUS/NZ (Australian/New Zealand standards) etc., will only be accepted if it is proven, in the form of a declaration report from an accredited conformity assessment body, that they are technically equivalent in all respects to the relevant South African National Standard. The applicant shall be responsible for obtaining such a declaration report. Proof of conformity with such a standard shall be accepted as conformity with the corresponding South African National Standard (SANS).

6. CONFORMITY TO REFERENCED STANDARDS

- 6.1** For the purposes of this compulsory specification, a new edition of a referenced standard shall become effective twelve (12) months from the date of publication as a South African National Standard.
- 6.2** New products, or products resubmitted for approval because of a change in design or materials, shall in all cases be evaluated against the requirements of the latest edition of any referenced standard.

7. EVIDENCE OF CONFORMITY

The following forms of evidence shall be submitted to the NRCS as proof of conformity with the requirements of this compulsory specification:

- 7.1** A valid test reports in format acceptable to the NRCS and issued by an appropriately accredited and internationally recognized body being a member of

an IAF/ILAC/IECEE mutual recognition scheme in accordance with the NRCS's conformity assessment policy.

- 7.2 The test reports shall prove conformity with all the applicable mandatory requirements.
- 7.3 Evidence of conformity shall be traceable to the specific *lampholder*.

ANNEX A - APPROVAL OF LAMP HOLDERS

A.1 APPLICATION FOR APPROVAL

An application for approval of each type of *lampholder(s)* intended for sale shall include:

A.1.1 Details of the type of *lampholder(s)* for which approval is sought and the standard/s to which it is claimed to conform;

A.1.2 Details of the manufacturing plant/s in which the *lampholder(s)* type is produced;

A.1.3 For new applications, proof of conformity, with all the requirements of this compulsory specification, issued less than 36 months before the date of submission to the NRCS;

A.1.4 On expiry of the approval, an application for an extension may be granted, provided that all the conditions of the previous approval were met. In this case, a test report, with all the requirements of the relevant compulsory specification, issued less than 60 months before the date of submission to the NRCS, shall be required;

A.1.5 Identification markings and other information appearing on the product; and

A.1.6 Any reasonable additional information in order to clarify the above that may be requested by the NRCS.

A.2 APPROVAL

A.2.1 The NRCS shall assess the evidence of conformity supplied by the applicant and shall decide to grant approval or not, at its sole discretion.

A.2.2 The NRCS shall assign a unique number to each approval.

A.2.3 The NRCS shall issue a letter of authority certificate (LOA) for each successful application, to the applicant, when all the requirements have been met.

A.2.4 The approval granted with respect to each type of a *lampholder* that is pursuant to this compulsory specification may be withdrawn at any time, after the manufacturer has been notified in writing, if the requirements have not been met or maintained.

CONTINUES ON PAGE 130 - PART 2



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BOARD / RAAD
NOTICE 244 OF 2017



 LANGUAGE POLICY

TERMS OF REFERENCE

Initiated By:	Approved By:	Date Approved:	Version Number:
Malebogo Mahape- Marimo: CE	Board	30 July 2016	Version 1
Janeske Botes: A/CE	Board	26 November 2016	Version 2



LEGAL AID SOUTH AFRICA: LANGUAGE POLICY

1. Introduction

- 1.1. South Africa is a multilingual country and Section 6 of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) grants official language status to 11 languages, namely Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.
- 1.2. There is increased awareness of the need to intensify efforts to develop the previously marginalised indigenous languages and to promote multilingualism.
- 1.3. The Use of Official Languages Act, 2012 (Act No. 12 of 2012) strives to give effect to the constitutional obligation of multilingualism. This Act requires that every national department, national public entity and national public enterprise must adopt a language policy and establish language units.
- 1.4. Legal Aid South Africa has a constitutional mandate and a legislative mandate (Legal Aid South Africa Act (39 of 2014)) to provide legal representation to persons at state expense, to provide legal aid and legal advice and to provide education and information concerning legal rights and obligations. There is a need to provide a policy framework to promote linguistic diversity and ensure redress for those languages which were previously marginalised so that there is equitable access to services and information.
- 1.5. Legal Aid SA has adopted this Language Policy so as to standardise and monitor how we use official languages in the course of conducting our business.

2. Definitions/Acronyms

For the purpose of this policy, except where indicated otherwise, the words and expressions set out below have the following meaning:

“Braille”	English Braille, also known as Grade-2 Braille
“Constitution”	Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
"Interpreting"	in relation to oral utterances, means the transposing of utterances of one language into utterances of another language and, in relation to signed utterances, means the transposing of the sign language into a spoken language and the other way round, with "interpret" having a corresponding meaning
"Language rights"	means the linguistic human rights that are established by legislation, which rights determine the situations in which personnel and clients can elect to use their predominantly spoken language
“Multilingualism”	The use of several or all official languages of the country in written and oral communication
“Official language”	Any of the 11 official languages as prescribed in Section 6(1) of the Constitution
“Previously marginalised languages”	Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, isiNdebele, isiXhosa and isiZulu
“Sensory disabilities”	A visual, speech and/or hearing impairment
“Third party “	Includes service providers and prospective employees

3. Policy Principles and Objectives

The Legal Aid SA Language Policy is based on the following principles:

- i. Recognition of the linguistic and cultural diversity within Legal Aid SA as well as the multilingual nature of the people of SA
- ii. A commitment to the promotion of language equity and language rights as required by a democratic dispensation
- iii. The development and promotion of all official languages
- iv. Ensure redress for the previously marginalised official indigenous languages
- v. The right that members' of the public have to use the language of their choice in their communication and interaction with Legal Aid SA; and the right to access and/or receive information and services in the language of choice, where reasonably possible

- vi. The need to provide for the communication needs of people with language barriers, such as people who are hearing and/or visually impaired
- vii. The constitutional and legislative mandate to promote multilingualism to ensure that communication between Legal Aid SA and the public is effective
- viii. Promotion of effective language management in Legal Aid SA for efficient service delivery

4. Purpose and Scope

The purpose of this policy is:

- i. To regulate and monitor the use of official languages for Legal Aid SA
- ii. To promote the equitable treatment and use of the 11 official languages
- iii. To promote equality of all languages in the provision of services and information
- iv. To comply with the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) and the Use of Official Languages Act, 2012 (Act No. 12 of 2012)

This policy is applicable to all the personnel of Legal Aid South Africa and all services offered by the organisation at all its offices.

The Communication Department is the official custodian of this policy.

5. Legislative Basis

This policy is based on the following legal frameworks:

5.1. The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)

Section 6(3)(a) sets out the various factors that government departments must take into account when determining which official languages to use for their purposes. The following are some of the factors to be taken into account:

- (a) Usage
- (b) Practicality
- (c) Expense
- (d) Regional circumstances, and
- (e) The balance of the needs and preferences of the population as a whole or in the province concerned.

Section 6(4) obliges the national and provincial government departments to regulate and monitor the use of official languages by legislative and other measures.

Section 9(3) and (4) prohibit amongst others, discrimination on the basis of language, ethnicity, race and culture.

Section 30 gives individuals the right to use a language of their choice, and

Section 31 protects the rights of linguistic communities to use their language.

5.2. Use of Official Languages Act, 2012 (Act No. 12 of 2012)

The Use of Official Languages Act, 2012 contains various regulatory mechanisms, which include:

- (a) Section 4, the obligation to adopt language policies, and
- (b) Section 7 the requirement that every national department, national public entity and national public enterprise must establish language units.

5.3. Promotion of Access to Information Act, 2000 (Act 2 of 2000)

Language of Access

Section 31 of this Act provides that a requester whose request for access to a record of a public body has been granted must, if the record—

- (a) Exists in the language that the requester prefers, be given access in that language; or,
- (b) Does not exist in the language so preferred or the requester has no preference or has not indicated a preference, be given access in any language the record exists in.

6. Legislative and other Mandates of Legal Aid SA

Legal Aid South Africa derives its mandate from the Constitution of the Republic of South Africa (Act 108 of 1996), the Legal Aid South Africa Act (39 of 2014) as read with the current Legal Aid Guide - which will be replaced by the Legal Aid Regulations (Policy Provisions) and Legal Aid Manual (Procedural Provisions) - as well as other national legislation which gives effect to the rights and obligations enshrined in the Constitution.

6.1. Constitutional Mandate

Our constitutional mandate relating to criminal trials and appeals, civil children's matters and civil matters derives mainly from the four specific provisions that are highlighted below. These rights are given content particularly in our enabling legislation but also in other national legislation that is reflected in the ensuing paragraphs:

The Constitution of RSA (Act 108 of 1996)

Section 35(2) *"Everyone who is detained, including every sentenced prisoner, has the right -*

(c) to have a legal practitioner assigned to the detained person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ..."

Section 35(3) *"Every accused person has a right to a fair trial, which includes the right -*

(g) to have a legal practitioner assigned to the accused person by the state and at state expense, if substantial injustice would otherwise result, and to be informed of this right promptly; ...

(o) of appeal to, or review by, a higher court."

Section 28(1) *"Every child has the right,*

(h) to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; ..."

Section 34 *"Everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum."*

6.2. Legislative Mandate

Legal Aid South Africa Act 39 of 2014

(Assented on 9 December 2014; Date of Commencement 1 March 2015)

The Legal Aid South Africa Act (39 of 2014) (hereafter referred to as the Act) came into operation on 1 March 2015.

Section 26 of the Act makes provision for transitional arrangements and provides that any person who immediately before the commencement of the Act held an office in terms of the Legal Aid Act of 1969, shall be deemed to have been appointed in terms of the Act and remains in that office for a period of 12 months after the commencement of the Act.

The transitional period ended on 29 February 2016 and the final phase of the Act commenced on 1 March 2016. With effect from 1 March 2016, Board members were appointed in terms of Section 6 of the Act together with all its committees which were appointed in terms of Section 13.

The Legal Aid Guide in operation at the time of commencement of the Act also remains active in terms of Section 26(6) of the Act until withdrawn and replaced by regulations made under Section 23(1) and the Legal Aid Manual referred to in Section 24(1), which have to be promulgated by no later than 28 February 2017.

The mandate and objects of Legal Aid SA are aptly described and detailed in the preamble to the Legal Aid South Africa Act (39 of 2014), as follows:

“To ensure access to justice and the realisation of the right of a person to have legal representation as envisaged in the Constitution and to render or make legal aid and legal advice available; for that purpose to establish an entity called Legal Aid South Africa with a Board of Directors and to define its objects, powers, functions, duties and composition; to provide for the independence and impartiality of Legal Aid South Africa; ...”

The objects are defined as follows in the new Act:

3. *The objects of Legal Aid South Africa are to—* (a)
render or make available legal aid and legal advice;
(b) provide legal representation to persons at state expense; and
(c) provide education and information concerning legal rights and obligations, as envisaged in the Constitution and this Act.

7. Linguistic Profile of South Africa

Table 1: Census 2011 information on the population by first language spoken per province:

First Language	WC	EC	NC	FS	KZN	NW	GP	MP	LP	TOTAL
Afrikaans	2 820 643	683 410	606 225	340 490	161 876	309 867	1 502 940	289 446	140 185	6 855 082
English	1 149 049	362 502	37 842	78 782	1 337 606	120 041	1 603 464	124 646	78 692	4 892 624
IsiNdebele	15 238	14 854	6 023	10 008	111 657	43 988	380 494	403 678	104 283	1 090 223
IsiXhosa	1 403 233	5 092 152	60 187	201 145	340 832	190 601	796 841	48 993	20 275	8 154 259
IsiZulu	24 634	31 634	8 501	118 126	7 901 932	84 835	2 390 036	965 253	62 424	11 587 375
Sepedi	8 144	14 299	2 431	7 395	20 555	83 999	1 282 896	372 392	2 826 464	4 618 575
Sesotho	64 066	158 964	14 136	1 717 881	79 416	201 153	1 395 089	138 559	80 299	3 849 563
Setswana	24 534	12 607	373 086	140 228	52 229	2 191 230	1 094 599	71 713	107 021	4 067 247
SiSwati	3 208	2 020	648	2 246	8 347	12 091	136 550	1 106 588	25 346	1 297 044
Tshivenda	4 415	3 663	1 083	2 592	4 309	16 255	272 122	12 140	892 809	1 209 388
Xitsonga	9 152	3 092	1 201	8 039	8 936	127 146	796 511	416 746	906 325	2 277 148
Total	5 675 604	6 458 325	1 127 683	2 675 777	10 153 789	3 457 004	12 075 861	3 998 726	5 338 675	

Legend: 1. First predominant language: Green
 2. Second predominant language: Orange
 3. Third predominant language: Blue

Table 2: Census 2011 information on the population by first language spoken per province (percentage):

Language	WC	EC	NC	FS	KZN	NW	GP	MP	LP
Afrikaans	49.7	10.6	53.8	12.7	1.6	9	12.4	7.2	2.6
English	20.2	5.6	3.4	2.9	13.2	3.5	13.3	3.1	1.5
IsiNdebele	0.3	0.2	0.5	0.4	1.1	1.3	3.2	10.1	2
IsiXhosa	24.7	78.8	5.3	7.5	3.4	5.5	6.6	1.2	0.4
IsiZulu	0.4	0.5	0.8	4.4	77.8	2.5	19.8	24.1	1.2
Sepedi	0.1	0.2	0.2	0.3	0.2	2.4	10.6	9.3	52.9
Sesotho	1.1	2.5	1.3	64.2	0.8	5.8	11.6	3.5	1.5
Setswana	0.4	0.2	33.1	5.2	0.5	63.4	9.1	1.8	2
SiSwati	0.1	0	0.1	0.1	0.1	0.1	1.1	21.7	0.5
Tshivenda	0.1	0.1	0.1	0.1	0	0.5	2.3	0.3	16.7
Xitsonga	0.2	0	0.1	1.3	0.1	3.7	6,6	10.4	17

8. Policy Statement

8.1. Recommended use of official languages by Legal Aid SA

Bearing in mind the linguistic profile of the country, as per section 7 above, to determine the official languages that will be used by Legal Aid SA in its offices and where it provides its services, it is recommended in Table 3 that the following languages per province be used:

Table 3: Legal Aid SA's recommended usage of languages per province:

Province	Languages
National	isiZulu, Sesotho, Sepedi, Setswana, isiXhosa, Xitsonga, Tshivenda, siSwati, isiNdebele, English and Afrikaans
Eastern Cape	isiXhosa, English, Afrikaans and Sesotho
Free State	Sesotho, Afrikaans, English and isiXhosa
Gauteng	isiZulu, Sesotho, Sepedi, Setswana, English and Afrikaans

Table 3: Legal Aid SA's recommended usage of languages per province (Continued):

Province	Languages
KwaZulu-Natal	isiZulu, English, isiXhosa and Afrikaans
Limpopo	Sepedi, Xitsonga, Tshivenda, Afrikaans and English
Mpumalanga	isiZulu, siSwati, isiNdebele, Xitsonga, Afrikaans and English
Northern Cape	Afrikaans, Setswana, isiXhosa and English
North West	Setswana, Afrikaans, Sesotho and English
Western Cape	Afrikaans, isiXhosa and English

Following consultations with Legal Aid SA's external stakeholders (see list in Annexure B) and applicants for legal aid (see data in Annexure C) on their preferred language/s of communication with the organisation, Table 4 below compares Legal Aid SA's initial list of recommended usage of languages per province, the findings of consultations with external stakeholders and the findings of the application language survey:

Table 4: Comparison of recommended and preferred languages:

Province	Languages as per Table 3	Languages as per consultation with External Stakeholders	Languages as per Application Language Survey
National	isiZulu, Sesotho, Sepedi, Setswana, isiXhosa, Xitsonga, Tshivenda, siSwati, isiNdebele, English, Afrikaans (all)	English dominates	isiZulu, Afrikaans, isiXhosa, Sesotho, Setswana, English, Sepedi, Xitsonga, siSwati, Tshivenda, isiNdebele (all)
Eastern Cape	isiXhosa, English, Afrikaans, Sesotho	English, isiXhosa, Sesotho, isiZulu	isiXhosa, Afrikaans, Sesotho, English
Free State	Sesotho, Afrikaans, English, isiXhosa	English, Setswana, Sesotho, Afrikaans, isiXhosa	Sesotho, isiXhosa, isiZulu, Afrikaans, Setswana, English
Gauteng	isiZulu, Sesotho, Sepedi, Setswana, English, Afrikaans	English, isiZulu, Afrikaans, Sesotho	isiZulu, Sesotho, Setswana, Afrikaans, Sepedi, isiXhosa, English, Xitsonga, Tshivenda, siSwati, isiNdebele

KwaZulu-Natal	isiZulu, English, isiXhosa, Afrikaans	English, isiZulu, isiXhosa, Afrikaans, Sesotho, Setswana	isiZulu, English, isiXhosa, Sesotho
Limpopo	Sepedi, Xitsonga, Tshivenda, Afrikaans, English	English, Sepedi, Afrikaans, Tshivenda, isiNdebele, Xitsonga	Sepedi, Xitsonga, Tshivenda, Sesotho, Setswana, isiZulu, Afrikaans, isiXhosa, isiNdebele, Other
Mpumalanga	isiZulu, siSwati, isiNdebele, Xitsonga, Afrikaans, English	English, Sepedi, Afrikaans, Tshivenda, isiNdebele, Xitsonga	isiZulu, siSwati, Sepedi, isiNdebele, Sesotho, Afrikaans, Xitsonga, isiXhosa, Setswana, English, Other
Northern Cape	Afrikaans, Setswana, isiXhosa, English	English, Afrikaans, isiXhosa, Setswana, Sepedi, Ndebele	Afrikaans, Setswana, isiXhosa, isiZulu, Sesotho, English
North West	Setswana, Afrikaans, Sesotho, English	English, Setswana, Sesotho, Afrikaans, isiXhosa	Setswana, Sesotho, isiXhosa, Afrikaans, isiZulu, Sepedi, Xitsonga, English, Other
Western Cape	Afrikaans, isiXhosa, English	English, Afrikaans, isiXhosa, Setswana, Sepedi, Ndebele	Afrikaans, isiXhosa, English

The recommended languages, as per Table 3 above, aligns with clients' preferred languages and can remain as is, with the following slight amendments:

Table 5: Legal Aid SA's recommended usage of languages per province – revised:

Province	Languages
National	isiZulu, Sesotho, Sepedi, Setswana, isiXhosa, Xitsonga, Tshivenda, siSwati, isiNdebele, English and Afrikaans
Eastern Cape	isiXhosa, English, Afrikaans and Sesotho
Free State	Sesotho, Afrikaans, English, isiXhosa, isiZulu and Setswana
Gauteng	isiZulu, Sesotho, Sepedi, Setswana, English and Afrikaans
KwaZulu-Natal	isiZulu, English, isiXhosa, Afrikaans and Sesotho
Limpopo	Sepedi, Xitsonga, Tshivenda, Afrikaans, English, Sesotho and Setswana
Mpumalanga	isiZulu, siSwati, isiNdebele, Xitsonga, Afrikaans, English, Sepedi and Sesotho
Northern Cape	Afrikaans, Setswana, isiXhosa, English, isiZulu and Sesotho
North West	Setswana, Afrikaans, Sesotho, English, isiXhosa and isiZulu
Western Cape	Afrikaans, isiXhosa and English

External stakeholders prefer English, which has been taken into account in confirming Legal Aid SA's language of business below.

8.2. Official languages of Legal Aid SA

- 8.2.1. Legal Aid SA shall strive to communicate in all 11 official languages, where necessary and feasible.
- 8.2.2. As per Section 6 (3) (a) of the Constitution, Legal Aid SA will consider the *usage, practicality, expense, regional circumstances and the balance of the needs and preferences* of the people it serves when deciding on the official language/s to be used.
- 8.2.3. Noting the general language of business and the courts in South Africa is English, Legal Aid SA shall adopt English as its language of business unless otherwise stated in the policy.
- 8.2.4. Legal Aid SA shall publish all its legal documents in English. Additionally, Legal Aid SA will group the remaining ten official languages into the Nguni group (including: Siswati, isiXhosa and isiZulu), the Sotho group (including: Sepedi, Setswana and Sesotho), Afrikaans, Tshivhenda and Xitsonga languages. The language groupings will be used on a rotational basis when publications of Legal Aid SA are made. Nationwide, a maximum of four language groups at a time will be used. Publications and usage of relevant languages at local and provincial level will include English and the most spoken languages of the area.

8.3. Communication with the public

- 8.3.1. For practical reasons, Legal Aid SA will in general, use English to provide legal aid services to the public and conduct its business. Based on the importance of promoting the use and development of all other official languages, particularly indigenous languages which were previously marginalised, Legal Aid SA will, in addition to English, provide services in the indigenous official languages which are predominant in that particular province, bearing in mind the availability of resources. A Language Policy roster herewith attached as Annexure A outline the implementation process to be followed.
- 8.3.2. Written correspondence with Legal Aid SA's clients will be responded to in the language in which it is addressed to Legal Aid SA.
- 8.3.3. Where necessary, interpreting services will be provided, considering the availability of resources.

8.4. Communication with stakeholders (internal and other third parties)

- 8.4.1. The following communications will be conducted in English, unless there is a need and having regard to usage, practicality, affordability, regional circumstances and the balance of the needs and preferences of the public, the communication may be translated into the requested official languages/s and Braille:

8.4.1.1. All internal official oral, written and electronic communication within Legal Aid SA (official announcements, official addresses, meetings, documents, newsletters, notices and circulars, memoranda, posters, banners, brochures, advertisements, signage and branding etc.)

8.4.1.2. All official oral, written and electronic communication where third parties may be involved including meetings, presentations, training sessions, group discussions, disciplinary hearings, job interviews, documents and reports etc.

8.4.1.3. Legal Aid SA Annual Reports and other strategic documents

8.4.2. Staff members of Legal Aid SA shall engage in all written business communications in English and may engage in oral, written and electronic communication among themselves in the language of their choice, provided that all involved in the communication understand the languages/s.

8.5. Communication with people with sensory disabilities

8.5.1. Legal Aid SA shall endeavor to provide communication material in Braille or alternatively audio for the benefit of visually impaired people, upon request.

8.5.2. Legal Aid SA shall endeavor to provide sign language interpretation for the hearing impaired, where necessary.

8.6. Communication with people whose language of choice is not an official language

8.6.1. Legal Aid SA will endeavor to provide services in a requested language as far as is reasonable possible and within its resources.

8.7. Publication of and access to the Legal Aid SA Language Policy

8.7.1. This policy will be available in all official languages

8.7.2. It will also be available in Braille or alternatively in audio on request

8.7.3. It will be available on the Legal Aid SA website (www.legal-aid.co.za)

9. Record-keeping

9.1. All official documents shall be placed on record in English and, where applicable, filed with any other version, that is, translated or adapted versions.

10. Complaints Resolution

10.1. Any person who has a complaint regarding the use of official languages by Legal Aid SA may lodge an official complaint in writing, to be addressed to an official to be delegated this function.

10.2. The complaint must be delivered to Legal Aid SA in one of the following ways:

- 10.2.1. Physical delivery to the Legal Aid SA National Office situated at Legal Aid House, 29 De Beer Street, Braamfontein, Johannesburg, 2017
- 10.2.2. By way of registered mail addressed to: Legal Aid South Africa, Private Bag X76, Braamfontein, 2017
- 10.2.3. Oral complaints can be directed to the delegated complaints official
- 10.2.4. The complaint should adhere to the following:
 - 10.2.4.1. Be in writing or oral
 - 10.2.4.2. Be in the official language that the complainant prefers
 - 10.2.4.3. State the complainants full details – full name, address and contact details
 - 10.2.4.4. Provide a full and detailed description of the complaint
 - 10.2.4.5. Contain any other additional information that may be necessary to consider the complaint, or that may be requested
- 10.3. The delegated complaints official will within a reasonable time period, consider the complaint, investigate the matter and provide a response in writing to the complainant.
- 10.4. If the complainant is not satisfied with the decision of the delegated official, he or she may lodge an appeal to the Chief Executive Officer of Legal Aid SA in writing.

11. Implementation Strategy

- 11.1. Legal Aid SA plans to establish a language unit within the 2016/17 financial year to support the implementation of this language policy
- 11.2. This Language policy is submitted to the Board for its approval for further consultation with internal and external stakeholders.
- 11.3. Consultation with internal and external stakeholders of Legal Aid SA shall be undertaken by October 2016 and reported on to the Board at its meeting in November 2016.
- 11.4. The Board shall adopt its final language policy after consultation with internal and external stakeholders in November 2016.

12. Review of the Legal Aid SA Language Policy

- 12.1. In keeping with the review of Legal Aid SA policies, the policy will be reviewed annually.

Annexure A**LANGUAGE POLICY ROSTER****1. Background**

This Language Policy Roster response to the requirements of the Use of Official Languages Act, 2012 (Act No. 12 of 2012). South Africa is a uniquely diverse country with 11 official languages spoken across nine provinces. A language policy roster system is proposed to address a balance of use of languages in Legal Aid SA's official communications (including: print, electronic and verbal).

The roster is thus proposed as an operational tool to bring into effect the Language policy position of Legal Aid SA.

2. Implementation and Resources**2.1. Indigent groups**

In order to achieve maximum impact and remove language as a barrier to communication and to enable access to justice by the designated groups, Legal Aid South Africa will implement this in phases. Languages will be used on a rotational basis to achieve this desired outcome. The approval of the language policy will be followed by the requisite resources through the establishment of a Language Services Unit within Legal Aid South Africa. The requisite capacity level of such a unit is still to be determined.

2.2. Employee Language of Communication

In line with the Language policy, English will be the elected official language of conducting our business, however people may communicate in their language of preference provided no participant is excluded through a common language.

2.3. Roster of Languages

The implementation of a language policy for Legal Aid SA will also take cognisance of the following:

2.3.1. The poverty nodal areas which coincidentally have the largest concentration of commonly spoken languages.

2.3.2. The total population who speak a common language per province.

2.3.3. Below is the roster which will guide our roll-out timelines:

Table 6: Legal Aid SA's recommended roster of languages:

Language	Timetable	Provinces	Resources needed	Items
IsiZulu, isiXhosa, English and Afrikaans	isiZulu: January 2017 to June 2017 isiXhosa: January 2017 to June 2017 English: January 2017 to June 2017 Afrikaans: July 2017 to December 2017	KwaZulu-Natal	Nguni Group Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
IsiSwati, Xitsonga, Afrikaans and English	isiSwati: January 2017 to June 2017 Xitsonga: January 2017 to June 2017 isiNdebele: January 2017 to June 2017 Afrikaans: July 2017 to December 2017 English: July 2017 to December 2017	Mpumalanga	Nguni Group Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
isiXhosa, English, Afrikaans and Sesotho	isiXhosa: January 2017 to June 2017 Sesotho: January 2017 to June 2017 English: July 2017 to December 2017 Afrikaans: January 2017 to July 2017	Eastern Cape	Multi-Xhosa and Sesotho Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
Sepedi, Tshivhenda, Xitsonga, Afrikaans and English	Sepedi: January 2017 to June 2017 Tshivhenda: January 2017 to June 2017 Xitsonga: January 2017 to June 2017 Afrikaans: January 2017 to June 2017 English: July 2017 to December 2017	Limpopo	Sepedi Group Language Practitioner Tshivhenda Language Practitioner Xitsonga Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
Sesotho, isiXhosa,	Sesotho: January 2017 to June 2017	Free State	Sesotho Language Practitioner	Printed and information promotional

Afrikaans and English	isiXhosa: January 2017 to June 2017 Afrikaans: January 2017 to June 2017 English: July 2017 to December 2017		Xhosa Language Practitioner	material, Legal Aid South Africa Mandate, how to access justice and Acts material
Setswana, Afrikaans and English	Setswana: January 2017 to June 2017 Afrikaans: January 2017 to April 2017 Sesotho: January 2017 to April 2017 English: January 2017 to June 2017	North West	Setswana Language Practitioner Sesotho Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
Afrikaans, isiXhosa and English	Afrikaans: January 2017 to June 2017 isiXhosa: January 2017 to April 2017 English: January 2017 to April 2017	Western Cape	Afrikaans Language Practitioner isiXhosa Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
Sesotho, isiXhosa, Afrikaans, Sepedi, Setswana, English and Zulu	Xhosa: January 2017 to March 2017 Sesotho: April 2017 to June 2017 isiZulu: July 2017 to September 2017 Afrikaans: October 2017 to December 2017 Setswana: January 2018 to March 2018 Sepedi: April 2018 to June 2018 English: July 2018 to September 2018	Gauteng	Sesotho and Nguni Language Practitioner/s Afrikaans Language Practitioner In Gauteng it is possible to secure the services of a multi-lingual Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access justice and Acts material
Setswana, Afrikaans, Xhosa and English	Setswana: January 2017 to March 2017 Afrikaans: April 2017 to June 2017 Xhosa: July 2017 to September 2017	Northern Cape	Afrikaans and Setswana Language Practitioner	Printed and information promotional material, Legal Aid South Africa Mandate, how to access

	English: October 2017 to December 2017			justice and Acts material
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The following need also be noted:

- I. In terms of English information is already available and we have in-house resources that we will continue to utilise for this purpose.
- II. Each Justice Centre will not necessarily have a Language Practitioner but ideally every Justice Centre as a point of service delivery have employees who can talk the local language.
- III. Publications will be a centralised service resident at Head Office and catering for the use of languages, rotationally as suggested.
- IV. In terms of consultations, Call Centre queries and enquiries from members of the public will be engaged in the language they understand and are comfortable with.
- V. Legal Aid SA will continue to rely upon the courts to use their interpretation services when cases are being heard.
- VI. Since our Justice Centres and Satellite Offices are demarcated per province, below is a table detailing language prominence:

Table 7: National language prominence:

Provinces	Primary Languages	Secondary Languages	Language Trends and Precedence
Limpopo	Polokwane, Sekhukhune, Bolobedu, Botokwa and surrounds: Sepedi Giyani: Xitsonga Vhenda: Tshivhenda	English	An equal split of the three languages spoken per area
Eastern Cape	IsiXhosa, Afrikaans, Sesotho	English	An equal split of the three main languages
KwaZulu-Natal	isiZulu, English, isiXhosa in Umzimkhulo and areas bordering the Pondoland area	Afrikaans	Mostly bilingual in isiZulu and English
Northern Cape	Afrikaans, Setswana and Khoisan towards the post Upington	English	An equal split of all three primary languages
Mpumalanga	Witbank: Ndebele Middelburg: Ndebele Malelane, Nelspruit, Baberton: isiSwati Xitsonga in Bushbuckridge and post Malelane towards the Mozambique border post	English	An equal split of the three spoken and common per area listed

Free State	Sesotho, isiXhosa and Afrikaans	English	Bilingual and small pockets being multi-lingual
Western Cape	Afrikaans, isiXhosa	English	Bilingual and with some small pockets multi-lingual
North West	Setswana, Sesotho, and Afrikaans	English	Mostly multi-lingual in Setswana, Sesotho and English including and towards the Northern Cape border
Gauteng	Sesotho, Sepedi, Afrikaans, Setswana, isiZulu	English	Mostly multi-lingual

Annexure B

EXTERNAL STAKEHOLDERS CONSULTED

Table 8: External stakeholders consulted:

Region	Government Departments	Courts	Other public entities	NGOs	CBOs	FBOs	Law Clinics/ Law Society /Advice Offices	Schools/ Crèches	Other
Eastern Cape	X	X	X	X	X		X	X	X
Free State/North West	X	X	X	X	X	X	X		X
Gauteng	X	X	X	X	X				X
KwaZulu-Natal	X	X	X	X	X				X
Limpopo/Mpumalanga	X	X	X	X	X	X	X	X	X
Western Cape/Northern Cape	X	X	X	X	X		X	X	X

- *Government Departments* include the Department of Justice and Constitutional Development; Department of Correctional Services; Department of Social Development; Department of Home Affairs; Department of Arts and Culture; Department of Health; Department of Education.
- *Courts* include Magistrate's Courts; Regional Courts; District Courts; High Courts.
- *Other public entities* include government hospitals; the NPA; Municipalities; SAPS; SASSA; CGE; PP; SAHRC; Mayoral Offices, et cetera.

Annexure C

APPLICANT LANGUAGE SURVEY DATA

Table 9: Details of applicants surveyed:

Prov	SA Citizen					Foreign National					Total				
	Civil		Criminal		Total	Civil		Criminal		Total	Civil		Criminal		Total
	No	%	No	%		No	%	No	%		No	%	No	%	
EC	797	13%	5,392	87%	6,189	2	2%	90	98%	92	799	13%	5,482	87%	6,281
FS	480	13%	3,113	87%	3,593	4	1%	269	99%	273	484	13%	3,382	87%	3,866
GP	1,045	14%	6,278	86%	7,323	36	6%	569	94%	605	1,081	14%	6,847	86%	7,928
KZN	1,083	13%	7,031	87%	8,114	11	4%	244	96%	255	1,094	13%	7,275	87%	8,369
L	318	14%	1,988	86%	2,306	4	3%	150	97%	154	322	13%	2,138	87%	2,460
MP	313	11%	2,558	89%	2,871	3	1%	244	99%	247	316	10%	2,802	90%	3,118
NW	374	12%	2,631	88%	3,005	3	2%	181	98%	184	377	12%	2,812	88%	3,189
NC	188	8%	2,065	92%	2,253		0%	73	100%	73	188	8%	2,138	92%	2,326
WC	758	8%	9,302	92%	10,060	9	3%	267	97%	276	767	7%	9,569	93%	10,336
Total	5,356	12%	40,358	88%	45,714	72	3%	2,087	97%	2,159	5,428	11%	42,445	89%	47,873
%	95.5%					4.5%					100%				

Table 10: Primary spoken language - South African citizens (Criminal):

Province	No of Respondents	Zulu	Afrikaans	Xhosa	Sotho	Tswana	English	Pedi	Tsonga	Swati	Venda	Ndebele	Other
WC	9,302	0%	66%	26%	0%	0%	7%	0%	0%	0%	0%	0%	0%
KZN	7,031	85%	0%	3%	1%	0%	10%	0%	0%	0%	0%	0%	0%
GP	6,278	37%	8%	7%	15%	9%	7%	8%	5%	1%	2%	1%	0%
EC	5,392	0%	15%	82%	2%	0%	1%	0%	0%	0%	0%	0%	0%
FS	3,113	5%	5%	6%	74%	5%	3%	0%	0%	0%	0%	0%	0%
NW	2,631	4%	6%	7%	9%	69%	1%	2%	2%	0%	0%	0%	1%
MP	2,558	39%	3%	1%	4%	1%	1%	14%	3%	27%	0%	6%	1%
NC	2,065	2%	58%	6%	2%	31%	1%	0%	0%	0%	0%	0%	0%
L	1,988	1%	1%	1%	9%	3%	0%	48%	20%	0%	15%	1%	1%
Grand Total	40,358	24%	22%	20%	10%	8%	5%	5%	2%	2%	1%	1%	0%

Table 11: Primary spoken language - South African citizens (Civil):

Province	No of Respondents	Zulu	Afrikaans	Xhosa	English	Sotho	Tswana	Pedi	Tsonga	Venda	Ndebele	Swati	Other
KZN	1,083	68%	1%	1%	29%	0%	0%	0%	0%	0%	0%	0%	0%
GP	1,045	24%	12%	6%	11%	19%	9%	11%	4%	2%	1%	1%	1%
EC	797	0%	23%	67%	9%	1%	0%	0%	0%	0%	0%	0%	0%
WC	758	0%	63%	18%	18%	0%	0%	0%	0%	0%	0%	0%	1%
FS	480	1%	12%	8%	1%	70%	8%	0%	1%	0%	0%	0%	0%
NW	374	2%	20%	6%	3%	9%	58%	2%	1%	0%	0%	0%	0%
L	318	1%	8%	1%	1%	3%	2%	44%	19%	21%	0%	0%	0%
MP	313	31%	8%	1%	5%	4%	0%	26%	2%	0%	12%	11%	1%
NC	188	1%	59%	10%	5%	6%	20%	0%	0%	0%	0%	0%	0%
Grand Total	5,356	21%	20%	16%	12%	11%	7%	6%	2%	2%	1%	1%	0%

Table 12: Proficiency in use of the English language - South African citizens (Criminal):

Prov	Understand			Speak			Read/Write		
	Good	Satisfactory	Poor	Good	Satisfactory	Poor	Good	Satisfactory	Poor
EC	15.9%	27.7%	56.4%	14.2%	24.6%	61.2%	13.8%	23.6%	62.6%
FS	26.8%	39.7%	33.4%	24.0%	34.9%	41.1%	22.7%	33.1%	44.2%
GP	33.8%	41.7%	24.5%	30.7%	40.9%	28.4%	30.3%	38.5%	31.2%
KZN	21.9%	37.0%	41.0%	20.1%	33.4%	46.5%	18.8%	31.2%	50.0%
L	27.2%	36.3%	36.6%	21.1%	35.4%	43.5%	21.5%	31.9%	46.6%
MP	25.4%	38.2%	36.4%	21.4%	36.7%	41.9%	21.5%	35.1%	43.4%
NW	28.3%	40.4%	31.3%	24.0%	39.3%	36.7%	24.6%	37.3%	38.0%
NC	15.0%	42.4%	42.6%	12.3%	37.9%	49.8%	11.9%	33.2%	54.9%
WC	24.4%	43.5%	32.2%	21.4%	40.6%	38.1%	19.4%	37.7%	42.9%
Grand Total	24.4%	38.7%	36.8%	21.5%	36.1%	42.4%	20.7%	33.8%	45.6%

Table 13: Proficiency in use of the English language - South African citizens (Civil):

Prov	Understand			Speak			Read/Write		
	Good	Satisfactory	Poor	Good	Satisfactory	Poor	Good	Satisfactory	Poor
EC	44.8%	30.0%	25.2%	41.5%	30.4%	28.1%	43.4%	27.1%	29.5%
FS	46.9%	30.2%	22.9%	43.8%	32.1%	24.2%	44.2%	30.8%	25.0%
GP	52.6%	31.4%	16.0%	48.5%	34.4%	17.1%	49.6%	30.8%	19.6%
KZN	47.7%	29.8%	22.4%	44.1%	29.7%	26.1%	46.8%	25.5%	27.7%
L	35.2%	40.9%	23.9%	33.0%	40.6%	26.4%	35.2%	36.8%	28.0%
MP	37.4%	30.7%	31.9%	36.4%	28.8%	34.8%	35.5%	27.8%	36.7%
NW	48.1%	28.3%	23.5%	43.6%	28.6%	27.8%	47.3%	25.4%	27.3%
NC	32.4%	33.0%	34.6%	31.9%	32.4%	35.6%	31.9%	27.7%	40.4%
WC	39.7%	40.4%	19.9%	37.7%	38.0%	24.3%	37.9%	36.0%	26.1%
Grand Total	45.2%	32.4%	22.4%	42.1%	32.7%	25.2%	43.5%	29.6%	26.9%

Table 14: Proficiency in use of the English language – Foreign Nationals (Criminal):

Prov	Understand			Speak			Read/Write		
	Good	Satisfactory	Poor	Good	Satisfactory	Poor	Good	Satisfactory	Poor
EC	15.6%	12.2%	72.2%	14.4%	12.2%	73.3%	13.3%	10.0%	76.7%
FS	16.4%	18.2%	65.4%	15.6%	13.8%	70.6%	11.2%	13.0%	75.8%
GP	21.8%	34.1%	44.1%	19.2%	32.5%	48.3%	18.1%	30.2%	51.7%
KZN	18.4%	26.2%	55.3%	16.8%	25.0%	58.2%	15.6%	21.7%	62.7%
L	46.0%	29.3%	24.7%	40.0%	34.0%	26.0%	37.3%	30.7%	32.0%
MP	18.0%	20.5%	61.5%	17.2%	16.8%	66.0%	16.0%	16.8%	67.2%
NW	13.3%	23.8%	63.0%	8.8%	24.3%	66.9%	9.4%	20.4%	70.2%
NC	17.8%	35.6%	46.6%	17.8%	35.6%	46.6%	17.8%	35.6%	46.6%
WC	21.3%	43.1%	35.6%	18.0%	43.8%	38.2%	18.4%	38.2%	43.4%
Total	20.8%	28.6%	50.6%	18.4%	27.5%	54.1%	17.1%	25.0%	57.9%

Table 15: Proficiency in use of the English language – Foreign Nationals (Civil):

Prov	Understand			Speak			Read/Write		
	Good	Satisfactory	Poor	Good	Satisfactory	Poor	Good	Satisfactory	Poor
EC	50.0%	50.0%	0.0%	50.0%	50.0%	0.0%	50.0%	0.0%	50.0%
FS	50.0%	25.0%	25.0%	50.0%	50.0%	0.0%	50.0%	50.0%	0.0%
GP	52.8%	33.3%	13.9%	50.0%	33.3%	16.7%	44.4%	38.9%	16.7%
KZN	63.6%	27.3%	9.1%	63.6%	27.3%	9.1%	63.6%	27.3%	9.1%
L	75.0%	25.0%	0.0%	75.0%	25.0%	0.0%	75.0%	25.0%	0.0%
MP	33.3%	0.0%	66.7%	33.3%	0.0%	66.7%	33.3%	0.0%	66.7%
NW	66.7%	0.0%	33.3%	66.7%	0.0%	33.3%	33.3%	33.3%	33.3%
WC	77.8%	11.1%	11.1%	66.7%	11.1%	22.2%	66.7%	22.2%	11.1%
Total	58.3%	26.4%	15.3%	55.6%	27.8%	16.7%	51.4%	31.9%	16.7%

Table 16: Primary language spoken by province – Foreign Nationals:

Language	GP	FS	WC	MP	KZN	NW	L	EC	NC	Total
Shona	106	148	68	34	52	52	99	23	18	600
Shangaan	77	6	2	67	11	30	6	7	2	208
Sotho	47	74	2	13	6	52			4	198
Chichewa	32	4	20	26	73	8	1	3	9	176
Ndebele	125		3	4	1	3	5	3	2	146
Swahili	19	2	42	2	43	4	1	12	3	128
Igbo	57	2	19	4	14	9	3	3	13	124
Portuguese	9	20	8	24	5	4	1	3		74
Tsonga	15	4	5	20			10		1	55
Swati	5	1	1	33	4					44
French	11	1	25		4				2	43
English	11	2	10	1	3	1	2		9	39
Zulu	20				8	3	1			32
Afrikaans	5	1	20					1	1	28
Xhosa	1		6		1	2		15	1	26
Somali	4		14		4			2		24
Amhara	2	1	2	3	3	1	4	8		24
Pedi	6			1			11			18
Bangla	3	1	2	1	1	1		5	2	16
Urdu	1			6	3	3				13
Lingala	4		4	1	1				1	11
Arabic	2		2		1	1		2	3	11
Venda	2						5		1	8
Tswana	1	1				5			1	8
Oromo			2	1			1	3		7
Asante	2	1	2			1				6
Nyanja			2	2	1					5
Mandarin			4							4
Yao			1		2					3
Dagaare	2									2
Luganda			1		1					2
Chiwa				1						1
Punjabi					1					1
Hindi						1				1
Umaric					1					1
Total	569	269	267	244	244	181	150	90	73	2087

Table 17: Nationality by province – Foreign Nationals:

Language	GP	FS	WC	MP	KZN	NW	L	EC	NC	Total
Zimbabwe	258	136	66	34	65	57	113	26	23	778
Mozambique	95	43	13	119	15	36	15	11	5	352
Lesotho	41	73	1	9	5	53			4	186
Malawi	30	4	18	21	70	7	1	2	8	161
Nigeria	59	2	21	5	11	8	3	3	18	130
Somalia	23	3	41	5	13	3	11	16	3	118
DRC	15	1	41	1	11				5	74
Swaziland	10		7	31	6	2		5		61
Tanzania	13		16	1	16	1		5	2	54
Ethiopia	4	2	4	4	6	2	5	10	2	39
Kenya	2		16		15	1		4		38
Bangladesh	3	1	2	1	2	1		7	3	20
Pakistan	3			4	4	3				14
Uganda	5	1	2				1	1		10
Ghana	2	2	2	1		2				9
China			7	1						8
Burundi	1	1	3		3					8
Botswana	2			2		3				7
Zambia	1		2	2		1	1			7
Rwanda	1		2	1						4
India				2		1				3
Angola			2							2
Iraq	1				1					2
England					1					1
Cameroon			1							1
Total	569	269	267	244	244	181	150	90	73	2087

DEPARTMENT OF ENVIRONMENTAL AFFAIRS**NOTICE 245 OF 2017****EXPLANATORY SUMMARY OF THE NATIONAL ENVIRONMENTAL MANAGEMENT LAWS
AMENDMENT BILL, 2017**

The Minister of Environmental Affairs intends introducing the National Environmental Management Laws Amendment Bill, 2017 in Parliament during April 2017. An explanatory summary of the Bill is hereby published in accordance with Rule 241 (1) (c) of the Rules of the National Assembly.

A copy of the draft Bill can also be obtained from Mr Sibusiso Shabalala.

E-mail address: sshabalala@environment.gov.za or Tel: (012) 399 9351.

BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

MEMORANDUM ON THE OBJECTS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT BILL, 2016

1. PURPOSE OF BILL

The purpose of the National Environmental Management Laws Amendment Bill, 2016 (Bill), is to amend certain provisions under the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) (NEMPAA); the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) (NEMBA); the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) (NEMAQA); the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (NEMICMA); the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEMWA), and the National Environmental Management Amendment Act, 2008 (Act No. 62 of 2008) (NEMAA). The main purpose of the Bill is to provide for clarity on certain matters and textual amendments.

2. OBJECTS OF BILL

The main object of the Bill is to amend the following pieces of legislation:

- National Environmental Management Act, 1998, so as to correct the citation to the definition of "Constitution"; to correct the definition of "environmental mineral resources inspector"; to provide clarity to the definition of "financial provision"; to add a new environmental management principle promoting diversity in sector; to provide clarity pertaining to the regulations that can be made for the procedure for the preparation, evaluation and adoption of environmental management instruments; to provide for a register of all environmental management

instruments adopted in terms of the Act; to provide clarity that the Minister responsible for mineral resources is responsible for activities that are directly related to prospecting, exploration, primary processing of a mineral or petroleum resource; to provide for simultaneous submission of the National Environmental Management Act and the specific Environment Management Act applications for purposes of one environmental system; to provide for simultaneous submission of National Environmental Management Act and specific environmental management Act applications in order to enable integrated environmental authorisation; to provide for a trigger for the simultaneous submission of a National Environmental Management Act or specific environmental management Act applications after acceptance of mining right; to provide clarity that a successor in title or person who controls the land may also lodge a section 24G application relating to an environmental authorisation or a waste management licence; to empower the Minister to prescribe the information that must be contained in environmental management programme; to provide clarity on consultation to be undertaken by an environmental assessment practitioner on application for environmental authorisation; to provide clarity that an applicant or holder of an environmental authorisation relating to mining activities must set aside financial provision for progressive rehabilitation, mitigation, mine closure and the management of post closure environmental impacts; to provide clarity that residue stockpiles and residue deposits must be managed in terms of this Act; to provide clarity that a section 28(4) directive may also be issued to an owner of the land, a person in control of the land or a person that has a right to use the land in question; to empower Director-General of the Department responsible for mineral resources and municipalities to issue section 28(4)

directives; to provide clarity that section 28 is applicable to anticipatory costs as well as remedial measures; to provide for joint and several liability in respect of the responsible persons listed under section 28(8); to empower the Minister responsible for mineral resources to designate environmental mineral and petroleum inspectors from staff within the Department responsible for mineral resources or an organ of state, by agreement; to empower the Member of Executive Council to designate environmental management inspectors to undertake compliance and enforce in respect of provincial environmental legislation; to empower the Minister to prescribe a Code of Conduct for environmental management inspectors and environmental mineral and petroleum inspectors; to provide clarity that an environmental mineral and petroleum inspector must also undergo approved training before designation; to provide clarity on functions and general powers of environmental management inspectors when conducting investigations; to provide clarity that the conducting of a "search" is not the primary purpose of an environmental management inspector undertaking a routine inspection; to provide clarity that an environmental management inspector may detain an item for further analysis or verification for purposes of determining compliance or not with applicable legal requirements; to provide clarity that the Minister's power to develop regulations on admission of guilt fines contextualizes the related provisions of the Criminal Procedure Act, 1977; to empower the Minister responsible for mineral resources; Minister responsible for water affairs and a municipal manager to delegate functions and duties in terms of this Act; to provide clarity that a person may appeal a section 28(4) directive issued by a person acting on delegated authority; to provide clarity on circumstances that an appeal against a directive does not automatically

- suspend it; to provide clarity that an appeal against a directive must be lodged at the appropriate appeal authority; to correct references and cross references to offences and penalties and to update list of offences and penalties; to update the list of offences to Schedule 3;
- National Environmental Management: Protected Areas Act, 2003 so as to provide for the Chief Financial Officer of the South African National Parks to be a member of the board; to create a new offence for non-compliance with section 48A which prohibits certain activities in marine protected areas; to rectify incorrect references to offences;
 - National Environmental Management: Biodiversity Act, 2004, so as to provide clarity on definition of "control" and to insert a definition of "eradicate"; to provide for the Chief Financial Officer of the South African National Biodiversity Institute to be a member of the board; to provide clarity on measures to be undertaken to eradicate listed invasive species; to provide clarity on the steps, actions or methods to be undertaken to either control or eradicate listed invasive species; to ensure that the MECs responsible for environmental affairs follow the consultation process set out in sections 99 and 100 before exercising a power in terms of a provision under the Act;
 - National Environmental Management: Air Quality Act, 2004, so as to provide the Minister with discretion to establish the National Air Quality Advisory Committee; to provide clarity on the consequences of unlawful commencement of a listed activity; to provide clarity that a provincial department responsible for environmental affairs is the licensing authority where a listed activity falls within the boundaries of more than one metropolitan municipality or more than one district municipality; to provide for textual amendment to section 36(5)(d); to

ensure alignment with respect to the implementation of one appeal process under National Environmental Management Act; to provide clarity that the Minister has a discretion to grant or refuse an exemption; to provide clarity that an exemption may be granted subject to conditions;

- National Environmental Management: Integrated Coastal Management Act, 2008, so as to allow for the removal of structures erected prior to commencement of the Act; to provide clarity that an appeal against a decision issued by delegated official must be lodged at the appropriate sphere of government and appeal authority;
- National Environmental Management: Waste Act, 2008, so as to move all definitions from Schedule 3 to section 1; to provide for textual amendment to the definitions of "residue deposits" and "residue stockpiles" and "waste"; to provide for the exclusion of residue stockpiles and residue deposits from the provisions of the Act; to provide for the Waste Management Bureau to be established as a public entity; to provide for the simultaneous submission of the site assessment report and remediation plan relating to a contaminated land; to provide clarity that the Minister must keep a national register of all contaminated land; to provide clarity that the Minister responsible for mineral resources is responsible for implementation of the waste management system in so far as it relates to a waste management activity that is directly related to prospecting, exploration, primary processing of a mineral or petroleum resource; to empower the Minister to take a decision in the place of the provincial licensing authority under certain circumstances; to provide for the payment of processing fee for the variation of a waste management licence; to increase the fines that could be imposed in terms of regulations made under the Act; to provide clarity that there will be no

exemptions provided from obtaining a waste management licence; to substitute Schedule 3 with new Schedule; to provide for transitional provisions in respect of the Waste Management Bureau;

- National Environmental Management Amendment Act, 2008, so as to clarify that an environmental management programme or plan approved in terms of the Mineral and Petroleum Resources Development Act on or before and after 8 December 2014 is valid under National Environmental Management Act; to provide clarity that an appeal against an environmental management programme or plan lodged in terms of the Mineral and Petroleum Resources Development Act must be finalised under that Act;
- To provide for the transitional provisions regarding environmental management programme or plan approved in terms of the Mineral and Petroleum Resources Development Act on or before and after 8 December 2014; to clarify that environmental regulations developed under the Mineral and Petroleum Resources Development Act continued until the development and publication of such regulations under the National Environmental Management Act and the National Environmental Management: Waste Act; to provide for transitional provisions regarding residue stockpiles and residue deposits approved in terms of the National Environmental Management: Waste Act, 2008; to provide for transitional provisions regarding the continuation of the Waste Management Bureau and to provide for matters connected therewith.

3. LEGISLATIVE ANALYSIS

3.1. National Environmental Management Act, 1998

3.1.1 Clause 1

Clause 1 of the Bill seeks to amend the definitions of the "Constitution" to correct the citation of the Act and "environmental mineral resource inspector" to include "petroleum" in the designation. The clause also amends the definition of "financial provision" in section 1 of the NEMA to clarify that the definition applies to an applicant for environmental authorisation, a holder of an environmental authorisation or a holder of a right or permit granted in terms of the Mineral and Petroleum Resources Development Act.

3.1.2 Clause 2

This clause provides an additional NEMA principle, namely that the environment sector must advance and promote the full participation of black professionals.

3.1.3 Clause 3

This clause seeks to amend section 24(2)(c) of the NEMA has been amended to facilitate more flexibility in the use of spatial tools or environmental management instruments and how they cater for the impact management.

Section 24(2A)(b)(i) has been amended to align the subparagraph with the rest of the section as it has to apply to both prohibitions and restrictions.

The clause amends section 24(5)(bA), (bB) and inserts a new subsection (5A) in NEMA to provide clarity that the Minister responsible for environmental affairs or an MEC may develop regulations setting out the procedure to be followed for the preparation, evaluation, adoption and review of prescribed environmental management instruments, including any minimum requirements for information and any conditions set in such instrument. The clause also requires the Minister responsible for environmental affairs to keep a national register of all environmental management instruments adopted in terms of the NEMA.

3.1.4 Clause 4

This clause provides clarity that the Minister responsible for mineral resources is the competent authority for listed or specified activities that are directly related to prospecting or exploration of a mineral or petroleum resource or primary processing of a mineral or petroleum resource.

The clause also inserts new subsections to provide for the simultaneous submission of environmental authorisation application and any other related licence or permit required under any of the specific environmental management Act. Where the competent authority or licensing authority is the same authority for the NEMA and specific environmental management Act (SEMA) applications, an integrated decision must be issued. This can still take the form of multiple decisions, but it will force the process of reaching that decision to be consolidated and used to its full extent, namely using one process for information gathering to inform all decisions related to that proposed development.

3.1.5 Clause 5

Section 24G of the NEMA provides for consequences of unlawful commencement of listed or specified activities. However, there is currently no provision to enable a person who has taken ownership or control of property on which an unlawful structure or development has been built to have such structure or development legalised and also for a person who has commenced, undertaken or conducted a waste management activity without a waste management licence. This clause amends section 24G of the NEMA to allow a successor in title or person in control of the land to lodge a section 24G application for such structure or development. The clause further provides for textual amendment.

3.1.6 Clause 6

Section 24N(2) of the NEMA lists the information that must be contained in the environmental management programme. This clause amends section 24N(2) to provide clarity that such information must be prescribed through regulations.

3.1.7 Clause 7

Section 24O(2) of the NEMA requires the Minister responsible for environmental affairs, Minister responsible for mineral resources or an MEC to consult every State department that administers a law relating to a matter affecting the environment when processing an application for an environmental authorisation. This clause seeks to amend section 24O(2) to also require an environmental assessment practitioner to consult such State department.

3.1.8 Clause 8

Clause 8 seeks to amend section 24P to provide clarify that an applicant and a holder of an environmental authorisation relating to mining activities must set aside financial provision for progressive rehabilitation, mitigation, remediation, mine closure and the management of post closure environmental impacts. The section has been amended to clarify that the provision also applies to a holder of a right issued or a permit granted in terms of the Mineral and Petroleum Resources Act, 2002. Section 24P(3) has been amended to clarify that the environmental liability must be assessed annually, but that the audit report only needs to be submitted to the Minister responsible for environmental affairs every three years. Section 24P(5) has been amended to stipulate that the requirement to maintain and retain the financial provision remains in force until a closure certificate is issued and that the portion of financial provision as may be required to rehabilitate latent, residual or any other environmental impacts of the closed mine must be ceded to the Minister responsible for mineral resources and hat the Minister responsible for mineral resources must retain such portion in perpetuity . This amendment will also require an amendment to the current section 37A of the Income Tax Act and had been discussed with National Treasury and the Mineral and Petroleum Resources Amendment Bill, which is currently in Parliament, if that Bill is signed into law. These provision will not been brought into effect, until such time that the other Acts have been amended.

3.1.9 Clause 9

Section 24R(2) of the NEMA allows the Minister responsible for mineral resources to retain such portion of the funds set aside for any latent and or residual environmental

impact that may become known in the future. A similar provision is also contained in section 24P(5) of the NEMA. This clause repeals section 24R(2).

3.1.10 Clause 10

Clause 10 of the Bill repeals section 24S of the NEMA which provides that residue stockpiles and residue deposits must be managed in terms of the provisions of the NEMA.

3.1.11 Clause 11

Clause 6 of the Bill amends section 28 of the NEMA.

The scope of person on whom a section 28(4) of the NEMA directive can be issued currently does not include those persons listed in section 28(2) ("an owner of land or premises, a person in control of land or premises or a person who has a right to use the land or premises on which or in which any activity or process is or was performed or undertaken; or any other situation exists, which causes, has caused or is likely to cause significant pollution or degradation of the environment"). These persons however, are required to comply with the duty of care. There may be circumstances where the environmental authority may have to issue a section 28(4) directive on these categories of persons. This clause ensures that those persons are included in the categories of persons that a section 28(4) directive may be issued by the environmental authorities.

The clause also amends section 28 to empower a municipal manager of a municipality to also issue a section 28(4) directive. The clause further insert a new subsection (4A) to ensure that the person to be issued with a section 28(4) directive

is consulted and provided with an opportunity to make any representation before a final section 28(4) directive is issued.

In addition, section 28 places a duty of care on a wide range of responsible persons, including every person who causes, has caused or may cause significant pollution or degradation; and an owner of land or premises, a person in control of land or premises or a person who has a right to use the land or premises. It further empowers the Director-General, the Director-General of the department responsible for mineral resources or provincial head of department to issue a directive on each category of responsible persons, thus making them independently liable for the undertaking of reasonable measures. However, section 28(11) currently limits the powers of environmental authorities to recover the costs for remedial measures undertaken or to be undertaken by the State proportionally according to the degree to which each was responsible for the harm. Firstly, this is not in line with the duty of care provisions that place an independent and autonomous duty of each and every responsible person. In addition, it may be impossible to determine exactly the degree to which each was responsible for the harm; thereby impeding effective cost recovery by the State. Finally, it is not in line with the liability regime provided for in other pieces of legislation, such as section 19(5) of the National Water Act, 1998.

This clause further amends sections 28(9) and (11) to provide for joint and several liability in respect of the responsible persons listed in section 28(8).

3.1.12 Clause 12

Section 31BB of the NEMA only empowers the Minister responsible for mineral resources to designate as an environmental mineral and petroleum inspector, any staff member of the Department of Mineral Resources. This clause amends section 31BB to further empower the Minister responsible for mineral resources to designate as an environmental mineral and petroleum inspector any staff member of the Department of Mineral Resources or any organ of state, subject to the conclusion of an agreement between the Minister and the relevant organ of state.

3.1.13 Clause 13

Section 31D of the NEMA requires environmental management inspectors as well as environmental mineral resource inspectors to perform their powers within their respective mandates. This clause amends section 31D to empower environmental management inspectors to monitor compliance and enforce any provincial environmental management legislation. The clause also insert a new subsection (3A) to provide clarity that environmental management inspectors and environmental mineral resource inspectors must exercise their respective powers in accordance with any applicable duty.

3.1.14 Clause 14

Clause 14 amends section 31E of the NEMA, which sets out the regulatory power of the Minister to approve training for environmental management inspectors before designation. The current provisions do not cater for same with respect to environmental mineral and petroleum inspectors. This clause amends section 31E to ensure that the environmental mineral and petroleum inspectors will receive the

same standard of approved training as is received by the environmental management inspectors before designation. The clause also add subsection (3) to empower the Minister responsible for environmental affairs to prescribe through regulations the Code of Conduct applicable to environmental management inspectors and environmental mineral and petroleum inspectors.

3.1.15 Clause 15

Clause 15 clarifies that environmental management inspectors who exercise powers and perform duties in terms of the NEMA are issued, and on request produce, identity cards as proof of their designation. The amendment seeks to include environmental mineral and petroleum inspectors as well as provincial legislation in the exercise of powers and performance of duties.

3.1.16 Clause 16

Section 31G(1)(a) of the NEMA deals with the functions of the environmental management inspectors. The section currently allows the environmental management inspectors to initiate an investigation only if there is a reasonable suspicion of an offence. The practical challenge is that environmental management inspectors who receive a complaint alleging non-compliance are often required to gather further information that will turn a mere suspicion into a reasonable suspicion. The amendment to section 31G(1)(a) allows them to do so.

3.1.17 Clause 17

Section 31H of the NEMA deals with the general powers of the environmental management inspectors. This clause amends section 31H(1)(a) to allow the environmental management inspectors to question persons without the requirement

of a reasonable suspicion. This is required in order to allow the inspectors to gather information of an alleged non-compliance through the asking of relevant questions prior to a reasonable suspicion being formed. The clause also amends section 31H(1)(c)(ii) to ensure that environmental management inspectors are also empowered to monitor compliance and enforce not only national pieces of environmental legislation, but also any provincial environmental management legislation. The clause further amends section 31H to empower environmental management inspectors to issue lawful instructions.

3.1.18 Clause 18

Section 31I of the NEMA deals with seizure of items.

Clause 18 is a consequential amendments to ensure that environmental management inspectors allow them to issue lawful instructions, rather than mere requests, in accordance with the provisions of the NEMA.

3.1.19 Clause 19

Section 31J of the NEMA deals with environmental management inspectors powers to stop, enter and search vehicles, vessels and aircraft.

Clause 19 is a consequential amendment to ensure that environmental management inspectors are also empowered to monitor compliance and enforce any provincial environmental management legislation.

3.1.20 Clause 20

Clause 20 amends section 31K of the NEMA, which provides for routine inspections, without a warrant, by environmental management inspectors, and certain powers

that may be executed during routine inspections. The clause amends section 31K to provide clarity that the conducting of a "search" is not the primary purpose of undertaking a routine inspection, but rather the entry onto certain premises for the purposes of ascertaining compliance.

In addition, the amendment extends the power to environmental mineral and petroleum inspectors to apply for a warrant to enter residential premises for the purposes of conducting an inspection.

In addition, an environmental management inspector is often required to detain an item for a temporary period of time in order to conduct further analysis or verification as to whether or not such item complies with the relevant legal requirements. For example, a consignment of plant or animal specimens or any derivatives thereof being shipped in a container through a national port of entry or exit. An environmental management inspector may be required to detain the container in order to verify the exact nature and scope of the consignment.

3.1.21 Clause 21

Section 31L of the NEMA deals with the environmental management inspector's power to issue compliance notices.

This clause amends section 31L(1) to clarify that an environmental management inspector as well as an environmental mineral and petroleum inspector must issue a compliance notice which substantially comply with the prescribed form.

3.1.22 Clause 22

Section 31M of the NEMA deals with objections to compliance notice.

Clause 22 is a consequential amendment to clarify that a person who wants to object to a compliance notice may do so, by making representations, to the relevant appeal authority, namely, the Minister responsible for environmental affairs, the Minister responsible for mineral resources, the Minister responsible for water affairs or a municipal council.

3.1.23 Clause 23

Section 31O of the NEMA provides the members of the South African Police Services' routine inspection powers in terms of section 31K of the NEMA.

Clause 23 is a consequential amendment to ensure that the members of the South African Police Services are also empowered to monitor compliance and enforce any provincial environmental management legislation.

3.1.24 Clause 24

Section 31P of the NEMA imposes a duty on a holder of a permit, licence, permission, certificate, authorisation or any other document to produce such documents as and when requested by the environmental management inspector.

Clause 24 amends section 31P to clarify that such a person must produce such documents on the lawful instruction by the environmental management inspector and an environmental mineral and petroleum inspector. The documentations include those issued in terms of provincial environmental management legislation.

3.1.25 Clause 25

Section 31Q of the NEMA deals with confidentiality of information.

Clause 25 is a consequential amendment to clarify that the confidentiality is also applicable to provincial environmental management legislation.

3.1.26 Clause 26

Section 34E of the NEMA deals with the treatment of seized live specimens.

Clause 26 amends section 34E to provide that live specimens "may", instead of "must", be deposited with a suitable institution, rescue centre or facility; as the circumstances require. It further provides clarity that seized live specimens may be disposed of in terms of section 30(a) of the Criminal Procedure Act, 1977. The latter section of the Criminal Procedure Act provides legal mechanisms on how to dispose of a seized perishable item.

3.1.27 Clause 27

Clause 27 of the Bill amends section 34G of the NEMA, which sets out regulatory power of the Minister responsible for environmental affairs to specify offences and prescribe the amount for purposes of admission of guilt fines. The clause amends section 34G to ensure that Minister's regulatory power contextualizes section 57(5) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

3.1.28 Clause 28

Section 42B of the NEMA deals with the delegation by Minister of mineral resources.

Clause 28 amends section 42B to provide clarity that the Minister of mineral resources may also delegate to his or her powers under NEMA to an organ of state subject to an agreement between the Minister responsible for environmental affairs

and the organ of state. The clause further provides clarity that the delegation may be subdelegated and also withdrawn.

3.1.29 Clause 29

Clause 29 of the Bill inserts new sections 42C and 42D to the NEMA. These new sections empower the Minister responsible for water affairs and municipal manager of a municipality to delegate his or her powers under the NEMA to an official in the Department responsible for water affairs or municipality, respectively.

3.1.30 Clause 30

Clause 30 of the Bill amends section 43 of the NEMA, which allows any person to appeal against an environmental decision issued by national or provincial departments responsible for environmental affairs. Section 43 do not appear to allow for a person to lodge an appeal in a situation where the power to issue a section 28(4) directive was delegated by the Director General or head of department to an official within their respective departments. This clause amends section 43 to ensure that a person may also appeal a section 28(4) directive issued by a delegated official. The amendment further clarifies that the submission of an appeal will not automatically suspend a section 28(4) directive, unless there is good cause shown to the satisfaction of the Minister.

3.1.31 Clause 31

Section 47(2) and (2A) of the NEMA require the Minister responsible for environmental affairs or MEC to table all regulations developed in terms of the Act in Parliament or relevant provincial legislature. In terms of section 17 of the

Interpretation Act, 1957 also require the Minister to table all subordinate legislation to Parliament. Clause 31 repeals section 47(2) and (2A) of the NEMA to avoid duplication of legal requirements.

3.1.32 Clause 32

This clause provides that where a norm and standard specifically provides for a provision to be an offence, then those specific provisions will be considered to be offences, rather than the generic clause current provided in section 49A(1)(b). In terms of section 49A(1)(p) of NEMA, it is a criminal offence not to comply with a request of an environmental management inspector. However, the dictionary meaning of a request is "*an instance of asking for something, especially in a polite or formal manner*" – this implies that being requested has a discretion whether or not to meet the request. The dictionary definition of "instruction" on the other hand means "*A making known to a person what he is required to do; a direction, an order, a mandate*". In the context of Chapter 7 of NEMA and the powers of environmental management inspectors, section 49A(1)(o) and (p) meant to refer to instruction rather than a request.

3.1.33 Clause 33

Section 49B(3) of NEMA provides that a person convicted of an offence in terms of section 49A(1)(h), (l), (m), (n), (o) or (p) is liable to a fine or to imprisonment for a period not exceeding one year, or to both a fine and such imprisonment. The fact that the monetary penalty is not specified makes the provision subject to the Adjustment of Fines Act, which in effect provides for a ratio of 1 year of imprisonment to R20 000. Some of the offences could be serious, for example,

failing to comply with a condition of an exemption, hindering or interfering with an EMI in the execution of their duties etc. It is therefore proposed that the maximum monetary penalty for these offences be specified as R1 million, as is the standard ratio in NEMA and SEMAs.

3.1.34 Clause 34

Section 34 read with Schedule 3 provides a legal framework for the State to request a court of law to enquire and assess the monetary value of any loss or damage caused to the environment as a consequence of the offence committed. The assessment may result in a court order either awarding damages or compensation or a fine equal to the amount so assessed, or remedial measures to be undertaken by a convicted person. This clause amends Schedule 3 to provide for textual amendments to ensure the citation of appropriate offences listed in certain national and provincial legislation.

3.2 National Environmental Management: Protected Areas Act, 2003

3.2.1 Clause 35

Currently, section 57 of the NEMPAA only allows for the Chief Executive Officer of the South African National Parks to be on its Board. However, in line with the recommendations of the third Report on Governance in South Africa, 2009 (King III), the Chief Financial Officer should also be on the board. The amendment to section 57 is intended to provide clarity that the Chief Financial Officer must be a member of the board.

3.2.2 Clause 36

Section 48A of the NEMPAA restricts certain activities in a marine protected area. However, section 89 of the NEMPAA, which provides for offences and penalties, does not make it an offence where a person undertakes a restricted activity in contravention of NEMPAA. The clause amends section 89 to insert section 89(1)(e) and (2A), and thus creating an offence for any person to undertake a restricted activity in contravention of NEMPAA. The clause also rectifies incorrect references to offences within NEMPAA.

3.3. National Environmental Management: Biodiversity Act, 2004

3.3.1 Clause 37

This clause amends the definition of "control", and inserts a new definition of "eradicate" in order to provide clarity on the actions, measures or methods to be undertaken when dealing with listed invasive species.

3.3.2 Clause 38

The clause amends section 2 which provides from the objects of the Act. The clause seeks to amend section 2(a)(ii) to extend the scope of the objects of the Act to clarify that the object of the Act is to provide that the use of indigenous biological resources in a manner that is ecologically sustainable, including taking into account the well-being of any faunal biological resource.

3.3.3 Clause 39

Clause 39 amends section 3 which provides for the State's trusteeship of biological diversity. In terms of common law, all wild animals are regarded as *res nullius*, meaning it belongs to everybody but belongs to nobody in particular. The implication

of this common law principle is that, once a wild animal escapes from the land on which it occurred, the owner of such land loses ownership of the wild animal that has escaped. The Game Theft Act, 1991 (Act No. 105 of 1991), changed the common law status of wild animals, in that it makes provision for a person to retain ownership of a wild animal that escapes from land that it adequately fenced, and in respect of which a certificate of adequate enclosure has been issued by the Premier of the province in which the land is situated. However, the provisions of the Game Theft Act only apply to land where game is kept for hunting or commercial purposes – it does not apply to land where wild animals are kept for conservation purposes. The implication is that where wild animals escape from state-owned land, the state is no longer the custodian of those animals.

The proposed amendment to section 3 seeks to address this anomaly and clarify that in order for the state to give full effect to section 24 of the Constitution of the Republic of South Africa, the state must be in a position to remain the custodian of wild animals that escape from land under its control. The proposed amendment also gives effect to the judgement in *Eastern Cape and Tourism Agency v Medbury (Pty) t/a Crown River Safari and Another (1466/2012) [2016] ZAECGHC 26*, in which the High Court held that this issue must be legislated and not be relied on by developing the common law by way of jurisprudence.

3.3.4 Clause 40

Currently, section 13 of the NEMBA only allows for the Chief Executive Officer of the South African National Biodiversity Institute to be on its Board. However, in line with the recommendations of King III, the Chief Financial Officer should also be on the

board. The amendment to section 13 is intended to provide clarity that the Chief Financial Officer must be a member of the board.

3.3.5 Clauses 41 and 42

Clauses 41 and 42 of the Bill amend sections 73 and 75 of the NEMBA, respectively. Read together, the clauses empower the Minister to develop regulations on the steps to be undertaken to control or eradicate listed invasive species.

3.3.6 Clauses 43

Clause 43 amends section 97 which provides for the power of the Minister for Environmental Affairs to make regulations. The proposed amendment extends the power of the Minister to provide that the Minister may make regulations in relation to the protection of the well-being of a faunal biological resource during the carrying out a restricted activity involving faunal biological resource.

3.3.7 Clauses 44 and 45

Clauses 44 and 45 of the Bill amend sections 99 and 100 of the NEMBA, respectively. These clauses provide clarity that the MEC for environmental affairs in each province must also follow the consultative process set out in sections 99 and 100 of the NEMBA when exercising a power under the Act.

3.4. National Environmental Management: Air Quality Act, 2004

3.4.1 Clause 46

Section 13 of the NEMAQA deals with the establishment of the National Air Quality Advisory Committee. This clause amends section 13 of the NEMAQA to provide the Minister with a discretion to establish a National Air Quality Advisory Committee.

3.4.2 Clause 47

Clause 47 of the Bill amends section 22A of the NEMAQA. This clause substitute section 22A to provide for the consequences of unlawful conducting of listed activities. The clause will address two scenarios, namely, to provide for those activities that were operated without the registration certificate under the Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), and those activities that have an environmental authorisation under the Environmental Impact Assessment Regulations, 2014, but no atmospheric emission licence under NEMAQA. This clause provides for the process and procedures to be followed in addressing the non-compliance with the law.

3.4.3 Clause 48

The clause amends section 36 to provide clarity that a province must be regarded as a licensing authority where a listed activity falls within the boundaries of more than one metropolitan municipality or more than one district municipality. Section 36(5) identifies the Minister as the licensing authority, in five instances, to issue atmospheric emission licences for air quality activities. Section 36(5)(d) is intended to facilitate the issuing of an integrated environmental authorisation where the

Minister is also a competent authority for the environmental impact assessment activities, and licensing authority for the waste management activities. The current provision appears to suggest that the Minister will always be the licensing authority, whereas the intention is to provide that the Minister is only the licensing authority if the Minister is also identified as such in terms of NEMA and NEMWA. The clause amends section 36(5)(d) to provide for textual amendments to clarify that the Minister is only the licensing authority if the Minister is identified as such in terms of NEMA, NEMWA and NEMAQA. Section 36(8) has been amended to extend the scope to also allow for co-operative agreement to be reached between the Municipality, MEC and the Minister on who the licencing authority will be on any application.

3.4.4 Clause 49

Section 53(k) of the NEMAQA appears to limit Minister's scope to the development of appeal regulations to process appeals against decisions of officials in the performance of their functions in terms of regulations. Most of the decisions are taken in terms of the Act itself or in terms of subordinate legislation other than regulations. Whereas the empowering provision for the development of appeal regulations under section 43 of the NEMA appears to be wider (appeals against a decision taken by any person acting under a power delegated by the Minister or MEC under NEMA or a SEMA). This clause deletes paragraph (k) in section 53 to ensure that appeal regulations developed under section 43 of NEMA are also applicable to appeals against air quality decisions.

3.5. National Environmental Management: Integrated Coastal Management Act, 2008

3.5.1 Clause 50

Section 60 of the NEMICMA has been amended to allow for the issuing of notices for the removal of structures that were erected prior to the commencement of the Act. This amendment clarifies the retrospective effect of section 60. Currently retrospectively is implied, and its application may leave some doubt. This is also in line with section 59 of the Act and section 28 of NEMA, which expressly enables retrospective application.

3.5.2 Clause 51

Section 74(1) makes provision for an appeal to the Minister if the decision is taken by an MEC and to the MEC if the decision is taken by a municipality. This approach creates legal challenge for one sphere of government to reconsider the decision taken by another sphere of government. The clause amends section 74 to provide legal clarity that an appeal against a decision issued by delegated officials must be lodged at the appropriate sphere of government and appeal authority.

3.6. National Environmental Management: Waste Act, 2008

3.6.1 Clause 52

The clause inserts the definitions of "building and demolition waste", "business waste", "domestic waste", "general waste", "hazardous waste", "inert waste" that were contained in Schedule 3 to the Act. These definitions are removed from

Schedule 3 and inserted in section 1 of the Act. This clause also inserts new definitions of "primary processing", "residue deposit" and "residue stockpile" in alignment with NEMA and the Mineral and Petroleum Resources Development Act, 2002. The clause provides for textual amendments to the definition of "waste" so as to provide legal clarity on the interpretations and to prevent unintended consequences.

3.6.2 Clauses 53

This clause provides clarity that residue stockpiles and residue deposits are no longer regulated under NEMWA, but under NEMA.

3.6.3 Clause 54

This clause provide clarity that the Waste Management Bureau is established as a juristic person with a Board, and that in absence of a functional board, the powers and duties of the Board revert to the Minister responsible for environmental affairs.

3.6.4 Clause 55

Clause 53 substitutes section 34C of the NEMWA and sets out the Minister's supervisory powers.

3.6.5 Clause 56

This clause amend sections 34F, 34G, 34H, 34I, 34J, 34K and 34L of the NEMWA. The clause sets out the general powers of the Waste Management Bureau, governing Board of the Waste Management Bureau, composition and membership, qualifications for members of the governing Board, appointment procedure for

members of the governing Board, term of office of members of the Board and conditions of appointment of members of the governing Board.

3.6.6 Clause 57

This clause inserts new sections 34M-34Z. These sections set out the governance matters of the Board.

3.6.7 Clauses 58 and 59

These clauses amend sections 37 and 39 of the NEMWA to provide clarity that a site assessment report must be submitted together with a remediation plan.

3.6.8 Clauses 60

This clause amends section 41 of the NEMWA. This clause provides clarity that the Minister must only keep a national register of all contaminated land.

3.6.9 Clause 61

Section 43 of the NEMWA identifies the licensing authorities for different waste management licences. The Minister responsible for mineral resources is identified as one of the licensing authorities to issue waste management licences in so far as the waste management activities is directly related to prospecting or exploration of a mineral or petroleum resource and primary processing of a mineral or petroleum resource; or residue deposits and residue stockpiles. The clause must be read together with the definition of "primary processing". This clause amends subsection (1B) to ensure that the Minister responsible for mineral resources as the identified licensing authority is responsible for the implementation of the waste management

licensing system in so far as the waste management activities is directly related to prospecting or exploration of a mineral or petroleum resource; extraction and primary processing of a mineral or petroleum resource. The clause also amends subsection (3) to facilitate an agreement between the licensing authorities on the implementation of the licensing system. The amendment also seeks to add new subsection (4) to section 43. The addition propose that in instances where the MEC responsible for environmental affairs fails to take a decision to issue a waste management licence within prescribed timeframes, an applicant may request the Minister to take the decision. The intention of this amendment is therefore to make provision for exceptional circumstance in instances where the MEC unreasonably fails to take a decision within the prescribed timeframes. When considering this amendment the Department was mindful of sections 125(2)(b) of the Constitution of the Republic of South Africa, 1996, which provides that the Premier, together with other members of the Executive Council has the power to implement all national legislation within the functional areas listed in Schedule 4 or 5 of the Constitution, except where the Constitution or an Act of Parliament provides otherwise.

3.6.10 Clause 62

This is a consequential amendment. This clause repeals section 43A of the NEMWA to provide clarity that residue stockpiles and residue deposits are no longer regulated under NEMWA, but under NEMA.

3.6.11 Clause 63

The NEMWA was amended to include the Minister responsible for mineral resources as one of the licensing authorities. The term licensing authority, collectively, include

the Minister, Minister responsible for mineral resources and MECs. This clause provides for the consequential textual amendment in section 52(5).

3.6.12 Clause 64

Currently, the variation of a waste management licence is not subject to the payment of a prescribed processing fee. Practically, it has been established that the variation of a waste management licence involves a lot of work. This clause provides for the payment of processing fee for the variation of a waste management licence.

3.6.13 Clause 65

This clause is a consequential amendment deleting the offence regarding residue stockpiles and residue deposits. These stockpiles and deposits are no longer regulated under NEMWA, but under NEMA. The clause also creates an offence if a person contravenes a provision of a norm or standard.

3.6.14 Clause 66

This clause is also a consequential amendment deleting the Minister's power to develop regulations. Residue stockpiles and residue deposits are no longer regulated under NEMWA, but under NEMA.

3.6.15 Clause 67

Section 69A has been repealed as it is no longer necessary for the Minister to make regulations pertaining to the Waste Management Bureau as it will now be a fully-fledged public entity.

3.6.16 Clause 68

The fines that can be imposed in terms of regulations under this Act have been amended to be in line with fines that can be imposed in terms of the National Environmental Management Act, 1998 and the other specific environmental management Acts.

3.6.17 Clauses 69, 70, 71 and 72

The provisions of section 74 do not provide the Minister responsible for mineral resources with legal power to issue exemptions in so far such exemptions relate to provisions administered by the Minister responsible for mineral resources. The scope for exemption applications also appears to be wide.

Clauses 69, 70, 71 and 72 amend sections 74, 75, 76 and 77 provide for the consequential textual amendment empowering the Minister responsible for mineral resources to issue an exemption in so far such an exemption relate to a provision administered by the Minister responsible for mineral resources. The clauses also provide clarity that there will be no exemptions provided from obtaining a waste management licence.

3.6.18 Clause 73

The clause replaces the expression of the "Minister of Water Affairs and Forestry" with the Minister responsible for water affairs.

3.6.19 Clause 74

This clause replaces Schedule 3 with a new Schedule on sources of waste. This Schedule is read with the definition of "waste" contained in section 1 of the Act.

3.7 National Environmental Management Amendment Act, 2008

Clause 75

It appears that there is legal uncertainty whether an environmental management plan or environmental management programme approved and issued in terms of the Mineral and Petroleum Resources Development Act, prior to the implementation of the One Environmental System on 8 December 2014 is deemed an environmental authorisation under the National Environmental Management Act, 1998. The clause amends section 12 to provide legal clarity that an environmental management plan or programme applied for and approved in terms of the Mineral and Petroleum Resources Development Act, 2002, on or before 8 December 2014, is deemed to have been approved and issued in terms of National Environmental Management Act, 1998. The clause also provides clarity that environmental management plan or programme approved under the Mineral and Petroleum Resources Development Act, 2002 after 8 December 2014, if the application for the exploration, prospecting, or mining right, permits or licence was received before that date, is deemed to have been approved and an environmental authorisation issued under the National Environmental Management Act, 1998. This clause further provides clarity that an environmental appeal lodged in terms of a decision made under the Mineral and Petroleum Resources Development Act, must be finalised in terms of the Mineral

and Petroleum Resources Development Act, regardless whether the decision was made before or after 8 December 2014.

3.8 Clause 76

3.8.1 Clause 76 provides for transitional provisions. In terms of the One Environmental System the Minister responsible for mineral resources is the licensing authority for environmental authorisations in so far as the listed activities are directly related to prospecting or exploration of a mineral or petroleum resource and primary processing of a mineral or petroleum resource.

3.8.2 This clause inserts a new section to provide clarity that an environmental management plan or programme issued and approved in terms of the Mineral and Petroleum Resources Development Act, before or after 8 December 2014, is deemed to have been approved and an environmental authorisation issued in terms of NEMA, excluding ancillary activities not authorised in terms of the NEMA or NEMWA.

3.8.3 The clause empowers the Minister responsible for mineral resources to instruct a holder of a right or permit to take action to upgrade any deficiencies in the environmental management plan or programme.

3.8.4 The clause also provides clarity that all pending applications and appeals lodged in terms of the Mineral and Petroleum Resources Development Act, before 8 December 2014 must be processed in terms of the relevant provisions of the Mineral

and Petroleum Resources Development Act, and any ancillary activities must be processed in terms of NEMA or NEMWA.

3.8.5 The clause further provides for the continuation of the environmental regulations (regulations pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, mining or production operations and regulations pertaining to the management and control of residue stockpiles and residue deposits from a prospecting, mining, exploration or production operation) developed under the Mineral and Petroleum Resources Development Act, until such time that similar regulations are developed under NEMA or NEMWA.

3.10 Clause 77

3.10.1 Clause 77 provides for transitional provisions regarding residue stockpiles and residue deposits approvals issued in terms of the National Environmental Management: Waste Act, 2008. The clause provides for clarity that the residue stockpiles and residue deposits approvals or waste management licences issued in terms of the National Environmental Management: Waste Act, 2008, remain valid until they lapse or are replaced under National Environmental Management Act, 1998.

3.10.2 The clause further provide clarity that the regulations pertaining to the management and control of residue stockpiles and residue deposits from a prospecting, mining, exploration or production operation developed under the

National Environmental Management: Waste Act, 2008 remain valid and regarded as being developed under NEMA.

3.11 Clause 78

Clause 78 provides for transitional provisions for the Waste Management Bureau. The clause provides clarity that anything done by the Waste Management Bureau under the repealed Part 7A of the National Environmental Management: Waste Act, 2008 remains valid until any subsequent new provisions overrides it.

4. DEPARTMENTS CONSULTED

The following national and provincial Departments were consulted:

- Mineral Resources;
- National Treasury; and
- all provincial departments responsible for environmental affairs through Environment MINMEC.

5. FINANCIAL IMPLICATIONS FOR STATE

The Bill will create financial liability for the state, but will be funded through the levies on waste streams collected by SARS.

6. PARLIAMENTARY PROCEDURE

6.1 The Constitution prescribes the procedure for the classification of Bills. Therefore a Bill must be correctly classified otherwise it will be constitutionally out of order.

6.2 The State Law Advisers have considered the Bill against the provisions of the Constitution relating to the tagging of Bills and against the functional areas listed in Schedule 4 (functional areas of concurrent national and provincial legislative competence) and Schedule 5 (functional areas of exclusive provincial legislative competence) to the Constitution.

6.3 The established test for the classification of a Bill is that any Bill whose provisions in substantial measure fall within a functional area listed in Schedule 4 to the Constitution must be classified in terms of that Schedule. The process is concerned with the question of how the Bill should be considered by the provinces and in the National Council of Provinces, and how a Bill must be considered by the provincial legislatures depends on whether it affects the provinces. The more it affects the interests, concerns and capacities of the provinces, the more say the provinces should have on its content.

6.4 Therefore the issue to be determined is whether the proposed amendments of the various Acts of Parliament, contained in the Bill, in substantial measure, fall within a functional area listed in schedule 4 to the Constitution.

6.5 The stated general purpose of the Bill is to address practical challenges which have been identified in the application of the various Acts that are sought to be amended. In this respect the Bill seeks to amend the following Acts of Parliament—

- National Environmental Management Act, 1998, so as to correct the citation to the definition of "Constitution"; to correct the definition of "environmental mineral resources inspector"; to provide clarity to the definition of "financial provision"; to add a new environmental management principle promoting diversity in sector; to provide clarity pertaining to the regulations that can be made for the procedure for the preparation, evaluation and adoption of environmental management instruments; to provide for a register of all environmental management instruments adopted in terms of the Act; to provide clarity that the Minister responsible for mineral resources is responsible for activities that are directly related to prospecting, exploration, primary processing of a mineral or petroleum resource; to provide for simultaneous submission of the National Environmental Management Act and the specific Environment Management Act applications for purposes of one environmental system; to provide for simultaneous submission of National Environmental Management Act and specific environmental management Act applications in order to enable integrated environmental authorisation; to provide for a trigger for the simultaneous submission of a National Environmental Management Act or specific environmental management Act applications after acceptance of mining right; to provide clarity that a successor in title or person who controls the land may also lodge a section 24G application relating to an environmental authorisation or a waste management licence; to empower the Minister to prescribe the information that must be contained in environmental management programme; to provide clarity on

consultation to be undertaken by an environmental assessment practitioner on application for environmental authorisation; to provide clarity that an applicant or holder of an environmental authorisation relating to mining activities must set aside financial provision for progressive rehabilitation, mitigation, mine closure and the management of post closure environmental impacts; to provide clarity that residue stockpiles and residue deposits must be managed in terms of this Act; to provide clarity that a section 28(4) directive may also be issued to an owner of the land, a person in control of the land or a person that has a right to use the land in question; to empower Director-General of the Department responsible for mineral resources and municipalities to issue section 28(4) directives; to provide clarity that section 28 is applicable to anticipatory costs as well as remedial measures; to provide for joint and several liability in respect of the responsible persons listed under section 28(8); to empower the Minister responsible for mineral resources to designate environmental mineral and petroleum inspectors from staff within the Department responsible for mineral resources or an organ of state, by agreement; to empower the Member of Executive Council to designate environmental management inspectors to undertake compliance and enforce in respect of provincial environmental legislation; to empower the Minister to prescribe a Code of Conduct for environmental management inspectors and environmental mineral and petroleum inspectors; to provide clarity that an environmental mineral and petroleum inspector must also undergo approved training before designation; to provide clarity on functions and general powers of environmental management inspectors when conducting investigations; to provide clarity that the conducting of a "search" is not the primary purpose of an environmental management inspector

undertaking a routine inspection; to provide clarity that an environmental management inspector may detain an item for further analysis or verification for purposes of determining compliance or not with applicable legal requirements; to provide clarity that the Minister's power to develop regulations on admission of guilt fines contextualizes the related provisions of the Criminal Procedure Act, 1977; to empower the Minister responsible for mineral resources; Minister responsible for water affairs and a municipal manager to delegate functions and duties in terms of this Act; to provide clarity that a person may appeal a section 28(4) directive issued by a person acting on delegated authority; to provide clarity on circumstances that an appeal against a directive does not automatically suspend it; to provide clarity that an appeal against a directive must be lodged at the appropriate appeal authority; to correct references and cross references to offences and penalties and to update list of offences and penalties; to update the list of offences to Schedule 3;

- National Environmental Management: Protected Areas Act, 2003 so as to provide for the Chief Financial Officer of the South African National Parks to be a member of the board; to create a new offence for non-compliance with section 48A which prohibits certain activities in marine protected areas; to rectify incorrect references to offences;
- National Environmental Management: Biodiversity Act, 2004, so as to provide clarity on definition of "control" and to insert a definition of "eradicate"; to provide for the Chief Financial Officer of the South African National Biodiversity Institute to be a member of the board; to provide clarity on measures to be undertaken to eradicate listed invasive species; to provide clarity on the steps, actions or methods to be undertaken to either control or eradicate listed invasive species; to

ensure that the MECs responsible for environmental affairs follow the consultation process set out in sections 99 and 100 before exercising a power in terms of a provision under the Act;

- National Environmental Management: Air Quality Act, 2004, so as to provide the Minister with discretion to establish the National Air Quality Advisory Committee; to provide clarity on the consequences of unlawful commencement of a listed activity; to provide clarity that a provincial department responsible for environmental affairs is the licensing authority where a listed activity falls within the boundaries of more than one metropolitan municipality or more than one district municipality; to provide for textual amendment to section 36(5)(d); to ensure alignment with respect to the implementation of one appeal process under National Environmental Management Act; to provide clarity that the Minister has a discretion to grant or refuse an exemption; to provide clarity that an exemption may be granted subject to conditions;
- National Environmental Management: Integrated Coastal Management Act, 2008, so as to allow for the removal of structures erected prior to commencement of the Act; to provide clarity that an appeal against a decision issued by delegated official must be lodged at the appropriate sphere of government and appeal authority;
- National Environmental Management: Waste Act, 2008, so as to move all definitions from Schedule 3 to section 1; to provide for textual amendment to the definitions of "residue deposits" and "residue stockpiles" and "waste"; to provide for the exclusion of residue stockpiles and residue deposits from the provisions of the Act; to provide for the Waste Management Bureau to be established as a public entity; to provide for the simultaneous submission of the site assessment

- report and remediation plan relating to a contaminated land; to provide clarity that the Minister must keep a national register of all contaminated land; to provide clarity that the Minister responsible for mineral resources is responsible for implementation of the waste management system in so far as it relates to a waste management activity that is directly related to prospecting, exploration, primary processing of a mineral or petroleum resource; to empower the Minister to take a decision in the place of the provincial licensing authority under certain circumstances; to provide for the payment of processing fee for the variation of a waste management licence; to increase the fines that could be imposed in terms of regulations made under the Act; to provide clarity that there will be no exemptions provided from obtaining a waste management licence; to substitute Schedule 3 with new Schedule; to provide for transitional provisions in respect of the Waste Management Bureau;
- National Environmental Management Amendment Act, 2008, so as to clarify that an environmental management programme or plan approved in terms of the Mineral and Petroleum Resources Development Act on or before and after 8 December 2014 is valid under National Environmental Management Act; to provide clarity that an appeal against an environmental management programme or plan lodged in terms of the Mineral and Petroleum Resources Development Act must be finalised under that Act;
 - To provide for the transitional provisions regarding environmental management programme or plan approved in terms of the Mineral and Petroleum Resources Development Act on or before and after 8 December 2014; to clarify that environmental regulations developed under the Mineral and Petroleum Resources Development Act continued until the development and publication of

such regulations under the National Environmental Management Act and the National Environmental Management: Waste Act; to provide for transitional provisions regarding residue stockpiles and residue deposits approved in terms of the National Environmental Management: Waste Act, 2008; to provide for transitional provisions regarding the continuation of the Waste Management Bureau and to provide for matters connected therewith.

6.6 Each of the proposed amendments that are contained in the various Acts have been carefully examined to establish whether, in substantial measure, they fall within any of the functional areas listed in Schedule 4 to the Constitution.

6.7 In our view the subject matter of the Bill falls within the functional areas listed in Schedule 4, namely "environment", and it affects provinces. We are therefore of the opinion that this Bill must be dealt with in accordance with the procedure set out in section 76 of the Constitution.

6.8 The State Law Advisers are also of the opinion that it is not necessary to refer this Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), since it does not contain provisions pertaining to customary law or customs of traditional communities.

DEPARTMENT OF HUMAN SETTLEMENTS
NOTICE 246 OF 2017
PROPERTY PRACTITIONERS BILL, 2016

I, Lindiwe Nonceba Sisulu, Minister for Human Settlements hereby publishes the Property Practitioners Bill, 2016 for public comment. A draft Bill is hereby attached

Any interested persons or institutions are hereby invited to submit written comments or representations with regard to the draft Bill within 30 days of the date of publication of this notice. All comments or presentations must be submitted in writing in one of the following ways:

- (a) By post to: The Director General
 Department of Human Settlements
 Private Bag x 644
 Pretoria
 0001
 For attention: [Mr T Khambule]
- (b) Delivered to: The Director-General
 Department of Human Settlements
 260 Justice Mohamed Street
 For attention: [Mr T Khambule]
- (c) By electronic mail: [Thulani.Khambule@dhs.gov.za]
Enquiries: [Mr T Khambule 012 444 9088]

Comments received after the closing date may not considered.

REPUBLIC OF SOUTH AFRICA

PROPERTY PRACTITIONERS BILL

*(As introduced in the National Assembly (proposed section 75); explanatory
summary of Bill published in Government Gazette No. ... of ...) (The English text is
the official text of the Bill)*

(MINISTER OF HUMAN SETTLEMENTS)

[B —2016]

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.
-

BILL

To provide for the regulation of property practitioners; to provide for the continuation of the Estate Agency Affairs Board as the Property Practitioners Regulatory Authority; to provide for the appointment of the members of the Board and matters incidental thereto; to provide for the appointment of the Chief Executive Officer and other staff members of the Authority; to provide for the establishment, appointment, powers and functions of the Property Practitioner's Ombud Office; to provide for compliance with and enforcement of the provisions of the Act; to provide for the continuation of the Estate Agents Fidelity Fund as the Property Practitioners Fidelity Fund; to provide for consumer protection, to provide for the repeal of the Estate Agency Affairs Act, 1976; and to provide for matters connected therewith.

PREAMBLE

WHEREAS a healthy property market is a national asset that restores the dignity of all South Africans through the basic constitutional right to ownership of immovable property through security of tenure;

AND WHEREAS a property is an asset to enhance economic activity, growth and development;

AND WHEREAS patterns of property ownership are historically skewed;

AND WHEREAS, there are distortions within the property market, especially the secondary property market;

AND WHEREAS transformation of the property market will benefit the country;

AND WHEREAS consumers require assistance when conducting property transactions;

AND WHEREAS property practitioners can play an important role in providing such assistance;

AND WHEREAS it is necessary to ensure that such assistance is rendered in a professional way;

AND WHEREAS it is necessary to regulate circumstances when such assistance is not rendered in a professional way;

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

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4. Exemption from Act
5. Establishment of Authority
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Repeal and amendment of legislation

CHAPTER 1
DEFINITIONS, APPLICATION OF ACT, ESTABLISHMENT AND OBJECTS OF
AUTHORITY

Definitions

1. In this Act, unless the context otherwise indicates—

"auditor" means a person registered in terms of section 37 or 38 of the Auditing Profession Act, 2005 (Act No. 26 of 2005);

"Authority" means the Property Practitioners Regulatory Authority established in terms of section 4;

"Board" means the Board of the Authority contemplated in Chapter 2;

"candidate property practitioner" means a person who has not yet met all the qualification or experience requirements as prescribed to practise as a property practitioner and who is undergoing training under the supervision of a property practitioner, or a program created by the Authority ;

"CEO" means the Chief Executive Officer of the Authority appointed in terms of section 17;

"Chairperson" means the Chairperson of the Board;

"code of conduct" means the code of conduct prescribed in terms of section 60;

"consumer" means a consumer as defined in section 1(a) or (c) of the Consumer Protection Act, 2008 (Act No. 68 of 2008);

"conveyancer" means a conveyancer as defined in section 1 of the Attorneys Act, 1979 (Act No. 53 of 1979);

"days" means calendar days including Saturdays, Sundays and Public Holidays but excluding the period between 15 December to 15 January of the preceding year;

"Department" means the National Department of Human Settlements;

"Estate Agency Affairs Act" means the Estate Agency Affairs Act, 1976 (Act No. 112 of 1976);

"Estate Agency Affairs Board" means the Estate Agency Affairs Board established by section 2 of the Estate Agency Affairs Act;

"Fund" means the Property Practitioners Fidelity Fund contemplated in section 33;

"Fidelity Fund certificate" means a Fidelity Fund certificate contemplated in section 46(1);

"immediate family member" means a parent, child, brother or sister, or any person married to such a person, or a life partner of such a person;

"inspector" means a person appointed in terms of section 27;

"mandatory disclosure form" means the form referred to in section 66;

"Minister" means the Minister of Human Settlements;

"Ombud" means the Property Practitioners Ombud appointed in terms of section 21;

"Ombud's office" means the Property Practitioners Ombud's office established in terms of section 20;

"property practitioner"—

- (a) means any person or business undertaking who or which for the acquisition of gain on his, her or its own account or in partnership, in any manner holds himself, herself or itself out as a person or business undertaking who or which, directly or indirectly, on the instructions of or on behalf of any other person—

- (i) by auction, in sale of execution or otherwise sells, purchases, manages or publicly exhibits for sale property or any business undertaking or negotiates in connection therewith or canvasses or undertakes or offers to canvas a seller or purchaser in respect thereof;
- (ii) lets or hires or publicly exhibits for hire property or any business undertaking or negotiates in connection therewith or canvasses or undertakes or offers to canvass a lessee or lessor in respect thereof;
- (iii) collects or receives any monies payable on account of a lease of a property or a business undertaking;
- (iv) provides, procures, facilitates, secures or otherwise obtains or markets financing for or in connection with the management, sale or lease of a property or a business undertaking, including a provider of bridging finance and a bond broker, but excluding any person contemplated in the definition of "financial institution" in section 1 of the Financial Services Board Act, 1990 (Act No. 97 of 1990);
- (v) assesses property to determine the defects, value for money and fit for use as part of the conclusion of an agreement to sell and purchase, or hire or let a property;
- (vi) in any other way acts or provides services as intermediary or facilitator with the primary purpose to, or to attempt to do so, effect the conclusion of an agreement to sell and purchase, or hire or let, as the case may be, a property or business undertaking, including, if performing the acts mentioned in this subparagraph, a home ownership association, but does not include—
 - (aa) a person who does not do so in the ordinary course of business;

- (bb) where the person is a natural person and that person in the ordinary course of business offers a property for sale which belongs to him or her in his or her personal capacity;
- (cc) an attorney or candidate attorney as defined in section 1 of the Attorneys Act, 1979 (Act No. 53 of 1979); or
- (dd) a sheriff as defined in section 1 of the Sheriffs Act, 1986 (Act No. 90 of 1986), when he or she performs any functions contemplated in paragraph (a) of this definition, irrespective of whether or not he or she has been ordered by a court of law to do so; or
- (vii) renders any other service specified by the Minister on the recommendation of the Board from time to time by notice in the *Gazette*;
- (b) includes any person who sells, by auction or otherwise, or markets, promotes or advertises any part, unit or section of, or rights or shares, including time share and fractional ownership, in a property or property development;
- (c) includes any person who for remuneration manages a property on behalf of another;
- (d) includes a trust in respect of which the trustee, for the acquisition of gain on the account of the trust, directly or indirectly in any manner holds out that it is a business which, on the instruction of or on behalf of any other person, performs any act referred to in paragraph (a);
- (e) for the purposes of sections 33, 45, 47, 48, 58, 59, 60 and 64, includes—

 - (i) any director of a company or a member of a close corporation which is a property practitioner as defined in paragraph (a);

- (ii) any person who is employed by a property practitioner as envisaged in paragraph (a) and performs on his, her or its behalf any act referred to in subparagraph (i), (ii), (iv), (v) or (vi) of that paragraph;
 - (iii) any trustee of a trust which is a property practitioner as envisaged in paragraph (d);
 - (iv) any person who is employed by a property practitioner as envisaged in paragraph (b) and performs on its behalf any act referred to in subparagraph (i), (ii), (iv), (v) or (vi) of paragraph (a); and
 - (v) any person who is employed by a property practitioner contemplated in paragraph (a) or (b) to manage, supervise or control the day-to-day operations of the business of that property practitioner;
- (f) includes any person who is employed by or renders services to an attorney or a professional company as defined in section 1 of the Attorneys Act, 1979, other than an attorney or candidate attorney, and whose duties consist wholly or primarily of the performance of any act referred to in subparagraph (i), (ii), (iii) (iv), (v) or (vi) of paragraph (a), on behalf of such attorney or professional company whose actions will be specifically covered by the Attorneys' Fidelity Fund and not the Property Practitioners Fidelity Fund;
- (g) for the purposes of section 61 and any regulation made under section 70, includes any person who was a property practitioner at the time when he or she was guilty of any act or omission which allegedly constitutes sanctionable conduct referred to in section 61,

but does not include an attorney who, on his own account or as a partner in a firm of attorneys or as a member of a professional company, as defined in section 1 of the Attorneys Act, 1979, or a candidate attorney as defined in that section 1, who

performs any act referred to in paragraph (a), in the course of and in the name of and from the premises of such attorney's or professional company's practice, provided that such an act may not be performed—

- (i) in partnership with any person other than a partner in the practice of that attorney as defined in section 1 of the Attorneys Act, 1979; or
- (ii) through the medium of or as a director of a company other than such professional company,

and **"advertise"** for the purposes of this definition does not include advertising in compliance with the provisions of any other law;

"prescribe" means prescribe by regulation;

"property" means immovable property, and any interest, right or duty associated with it as contemplated in section 2;

"record" means any recorded information regardless of form or medium;

"registration certificate" means a registration certificate as contemplated in section 46(2);

"this Act" includes any regulations made under this Act.

Application of Act

2. This Act applies to the marketing, promotion, managing, sale, letting, financing and purchase of immovable property, and to any rights, obligations, interests, duties or powers associated with or relevant to such property.

Objects of Act

3. The objects of the Act are to—

- (a) provide for the regulation of property practitioners;
- (b) provide for the establishment of the Authority;
- (c) provide for the powers, functions and governance of the Authority;
- (d) provide for the protection and promotion of the interests of consumers;
- (e) provide for a dispute resolution mechanism in the property market;
- (f) provide for the education, training and development of property practitioners and candidate Property Practitioners;
- (g) provide for a framework for the licensing of property practitioners;
- (h) provide for a just and equitable legal framework for the marketing, managing, financing, letting, renting, sale and purchase of property;
- (i) promote meaningful participation of historically disadvantaged individuals and small, micro and medium enterprises in the property market;
- (j) provide for the transformation of the property market to address the distortions, especially in the secondary property market;
- (k) provide for the transformation of the property market that facilitate property ownership to more South Africans through structured interventions and the creation of property consumer ownership programs in the affordable and secondary market; and
- (l) create a mechanism for responding and implementation of directives received from the Minister of Human Settlements, from time to time.

Exemption from Act

4. (1) Any person (hereinafter referred to as the applicant) may, subject to the provisions of this section, be exempted from compliance with any specific provision of this Act.

(2) The applicant must, in the prescribed manner and form, submit the application for exemption to the Authority, accompanied by—

- (a) an explanation of the reasons for the application; and
- (b) any applicable supporting documents.

(3) The Authority may direct the applicant to—

- (a) furnish additional information which may be relevant; and
- (b) appear in person before the Authority to support his or her application and provide verbal responses to questions raised by the Authority.

(4) (a) Any person may raise an objection to the Authority as prescribed regarding the exemption which has been granted to a person or an entity in terms of this section.

(b) The Authority must consider the objection and determine whether such objection may be sustained.

(5) The Authority must consider and decide on the application, taking into account whether—

- (a) the granting of the exemption is likely to impact negatively on the interests of the general public;
- (b) the granting of the exemption is likely to impact negatively on competition in the property sector or the property practitioners' industry;

- (c) the granting of the exemption is likely to benefit one section of the property practitioners' industry to the detriment of another;
- (d) appropriate, sufficient and effective regulatory protection of consumers' rights and interests exists; and
- (e) the exemption would not defeat the objects of the Act.

(6) The Authority may—

- (a) approve the application, together with a record of the matters contemplated in subsection (7): Provided that the exemption may not exceed three years and may not be applied retrospectively;
- (b) decline the application; or
- (c) refer the application back to the applicant for further investigation or consideration, as the case may be.

(7) If the Authority approves the application, the Authority must publish the decision on its website, which must include—

- (a) the provision of the Act from which exemption is granted;
- (b) the person to whom the exemption applies;
- (c) the date from which and the date up to when the exemption applies;
- (d) any conditions that apply to the exemption, if any;
- (e) the reasons for granting the exemption;
- (f) a declaration that the granting of an exemption does not create any special rights or legitimate interests which may apply to the category of persons so exempted; and
- (g) a declaration that any exemption granted may be amended or withdrawn subject to the provisions of this section.

(8) Any person who is adversely affected by the decision of the Authority may request the Authority to provide written reasons.

(9) (a) Any person may at any time in writing request the Minister to review any exemption granted in terms of this section.

(b) The Minister must instruct the person requesting the review to notify the Authority as well as any other person specified by the Minister, for the account of the person requesting that review, and to submit any comments received to the Minister.

(10) The Authority may on good grounds amend, suspend or withdraw an exemption.

(11) The Authority must publish the exemption on its website.

Establishment of Property Practitioners Regulatory Authority

5. (1) There is hereby established a juristic person to be known as the Property Practitioners Regulatory Authority.

(2) The Authority is a National Public Entity subject to the Public Finance Management Act, 1999 (Act No. 1 of 1999).

(3) The Authority is governed and acts through a Board known as the Board of the Authority.

(4) The Authority must provide regulatory mechanisms in respect of the financing, marketing, managing, letting, hiring, sale, property consumer education and purchase of property, and may do all that is necessary or expedient to achieve the objects of this Act.

(5) The Authority is accountable to the Minister.

Functions of the Authority

6. The functions of the Authority are to—

- (a) regulate the conduct of the property practitioners in dealing with the consumers;
- (b) to regulate the conduct of the property practitioners in so far as marketing, managing, financing, letting, renting, hiring, sale and purchase of property are concerned;
- (c) regulate and ensure that there is compliance with the provisions of the Act;
- (d) ensure that the consumers are protected from undesirable and sanctionable practices as set out in section 61 and section 62 ;
- (e) regulate any other conduct which falls within the ambit the Act in as far as the property practitioners and consumers in this market are concerned;
- (f) educate and inform consumers about their rights as set out in section 68;
- (g) implement measures to ensure that the property sector is transformed as set out in section 69.

CHAPTER 2

BOARD OF AUTHORITY

Composition and appointment of Board

7. (1) The Board consists of—

- (a) not less than nine but not more than 12 non-executive members, including the Chairperson, appointed by the Minister; and
- (b) the CEO, who serves on the Board by virtue of his or her office.

(2) The total number of the Board members contemplated in subsection (1)(a) must consist of—

(a) a combination of the following skills and competences:

- (i) sufficient financial expertise;
- (ii) relevant legal experience;
- (iii) sufficient experience as property practitioners;
- (iv) sufficient experience in the promotion and protection of consumer interests;
- (v) sufficient experience in property management and financing; and

(b) at least—

- (i) one member nominated by the Minister of Rural Development and Land Reform, in consultation with the Minister; and
- (ii) one member nominated by the Minister of Public Works, in consultation with the Minister.

(3) (a) The Minister must prior to the appointment of members of the Board as contemplated in subsection (1)(a), or filling a vacancy, issue an

invitation in the *Gazette* and at least two newspapers circulating nationally in the Republic for the nomination of persons meeting the requirements to serve on the Board.

(b) A member of the Board contemplated in subsection (1)(a) who is not a public servant or in the full time employ of the State may be paid out of the funds of the Authority the remuneration and allowances that may be determined generally or in any particular case by the Minister in concurrence with the Minister of Finance.

(4) The Minister must ensure that—

- (a) the appointment of members of the Board is governed by the overriding principle of selection based on merit, determined by an assessment of—
- (i) the objects, functions and the operations of the Authority;
 - (ii) the competencies collectively required for serving on the Board, including the relevant skills, expertise and experience relating to governing an organ of state, having regard to subsection (2); and
 - (iii) the qualifications, skills, expertise and experience of each individual prospective candidate;
- (b) the Board is broadly representative with regards to race, gender and disability; and
- (c) the majority of persons serving on the Board are not public servants contemplated in section 8 of the Public Service Act, 1994 (Proclamation No. 103 of 1994).

(5) When the Chairperson of the Board—

- (a) is absent from the meeting of the Board, the remaining members must nominate one of them to act as Chairperson for that meeting; or

(b) vacates his or her office, the Minister must within three months appoint a Chairperson in accordance with subsection (3).

(6) A non-executive member of the Board holds office for a period of three years.

(7) A member of the Board is upon completion of his or her term of office eligible for reappointment, but—

(a) no member may serve more than two consecutive terms of office; and

(b) the Minister may not reappoint more than five members of the same Board.

Disqualification from membership of Board

8. The Minister may not appoint a person to the Board—

(a) who is not a South African citizen;

(b) who is a member of Parliament, a member of a provincial legislature, a member of Cabinet or a Deputy Minister, a Premier or other member of a provincial executive council, a member of the National House of Traditional Leaders or a Provincial House of Traditional Leaders, or a mayor or other member of a municipal council;

(c) who or whose spouse, life partner, immediate family member, business partner or associate, holds an office in or is employed by or has any other interest whatsoever, whether direct or indirect, in any company or other entity which supplies goods or renders services to the Authority, unless such an interest is declared for purposes of considering that person's nomination;

(d) who is disqualified to act as a director of a company incorporated in terms of the Companies Act, 2008 (Act No. 71 of 2008);

- (e) who has been found in any civil or criminal proceedings by a court of law, whether in the Republic or elsewhere, to have acted fraudulently, dishonestly, unprofessionally, dishonourably or in breach of a fiduciary duty, or of any other offence for which such person has been sentenced to direct imprisonment without the option of a fine, other than an offence committed prior to 27 April 1994 demonstrably associated with political objectives;
- (f) whose name, or the name of a juristic person of whom the person was a director, member, trustee, partner, shareholder, holder of membership or other beneficial interest has been listed by the National Treasury on its Register for Tender Defaulters established by section 29 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004);
- (g) who has been discharged from a position of trust;
- (h) whose membership of a board or other accounting authority of a public entity as defined in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), has been prematurely terminated due to a dishonourable discharge;
- (i) who has at any time been found to be in contravention of this Act or the Estate Agency Affairs Act, 1976;
- (j) who is of unsound mind; or
- (k) who is an unrehabilitated insolvent.

Powers and duties of Board

9. The functions of the Board are to—

- (a) ensure that the Authority complies with this Act and any other applicable law;

- (b) ensure that the Authority performs its duties efficiently and effectively;
- (c) provide corporate governance for the Authority;
- (d) determine and enforce the broad policy framework within which the Authority must pursue its objects and perform its functions;
- (e) ensure that the Authority exercises its powers in accordance with the principles of transparency and accountability;
- (f) manage the marketing, promotion, sale, lease, financing, purchasing, registration and transfer of property of the Authority;
- (g) advise the Minister on—
 - (i) the efficacy of this Act;
 - (ii) the state of transformation of the market;
 - (iii) prescribing of regulations;
 - (iv) education and training of property practitioners; and
 - (v) any other matter on which the Minister requires the advice of the Board;
- (h) maintain the Fund and hold it in trust; and
- (i) perform any other power or duty conferred on the Board by this Act or any other applicable law.

Good governance and code of ethics

- 10.** (1) The Board must—
- (a) approve codes of ethics applicable to all members of the Board and employees of the Authority, respectively; and

(b) from time to time, review those codes to ensure compliance with all current law, principles of good governance and ethical behaviour.

(2) Nothing in this section prevents the Board from voluntarily adopting any code, protocol or charter not in conflict with any policy, code, protocol, guideline or similar document contemplated in subsection (1) and applicable to its members.

Conflict of interest of members of Board

11. (1) A member of the Board must upon appointment submit a declaration to the Minister, made under oath or by affirmation, to the effect that he or she is not disqualified from appointment as contemplated in section 8.

(2) A member of the Board or of a committee of the Board, as the case may be, must immediately when he or she becomes aware of any conflict of interest, in writing, inform the Chairperson of the Board or the chairperson of a Board committee, as the case may be, of such conflict, and the relevant chairperson must immediately excuse that member from participating and voting in any part of a meeting or proceedings where the matter that has caused such a conflict is considered.

(3) The Chairperson of the Board or of a committee of the Board must immediately when he or she becomes aware of any conflict of interest, in writing, inform the Board or the Board committee of such conflict, and the Chairperson must recuse himself or herself from participating and voting in any part of a meeting or proceedings where the matter that has caused such a conflict is considered.

Termination of Board membership

12. (1) The Minister may, after having afforded a member of the Board a reasonable opportunity to make submissions in writing, terminate that member's membership of the Board if that member has—

- (a) failed to immediately declare any conflict of interest as contemplated in section 11;
- (b) repeatedly and knowingly disregarded or contravened any code of ethics contemplated in section 10 or any other applicable law; or
- (c) failed to attend three consecutive meetings of the Board or a Board committee without the permission of the Chairperson or of the Board or the Chairperson of the relevant Board committee.

(2) The Minister must when terminating the membership of a member of the Board, in writing inform both the Board and that member of the reasons for that termination.

(3) If a member of the Board at any time during his or her term of office becomes disqualified to be a Board member on any one of the grounds contemplated in section 8, that member—

- (a) must immediately in writing inform the Minister and the Chairperson of the Board of that disqualification, and once the Minister has been so informed he or she must forthwith in writing remove that member from the Board; and
- (b) may not attend a Board meeting or a Board committee meeting from the time he or she has so become disqualified until he or she is removed by the Minister.

(4) A member of the Board may resign by giving one month's notice in writing to the Minister.

(5) The termination of membership of the Board or resignation from the Board does not in any way prevent or influence the institution or continuance of proceedings against the person whose membership of the Board was terminated or who resigned from the Board, as the case may be.

Meetings of Board

13. (1) The Board must meet at least once in every three months.

(2) The Chairperson or Board must forthwith call a special meeting of the Board, if requested in writing to do so by at least three members of the Board.

(3) The majority of members present in a meeting of the Board constitute a quorum.

(4) The Chairperson has a casting vote only.

(5) Any minutes of a meeting, or a decision, signed by the Chairperson of the meeting, or by the chairperson of the next meeting of the Board, as the case may be, is evidence of the proceedings of that meeting or adoption of that decision, as the case may be.

(6) A meeting of the Board may be conducted by electronic communication and individual Board members may participate in a meeting by electronic communication, if the Board so approves, but the electronic communication facility employed must enable all persons participating in that meeting to communicate concurrently with each other without an intermediary and to participate effectively in the meeting.

(7) The Board must in addition to this section adopt a charter setting out its rules of operation.

(8) The Board determines its own procedures at meetings of the Board.

Committees of Board

14. (1) The Board may appoint committees to assist it in efficiently and effectively performing its functions and exercising its powers in terms of the Act.

(2) The Chairperson of the Board may not serve on any of the Board's committees.

(3) The Board must determine the experience and qualifications of the members of the committees as well as the composition, period of service, rules and procedures of those committees.

(4) The Board remains responsible and accountable for anything done by its committees.

Dissolution of Board

15. (1) Subject to the provisions of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), the Minister may dissolve the Board—

(a) if the Board collectively disregards or contravenes any document contemplated in section 10 or any applicable law; or

(b) if the Auditor-General has for two successive years qualified his or her audit report or noted matters of emphasis or has declined to express an opinion on the accounts, financial statements and financial management of the Authority.

(2) Upon dissolution of the Board, the Minister must appoint an administrator to take over the functions of the Board and to do anything which the Board might otherwise be empowered or required to do by or under this Act, subject to such conditions as the Minister may determine.

(3) The appointment contemplated in subsection (2), may not exceed a period of 12 months.

CHAPTER 3

APPOINTMENT OF CEO AND STAFF OF AUTHORITY

Appointment of CEO

16. (1) The Board must, with the approval of the Minister, appoint a suitably qualified and experienced person as CEO for a period not exceeding five years.

(2) The CEO is accountable to the Board and is responsible and accountable for the day-to-day management and operations of the Authority.

(3) The Board must prior to the appointment of the CEO satisfy itself that the person whom it intends to appoint has a suitable combination of qualifications, skills and experience to lead and manage the Authority.

(4) The appointment of the CEO is subject to the conclusion of a written performance contract entered into between the CEO and the Board within three months of the appointment of the CEO.

(5) The CEO may not trade with the Authority within six months after the termination of his or her employment by or resignation from the Authority.

(6) A CEO may be re-appointed after the expiration of his or her term of office for one additional term of five years.

(7) The CEO may resign by giving three months' notice in writing to the Board, unless the parties agree on a shorter period.

(8) Upon resignation or removal of the CEO, the Board must as soon as possible appoint a new CEO or another suitable person as acting CEO on the terms and conditions determined by the Board, until a new CEO is appointed.

(9) If the Board has not appointed a new CEO within six months after the position of the CEO became vacant, the Board must within 14 days after the expiry of such six months period report to the Minister the reasons why it has not done so.

(10) The Board may suspend, discipline and recommend the dismissal of the CEO with the approval of the Minister after it has followed all due processes under the laws of the country.

(11) The termination of the CEO's employment contract or the CEO's resignation does not in any way prevent or influence the institution or continuance of legal or disciplinary proceedings against him or her.

Staff of Authority

17. (1) The CEO must appoint suitably qualified persons to assist the CEO to efficiently and effectively perform his or her functions under this Act, in accordance with an employment policy approved by the Board.

(2) The CEO must ensure that all employees of the Authority are adequately qualified and trained for their respective positions.

(3) The code of ethics for employees of the Authority contemplated in section 10(1) applies to all employees of the Authority to the extent indicated in the code.

Conflict of interest of employees

18. (1) An employee of the Authority must, on appointment, submit to the CEO a statement in writing in which that person declares whether or not he or she has any direct or indirect interest, financially or otherwise, which—

(a) may constitute a conflict of interest in respect of his or her functions as a member of staff of the Authority; or

(b) could reasonably be expected to compromise the Authority in the performance of its functions.

(2) If an employee of the Authority acquires an interest contemplated in subsection (1), he or she must immediately in writing declare that fact to the CEO.

(3) An employee of the Authority may not be present at, or take part in, the discussion of or the taking of a decision on any matter before the Authority in which that member has an interest contemplated in subsection (1).

(4) An employee of the Authority may not use his or her position or privileges, or confidential information obtained as a member of staff of the Authority, for personal gain or to improperly benefit another person.

(5) The Authority must institute disciplinary proceedings against any employee of the Authority who fails or refuses to comply with or contravenes a provision of subsections (1), (2), (3) or (4) in accordance with applicable employment and labour law.

(6) The Authority must keep a register of the interests of members of staff disclosed in terms of subsections (1) and (2), and must update that register every three months.

Delegation

19. (1) The CEO may, in writing, delegate any of his or her functions or powers to any of the staff members of the Authority subject to any qualifications he or she may determine.

(2) The delegation of any function or power under subsection (1), does not preclude the CEO from exercising such function or power.

(3) The CEO remains responsible and accountable for all acts and omissions in terms of or under such a delegation.

(4) The CEO may in writing revoke any delegation under subsection (1).

(5) The CEO must maintain a register of all delegations under subsection (1).

CHAPTER 4**ESTABLISHMENT, APPOINTMENT, RESOURCES, POWERS AND DUTIES OF
PROPERTY PRACTITIONERS OMBUD****Establishment of Property Practitioners Ombuds Office**

20. (1) There is hereby established the Property Practitioners Ombuds Office.

(2) The Ombud's Office is independent.

(3) The objective of the Ombud's Office is to—

- (a) consider and dispose of complaints lodged in terms of this Act in respect of the financing, marketing, managing, letting, hiring, sale and purchase of property;
- (b) provide mechanism for the resolution of those complaints; and
- (c) generally, ensure that the complaints are disposed of in a procedurally and substantively fair, informal, economical and expeditious manner.

(4) The functions of the Ombud's Office are performed by the Property Practitioners Ombud.

Appointment of Property Practitioners Ombud

21. (1) The Ombud's Office must be headed by a fit and proper person with a legal background and relevant experience, appointed by the Minister as the Property Practitioner's Ombud.

- (2) The Ombud is appointed for a term of five years and may be reappointed for one or more additional terms of five years.
- (3) The Ombud is accountable to the Minister.
- (4) The appointment of the Ombud is subject to the conclusion of a written performance contract entered into between him or her and the Minister.
- (5) The remuneration and other terms of appointment of the Ombud must be determined by the Minister.
- (6) The code of ethics for employees of the Authority contemplated in section 10(1) applies to the Ombud and all employees of the Office.
- (7) The Ombud may resign by giving three months' notice in writing to the Minister unless the parties agree to a shorter period.
- (8) The Minister may, on good cause shown, remove the Ombud from office on the grounds of misconduct, incapacity or incompetence, after affording the Ombud reasonable opportunity to be heard.
- (9) The Minister must, in writing, appoint a suitable person to act as Ombud if the Ombud—
- (a) is temporarily unable to perform his or her functions in terms of the Act; or
 - (b) has vacated or been removed from office and a new Ombud has not yet been appointed.
- (10) An acting Ombud may exercise all the powers and must perform all the duties of the Ombud.

Staff and resources of Ombud

22. (1) The Ombud must, in accordance with an employment policy of the Ombud's Office, appoint suitably qualified persons which include administrative staff, investigators, legal officers, mediators and adjudicators to assist the Ombud to perform his or her functions effectively and efficiently in terms of the Act.

(2) The Department must provide the Ombud's Office with necessary resources which include financial and any other resources required to assist the Ombud to execute its functions efficiently and effectively.

Lodging of complaints

23. (1) Any person may, after he or she or it has exhausted all the internal remedies of the Authority, lodge a complaint with the Ombud in the prescribed form against a property practitioner in respect of financing, marketing, management, letting, hiring, sale or purchase of property.

(2) The Ombud must in writing acknowledge receipt thereof and inform the complainant of the case number assigned to the complaint.

(3) After receiving the complaint, the Ombud may require the complainant to submit further information or documentation in relation to the complaint.

(4) The Ombud may—

- (a) in the prescribed manner, deal with the matter himself or herself;
- (b) refer the matter for mediation as contemplated in section 24; or
- (c) refer the matter for adjudication as contemplated in section 25.

Mediation

24. (1) The Ombud must—

- (a) if he or she believes that a complaint may be resolved through mediation; or
- (b) on application by the person concerned,

allocate the matter to a mediator in such a manner and within such a period as may be prescribed.

(2) The Ombud must ensure that—

- (a) the matter is set down for mediation; and
- (b) the notice of the mediation as prescribed is given to all parties concerned;

(3) The mediator must hear the matter within 30 days of receipt of the allocation.

(4) At the commencement of mediation, the mediator must inform the parties of the following:

- (a) The purposes of mediation and its objective to facilitate settlement between the parties;
- (b) the facilitative role of the mediator as an impartial mediator who may not make any decisions of fact or law and who may not determine the credibility of any person participating in the mediation;
- (c) the inquisitorial nature of mediation proceedings;
- (d) the rules applicable to the mediation session;
- (e) all discussions and disclosures, whether oral or written, made during mediation are confidential and inadmissible as evidence in any court, tribunal or other forum, unless the discussions and disclosures are recorded in a

settlement agreement signed by the parties, or are otherwise discoverable in terms of the rules of court, or in terms of any other law;

- (f) the mediator may during the mediation session encourage the parties to make full disclosure if in the opinion of the mediator such disclosure may facilitate a resolution of the complaint between the parties;
- (g) no party may be compelled to make any disclosure, but a party may make voluntary disclosures with the same protection referred to in paragraph (e);
- (h) the mediator will assist to draft a settlement agreement if the complaint is resolved; and
- (i) if the complaint is not resolved, the mediator will refer the complaint back to the Ombud.

(5) A mediator must, within five days of the conclusion of mediation, submit a report to the Ombud informing him or her of the outcome of the mediation, issues in dispute, levels of complexity, number of days required for adjudication and any other information which may assist the Ombud when scheduling the matter for adjudication.

(6) If the mediation fails—

- (a) the mediator must issue a certificate stating the outcome of the mediation;
- (b) the Ombud must serve a copy of that certificate on each party to the dispute or the person who represented a party in the mediation proceedings; and
- (c) the mediator must file the original of that certificate with the Ombud.

(7) A party may, on written application and with notice to the other party, apply in writing to the Ombud for a settlement agreement to be made and have effect as an adjudicators order.

(8) The mediator may postpone or extend the lifespan of a mediation process if the parties agree.

(9) (a) The mediator must assist the parties to resolve the dispute.

(b) If the parties come to an agreement which resolves the matter, the mediator must record that agreement in writing and conclude the proceedings.

(c) Once the agreement is reached by the parties, it is enforceable as an order of the magistrate's court.

(10) The Ombud must keep the records of all settlement agreements reached through mediation proceedings.

(11) Notwithstanding the provisions of subsection (1), property practitioners may consent to refer an inter-property practitioners' dispute for mediation by the Ombud, and the Ombud may provide such mediation service on a cost recovery basis.

(12) If a matter is not resolved as contemplated in this section, the matter must be adjudicated in accordance with section 25.

Adjudication

25. (1) If the complaint is not resolved under the mediation, the Ombud must allocate the complaint to an adjudicator for adjudication.

(2) The Ombud may appoint assessors to assist the adjudicator in adjudicating any complaint, depending on the complexity of the matter.

(3) Within 14 days after the Ombud has allocated the matter to the adjudicator, the adjudicator must set the matter down for hearing within 30 days and must give notice as prescribed to all parties concerned.

(4) The adjudication must be held informally and expeditiously, subject to upholding the rules of natural justice and in accordance with the prescribed procedure.

(5) The adjudicator must upon conclusion of the adjudication make a determination as to whether the complaint is upheld or not.

(6) If the complaint is upheld, the adjudicator must make an order which in the circumstances is appropriate, and such an order has the status of an order of a magistrate's court and must be executed accordingly.

(7) The order contemplated in subsection (6) may include—

- (a) a fine which may not exceed the amount determined by the Minister of Justice for the purposes of section 29(1)(a) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944); and
- (b) if appropriate in the circumstances, an order that the Authority pays not more than 80 percent of the fine as a compensation award to the complainant.

(8) The adjudicator must upon finalisation of the adjudication process provide written reasons for any of his or her determinations or orders.

(9) The Ombud must keep the records of all hearings, including the orders made and written reasons provided by the adjudicator, as prescribed.

(10) Subject to the provisions of subsection (7)(b), any fine paid pursuant to an order made by the adjudicator accrues to the Fund.

(11) Notwithstanding the provisions of subsection (1), property practitioners may consent to refer an inter-property practitioners' dispute for final

adjudication by the Ombud, and the Ombud may provide such service on a cost recovery basis.

(12) An order of the Ombud is final and binding and may only be reviewed by the High Court.

Accounting and Reporting by Ombud

26. (1) The Ombud must cause the required accounting and other records to account for all monies received or paid by the Ombud.

(2) The Ombud must, within five months after the end of each financial year, submit to the Minister an annual report on the activities of the Ombud's Office during the previous financial year.

(3) The Ombud must report to the Minister on the activities of the Ombud's Office or provide the Minister with information regarding the activities of the Office as and when requested to do so by the Minister.

(4) The Minister must table the report contemplated in subsection (2) in Parliament within one month of receiving such report from the Ombud, if Parliament is in ordinary session or, if Parliament is not in ordinary session, within 14 days after the commencement of its next ordinary session.

(5) The report contemplated in subsection (2) must contain, amongst other matters, a summary of —

- (a) all complaints lodged with the Ombud which have been resolved;
- (b) steps taken by the Authority to resolve complaints;
- (c) all complaints lodged with the Ombud which have not yet been resolved and the reasons for their non-resolution;

- (d) all complaints lodged with the Ombud in respect of which the Authority has failed or refused to take steps; and
- (e) complaints relating to systemic failures or shortcomings.

CHAPTER 5 COMPLIANCE AND ENFORCEMENT

Appointment of inspectors

27. (1) The CEO—

- (a) must appoint any suitably qualified person as an inspector; and
- (b) must issue each inspector with a certificate in the prescribed form stating that the person has been appointed as an inspector in terms of this Act and with the inspector's identification card.

(2) When the inspector performs his or her functions in terms of this section, the inspector must—

- (a) be in possession of a certificate of appointment or an inspector's identification card issued to that inspector in terms of subsection (1)(b);
 - (b) immediately show that certificate or inspector's identification card to any person who—
 - (i) is affected by the inspector's actions in terms of this Act; or
 - (ii) requests to see the certificate or inspector's identification card;
- and

- (c) have the powers of a peace officer as defined in section 1 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), and may exercise the powers conferred on a peace officer by law.

Powers of inspectors to enter, inspect, search and seize

28. (1) An inspector may at any reasonable time and without prior notice conduct an inspection to determine whether the provisions of this Act are being or have been complied with, and for that purpose may without a warrant—

- (a) enter and inspect any business premises of a property practitioner;
- (b) require the property practitioner, manager, employee or an agent of the property practitioner to—
- (i) produce to him or her the fidelity fund certificate of that property practitioner;
- (ii) produce to him or her any book, record, or other document related to the inspection and in the possession or under the control of that property practitioner, manager, employee or agent; or
- (iii) furnish him or her with such information in respect of the fidelity fund certificate, book, record or other document at such a place and in such manner as the inspector may determine;
- (c) examine or make extracts from, or copies of, any such fidelity fund certificate, book, record or other document; and
- (d) seize and retain any such fidelity fund certificate, book, record or other document that may afford evidence of sanctionable conduct under this Act: Provided that the person from whom the fidelity fund certificate, book, record

or other document was taken shall, at his or her request and at his or her expense, be allowed to make copies thereof or extracts therefrom, under the supervision of the inspector concerned.

(2) Where a property practitioner conducts his or her business at his or her private residence, the inspector must notify the property practitioner in advance and in writing before conducting the inspection in terms of subsection (1), and set out the details of the inspection.

(3) An inspector may on authority of a warrant—

- (a) enter and search any premises;
- (b) search any person on those premises if there are reasonable grounds for believing that the person has personal possession of an article or record that has a bearing on the inspection;
- (c) examine any article or record that is on or in those premises that has a bearing on the inspection;
- (d) request any person on the premises to unlock or otherwise provide unhindered access to any safe, storage facility or other receptacle on the premises, or to point out any other person on the premises who can do so;
- (e) request information about any article, document or record;
- (f) take extracts from, or make copies of, any book, computer, document or record that is on or in the premises and that has a bearing on the inspection;
- (g) use any computer system on the premises that has a bearing on the inspection, or require assistance of any person on the premises to use that computer system, to—
 - (i) search any data contained in or available on that computer system; or
 - (ii) reproduce any record from that data;

- (h) seize any output from that computer for examination and copying; and
- (i) attach and if necessary remove from the premises for examination and safekeeping anything that has a bearing on the inspection: Provided that the person from whom the fidelity fund certificate, book, record or other document was taken shall, at his or her request and at his or her expense, be allowed to make copies thereof or extracts therefrom, under the supervision of the inspector concerned.

(4) The warrant contemplated in subsection (3) may only be issued by a judge or a magistrate if it appears from the information given by the inspector under oath or affirmation that—

- (a) there are reasonable grounds for suspecting that a contravention of the Act has occurred or is occurring;
- (b) a search of the premises is likely to yield information pertaining to the alleged contravention; and
- (c) the search is reasonably necessary for the purposes of enforcing the Act.

(5) The warrant must identify the premises that may be entered and searched and specify the parameters within which the inspector may perform an entry, search or seizure.

(6) The warrant is valid only until—

- (a) the warrant is executed;
- (b) the warrant is cancelled by the person who issued it or, in that person's absence, by a person with similar authority;
- (c) the purpose of issuing it has lapsed; or
- (d) the expiry of one month after the date it was issued, whichever occurs first.

(7) The warrant may be executed only during the hours of 08h00 and 17h00 of a day other than a Saturday, Sunday or public holiday, unless the judge or the magistrate who issued it authorises that it may be executed at any other time that is reasonable in the circumstances.

(8) Immediately before commencing with the execution of a warrant, the inspector executing that warrant must either—

(a) if the owner or person in control of the premises to be searched is present—

(i) provide identification to that person and explain to that person the authority by which the warrant is being executed; and

(ii) hand exact copies of the warrant and of this section to that person or to the person named in it; or

(b) if no people is present, affix an exact copy of the warrant at the entrance to the premises in a prominent and visible place.

(9) The inspector authorised to conduct search entry and seizure in terms of a warrant issued in terms of subsection (3) may be accompanied and assisted by one or more police officers.

(10) The inspector and any police officer accompanying the inspector must, when entering and searching any premises in terms of a warrant, conduct that entry and search with strict regard to decency and every person's right to dignity, freedom, security and privacy.

(11) During any search, only a female inspector or police officer may search a female person and only a male inspector or police officer may search a male person.

(12) An inspector who removes anything from premises being searched must—

- (a) issue a written receipt for it to the owner of or person in control of the premises in sufficient detail to identify each specific thing so removed; and
- (b) return it as soon as practicable after achieving the purpose for which it was removed to the person from whose control it was taken, unless it is to be used as evidence in any subsequent proceedings, in which case the inspector must forthwith in writing inform the person from whose control it was taken of that fact.

(13) During a search conducted under a warrant, a person may refuse to permit the removal of an article, document or record on the grounds that it contains privileged or protected information, but that person may not cause such article, document or record to be amended, altered or destroyed until the inspector has been afforded a reasonable time to act under subsection (14).

(14) If the owner or person in control of an article or document refuses to give the article, document or record to the inspector conducting the search, that inspector may in writing request the registrar or sheriff of the High Court that has jurisdiction to attach and remove the article, document or record for safe custody until a court determines whether or not the information is privileged or protected.

(15) A police officer who is assisting the inspector in terms of this section may use as much force as is necessary, including breaking a door or window of the premises, or the breaking of any lock which prevents the search of any safe, storage facility or other receptacle on the premises, to overcome resistance by any person to the entry and search.

(16) Before using force a police officer must audibly demand admission or access and must announce the purpose of entry, unless it is

reasonable to believe that doing so may induce someone to destroy, dispose of or conceal an article, document or record that forms part of the search or is otherwise relevant to the search.

(17) A person who submits any information to an inspector or makes any statement to him or her may indicate to the inspector that he or she claims confidentiality in respect of any information or statement so provided, and the inspector must deal with such information in accordance with the relevant law.

Compliance notices

29. (1) The Minister must, from time to time determine—

- (a) contraventions of the Act that are of a minor nature; and
- (b) contraventions of the Act that are of a substantial nature.

(2) The Minister must publish the determinations referred to in subsection (1) by notice in the *Gazette* and the Authority must publish the determinations on its website and via any other medium it deems fit.

(3) The Minister must by notice in the *Gazette* prescribe the maximum fines in respect of each type of contravention which the Authority may determine for the purposes of subsection (5): Provided that such a maximum fine may not for a particular year exceed the amount prescribed in respect of one year of imprisonment in accordance with the Adjustment of Fines Act, 1991 (Act No. 101 of 1991), at any particular moment in time.

(4) The Authority may, where an inspection or investigation by an inspector indicates a contravention of this Act which is of a minor nature as determined under subsection (1), issue a compliance notice in the prescribed format

to the person so allegedly contravening this Act, calling on that person to comply with this Act within a period specified in the compliance notice, which period must be reasonable in the circumstances.

(5) The Authority may, in the compliance notice, determine a fine to be paid by the person concerned if such person in writing on the compliance notice acknowledges his, her or its failure to comply with this Act as stated in the compliance notice.

(6) The fine contemplated in subsection (5) must be paid to the Authority within a period specified in the compliance notice.

(7) Any fine paid in consequence of a compliance notice accrues to the Fund, and the person named in that notice may not be prosecuted for having committed such contravention.

(8) Any contravention of a minor nature may not be taken into consideration when considering any application by or other proceedings against the person concerned.

(9) (a) A person issued with a compliance notice in terms of subsection (4) must comply with that notice.

(b) A person who refuses or fails to comply with such compliance notice is guilty of an offence.

Fine as compensation

30. (1) The Authority may, whenever a fine has been imposed on a property practitioner under this Act and taking into account any amounts paid under the mandatory indemnity insurance contemplated in section 56, if any, order that any

portion of the fine be applied towards the payment of compensation to any person who suffered a pecuniary loss as a result of the conduct of that property practitioner.

(2) The Authority may on receipt of a fine imposed on a property practitioner make the payment contemplated in subsection (1), but no such payment may be made until all appeals in respect of the imposition of the fine have lapsed or have been finalised or abandoned.

CHAPTER 6

FINANCES

Funds of Authority

31. (1) The funds of the Authority consist of—

- (a) monies appropriated by Parliament;
- (b) fees paid to the Authority by property practitioners;
- (c) all monies derived from any investments in terms of section 32(2); and
- (d) all other monies which may accrue to the Authority from any other source.

(2) The Authority must utilise its funds to defray the expenses incurred by it in the performance of its functions and the exercise of its powers, but—

- (a) any monies or other property donated or bequeathed to the Authority must be utilised in accordance with the conditions of such donation or bequest; and
- (b) if the Authority—
 - (i) after an inspection or investigation has found that a property practitioner failed to comply with any duty imposed upon him or her in terms of this Act;

- (ii) has incurred any liability to pay costs in respect of any proceedings instituted by it in terms of this Act for the recovery from a property practitioner of any amount which is payable by him, her or it to the Authority or the Fund, or
- (iii) has incurred any liability to pay audit fees in respect of an audit done on the instructions of the Authority in a case where an audit contemplated in section 53 has not been done,

the Authority may recover the costs of such inspection or investigation in so far as it relates to such duty or the taxed amount of such costs on an attorney and client scale or the amount of such audit fees, as the case may be, from the property practitioner concerned.

(3) The Minister must by notice in the *Gazette*, prior to the commencement of this Act and thereafter annually prior to the beginning of a financial year of the Authority, after consultation with the Board, determine the fees payable in terms of or under this Act.

Financial year and deposits

32. (1) The financial year of the Authority is the period from 1 April in any year to 31 March in the following year, but the first financial year of the Authority begins on the date that this Act comes into operation, and ends on 31 March following that date.

(2) The Authority may invest or deposit money of the Authority that is not immediately required for contingencies or to meet current expenditures on a call or short-term fixed deposit account with any bank approved by the National Treasury.

CHAPTER 7

PROPERTY PRACTITIONERS FIDELITY FUND

Property Practitioners Fidelity Fund

33. (1) The Fund established by section 12 of the Estate Agents Affairs Act, 1976, known immediately before the commencement of this Act as the Estate Agents Fidelity Fund, continues to operate as if it were established in terms of this Act, under the name Property Practitioners Fidelity Fund.

(2) The following must be paid into the Fund:

- (a) All monies paid as fees in accordance with this Act to or on account of the Fund;
- (b) income derived from the investment of monies in the Fund in terms of section 32(2);

- (c) all monies recovered by or on behalf of the Fund in the exercise of any right of action conferred by this Act;
- (d) all monies received on behalf of the Fund from any insurance company;
- (e) interest paid to the Fund; and
- (f) any other monies accruing to the Fund from any other source.

Primary purpose of Fund

34. (1) Subject to the provisions of this Chapter, the Fund must be maintained and applied to reimburse persons who suffer pecuniary loss by reason of—

- (a) theft of trust money committed by a property practitioner who was in possession of a Fidelity Fund certificate at the time of the theft; or
- (b) the failure by a property practitioner to comply with section 46(1) or (4).

(2) No person has any claim against the Authority as contemplated in subsection (1) unless the claimant has—

- (a) within three years after the circumstances giving rise to a claim came into being, given notice to the Authority of such claim as contemplated in section 36; or
- (b) within the three years period contemplated in paragraph (a) after a written request was sent to him or her by the Authority, furnished to the Authority such proof as it may reasonably require.

Control and management of Fund

35. (1) Subject to subsections (2) and (3), the Authority is responsible for the management and administration of the Fund.

(2) The Authority may, with the approval of the Minister, outsource the management and administration of the Fund to any portfolio management company or a financial institution in terms of the Financial Services Board Act, 1990, on the terms and conditions approved by the Minister, subject to subsection (3).

(3) Each member of the Board, or of the management and administration of the Fund has been outsourced to any portfolio management company or institution as contemplated in subsection (2), that portfolio management company or institution, owes a fiduciary duty and a duty of care and skill to the Fund, and any such portfolio management company or financial institution may be held liable in accordance with the principles relating to breach of a fiduciary duty, for any loss, damages or costs sustained by the Fund as a consequence of any breach by such portfolio management company or financial institution of such a duty.

Claims from Fund

36. (1) A claim for compensation from the Fund must be lodged with the Authority in the prescribed manner.

(2) A person is not entitled to claim against the Authority in respect of theft of trust money by a property practitioner unless such a person has, before lodging a claim with the Authority, laid a criminal charge against that property practitioner.

(3) The Authority must hold an inquiry in the prescribed manner into any claim lodged with the Authority in respect of the Fund.

Payments from Fund

37. (1) Subject to the provisions of this Act, the following must, whenever required, be paid out of the Fund:

- (a) The amount of all claims, including costs, allowed or established against the Fund as provided for in this Chapter;
- (b) in the discretion of the Board, any contribution in respect of any expense incurred by any claimant in establishing a claim;
- (c) all legal, accounting and other expenses incurred in investigating and defending claims made against the Fund or otherwise incurred in relation to the Fund;
- (d) all premiums payable in respect of contracts of insurance entered into by the Authority in terms of section 39;
- (e) the expenses incurred in the management, control and administration of the Fund by the Authority, or if the management and administration of the Fund has been outsourced to a portfolio management company or financial institution as contemplated in section 35(2), by that institution, as the case may be, in accordance with the terms and conditions approved by the Minister;
- (f) grants as contemplated in section 38; and
- (g) any other monies which may be paid out of the Fund in accordance with this Act.

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(2) The Minister may, in consultation with the Board, by notice in the *Gazette* limit the amount which may be paid from the Fund in respect of any category of claims.

(3) Any monies in the Fund not immediately required for the purposes of the Fund must, on the terms and conditions approved by the Minister be invested with or in an institution approved by the National Treasury.

Authorisation of grants

38. (1) Subject to the terms and conditions that it may determine, the Board may authorise grants from the Fund—

(a) with regard to—

- (i) research in fields of activity relevant to the business of property practitioners;
- (ii) the maintenance and promotion of the standard of conduct of property practitioners;
- (iii) the maintenance and promotion of the training standards of property practitioners;
- (iv) the education and training of property practitioners; and
- (v) transformation of the property sector;

(b) to any association or society of property practitioners for the purpose of enabling that association or society to maintain and promote the interests of property practitioners; and

(c) of the amount that it may determine for the purposes of—

- (i) advertising and promoting the services and facilities offered by property practitioners in general; or
- (ii) promoting public awareness in respect of consumer rights in matters relating to immovable property.

(2) The Board may at any time revoke any authorisation contemplated in subsection (1) on reasonable grounds.

Indemnity insurance

39. The Authority may in the public interest arrange any group insurance scheme with any insurer registered as a short-term insurer in terms of the Short-term Insurance Act, 1998 (Act No. 53 of 1998), for the provision of insurance to cover property practitioners' liability to members of the public on the grounds of malpractice, up to an amount determined by the Board.

Fees payable by property practitioner

- 40.** (1) A property practitioner must annually pay to the Fund—
- (a) a prescribed application fee for a Fidelity Fund certificate in accordance with the provisions of section 46; and
 - (b) any amount that the Minister may, after consultation with the Board, determine from time to time by notice in the *Gazette*.

(2) The Minister must in exercising the powers conferred upon him or her by subsection (1) specify a method or standard to determine the percentage

by which the amounts contemplated in paragraphs (a) and (b) of that subsection are automatically adjusted annually on 1 April of every subsequent year, but—

- (a) the Minister may at any time override such an automatic adjustment by making a new determination in terms of subsection (1); and
- (b) the Minister must not later than five years after making a determination contemplated in subsection (1) or paragraph (a), as the case may be, make a new determination in terms of subsection (1).

Co-operation by claimant

41. (1) A person who has lodged a claim contemplated in section 36(1) must upon request by the Authority participate, co-operate and assist the Authority in respect of any matter concerning the claim.

(2) The Authority may withhold payment from the Fund of any amount payable to a person who fails or refuses to substantially comply with any reasonable request made in writing by—

- (a) the South African Police Service or other organ of state responsible for investigating or monitoring crime or criminal activity, to co-operate and assist in its investigation of any criminal charge laid against a property practitioner;
- (b) the National Directorate of Public Prosecutions, any other prosecuting authority or any organ of state responsible for asset forfeiture investigations or proceedings, in respect of any investigation or proceedings in a court of law of which the relevant property practitioner is the subject or defendant, as the case may be; or
- (c) the Authority to co-operate and assist in—

- (i) the investigation of any complaint against the relevant property practitioner; or
 - (ii) the exercise of the Authority's rights and remedies against the relevant property practitioner pursuant to the provisions of this Act.
- (3) Neither the Fund nor the Authority is liable for payment of interest on any amount withheld as contemplated in subsection (2).

Actions against Authority in respect of Fund

42. (1) No person may commence any action against the Authority for payment from the Fund after the expiry of three years from the date of a written notification by the Authority addressed to the claimant, or his, her or its legal representative, if any, informing the claimant that the Authority—

- (a) rejects the claim to which the action relates; or
- (b) requires compliance with section 40.

(2) No person may recover from the Authority any amount larger than the difference between the amount of the loss suffered by him or her and the amount or value of all monies or other benefits which he or she received or is entitled to receive out of any other source in respect of such loss.

(3) No right of action lies against the Authority in respect of any loss suffered by—

- (a) the spouse, life partner, business partner or immediate family member of a property practitioner by reason of any negligent or intentional conduct including theft committed by such property practitioner; or

- (b) any property practitioner by reason of any negligent or intentional conduct including theft committed—
- (i) by his, her or its business partner;
 - (ii) if such property practitioner is a company, by any director of such company;
 - (iii) if he or she is a director of a company, by any co-director in such company;
 - (iv) if such property practitioner is a close corporation, by any member of such corporation;
 - (v) if he or she is a partner in a partnership, by any other partner of such partnership; or
 - (vi) by any person employed by him or her as a property practitioner;
- (c) any person as a result of negligent or intentional conduct including theft, or as a result of any other act or omission in connection with trust monies held or received on account of any other person, by any person referred to in paragraph (d) of the definition of "property practitioner" in section 1.

Application of insurance monies

43. (1) No claimant having a claim against the Authority under this Chapter has by virtue of any contract entered into in terms of section 39 by the Authority with an insurer, have any right of action against that insurer.

(2) No claimant having a claim against the Authority under this Chapter has any right or claim in respect of any money paid or payable to the Authority by an insurer in accordance with a contract entered into in terms of section

32, but such money must be paid into the Fund and applied by the Authority in accordance with the provisions of this Chapter to settle any relevant claim.

Transfer of rights and remedies to Authority

44. If the Authority settles in full or in part any claim under this Chapter, all the rights and remedies of the claimant in respect of such claim against the property practitioner concerned or any other person or, in the case of the death, insolvency or other legal incapacity of that property practitioner or other person, against the estate of that property practitioner or other person shall pass to the Authority, without qualification or diminution, to the extent of such settlement.

Fund exempt from insurance laws

45. No provision of any law relating to insurance applies to or in respect of the Fund.

CHAPTER 8

PROPERTY PRACTITIONERS

Application for Fidelity Fund certificate

46. (1) Every property practitioner excluding a property practitioner referred to in paragraph (g) of the definition of "property practitioner" in section 1, must, within the prescribed period and in the prescribed manner, annually apply to

the Authority for a Fidelity Fund certificate, and such application must be accompanied by the fees contemplated in section 33.

(2) A property practitioner referred to in paragraph (d) of the definition of "property practitioner" in section 1, must, within the prescribed period and in the prescribed manner, apply to the Authority for a registration certificate, and such application must be accompanied by the fees contemplated in section 33.

(3) Subject to sections 42 and 51, the Authority must, upon receipt of an application contemplated in subsection (1) or (2) and the relevant fees, if the applicant concerned—

- (a) meets or has met all requirements provided for in or under this Act; and
- (b) is not disqualified in terms of section 47 from being issued with a Fidelity Fund certificate,

issue to the applicant concerned a Fidelity Fund certificate in the prescribed form, which is valid until 31 December of the year to which such application relates.

(4) A property practitioner who applies to the Authority for a Fidelity Fund certificate or a registration certificate, after the prescribed period referred to in subsection (1) or (2), or whose application is not accompanied by the fees referred to in section 33, must in addition to the applicable fee pay a prescribed penalty to the Authority and the Authority may not issue a Fidelity Fund certificate to the property practitioner concerned until the penalty has been paid.

(5) A property practitioner may not use or display a lapsed Fidelity Fund certificate.

(6) A property practitioner must, upon request from any relevant party, produce a Fidelity Fund certificate or certified copy thereof.

(7) A property practitioner whose contact details change during the period of validity of his, her or its Fidelity Fund certificate, must within 14 days of such a change taking place in writing provide the Authority with his, her or its new contact details.

Prohibition on rendering services without Fidelity Fund certificate

47. (1) No person or entity may act as a property practitioner unless, in addition to any other requirements provided for in or under this Act—

- (a) he or she or it is in possession of a Fidelity Fund certificate contemplated in section 46; or
- (b) if he or she or it employs any other person as a property practitioner, that person is also in possession of a Fidelity Fund certificate contemplated in section.

(2) If an entity is—

- (a) a company;
- (b) a close corporation;
- (c) a trust; or
- (d) a partnership,

every director of such a company, every member of such a close corporation, every trustee of such a trust and every partner of such a partnership, as the case may be, must be in possession of the Fidelity Fund certificate contemplated in section 46.

(3) Any person who contravenes or fails to comply with subsection (1) is guilty of an offence.

(4) A person who contravenes or fails to comply with subsection (1) must immediately upon receipt of a request from any relevant party in writing repay any amount received in respect of or as a result of any property transaction during such contravention.

(5) A person who fails to comply with a request contemplated in subsection (3) is guilty of an offence.

(6) The provisions of this section apply irrespective of—

- (a) what appellation a person or entity is described by; or
- (b) whether he, she or it is registered, certified or appointed or acts in terms of or under or for purposes of any other Act.

Mandatory time periods for issuing certificates

48. (1) The Authority must, within 30 working days, consider any application submitted to it in terms of this Act, which fully meets the prescribed requirements, unless the Authority on good grounds in writing informs the applicant of the reasons why that period is to be extended, provided that such extension may not exceed 20 working days.

(2) The period of 30 working days contemplated in subsection (1) commences afresh if the Authority requests the applicant to submit additional information or to correct the said application.

(3) If the Authority has failed to comply with subsection (1), the application is deemed to have been approved and the Authority must, upon written request by the applicant within 10 working days, issue the applicant with the relevant certificate.

Disqualification from issue of Fidelity Fund certificate

49. The Authority may not issue a Fidelity Fund certificate to—
- (a) any person who—
- (i) is not a South African citizen or does not lawfully reside in the Republic;
 - (ii) has at any time in the preceding five years been found guilty of contravening this Act, the Estate Agency Affairs Act, 1976, or any similar legislation in any other jurisdiction;
 - (iii) has been found in any civil or criminal proceedings by a court of law, whether in the Republic or elsewhere, to have acted fraudulently, dishonestly, unprofessionally, dishonourably or in breach of a fiduciary duty, or of any other offence for which such person has been sentenced to imprisonment without the option of a fine;
 - (iv) is of unsound mind;
 - (v) has at any time in the preceding five years by reason of improper conduct been dismissed from a position of trust;
 - (vi) is an unrehabilitated insolvent;
 - (vii) is not in possession of a valid tax clearance certificate;
 - (viii) whose name, or the name of a juristic person of whom the person was a director, member, trustee, partner, shareholder, holder of membership or other beneficial interest has been listed by the National Treasury on its Register for Tender Defaulters; or
 - (ix) has been prohibited by any legislation, enacted in the Republic or elsewhere, from practicing as a property practitioner or from occupying

a position of trust, including any juristic person to whom the disqualifications in subparagraphs (ii), (iii), (vi) and (vii) apply with the necessary changes;

- (x) has been found guilty by a competent tribunal or a court of law of unfairly differentiating, distinguishing or excluding directly or indirectly anyone on the basis of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth;
 - (xi) is not in possession of a BEE certificate,
- (b) any property practitioner who or, if such property practitioner is a company, any director or member of management of that company, or if such property practitioner is a close corporation, any member referred to in paragraph (a) of the definition of "property practitioner" in section 1, or if such property practitioner is a trust, any trustee, or if such property practitioner is a partnership, any partner, who—
- (i) in the preceding five years has been found guilty of contravention of this Act or the Estate Agency Affairs Act, 1976;
 - (ii) does not comply with the prescribed standard of training;
 - (iii) does not have the practical experience determined by the Authority; or
 - (iv) has at any time been guilty of any act or omission in respect of which any person had to be compensated pursuant to the provisions of section 38 from the Fund, unless the property practitioner has repaid the relevant amount in full to the Authority, or the Authority is of the opinion that satisfactory arrangements for the settlement of such amount have been made and has confirmed such arrangements,

- (c) any property practitioner contemplated in paragraph (a) of the definition of "property practitioner" in section 1 if such property practitioner carries or intends to carry on business as a property practitioner under a trade name which is identical or confusingly similar to the trade name of another property practitioner—
- (i) already issued with a Fidelity Fund certificate; or
 - (ii) whose Fidelity Fund certificate is suspended or has lapsed or been withdrawn in terms of this Act; or
- (d) any property practitioner who is a director of a company, or who is a member referred to in paragraph (b) of the definition of "property practitioner" in section 1, of a close corporation—
- (i) of which the Fidelity Fund certificate was withdrawn by the Authority in terms of section 51; or
 - (ii) which was prohibited in terms of section 47 from operating in any way on its trust, savings or other interest-bearing account referred to in terms of that section.

Amendment of Fidelity Fund certificate

50. (1) For the purposes of this section, "holder" means the holder of a Fidelity Fund certificate.

(2) The Authority may, at any time in writing, inform the holder that the Authority intends to amend any particulars of the Fidelity Fund certificate held by the holder, and the Authority must—

- (a) provide reasons for the proposed amendment; and

(b) invite the holder to submit a written response within a prescribed period.

(3) The Authority may after due consideration of any response received, including that of any person other than the holder, amend the particulars of the Fidelity Fund certificate and issue an amended Fidelity Fund certificate to the holder.

(4) When issuing the Fidelity Fund certificate contemplated in subsection (3) the Authority must, simultaneously in writing—

- (a) provide the holder with reasons for the amendment;
- (b) provide the holder with a copy of any response received from the other person; and
- (c) request the immediate return of the original Fidelity Fund certificate.

(5) A person who, in terms of paragraph (c), is requested to return the original Fidelity Fund certificate to the Authority, must—

- (a) do so forthwith; or
- (b) if that Fidelity Fund certificate cannot be returned, submit a declaration made under oath or affirmed to the Authority as to the reasons and circumstances preventing that person from doing so.

(6) An amended Fidelity Fund certificate comes into operation on the date on which it is served by the Authority on the holder.

(7) If the holder prevents delays or avoids service of the amended Fidelity Fund certificate by the Authority or attempts to do so, the amended Fidelity Fund certificate comes into operation on the date on which the Authority first attempted to serve the amended Fidelity Fund certificate on the holder.

(8) If the Authority attempted to serve the amended Fidelity Fund certificate on the holder but was unsuccessful for the reason that the holder

prevented, delayed or avoided the Authority from doing so, the Authority must, for the general public's information, publish the date on which the amended Fidelity Fund certificate came into operation, and the nature or contents of the amendment, in any medium which it deems adequate for this purpose.

Withdrawal or lapse of Fidelity Fund certificate

51. (1) The Authority may, whether on its own initiative or pursuant to an instruction issued by a court of law or an adjudicator contemplated in section 25, withdraw a Fidelity Fund certificate issued to—

- (a) any person, partnership or trust summoned in the prescribed manner to appear before the Authority if that person or trust without just cause fails to comply with the summons and prior to the date of the appearance stated in the summons has not been excused in writing by the Authority, from so appearing;
- (b) a company or close corporation, if—
 - (i) the Fidelity Fund certificate of any director of the company or of any member of the corporation has lapsed in terms of subsection (5); or
 - (ii) any director of such company, or any member, referred to in paragraph (a) of the definition of "property practitioner" in section 1, of such corporation, has lapsed in terms of subsection (5), or any trustee of a trust or the person responsible for the trust, becomes subject to any disqualification referred to in section 49(b)(ii) and (iii) or section 49(c),
- (c) a person or trust becomes subject to any disqualification referred to in section 49(b)(ii), (iii) or section 49(c).

(2) A person who is in possession or of control any Fidelity Fund certificate which has been withdrawn in terms of subsection (1) must refrain from using or displaying that Fidelity Fund certificate.

(3) A court may, on good cause and upon application by the Authority or any other competent person, withdraw any Fidelity Fund certificate issued to any person, and thereupon order that the person contemplated in subsection (2) or any other person to immediately refrain from using and displaying that Fidelity Fund certificate.

(4) A Fidelity Fund certificate lapses immediately and is of no force and effect if the person to whom it has been issued—

- (a) in the case of a natural person, the person to whom it has been issued dies or becomes subject to any disqualification referred to in section 490(a)(ii) to (vi);
- (b) is a company or a close corporation, and the company or close corporation is being wound up, whether provisionally or otherwise, or is deregistered, as the case may be;
- (c) is a partnership, and one of the partners is sequestered; or
- (d) in the case of a trust with only one trustee, that trustee is sequestered.

(5) A person who is in possession or control of a Fidelity Fund certificate which has been withdrawn or has lapsed must immediately return that certificate to the Authority, or if that Fidelity Fund certificate cannot be returned, submit a declaration made under oath or affirmed as to the reasons and circumstances preventing the property practitioner from doing so.

(6) A person whose Fidelity Fund certificate has been withdrawn in terms of subsection (1) or has lapsed in terms of subsection (4), may not directly or indirectly participate in the management of any business carried on by a property

practitioner in his, her or its capacity as such, or participate in the carrying on of such business, or be employed, directly or indirectly, in any capacity in such business, except with the written consent of the Authority and subject to the conditions that the Authority may determine.

(7) A property practitioner may not directly or indirectly in any capacity whatsoever employ a person contemplated in subsection (6), or allow or permit such person directly or indirectly to participate in any capacity in the management or the carrying on of his, her or its business as a property practitioner, except with the consent in writing of the Authority, and subject to the conditions that the Authority may impose.

(8) The Authority has no liability whatsoever in respect of the withdrawal or lapse of a Fidelity Fund certificate.

(9) A person, partnership or trust whose Fidelity Fund certificate has been withdrawn or lapsed in terms of this section may re-apply for a Fidelity Fund certificate when it, he or she again qualifies for such a certificate.

(10) A person who uses or displays the Fidelity Fund certificate contemplated in subsection (2), is guilty of an offence.

Mandatory display of Fidelity Fund certificate

- 52.** (1) A holder of a Fidelity Fund certificate must—
- (a) prominently display his, her or its Fidelity Fund certificate in every place of business from where he, she or it conducts property transactions, to enable consumers to easily inspect it;

- (b) ensure that the prescribed sentence regarding holding a Fidelity Fund certificate is reproduced in legible lettering on any letter head or marketing material relating to that property practitioner;
- (c) in any agreement relating to property transactions entered into by him or her or by his, her or its company, close corporation, partnership, trust or other entity permitted to conduct the business of a property practitioner, include the prescribed clause which ensures that he, she or it guarantees the validity of the certificate.

(2) A person who contravenes subsection (1) is guilty of an offence.

Trust account

53. (1) Every property practitioner—

- (a) must open and keep one or more separate trust accounts, which must contain a reference to this section, with a bank registered in terms of the Banks Act, 1990, (Act No. 94 of 1990);
- (b) must immediately after opening a trust account contemplated in paragraph (a) appoint an auditor as prescribed;
- (c) must immediately after opening a trust account as contemplated in paragraph (a) and appointing an auditor as contemplated in paragraph (b), provide the Authority as prescribed with all information in respect of such account or accounts and such auditor; and
- (d) or his, her or its responsible or designated employee, as the case may be, must immediately deposit all trust money held or received by or on behalf of that property practitioner in the relevant trust account.

(2) Despite subsection (1), any property practitioner may invest in a separate savings or other interest-bearing account opened by him, her or it with any bank any monies deposited in his, her or its trust account which are not immediately required for any particular purpose, provided that—

- (a) savings or other interest-bearing account must contain a reference to this subsection; and
- (b) property practitioner must as prescribed provide the Authority with all information in respect of such account.

(3) A property practitioner must retain all trust money deposited in terms of subsection (1) or invested in terms of subsection (2), until he, she or it—

- (a) is lawfully entitled to such money; or
- (b) is lawfully instructed in writing to make payment therefrom to any person.

(4) Any bank which manages trust accounts for purposes of this Act must from time to time as prescribed submit a certificate to the Authority declaring the interest in that account.

(5) Every property practitioner must—

- (a) keep separate accounting records of all monies deposited by him, her or it in his, her or its trust account and of all monies invested by him, her or it in any savings or other interest-bearing account contemplated in subsection (2);
- (b) balance his, her or its books and records relating to any account contemplated in paragraph (a) at intervals of not more than one month, and cause them as well as all his, her or its business accounts or any other account into which moneys are deposited in connection with any property transaction to be audited by the same auditor contemplated in subsection

- (1)(b), within six months after the final date of the financial year of the property practitioner concerned; and
- (c) administer the accounts referred to in subsections (1) and (2) in the prescribed manner.
- (6) A property practitioner must forthwith after receipt of an audit report contemplated in subsection (5)(b) submit that report to the Authority, but a property practitioner who submits that report later, may upon payment of a prescribed penalty make a late submission of that report.
- (7) Despite subsection (5), the Authority may on good cause at any time order a property practitioner by notice in writing to submit to the Authority within a period stated in such notice, but not less than 30 days, an audited statement prepared by an auditor fully setting out the state of affairs in respect of the matters referred to in subsection (5)(a).
- (8) The Minister may prescribe circumstances under which a property practitioner may be exempted from keeping a trust account.
- (9) A court may on good cause, upon application by the Authority or any other competent person, prohibit any property practitioner from operating in any way his, her or its trust, savings or other interest-bearing account contemplated in subsection (2) and may appoint a curator bonis to control and administer such trust, savings or other interest-bearing account, with the rights, duties and powers that the court deems fit.
- (10) If—
- (a) the Authority refuses under the provisions of this Act to issue a Fidelity Fund certificate to any property practitioner who applied for a Fidelity Fund certificate;

- (b) a Fidelity Fund certificate issued to any property practitioner has been withdrawn or lapsed without being renewed;
- (c) any property practitioner ceases to act as such; or
- (d) any property practitioner becomes subject to any disqualification contemplated in section 49,

the property practitioner concerned must immediately wind up his, her or its trust account, savings account or other interest-bearing account in the prescribed manner and pay out in the prescribed manner the amount standing to the credit of any such account to the persons entitled to it.

(11) Any property practitioner who winds up an account as contemplated in subsection (10) which contains unclaimed or unidentifiable money, or who has held moneys in his, her or its trust account of which the owner or beneficiary could for longer than three years not be identified, must pay that money into the Fund to be held in trust, but the Fund must upon application in the prescribed manner by the owner or beneficiary of such money and with the provision of sufficient proof pay that money to that owner or beneficiary.

(12) Any money paid into the Fund in accordance with subsection (11) which has remained unclaimed by the person entitled thereto for a period of 30 years as from the date upon which such person became entitled to claim that money, is forfeited to the Fund.

(13) Despite any other law, the amount standing to the credit of the trust, savings or other interest-bearing account contemplated in subsections (1) and (2) of a property practitioner, does not under any circumstances form part of the assets of such property practitioner or, if he or she was a natural person and has died or has become insolvent, of his or her deceased or insolvent estate.

(14) Despite any other law, no trust money which may have been paid into any account other than an account contemplated in subsections (1) or (2), whether erroneously or not, under any circumstances becomes part of any such account, and does not lose its nature or characteristics as a result of being paid into such other account.

(15) A property practitioner must annually confirm or update the details of his, her or its auditor as prescribed.

Duty of property practitioner to keep accounting records and other documents

54. (1) Despite any other law, a property practitioner must for a period of 10 years in respect of—

- (a) all documents exchanged with the Authority;
- (b) if applicable, correspondence with his, her or its employer or franchisor;
- (c) any agreement incidental to his, her or its carrying on the business of a property practitioner;
- (d) any agreement, mandate, mandatory disclosure form or other document relating to the financing, sale, purchase or lease of a property;
- (e) any advertising or marketing material related to his, her or its carrying on the business of a property practitioner; and
- (f) any other document prescribed by the Minister,

from the date of the document or the probable date of the document retain that document and must upon request forthwith provide the Authority with a legible certified copy of that document.

(2) The documents contemplated in subsection (1) may be stored electronically if such storage meets the requirements of the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002).

(3) A property practitioner who contravenes subsection (1) is guilty of an offence.

(4) In addition to the duties contemplated in section 54, a property practitioner must in respect of his, her or its activities—

(a) keep in one of the official languages at an address in the Republic the accounting records that are necessary fairly to reflect and explain the state of affairs—

(i) of all monies received or expended by him, her or it, including monies deposited to a trust account referred to in section 53(1) or invested in a savings or other interest-bearing account referred to in section 53(2);

(ii) of all his, her or its assets and liabilities; and

(iii) of all his, her or its financial transactions and the financial position of his, her or its business; and

(b) cause the accounting records contemplated in paragraph (a) to be audited by an auditor within six months after the final date of the financial year of the property practitioner, which final date may not be altered by him, her or it without the prior written approval of the Authority.

Property practitioner not entitled to remuneration in certain circumstances

55. (1) A property practitioner is under no circumstances entitled to any remuneration or other payment in respect of or arising from the performance of any

act referred to in subparagraph (i), (ii), (iii) or (iv) of paragraph (a) of the definition of "property practitioner" in section 1, unless at the time of the performance of that act—

- (a) the property practitioner; and
- (b) if the property practitioner is a company, every director of such company or, if such property practitioner is a close corporation, every member referred to in paragraph (b) of the definition of "property practitioner" in section 1, of that corporation,

is in possession of a Fidelity Fund certificate.

(2) A person referred to in paragraph (f) of the definition of "property practitioner" in section 1, and a property practitioner who employs such person, is not entitled to any remuneration or other payment in respect of or arising from the performance by that person of any act referred to in that paragraph, unless at the time of the performance of the act that person is in possession of a registration certificate.

(3) A property practitioner, or anyone who performs any functions or exercises any powers normally performed or exercised by a property practitioner, who has received remuneration or other payment contemplated in subsections (1) and (2) must immediately pay that amount to the Fund, and any affected seller, purchaser, lessor or lessee may within three years of that money having been paid to the Fund submit a written claim in respect thereof to the Fund, together with the necessary proof, and the Fund may pay that amount or a portion thereof to that applicant which is equitable in the circumstances.

(4) Any amount paid to the Fund contemplated in subsection (3) which is not claimed within three years irrevocably becomes the property of the Fund.

(5) A conveyancer may not pay any remuneration or other moneys to a property practitioner unless that property practitioner has provided the conveyancer with a certified copy of his, her or its Fidelity Fund certificate valid during the period or on the date of the transaction to which such payment relates, and on the date of such payment.

(6) Nothing in this section prevents the institution, conducting and conclusion of criminal or any other proceedings in respect of any act contemplated in this section or in sections 35, 43 or 44.

Mandatory indemnity insurance

56. (1) The Minister may, for the purposes of providing redress in respect of the contravention of a code of conduct contemplated in section 60 or sanctionable conduct contemplated in section 61, prescribe indemnity insurance which a property practitioner must take out and maintain.

(2) The Minister may, when acting under subsection (1), on reasonable grounds differentiate between—

- (a) categories of property practitioners to whom a regulation applies;
- (b) the minimum insured amounts in respect of which such insurance must be taken out and maintained;
- (c) the extent to which conduct in contravention of a code of conduct and sanctionable conduct qualifies for redress under such insurance; and

- (d) the maximum amounts payable in terms of such insurance.

Limitation on relationships with other property market service providers

57. (1) A property practitioner may not—

- (a) practise in association with any person which or who is prohibited by any law, any professional code of conduct, any code of ethics or protocol, report or charter on corporate governance, from doing so; or
- (b) enter into any arrangement, formally or informally, whereby a consumer is obliged or encouraged to use a particular service provider to render any service or ancillary services in respect of any transaction of which that property practitioner was the effective cause.

(2) The Minister may by regulation prohibit any relationship which could harm the interests of consumers.

(3) A person who renders any service in contravention of this section is not entitled to any remuneration, payment or consideration in respect of such services rendered, and if the consumer has paid any remuneration, payment or consideration the relevant service provider must immediately upon request in writing by any affected party repay any such remuneration, payment or consideration, together with interest.

(4) A person who, within one month of being requested to do so, fails to repay any such remuneration payment or consideration together with interest is guilty of an offence.

Insolvency or liquidation of property practitioner

58. (1) A property practitioner who—

- (a) commits an act of insolvency;
- (b) is insolvent; or
- (c) is placed under liquidation, whether provisional or final,

is immediately disqualified to be a holder of a Fidelity Fund certificate and must within a period of 30 days—

- (i) inform the Authority in writing of any matter contemplated in paragraphs (a), (b) or (c);
- (ii) refrain from using and displaying that Fidelity Fund certificate;
- (iii) inform his, her or its auditor and the bank holding his, her or its trust account in writing about the disqualification;
- (iv) cease to perform the functions of a property practitioner;
- (v) inform his, her or its clients, employees or employers or any other affected person in writing of that disqualification;
- (vi) hand over the administration of his, her or its trust account, together with all relevant information and records, to the Authority; and
- (vii) cause any outstanding matters in consultation with any affected person to be taken over by another property practitioner.

(2) A person who fails to comply with subsection (1) commits an offence.

(3) The Authority must wind down the trust account of a property practitioner contemplated in subsection (1) and effect payment of any trust moneys in accordance with the rights of affected consumers and other persons.

(4) In the event of insolvency or liquidation of a property practitioner, trust moneys in the trust account of that property practitioner do not form part of the insolvent estate.

CHAPTER 9

CONDUCT OF PROPERTY PRACTITIONERS

Application of Chapter and Chapter 10

59. The provisions of this Chapter and of Chapter 10 apply with the necessary changes to any person who performs any function or renders any service contemplated in the definition of "property practitioner" in section (1), irrespective of whether or not that person is registered with or licensed by the Authority, and in this Chapter and Chapter 10, any reference to a "property practitioner" includes any such person.

Code of conduct for property practitioners

60. (1) The Minister must, after consultation with the Authority, prescribe a code of conduct which every property practitioner must comply with.

(2) The chief information officers of respectively the Authority and the Department, as the case may be, must on their respective websites publish the code of conduct current at the time.

(3) A property practitioner must on request from a consumer provide him or her with a copy of the code of conduct.

(4) The Board must annually advise the Minister on the efficacy of the code of conduct current at the time.

(5) The Minister may, after consultation with the Authority, prescribe norms and standards in respect of advertising and marketing by property practitioners.

Sanctionable conduct

61. (1) A property practitioner is guilty of sanctionable conduct if he or she or it—

- (a) in the same transaction acts as a property practitioner on behalf of two or more persons whose interests are not in all material respects identical in respect of that transaction, and receives remuneration from all parties concerned in respect of such transaction, unless all affected persons in writing agree thereto;
- (b) fails in respect of any act performed by him or her or it as a property practitioner to give a full and proper explanation in writing, within 30 days of being called upon by the Authority in writing to do so, to any person having a material interest in the performance of such act;
- (c) fails to pay any money due to the Authority or in respect of the Fund within one month after such monies become due;
- (d) fails to furnish in writing within a period determined by the Authority any information that the Authority has requested in writing and reasonably requires in order to properly exercise its powers under this Act;
- (e) fails to comply with or contravenes any provision of the code of conduct;

- (f) fails to comply with or contravenes any provision of section 33, 41, 42, 43, 45, 51, 55, 56, 57, or 58;
- (g) in his or her capacity as a director of a company, or member contemplated in paragraph (b) of the definition of "property practitioner" in section (1), of a close corporation, or trustee of a trust, which is a property practitioner and which failed to comply with section 49 or 50, did not take all reasonable steps to prevent such failure;
- (h) carries on an undesirable practice prohibited under section 62;
- (i) commits an offence involving an element of dishonesty;
- (j) fails to inform the Authority within 14 days of a change in his, her or its contact details;
- (k) differentiates distinguishes or excludes consumers directly or indirectly on the basis of their race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth or commit a criminal offence while performing a function of a property practitioner; or
- (l) fails to comply with or contravenes any provision of this Act.

(2) Subsequent ratification or correction of any conduct contemplated in subsection (1) does not constitute a defence.

(3) The Authority may, in the prescribed manner, investigate any complaint of sanctionable conduct against a property practitioner.

(4) If a property practitioner is found guilty of sanctionable conduct by the Authority, the Authority may after the application of sections 3 and 5 of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)—

- (a) withdraw the Fidelity Fund certificate of that property practitioner;

- (b) impose on that property practitioner a fine not exceeding the maximum amount determined by the Minister of Justice for the purposes of section 29(1)(a) of the Magistrates' Courts Act, 1944; or
- (c) reprimand such property practitioner and note his, her or its transgression on its website:

Provided that the Authority may suspend payment of a fine or any portion thereof or the withdrawal of any Fidelity Fund certificate for a period not exceeding three years and on the further conditions that the Authority may determine.

(5) (a) If the Parties are satisfied with the finding of the Authority in terms of this section, the Authority must refer the finding to the Ombud, to be made an order of the Ombud.

(b) Where any party is unsatisfied with the finding, the matter may be referred to the Ombud for a resolution, and the Ombud must deal with the matter in accordance with the provisions of chapter 4.

(6) The acquittal or conviction of a property practitioner by any court of law upon any criminal charge is not a bar to proceedings against him or her or it under this Act on a charge of sanctionable conduct, despite the facts set forth in the charge of sanctionable conduct constituting, if proved, the offence set forth in the criminal charge on which he, she or it was so acquitted or convicted or any other offence on which he, she or it might have been convicted at his, her or its trial on that criminal charge.

Undesirable practices

62. (1) Subject to subsection (2), the Minister may, after consultation with the Board, by notice in the *Gazette*, declare a particular business practice in the property market to be undesirable and consequently prohibited.

(2) When deciding whether or not a declaration contemplated in subsection (1) should be made, the Minister and the Board must consider—

- (a) the right of every citizen to freely choose their trade, occupation or profession;
- (b) that the practice concerned, directly or indirectly, has or is likely to have the effect of—
 - (i) damaging the relations between property practitioners, or any specific property practitioner, on the one hand, and any specific consumer, category of consumers or the general public on the other hand;
 - (ii) unreasonably prejudicing any consumer or category of consumers;
 - (iii) deceiving any consumer or category of consumers; or
 - (iv) unfairly affecting any consumer or category of consumers; and
- (c) that if the practice is allowed to continue, one or more of the objects of this Act as contemplated in section 2 will or is likely to be defeated.

(3) A property practitioner is not entitled to any remuneration or other payment in respect of or arising from the performance of any property purchase transaction prior to the transfer of the property and registration in the name of the purchaser.

(4) The Authority may issue a compliance notice contemplated in section 29 directing a property practitioner who, on or after the date of the publication of a notice contemplated in subsection (1) carries on a business practice in contravention of that notice, to rectify to the satisfaction of the Authority anything which was caused by or arose out of the carrying on of the business practice

concerned, or otherwise deal with the matter as authorised by this Act or any other applicable law.

Supervision of candidate property practitioners

63. (1) A candidate property practitioner may not draft or complete any document or clause in a document—

- (a) conferring any mandate on any property practitioner to perform any act referred to in paragraph (a), (c) or (d) of the definition of "property practitioner" in section 1; or
- (b) relating to the sale or lease of property.

(2) A person who contravenes subsection (1) and a property practitioner who allows an act contemplated in subsection (1) is not entitled to any payment, remuneration, consideration or damages in respect of or by reason of any document contemplated in that subsection or for bringing about the transaction or agreement embodied in that document.

(3) In any proceedings in respect of sanctionable conduct, it is no defence that the principal property practitioner was not aware of the acts or omissions of the property practitioner or the candidate property practitioner.

(4) A principal property practitioner who conducts business from more than one business premises must supervise and control the property practitioners and candidate property practitioners in his, her or its employ, despite the fact that those property practitioners conduct their business in branch or other offices.

Franchising

64. (1) A franchisee property practitioner may not carry on business under the name of a franchise unless he, she or it personally is the holder of a Fidelity Fund certificate.

(2) A franchisee property practitioner must disclose clearly and unambiguously in all his, her or its written communication, advertising and marketing materials that he, she or it operates in terms of a franchise agreement, as well as the name of the franchisor.

(3) The Authority may withdraw the Fidelity Fund certificate of a franchisee property practitioner who carries on business in contravention of subsections (1) or (2).

(4) The Authority may hold the franchisor responsible for prohibited or sanctionable conduct of the franchisee to the extent that the franchisee is responsible in terms of this Act.

Prohibition on conduct to influence issue of certain certificates

65. (1) A property practitioner may not in any way offer a financial or other incentive to, or otherwise influence, a person who at the request of a seller or lessor issues a certificate required by law, based on his or her expert opinion, in respect of—

- (a) the condition or defects of electrical wiring;
- (b) the presence of vermin;
- (c) the presence of water or damp; or

- (d) any other relevant matter or condition which may be provided for in any law.
- (2) A property practitioner who contravenes subsection (1) or a person who accepts any such incentive is guilty of an offence.

CHAPTER 10 CONSUMER PROTECTION

Mandatory disclosure form

- 66.** (1) A property practitioner—
- (a) may not accept a mandate unless the seller or lessor of the property has provided him or her with a fully completed and signed mandatory disclosure in the prescribed form; and
- (b) must provide a copy of the completed mandatory disclosure form to a prospective purchaser or lessee who intends to make an offer for the purchase or lease of a property.
- (2) The completed mandatory disclosure form signed by all relevant parties must be attached to any agreement for the sale or lease of a property, and forms an integral part of that agreement, but if such a disclosure form was not completed, signed or attached, the agreement must be interpreted as if no defects or deficiencies of the property were disclosed to the purchaser.
- (3) A property practitioner who fails to comply with subsection (1) may be held liable by an affected consumer.
- (4) Nothing in this section prevents the Authority from taking action against a property practitioner or imposing an appropriate sanction.

(5) Nothing in this section prevents a consumer, for his or her own account, from undertaking a private property inspection to confirm the state of the property before finalising the transaction.

Language of agreements

67. (1) An agreement to sell and purchase or to let and hire property, or the mandatory disclosure form contemplated in section 66, must be drafted by the developer or seller, as the case may be, for his, her or its own account, in an official language that is requested by the purchaser or the lessee.

(2) The Authority must publish from time to time an updated version of guideline agreements on its website.

Consumer education and information

68. (1) The Authority must from time to time conduct campaigns to educate and inform the general public of their rights in respect of property transactions and property practitioners of their functions, duties and obligations.

(2) The Property Practitioner owes a buyer and a seller a duty of care.

CHAPTER 11

GENERAL

Property sector transformation

69. (1) The Property Sector Transformation Charter as amended from time to time applies to all property practitioners.

(2) When procuring property related goods and services, all organs of state must utilise the services of property practitioners who comply with the broad-based black economic empowerment and employment equity legislation and policies.

(3) The Authority must from time to time—

- (a) implement and assess measures to progressively promote an inclusive and integrated property sector;
- (b) implement appropriate measures and assess the state of transformation within the property sector; and
- (c) introduce measures to be implemented which may include incubation and capacity building programmes to redress the imbalances of the past.

Regulations

70. (1) The Minister may, subject to subsection (2), make regulations regarding any matter that may or must be prescribed in terms of this Act or any incidental matter of a procedural or administrative nature that the Minister considers necessary to prescribe in order to achieve the objects of this Act.

(2) Before making any regulation the Minister must—

- (a) consult the Board; and
- (b) publish the proposed regulations for public comment and allow at least 30 days for submission of such comment.

Penalties

71. A person convicted of an offence in terms of this Act is liable to a fine or to imprisonment for a period not exceeding 10 years

Delegation of powers by Minister

72. (1) The Minister may, subject to subsections (2) and (3), delegate any power or duty assigned to him or her in terms of this Act, excluding the power to make regulations contemplated in section 70, to the Director-General or to any other senior official in the Department;

(2) A delegation in terms of subsection (1)—

- (a) is subject to any limitations, conditions and directions the Minister may impose;
- (b) must be in writing;
- (c) may include the power to sub-delegate; and
- (d) does not divest the Minister of the responsibility concerning the exercise of the power or the performance of the duty.

(3) The Minister may confirm, vary or revoke any decision taken in consequence of a delegation or sub-delegation in terms of a provision of this Act or the Estate Agency Affairs Act, 1976.

(4) A quarterly report must be submitted to the Minister in respect of any power or duty delegated in terms of subsection (1).

Legal proceedings against Authority

73. (1) Any legal proceedings against the Authority must be instituted in accordance with the Institution of Legal Proceedings Against Certain Organs of State Act, 2002 (Act No. 40 of 2002).

(2) The Authority is, for the purposes of subsection (1), deemed to be an organ of state contemplated in paragraph (c) of the definition thereof in section 1 of the said Act.

Use of name of Authority

74. (1) Unless authorised in writing by the Authority to do so, no person other than the Board or authorised employees of the Authority may in any way—

- (a) use the name of the Authority;
- (b) represent or make use of descriptions, logos, designs or advertising material used or owned by the Authority, or anything which a reasonable person will interpret to refer to the Authority except as provided for in this Act; or
- (c) use a description signifying or implying some connection between that person and the Authority, except as provided for in this Act.

(2) Any person who contravenes subsection (1) is guilty of an offence.

Transitional provisions

- 75.** (1) Upon the commencement of this Act—
- (a) the juristic person known as the Estate Agency Affairs Board established by section 2 of the Estate Agency Affairs Act, 1976, and any committee of the Estate Agency Affairs Board appointed in terms of that Act, is hereby disestablished;
 - (b) the members of the Estate Agents Affairs Board in office immediately before this Act takes effect, become members of the Property Practitioners Board, and must be regarded as having been appointed to the Property Practitioners Board in terms of section 7;
 - (c) the members contemplated in paragraph (b) hold office for the unexpired period for which such members have been appointed as members of the Estate Agents Affairs Board, as at the date of such members' assumption of office in the Property Practitioners Board in terms of paragraph (b);
 - (d) every person employed permanently by the Estate Agency Affairs Board immediately prior to the commencement of this Act is regarded as having been appointed in terms of section 17;
 - (e) the remuneration and other terms and conditions of service of any person contemplated in paragraph (d) may not be less favourable than the remuneration, terms and conditions applicable to that person immediately before the commencement of this Act and he or she remains entitled to all

rights, benefits and privileges to which he or she was entitled immediately before that date, including—

- (i) employer contribution to a pension fund;
 - (ii) employer contribution to a medical aid scheme;
 - (iii) employee contributions in connection with membership of a pension fund or medical aid scheme;
 - (iv) accrued pensionable service;
 - (v) accrued leave benefits; and
 - (vi) retirement at a specific age;
- (f) every person contemplated in paragraph (d) remains subject to any decisions, proceedings, rulings and directions applicable to that person immediately before the commencement of this Act; and
- (g) any proceedings against a person which were instituted in terms of or under the Estate Agency Affairs Act, 1976, immediately before the commencement of this Act, must be disposed of as if that Act had not been repealed.

(2) For the purposes of the Income Tax, 1962 (Act No. 58 of 1962), no change of employer is regarded as having taken place when a person is appointed by the Authority in terms of section 17.

(3) Upon the commencement of this Act—

- (a) all movable, immovable and intellectual property of the Estate Agency Affairs Board, including all financial, administrative and other records of the Estate Agency Affairs Board and all documents in the possession of the Estate Agency Affairs Board, is transferred to the Authority, which then acquires such property;

- (b) the rights, duties, liabilities and obligations relating to the Estate Agency Affairs Board are transferred to the Authority;
- (c) the Estate Agency Affairs Board is substituted by the Authority as a litigant in all pending litigation or proceedings; and
- (d) all valid and binding agreements entered into by the Estate Agency Affairs Board shall be binding on the Authority as if the Authority had been the contracting party.

(4) All funds of the Estate Agents Fidelity Fund immediately before the commencement of this Act are upon commencement of this Act transferred to the Fund, and a claim for compensation instituted against the Estate Agents Fidelity Fund before commencement of this Act must be paid from the Fund if such claim is successful.

(5) Any claim with regards to the theft of trust money by a property practitioner committed before the commencement of this Act or the failure of a property practitioner to comply with section 35(1) or 35(2)(e) of the Estate Agency Affairs Act, 1976, in respect of which no proceedings were instituted before the commencement of this Act, must within two years of the commencement of this Act be instituted, and then finalised in accordance with the Estate Agency Affairs Act 1976, as if that Act had not been repealed.

(6) All regulations made in terms of the Estate Agency Affairs Act, 1976, remain in full force and effect as if they had been made in terms of or under this Act.

Repeal and amendment of legislation

76. The laws mentioned in Schedule 1 are hereby repealed or amended to the extent set out in the third column of that Schedule.

Short title and commencement

77. (1) This Act is called the Property Practitioners Act, 2016, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

(2) Different dates may be fixed in respect of different provisions of this Act

Schedule 1**(Section 75)****LAWS REPEALED OR AMENDED**

Act No. and Year	Short Title	Extent of amendment or repeal
Act No. 112 of 1976	Estate Agency Affairs Act, 1976	The whole
Act No. 114 of 1998	Debt Collectors Act, 1998	Amendment of section 1 by the substitution for paragraph (a) of the definition of "debt collector" of the following paragraph: "(a) a person, other than an attorney or his [or], her or its employee or a party to a factoring arrangement or a <u>property practitioner as defined in section 1 of the Property Practitioners Act</u> , who for reward collects debts owed to another on the latter's behalf."

**DEPARTMENT OF HUMAN SETTLEMENTS
NOTICE 247 OF 2017**

HOME LOAN AND MORTGAGE DISCLOSURE AMENDMENT BILL, 2016

I, Lindiwe Nonceba Sisulu, Minister for Human Settlements hereby publishes the Home Loan and Mortgage Disclosure Amendment Bill, 2016 for public comment. A draft Bill is hereby attached

Any interested persons or institutions are hereby invited to submit written comments or representations with regard to the draft Bill within 30 days of the date of publication of this notice. All comments or presentations must be submitted in writing in one of the following ways:

- (a) By post to: The Director General
 Department of Human Settlements
 Private Bag x 644
 Pretoria
 0001
 For attention: [Mr T Khambule]
- (b) Delivered to: The Director-General
 Department of Human Settlements
 260 Justice Mohamed Street
 For attention: [Mr T Khambule]
- (c) By electronic mail: [Thulani.Khambule@dhs.gov.za]
Enquiries: [Mr T Khambule 012 444 9088]

Comments received after the closing date may not considered.

REPUBLIC OF SOUTH AFRICA

HOME LOAN AND MORTGAGE DISCLOSURE AMENDMENT BILL

*(As introduced in the National Assembly (proposed section 76); Explanatory
Summary of Bill published in Government Gazette No. of) (The English text
is the official text of the Bill)*

(MINISTER OF HUMAN SETTLEMENTS)

[B — 2015]

ce020213

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertion in existing enactments.

BILL

To amend the Home Loan and Mortgage Disclosure Act, 2000, so as to substitute and insert certain definitions; to extend the powers of the Office of Disclosure to investigate public complaints on financial institutions relating to home loans; to provide for instances that constitutes conflict of interest; to provide for the information required to be disclosed by financial institutions under the Act; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 63 of 2000

1. Section 1 of the Home Loan and Mortgage Disclosure Act, 2000 (Act No. 63 of 2000) (hereinafter referred to as the principal Act), is hereby amended—
 - (a) by the substitution for the definition of "auditors" of the following definition:

" **'auditors'** means **[the auditors]** persons registered as auditors in terms of the Auditing Profession Act, 2005 (Act No. 26 of 2005), including joint auditors of the financial institutions appointed in terms of the requirements of the Companies Act, or any other applicable law;"

- (b) by the substitution for the definition of "Companies Act" of the following definition:

" **'Companies Act'** means the Companies Act, **[1973 (Act No. 61 of 1973)]** 2008 (Act No. 71 of 2008);"

- (c) by the substitution for the definition of "Department" of the following definition:

" **'Department'** means the Department of **[Housing]** Human Settlements;"

- (d) by the substitution for the definition of "financial institution" of the following definition:

" **'financial institution'** means—

- (a) **[any bank or mutual bank registered as such under the Banks Act, 1990 (Act No. 94 of 1990), or Mutual Banks Act, 1993 (Act No. 124 of 1993), or any other registered]** any financial institution whose business is, in full or in part, **[either the acceptance of deposits from the general public,]** the advance of credit to persons **[or both such acceptance and advance]** with the security of a registered mortgage bond or any other form of accepted security for the purpose of providing home loans; or

- (b) any financial institution whose business is, in full or in part the advance of credit to persons for the purpose of providing home loans;
- (e) by the substitution of the definition of "home loan" of the following definition:
" **'home loan'** means a loan or advance by a financial institution to a person for purposes of constructing, purchasing, renovating or improving in any way such person's home, with the security of a registered mortgage bond or any other form of accepted security, or without such security;"; and
- (f) by the substitution for the definition of "Minister" of the following definition:
" **'Minister'** means the Minister of **[housing] Human Settlements;**".

Amendment of section 2 of Act 63 of 2000

2. Section 2 of the principal Act is hereby amended—
- (a) by the substitution for subsections (1) and (2) of the following subsections, respectively:
- "(1) **[From the date of the commencement of this Act, every] Every** financial institution must disclose the required information **[in its annual financial statements] to the Office, as prescribed.**
- (2) The disclosure by a financial institution of the required information in terms of subsection (1) is in addition to any other information which the financial institution is obliged to disclose in

its [financial statements in terms of the Companies Act or any other law] annual report."; and

(b) by the deletion of subsection (4).

Amendment of section 3 of Act 63 of 2000

3. Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) A financial institution must, in respect of home loans and in the prescribed manner and form, disclose the following information:

(a) Name of the financial institution;

(b) loan amount, rand value and number of all home loan applications received, scored, approved or declined during the reporting period;

(c) rand value and number of all home loan applications received, scored, approved or declined per province;

(d) rand value and number of all home loan applications received, scored, approved or declined per income bracket;

(e) loan amount, rand value and number of all pension backed loan applications received, scored, approved or declined during the reporting period;

(f) reason for the decline, in the case of declined applications;

- (g) loan amount, rand value and number of all unsecured loan applications received scored, approved or declined during the reporting period;
- (h) rand value and number of all pension backed home loans applications received per province; and
- (i) such other information as may be prescribed."

Amendment of section 5 of Act 63 of 2000

4. Section 5 of the principal Act is hereby amended:

(a) by the substitution in subsection (1) for paragraphs (a), (c), (d) and (e) of the following paragraphs, respectively:

- "(a) receiving and verifying the required information;
- (c) receiving and investigating public **[comments]** complaints on financial institutions relating to home loans, in accordance with the prescribed procedure";
- (d) making available to the public, information that indicates whether or not financial institutions are serving the housing credit needs of **[their communities]** citizens, and performance rating as per prescribed criteria [rating] of such financial institutions in accordance with such information";
- (e) **[assisting in]** identifying possible discriminatory lending patterns and **[assisting]** refer such information to any statutory regulatory body in enforcing compliance with anti-discriminatory legislation"; and

(b) by the deletion in subsection (2) of the word "and" at the end of paragraph (c) and addition of the following paragraphs:

"(e) may interview any duly authorised official of the financial institution;

(f) must impose penalties provided for in this Act; and

(g) must mediate on complaints received from the public."

Amendment of section 11 of Act 63 of 2000

5. Section 11 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) The Director-General of **[Housing]** the Department is the accounting officer for the Office and must cause the installation of the necessary financial controls and management measures by the Office to ensure full accountability for expenses incurred by the Office."

Insertion of section 9A in Act 63 of 2000

6. The following section is hereby inserted in the principal Act after section 9:

"Conflict of Interests

- 9A. (1) A member in assuming office shall declare potential conflict and must not—
- (a) engage in any activity that may undermine the integrity of the Office;
 - (b) attend, participate in or influence the proceedings during a meeting of the Office, if, in relation to the matter before the Office, the member has an interest whether personal or through a spouse, partner or associate and which has a direct or indirect financial implication and that may preclude the member from performing his or her functions in a fair, unbiased and proper manner;
 - (c) vote at any meeting of the Office in connection with a matter where a member has an interest contemplated in paragraph (b);
 - (d) make private use of, or profit from, any confidential information obtained as a result of performing his or her functions as a member of the Office;
 - (e) divulge any information which the member has acquired as a member of the Office to any third party, except as required as part of the member's functions as a member of the Office; or
 - (f) in the event that, and at any time, it appears to a member that a matter being considered by the Office at a meeting concerns an interest contemplated in paragraph (b), a member must promptly inform the Minister by disclosing the nature of interest in writing and withdraw from the meeting.

(2) Subject to the provisions of the Promotion of Administrative Justice Act, 2000 (Act No.3 of 2000), the Minister may remove a member from Office if the member —

(a) refuses or fails to make a declaration contemplated in subsection (1);

or

(b) after having been appointed, acquires any direct or indirect interest contemplated in subsection (1) and fails to disclose such interest."

Amendment of section 15 of Act 63 of 2000

7. Section 15 of the principal Act is hereby amended by substitution of subsection (2) of the following subsection:

"[A person] Any financial institution convicted of an offence in terms of subsection (1) is liable to a fine not exceeding [R100 000,00] R10 million."

Short title and commencement

8. This Act is the Home Loan and Mortgage Disclosure Amendment Act, 2015 and comes into operation on a date determined by the President by Proclamation in the *Gazette*.

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA
NOTICE 248 OF 2017**



REGULATORY POSITION ON EQUIPMENT TYPE APPROVAL EXEMPTION

1. On the 28th of September 2016, the Independent Communications Authority of South Africa ("the Authority"), published a Discussion Document on Equipment Type Approval Exemption, General Notice 621 of 2016 (Government Gazette No. 40309) ("the Discussion Document"), in terms of Section 4B of the Independent Communications Authority of South Africa Act, 2000, as amended.
2. The purpose of the Discussion Document was to solicit input from interested parties on prescribing the following:
 - 2.1 the types of equipment, electronic communications facilities and radio apparatus, the use of which does not require approval where such equipment, electronic communications facilities and radio apparatus has been approved for use by the European Telecommunications Standards Associations or other competent standards body where the equipment complies with type approval standards prescribed by the Authority; and

2.2 circumstances under which the use of equipment, electronic communications facilities, radio apparatus and subscriber equipment does not require approval, including uses for research and development, demonstrations of prototypes and testing.

3. The Authority received written representations from interested parties and thereafter held public hearings on 14 December 2016 in order to deliberate on the written submissions.

4. The Authority, hereby publishes this notice to communicate its regulatory position in respect of the equipment Type Approval exemption ("the Position").



RUBBEN MOHLALOGA
ACTING CHAIRPERSON
DATE: 14/03/2017

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1. ACKNOWLEDGEMENTS

The Authority would like to acknowledge and thank the following stakeholders for participating in the consultative process aimed at developing the regulatory position on equipment Type Approval exemption:

- 1) Intel South Africa (Intel);
- 2) Underwriters Laboratories (UL);
- 3) Apple International (Apple);
- 4) Tokai Rika Japan (Tokai Rika);
- 5) Information Technology Industry Council USA (ITI);
- 6) American Chamber of Commerce in South Africa (AMCHAM);
- 7) Iridium Satellite South Africa (Iridium);
- 8) Interference Testing and Consultancy (ITC);
- 9) Telkom SA SOC Ltd (Telkom);
- 10) South African Broadcasting Corporation (SABC);
- 11) The National Association of Broadcasters (NAB);
- 12) South African Square Kilometre Array (SKA);
- 13) Juicetel;
- 14) ZEBRA;
- 15) South African Radio League (SARL);
- 16) Martin Venter;
- 17) Brian Jones; and
- 18) Repeater & Trunking Systems (RTS).

2. DEFINITIONS AND ACRONYMS

CAA	The South African Civil Aviation Authority.
CE Mark	Means a mark of conformity indicating that a product is in conformity with community harmonisation legislation.
Conformity Assessment Framework	Essential requirements, and the conformity assessment procedures.
ECA	Electronic Communications Act, 2005 (Act No. 36 of 2005).
EU	Means European Union. EU is a unique economic and political union between 28 European Countries.
EMC	Means Electromagnetic Compatibility. The ability of electronic equipment and systems to operate in proximity of electromechanical devices, without causing or suffering unacceptable degradation in output or performance.
EMI	Means Electromagnetic Interference. The disruption of operation of an electronic device when it is in the locale of an electromagnetic field in the radio frequency spectrum that is caused by another electronic device.
ETSI	European Telecommunications Standards Institute.
FCC	Means Federal Communications Commission. An independent agency of the United States of America government regulating interstate communications by radio, television, wire, satellite and cable.
GMPCS	Means Global Mobile Personal Communications Satellite terminal.
HartRAO	Means Hartebeesthoek Radio Astronomy Observatory. A radio astronomy observatory, located in a natural bowl of hills at Hartebeesthoek just south of the Magaliesberg mountain range, Gauteng, South Africa, about 50 km west of Johannesburg.
HERA	Means the Hydrogen Epoch of Reionization Array. A radio telescope dedicated to observing large scale structure during and prior to the epoch of reionization.

IARU	Means International Amateur Radio Union. An organization consisting of national amateur radio societies around the world, and is recognised as the watchdog and spokesman for the amateur radio community.
ICASA Act	Independent Communications Authority of South Africa Act, 2000 (Act No 13 of 2000).
LPD	Means Low Power Devices. Any equipment with output power of 10 mW or less falls under the category of low power devices.
MeerKAT	Means the South African project established to build an array of dishes as a world class science instrument.
MoU	Means Memorandum of Understanding.
MRA	Means Mutual Recognition Agreements/Arrangements
NRCS	Means National Regulator for Compulsory Specifications. An independent regulatory organization responsible for the administration and maintenance of compulsory specifications and the implementation of a regulatory and compliance system for compulsory specifications.
RF	Means Radio Frequency. The rate of oscillation of electromagnetic radio waves in the range of 3 kHz to 300 GHz, as well as the alternating currents carrying the radio signals.
SAMSA	South African Maritime Safety Authority.
SRD	Means Short Range Devices. Radio devices that offer a low risk of interference with other radio services, usually because their transmitted power, and hence their range, is low.
Spectrum	Means the range of Radio Frequencies.
SDoC	Means Supplier's Declaration of Conformity. It is the procedure by which a first party or supplier conveys assurance that the object of conformity fulfils specified requirements.

TTE	Means Telecommunications Terminal Equipment. Telecommunication equipment that connects at the end of public telecommunications network for sending and receiving functions to subscribers.
Type Approval	Means certifying that a product meets certain requirements for its type. Type approval is granted to a product that meets a minimum set of regulatory, technical and safety requirements by a competent body.
Type Approval Framework	Means the Type Approval Regulations, 2013 ("Type Approval Regulations") ¹ and the Labelling Regulations ("Labelling Regulations") ² .
The RAPEX System	The RAPEX System ensures that information about unsafe non-food consumer and professional products posing a serious risk found in one country Member of the RAPEX network (28 Member States of the European Union and 3 countries from EFTA/EEA) is rapidly sent to the European Commission and circulated among all the other national authorities for follow-up.
WWAN	Means Wireless Wide Area Networks which refers to wireless high-speed data networks covering a large geographic area.

¹ General Notice 871 of 2013, Government Gazette No. 36785.

² General Notice 872 of 2013, Government Gazette No. 36786.

3. INTRODUCTION AND BACKGROUND

- 3.1. The Authority conducted an international benchmarking study on various countries³ to review international practices on exemption of electronic communications equipment or electronic communications facility, including radio apparatus from conformity assessment regimes. The international benchmarking study entailed desktop research as well as study visits to selected international regulatory bodies, standard bodies, test facilities and manufacturers.
- 3.2. Pursuant to the information obtained from the afore-stated international benchmark study, on 28 September 2016, the Authority published a Discussion Document inviting interested parties to make written representations in respect of possible equipment to be exempted from Type Approval. The closing date for written submissions was 02 December 2016.
- 3.3. Subsequent to the publication of the Discussion Document, the Authority received written submissions from eighteen (18) stakeholders as listed under acknowledgements.
- 3.4. The Authority held public hearings⁴ on 14 December 2016, wherein an opportunity to make oral representations was granted to stakeholders who had submitted written representations.
- 3.5. The Authority has developed its Position based on information gathered through the international benchmarking study and the public consultation process conducted in terms of the ICASA Act.

³ United Kingdom, Ukraine, Russia, United Arab Emirates, Qatar, Egypt, Tanzania, Kenya, Botswana, Brazil, United States of America, Canada, Venezuela, India, China, South Korea, Australia, Nigeria, Zambia, Germany and Thailand.

⁴ Public hearings notice, Notice 870 of 2016, Government Gazette 40485.

4. LEGISLATIVE FRAMEWORK

- 4.1 In terms of section 35 (1) of the ECA the Authority is mandated to consider for approval, any type of electronic communications equipment or electronic communications facility, including radio apparatus, used or to be used in connection with the provision of electronic communications.
- 4.2 On 26 August 2013, the Authority published the Type Approval Framework, which comprises of the Type Approval Regulations, 2013 ("Type Approval Regulations") and the Labelling Regulations ("Labelling Regulations") in terms of sections 4(4) and 35 (2) of the ECA.
- 4.3 Section 35 (2) of the ECA, read with regulation 3(1) of the Type Approval Regulations provides that the Authority may prescribe the types of equipment, electronic communications facilities and radio apparatus the use of which does not require approval where such equipment, electronic communications facilities and radio apparatus has been approved for use by the European Telecommunications Standards Associations or other competent standards body where the equipment complies with Type Approval standards and circumstances under which the use of equipment, electronic communications facilities and radio apparatus does not require approval.

5. CONSIDERATION OF SUBMISSIONS

5.1. (Considerations on Question 1) Objectives of Exemption of Equipment from Type Approval

- 5.1.1 The Discussion Document had four (4) objectives as follows:
- 5.1.1.1 Reduce regulatory burden for equipment Manufacturers and Importers.
 - 5.1.1.2 Encourage investment and innovation in the ICT sector.
 - 5.1.1.3 Promote competition in the ICT sector.
 - 5.1.1.4 Encourage research and development within the ICT Sector.

- 5.1.2 Martin Venter, Iridium and the NAB concurred that the objectives listed above embodied the overall purpose and reason for type approval.
- 5.1.3 Further, Iridium confirmed that the regulatory burden on manufacturers and importers may be reduced while at the same time requiring conformity to the prescribed standards.
- 5.1.4 Intel, Apple, Zebra and ITI agreed with the objectives set out in the Discussion Document and shared the view that the objectives strongly align with those of the European Union (EU). Further, their view was that the alignment of objectives, technical requirements and of the conformity assessment procedures, and recognition of the approvals between the EU and the Authority would provide significant and wide ranging benefits to the industry and to the South African economy and its citizens. These benefits include but are not limited to:
- 5.1.4.1 Improved consumer choice and minimised cost,
 - 5.1.4.2 Improved speed of market access,
 - 5.1.4.3 The promotion and encouragement of an open environment for innovative and new technologies, and
 - 5.1.4.4 The removal of the burden of overseeing and administering the national conformity assessment regime to enable the Authority `s resources to be re-assigned to key tasks, including market surveillance.
- 5.1.5 Apple's view was that South Africa should be aligned with new technologies and help develop the industry, provide strong competitive advantage, remove grey market activity, and develop a solid market surveillance platform and leverage the Rapid Exchange of Information (EU RAPEX System) and collaboration with the EU market surveillance body.
- 5.1.6 ITI agreed with the objectives of the exemption of type approval for equipment that has already been assessed in the EU. However, ITI was of the view that the exemption should be based on condition that the exempted equipment does not cause electromagnetic interference (EMI).

- 5.1.7 UL agreed with the listed objectives and confirmed that the objectives may only be achieved by ensuring that the introduction of new technologies is done in a manner that promotes trust for consumers. Furthermore, there is a need for clarity to be provided on the applicable equipment, facilities and apparatus using product categories or some criteria. The manner in which conformity assessment is conducted plays a significant role in determining compliance, hence UL was very concerned that the consideration to allow for equipment to be exempted from Type Approval may lead to significant non-compliance.
- 5.1.8 ITC agreed that the Authority should strive to reduce the regulatory burden on manufacturers, but was of the view that the quality of products must remain of foremost importance.
- 5.1.9 The AMCHAM, Telkom, SARL and SKA agreed with and supported the objectives and suggested additional objectives as listed below:
- 5.1.9.1 To increase competition in the country thereby promoting growth and trade, in turn creating more job opportunities and to increase surveillance and clamping down on non-compliant/dangerous products⁵.
- 5.1.9.2 Promote the development of communication networks and services, reduce the time to market for new equipment and technologies, promote the self-declaration of conformance of equipment to applicable technical standards and create certainty for industry regarding type approval and labelling requirements⁶.
- 5.1.9.3 Encourage the development of Amateur Radio and Amateur Radio experimentation in the science of radio⁷.
- 5.1.9.4 To promote radio astronomy and related scientific activities⁸.

⁵ Paragraph 3 of the AMCHAM submission.

⁶ Paragraph 3 of the Telkom submission.

⁷ Paragraph 3 of the SARL submission.

⁸ Paragraph 1 of the SKA submission.

- 5.1.10 Telkom cautioned that post market surveillance is very important as the repercussion of mistakes can be severe. Furthermore, remedies need to be identified.
- 5.1.11 Juicetel's view was that Type Approval must not be considered to be a burdensome process but should be seen as a checkpoint to ensure compliance with standards and regulatory requirements. Juicetel held a contrary view to the objective that exemption of equipment from Type Approval would encourage investment and innovation in the ICT sector. Their view was that regulatory and standards compliance should be part of both investment and innovation.
- 5.1.12 Juicetel was also not convinced by the objective of encouraging research and development within the ICT sector through exemption. It was of the view that research and development should be encouraged by establishing forums and R&D hubs using manufacturers to contribute by sharing their experiences and ideas to improve technology.
- 5.1.13 In relation to the promotion of competition in the ICT sector, Juicetel was of the view that competition between compliant and non-compliant devices will pose challenges on the enforcement of compliance for the Authority.
- 5.2. **(Considerations on Question 2) Prescribe the types of equipment, electronic communications facilities and radio apparatus, the use of which does not require Type Approval.**
- 5.2.1 Both the SABC and NAB were of the view that there is a need to prescribe equipment categories that do not require Type Approval, instead of developing a list of specific equipment to be exempted, as such a list will not be exhaustive due to rapid technological developments. The SABC and NAB proposed the following broad categories of equipment as being eligible for exemption from Type Approval: studio consoles, wireless microphones, headphones, broadcast receivers, test and measurement equipment, and systems and equipment used for the production and distribution of content

through broadcasting services. The reasons for requesting exemption to the above listed equipment was that such equipment is used by professionals/experts in a controlled broadcast environment and that the equipment does not interface with the public, but it is used to compile and distribute services and the use of the equipment has little or no impact on the public.

- 5.2.2 NAB was also of the view that Type Approval should only apply to equipment that uses spectrum, connects to public networks or have the potential to cause harmful spectrum interference. Equipment that does not radiate radio signal and does not interface with the public communications network should not be subjected to type approval. Furthermore, the NAB believes that equipment that carries the CE mark of approval should also not be subjected to Type Approval.
- 5.2.3 SARL and Brian Jones were of the view that both commercial and self-constructed amateur radio equipment should be exempted from type approval.
- 5.2.4 SARL submitted that radio amateurs are exempted from type approval in EU countries that are members of the International Amateur Radio Union (IARU), and that radio amateur equipment, both self-constructed and commercially available were exempted from any kind of type approval prior to 2013, in South Africa.
- 5.2.5 SARL also submitted that from a South African regulatory perspective, it is quite important to note that the current Radio Frequency Spectrum Regulations provide substantial protection against interference of other services and clarifies the requirements in terms of Part VII, regulation 31 read with Part VI, regulation 23 of the Radio Frequency Spectrum Regulations.

- 5.2.6 SARL explained that radio amateurs operate under a strictly controlled licensing regime that empowers the Authority to instruct a licensed radio amateur to switch off any radio equipment that causes interference to any other licensed service that complies with regulated standards.
- 5.2.7 The SKA was of the view that the following equipment should be considered for exemption from the Type Approval as it is not designed or constructed for use by the general public but is specialized and relevant only to radio astronomy and related sciences: radio telescope equipment, radio telescope receivers, radio telescope calibration and test equipment, radio telescope array and radio astronomy facilities used to study natural occurring radio emissions from stars, galaxies, quasars, pulsars, interstellar clouds and other astronomical bodies.
- 5.2.8 SKA's view was that Type Approval would be impractical for radio astronomy equipment as most of such equipment is subject to continuous development or improvement.
- 5.2.9 Apple and Zebra proposed the exemption of equipment operating within harmonised frequencies to that of the EU and the power levels as per the ETSI standards, as such equipment is deemed to be safe. However, there will be a need for demonstration that the equipment has been assessed by a competent ILAC ISO/IEC 17025 Test Laboratory (ATL).
- 5.2.10 ZEBRA noted that South Africa and the EU belong to the same ITU region, and that there already exists commonality between the respective frequency allocation tables and associated Radio Regulations.
- 5.2.11 Apple provided the following as an example of equipment that should be considered for exemption from Type Approval: Bluetooth devices, WLAN devices, mobile phones operating in bands harmonised with EU and South Africa and short range devices.

- 5.2.12 Apple and ZEBRA noted that the harmonised EU process of self-declaration has been in place for many years and that it is a successful means of governing equipment compliance. However, they also noted that the deployment of a good market surveillance regime is a competent means of controlling product compliance in the market. The EU system has proved to be effective in assisting manufacturers to get their products to market quickly and efficiently without compromising the interests of the national spectrum agencies and/or quality of service to the end user.
- 5.2.13 Tokai Rika requested that SRD and LPD designed to meet the requirements of the European Standards (EN) or the Federal Communications Commission (FCC) rules (49 CFR Part 15) be considered for exemption from Type Approval. The reasons provided for the request are that SRD and LPD have low risk of interference, and that the Authority regulates applicable European Standards.
- 5.2.14 Iridium was of the view that the responsibility for ensuring that products conform with regulated standards should rest with the manufacturers and importers. The importers and manufacturers have the flexibility to use any number of accredited conformity assessment bodies or internal assessment mechanisms. No exemption should lead to non-conformity to the prescribed standards.
- 5.2.15 Iridium agreed that the Authority should list types of equipment that do not require type approval, but which meet the standards adopted by the Authority.
- 5.2.16 Iridium proposed that the types of equipment to be exempted should include GMPCS operating in the L-band (1616-1626.5 MHz) based on the fact that GMPCS system, including terminal equipment, operate worldwide in terms of the GMPCS MoU dated 14 February 1997. South Africa is a signatory to the GMPCS MoU. The GMPCS MoU aims to facilitate arrangements for type approval, licensing, marking, provision of traffic

data, and customs recommendations related to the free circulation of GMPCS terminal worldwide.

- 5.2.17 Iridium submitted that the Authority may exempt GMPCS terminals from Type Approval in South Africa, in accordance with its international obligations and policy direction, if such equipment is registered with the ITU. In other words, any equipment that is manufactured and imported from abroad, and which is authorized by another administration and is registered with the ITU should be able to operate within South Africa without the need for further approval in South Africa.
- 5.2.18 Intel was of the view that all types of electronic communications equipment, facilities and radio apparatus that are destined for the commercial market should be subjected to Type Approval as this will ensure that the equipment performs within the prescribed technical and safety parameters, and that the market is protected against electromagnetic interference.
- 5.2.19 Intel agreed with the Authority that Type Approval is an essential regulatory instrument that is required to ensure that equipment to be deployed for commercial reasons adheres to the applicable international standards, albeit it being a time consuming process and requires more resources.
- 5.2.20 Intel advised the Authority to look beyond its own capabilities of assessing conformance of equipment to the technical standards. This is largely due to technological advancement which lead to exponential increase of equipment requiring Type Approval and which in turn limits the Authority's capabilities. Intel therefore recommended that the Authority recognizes conformity assessments carried out by the EU Commission, the FCC and other regulatory organisations.
- 5.2.21 UL expressed its concerns about the Authority's intention to allow for equipment to be exempted from Type Approval. UL supported their argument through research conducted in 2015 by International Federation of Inspection Agencies in Europe. The research found that an approach that

relies on Supplier's Declaration of Conformance (SDoC) without the involvement of third parties (accredited test laboratories/certification bodies), results in poor compliance rates. Even if a strong post-market surveillance mechanism was implemented: once non-compliant products are put into the market, they may cause degradation of the networks, harmful radio interference, and increase the risk of safety for humans.

5.3. **(Considerations on Question 3) Circumstances under which equipment does not require approval**

- 5.3.1. Intel and Apple believe that prototypes and products that are put into operation in isolated, temporary and non-commercial settings may be considered for exemption from Type Approval, such as the case of proof of concepts, demonstrations, trade fairs, field trials and test and development. Furthermore, unintentional radiators that operate under extremely low power and equipment that has been approved in the EU and the US should also be considered for exemption from Type Approval.
- 5.3.2. Apple was however of the view that the above mentioned equipment is to be limited in quantities and should be marked as *not for sale*.
- 5.3.3. UL and Martin Venter agreed with the circumstances listed by the Authority. UL reiterated the circumstances with applicable conditions for each as follows:
- 5.3.4. Scientific studies and researches (for temporal and limited area use only);
- 5.3.4.1. Sample testing and demonstrations (for temporal and limited area use only);
- 5.3.4.2. Operations of specialized agencies (for limited area use only);
- 5.3.4.3. Maritime or aeronautical operations (for the limited area use only);
- 5.3.4.4. Commercial exhibition, but not for marketing (for temporal and limited area use only);
- 5.3.4.5. Equipment produced, imported for the purpose of export only and not for sale in South Africa; and

- 5.3.4.6. Spare parts, components used for repairs, if the same part is used in certified product.
- 5.3.5. Martin Venter, however, disagreed with maritime, aeronautical operations, and equipment produced or imported for the purposes of export only. Martin Venter believes that in maritime and specifically aeronautical operations, the safety of the crew and passengers is often dependant on good communication and therefore in such circumstances, prior type approval remains essential to maintain safety. Martin Venter further indicated that it would be very difficult to regulate and ensure that all imports that are received for exporting will indeed be exported.
- 5.3.6. NAB and ITI believe that in cases where the equipment is to be tested in laboratories (test samples), used as a spare part or demonstration unit, for research and development purposes, such equipment should be considered for exemption from type approval.
- 5.3.7. Telkom agreed that there are exceptional circumstances such as when equipment is deployed within national security and defence networks that could warrant exclusion from type approval or consideration for self-declaration. Telkom was of the view that subjecting this type of equipment to the type approval may expose certain confidential technical data, thereby compromising national interests.
- 5.3.8. Telkom suggested that the following circumstances could necessitate the waiving of the current Type Approval process in favour of self-declaration: testing of equipment in an authorised test laboratory in South Africa; commercial pilots or trials; and research and development, including equipment being developed locally for either local market or to be exported.
- 5.3.9. ZEBRA was of the view that equipment put into operation in specific circumstances such as demonstrations, trade shows and field testing should be exempt from any Type Approval, provided the conditions of

operation are controlled and the devices are not placed on the market for sale.

- 5.3.10. SARL and Brian Jones submitted that any equipment in the possession of a licenced radio amateur should be considered for exemption from type approval, provided the said equipment is designed, manufactured and used for the purpose of amateur radio as per the amateur radio Regulations and the licence of the operator.
- 5.3.11. SKA's view was that there are circumstances such as scientific studies, research and development under which the use of equipment would not require type approval.
- 5.3.12. In general, the activities of observatories such as HERA, MeerKAT, HartRAO and SKA telescope fall within the areas of scientific research, instrumental development and maintenance. In many instances these activities have led to the in-house development of specialized electronic equipment the application of which is not intended for the general market or public use.
- 5.3.13. It was the opinion of Tokai Rika and RTS that no prescribed circumstances are necessary to exempt equipment from Type Approval.

6. PROPOSED REFORMS IN CONFORMANCE ASSESSMENT REGIME(S)

- 6.1. Intel believes that commercially available equipment should be considered for type approval, however, it was of the view that it is not always necessary for the approvals to be conducted within the country. Intel encouraged the Authority to consider entering into MRAs with other countries such as those the US has with Europe and Israel.
- 6.2. Intel proposed the following recommendations to the Authority: an adaptation of the FCC and EU approaches, where different equipment is subjected to different levels of assessment rigor, depending on the type of equipment. Since South Africa already aligns with the EU standards to a large extent, it would be advisable to recognize

authorizations to the EU standards authority, and/or where appropriate US approvals.

- 6.3. The FCC uses the following three levels of approval to the (FCC 47CFR) rules, depending on the equipment to be assessed: Certification (the most rigorous level of approval process for RF devices with the greatest potential for harm); Declaration of Conformity (making use of accredited testing laboratories to ensure compliance to technical standards); and Verification (evaluation of test reports and other documents that demonstrate compliance).
- 6.4. The FCC uses the Telecommunication Certification Body (TCB) to perform third-party certification of equipment, subject to the FCC requirements that require the product to be certified.
- 6.5. The EU follows a self-declaration scheme to demonstrate compliance with the Radio Equipment Directive relative to standards developed by the ETSI. In some cases, a Notified Body (NB) is used to evaluate test reports and documentation for compliance, when harmonized standards are not available or used.
- 6.6. Apple and Intel proposed a complete framework reform by profiling equipment into two categories namely low risk and high risk. Apple and Intel further elaborated on the proposed framework by providing a step-by-step process which is shown in figure 1 below.

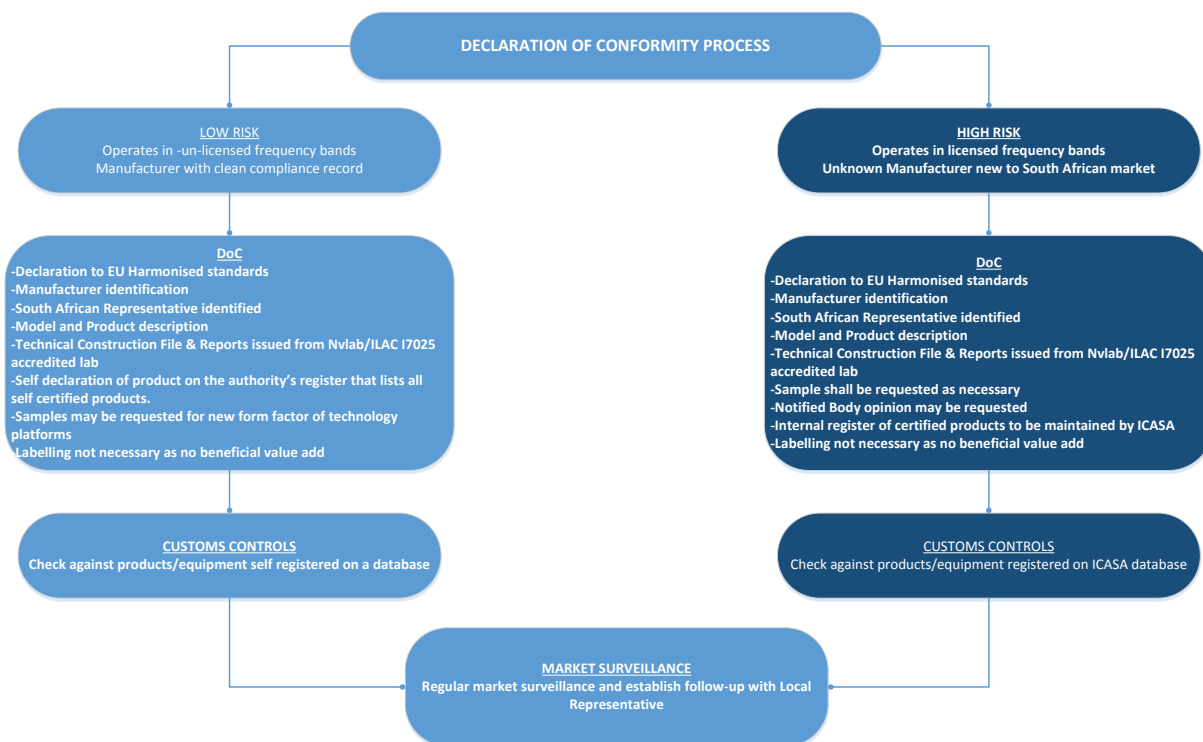


Figure 1: Proposed Type Approval Framework – DoC Based

- 6.7. UL recommended having a “check mechanism” for Declaration of Certificate and therefore proposed that either the Authority develops a “check mechanism” or accredits third parties to offer certification on its behalf.
- 6.8. Iridium supports the implementation of the SDoC procedure. Iridium was of the view that this procedure is used in several other jurisdictions and is efficient and effective in ensuring compliance with adopted standards.
- 6.9. Iridium, also supports as an alternative a simplified process whereby an applicant submits proof of approval of the terminal equipment by the European Telecommunications Standards Association or other competent standards body, which is specifically sanctioned in the ECA, upon which South African type approval is granted.

- 6.10. UL further recommended that the Authority develop a process to recognize test laboratories to reduce regulatory burden, and simplify the certification process keeping conformity level instead of type approval exemption.
- 6.11. RTS believes that the Authority would reduce its workload by accrediting manufacturers, distributors, suppliers or importers to ensure their equipment comply with the relevant technical standards. In addition, RTS was further of the view that the Authority needs to conduct assessment at their premises to check compliance of the relevant test equipment and staff in handling and verifying whether equipment meets standards.
- 6.12. RTS believes that implementation of the above measures will assist the Authority when it comes to the complaints from consumers and time spent on investigating complaints will be reduced. Furthermore, it was of the view that any accredited body that does not comply with the Authority's prescribed requirements may be removed or suspended from the scheme.
- 6.13. The NAB noted that the National Regulator for Compulsory Specifications (NRCS) enforces safety specifications, and is therefore convinced that there is no requirement on the Authority to type approve or enforce safety Regulations that are in the domain of the NRCS. The association instead encourages the Authority to harmonise its standards with those of the NRCS, in order to avoid a situation where manufactures, vendors and retailers need approval from two regulators for the same specifications. The envisioned harmonisation is expected to enable the Authority to focus Type Approval only on those aspects that are not addressed by the NRCS. Furthermore, it believes that a pragmatic approach may be to allow EMC certifications to be vetted by the NRCS while the Authority would be responsible for vetting only the spectral purity of the RF output, and the RF parameters as they apply to the designated band(s) of operation.
- 6.14. The NAB was of the view that Type Approval was previously considered important in contributing to consumer protection. However, the Consumer

Protection Act, 2008 (Act No. 68 of 2008) offers far greater protection of consumers' interests well beyond the limited role the Authority's Type Approval process has played in the past.

- 6.15. The NAB encouraged the Authority to coordinate with the National Consumer Commission on issues of Type Approval of consumer devices given that the Authority has entered a MoU and the understanding of the NAB that the Type Approval of consumer devices is no longer required. The NAB Further encouraged the Authority to explore reciprocal arrangements with other regulatory bodies for Type Approvals and exemptions.
- 6.16. Telkom was of the view that the mutual acceptance of type approval of equipment is aligned with international best practice and therefore supports it. Case in point is the assumption that equipment that has been type approved in one jurisdiction such as Europe and fitted with the CE mark conforms to the prescribed standards. Telkom was therefore of the view that the repetition of type approval for such equipment in South Africa is not always required as it could create unnecessary administrative burden. What is important, according to Telkom, is that the Authority has the means to enforce national standards and ensures compliance with same.
- 6.17. Telkom supported transferring the responsibility of Type Approval to the equipment manufacturers who are best placed to test their own equipment and institute relevant measures to ensure compliance with prescribed national standards. Post market surveillance, coupled with appropriate remedies to rectify non-compliance with prescribed Regulations are critical success factors for the Type Approval.
- 6.18. ITC indicated that some approval processes that could be used are a combination of full compliance tests, partial testing to confirm full compliance as per test reports or a desktop exercise when confidence in submitted data is high.

7. THE ANALYSIS

- 7.1. The objectives, as they appear in the Discussion Document, are broad and inclusive of the entire ICT sector and in line with the objects of the ECA.
- 7.2. Exempting certain equipment from type approval may be essential provided that the criteria and conditions are clearly defined.
- 7.3. The Authority realises that Type Approval exemption might be confused with permitting non-compliant equipment or opening opportunity for sub-standard or inferior products to be dumped into the South African market.
- 7.4. The Authority takes the Type Approval exemption as an integral part of the Conformity Assessment Regime and market surveillance. The level of rigor for the post market surveillance is purely dependent on the approach or procedure utilized for categories of equipment.
- 7.5. There is general consensus that conformity assessment is important and necessary but that Type Approval is not always necessary as some equipment may be exempted on the basis that it has been approved by Authorities in ITU region 1, in particular, those from the European Union or on the basis of strict self-regulation as in the case of radio amateurs, satellite communications systems and radio astronomy.
- 7.6. Type approval is an essential regulatory instrument that is required to ensure that equipment deployed for commercial reasons adheres to the applicable international standards, albeit being a time consuming process and requires more resources.
- 7.7. AMCHAM, Iridium, Telkom, Martin Venter, ITC, ITI and Apple proposed that the Authority put a strong post-market surveillance mechanism in place. Based on the experience of the International Federation of Inspection Agencies in the EU, UL stated that although there exists a strong post-market surveillance mechanism, non-compliant products still find their way

into the market and may cause degradation of the networks, harmful radio interference, and increase the risk of safety for human.

- 7.8. It was further suggested that the Authority should focus its efforts on post market surveillance activities.
- 7.9. Stakeholders also suggested that it would be fruitful for the Authority to consider a simplified type approval process or adopt the SDoC.
- 7.10. There is a general consensus that conformity assessment on all telecommunications (radio and fixed line equipment) and broadcasting equipment is of utmost important and non-negotiable, the emphasis is put on the manner in which the certification process is carried out.
- 7.11. There is a general consensus on exempting equipment by circumstances such as test and measurement equipment, test samples, equipment used for field trials, research, demonstrations and exhibitions, amateur radio, aeronautical equipment, maritime equipment, equipment developed or imported for export reasons. The exemption of equipment by circumstances is also confirmed by the international benchmark study that was conducted by the Authority.
- 7.12. It was submitted that the collaboration between ICASA and NRCS would be essential to avoid duplication of efforts, especially when it comes to regulating electrical safety.
- 7.13. The Authority has been advised to consider recognition of conformity assessments procedures carried out by the EU Commission, the FCC and other regulatory organization. However, those countries for which regulatory bodies reside must have MRAs with South Africa.
- 7.14. Furthermore, the Authority was advised that the MRAs have been implemented in other jurisdictions, such USA, EU, South Korea, and China

in order to expedite the trade of electronic equipment, the collaboration through development of MRAs on conformity assessment for equipment.

- 7.15. FCC, China and EU implement the approach of having mutual recognition with Conformity Assessment Bodies and designation of the Telecommunication Certification Bodies or Notified Bodies in other markets have proven to be useful in the implementation and streamlining of conformity assessment regimes and to deal with exponential escalation of Type Approval applications due to technological advancement.
- 7.16. The Authority is of the view that it could be more beneficial to consider developing a more robust Conformity Assessment Regime, flexible enough to accommodate the application of different procedures as implemented in other markets.

8. THE AUTHORITY'S POSITION

Based on the International Benchmarking Study, written and oral representations from stakeholders, the Authority has taken the following position in relation to exemption of equipment from Type Approval:

- 8.1. No exemption will be granted on the basis of the type of equipment. The Authority considers such exemption to be pre-mature at this stage and has the potential of possibly yielding irreversible unintended consequences.
- 8.2. The Authority will develop a framework for the exemption of equipment operating under the circumstances included but not limited to those listed in Table 1 below.

Table 1: Circumstances

Equipment Category	Description
Systems and equipment used for the production and distribution of broadcast and content services	All equipment in studios and production facilities that interfaces with the production environment and is under the control and operated by engineering professionals.
Test and measurement equipment	Any test and measurement equipment used by professionals and engineers of a licensed entity in the provision of telecommunications or broadcast services
satellite communications equipment	for temporal and/or limited area use only
Equipment for research and development in a laboratory environment	
Equipment for demonstrations of prototypes and testing	
Equipment for sample testing, demonstrations and field trials.	
Equipment for demonstrations and exhibition.	
Equipment for operations of specialised agencies	
Equipment for maritime or aeronautical operations	
Radio telescope receivers, calibration and test equipment.	
Radio telescope array and radio astronomy facilities	
Amateur radios	
Equipment used by Government Services	Used for national security and defence networks.
Equipment produced or imported for the purposes of exporting.	Not for use in South Africa
Spare parts, components to be used for repairs	Provided such part is used in a certified product

- 8.3. The Authority will consider entering into and amending MoUs with relevant regulatory bodies such as, *but not limited to*: CAA, SAMSA, NRCS to alleviate regulatory burden to affected stakeholders.
- 8.4. The Authority shall embark on the process of reviewing the current Type Approval Framework and work towards a multi-level Conformity Assessment Framework based on the relevant criteria to deal with equipment intended to be made available commercially in the South African market. The broader framework will incorporate the circumstances under which MRA's may be entered into and provide for robust market surveillance activities.

DEPARTMENT OF LABOUR
NOTICE 249 OF 2017
LABOUR RELATIONS ACT, 1995

REGULATION OF A FEDERATION IN TERMS OF SECTION 107 OF THE ACT

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that the name of the **South African Federation of Trade Unions (SAFTU)** (LR2/6/4/28) has been entered in the Register of Federations of Trade Unions with effect from23 March 2017.....


REGISTRAR OF LABOUR RELATIONS

Date:23 March 2017.....

**DEPARTMENT OF LABOUR
NOTICE 250 OF 2017**

LABOUR RELATIONS ACT, 1995

NOTICE OF INTENTION TO CANCEL THE REGISTRATION OF A TRADE UNION

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **Transport Retail & Amalgamated Workers Union of South Africa (TRAWUSA) (LR 2/6/2/1725)** for the following reasons:

- The union is not a genuine organisation as envisaged by the Act;
- The trade union ceased to function in terms of its constitution; and
- The trade union failed to comply with sections 98 ,99 and 100 of the Act

The trade union and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2016/169.**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309 4156 / 4848], within 60 days of the date of this notice.


REGISTRAR OF LABOUR RELATIONS

**NON-GOVERNMENTAL ORGANIZATION
NOTICE 251 OF 2017**

IMPUMELELO AGRIBUSINESS SOLUTIONS (PTY) Ltd.

AGRICULTURAL PRODUCT STANDARDS ACT NO. 119 OF 1990

INVITATION OF COMMENTS ON THE PROPOSED INSPECTION FEES

The Chief Executive Officer of the designated assignee, Impumelelo Agribusiness Solutions, hereby invite comments on the proposed inspection fees. Impumelelo Agribusiness Solutions, has been designated in terms of section 2(3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), to apply sections 3(1) and 4A of the said Act, with respect to various regulated processed products as listed below.

Comments are hereby invited with respect to the proposed inspection fees from all affected stakeholders and they should reach the office of the Chief Executive Officer: Impumelelo Agribusiness Solutions **by no later than 30 days from the date of publication of this Notice.**

The proposed inspection fees are as follows:

Products	Proposed Inspection Fees
Fruit juices and drinks	2.1 cents per L
Frozen fruit	2.1 cents per kg
Frozen vegetables	2.1 cents per kg
Jam	2.1 cents per kg
Jelly	2.1 cents per kg
Marmalade	2.1 cents per kg
Honey	2.1 cents per kg
Rooibos	2.1 cents per kg
Table olives	2.1 cents per kg
Fat spreads	2.1 cents per kg
Mayonnaise	2.1 cents per kg
Salad dressings	2.1 cents per L
Vinegar	2.1 cents per L
Canned pasta	2.1 cents per kg
Canned mushrooms	2.1 cents per kg
Canned fruit	2.1 cents per kg
Canned vegetables	2.1 cents per kg

IMPORTED REGULATED PRODUCTS

Containers	Proposed Fees
Container carrying homogenous products	R 1 450.00
Container carrying mixed products	R1 450 plus 20% sliding scale

LABORATORY TEST

Laboratory costs will be invoiced

Label Verification Fees: R 1 300

VALUE ADDED TAX

The proposed fees are VAT exclusive

Comments may be submitted in writing to:

The CEO: Impumelelo Agribusiness Solutions

Dr. Mduduzi Ngcobo at e-mail: CEO@impumeleloagribiz.co.za or posted (couriered) to Unit 5, 36 van Rensburg Street, Nelspruit, 1200.

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 252 OF 2017**

**NOTICE OF WITHDRAWAL IN TERMS OF SECTION 11A (3) OF THE
RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of section 11A (3) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that the General Notice in terms of Section 11A (2) under reference number KRN6/2/2/E/20/0/0/28, which was published in error under Notice No. 174 of 2017, in *Government Gazette* No. 40660 dated 3 March 2017, has been withdrawn by the Regional Land Claims Commissioner: KwaZulu-Natal.

**LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 253 OF 2017**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	: see attached schedule
Extent of property	: see attached schedule
Magisterial District	: Richmond
Administrative District	: KwaZulu-Natal
Current Title Deed No.	: see attached schedule
Current Owner	: see attached schedule
Bonds & Restrictive Conditions (Interdicts)	: see attached schedule
Claimant	: Mpiyanensa Marcus Mkhize on behalf of the Nhlazuka Community
Date claim lodged	: 31 December 1998
Reference number	: KRN6/2/E/42/0/24

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/or representations from the affected party/parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Remainder of the farm Groot Hoek No. 1000	2445, 9767 ha	T1418/1940	Ingonyama Trust-Trustees	I-5031/2003LG VA1044/1999
2	Portion 1 of the farm Groot Hoek No. 1000	779, 2435 ha		NOT REGISTERED	I-5031/2003LG
3	Remainder of the farm Inhlazuka View A No. 5356	98, 5081 ha	T21849/2016	World Harwood Proprietary Limited	B11341/2016
4	Portion 1 of the farm Inhlazuka View A No. 5356	365, 0773 ha	T19285/1990	Marianhill Mission Institute	None

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 254 OF 2017**

GENERAL NOTICE IN TERMS OF SECTION 11 (A) (2) OF THE RESTITUTION OF LAND RIGHTS ACT, NO 22 OF 1994

WHEREAS a land claim was lodged by Musa Dube on behalf of the Dube Community, which claim was published in terms of section 11 (1) of the Restitution of Land Rights Act, No 22 of 1994 (as amended), herein referred to as the Act.

And

WHEREAS during further investigation of the land claim in so far as it related to the properties referred to below, the Regional Land Claims Commissioner, has reason to believe that the criteria set out in paragraph (a) (b) and (c) of Section 11 (1) have not been met..

NOW THEREFORE NOTICE is hereby given in terms of section 11(A) (2) of the Act that at the expiry of **thirty (30) days** from the date of the publication of this notice in the Government Gazette, the notice of the claim previously published under the terms of section 11 (1) of the Act under Notice No. 176 of 2006 published in Government Gazette No. 28458 dated 10 February 2006, will be **WITHDRAWN**, unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of Notice No. 1567 of 2001 published in Gazette No. 28458 dated 10 February 2006, include the following:

Reference No.	:	KRN6/2/2/E/20/0/0/28
Claimant	:	Musa Dube on behalf of the Dube Community
Property Description	:	see attached schedule
Total extent	:	see attached schedule
Owner	:	see attached schedule

Any party who may have an interest in the above mentioned land claim is hereby invited to make representations, within 30 days from the publication of this notice, as to show cause why the claim should not be withdrawn in terms of section 11 (A) (3) of the Act.

The representations must be forwarded to

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355-8400
Fax: (033) 342-3409

Submissions may also be delivered to African Life Building, Second Floor, 200 Church Street, Pietermaritzburg 3201.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU-NATAL
DATE:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	The farm Alray No. 15771	83, 1273 ha	T27782/1996	Alray (Pty) Ltd	B32862/1994 B8965/1997 K1057/1996s
2	The farm Blythdale No. 17461	1979, 6162 ha	T47905/2004	Ushukela Milling (Pty) Ltd	B41297/2004
3	The farm Rouillard No. 17191	58, 8979 ha	T43019/2002	Emoyeni Estates (Pty) Ltd	K1078/1998s
4	The farm Newlands No. 16511	76, 9444 ha	T43019/2002	Emoyeni Estates (Pty) Ltd	K236A/1998s
5	The farm Emoyeni No. 16510	238, 0295 ha	T13036/1993	Emoyeni Estates (Pty) Ltd	B15185/2001
6	Remainder of the farm Reynolds No. 16509	18, 7326 ha	T13030/1993	Charles Lyon Carlyon Reynolds Will Trust-Trustees	-11741/2000LG B13732/1999 B1688/1997
7	A portion of the consolidated farm Gledhow No. 17285, known before consolidation as Portion 1 of the farm Gledhow Mount No. 1983	4, 0469 ha	T41675/1999	Illovo Sugar Ltd	None
8	Remainder of the farm Lot 1 No. 1672	108, 2090 ha	T1488/1913	Tongaat-Hulett Group Ltd	K214/1987L K674/1986L K682/1994s K839/1995L VA1230/1995 VA1231/1995
9	Remainder of Portion 4 of Portion 3 of the farm Lot 1 No. 1672	0, 1640 ha	T46742/2002	Pigeonwood Trust-Trustees	None
10	Portion 5 of the farm Lot 1 No. 1672	0, 0809 ha	T7778/2000	Pletts Family Trust-Trustees	B10277/2000
11	Portion 6 of the farm Lot 1 No. 1672	0, 0809 ha	T6643/1994	Alexander Wallace Bell	B9903/1994
12	Portion 7 of the farm Lot 1 No. 1672	0, 0809 ha	36229/1993	Tinley Bay Cottage cc	B11736/2005
13	Portion 9 of the farm Lot 1 No. 1672	0, 1161 ha	T10585/1990 T21160/1969 T21160/1969 T21160/1969 T24101/2003 T67014/2002 T67014/2002 T67014/2002	Doris Hazel Campbell Ferguson Derrick John Adendorff Jennifer Jean Mignon Adendorff Roderick Karl Adendorff Doris Hazel Campbell Ferguson Derrick John Adendorff Roderick Karl Adendorff Jennifer Jean Mignon Watson Doris Hazel Campbell Ferguson	VA101/1983-21160/69T
14	Portion 14 of the farm Lot 1 No. 1672	0, 2882 ha	T9495/1977	Muchwind (Pty) Ltd	None
15	Portion 17 of the farm Lot 1 No. 1672	3, 7483 ha	T3343/1968	Hulett's Sugar Corp Ltd	I-2346/1977LG

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
16	A portion of the consolidated Remainder of Portion 30 of the farm Umhlali Wagen Drift No. 1559, known before consolidation as the Remainder of the farm Umhlali Wagen Drift No. 1559	729, 3844 ha	T13028/1993	Tongaat-Hulett Group Ltd	K674/1986L
17	A portion of Tinley Manor Beach, previously known as the Remainder of Portion 2 of the farm Umhlali Wagen Drift No. 1559	101, 6356 ha		Not Registered	I-370/1980LG
18	Portion 12 of the farm Umhlali Wagen Drift No. 1559	79, 0379 ha	T21795/2004	Larbrad Property (Pty) Ltd	B18685/2004
19	Portion 17 of the farm Umhlali Wagen Drift No. 1559	1, 4860 ha	T15008/1986	Development & Services Board - Tinley Manor Beach	None
20	Remainder of Portion 18 of the farm Umhlali Wagen Drift No. 1559	93, 2669 ha	T24952/2001	Emoyeni Estates (Pty) Ltd	None
21	Remainder of Portion 25 of the farm Umhlali Wagen Drift No. 1559	7, 1407 ha	T45626/2005	Larbrad Property (Pty) Ltd	None
22	Portion 27 of the farm Umhlali Wagen Drift No. 1559			Not Registered	
23	Remainder of Portion 30 of the farm Umhlali Wagen Drift No. 1559	134, 1838 ha	T13028/1993	Tongaat-Hulett Group Ltd	K1077/1998s
24	Remainder of Portion 31 of the farm Umhlali Wagen Drift No. 1559	167, 5812 ha	T13029/1993	Charles Lyon Carlyon Reynolds Will Trust-Trustees	B13732/1999 B16881/1997
25	Portion 34 of the farm Umhlali Wagen Drift No. 1559	96, 7317 ha	T13031/1993	Marie Joseph Michel Rey	B9564/1997
26	Portion 37 of the farm Umhlali Wagen Drift No. 1559	0, 3083 ha	T13029/1993	Charles Lyon Carlyon Reynolds Will Trust-Trustees	B13732/1999 B16881/1997
27	Portion 55 of the farm Umhlali Wagen Drift No. 1559	12, 9001 ha	T45808/1999	Andrew Reynolds Trust-Trustees	B20626/1999
28	Portion 56 of Portion 18 of the farm Umhlali Wagen Drift No. 1559	72, 7427 ha	T63969/2004	Deslev Properties (Pty) Ltd	None
29	of the farm Umhlali Wagen Drift No. 1559				
30	Portion 8 of the farm Addington No. 1385	1, 3787 ha	T6418/1990	Mildred Shirley Jex	K1418/200s
31	Portion 21 of the farm Addington No. 1385	235, 4937 ha	T10185/1997	Addington Trust-Trustees	B9754/1997 K387/1997s K877/1997s
32	Portion 24 of the farm Addington No. 1385			Not Registered	
33	Portion 25 of the farm Addington No. 1385			Not Registered	
34	Portion 26 of the farm Addington No. 1385	105, 4626 ha	T48265/2004	Poppo Property (Pty) Ltd	K879/1997s
35	Portion 33 of the farm Addington No. 1385	5, 2822 ha	T18140/2001	Kijabe Estates (Pty) Ltd	B10871/2001 B10872/2001 K942/2001s
36	Portion 34 of the farm Addington No. 1385	9, 7793 ha	T28549/2000	Jex Estates cc	K1418/2000s
37	Portion 35 of Portion 23 of the farm Addington No. 1385	5, 6808 ha	T23470/2004	Wilkes Family Trust-Trustees	B20205/2004
38	Portion 36 of Portion 23 of the farm Addington No. 1385	7, 9254 ha	T35509/2000	Corpclo 501 cc	B21686/2000

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
39	Portion 156 of the farm Erasmus Dam No. 1397	30, 0125 ha	T35809/1996	Sappi Manufacturing (Pty) Ltd	K1804/2000s
40	Portion 162 of Portion 2 of the farm Erasmus Dam No. 1397	0, 7450 ha		Not Registered	K41/1988s
41	Remainder of the farm Blyth Dale No. 1380	0, 1587 ha	T1638/1913	Gledhow Sugar Co Ltd	None
42	Remainder of Portion 6 of the farm Blyth Dale No. 1380	18, 8432 ha	T18584/2001 T5999/1952	Shikar Salikram Partab Luke Lalsing	B11197/2001
43	Portion 8 of the farm Blyth Dale No. 1380	0, 8094 ha	T47912/2004	Ushukela Milling (Pty) Ltd	B41304/2004
44	Portion 20 of the farm Blyth Dale No. 1380			Not Registered	
45	Remainder of Portion 112 of the farm Blyth Dale No. 1380	2, 0234 ha		Not Registered	
46	Remainder of Portion 113 of the farm Blyth Dale No. 1380	2, 0234 ha		Not Registered	
47	Remainder of Portion 14 of the farm New Guelderland No. 1404	2, 0471 ha	T27879/1994	Moonie Properties cc	None
48	A portion of the consolidated Portion 149 of the farm New Guelderland No. 1404, known before consolidation as a portion of the consolidated Portion 144 of the farm New Guelderland No. 1404, previously known as the Remainder of Portion 38 of the farm New Guelderland No. 1404	3, 4985 ha	T23088/2002	Moonie Properties cc	None
49	A portion of the consolidated Portion 149 of the farm New Guelderland No. 1404, known before consolidation as Portion 122 of the farm New Guelderland No. 1404	0, 3116 ha	T23088/2002	Moonie Properties cc	None
50	A portion of the consolidated Portion 149 of the farm New Guelderland No. 1404, known before consolidation as Portion 123 of the farm New Guelderland No. 1404	0, 4069 ha	T23088/2002	Moonie Properties cc	None
51	A portion of the consolidated Portion 149 of the farm New Guelderland No. 1404, known before consolidation as Portion 144 of the farm New Guelderland No. 1404	4, 1696 ha	T23088/2002	Moonie Properties cc	None
52	Erf 162, Blythedale Beach Township	27, 4005 ha	T5350/1970	Blyth Dale Beach Estates Ltd	None
53	A portion of the consolidated Remainder of Erf 327, Blythedale Beach Township, known before consolidation as Erf 163, Blythedale Beach Township	4, 0537 ha	T11025/2005	Evening Star Trading 8 (Pty) Ltd	F-8848/2002LG VA3139/2003
54	A portion of the consolidated Portion 1 of Erf 195, Blythedale Beach Township, known before consolidation as a portion of the consolidated Portion 351, Blythedale Beach Township, previously known as the Remainder of Erf 194, Blythedale Beach Township	1, 3336 ha	T26863/1998	Blythedale Chalets Share Block (Pty) Ltd	None
55	A portion of the consolidated Remainder of Erf 350, Blythedale Beach Township, known before consolidation	0, 3009 ha	T34434/2003	Christiaan J. P. Joubert & Maria L. Joubert	None

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
	as the Remainder of Erf 195, Blythedale Beach Township				
56	Erf 196, Blythedale Beach Township	0, 5385 ha	T2448/1971	Ninety-Nine Prop (Pty) Ltd	I-4243/1985C-24/6/85 B1925/1971 B5342/1981
57	Erf 198, Blythedale Beach Township	0, 5389 ha	T12051/1972	Mini-Villas (Pty) Ltd	B18151/1986 B3274/1980
58	Erf 199, Blythedale Beach Township	0, 4047 ha		Not Registered	
59	Erf 200, Blythedale Beach Township	0, 7547 ha	T47912/2004	Ushukela Milling (Pty) Ltd	B41304/2004

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 255 OF 2017

AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 1557 of 1996 published in *Government Gazette* No. 17517 on 1 November 1996 lodged by Inkosi Mthiyane on behalf of the Mthiyane Tribe (Mandlazi), under Reference No. **KRN6/22/E/210/03** to **INCLUDE** the properties listed in the table below:

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER
		NORTH OF RESERVE 6		
1	Remainder of the farm Penalgie No. 11235	421,3715 ha	T10741/2009 & T18254/1997	SAPPI Property Company (Pty) Ltd & SAPPI Manufacturing (Pty) Ltd
2	Portion 1 of the farm Penalgie No. 11235	93,3415 ha	T14495/1987	Mondi Ltd
2	Remainder of Richards Bay No. 11433	245,4077 ha	T21628/1986	Mondi Ltd
4	Portion 1 of Richards Bay No. 11433	191,2755 ha	T18910/1980	Transnet Ltd
5	Portion 0 of Richards Bay No. 11441	36,7130 ha	T28567/2005	Dicks island CC
6	Remainder of Richards Bay No. 11442	238,7049 ha	T21628/1986	Mondi Ltd
7	Portion 2 of Richards Bay No. 11442	267,8946 ha	T21596/1981	Transnet Ltd
8	Portion 0 of Richards Bay No. 11471	496,9006 ha	T10741/2009 & T18254/1997	SAPPI Property Company (Pty) Ltd & SAPPI Manufacturing (Pty) Ltd
9	Remainder of Richards Bay No. 11472	496,2762 ha	T8727/1987	Mondi Ltd
10	Portion 1 of Richards Bay No. 11472	9,4579 ha	T24438/1997	Transnet Ltd
11	Portion 2 of Richards Bay No. 11472	4,2762 ha	T24439/1997	Transnet Ltd
12	Portion 3 of Richards Bay No. 11472	20,1284 ha	T26045/1997	Transnet Ltd
13	Remainder of Richards Bay No. 11488	162,1534 ha	T13085/1987	Development Board
14	Remainder of Portion 1 of Richards Bay No. 11488	136,2550 ha	T13086/1987	Umhlathuze Municipality
15	Portion 7 (of 1) of Richards Bay No. 11488	23,8009 ha		Not Registered
16	Portion 11 (of 1) of Richards Bay No. 11488	7,6982 ha		Not Registered
17	Portion 12 (of 1) of Richards Bay No. 11488	28,7509 ha		Not Registered
18	Portion 2 of Richards Bay No. 11488	24,6755 ha	T13087/1987	Umhlathuze Municipality
19	Portion 8 (of 2) of Richards Bay No. 11488	3,2541 ha	T13088/1987	Republic of South Africa
20	Portion 4 of Richards Bay No. 11488	24,4967 ha		Not Registered
21	Portion 5 of Richards Bay No. 11488	49,0151 ha		Not Registered
22	Portion 6 of Richards Bay No. 11488	5,0854 ha		Not Registered
23	Portion 10 of Richards Bay No. 11488	77,7143 ha		Not Registered
24	Remainder of Richards Bay No. 11489	367,8649 ha	T31007/1995	Republic of South Africa

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER
25	Portion 1 of Richards Bay No. 11489	49.3822 ha	T50407/2000	Republic of South Africa
26	Portion 2 of Richards Bay No. 11489	75.6478 ha	T50408/2000	Republic of South Africa
27	Remainder of Richards Bay No. 11494	181.0029 ha	T26899/1987	Mondi Ltd
28	Portion 1 of Richards Bay No. 11494	292.2303 ha	T34673/1996 & T6214/2009	SAPPI Property Company (Pty) Ltd & SAPPI Manufacturing (Pty) Ltd
29	Portion 2 of Richards Bay No. 11494	31.5240 ha	T12566/1988	Mondi Ltd
30	Remainder of Richards Bay No. 11495	43.8799 ha	T14495/1987	Mondi Ltd
31	Portion 1 of Richards Bay No. 11495	12.3138 ha	T15833/1997	SAPPI Manufacturing (Pty) Ltd
32	Remainder of Richards Bay No. 11497	145.0798 ha	14621/1987	Mondi Ltd
33	Portion 1 of Richards Bay No. 11494	4.7477 ha	T2350/1930	Diocese of Eshowe (Roman Catholic Church)
34	Portion 2 of Richards Bay No. 11494	359.8152 ha	T18254/1997	SAPPI Manufacturing (Pty) Ltd
35	Portion 3 (of 1) of Richards Bay No. 11507	40.4687 ha	T12566/1988	Mondi Ltd
36	Remainder of K42 No. 12555	620.4156 ha	T10741/2009 & T18254/1997	SAPPI Property Company (Pty) Ltd & SAPPI Manufacturing (Pty) Ltd
37	Remainder of K36 No. 12808	274.9348 ha	T5712/1981	Zenith Estates CC
38	Portion 1 of K36 No. 12808	229.8524 ha	T35758/1993	Mondi Ltd
39	Remainder of Portion 3 of Reserve 4 No. 15823	22.9523 ha	T14242/1987	Umhlatuze Municipality
40	Portion 0 of the farm No. 16619	6.8823 ha		Not Registered
41	Portion 0 of K41 No. 16715	534.3937 ha	T31007/1995	RSA
SOUTH OF RESERVE 6				
42	Remainder of Richards Bay No. 5333	2028.9998 ha	T14568/1979	Umhlatuze Municipality
43	Remainder of Portion 2 of Richards Bay No. 5333	16.1414 ha	T14569/1979	Umhlatuze Municipality
44	Portion 4 of Richards Bay No. 5333	0.3850 ha	T13112/1982	Transnet Ltd
45	Portion 7 of Richards Bay No. 5333	57.5640 ha	T13112/1982	Transnet Ltd
46	Remainder of Portion 8 of Richards Bay No. 5333	19.7589 ha	T29471/1984	Transnet Ltd
47	Portion 10(of 2) of Richards Bay No. 5333	0.1507 ha	T14414/1982	Transnet Ltd
48	Portion 21 (of 8) of Richards Bay No. 5333	258.6802 ha	T2562/1992	Transnet Ltd
49	Portion 22 of Richards Bay No. 5333	0.0170 ha	T31249/1991	Transnet Ltd
50	Portion 24 of Richards Bay No. 5333	0.1163 ha	T9810/1992	Umhlatuze Municipality
51	Portion 25 of Richards Bay No. 5333	0.1156 ha	T9811/1992	Umhlatuze Municipality

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER
52	Portion 26 of Richards Bay No. 5333	0.1160 ha	T9812/1992	Umhlatuze Municipality
53	Portion 27 of Richards Bay No. 5333	0.1428 ha	T9813/1992	Umhlatuze Municipality
54	Portion 28 of Richards Bay No. 5333	0.1615 ha	T9814/1992	Umhlatuze Municipality
55	Portion 29 of Richards Bay No. 5333	0.1294 ha	T9815/1992	Umhlatuze Municipality
56	Portion 30 of Richards Bay No. 5333	0.1214 ha	T9816/1992	Umhlatuze Municipality
57	Portion 31 of Richards Bay No. 5333	0.1200 ha	T9817/1992	Umhlatuze Municipality
58	Portion 32 of Richards Bay No. 5333	0.1150 ha	T9818/1992	Umhlatuze Municipality
59	Portion 33 of Richards Bay No. 5333	0.0140 ha	T9819/1992	Umhlatuze Municipality
60	Portion 34 of Richards Bay No. 5333	0.0576 ha	T9820/1992	Umhlatuze Municipality
61	Portion 35 of Richards Bay No. 5333	0.4758 ha	T9821/1992	Umhlatuze Municipality
62	Portion 42 of Richards Bay No. 5333	22.7738 ha	T6914/1993	Umhlatuze Municipality
63	Portion 43 of Richards Bay No. 5333	140.5932 ha	T35456/2003	Hillside Aluminium Ltd
64	Portion 44 of Richards Bay No. 5333	4.4282 ha	T6915/1993	Umhlatuze Municipality
65	Portion 45 of Richards Bay No. 5333	94.9929 ha	T33569/1996	Transnet Ltd
66	Portion 49 of Richards Bay No. 5333	66.3139 ha	T24207/2015	Umhlatuze Municipality
67	Portion 54 of Richards Bay No. 5333	99.1247 ha	T24208/2015	Umhlatuze Municipality
68	Portion 55 of Richards Bay No. 5333	2.8552 ha	T3423/2012	Foskor (Pty) Ltd
69	Portion 56 of Richards Bay No. 5333	1.5573 ha	T3423/2012	Foskor (Pty) Ltd
70	Portion 57 of Richards Bay No. 5333	3.7275 ha	T19413/2001	Umhlatuze Municipality
71	Portion 58 of Richards Bay No. 5333	4.0166 ha	T5344/2011	Grindrod Property Holdings Ltd
72	Portion 59 of Richards Bay No. 5333	1.5859 ha	TT19414/2001	Umhlatuze Municipality
73	Portion 62 of Richards Bay No. 5333	33.8708 ha	T4097/2006	Foskor (Pty) Ltd
74	Portion 63 of Richards Bay No. 5333	19.8328 ha	T14830/2014	NTC Forestry Co-operative Ltd
75	Portion 77 of Richards Bay No. 5333	3.1631 ha	T24450/2013	Umhlatuze Municipality
76	Portion 78 of Richards Bay No. 5333	1.7103 ha	T24449/2013	Umhlatuze Municipality
77	Portion 85 of Richards Bay No. 5333	19.1294 ha	T40143/2001	Bayfibre Central Timber Co-operative Ltd
78	Portion 86 of Richards Bay No. 5333	1.9523 ha	T24452/2013	Umhlatuze Municipality
79	Portion 87 of Richards Bay No. 5333	3.3458 ha	T24465/2013	Umhlatuze Municipality
80	Portion 88 of Richards Bay No. 5333	1.1152 ha	T24457/2013	Umhlatuze Municipality
81	Portion 89 of Richards Bay No. 5333	0.9671 ha	T25158/2013	Umhlatuze Municipality

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER
82	Portion 90 of Richards Bay No. 5333	1.1164 ha	T24456/2013	Umhlatuze Municipality
83	Portion 91 of Richards Bay No. 5333	1.1118 ha	T24455/2013	Umhlatuze Municipality
84	Portion 92 of Richards Bay No. 5333	0.8918 ha	T24454/2013	Umhlatuze Municipality
85	Portion 94 of Richards Bay No. 5333	25.0713 ha	T8280/206	RBT Grindrod Terminals (Pty) Ltd
86	Portion 95 of Richards Bay No. 5333	14.0081 ha	T8393/2016	RBT Grindrod Terminals (Pty) Ltd
87	Portion 96 of Richards Bay No. 5333	36.106 ha	T24466/2013	Umhlatuze Municipality
88	Portion 97 of Richards Bay No. 5333	5.5122 ha	T24460/2013	Umhlatuze Municipality
89	Portion 103 of Richards Bay No. 5333	5.3865 ha	T24461/2013	Umhlatuze Municipality
90	Portion 113 of Richards Bay No. 5333	18.5624 ha	T21827/2015	Umhlatuze Municipality
91	Portion 114 of Richards Bay No. 5333	8.9677 ha	T21828/2015	Umhlatuze Municipality
92	Portion 115 of Richards Bay No. 5333	10.0425 ha	T21829/2015	Umhlatuze Municipality
93	Portion 129 of Richards Bay No. 5333	4.0033 ha	T24462/2013	Umhlatuze Municipality
94	Portion 132 of Richards Bay No. 5333	0.2412 ha	T24516/2013	Umhlatuze Municipality
95	Portion 139 of Richards Bay No. 5333	1.4260 ha	T24510/2013	Umhlatuze Municipality
96	Portion 140 of Richards Bay No. 5333	2.6713 ha	T59596/2008	Hillside Aluminium Ltd
97	Portion 141 of Richards Bay No. 5333	19.1294 ha	T3175/2013	TWK Agriculture Ltd
98	Portion 145 of Richards Bay No. 5333	12.3888 ha	T24467/2013	Umhlatuze Municipality
99	Portion 148 of Richards Bay No. 5333	1.5172 ha	T24451/2013	Umhlatuze Municipality
100	Portion 149 of Richards Bay No. 5333	14.8645 ha	T24464/2013	Umhlatuze Municipality
101	Portion 150 of Richards Bay No. 5333	17.7886 ha	T24448/2013	Umhlatuze Municipality
102	Portion 151 of Richards Bay No. 5333	6.9645 ha	T24463/2013	Umhlatuze Municipality
103	Portion 156 of Richards Bay No. 5333	19.2644 ha	T24501/2013	Umhlatuze Municipality
104	Portion 157 of Richards Bay No. 5333	28.4829 ha	T24504/2013	Umhlatuze Municipality
105	Portion 158 of Richards Bay No. 5333	3.6816 ha	T24507/2013	Umhlatuze Municipality
106	Portion 159 of Richards Bay No. 5333	1.5765 ha	T24453/2013	Umhlatuze Municipality
107	Portion 164 of Richards Bay No. 5333	8.8864 ha	T21834/2015	Umhlatuze Municipality
108	Portion 175 of Richards Bay No. 5333	2.0922 ha	T23779/2015	Umhlatuze Municipality
109	Portion 0 of Richards Bay No. 6363	157.6316 ha	T3013/1980	Billiton Aluminium SA Ltd
110	Portion 0 of Lot 233 Umhlatuzi No. 16230	682.0950 ha	T10589/1994	Transnet Ltd
111	Portion 1 of Lot 233 Umhlatuzi No. 16230	18.7009 ha	T10590/1994	Transnet Ltd

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER
112	Portion 3 of Lot 233 Umhlatuzi No. 16230	0.1324 ha	T33602/1994	Transnet Ltd
113	Portion 4 of Lot 233 Umhlatuzi No. 16230	2.9566 ha		Not Registered
114	Portion 5 of Lot 233 Umhlatuzi No. 16230	1.9297 ha		Not Registered
115	Portion 6 of Lot 233 Umhlatuzi No. 16230	0.0566 ha	T38560/1995	Boldprops 1073 CC
116	Portion 10 of Lot 233 Umhlatuzi No. 16230	0.0488 ha	T11779/2005	Transnet Ltd
117	Portion 11 of Lot 233 Umhlatuzi No. 16230	2.1533 ha	T58501/2006	Transnet Ltd
118	Portion 53 of Lot 233 Umhlatuzi No. 16230	0.3902 ha	T11779/2005	Transnet Ltd
119	Portion 54 of Lot 233 Umhlatuzi No. 16230	0.5365 ha	T11779/2005	Transnet Ltd
120	Portion 0 of Richards Bay No. 11454	892.2557 ha	G15/1963	The Umhlatuzi Valley Sugar Co (Pty) Ltd
121	Portion 1 of Richards Bay No. 11454	251.1538 ha	T12080/1991	Umhlatuzi Municipality
122	Portion 2 of Richards Bay No. 11454	7.2928 ha		Not Registered
123	Portion 3 of Richards Bay No. 11454	20.3382 ha		Not Registered
124	Portion 17 of Richards Bay No. 11454	604.5300 ha	T14238/2009	The Umhlatuzi Valley Sugar Co (Pty) Ltd
125	Portion 0 of Richards Bay No. 11475	404.1066 ha	T28972/1990	The Umhlatuzi Valley Sugar Co (Pty) Ltd
126	Portion 18 of Richards Bay No. 11454	12.7206 ha	T31/1956	The Umhlatuzi Municipality
127	Portion 17 of Richards Bay No. 11454	604.5300 ha	2071/2008	The Umhlatuzi Municipality

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 256 OF 2017**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	: see attached schedule
Extent of property	: see attached schedule
Magisterial District	: Umzinto
Administrative District	: KwaZulu-Natal
Current Title Deed No.	: see attached schedule
Current Owner	: see attached schedule
Bonds & Restrictive Conditions (Interdicts)	: see attached schedule
Claimant	: Bhekokwakhe Nzuzo on behalf of the Sweetwaters Community
Date claim lodged	: 23 December 1998
Reference number	: KRN6/2/E/47/0/143

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/or representations from the affected party/parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Remainder of the farm Sweetwaters No. 8125	526, 9669 ha	T8632/1963	Kinroy Estates (Pty) Ltd	B21049/1981 B7858/1963
2	Remainder of the farm Sweetwaters No. 2 No. 8268	328, 7768 ha	T8633/1963	Invermettie Estates (Pty) Ltd	B21049/1981 B7860/1963
3	Portion 0 of the farm The Rock No. 10490	178, 6599 ha	T4275/1927	Republic of South Africa	None
4	Portion 1 of the farm The Rock No. 10490	21, 5979 ha	T14692/1999	Kinroy Estates (Pty) Ltd	None

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 257 OF 2017

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SCHEDULE 1: ISSUE OF NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 11158:2017/ ISO 11158:2009	<i>Lubricants, industrial oils and related products (class L) – Family H (hydraulic systems) – Specifications for categories HH, HL, HM, HV and HG.</i> Specifies the minimum requirements for new mineral oil hydraulic fluids and is intended for hydraulic systems, particularly for hydrostatic hydraulic fluid power application.
SANS 11925-2:2017/ ISO 11925-2:2010	<i>Reaction to fire tests – Ignitability of products subjected to direct impingement of flame – Part 2: Single-flame source test.</i> Specifies a method of test for determining the ignitability of products by direct small flame impingement under zero impressed irradiance using vertically oriented test specimens.
SANS 17258:2017/ ISO 17258:2015	<i>Statistical methods – Six Sigma – Basic criteria underlying benchmarking for Six Sigma in organisations.</i> Describes a methodology for establishing the level of quality, performance, and productivity of processes, products, and services in accordance with Six Sigma principles.
SANS 50081-20:2017/ EN 81-20:2014	<i>Safety rules for the construction and installation of lifts – Lifts for the transport of persons and goods – Part 20: Passenger and goods passenger lifts.</i> Specifies the safety rules for permanently installed new passenger or goods passenger lifts, with traction, positive or hydraulic drive, serving defined landing levels, having a car designed for the transportation of persons or persons and goods, suspended by ropes, chains or jacks and moving between guide rails inclined not more than 15° to the vertical.
SANS 62733:2017/ IEC 62733:2015	<i>Programmable components in electronic lamp controlgear – General and safety requirement.</i> Provides general and safety requirements for programmable components used in products covered by IEC 61347 (published in South Africa as an identical adoption under the designation SANS 61347).
SATS 62056-9-1:2017/ IEC /TS 62056-9-1:2016	<i>Electricity metering data exchange – The DLMS/COSEM suite – Part 9-1: Communication profile using web-services to access a DLMS/COSEM server via a COSEM Access Service (CAS).</i> Defines how DLMS/COSEM servers can be accessed from a COSEM Access Client via an intermediate COSEM Access Service (CAS) providing Web services.
SATS 13830:2017/ ISO/TS 13830:2013	<i>Nanotechnologies – Guidance on voluntary labelling for consumer products containing manufactured nano-objects.</i> Provides guidance on the contents of voluntary labels for consumer products containing manufactured nano-objects (PCMNO).

SCHEDULE 2: AMENDMENT OF EXISTING STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 382:2017/ ASTM D 1068:2015 (E.d 2.0)	<i>Standard test methods for iron in water.</i> Covers the determination of total iron, dissolved iron and ferrous iron in water using atomic absorption, atomic absorption-graphite furnace and photometric bathophenanthroline test methods.
SANS 449:2017/ (E.d 4.3)	<i>The manufacture of soft drinks and soft drink concentrates. Consolidated edition incorporating amendment No. 3.</i> Amended to update the requirements for the determination of chemical compounds, and to delete the subclause on the determination of the cyclamate content.
SANS 959-2-4:2017/ NRS 052-2-4:2012 (E.d 1.1)	<i>Photovoltaic systems for use in individual homes, schools and clinics – Part 2-4: Test procedures for main components – Inverters. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 959-2-4/NRS 052-2-4" to read "SANS 959-2-4", to delete the note to the normative references clause, and to update referenced standards.
SANS 1083:2017/ (E.d 2.5)	<i>Aggregates from natural sources – Aggregates for concrete. Consolidated edition incorporating amendment No. 5.</i> Amended to correct the table on coarse aggregate for concrete, and to add notes on quality verification and on tests and guidance.

Standard No. and year	Title, scope and purport
SANS 1387 SET:2017/ (E.d 3.3)	<i>Woven cotton and similar apparel fabrics – Parts 1 - 11. Consolidated edition incorporating amendment No. 3.</i> Amended to include the requirements for liquid repellent finish and resistance to penetration by liquids, and to update normative references in part 4.
SANS 1411-5:2017/ (E.d 3.3)	<i>Materials of insulated electric cables and flexible cords – Part 5: Halogen-free, flame-retardant materials. Consolidated edition incorporating amendment No. 3.</i> Amended to update referenced standards.
SANS 1524-4:2017/ NRS 009-4:2012 (E.d 1.1)	<i>Electricity payment systems – Part 4: Payment electricity meter cards. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 1524-4/NRS 009-4" to read "SANS 1524-4", to update the table on meter data on cards and to update the foreword accordingly, to delete the footnote on token technology code, and to delete the note and the footnote on algorithm codes.
SANS 1574-4:2017/ (E.d 1.2)	<i>Electric flexible cables with solid extruded dielectric insulation – Part 4: Rubber-insulated cables for domestic, office and similar environments (cords). Consolidated edition incorporating amendment No. 2.</i> Amended to update referenced standards.
SANS 2076:2017/ ISO 2076:2013 (E.d. 3.0)	<i>Textiles – Man-made fibres – Generic names.</i> Lists the generic names used to designate the different categories of manmade fibres, based on a main polymer, currently manufactured on an industrial scale for textile and other purposes, together with the distinguishing attributes that characterize them.
SANS 3000-2-1:2017/ (E.d 2.0)	<i>Railway safety management – Part 2-1: Requirements for systemic engineering and operational safety standards - Electrical distribution and overhead traction systems.</i> Covers the minimum requirements for Electrical Distribution and Overhead Traction Systems (ED & OHTS) within the railway reserve.
SANS 6094:2017/ (E.d 2.1)	<i>Stock remedies – Efficacy of chemicals against tick larvae. Consolidated edition incorporating amendment No. 1.</i> Amended to update the note to filter paper.
SANS 6097:2017/ (E.d 2.1)	<i>Stock remedies – Stripping rate of cattle tickicides in spray races</i> Consolidated edition incorporating amendment No. 1. Amended to update the foreword, and to modify the requirements for equipment and materials, and the procedure.
SANS 10094:2017 (E.d 5.0)	<i>The use of high-strength friction-grip bolts.</i> Applies to the assembly and inspection of preloaded bolts (bolts tightened to develop a high tensile force in the fastener) and friction-grip joints (joints in which preloaded bolts are used to clamp the connected parts together with enough force to ensure the transfer across the joint, by friction alone, of all forces in the plane of the parts) in structural steelwork.
SANS 10108:2017 (E.d 6.1)	<i>The classification of hazardous locations and the selection of equipment for use in such locations. Consolidated edition incorporating amendment No. 1.</i> Amended to update the foreword and a referenced standard.
SANS 10160-4:2017 (E.d. 2.0)	<i>Basis of structural design and actions for buildings and industrial structures – Part 4: Seismic actions and general requirements for buildings.</i> Provides strategies and rules for the design of buildings subject to earthquake actions primarily to safeguard against major catastrophic structural failures and loss of life, not to prevent damage or to maintain function.
SANS 10242-1:2017/ (E.d 2.1)	<i>The rewinding and refurbishing of rotating electrical machines Part 1: Low-voltage three-phase induction motors. Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards, to modify the requirements for photographic records, to add a requirement for inspection, to update the requirements for inspection of mechanical components for wear and damage, to modify the requirements for balancing, to delete reference to SABS, to update the table on class of insulation materials, to move reference to legislation to the foreword, and to modify the requirements for current at no load, efficiency, and marking.
SANS 13528:2017/ ISO 13528:2015 (E.d. 2.0)	<i>Statistical methods for use in proficiency testing by interlaboratory comparison.</i> Provides detailed descriptions of statistical methods for proficiency testing providers to use to design proficiency testing schemes and to analyse the data obtained from those schemes.
SANS 19109:2017/ ISO 19109:2015 (E.d. 2.0)	<i>Geographic information – Rules for application schema.</i> Defines rules for creating and documenting application schemas, including principles for the definition of features.
SANS 19761:2017/ ISO/IEC 19761:2011 (E.d. 2.0)	<i>Software engineering – COSMIC: a functional size measurement method.</i> Specifies the set of definitions, conventions and activities of the COSMIC functional size measurement method.
SANS 60079-0:2012/ IEC 60079-0:2011 (E.d. 5.0)	<i>Explosive atmospheres – Part 0: Equipment – General requirements.</i> Specifies the general requirements for construction, testing and marking of electrical equipment and Ex Components intended for use in explosive atmospheres. Corrigendum (loose amendment 2016). Corrected to replace a requirement for plastic materials and elastomers.
SANS 60079-18:2017/ IEC 60079-18:2014 (E.d. 4.0)	<i>Explosive atmospheres – Part 18: Equipment protection by encapsulation "m".</i> Gives the specific requirements for the construction, testing and marking of electrical equipment, parts of electrical equipment and Ex components with the type of protection encapsulation "m" intended for use in explosive gas atmospheres or explosive dust atmospheres.

Standard No. and year	Title, scope and purport
SANS 60079-29-2:2017/ IEC 60079-29-2:2015 (E.d. 2.0)	<i>Explosive atmospheres – Part 29-2: Gas detectors – Selection, installation, use and maintenance of detectors for flammable gases and oxygen.</i> Gives guidance on and recommended practice for the selection, installation, safe use and maintenance of electrically operated Group II equipment intended for use in industrial and commercial safety applications and Group I equipment in underground coal mines for the detection and measurement of flammable gases complying with the requirements of IEC 60079-29-1 (published in South Africa as an identical adoption under the designation SANS 60079-29-1) or IEC 60079-29-4 (published in South Africa as an identical adoption under the designation SANS 60079-29-4).

SCHEDULE 3: WITHDRAWAL OF STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title
ARP 1717:2010	<i>Guide to the regulatory requirements for the approval of detonators, initiators and initiation systems used in mining and civil blasting applications.</i>
ARP 24156:2009: ISO/ TR 24156:2008	<i>Guidelines for using UML notation in terminology work.</i>
SANS 10280:2001	<i>Overhead power lines for conditions prevailing in South Africa.</i>
SANS 61117:2006	<i>A method for assessing the short-circuit withstand strength of partially type-tested assemblies (PTTA).</i>

SCHEDULE 4: ESTABLISHMENT OR DISBANDMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (1) the SABS has established the following technical committees:

Technical Committee No.:	Title	Scope

If your organization is interested in participating in these committees, please send an e-mail to rose.masha@sabs.co.za for more information.

SCHEDULE 5: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents have being considered withdrawn.

NONE

SCHEDULE 6: ADDRESSES OF SABS OFFICES

The addresses of offices of the South African Bureau of Standards where copies of standards mentioned in this notice can be obtained, are as follows:

1. Gauteng head office, 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.
2. Western Cape Regional Office, SABS, Liesbeek Park Way, Rosebank, PO Box 615, Rondebosch 7701.
3. Eastern Cape Regional Office, SABS, 30 Kipling Road, cor. Diaz and Kipling Roads, Port Elizabeth, PO Box 3013, North End 6056.
4. KwaZulu-Natal Regional Office, SABS, 15 Garth Road, Waterfall Park, Durban, PO Box 30087, Mayville 4058.

WARNING!!!

To all suppliers and potential suppliers of goods to the Government Printing Works

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 (Renny.Chetty@gpw.gov.za),

Anna-Marie du Toit (012) 748-6292 (Anna-Marie.DuToit@gpw.gov.za) and

Siraj Rizvi (012) 748-6380 (Siraj.Rizvi@gpw.gov.za)

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