

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 10399

Regulasiekoerant

Vol. 597

**Pretoria, 27 March
Maart 2015**

No. 38603

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS**INHOUD**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>	<i>No.</i>	<i>Bladsy No.</i>	<i>Koerant No.</i>
GOVERNMENT NOTICES			GOEWERMENSKENNISGEWINGS		
Human Settlements, Department of			Arbeid, Departement van		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 244 Estate Agency Affairs Act (112/1976): Late payment of levies and Contributions, 2015.....	6	38603	R. 245 Labour Relations Act, 1995: Bargaining Council for the Fishing Industry: Extension of period of operation of Main Collective Agreement	11	38603
Labour, Department of			Menslike Nedersettings, Departement van		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 245 Labour Relations Act, 1995: Bargaining Council for the Fishing Industry: Extension of period of operation of Main Collective Agreement	11	38603	R. 244 Estate Agency Affairs Act (112/1976): Late payment of levies and Contributions, 2015.....	6	38603
South African Revenue Service			Suid-Afrikaanse Inkomstediens		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
R. 246 Customs and Excise Act, 1964: Amend- ment of rules (DAR/144)	12	38603	R. 246 Customs and Excise Act, 1964: Amend- ment of rules (DAR/144)	12	38603

IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
**GOVERNMENT NOTICES, GENERAL NOTICES,
 REGULATION NOTICES AND PROCLAMATIONS** **2015**

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

- ▶ **26 March**, Thursday, for the issue of Thursday **2 April 2015**
- ▶ **31 March**, Tuesday, for the issue of Friday **10 April 2015**
- ▶ **22 April**, Wednesday, for the issue of Thursday **30 April 2015**
- ▶ **30 April**, Thursday, for the issue of Friday **8 May 2015**
- ▶ **11 June**, Thursday, for the issue of Friday **19 June 2015**
- ▶ **6 August**, Thursday, for the issue of Friday **14 August 2015**
- ▶ **17 September**, Thursday, for the issue of Friday **25 September 2015**
- ▶ **10 December**, Thursday, for the issue of Friday **18 December 2015**
- ▶ **15 December**, Tuesday, for the issue of Thursday **24 December 2015**
- ▶ **22 December**, Tuesday, for the issue of Thursday **31 December 2015**
- ▶ **30 December**, Wednesday, for the issue of Friday **8 January 2016**

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** **2015**

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

- ▶ **26 Maart**, Donderdag, vir die uitgawe van Donderdag **2 April 2015**
- ▶ **31 Maart**, Dinsdag, vir die uitgawe van Vrydag **10 April 2015**
- ▶ **22 April**, Woensdag, vir die uitgawe van Donderdag **30 April 2015**
- ▶ **30 April**, Donderdag, vir die uitgawe van Vrydag **8 Mei 2015**
- ▶ **11 Junie**, Donderdag, vir die uitgawe van Vrydag **19 Junie 2015**
- ▶ **6 Augustus**, Donderdag, vir die uitgawe van Vrydag **14 Augustus 2015**
- ▶ **17 September**, Donderdag, vir die uitgawe van Vrydag **25 September 2015**
- ▶ **10 Desember**, Donderdag, vir die uitgawe van Vrydag **18 Desember 2015**
- ▶ **15 Desember**, Dinsdag, vir die uitgawe van Donderdag **24 Desember 2015**
- ▶ **22 Desember**, Dinsdag, vir die uitgawe van Donderdag **31 Desember 2015**
- ▶ **30 Desember**, Woensdag, vir die uitgawe van Vrydag **8 Januarie 2016**

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 kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HUMAN SETTLEMENTS DEPARTEMENT VAN MENSLIKE NEDERSETTINGS

No. R. 244

27 March 2015

Annexure A

Estate Agency Affairs Act 112 of 1976 and Regulations

LATE PAYMENT OF LEVIES AND CONTRIBUTIONS, 2015

Published under

Government Notice _____ of ____ April 2015

In terms of section 33 of the Estate Agency Affairs Act, 1976 (Act 112 of 1976), I, Lindiwe Sisulu, Minister of Human Settlements, after consultation with the Estate Agency Affairs Board, hereby prescribe the penalty payable in terms of section 16 (5) as set out in the Schedule.

SCHEDULE

1. The penalty payable to the Estate Agency Affairs Board in terms of section 16 (5) of the Estate Agency Affairs Act, 1976 (Act 112 of 1976) shall be –
 - (a) in respect of an estate agent by virtue of paragraph (a) of the definition of “estate agents” or paragraph (c) (i) of the definition of “estate agents”, R450 per month or part thereof that payment of such levy is made late;
 - (b) in respect of an estate agent by virtue of paragraph (c) (ii) or (cA) of the definition of “estate agents”, R240 per month or part thereof that payment of such levy is made late.

This notice shall come into effect on the day of publication.

L. N. Sisulu

Minister of Human Settlements

Annexure B

**DRAFT REGULATIONS IN TERMS OF THE ESTATE AGENCY
AFFAIRS ACT, 112 OF 1976****ISSUING OF FIDELITY FUND AND REGISTRATION
CERTIFICATES****Published under****Government Notice _____ of _____ March 2015**

I, Lindiwe Sisulu, Minister of Human Settlements has, after consultation with the Estate Agency Affairs Board (“the Board”), in terms of section 33(1) of the Estate Agency Affairs Act, 112 of 1976 (“the Act”), made the regulations contained in the schedule.

SCHEDULE

1. In these regulations words and expressions defined or used in the Act have the meaning assigned thereto.
2. Every estate agent, excluding an ‘estate agent’ referred to in paragraph (cA) of the definition of ‘estate agent’ in section 1 of the Act, shall –
 - (a) for the calendar year 2016, and annually thereafter, pay to the Board a levy of –
 - (i) R1,200.00 if he/she is a principal estate agent;¹
 - (ii) R1,200.00 if it is a company or close corporation operating as estate agency;
 - (iii) R510,00 if he/she is a non-principal estate agent;²
 - (iv) R364.80 if he/she is an intern estate agent;³
 - (b) for the calendar year 2016, and any subsequent year in respect of which he/she applies for the issue to him/her of a fidelity fund certificate, pay to the Estate Agents Fidelity Fund (“the Fund”) a contribution of –
 - (i) R580,00 if he/she is a principal estate agent;

¹ Principal Estate Agent as defined in terms of Government Notice No. R31125 of 4 June 2008.

² Non-Principal Estate Agent as defined in terms of Government Notice No. R31125 of 4 June 2008.

³ Intern Estate Agent as defined in terms of Government Notice No. R31125 of 4 June 2008.

Annexure B

- (ii) R580,00 if it is a company or close corporation operating as estate agency;
- (iii) R230,00 if he/she is a non-principal estate agent;
- (iv) R165,00 if he/she is an intern estate agent;

provided that no such contribution will be payable if the estate agent concerned can show that a valid fidelity fund certificate was issued to him/her in respect of any one of the immediately preceding three calendar years.

3. An estate agent referred to in paragraph (cA) of the definition of 'estate agent' in section 1 of the Act shall pay annually to the Board a levy of:

- (a) R 510,00 for the principal members;
- (b) R 295,00 for non-principal members;

for the registration certificate.

4. (1) Every estate agent to whom a fidelity fund certificate or registration certificate, as the case may be, has already been issued in respect of a specific calendar year, shall, unless he/she has ceased or will cease before the end of that year to operate as an estate agent and has advised the Board of such fact in writing, by not later than 31 October of that year, apply to the Board for the issue to him/her of a fidelity fund certificate or registration certificate, as the case may be, in respect of the immediately succeeding calendar year.
- (2) Any person who intends to commence operating as an estate agent during the course of any calendar year shall apply to the Board for the issue to him/her of a fidelity fund certificate or registration certificate, as the case may be, in respect of the remainder of that year.
- (3) An estate agent who carries on business, otherwise than as an employee, in more than one branch or outlet, shall apply for a separate fidelity fund certificate in respect of each such branch or outlet, irrespective of the trading name or style under which the business is carried on in each such branch or outlet and shall display each such fidelity fund certificate to the satisfaction of the Board in a prominent position in each such branch or outlet and shall pay a levy or contribution of each such certificate as contemplated in Regulation 1.
5. The applications referred to in regulation 4 shall be accompanied by the levies referred to in regulation 2 or 3, as the case may be, and by the contribution referred to in regulation 2, if the contribution is applicable.

Annexure B

6. An application by a person who applies in terms of regulation 4(2) for the issue to him/her of a fidelity fund certificate or a registration certificate, as the case may be, for a certain year shall, be accompanied by the full amount of the levy and, if applicable, the contribution referred to in regulation 2 or the full amount of the levy referred to in regulation 3, as the case may be.
7. (1) If the Board is satisfied that the applicant concerned is not disqualified in terms of section 27 of the Act and that the requirements of regulations 4 and 5 have been complied with, the Board shall issue to the applicant a fidelity fund certificate or a registration certificate, as the case may be, which certificate shall be expressed to be valid until 31 December of the year to which the application relates.
(2) The word “Intern Estate Agent” shall be printed in a conspicuous manner on any fidelity fund certificate issued to a person who in terms of Government Notice No. R31125 of 4 June 2008 has been registered with the Board, in accordance with the prescribed standard of training.
8. (1) Any company or close corporation operating as estate agency shall in its own name apply in terms of these regulations for the issue to it of a fidelity fund certificate and shall pay a levy and contribution referred to in regulation 1.
(2) A fidelity fund certificate referred to in sub-regulation (1) shall, to the satisfaction of the Board, be displayed in a prominent position on the premises of the company or close corporation concerned.
9. The holder of a fidelity fund certificate or a registration certificate, as the case may be, shall inform the Board within fourteen (14) days of any change in the information supplied to the Board at the time of applying for the issue to him/her of such certificate and, if the information appearing on the certificate is no longer applicable or has changed, such certificate shall forthwith be forwarded to the Board for the appropriate amendment thereof or for the issue of a new certificate in substitution thereof.
10. Every fidelity fund certificate or registration certificate issued in terms of these regulations shall remain the property of the Board.
11. (1) The provisions of sub-regulation (1) shall *mutatis mutandis* apply to a registration certificate issued to any person referred to in paragraph (cA) of the definition of ‘estate agent’ in the Act.

Annexure B

(2) If the employer concerned is unable, for any reason, to return the certificate as required by sub-regulation (1) or (2), as the case may be, the employer shall within fourteen (14) days of the termination of employment or ceasing to be associated, inform the Board of that fact, stating the reasons why it is unable to return such certificate as well as furnishing all available information concerning the whereabouts of such employee or independent contractor.

12 Government Notices 373 of 2 March 2006 are hereby withdrawn with effect from 01 January 2015.

13. This notice shall come into effect on the day of publication.

L. N. Sisulu
Minister of Human Settlements

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 245

27 March 2015

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FISHING INDUSTRY:
EXTENSION OF PERIOD OF OPERATION OF MAIN COLLECTIVE AGREEMENT**

I, IAN ANTHONY MACUN, Director: Collective Bargaining, duly authorized by the Minister of Labour, hereby, in terms of section 32(6) (a) (i) of the Labour Relations Act, 1995, extend the periods fixed in Government Notices No R.587 of 27 July 2012, R.55 of 1 February 2013, R.445 of 28 June 2013, R.935 and R.936 of 6 December 2013, R.479 of 20 June 2014 and R.995 of 12 December 2014 by a further period ending 30 June 2015.


DIRECTOR: COLLECTIVE BARGAINING

UMNYANGO WEZABASEBENZI

No. R. 245

27-03-2015

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995

**UMKHANDLU KAZWELONKE WOKUXOXISANA PHAKATHI
KWABAQASHI NABASEBENZI BEMBONI YOKUDOBA IZINHLANZI:
UKWELULWA KWESIKHATHI SOKUSEBENZA KWESIVUMELWANO
ESIYINQIKITHI.**

Mina, IAN ANTHONY MACUN umQondisi Wezokuxoxisana Phakathi Kwabaqashi nabaSebenzi, ngegunya likaNgqongqoshe Wezabasebenzi, lapha ngokwesigaba 32(6)(a)(i) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngelula isikhathi sokusebenza kwesivumelwano esinqunywe kwiZaziso zikaHulumeni ezinguNombolo R.587 somhlaka 27 kuNtulikazi 2012, R.55 womhlaka 1 kuNhlolanja 2013, R.445 womhlaka 28 kuNhlanguvana 2013, R.935 no R.936 womhlaka 6 kuZibandlela 2013, R.479 womhlaka 20 kuNhlanguvana 2014 kanye no R.995 womhlaka 12 kuZibandlela 2014 ngesikhathi esengeziwe esiphela mhlaka 30 kuNhlanguvana 2015.


**UMQONDISI WEZOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI**

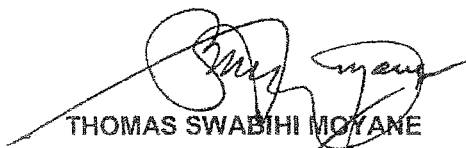
**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 246

27 March 2015

**CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES (DAR/144)**

Under sections 77H and 120 of the Customs and Excise Act, 1964, the rules published in Government Notice R.1874 of 8 December 1995 are amended to the extent set out in the Schedule hereto **with retrospective effect from 1 September 2014.**



THOMAS SWABIHI MOYANE

COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

SCHEDULE

By the substitution in rule 77H.07 of paragraph (b) of the following paragraph:

- “(b) An appeal against any tariff or valuation determination—
- (i) by an officer stationed at a branch office, may only be considered and decided by an authorised officer within the division responsible for the administration of the tariff and valuation section in Head Office;
 - (ii) by an authorised officer employed within the division responsible for the administration of the tariff and valuation section, may only be considered and decided by the customs national appeal committee.”
-