

**THE PROVINCE OF
GAUTENG**



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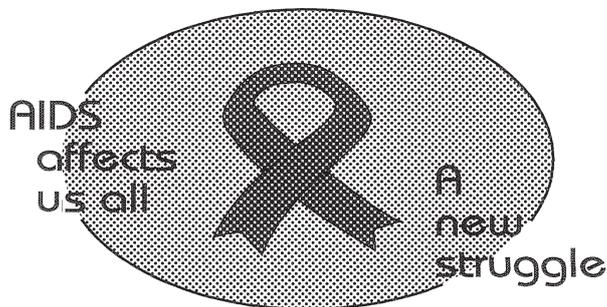
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No. 303

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IMPORTANT

Information

from Government Printing Works

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You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

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PREMIER'S NOTICES • PREMIERSKENNISGEWINGS**PREMIER'S NOTICE 1 OF 2015****OFFICE OF THE GAUTENG PREMIER****PUBLIC SERVICE ACT, 1994**

(Promulgated under Proclamation No. 103 of 1994)

**ADMINISTRATION AND OPERATIONS: GAUTENG INFRASTRUCTURE FINANCING
AGENCY ("GIFA")**

I, Malemolla David Makhura, hereby in the Schedule in terms of sections 3A(b) and 7A(4) of the Public Service Act, 1994—

- (a) make the determination regarding the allocation of functions to the GIFA;
- (b) list the provisions of legislation which confer powers and impose duties on the CEO of the GIFA;
- (c) list the delegated powers and duties of the CEO of the GIFA;
- (d) determine the reporting requirements of the CEO of the GIFA to the Department;
- (e) delegate the power to establish a Technical Advisory Committee, without executive functions, for the GIFA, to the MEC responsible for Finance in Gauteng;
- (f) determine the composition, appointment procedure and remuneration and all matters required for the efficient and effective functioning of the Technical Advisory Committee; and
- (g) include other matters which are necessary for the efficient and effective functioning of the GIFA, including areas of cooperation and the sharing of internal services between the GIFA and the Department, among others.

As provided for in the President's Proclamation No. 69 of 2014 (Government Gazette No. 38088), the GIFA is established as a government component within the portfolio of the MEC responsible for Finance in Gauteng with effect from 17 October 2014.

Signed at Johannesburg on this ... *Both* ... day of June 2015.

**MD Makhura****Premier: Gauteng Province****Barbara Creecy (Ms)****MEC for Finance**



**SCHEDULE
PART 1**

1. Definitions

In this Schedule, unless the context otherwise indicates—

"CEO" means the chief executive officer of the GIFA identified in column 2 of Part B of Schedule 3 to the Public Service Act;

"CFO" means the chief financial officer of the GIFA;

"Department" means the Gauteng Provincial Treasury;

"Executive Council" means the Executive Council of Gauteng;

"Gauteng" means the province of Gauteng referred to in section 103(1)(c) of the Constitution of the Republic of South Africa, 1996;

"GEGDS" means the Gauteng Employment, Growth and Development Strategy;

"GICC" means to the Gauteng Infrastructure Coordinating Council which provides for the facilitation and coordination of infrastructure development, and monitors the implementation of infrastructure project, of significant economic or social importance in Gauteng, with a view to improve delivery pace and quality through the resolution of blockages, delays and disputes;

"GIFA" means the Gauteng Infrastructure Financing Agency identified in column 1 of Part B of Schedule 3 to the PSA;

"HoD" means the Head of Gauteng Provincial Treasury;

"MEC" means the Member of the Executive Council responsible for Finance in Gauteng;

"Premier" means the Premier of Gauteng;

"Promotion of Administrative Justice Act" means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

"provincial public entity" means a provincial public entity as defined in section 1 of the Public Finance Management Act;

"Public Finance Management Act" means the Public Finance Management Act, 1999 (Act No. 1 of 1999);

"public service" means the public service contemplated in section 8 of the Public Service Act;

"Public Service Act" means the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994); and

"Ten-Pillar Programme" refers to the ten-pillar programme of radical transformation, modernisation and re-industrialisation of Gauteng over the next five to fifteen years adopted by the fifth administration of the Gauteng Provincial Government.



PART 2

2. Objective, functions and powers of GIFA

- (1) The objective of the GIFA is to accelerate delivery of key infrastructure projects through project development, financing and partnerships in support of the Ten-Pillar Programme which aims to achieve the strategic goals of radical transformation, modernisation and re-industrialisation of Gauteng.
- (2) The functions of the GIFA are—
 - (a) to serve all public institutions in Gauteng by supporting key infrastructure projects and ensuring their successful execution through partnerships and innovative financing solutions;
 - (b) to institutionalise alternative funding models for the provincial government, including the development of strategies to attract private sector funding to provincial infrastructure projects;
 - (c) to provide a project preparation facility, the purpose of which is to assist provincial departments, local authorities, government-supported private initiatives and related infrastructure development institutions to prepare high quality, viable projects that are ready to attract financing from public and private sources;
 - (d) to assist in minimising institutional blockages that hamper the rate of socioeconomic infrastructure development; and
 - (e) to ensure cost efficiency and consolidation of resources for economies of scale within provincial government infrastructure projects and expenditure.
- (3) The GIFA may only perform its functions in respect of projects which exceed a projected value of R 250 million and have been approved by the GICC.
- (4) The GIFA has all the powers reasonably necessary to achieve its object and to perform its functions, including powers to—
 - (a) undertake or commission comprehensive technical studies, modelling or research;
 - (b) participate in definition of the objectives and scopes of projects and assist with the design of projects;
 - (c) develop project concepts into business plans;
 - (d) provide pre-contract services, including preparation, evaluation or revision of tender documents;



- (e) create technical and commercial structures for projects to attract appropriate forms of financing;
 - (f) leverage private financing;
 - (g) identify, promote and facilitate funding arrangements for public-private partnerships;
 - (h) undertake detailed work to translate plans into tangible agreements and to procure goods and services;
 - (i) advise on or procure goods and services related to projects;
 - (j) monitor and enforce the performance of all parties, including departments of the Gauteng Provincial Government, in accordance with the project agreements and parties' respective duties and obligations, by exercising oversight, risk management and quality control;
 - (k) at any time withdraw from any project if the relevant public institution repeatedly fails or refuses to perform its functions and meet its obligations as stipulated in relevant documents; and
 - (l) report on any project to the MEC, the Department or any other official stakeholder.
- (5) The GIFA may subject to subparagraph (4) operate or assist with projects in the following sectors:
- (a) education;
 - (b) health;
 - (c) human settlements;
 - (d) water supply;
 - (e) sanitation;
 - (f) energy;
 - (g) roads and transportation;
 - (h) storm water management;
 - (i) waste management;
 - (j) government office accommodation; and
 - (k) public facilities.
- (6) The MEC may in writing permit the GIFA to operate in sectors not contemplated in subparagraph (5).
- (7) The GIFA performs its duties and functions subject to general guidance provided by the MEC.
- (8) The GIFA may perform its functions outside Gauteng, but only if—
- (a) the MEC has in writing approved such an undertaking;



- (b) the Department or the respective provincial treasury has agreed in writing thereto;
 - (c) a written memorandum of agreement has been signed by all relevant parties prior to the performance of any functions by the GIFA outside Gauteng, detailing the GIFA's involvement in the relevant project; and
 - (d) the agreement referred to in subparagraph (c) and the functions to be performed and activities to be undertaken by the GIFA outside Gauteng are authorised by and not in conflict with any relevant national and provincial laws.
- (9) The GIFA must exercise its powers and render its services in accordance with appropriate ethical standards and the principles of good governance.

PART 3

3. Establishment of Technical Advisory Committee

- (1) The MEC may, in terms of section 7A(4)(e) of the Public Service Act, establish a Technical Advisory Committee, without executive functions, for the purposes of the effective and efficient functioning of the GIFA.
- (2) In the exercise of the power in terms of subparagraph (1), the MEC must apply the provisions of paragraphs 4 to 14.

4. Functions of Technical Advisory Committee

The Technical Advisory Committee, hereinafter referred to as "the TAC", must advise the MEC on—

- (a) the programmes and projects that are feasible for approval, including the funding arrangements for such programmes and projects; and
- (b) any matter related to the GIFA as may be requested by the MEC.

5. Composition and appointment of members of Technical Advisory Committee

- (1) The TAC consists of no more than seven appropriately qualified and experienced members at the level or equivalent level of Senior Management Service in the Public Service who are appointed by the MEC by virtue of their office in the public sector.
- (2) Members of the TAC serve for a term of office not exceeding three years, which may be extended for a period not exceeding twelve months.



- (3) Except for persons who are in full-time employment of the State and who remain in their positions, members of the TAC may not serve for more than two consecutive terms.
- (4) The MEC must appoint one member of the TAC, other than the CEO, as the Chairperson of the TAC.
- (5) The TAC may establish sub-committees relevant to its work and may invite any of the following persons to participate in its and its subcommittees deliberations:
 - (a) the Chief Financial Officer of the GIFA;
 - (b) any employee of the GIFA;
 - (c) government cluster representatives; or
 - (d) technical experts or persons who have relevant experience or knowledge in—
 - (i) infrastructure planning and programme management; and
 - (ii) infrastructure and project financing
- (6) The MEC may, at any time in writing, direct the TAC to establish a particular subcommittee, but this does not prevent TAC from establishing its own subcommittees as provided for in subparagraph (5).
- (7) Any committee or other body established or prescribed in respect of a government component by an Act of Parliament or in terms of subordinate legislation must be established and managed as prescribed, but—
 - (a) such a committee or body does not constitute a subcommittee of the TAC; and
 - (b) the TAC has access to any document produced by or on behalf of such a committee or body, unless the MEC in writing directs otherwise.
- (8) A person may not be appointed as a member of the TAC if—
 - (a) he or she is not a citizen or permanent resident of the Republic;
 - (b) he or she was convicted of a criminal offence, either in the Republic or outside the Republic, and was sentenced to imprisonment without the option of a fine; or
 - (c) he or she has been disqualified under any law from practising his or her profession.

6. Disqualification as member of Technical Advisory Committee

The MEC may not appoint a person as a member of the TAC, and a person may not continue to be a member of the TAC if—

- (a) that person is a member of Parliament, a member of a provincial legislature, a member of Cabinet, a member of the Executive Council of Gauteng, a Deputy



Minister, a member of a house or council of traditional leaders, or a member of a municipal council;

- (b) that person's spouse, life partner, business partner or associate, holds an office in or is employed by or has any other interest whatsoever in any company or other entity which sells goods or renders services to GIFA;
- (c) that person is disqualified to act as a director of a company incorporated in terms of the Companies Act, 2008 (Act No. 71 of 2008).

7. Responsibilities of and restrictions on members of Technical Advisory Committee

- (1) A member of the TAC, including the CEO, who at any time during his or her term of office becomes disqualified to be a TAC member on any one of the grounds contemplated in paragraphs 5(8) and 6—
 - (a) must immediately in writing inform the MEC and the Chairperson of the TAC of that disqualification, and the MEC must then forthwith remove that member from the TAC; and
 - (b) must not attend a TAC meeting from the time he or she has so become disqualified.
- (2) A member of the TAC who in any way, directly or indirectly, acquires or intends to acquire an interest in a transaction or project of GIFA, must immediately in writing disclose the nature of his or her interest or intention to the TAC.
- (3) A disclosure to the TAC contemplated in subparagraph (2) must be recorded in the minutes of the meeting in which the TAC considers the transaction or project to which the disclosure relates.
- (4) A member of the TAC who has acquired or intends to acquire an interest contemplated in subparagraph (2) may not take part in any discussion or deliberation of the TAC relating to a transaction or project referred to in subparagraph (2).
- (5) For a period of two consecutive years after a member of the TAC ceases to be a member of the TAC, a company or other entity which intends to or which sells goods or renders services to GIFA—
 - (a) in which the former member of the TAC holds an office, whether for remuneration or not;
 - (b) to whom the former member of the TAC renders services to, whether with or without remuneration;
 - (c) by whom the former member of the TAC is employed, whether for without remuneration or not; or



- (d) in which the former member of the TAC has any other direct or indirect material interest of whatever nature, must in writing disclose the nature of the former member's interest to the MEC as well as to the TAC.
- (6) A disclosure to the TAC contemplated in subparagraph (5) must be recorded in the minutes of the meeting in which the TAC considers the transaction or project to which the disclosure relates.
- (7) A member of the TAC, company or other entity which fails to comply with the provisions of this paragraph commits misconduct and the CEO of the GIFA must ensure that disciplinary proceedings are instituted against that member, company or entity.

8. Meeting procedures of Technical Advisory Committee

- (1) The TAC must meet at least quarterly—
- (a) to review reports and updates of projects of the GIFA;
 - (b) to advise the MEC on the appointment of additional members;
 - (c) to establish required working committees; and
 - (d) to consider any other matters that may be submitted to it and advise the MEC.
- (2) The meetings and minutes of the TAC or any of its subcommittees are confidential, unless—
- (a) the MEC or the Chairperson of the TAC in writing directs otherwise; or
 - (b) no strategic interests of the GIFA or the Department are likely to be compromised in the event of its publication.
- (3) The TAC does not vote on matters before it, but must strive to render advice to the MEC and the CEO based on sufficient consensus.
- (4) If an individual member of the TAC, excluding the CEO, strongly holds a minority view from what appears to be the consensus of the other members of the TAC, that member may request that his or her view and the reasons thereof be recorded in the minutes of the meeting of the TAC, and such view must be included in any report on the relevant matter to the MEC or the CEO, as the case may be.

9. Reporting requirements in respect of Technical Advisory Committee

- (1) If the MEC has in writing requested the TAC's advice on a particular issue, the TAC must, as soon as may be practicable, submit a report with its advice to the MEC.



- (2) The TAC must submit a report to the MEC on its advice or activities as often as the TAC deems necessary, whether or not the MEC has specifically requested such advice.
- (3) The TAC must record any oral advice rendered to the CEO, if any, in the relevant minutes of the TAC's meeting.
- (4) The Chairperson of the TAC must forward the minutes of every TAC meeting to the MEC, the CEO and the HoD within ten working days after those minutes are approved by the TAC.

10. Vacation from office by members of Technical Advisory Committee

A member of the TAC must vacate his or her office if—

- (a) he or she has been absent for more than three consecutive meetings of the TAC without the permission of the Chairperson;
- (b) he or she submits his or her resignation in writing to the MEC;
- (c) he or she ceases to be citizen or a permanent resident of the Republic;
- (d) he or she acquires or has a direct or indirect interest in a transaction or project of the GIFA; or
- (e) for any other conduct or activity which the MEC considers as constituting a conflict of interest or as having a potential to bring the GIFA into disrepute.

11. Dissolution of TAC or termination of membership of Technical Advisory Committee

- (1) Members of the TAC serve at the pleasure of the MEC.
- (2) The MEC may—
 - (a) dissolve the TAC and appoint new members; or
 - (b) terminate the membership of an individual member of the TAC.
- (3) When dissolving the TAC or terminating the membership of an individual member of the TAC, the MEC must comply with a procedurally fair administrative procedure as contemplated in the Promotion of Administrative Justice Act.

12. Administration support for functioning of Technical Advisory Committee

- (1) The CEO must provide all the facilities, including administrative, secretarial and logistical support, that may reasonably be required by the TAC, and the CEO must, after consultation with the Chairperson of the TAC, designate an employee of GIFA as Secretary to the TAC.



- (2) The TAC has all powers necessary for its functioning as an advisory body without executive functions, duties or powers, and in particular has the right—
 - (a) of immediate access to any information held by GIFA, except information designated in writing by the MEC from time to time as not being included in this category;
 - (b) of immediate access to any information held by the Department in relation to GIFA, except information designated in writing by the MEC from time to time as not being included in this category; and
 - (c) to receive copies of any document submitted by the CEO to the MEC in terms of or under this Notice, except documents designated in writing by the MEC from time to time as not being included in this category.
- (3) The TAC may, at any time, with or without the agreement or support of the CEO, directly approach the MEC and submit any relevant report on any matter related to the functions of the TAC.

13. Reimbursement of members of Technical Advisory Committee

- (1) The MEC may, for the purposes directly related to any activity of the TAC, reimburse members of the TAC in respect of any reasonable expense incurred in respect of travel, parking, accommodation, subsistence and other costs necessary for the performance of TAC functions in line with the relevant public sector guidelines.
- (2) No remuneration is payable to an employee of an organ of State in respect of his or her membership to the TAC.

14. Rules and policies of Technical Advisory Committee

- (1) Subject to this Notice, the provisions of the Public Finance Management Act, the Public Service Act or any other applicable law, the TAC must determine its own rules for meetings, proceedings and procedures.
- (2) Without in any way derogating from the provisions of any applicable law, the TAC must adhere to any policy, and give effect to any code, protocol, guideline or similar document on governance or ethics in the public sector approved by Cabinet.

PART 4

15. Relationship of GIFA with Department



The GIFA must provide the Department with all relevant reports and performance information, as well as strategic plans, annual reports and financial statements, as may be required in law or as may reasonably be required by the Department.

16. Corporate and Related Services of GIFA

- (1) The management of corporate and related services of the GIFA must be on a shared services basis with the Department and must be governed by this Notice through the agreement referred to in paragraph 18, that will be reviewed and amended as contemplated in that paragraph.
- (2) The arrangements under this Part should ensure the efficient and effective operation of the GIFA, and should achieve economy of scale benefits and innovative service delivery.
- (3) The GIFA may, at any time should resources allow, develop sufficient internal capacity to render any of the services stipulated in paragraph 17.

17. Areas of Co-operation between GIFA and Department

- (1) The GIFA and the Department, subject to applicable legislation, including the Public Finance Management Act and the Public Service Act, and in accordance with the terms of the agreement referred to in paragraph 18, must maintain a shared services dispensation, covering the following areas:
 - (a) Corporate Services, including—
 - (i) information and communication technology (ICT) services;
 - (ii) financial management;
 - (iii) human resources management;
 - (iv) supply chain management;
 - (v) accommodation, facilities management and cleaning services;
 - (vi) security; and
 - (vii) records management, correspondence and messenger services training;
 - (b) auditing and risk management;
 - (c) legal services, and
 - (d) donor coordination.

18. Arrangements between GIFA and the Department



- (1) The Department and the GIFA must promptly after the GIFA's establishment enter into a memorandum of agreement making provision for—
 - (a) the agreed shared services dispensation to be entered into between the Department and the GIFA, as described in paragraph 17;
 - (b) service levels;
 - (c) the transfer of assets from the Department to the GIFA upon the establishment of the GIFA;
 - (d) the transfer of employees from the Department to the GIFA upon the establishment of the GIFA;
 - (e) financial arrangements; and
 - (f) any other matter necessary for the effective and efficient functioning of the GIFA.
- (2) The Department and the GIFA may review and amend the agreement referred to in subparagraph (1) to ensure the optimum functioning of the GIFA.

PART 5

19. Powers conferred and duties imposed on CEO

- (1) The CEO is accountable for the financial and operational performance of the GIFA, in accordance with the prescripts of the Public Finance Management Act, the Public Service Act, and other applicable legislation.
- (2) The CEO has the powers and the authority equivalent to a head of department, as described in section 7(3)(a), (b), and (c) of the Public Service Act, to manage the GIFA, with accountability to the MEC.
- (3) In terms of section 7(3)(b) of the Public Service Act, the CEO is responsible for the efficient management and administration of the GIFA, including the effective utilisation and training of staff, the maintenance of discipline, the promotion of sound labour relations and the proper use and care of State property.
- (4) The GIFA must comply with any applicable law, and in the event of a conflict between that law and the provisions of this Schedule, that law prevails.

20. Reporting requirements of CEO and responsibilities of HoD

- (1) The provisions of this Notice do not in any way exempt the CEO from compliance with the relevant provisions of the Public Finance Management Act or any other law in respect of reporting requirements.



- (2) All financial, policy and procedural arrangements for the GIFA provided for in terms of the Public Finance Management Act or any other applicable law must, on the date of the establishment of the GIFA as a government component, continue on the same basis as that applicable to a department in terms of the Public Finance Management Act.
- (3) The CEO must—
- (a) forthwith after receipt of a written request from the MEC for information held by the GIFA, the CEO or the TAC, submit the requested and other information which may also be relevant to the MEC; and
 - (b) on a quarterly basis, submit a report to the MEC, detailing all the instances where he or she has performed a duty or exercised a power in terms of or under delegation from the MEC, as well as all the instances where a person to whom the CEO has further delegated such a power or duty has so performed a duty or exercised a power.
- (4) The CEO must submit to the HoD—
- (a) on a quarterly basis, all relevant reports and performance information of the GIFA which will enable the HoD to advise the MEC as contemplated in subparagraph (5)(b);
 - (b) on a quarterly basis, a copy of the document contemplated in subparagraph (3)(b); and
 - (c) annually, the GIFA's strategic plan, annual report and annual financial statements.
- (5) The HoD must oversee the operations of the GIFA solely for the purposes of—
- (a) ensuring that the GIFA supports, promotes and implements applicable governmental policies as well as the MEC's strategic vision in respect of his or her portfolio; and
 - (b) advising the MEC on policy implementation, performance, integrated planning, budgeting and service delivery, and the efficient, economic and effective use of resources by or in respect of the GIFA.
- (6) The HoD may in writing request from the CEO further information in respect of any report or statement so submitted.
- (7) If the HoD invites the CEO to attend a meeting of the Department's executive or management committee, the CEO must do so unless he or she has other compelling prior commitments, in which case the CEO must in writing prior to the meeting inform the HoD of the reasons why he or she cannot attend, and of the next dates when he or she will be available to attend such a meeting, but the HoD may



only request the CEO to attend such a meeting in connection with matters relevant to the HoD's responsibilities contemplated in subparagraph (5).

- (8) The HoD has no further functions, duties, powers, responsibilities or accountability in respect of the GIFA, other than as may be prescribed by or in law, and the provisions of this paragraph do not in any way derogate from the equal status that the HoD and the CEO enjoy in terms of or under the Public Finance Management Act or the Public Service Act as the HoD and the CEO, respectively.

21. Restrictions on supply of goods and services

- (1) A former employee of the GIFA may not, within two years after leaving the GIFA, directly or indirectly, supply any goods or render any services to the GIFA, unless the MEC in writing approves thereof, prior to such goods being supplied or services being rendered.
- (2) Subparagraph (1) applies, with the necessary changes, to a company or other entity which intends to or which sells goods or renders services to the GIFA—
- (a) in which the former employee of the GIFA holds an office, whether for remuneration or not;
 - (b) to whom the former employee of the GIFA renders services, whether for remuneration or not;
 - (c) by whom the former employee of the GIFA is employed, whether for remuneration or not; or
 - (d) in which the former employee of the GIFA has any other direct or indirect material interest of whatever nature.
- (3) Any approval given by the MEC in terms of subparagraph (1) must be recorded in the annual report of the GIFA.

PART 6

22. Relationship between GIFA and provincial departments, provincial government components, provincial public entities, municipalities and municipal public entities

- (1) All provincial departments, provincial government components, provincial public entities, municipalities or municipal public entities in Gauteng are eligible to apply for assistance from the GIFA, but the proposed project or activity must be undertaken in support of the development of an infrastructure project to a bankable state, subject to eligibility criteria determined from time to time by the GIFA.



- (2) The GIFA may not involve itself with any project or proposed project unless it has entered into a memorandum of agreement with the relevant provincial department, provincial government component, provincial public entity, municipality or municipal public entity stipulating at least—
 - (a) the extent of its engagement;
 - (b) its role, duties and obligations in respect of the specific project or undertaking;
 - (c) its interaction with the respective stakeholders; and
 - (d) any other substantive matter that could impact on its ability to satisfactorily perform its functions and exercise its powers.
- (3) The requirement contemplated in subparagraph (2) does not apply to feasibility studies, financial or other modelling, or investigations regarding the suitability of projects.
- (4) The ownership of a project always resides with the client institution, and no project may be transferred to the GIFA during any stage of the project cycle.
- (5) The GIFA is responsible, accountable and liable in respect of the technical and advisory support services that it provides, but the relevant institution retains the overall responsibility, accountability and liability for the performance of its functions to which the technical and advisory support services provided by the GIFA may relate.
- (6) The GIFA may decline to take part in any project, study, modelling or investigation if it does not meet the GIFA's requirements and must submit a report regarding its decision to the MEC and the HoD.
- (7) In the event that the GIFA's involvement in a specific project may be in conflict with or duplicating any of the functions performed by any provincial department, the provincial treasury, provincial government component, provincial public entity, municipality or municipal entity within Gauteng, the GIFA will forthwith, after becoming aware thereof, engage the relevant institution in order to resolve any possible conflicts or duplication.
- (8) A municipal public entity may only access the GIFA's services with the express written approval of the municipality concerned.

PART 7

23. Relationship between GIFA and private sector



- (1) The GIFA may not involve itself in a project or proposed project with a private person unless it has entered into a memorandum of agreement, stipulating at least—
 - (a) the extent of its engagement;
 - (b) its role, duties and obligations in respect of the specific project or undertaking;
 - (c) its interaction with the respective stakeholders; and
 - (d) any other substantive matter that could impact on its ability to satisfactorily perform its functions and exercise its powers.
- (2) The involvement or potential involvement of the GIFA in any project, study, modelling or investigation does not in any way create any guarantee of any nature whatsoever, unless such provision has expressly been made in a relevant legal instrument, and no person may under any circumstances claim any rights or harbour any expectations based merely on the GIFA's involvement or possible involvement in the project, study, modelling or investigation.
- (3) The GIFA may not participate in tender or supply chain operations which are open to private sector service providers.

PART 8

24. Transitional provisions

- (1) For purposes of this paragraph, unless the context indicates otherwise—

"GFA" means the Gauteng Funding Agency, a trading entity within the administration of the Department; and

"transitional period" means the period commencing on 17 October 2014 (the date of publication of the President's Proclamation No. 69 of 2014 in Government Gazette No. 38088) and ending on the closure of the GFA.
- (2) During the transitional period, the Department, GIFA and the GFA shall undertake the following actions in an effort to transfer the business of the GFA to the GIFA:
 - (a) all assets and liabilities, contractual obligations and vested rights, and duties and responsibilities of the GFA shall be transferred to the GIFA;
 - (b) substantially all the employees of the GFA shall be transferred to the GIFA on the same terms and conditions of employment that were applicable under the GFA; and
 - (c) all valid contractual arrangements of the GFA shall be transferred to the GIFA, subject to the consent of the counterparties' being obtained.

- (3) To the extent that the GIFA incurs expenses related to the establishment of its administration and operations during the transitional period in terms of this Schedule, the HOD shall permit that those expenses to be defrayed from the allocation of the GFA in the Department's Vote for the 2014/2015 and 2015/2016 financial years.



IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format 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)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



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