

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUIDAFRIKA

*Regulation Gazette*

**No. 9229**

*Regulasiekoerant*

**Vol. 536**

**Pretoria, 12 February  
Februarie 2010**

**No. 32935**

**IMPORTANT NOTICE**

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**IMPORTANT ANNOUNCEMENT**

# Closing times **PRIOR TO PUBLIC HOLIDAYS** for GOVERNMENT NOTICES, GENERAL NOTICES, REGULATION NOTICES AND PROCLAMATIONS

**2010**

The closing time is **15:00 sharp** on the following days:

- ▶ 18 March, Thursday, for the issue of Friday 26 March 2010
- ▶ 25 March, Thursday, for the issue of Thursday 1 April 2010
- ▶ 31 March, Wednesday, for the issue of Friday 9 April 2010
- ▶ 22 April, Thursday, for the issue of Friday 30 April 2010
- ▶ 10 June, Thursday, for the issue of Friday 18 June 2010
- ▶ 5 August, Thursday, for the issue of Friday 13 August 2010
- ▶ 16 September, Thursday, for the issue of Thursday 23 September 2010
- ▶ 23 September, Thursday, for the issue of Friday 1 October 2010
- ▶ 9 December, Thursday, for the issue of Friday 17 December 2010
- ▶ 15 December, Wednesday, for the issue of Friday 24 December 2010
- ▶ 21 December, Tuesday, for the issue of Friday 31 December 2010
- ▶ 30 December, Thursday, for the issue of Friday 7 January 2011

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE Government Gazette must be handed in not later than three calendar weeks before date of publication

**BELANGRIKE AANKONDIGING**

# Sluitingstye **VOOR VAKANSIEDAE** vir GOEWERMENTS-, ALGEMENE- & REGULASIE- KENNISGEWINGS ASOOK PROKLAMASIES

**2010**

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▶ 18 Maart, Donderdag, vir die uitgawe van Vrydag 26 Maart 2010
- ▶ 25 Maart, Donderdag, vir die uitgawe van Donderdag 1 April 2010
- ▶ 31 Maart, Woensdag, vir die uitgawe van Vrydag 9 April 2010
- ▶ 22 April, Donderdag, vir die uitgawe van Vrydag 30 April 2010
- ▶ 10 Junie, Donderdag, vir die uitgawe van Vrydag 18 Junie 2010
- ▶ 5 Augustus, Donderdag, vir die uitgawe van Vrydag 13 Augustus 2010
- ▶ 16 September, Donderdag, vir die uitgawe van Donderdag 23 September 2010
- ▶ 23 September, Donderdag, vir die uitgawe van Vrydag 1 Oktober 2010
- ▶ 9 Desember, Donderdag, vir die uitgawe van Vrydag 17 Desember 2010
- ▶ 15 Desember, Woensdag, vir die uitgawe van Vrydag 24 Desember 2010
- ▶ 21 Desember, Dinsdag, vir die uitgawe van Vrydag 31 Desember 2010
- ▶ 30 Desember, Donderdag, vir die uitgawe van Vrydag 7 Januarie 2011

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE Staatskoerant verlang word moet die kope drie kalenderweke voor publikasie ingedien word

# GOVERNMENT NOTICES

## GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERIE

No. R. 70

12 February 2010

#### FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)

#### FARM FEEDS REGULATIONS: AMENDMENT

The Minister for Agriculture, Forestry and Fisheries, acting under Section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), made amendments to the regulations in the schedule

#### SCHEDULE

1. In this schedule "the Regulations" means regulations published by government notice no. R.1087 of 3 November 2006.

#### *Substitution of Table 2 of the Regulations*

2. The Regulations are hereby amended by the substitution of Table 2 with the following table;

**TABLE 2**  
**UNDESIRABLE SUBSTANCES IN ANIMAL FEEDS**  
**[REG. 11 (3)]**

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
Substances (ions or elements)		
1. Arsenic	Feed ingredients with the exception of:	2
	meal made from grass, from dried Lucerne and from dried clover and dried sugar beet pulp and dried molasses sugar beet pulp	4
	palm kernel expeller	4(*)
	phosphates and calcareous marine algae	10
	calcium carbonate	15
	magnesium oxide	20
	feedstuffs (farm feed) obtained from the processing of fish or other marine animals	25(*)
	seaweed meal and feed ingredients derived from seaweed (kelp)	40(*)

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
<p>2. Lead</p> <p><i>Maximum levels refer to an analytical determination of lead, whereby extraction is performed in nitric acid (5% w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has an equal efficiency.</i></p>	Additives belonging to the functional group of compounds of trace elements except:	30
	copper sulphate pentahydrate and copper carbonate,	50
	zinc oxide, manganese oxide and copper oxide	100
	Complete farm feeds with the exception of:	2
	complete farm feeds for fish and complete feeds for fur animals	10(*)
	Supplements/concentrates with the exception of:	4
	mineral products	12
	Ingredients with the exception of:	10
	green fodder (roughages)	40(**)
	phosphates and calcareous marine algae	15
calcium carbonate	20	
yeast	5	
Additives belonging to the functional group of compounds of trace elements (mineral products) except:	100	

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
	zinc oxide	400(**)
	manganous oxide, iron, carbonate, copper carbonate	200(**)
	Additives belonging to the functional groups of binders and anti-caking agents except:	30(**)
	clinoptilolite of volcanic origin	60(**)
	premixtures	200(**)
	Complementary feedingstuffs (supplements/concentrates) with the exception of:	10
	mineral feedingstuffs (mineral products)	15
	Complete farm feeds	5
3. Fluorine	Feed Ingredients with the exception of:	150
	feed ingredients of animal origin with the exception of marine crustaceans such as marine krill	500
	marine krill	3000
	phosphates	2000
	calcium carbonate	350
	magnesium oxide	600
	calcareous marine algae	1000
	vermiculite (E561)	3000
	complementary feedingstuffs (supplements/concentrates) containing less than 4% phosphorus	500

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
4. Mercury	containing more than 4% phosphorus	125 per 1% phosphorus
	Complete farm feeds with the exception of:	150
	complete feeds for lactating cattle, sheep and goats	30
	other	50
	complete feeds for pigs	100
	complete feeds for poultry	350
	complete feeds for chicks	250
	Feed ingredients except feed ingredients produced by the processing of fish or other marine animals	0.1
	Feed ingredients produced by the processing of fish or other marine animals	0.5
	Complete feeds except for dogs and cats	0.1
	Complete feeds for dogs and cats	0.4
	Concentrates/supplements except complementary food for dogs and cats	0.2
	5. Nitrites	Fish meal
Complete feeds excluding: ingredients intended for pets except birds and aquarium fish		15 (expressed as sodium nitrite)

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
6. Cadmium	Ingredients of vegetable origin	1
	Feed material (ingredients) of animals origin	2
	Feed material of mineral origin (mineral products) except:	2
	phosphates	10
	Additives belonging to the functional group of compounds of trace elements (mineral products) except:	10
	copper oxide, manganous oxide, zinc oxide and manganous sulphate monohydrate.	30
	additives belonging to the functional groups of binders and anti-caking agents	2
	premixtures	15
	mineral feedingstuffs (Mineral products) containing less than 7% phosphorus	5
	containing more than 7% phosphorus	0.75 per 15 phosphorus with a maximum of 7.5
	complementary feedingstuffs (supplements/concentrates) for pet animals	2
other complementary feedingstuffs (supplements/concentrates)	0.5	
complete feedingstuffs (farm feeds) for cattle, sheep and goats and feedingstuffs for fish except	1	



SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
7.Copper	complete feedingstuffs (farm feeds) for pets	2
	complete feedingstuffs (Farm feeds) for calves, lambs and kids of other completefeedingstuffs (farm feeds)	0.5
	Feed for free-range meat pigs	150
	Piglets up to 70 days	250
	Bovine before the start of rumination	15
	Milk replacers	25
	Bovines	35
	Other complete feedingstuffs	
	Ovine	22
	Fish	25
	Crustaceans	50
	Other species	30
8.Nickel	Fodder fats	50(based on fat)
9.Zinc	Feed for free-range meat pigs	250
	Piglets up to 70 days	3100
	Pet animals	250
	Fish	200
	Milk replacers	200
	Other species	150

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
10 Aflatoxins B1	Feed ingredients with the exception of:  groundnut, copra, palm-kernel, cotton seed, maize and products derived from the processing thereof  Complete farm feeds for cattle, sheep and goats with the exception of:  dairy cattle  calves and lambs  complete feeds for pigs and poultry (except young animals)  other complete farm feeds (including pets)  maize products intended for feedlot  supplement/concentrates for cattle, sheep and goats (except for dairy animals, calves and lambs)	0.05   0.02   0.05  0.005  0.01  0.02  0.01  300000  0.05
11. Deoxynivalenol (DON)	Feeding stuffs on full ration basis for:  Pigs  cattle  calves up to 4 months  dairy cattle  poultry  pets	1  5  2  3  4  1

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
12. Fumonisin B1	Horses and pets	5
	Pigs	10
	Beef and poultry	50
	Fish	10
13. Ochratoxin A	Feeding stuffs on full ration basis for:	
	Pigs	0.05
	poultry	0.2
14. Zearalenone	Feeding stuffs on full ration basis for:	
	sows and pigs	5
	piglets	3
	calves and dairy cattle	0.5
15. Nitrosamines		
15.1 Nitrosodiethylamine		1
15.2 Nitrosodimethylamine		1
16. Ruminant protein and by-product	Cattle, sheep, goat and game	0
17. Dioxins (sum of polychlorinated dibenzo-para-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs)***	Feed materials of plant origin with the exception of vegetable oils and their by-products	0.75(****)
	Vegetable oils and their by- products	0.75(****)
	Feed material of mineral origin	1(****)
	Frying fats and oils	250µg/kg(based on fat)
	Feed materials of animal origin (where fat content >2%fat)except fish oil	50µg/kg(based on fat)

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
18. Polychlorbiphenols (Pcb's)	Feed materials of animal origin (where fat content <2% fat)	200µg/kg(based on fat)
	Feed materials of plant origin with the exception of vegetable oils	1.25µg/kg
	Compound feeding stuffs with the exception for pet food	1.5µg/kg
	Feeding stuff for pet	7µg/kg
	Premixtures	1.5µg/kg
	Feed additives	1.5µg/kg
19. Hydrocyanic acid	Feed ingredients with the exception of:	50
	linseed	250
	linseed cakes	350
	manioc products and almond cakes	100
	complete feeds	50
20. Hydrocarbons (C10 – C40)	Animal fats, with the exception of:	400
	raw fish oil	3000
	vegetable oil(except sunflower oil)	400
	sunflower oil and sunflower fatty acids	1000
	vegetable fatty acids incl. mixes of fatty acids(except sunflower fatty acids)	3000
	complete feeds for chickens	10

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
21. Free gossypol	Feed ingredients with the exception of:  cotton seed cakes  cotton seed  Complete farm feeds with the exception of:  complete feeds for cattle, sheep and goats  complete feeds for poultry (except laying hens) and calves  complete feeds for rabbits and pigs (except piglets)	20   1 200  5 000  20  500  100  60
22. Theobromine	Complete farm feeds with the exception of:  complete feedingstuffs for cattle  complete feedingstuffs for pigs,  complete feedingstuffs for dogs, rabbits, horses and fur animals	300  700  200  50
23. Volatile mustard oil	Feed ingredients with the exception of:  rape seed cakes   Complete farm feeds with the exception of:  complete feeds for cattle, sheep and goats (except young animals)  complete feeds for pigs (except	100   4 000 (expressed as allyl isothiocyanate)   150 (expressed as allyl isothiocyanate)  1 000 (expressed as allyl isothiocyanate)  500

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
	piglets) and poultry	(expressed as allyl isothiocyanate)
24. Vinal thioxazolidone (vinyloxazolidine thione)	Complete feeds for poultry with the exception of:	1 000
	complete feeds for laying hens	500
25. Rye ergot ( <i>Claviceps purpurea</i> )	All farm feeds containing unground cereals	1 000
26. Weed seeds and unground and uncrushed fruit containing alkaloids, glucosides or other toxic substances separately or in combination including	All farm feeds	3 000
(a) <i>Lolium temulentum</i> L,		1 000
(b) <i>Lolium remotum</i> Schrank,		1 000
(c) <i>Datura stramonium</i> L.		1 000
27. Seeds and husks from <i>Ricinus communis</i> L., <i>Croton tiglium</i> L. and <i>Arbus precatorius</i> L. as well as their processed derivatives (****), separately or in combination	All farm feeds	10
28. <i>Crotalaria</i> spp.	All farm feeds	100
29. Aldrin singly or combined expressed as dieldrin	All farm feeds with the exception of:	0,01
	fats	0,02
	cattle	0.05
	laying hen	0.025
	broiler	0.025

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
30. Camphechlor (Toxaphene)	All farm feeds	0,1
31. Chlordane (sum of cis-and trans-isomers and of oxychlordane, expressed as chlordane)	All farm feeds with the exception of: fats	0,02 0,05
	feeding stuff for fish	0,05
32. 2,4-Dichlorophenoxyacetic acid	Feeding stuff for poultry,	18
	goats	480
33. Endosulfan (sum of alpha- and beta-somers and of endosulfansulphate expressed as endosulfan)	All farm feeds with the exception of:	0,1
	maize	0,2
	oilseeds	0,5
	complete feeds for fish	0,005
34. Endrin (sum of endrin and delta ketoi-endrin, expressed as endrin)	All farm feeds with the exception of:	0,01
	fats	0,05
35. Heptachlor (sum of heptachlor and of heptachlor-epoxide, expressed as oxidized)	All farm feeds with the exception of:	0,01
	fats	0,2
36. Hexachlorobenzene (HCB)	All farm feeds with the exception of:	0,01
	fats	0,2
37. Hexachlorocyclo-hexane (HCH)	All farm feeds with the exception of fat	0,02
37.1 alpha-isomer	All farm feeds with the exception of:	0,02
	fats	0,2

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
37.2 beta-isomer	Compound farm feed with the exception of:  feeding stuffs for dairy cattle	0,01  0,005
37.3 gamma-isomer	Feed ingredients with the exception of:  fats	0,2  2,0
38. Parathion	Protein concentrates for pigs and poultry	3
39. Melamine, melame, meleme, ammeline, ammelide and cyanuric acid	Feed ingredients and complete feed for livestock with the exception of:  feeding stuffs for dairy cattle  feed ingredients and complete pet foods for pets	2.5  2.0  2.5
40. Total mould count	Feed ingredients and complete feed for all species	5000 cfu/kg
41. Escherjca Coli 0157:H7	Feed ingredients and complete feed for all species	10 cfu/kg
42. Enterobacteriaceae TEC	Feed ingredients and complete feed for all species	1000 cfu/kg
43. Salmonella in 25g	Feed ingredients and complete feed for all species	0 cfu/kg
44. Clostridium	Feed ingredients and complete feed for all species	10 cfu/kg



SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
<p>A. Botanical impurities</p> <p>Apricots – <i>Prunus armeniaca</i> L.</p> <p>Bitter almond – <i>Prunus dulcis</i> (Mill.) D.A. Webb var. <i>amara</i> (DC.) Focke (= <i>Prunus amygdalus</i> Batsch var. <i>amara</i> (DC.) Focke)</p> <p>Wild camelina – <i>Camelina sativa</i> (L.) Crantz</p> <p>Mowrah, Bassia, Madhuca – <i>Madhuca longifolia</i> (L.) Macbr. (= <i>Bassia longifolia</i> L. = <i>Illipe malabroum</i> Eng1.) <i>Madhuca indica</i> Gmelin (= <i>Bassia latifolia</i> (Roxb.) = <i>Illipe latifolia</i> (Roscb.) F. Mueller)</p> <p>Purghera – <i>Jatropha curcas</i> L.</p> <p>Indian mustard – <i>Brassica juncea</i> (L.) Czern. And Coss.ssp. <i>integrifolia</i> (West.) Thell.</p> <p>Sareptian mustard – <i>Brassica juncea</i> (L.) Czern. And Coss.ssp. <i>juncea</i></p>	<p>All farm feeds</p>	<p>Seeds and fruit of the plant species listed opposite as well their processed derivatives may only be present in feed ingredients in trace quantities not quantitatively determinable.</p>

SUBSTANCE, PRODUCTS	FARM FEEDS	MAXIMUM CONTENT IN mg/kg (ppm) relative to a farm feed with a moisture content of 120g/kg
(1)	(2)	(3)
Chinese mustard – <i>Brassica Juncea</i> (L.) Czern and Coss. Ssp. <i>Junica var lutea Batelin</i>  Black mustard – <i>Brassica nigra</i> (L.) Koch  Ethiopian mustard – <i>Brassica carinata</i> A. Braun	All farm feeds	Seeds and fruits of the plant species listed opposite as well their processed derivatives may only be present in feed ingredients in trace quantities not quantitatively determinable

- \* Upon request of the competent authorities, the responsible operator must perform an analysis to demonstrate that the content of inorganic arsenic is lower than 2ppm. This analysis is of particular importance for the seaweed species *Hizikia fusiforme*.
- \*\* Maximum levels refer to an analytical determination of cadmium, whereby extraction is performed in nitric acid (5% w/w) for 30 minutes at boiling temperature. Equivalent extraction procedures can be applied for which it can be demonstrated that the used extraction procedure has equal extraction efficiency.
- \*\*\* Expressed in World Health Organisation (WHO) toxic equivalences, using the WHO-TEFs (toxic equivalency factors, 1997(#))
- \*\*\*\* Upper-bound concentrations; upper-bound concentrations are calculated on the assumption that all values of the different congeners below the limit of quantification are equal to the limit of quantification.
- \*\*\*\*\* In so far determinable by analytical microscopy.
- # WHO-TEFs for human risk assessment based on the conclusions of the World Health Organisations meeting, Sweden, 15-18 June 1997 (van den Berg et al.,(1998) Toxic Equivalency Factors (TEFs) for PCDDs, and PCDDs, and PCDFs for humans and for wildlife. Environmental Health Perspectives, 106(12),755).

No. R. 71

12 February 2010

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK  
REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)

REGULATIONS RELATING TO FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES  
AND STOCKREMEDIES, STERILIZING PLANTS AND PEST CONTROL OPERATORS, APPEALS AND  
IMPORTS: PROPOSED AMENDMENTS

I, Tina Joemat-Pettersson, Minister for Agriculture, Forestry and Fisheries acting, acting under Section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), hereby-

- i. make known that I intend to promulgate the regulations in the schedule; and
- ii. invite interested persons to submit any objections to or representations concerning the proposed regulations in writing to the Registrar: Fertilizer, Farm Feeds, Agricultural Remedies and Stock Remedies, Private bag X 343, Pretoria, 0001, within four weeks from date of publication hereof.

T. Joemat-Pettersson  
Minister for Agriculture, Forestry and Fisheries

No. R. 72

12 February 2010

**FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK  
REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)**

**REGULATIONS RELATING TO FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES  
AND STOCK REMEDIES, STERILIZING PLANTS AND PEST CONTROL OPERATORS, APPEALS AND  
IMPORTS: AMENDMENTS**

The Minister for Agriculture, Forestry and Fisheries has under Section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), promulgated the regulations in the Schedule.

**SCHEDULE**

Definition

1. In this Schedule "the Regulations" means the regulations published by Government notice No. R. 1449 of 1 July 1983, as amended by government Notices Nos. R. 96 of January 1984, R. 2055 of 14 September 1984, R. 1053 of 3 June 1988, R. 1242 of 9 June 1990, R. 1409 of 6 August 1993, R. 1592 of 30 September 1996, R. 1017 of 14 August 1998, R. 216 of 10 March 2000, R. 964 of 5 October 2001, R. 1096 of 30 August 2002, R. 1475 of 17 October 2003, R. 3448 of 15 April 2005, R. 1139 of 2 December 2005, R. 225 of 17 March 2006, R. 935 of 22 September 2006, R. 956 of 29 September 2006, R. 1086 of 3 November 2006, R. 1087 of 3 November 2006, R. 250 of 23 March 2007, R. 483 of 8 June 2007, R. 755 of 18 July 2008 and No. R. 112 of 13 February 2009.

Substitution of Table 1 of the Regulations

2. The Regulations are hereby amended by the substitution for Table 1 of the following table:

**Table 1**

**FEES PAYABLE**

<b>PURPOSE</b>	<b>AMOUNT PAYABLE PER APPLICATION</b>
1.1.1(i) Application for registration of a farm feed:  Kind of farm feeds (Groups and kinds of farm feeds)  <b>(a) Importers for own use</b>	
1 <i>Raw material of plant, animal origin and their by-products including blended raw materials of plant and animal origin and their by products</i>	R 840,00 per application
2 <i>Feed Additives</i>	
(i) Technological additives	R 1 685,00 per application
(ii) Sensory additives	R 1 685,00 per application
(iii) Zootechnical additives	R 1 685,00 per application
(iv) Unmixed nutritional additives	R 1 685,00 per application
3 <i>Nutritional additives premixes</i>	R 1 685,00 per application
4 <i>Complete Livestock feeds</i>	R 1 685,00 per application

5	<i>Livestock concentrates</i>	R 1 685,00 per application
6	<i>Livestock supplements</i>	R 1 685,00 per application
7	<i>Pet foods</i>	
(i)	Complete dogs and cat foods	R 1 685,00 per application
(ii)	Complete miscellaneous pet foods	R 1 685,00 per application
(iii)	Complementary pet foods	R 1 685,00 per application
(iv)	Pet-Neutraceuticals	R 1 685,00 per application
<b>(b) Importers for retail</b>		
1	<i>Raw material of plant, animal origin and their by-products including blended raw materials of plant and animal origin and their by products</i>	R 1 535,00 per application
2.	<i>Feed Additives</i>	
(i)	Technological additives	R 3 070,00 per application
(ii)	Sensory additives	R 3 070,00 per application
(iii)	Zootechnical additives	R 3 070,00 per application
(iv)	Unmixed nutritional additives	R 3 070,00 per application
3.	<i>Nutritional additives premixes</i>	R 3 070,00 per application
4	<i>Complete Livestock feeds</i>	R 3 070,00 per application
5	<i>Livestock concentrates</i>	R 3 070,00 per application
6	<i>Livestock supplements</i>	R 3 070,00 per application
7	<i>Pet foods</i>	
(i)	Complete dogs and cat foods	R 3 070,00 per application
(ii)	Complete miscellaneous pet foods	R 3 070,00 per application
(iii)	Complementary pet foods	R 3 070,00 per application
(iv)	Pet-Neutraceuticals	R 3 070,00 per application
<b>(c) Local trader / distributors / seller</b>		
1	<i>Raw material of plant, animal origin and their by products including blended raw materials of plant and animal origin and their by products</i>	R 1 535,00 per application



7	<i>Pet foods</i>	R 3 070,00 per application
	(i) Complete dogs and cat foods	R 3 070,00 per application
	(ii) Complete miscellaneous pet foods	R 3 070,00 per application
	(iii) Complementary pet foods	R 3 070,00 per application
	(iv) Pet-Neutraceuticals	
1.1.1(ii)	Application for registration of a fertilizer or sterilization installation	R 2 885,00 per application
1.1.1(iii)	Application for registration of an agricultural remedy or stock remedy	R 5 915,00 per application
1.1.1(iv)	Application for registration of a pest control operator	R 1 445,00 per application
1.1.2(i)	Application for the renewal of the registration of a farm feed  (Groups and kinds of farm feeds)	
<b>(a)</b>	<b>Importers for own use</b>	
1	<i>Raw material of plant, animal origin and their by-product including blended raw materials of plant and animal origin and their by products</i>	R 180,00 per application
2	<i>Feed Additives</i>	
	(i) Technological additives	R 360,00 per application
	(ii) Sensory additives	R 360,00 per application
	(iii) Zootechnical additives	R 360,00 per application
	(iv) Unmixed nutritional additives	R 360,00 per application
3	<i>Nutritional additives premixes</i>	R 360,00 per application
4	<i>Complete Livestock feeds</i>	R 360,00 per application
5	<i>Livestock concentrates</i>	R 360,00 per application
6	<i>Livestock supplements</i>	R 360,00 per application
7	<i>Pet foods</i>	
	(i) Complete dogs and cat foods	R 360,00 per application

	(ii) Complete miscellaneous pet foods	R 360,00 per application
	(iii) Complementary pet foods	R 360,00 per application
	(iv) Pet-Neutraceuticals	R 360,00 per application
<b>(b)</b>	<b>Importers for retail</b>	
1	<i>Raw material of plant, animal origin and their by-products including blended raw materials of plant and animal origin and their by products</i>	R 1 220,00 per application
2	<i>Feed Additives</i>	
	(i) Technological additives	R 2 445,00 per application
	(ii) Sensory additives	R 2 445,00 per application
	(iii) Zootechnical additives	R 2 445,00 per application
	(iv) Unmixed nutritional additives	R 2 445,00 per application
3	<i>Nutritional additives premixes</i>	R 2 445,00 per application
4	<i>Complete Livestock feeds</i>	R 2 445,00 per application
5	<i>Livestock concentrates</i>	R 2 445,00 per application
6	<i>Livestock supplements</i>	R 2 445,00 per application
7	<i>Pet foods</i>	
	(i) Complete dogs and cat foods	R 2 445,00 per application
	(ii) Complete miscellaneous pet foods	R 2 445,00 per application
	(ii) Complementary pet foods	R 2 445,00 per application
	(iii)	
	(iv) Pet-Neutraceuticals	R 2 445,00 per application
<b>(c)</b>	<b>Local trader/distributors/ seller</b>	
1	<i>Raw material of plant, animal origin and their by-products including blended raw materials of plant and animal origin and their by products</i>	R 2 445,00 per application
2	<i>Feed Additives</i>	
	(i) Technological additives	R 2 445,00 per application
	(ii) Sensory additives	R 2 445,00 per application
	(iii) Zootechnical additives	R 2 445,00 per application
	(iv) Unmixed nutritional additives	R 2 445,00 per application



3	<i>Nutritional additives premixes</i>	R 2 445,00 per application
4	<i>Complete Livestock feeds</i>	R 2 445,00 per application
5	<i>Livestock concentrates</i>	R 2 445,00 per application
6	<i>Livestock supplements</i>	R 2 445,00 per application
7	<i>Pet foods</i>	
	(i) Complete dogs and cat foods	R 2 445,00 per application
	(ii) Complete miscellaneous pet foods	R 2 445,00 per application
	(iii) Complementary pet foods	R 2 445,00 per application
	(iv) Pet-Neutraceuticals	R 2 445,00 per application
<b>(d) Manufacture for retail</b>		
1	<i>Raw material of plant, animal origin and their by-products including blended raw materials of plant and animal origin and their by products</i>	R 2 445,00 per application
2	<i>Feed Additives</i>	
	(i) Technological additives	R 2 445,00 per application
	(ii) Sensory additives	R 2 445,00 per application
	(iii) Zootechnical additives	R 2 445,00 per application
	(iv) Unmixed nutritional additives	R 2 445,00 per application
3	<i>Nutritional additives premixes</i>	R 2 445,00 per application
4	<i>Complete Livestock feeds</i>	R 2 445,00 per application
5	<i>Livestock concentrates</i>	R 2 445,00 per application
6	<i>Livestock supplements</i>	R 2 445,00 per application
7	<i>Pet foods</i>	
	(i) Complete dogs and cat foods	R 2 445,00 per application
	(ii) Complete miscellaneous pet foods	R 2 445,00 per application
	(iii) Complementary pet foods	R 2 445,00 per application
	(iv) Pet-Neutraceuticals	R 2 445,00 per application
1.1.2(ii)	Application for the renewal of the registration of a fertilizer or sterilization installation	R 1 445,00 per application

1.1.2(iii)	Application for the renewal of the registration of an agricultural remedy or stock remedy	R 2 960,00 per application
1.1.2(iv)	Application for the renewal of the registration of a pest control operator	R 770,00 per application
1.1.3(i)	Payment additional to that mentioned in 1.1.2 above, in the case of a late application for the renewal of registration of a farm feed	
(a)	Importers for own use	
(i)	Point 1.1.2 (i) (a) 1	R 135,00 per application
(ii)	Point 1.1.2 (i) (a) 2-7	R 270,00 per application
(b)	Importers for retail	
(i)	Point 1.1.2 (i) (a) 1	R 930,00 per application
(ii)	Point 1.1.2 (i) (a) 2-7	R 1 860,00 per application
(c)	Local trader/distributor	
(i)	Point 1.1.2 (i) (a) 1	R 930,00 per application
(ii)	Point 1.1.2 (i) (a) 2-7	R 1 860,00 per application
(d)	Manufacturer for retail	
(i)	Point 1.1.2 (i) (a) 1	R 930,00 per application
(ii)	Point 1.1.2 (i) (a) 2-7	R 1 860,00 per application
1.1.3(ii)	Payment additional to that mentioned in 1.1.2 above, in the case of a late application for the renewal of registration of a fertilizer or sterilization installation	R 1,085,00 per application
1.1.3(iii)	Payment additional to that mentioned in 1.1.2 above, in the case of a late application for the renewal of registration of an agricultural remedy or stock remedy.	R 2 220,00 per application
1.1.3(iv)	Payment additional to that mentioned in 1.1.2 above, in the case of a late application for the renewal of registration of a pest control operator.	R 425,00 per application
1.1.4	An appeal under section 6 of the Act	R 4 000,00 per application
1.1.5	Payments for information and documentation.	
(a)	Application Form and Instructions	R 65,00 per package
(b)	Free Sale Certificate	R 30,00 per certificate
(c)	Import Permit	R 400,00 per product

	(d) Other documents	R 65,00 per request plus 75c per page
1.1.6	Other payments	
	(a) Approval of additional source of active ingredient(s) and formulation change	R 2 960,00 per registration
	(b) Additional claim(s) on Label requested by registration holder of an agricultural remedy or stock remedy	R 5 915,00 per application
	(c) Label amendment request by the office of the registrar in public interest	Free
	(d) Other amendments requested by the registration holder other than the ones referred to in par. 1.1.6 (a) and (b)	R 480,00 per registration
	(e) Advertisement approval	R 445,00 per registration

3. All registrations are valid for 3 (three) years.

No. R. 73

12 February 2010

AGRICULTURAL PESTS ACT, 1983  
(ACT No. 36 OF 1983)

**REGULATIONS: AMENDMENT\***

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under section 16 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the regulations set out in the Schedule.

T. Joemat-Pettersson

**Minister of Agriculture, Forestry and Fisheries**

**\*Amendment of fees payable.**

## SCHEDULE

### Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 111 of 27 January 1984, as amended by Government Notices Nos. R. 2573 of 15 November 1985, R. 2350 of 14 November 1986, R. 100 of 16 January 1987, R. 1521 of 14 July 1989, R. 75 of 18 January 1991, R. 1637 of 27 October 1995, R. 1471 of 20 November 1998, R. 665 of 28 May 1999, R.614 of 23 June 2000, R. 396 of 18 May 2001, R. 367 of 5 April 2002, R. 464 of 4 April 2003, R. 143 of 9 February 2004, R. 244 of 24 March 2005, R. 228 of 17 March 2006 and R. 42 of 26 January 2007, and R. 118 of 8 February 2008 and R. 257 of 13 March 2009.

### Substitution of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby substituted with the following table:

**TABLE 1**  
**FEE PAYABLE**

NATURE OF SERVICE	TARIFF
1	2
1. Inspection of a quarantine area in respect of which an application, adaptation or withdrawal of an instruction has been submitted [Reg.8(a) of the regulations].	R 130,00 per 30 minutes or portion thereof.
2. Test, examination or analysis of a sample taken in the course of an examination as intended in 1. [Reg.8 (b)].	
(i) Isolation of bacteria from sample material.	R 154, 00 per isolation.
(ii) Isolation of fungi from sample material.	R 110, 00 per isolation.
(iii) Extraction of nematodes from sample material.	R 71, 00 per extraction.
(iv) Morphological identifications of insects, nematodes or fungi.	R154, 00 per identification.
(v) Biochemical tests for the identification of bacteria.	R 225, 00 per test.
(vi) PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, viruses and phytoplasmas.	R 286, 00 per sample for the first test plus R50, 00 for every additional test.
(vii) ELISA tests for identification and/or detection of organisms.	R 77, 00 per test.
(viii) Herbaceous indexing for the detection of viruses.	R 137, 00 per sample.
(ix) Hardwood indexing for the detection of viruses.	R 308, 00 per test.
(x) Electron microscopy for the detection of viruses.	R 390, 00 per sample.
(xi) ISEM for the detection of viruses.	R 230, 00 per test.
3. Appeal in terms of section 11 of the Act [Reg.9(3) of the regulations].	R 4 000,00 per appeal.

This amendment will come into operation on 01 April 2010.

**No. R. 73****12 February 2010****WET OP LANDBOUPLAE, 1983  
(WET NO. 36 VAN 1983)****REGULASIES: WYSIGING\***

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikel 16 van die Wet op Landbouplae, 1983 (Wet No. 36 van 1983), wysig hiermee die regulasies soos in die bylae uiteengesit.

T. Joemat-Pettersson

**Minister van Landbou, Bosbou en Visserye**

**\*Wysiging van gelde betaalbaar.**

**BYLAE****Woordomskrywing**

1. In hierdie Bylae beteken “die Regulasies” die regulasies gepubliseer in Goewermentskennisgewing No. R. 111 van 27 Januarie 1984, soos gewysig deur Goewermentskennisgewings Nos. R. 2573 van 15 November 1985, R. 2350 van 14 November 1986, R. 100 van 16 Januarie 1987, R. 1521 van 14 Julie 1989, R. 75 van 18 Januarie 1991, R. 1637 van 27 Oktober 1995, R. 1471 van 20 November 1998, R. 665 van 28 Mei 1999, R. 614 van 23 Junie 2000, R. 396 van 18 Mei 2001, R. 367 van 5 April 2002, R. 464 van 4 April 2003, R. 143 van 9 Februarie 2004, R. 244 van 24 Maart 2005, R. 228 van 17 Maart 2006 en R. 42 van 26 Januarie 2007, R. 118 of 8 Februarie 2008 en R. 257 van 13 Maart h 2009.

**Vervanging van Tabel 1 van die Regulasies**

2. Tabel 1 van die Regulasies word hiermee deur die volgende tabel vervang:



**TABEL 1**  
**GELDE BETAALBAAR**

AARD VAN DIENS	TARIEF
1	2
1. Inspeksie van 'n kwarantyngebeid ten opsigte waarvan 'n aansoek, aanpassing of terugtrekking van 'n instruksie ingedien is [Reg. 8(a) van die regulasies].	R 130,00 per 30 minute of gedeelte daarvan.
2. Toets, ondersoek of analisering van 'n monster wat in die loop van 'n inspeksie geneem is, soos bedoel in 1. [Reg. 8(b) van die regulasies].	
(i) Isolering van bakterië vanuit monster materiaal.	R 154,00 per isolasie.
(ii) Isolering van swamme vanuit monster materiaal.	R 110,00 per isolasie
(iii) Ekstaksie van nematodes vanuit monster materiaal.	R 71,00 per ekstraksie.
(iv) Morfologiese identifisering van insekte, nematodes of virusse.	R 154,00 per identifisering.
(v) Biochemiese toets vir die identifisering van bakterië.	R 225,00 per toets.
(vi) PCR toets vir die identifisering en/of waarneming van bakterië, swamme, nematodes, virusse en fitoplasmas.	R 286,00 per monster vir die eerste toets plus R 45,00 vir elke addisionele toets.
(vii) ELISA toets vir identifisering en/of waarneming van organismes.	R 77,00 per toets.
(viii) Sagteplantindeksering vir die waarneming van virusse	R 137,00 per toets.
(ix) Hardehoutindeksering vir die waarneming van virusse.	R 308,00 per toets.
(x) Elektro mikroskopie vir die waarneming van virusse.	R 390,00 per monster.
(xi) ISEM vir die waarneming van virusse.	R 230,00 per toets .
3. Appél ingevolge artikel 11 van die Wet [Reg. 9 (3) van die Regulasies].	R 4 000,00 per appél.

Hierdie wysiging tree in werking op 01 April 2010.

**No. R. 74****12 February 2010****AGRICULTURAL PESTS ACT, 1983  
(ACT No. 36 OF 1983)****CONTROL MEASURES: AMENDMENT**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the control measures set out in the Schedule.

T. Joemat-Pettersson

**Minister of Agriculture, Forestry and Fisheries**

## SCHEDULE

### Definition

1. In this Schedule, "the Control Measures" means the control measures published in Government Notice No. R. 110 of 27 January 1984, as amended by Government Notices Nos. R. 909 of 4 May 1984, R. 1770 of 17 August 1984, R. 845 of 12 April 1985, R. 1518 of 12 July 1985, R. 1442 of 11 July 1986, R. 87 of 22 January 1988, R. 1349 of 8 July 1988, R. 1954 of 30 September 1988, R. 2416 of 19 October 1990, R. 18 of 4 January 1991, R. 2840 of 29 November 1991, R. 2269 of 14 August 1992, R. 2876 of 16 October 1992, R. 1560 of 20 August 1993, R. 451 of 11 March 1994, R. 1373 of 5 August 1994, R. 1636 of 27 October 1995, R. 1977 of 22 December 1995, R. 2029 of 13 November 1996, R. 1012 of 1 August 1997, R. 288 of 27 February 1998, R. 1470 of 20 November 1998, R. 666 of 28 May 1999, R. 1016 of 27 August 1999, R. 613 of 23 June 2000, R. 83 of 22 January 2001, R. 397 of 18 May 2001, R. 810 of 31 August 2001, R. 368 of 5 April 2002, R. 714 of 24 May 2002, R. 831 of 21 June 2002, R. 1364 of 8 November 2002, R. 465 of 4 April 2003, R. 144 of 9 February 2004, R. 243 of 24 March 2005, R. 457 of 20 May 2005 as corrected by Government Notice No. R. 563 of 17 June 2005, R. 1223 of 23 December 2005 as corrected by the Correction Notice published on page 2 of *Government Gazette* No. 28356 of 30 December 2005, R. 369 of 21 April 2006 and R. 43 of 26 January 2007, and R. 117 of February 2008, and R. 461 of 25 April 2008, R. 258 of 13 March 2009 and R. 1148 of 11 December 2009..

### Substitution of Table 10 of the Control Measures

2. Table 10 of the Control Measures is hereby substituted with the following table:

**TABLE 10  
FEES PAYABLE**

NATURE OF SERVICE	TARIFF
1	2
1. Inspection and simultaneous issuing of a permit to exempt someone from the stipulations of a control measure [Par. 4A (2) of the Control Measures].	R130, 00 per 30 minutes or portion thereof.
2. Test, examination or analysis of a sample taken in the course of an examination as intended in 1.	
(i) Isolation of bacteria from sample material.	R 154, 00 per isolation.
(ii) Isolation of fungi from sample material.	R 110, 00 per isolation.
(iii) Extraction of nematodes from sample material.	R 71, 00 per extraction.
(iv) Morphological identifications of insects, nematodes or fungi.	R154, 00 per identification.
(v) Biochemical tests for the identification of bacteria.	R 225, 00 per test.
(vi) PCR tests for the identification and/or detection of bacteria, fungi, nematodes, insects, viruses and phytoplasmas.	R 286, 00 per sample for the first test plus R 50, 00 for every additional test.
(vii) ELISA tests for identification and/or detection of organisms.	R 77, 00 per test.
(viii) Herbaceous indexing for the detection of viruses.	R 137, 00 per sample.
(ix) Hardwood indexing for the detection of viruses.	R 308, 00 per test.
(x) Electron microscopy for the detection of viruses.	R 390, 00 per sample.
(xi) ISEM for the detection of viruses.	R 230, 00 per test.

This amendment will come into operation on 01 April 2010.

No. R. 74

12 Februarie 2010

WET OP LANDBOUPLAE, 1983  
(WET NO. 36 VAN 1983)

**BEHEERMAATREËLS: WYSIGING**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikel 6 van die Wet op Landbouplae, 1983 (Wet No. 36 van 1983), wysig hiermee die beheermaatreëls soos in die bylae uiteengesit.

T. Joemat-Pettersson

**Minister van Landbou, Bosbou en Visserye**

**BYLAE****Woordomskrywing**

1. In hierdie Bylae beteken “die Beheermaatreëls” die Beheermaatreëls gepubliseer in Goewermentskennisgewing No. R. 110 van 27 Januarie 1984, soos gewysig deur Goewermentskennisgewings Nos. R. 909 van 4 Mei 1984, R. 1770 van 17 Augustus 1984, R. 845 van 12 April 1985, R. 1518 van 12 Julie 1985, R. 1442 van 11 Julie 1986, R. 87 van 22 Januarie 1988, R. 1349 van 8 Julie 1988, R. 1954 van 30 September 1988, R. 2416 van 19 Oktober 1990, R. 18 van 4 Januarie 1991, R. 2840 van 29 November 1991, R. 2269 van 14 Augustus 1992, R. 2876 van 16 Oktober 1992, R. 1560 van 20 Augustus 1993, R. 451 van 11 Maart 1994, R. 1373 van 5 Augustus 1994, R. 1636 van 27 Oktober 1995, R. 1977 van 22 Desember 1995, R. 2029 van 13 November 1996, R. 1012 van 1 Augustus 1997, R. 288 van 27 Februarie 1998, R. 1470 van 20 November 1998, R. 666 van 28 Mei 1999, R. 1016 van 27 Augustus 1999, R. 613 van 23 Junie 2000, R. 83 van 22 Januarie 2001, R. 397 van 18 Mei 2001, R. 810 van 31 Augustus 2001, R. 368 van 5 April 2002, R. 714 van 24 Mei 2002, R. 831 van 21 Junie 2002, R. 1364 van 8 November 2002, R. 465 van 4 April 2003, R. 144 van 9 Februarie 2004, R. 243 van 24 Maart 2005, R. 457 van 20 Mei 2005 soos gekorrigeer deur Goewermentskennisgewing No. R. 563 van 17 Junie 2005, R. 1223 van 23 Desember 2005 soos gekorrigeer deur “Correction Notice” gepubliseer op bladsy 2 van *Staatskoerant* No. 28356 van 30 Desember 2005, R. 369 of 21 April 2006, R. 43 of 26 Januarie 2007, R. 117 of 8 Februarie 2008, en R. 461 of 25 April 2008, R. 258 van 13 Maart 2009 en R. 1148 van 11 Desember 2009.

**Vervanging van Tabel 10 van die Beheermaatreëls**

2. Tabel 10 van die Beheermaatreëls word hiermee deur die volgende tabel vervang:

**TABEL 10**  
**GELDE BETAALBAAR**

AARD VAN DIENS	TARIEF
1	2
1. Inspeksie en gelyktydige uitreiking van 'n permit om 'n persoon vry te stel van die bepalings van 'n beheermaatreël [Par. 4A (2) van die Beheermaatreëls].	R130,00 per 30 minute of gedeelte daarvan.
2. Toets, ondersoek of analisering van 'n monster geneem in die loop van 'n inspeksie soos bedoel in 1.	
(i) Isolering van bakterië vanuit monster materiaal.	R 154,00 per isolering .
(ii) Isolering van swamme vanuit monster materiaal.	R 110,00 per isolering.
(iii) Ekstraksie van nematodes vanuit monster materiaal.	R 71,00 per ekstraksie.
(iv) Morfologiese identifisering van insekte, nematodes of virusse.	R 154,00 per identifisering.
(v) Biochemiese toets vir die identifisering van bakterië.	R 225,00 per toets.
(vi) PCR toets vir die identifisering en/of waarneming van bakterië, swamme, nematodes, virusse en fitoplasmas.	R 286,00 per monster vir die eerste toets plus R 50,00 vir elke addisioneel toets.
(vii) ELISA toets vir identifisering en/of waarneming van organismes	R 77,00 per toets .
(viii) Sagteplantindeksering vir die waarneming van virusse.	R 137,00 per toets.
(ix) Hardehoutindeksering vir die waarneming van virusse.	R 308,00 per toets.
(x) Elektronmikroskopie vir die waarneming van virusse.	R 390,00 per monster.
(xi) ISEM vir die waarneming van virusse.	R 230,00 per toets.

Hierdie wysiging tree in werking op 01 April 2010.

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS  
DEPARTEMENT VAN OMGEWINGSAKE**

No. R. 75

12 February 2010

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (Act NO. 107 OF  
1998):  
ADMISSION OF GUILT FINES REGULATIONS**

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, hereby, in terms of section 47(1) of the Act, publish for public comment, the draft Admission of Guilt Fines Regulations, in the Schedule.

Any person who wishes to submit representations or comments in connection with the draft regulations are invited to do so within 30 days of the date of this notice. All representations and comments must be submitted in writing to the Director-General of the Department of Environmental Affairs:

By post to:       The Director-General: Environmental Affairs  
                          Attention: Dr G I Cowan  
                          Private Bag X447  
                          Pretoria, 0001

By fax to: (012) 322 7114, and by e-mail to [Gcowan@deat.gov.za](mailto:Gcowan@deat.gov.za)

**BUYELWA SONJICA  
MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS  
DATE:**



## SCHEDULE

### Definitions

1. In these regulations—

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

“**Protected Areas Act**” means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

“**Protected Areas Regulations**” means Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites issued in terms of section 86 of the National Environmental Management: Protected Areas Act in Government Notice No. R. 1060 of 28 October 2005;

### **Offences in terms of Protected Areas Regulations in respect of which admission of guilt fines may be paid**

2. The offences in terms of the Protected Areas Regulations referred to in the first column of the Table in Annexure 1 hereto are offences in respect of which the admission of guilt fines referred to in the last column of the Table may be paid.

### **Offences in respect of which admission of guilt fines may not be paid**

3. An offence in terms of the Protected Areas Regulations which is not listed in Annexure 1 hereto is an offence in respect of which an alleged offender does not have the option of paying an admission of guilt fine to avoid prosecution.

### **Short title and commencement**

4. These regulations are called the Admission of Guilt Fines Regulations, 2008, and take effect on the date of publication of the regulations in the Government Gazette.

**ANNEXURE 1  
OFFENCES IN TERMS OF PROTECTED AREAS REGULATIONS IN  
RESPECT OF WHICH ADMISSION OF GUILT FINES MAY BE PAID**

<b>SECTION</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
47 (2)(a)	Land or take off in an aircraft from a place other than a designated landing field or place.	R 2500,00
47 (2)(b)	Land or take off in an aircraft without permission and on conditions determined by management authority.	R 2500,00
47 (3)	Fly at an altitude less than 2500 feet over the highest point of the Park.	R 2500,00
<b>Regulation No.</b>	<b>Description of offence</b>	<b>Amount of fine</b>
4(1)(a)	Introduction of any species or part thereof into a special nature reserve, national park or world heritage site.	R 1500,00
4(1)(c)	Intentionally disturbing any species or specimen in a special nature reserve, national park or world heritage site.	R 1000,00
4(1)(d)	Feeding any species in a special nature reserve, national park or world heritage site.	R 500,00
4 (1)(f)	Illegal removal of any wood, sand, gravel, stone, sea shell, guano or other material.	R 1000,00
4(1)(i)	Significant alteration or changing the sense of place, or any environmental, cultural or spiritual values in a special nature reserve, national park or world heritage site.	R 1500,00
8(3)	Entering or remaining in a special nature reserve, national park or world heritage site or part thereof that has been closed by the management authority of the reserve, park or site in terms of regulation 8(2).	R 1000,00
9(1)	Entering or remaining in a special nature reserve, national park or world heritage site or part thereof without paying an entrance fee as determined by the management authority of the reserve, park or site.	R 1000,00
9(2)	Entering or remaining within the boundaries of accommodation or recreational facilities without paying the fees determined for such accommodation or facilities.	R 1000,00
10(1)	Entering or leaving any place other that through	R 1500,00

	an official point of entry or exit without the written permission of the management authority of the reserve, park or site.	
11 (1)	Failing to display receipt for the entrance fee in respect of, or the permit authorizing him/her entry into the special nature reserve, national park or world heritage site.	R 500,00
11 (2)	Failing to display a permit for camping in a special nature reserve, national park or world heritage site.	R 500,00
13(1)(a)	Staying overnight in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 1500,00
13(1)(b)	Staying overnight in a special nature reserve, national park or world heritage site without payment of the applicable fees.	R 1500,00
13(1)(c)	Staying overnight in a special nature reserve, national park or world heritage site without first reporting to the designated reception office or to an authorized official assigned to perform escort duty.	R 1500,00
13(1)(d)	Staying overnight in a special nature reserve, national park or world heritage site if no accommodation has been reserved or if none is available.	R 1500,00
13(1)(e)	Staying overnight on a houseboat or any other vessel in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 1500,00
13(1)(f)	Staying overnight in a special nature reserve, national park or world heritage site at any place other than a place designated by the management authority of the reserve, park or site.	R 1500,00
13(2)	Camping in a special nature reserve, national park or world heritage site at a site other than a site set aside for that purpose by the management authority of the reserve, park or site.	R 1500,00
14	Entering, leaving or traveling in a special nature reserve, national park or world heritage site at any time other than the times determined by the management authority of the reserve, park or site.	15 minutes warning, thereafter R 500-00 with R 250,00

		increase after every 30 minutes
15	Entering a special nature reserve, national park or world heritage site or traveling in a special nature reserve, national park or world heritage site in a vehicle that does not conform to the dimensions and other requirements determined by the management authority of the reserve, park or site.	R 1000,00
16(1)(a)	Driving, parking or stopping a vehicle in a special nature reserve, national park or world heritage site in such a way that it constitutes a nuisance, disturbance or danger to any other person, specimen or species.	R 2000,00
16(1)(b)	Driving in a special nature reserve, national park or world heritage site in such a way that it causes an obstruction or blocks the pathway of a management operation or emergency vehicle.	R 1500,00
16(1)(c)	Parking a vehicle in a place other than a place designated for that purpose in a special nature reserve, national park or world heritage site.	R 500,00
16(1)(d)	Driving or parking in a special nature reserve, national park or world heritage site in an area other than a designated road or place.	R 1000,00
16(1)(e)	Damaging, or acting in a way that could damage, any roads or other structures, plants or animals in a special nature reserve, national park or world heritage site.	R 1000,00
16(2)	Entering or being in a special nature reserve, national park or world heritage site in a vessel that does not comply with requirements of management authority's internal rules, subject to the provisions of the Merchant Shipping Act, 1951.	R 2500,00
17	Using a vessel in a water area of a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 1500,00
18(1)	Using a vehicle or vessel which is propelled by a propeller above the water in a water area.	R 2500,00
18(2)	Painting a vessel in a water area without written approval of the management authority.	R 1000,00
18(3)	Disposing liquid or solid waste, including motor oil, in a water area, or in an area other than a area designated by the management authority	R 2500,00

	of the reserve, park or site for that purpose.	
18(4)	Intentionally obstructing, disturbing, interrupting or annoying another person engaged in the proper use of a special nature reserve, national park or world heritage site.	R 1000,00
18(5)	Throwing, rolling or discharging a stone, substance or missile in a special nature reserve, national park or world heritage site.	R 1000,00
18(6)	Defacing, painting, writing on, cutting names or letters in, or otherwise making marks or affixing bills on trees, rocks, gates, fences, buildings, signs or other property, or in any other manner spoiling features, buildings or facilities in a special nature reserve, national park or world heritage site.	R 2500,00
18(7)	Without authorization by the management authority of a special nature reserve, national park or world heritage site, moving, defacing or otherwise interferes with a Protected Areas Notice, notice board or other sign board affixed to or placed in a special nature reserve, national park or world heritage site.	R 2000,00
20(1)(a)	Filming and simultaneously transmitting photographic images in a special nature reserve, national park or world heritage site by the use of a webcam or other image recording or transmitting device without a license, permit or agreement with the management authority of the reserve, park or site.	R 2500,00
20(1)(b)	Conducting a tour in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site.	R 2000,00
20(1)(c)	Conducting any kind of competition in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site.	R 1500,00
20(1)(d)	Selling or hiring of goods or the offering of goods for sale or hire in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site.	R 1000,00
20(1)(e)	Providing or offering goods for sale or hire in a	R 1000,00

	special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site.	
20(1)(g)	Conducting research in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site	R 1500,00
20(1)(h)	Conducting an activity of any kind for the purpose of fund raising, personal gain or making a profit in a special nature reserve, national park or world heritage site without a license, permit or agreement with the management authority of the reserve, park or site.	R1500,00
20(1)(i)	Undertaking any organized or special event in a special nature reserve, national park or world heritage site, including sporting or cultural events without a license, permit or agreement with the management authority of the reserve, park or site.	R 1500,00
20(1)(j)	Visual imaging of animals in a special nature reserve, national park or world heritage site for the purpose of virtual hunting or other similar activities without a license, permit or agreement with the management authority of the reserve, park or site.	R 1500,00
22(a)	Using, or causing to be used, any loud speaker or similar device or other noisy equipment in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 2000,00
22(b)	Constructing or erecting any booth, marquee or other structure in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 1000,00
22(c)	Organising or causing to be organised, attending or participating in any public meeting, demonstration or gathering in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 2500,00
23(1)(d)	Failing to comply with a notice restricting the	R 1000,00

	use and access of any person or anything referred to in the notice to any land or water area in a special nature reserve, national park or world heritage site.	
25(1)	Performing any activity in a special nature reserve, national park or world heritage site in a water area or part thereof which has been restricted by the management authority of the reserve, park or site.	R 2500,00
25(2)	Launching, or using a vessel on a dam, reservoir, lake, river, or other body of water in a special nature reserve, national park or world heritage site without the permission of the management authority of the reserve, park or site.	R 1500,00
26(a)	Bathing, swimming or diving in any area in a special nature reserve, national park or world heritage site except where bathing and swimming is permitted.	R 1000,00
28	Except in an emergency, handling, touching or using in any manner a life- saving rope, buoy or other life- saving apparatus in or at a water area.	R 500,00
29(1)	Water skiing in a water area other than in a place and at times permitted by the management authority of the reserve, park or site.	R 1500,00
30(a)	Engage in sport of climbing rock faces in a national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 2500,00
30(b)	Parachuting or abseiling in a national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 2500,00
30(c)	Using a hang glider or any other kind of glider in a national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 2500,00
30(d)	Launching or flying a hot air balloon in a national park or world heritage site without the written permission of the management authority of the park or site.	R 2500,00
30(e)	Flying model planes or gliders in a national park or world heritage site without the written permission of the management authority of the	R 2500,00

	reserve, park or site.	
30(f)	Engaging in the sport of any kind of boarding in a national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 2500,00
30(h)	Driving a vehicle off-road or off designated roads or tracks in a national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 2500,00
34(1)	Conducting scientific research in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 1500,00
36	Interfering with, operating, damaging, climbing on or boarding any vehicle, vessel, dredging apparatus or any other implement which is the property of or in use by a management authority of the reserve, park or site, or its agent, without the permission of the management authority.	R 2000,00
37(1)	Interfering with, misusing, damaging, using in conflict with any management authority directions, any building, signage, convenience shelter, changing room, pier landing stage, raft, buoy or other facility or structure in a special nature reserve, national park or world heritage site.	R 1000,00
37(2)	Failing to comply with directions of any notice affixed to a building, structure or facility referred to in regulation 37(1).	R 500,00
37(3)	Blocking or restricting access to any road or other point of entry to a special nature reserve, national park or world heritage site.	R 2500,00
39(1)(a)(ii)	Removing wood, mulch or other dead vegetation from a special nature reserve, national park or world heritage site without the written permission of the management authority.	R 2500,00
39(1)(a)(v)	Removing coral or shells from a special nature reserve, national park or world heritage site without the written permission of the management authority.	R 2500,00
39(1)(b)	Digging or intentionally disturb any soil or similar material in a special nature reserve,	R 500,00



	national park or world heritage site without the written permission of the management authority of the reserve, park or site.	
39 (1)(c)(i)	Intentionally disturb any wood, mulch, peat or other dead vegetation or animal in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 500,00
39(1)(c)(ii)	Intentionally disturbing termite mounds in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 1500,00
39(1)(c)(iii)	Intentionally disturbing fossil, shell midden, archaeological remains or paleontological specimens or meteorites in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site.	R 1500-00
39(1)( c ) (iv)	Intentionally disturb any of the marine components contemplated in paragraph 39(1)(a).	R 1000,00
39(2)	Construction of an impoundment or weir on any river or river bed or abstract any water from any impoundment or weir on any river or in any river bed within a special nature reserve, national park or world heritage site.  Abstracting any water by means of pump, pipes, gravitation or any other means located outside the boundary of a special nature reserve, national park or world heritage site, from any river or river bed forming a boundary with a special nature reserve, national park or world heritage site without the written permission of the management authority and without conducting an environmental impact assessment.	R 2500,00  R 2500,00
40(a)	Depositing or leaving in a special nature reserve, national park or world heritage site, any litter, seeds, fruit or vegetable matter or other waste material except in receptacle provided for that purpose.	R 2000,00

40(b)	Depositing, discharging or leaving any noxious, smelly, offensive or polluting substance, matter or thing in a special nature reserve, national park or world heritage site.	R 2000,00
40(c)	Depositing or leaving any offal, dead species or specimen or dung in a special nature reserve, national park or world heritage site.	R 2000, 00
40(d)	Depositing in a special nature reserve, national park or world heritage site, except in any receptacle provided for litter, any domestic garbage.	R 2000,00
40(e)	Intentionally breaking any article of glass, china, pottery, plastic or other brittle material in a special nature reserve, national park or world heritage site.	R 2000,00
40(f)	Depositing, discharging or leaving any mineral, mineral waste or other industrial waste or by-product thereof in a special nature reserve, national park or world heritage site.	R 2000,00
43(a)	Offering any show or entertainment, conducting any business or trade or collecting any money from the public in a special nature reserve, national park or world heritage site.	R 2000,00
43(e)	Without permission of the management authority of a special nature reserve, national park or world heritage site, lighting or causing any fire to be started or making use of an open fire in the reserve, park or site, other than in a fireplace or container made available for that purpose by the management authority.	R 2500,00
43(f)	Placing, throwing, dumping or letting out any refuse, rubbish, used containers, effluent toilet waste or objectionable matter in a special nature reserve, national park or world heritage site.	R2000,00
43(h)	Carrying on any agricultural or gardening activities in a special nature reserve, national park or world heritage site without prior written approval of management authority of the reserve, park or site.	R 1000,00
43(i)	Allowing any species or specimen to graze in or enter into a special nature reserve, national park or world heritage site without the written approval of the management authority of the reserve, park or site.	R 1500,00
43(j)	Placing, displaying or distributing any	R 1500,00

	advertisement, promotional material or notice anywhere in a special nature reserve, national park or world heritage site without the written permission of the management authority of the reserve, park or site.	
43(k)	Affixing to any tree or object any name, letter, figure, symbol, mark picture, sign or notice or otherwise damage any tree or other object in a special nature reserve, national park or world heritage site.	R 2500,00
43(m)	Playing any radio, compact disc player, music system, musical instrument or in any way causing any noise in any manner likely to disturb any species or specimen or other person in a special nature reserve, national park or world heritage site.	R 2000,00
43(n)	Behaving in an offensive, improper, indecent or disorderly manner in a special nature reserve, national park or world heritage site.	R 1500,00
45(2)(b)(ii)	Possessing or exercising control over a specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written authorisation of the management authority of the reserve, park or site.	R 1500,00
45(2)(b)(iii)	Growing, breeding or in any other way propagating any specimen of an alien or listed invasive species or causing it to multiply in a special nature reserve, national park or world heritage site, without the written permission of the management authority of the reserve, park or site.	R 1500,00
45(2)(b)(iv)	Conveying, moving or otherwise translocating any specimen of an alien or listed invasive species in a special nature reserve, national park or world heritage site without the written authorisation of the management authority of the reserve, park or site.	R 1500,00
49(1)	Bringing a dog, cat or other pet into a special nature reserve, national park or world heritage site except on conditions determined by the management authority of the reserve, park or site.	R 1000,00
62(b)	Violating, refusing or failing to obey or comply with, any prohibition, request or instruction imposed by these regulations or by the	R 2500,00

	management authority or authorised official in a special nature reserve, national park or world heritage site.	
63	Failing to leave a special nature reserve, national park or world heritage site when requested to do so by an authorised official.	R 500,00
63(2)	Failing to hand over permit or proof of entry for endorsement indicating withdrawal of permission to enter a special nature reserve, national park or world heritage site, when requested to leave.	R 1500,00

**DEPARTMENT OF WATER AFFAIRS AND FORESTRY  
DEPARTEMENT VAN WATERWESE EN BOSBOU**

No. R. 77

12 February 2010

**GOVERNMENT GAZETTE, 4 JUNE 1999  
(Vol. 408, No. 20119)**

**NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)**

**REGULATIONS ON USE OF WATER FOR MINING AND RELATED  
ACTIVITIES AIMED AT THE PROTECTION OF WATER RESOURCES**

The Minister of Water Affairs and Forestry has, under the powers vested in him by section 26(1) (b), (g) and (i) of the National Water Act, (Act No. 36 of 1998), made the regulations contained in the Schedule in respect of use of water for mining and related activities aimed at the protection of water resources

**EXPLANATORY NOTE**

*The Minister of Water Affairs and Forestry is responsible for the protection, use, development, conservation, management and control of the water resources of South Africa on a sustainable basis. The requirements prescribed in terms of the regulations must be seen as minimum requirements to fulfill this goal.*

*The Department subscribes to the principles of co-operative governance and recognises the role of the Department of Minerals and Energy to co-ordinate environmental management within the mining industry and the role of the Department of Environmental Affairs and Tourism as the lead agent on matters affecting the environment. The roles of Environmental Management Programme Reports and Environmental Management Programme Performance Assessment Reports required in terms of the Minerals Act, 1991 (Act No. 50 of 1991), and Environmental Impact Assessment Reports required in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) are recognised and supported by the Department. Any information, obligations, programmes, permissions and commitments contained in the above reports, procedures, consultation requirements and decision-making processes will be recognised by the Department. To promote coordination, copies of relevant exemptions from the requirements of the regulations will be forwarded to the Department of Minerals and Energy and the Department of Environmental Affairs and Tourism.*

*Implementation of the regulations will be delegated to the appropriate level as soon as the necessary capacity has been created at regional level or catchment level.*

**SCHEDULE****1. Definitions**

In these regulations any expression to which a meaning has been assigned in the Act, shall have the meaning so assigned, and unless the context indicates otherwise-

"activity", means-

- a) any mining related process on the mine including the operation of washing plants, mineral processing facilities, mineral refineries and extraction plants, and b) the operation and the use of mineral loading and off-loading zones, transport facilities and mineral storage yards, whether situated at the mine or not,
- (i) in which any substance is stockpiled, stored, accumulated or transported for use in such process; or
- (ii) out of which process any residue is derived, stored, stockpiled, accumulated, dumped, disposed of or transported;

"clean water system", includes any dam, other form of impoundment, canal, works, pipeline and any other structure or facility constructed for the retention or conveyance of unpolluted water;

"dam", includes any settling dam, slurry dam, evaporation dam, catchment or barrier dam and any other form of impoundment used for the storage of unpolluted water or water containing waste;

"dirty area", means any area at a mine or activity which causes, has caused or is likely to cause pollution of a water resource;

"dirty water system", includes any dam, other form of impoundment, canal, works, pipeline, residue deposit and any other structure or facility constructed for the retention or conveyance of water containing waste;

"environmental management programme", means an environmental management programme submitted in terms of section 39 of the Minerals Act, 1991 (Act No. 50 of 1991);

"facility", in relation to an activity, includes any installation and appurtenant works for the storage, stockpiling, disposal, handling or processing of any substance;

"manager", "mine" and "mineral", have the meanings assigned to them in the Mine Health and Safety Act, 1996 (Act No. 29 of 1996);

"person in control of a mine or activity", in relation to a particular mine or activity, includes the owner of such mine or activity, the lessee and any other lawful occupier of the mine, activity or any part thereof; a tributer for the working of the mine, activity or

any part thereof; the holder of a mining authorisation or prospecting permit and if such authorisation or permit does not exist, the last person who worked the mine or his or her successors-in-title or the owner of such mine or activity; and if such person is not resident in or not a citizen of the Republic of South Africa, an agent or representative other than the manager of such a mine or activity must be appointed to be responsible on behalf of the person in control of such a mine or activity;

"residue", includes any debris, discard, tailings, slimes, screenings, slurry, waste rock, foundry sand, beneficiation plant waste, ash and any other waste product derived from or incidental to the operation of a mine or activity and which is stockpiled, stored or accumulated for potential re-use or recycling or which is disposed of;

"residue deposit", includes any dump, tailings dam, slimes dam, ash dump, waste rock dump, in-pit deposit and any other heap, pile or accumulation of residue;

"stockpile", includes any heap, pile, slurry pond and accumulation of any substance where such substance is stored as a product or stored for use at any mine or activity;

"the Act", means the National Water Act, 1998 (Act No. 36 of 1998);

"water system", includes any dam, any other form of impoundment, canal, works, pipeline and any other structure or facility constructed for the retention or conveyance of water;

## 2. Information and notification

- (1) Any person intending to operate a new mine or conduct any new activity must notify the Department of such intention not less than 14 days before the start of such operation or activity.
- (2) Any person in control of an existing mine or activity must-
  - (a) submit a copy of all amendments of their environmental management programme to the Department;
  - (b) notify the Department in writing 14 days before the temporary or permanent cessation of the operation of a mine or the conducting of an activity, or the resumption of such operation or activity;
  - (c) notify the Department by the fastest possible means of any emergency incident or potential emergency incident involving a water resource at or incidental to the operation of a mine or the conducting of any activity, furnishing information regarding-
    - (i) the date and time of the incident;
    - (ii) a description of the incident;
    - (iii) the source of the pollution or potential pollution;

- (iv) the impact or potential impact on the water resource and the relevant water users;
  - (v) remedial action taken or to be taken by the person in control of the mine or activity to remedy the effects of the incident; and
- (d) within 14 days after the date of an incident contemplated in paragraph (c) inform the Department in writing of measures taken to correct and prevent a recurrence of such incident.

3. Exemption from requirements of regulations

The Minister may in writing authorise an exemption from the requirements of regulations 4, 5, 6, 7, 8, 10 or 11 on his or her own initiative or on application, subject to such conditions as the Minister may determine.

4. Restrictions on locality

No person in control of a mine or activity may-

- (a) locate or place any residue deposit, dam, reservoir, together with any associated structure or any other facility within the 1:100 year flood-line or within a horizontal distance of 100 metres from any watercourse or estuary, borehole or well, excluding boreholes or wells drilled specifically to monitor the pollution of groundwater, or on water-logged ground, or on ground likely to become waterlogged, undermined, unstable or cracked;
- (b) except in relation to a matter contemplated in regulation 10, carry on any underground or opencast mining, prospecting or any other operation or activity under or within the 1:50 year flood-line or within a horizontal distance of 100 metres from any watercourse or estuary, whichever is the greatest;
- (c) place or dispose of any residue or substance which causes or is likely to cause pollution of a water resource, in the workings of any underground or opencast mine excavation, prospecting diggings, pit or any other excavation; or
- (d) use any area or locate any sanitary convenience, fuel depots, reservoir or depots for any substance which causes or is likely to cause pollution of a water resource within the 1:50 year flood-line of any watercourse or estuary.

5. Restrictions on use of material

No person in control of a mine or activity may use any residue or substance which causes or is likely to cause pollution of a water resource for the construction of any dam or other impoundment or any embankment, road or railway, or for any other purpose which is likely to cause pollution of a water resource.



6. Capacity requirements of clean and dirty water systems

Every person in control of a mine or activity must-

- (a) confine any unpolluted water to a clean water system, away from any dirty area;
- (b) design, construct, maintain and operate any clean water system at the mine or activity so that it is not likely to spill into any dirty water system more than once in 50 years;
- (c) collect the water arising within any dirty area, including water seeping from mining operations, outcrops or any other activity, into a dirty water system;
- (d) design, construct, maintain and operate any dirty water system at the mine or activity so that it is not likely to spill into any clean water system more than once in 50 years; and
- (e) design, construct, maintain and operate any dam or tailings dam that forms part of a dirty water system to have a minimum freeboard of 0.8 metres above full supply level, unless otherwise specified in terms of Chapter 12 of the Act.
- (f) design, construct and maintain all water systems in such a manner as to guarantee the serviceability of such conveyances for flows up to and including those arising as a result of the maximum flood with an average period of recurrence of once in 50 years.

7. Protection of water resources

Every person in control of a mine or activity must take reasonable measures to-

- (a) prevent water containing waste or any substance which causes or is likely to cause pollution of a water resource from entering any water resource, either by natural flow or by seepage, and must retain or collect such substance or water containing waste for use, re-use, evaporation or for purification and disposal in terms of the Act;
- (b) design, modify, locate, construct and maintain all water systems, including residue deposits, in any area so as to prevent the pollution of any water resource through the operation or use thereof and to restrict the possibility of damage to the riparian or in-stream habitat through erosion or sedimentation, or the disturbance of vegetation, or the alteration of flow characteristics;
- (c) cause effective measures to be taken to minimise the flow of any surface water or floodwater into mine workings, opencast workings, other workings or subterranean caverns, through cracked or fissured formations, subsided ground, sinkholes, outcrop excavations, adits, entrances or any other openings;

- (d) design, modify, construct, maintain and use any dam or any residue deposit or stockpile used for the disposal or storage of mineral tailings, slimes, ash or other hydraulic transported substances, so that the water or waste therein, or falling therein, will not result in the failure thereof or impair the stability thereof;
- (e) prevent the erosion or leaching of materials from any residue deposit or stockpile from any area and contain material or substances so eroded or leached in such area by providing suitable barrier dams, evaporation dams or any other effective measures to prevent this material or substance from entering and polluting any water resources;
- (f) ensure that water used in any process at a mine or activity is recycled as far as practicable, and any facility, sump, pumping installation, catchment dam or other impoundment used for recycling water, is of adequate design and capacity to prevent the spillage, seepage or release of water containing waste at any time;
- (g) at all times keep any water system free from any matter or obstruction which may affect the efficiency thereof; and
- (h) cause all domestic waste, including wash-water, which cannot be disposed of in a municipal sewage system, to be disposed of in terms of an authorisation under the Act.

8. Security and additional measures

Every person in control of a mine or activity must-

- (a) cause any impoundment or dam containing any poisonous, toxic or injurious substance to be effectively fenced-off so as to restrict access thereto, and must erect warning notice boards at prominent locations so as to warn persons of the hazardous contents thereof;
- (b) ensure access control in any area used for the stockpiling or disposal of any residue or substance which causes, has caused or is likely to cause pollution of a water resource so as to protect any measures taken in terms of these regulations;
- (c) not allow the area contemplated in paragraph (a) and (b) to be used for any other purpose, if such use causes or is likely to cause pollution of a water resource; and
- (d) protect any existing pollution control measures or replace any existing pollution control measures deleteriously affected, damaged or destroyed by the removing or reclaiming of materials from any residue deposit or stockpile, and establish additional measures for the prevention of pollution of a water resource which might occur, is occurring or has occurred as a result of such operations.

9. Temporary or permanent cessation of mine or activity
- (1) Any person in control of a mine or activity must at either temporary or permanent cessation of operations ensure that all pollution control measures have been designed, modified, constructed and maintained so as to comply with these regulations.
  - (2) Any person in control of a mine or activity must ensure that the in-stream and riparian habitat of any water resource, which may have been affected or altered by a mine or activity, is remedied so as to comply with these regulations.
  - (3) On either temporary or permanent cessation of a mine or activity the Minister may request a copy of any surface or underground plans as required in terms of the Minerals Act, 1991.
10. Additional regulations relating to winning sand and alluvial minerals from watercourse or estuary
- (1) No person may-
    - (a) extract sand, alluvial minerals or other materials from the channel of a watercourse or estuary, unless reasonable precautions are taken to-
      - (i) ensure that the stability of the watercourse or estuary is not affected by such operations;
      - (ii) prevent scouring and erosion of the watercourse or estuary which may result from such operations or work incidental thereto;
      - (iii) prevent damage to in-stream or riparian habitat through erosion, sedimentation, alteration of vegetation or structure of the watercourse or estuary, or alteration of the flow characteristics of the watercourse or estuary; or
    - (b) establish any slimes dam or settling pond within the 1:50 year flood-line or within a horizontal distance of 100 metres of any watercourse or estuary.
  - (2) Every person winning sand, alluvial minerals or other materials from the bed of a watercourse or estuary must-
    - (a) construct treatment facilities to treat the water to the standard prescribed in Government Notice No. R.991 dated 26 May 1984 as amended or by any subsequent regulation under the Act before returning the water to the watercourse or estuary;
    - (b) limit stockpiles or sand dumps established on the bank of any watercourse or estuary to that realised in two days of production, and all other production must be stockpiled or dumped outside of the 1:50 year flood-line or more than a

horizontal distance of 100 metres from any watercourse or estuary; and

- (c) implement control measures that will prevent the pollution of any water resource by oil, grease, fuel or chemicals.

11. Additional regulations for rehabilitation of coal residue deposits

Any person mining or establishing coal residue deposits must rehabilitate such residue deposits so that-

- (a) all residue deposits are compacted to prevent spontaneous combustion and minimise the infiltration of water; and
- (b) the rehabilitation of the residue deposits is implemented concurrently with the mining operation.

12. Technical investigation and monitoring

- (1) The Minister may, after consultation with the Department of Minerals and Energy and the Department of Environmental Affairs and Tourism, in writing require any person in control of a mine or activity to arrange for a technical investigation or inspection, which may include an independent review, to be conducted on any aspect aimed at preventing pollution of a water resource or damage to the in-stream or riparian habitat connected with or incidental to the operation or any part of the operation of a mine or activity.
- (2) Such investigation must be conducted and a report thereon compiled in the manner and within the time period that the Minister may specify.
- (3) The person in control of the mine or activity must inform the Minister as to the expertise and qualifications of the persons who are to conduct an investigation or inspection contemplated in subregulation (1) before the commencement thereof.
- (4) The Minister may in writing require any person in control of a mine or activity to submit a programme of implementation to prevent or rectify any pollution of a water resource or damage to the in-stream or riparian habitat as recommended by the investigation contemplated in subregulation (1) within the time period that the Minister may specify.
- (5) The Minister may in writing direct any person in control of a mine or activity to implement a compliance monitoring network to monitor the programme of implementation contemplated in subregulation (4), through establishing, operating and maintaining monitoring installations of a type, at the locations and in the manner specified by the Minister and to submit the monitoring information and results to the Minister for evaluation.
- (6) Subject to Chapter 4 of the Act, any person in control of a mine or activity must

submit plans, specifications and design reports approved by a professional engineer to the Minister, not later than 60 days prior to commencement of activities relating to-

- (a) the construction of any surface dam for the purpose of impounding waste, water containing waste or slurry, so as to prevent the pollution of a water resource;
- (b) the implementation of any pollution control measures at any residue deposit or stockpile, so as to prevent the pollution of a water resource; and
- (c) the implementation of any water control measures at any residue deposit or stockpile, so as to prevent the pollution of a water resource.

### 13. General

The person in control of a mine or activity must provide the manager with the means and afford him or her every facility required to enable the manager to comply with the provisions of these regulations.

### 14. Offences and penalties

- (1) Any person who contravenes or, subject to regulation 3, fails to comply with regulation 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 or 13 is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding five years.
- (2) Whenever an act or omission by a manager or employee of a mine or activity-
  - (a) constitutes an offence in terms of these regulations, and takes place with the express or implied permission of the person in control of a mine or activity, that person is, in addition to the manager or employee, liable to conviction for that offence; or
  - (b) would constitute an offence by the person in control of a mine or activity in terms of these regulations that manager or employee is, in addition to that person, liable to conviction for that offence.

### 15. Repeal of regulations

The regulations published under Government Notice No. R.287 of 20 February 1976 are hereby repealed.

### 16. Commencement

These regulations will take effect on the date of publication.

**SOUTH AFRICAN REVENUE SERVICE  
SUID-AFRIKAANSE INKOMSTEDIENS**

**No. R. 76**

**12 February 2010**

**CORRECTION NOTICE  
CUSTOMS AND EXCISE ACT, 1964  
AMENDMENT OF SCHEDULE NO. 3 (No. 3/657)**

The substitution of "Note 15" where it appears in Note 20 to rebate item 317.04 published in Government Notice No. R.1236 of Government Gazette No. 32838 dated 31 December 2009 with "Note 5", with retrospective effect from 31 December 2009.

**No. R. 76**

**12 Februarie 2010**

**VERBETERINGSKENNISGEWING  
DOEANE EN AKSYNSWET, 1964  
WYSIGING VAN BYLAE NO. 3 (No. 3/657)**

Die vervanging van "Opmerking 15" waar dit verskyn in Opmerking 20 van kortingitem 317.04 soos gepubliseer in Goewernmentskennisgewing No. R.1236 van Staatskoerant No. 32838 gedateer 31 Desember 2009 met "Opmerking 5", met terugwerkende krag vanaf 31 Desember 2009.