



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 10439

Regulasiekoerant

Vol. 599

**Pretoria, 29 May
Mei 2015**

No. 38836

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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

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

Please take note of these guidelines when completing your form.



GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
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5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

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

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



DO use the new Adobe Forms for your notice request. These new forms can be found on our website: www.gpwonline.co.za under the Gazette Services page.

DO attach documents separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment)

DO specify your requested publication date.

DO send us the electronic Adobe form. (There is no need to print and scan it).

DON'T submit request as a single PDF containing all other documents, i.e. form, proof of payment & notice content, it will be **FAILED** by our new system.

DON'T print and scan the electronic Adobe form.

DON'T send queries or RFQ's to the submit.egazette mailbox.

DON'T send bad quality documents to GPW. (Check that documents are clear and can be read)



Form Completion Rules

No.	Rule Description	Explanation/example
1.	All forms must be completed in the chosen language.	GPW does not take responsibility for translation of notice content.
2.	All forms must be completed in sentence case, i.e. No fields should be completed in all uppercase.	e.g. "The company is called XYZ Production Works"
3.	No single line text fields should end with any punctuation, unless the last word is an abbreviation.	e.g. "Pty Ltd.", e.g. Do not end an address field, company name, etc. with a period (.) comma (,) etc.
4.	Multi line fields should not have additional hard returns at the end of lines or the field itself.	This causes unwanted line breaks in the final output, e.g. <ul style="list-style-type: none"> Do not type as: 43 Bloubokrand Street Putsonderwater 1923 Text should be entered as: 43 Bloubokrand Street, Putsonderwater, 1923
5.	Grid fields (Used for dates, ID Numbers, Telephone No., etc.)	<ul style="list-style-type: none"> Date fields are verified against format CCYY-MM-DD Time fields are verified against format HH:MM Telephone/Fax Numbers are not verified and allow for any of the following formats limited to 13 characters: including brackets, hyphens, and spaces <ul style="list-style-type: none"> o 0123679089 o (012) 3679089 o (012)367-9089
6.	Copy/Paste from other documents/text editors into the text blocks on forms.	<ul style="list-style-type: none"> Avoid using this option as it carries the original formatting, i.e. font type, size, line spacing, etc. Do not include company letterheads, logos, headers, footers, etc. in text block fields.



No.	Rule Description	Explanation/example
7.	Rich text fields (fields that allow for text formatting)	<ul style="list-style-type: none"> • Font type should remain as Arial • Font size should remain unchanged at 9pt • Line spacing should remain at the default of 1.0 • The following formatting is allowed: <ul style="list-style-type: none"> ○ Bold ○ Italic ○ Underline ○ Superscript ○ Subscript • Do not use tabs and bullets, or repeated spaces in lieu of tabs and indents • Text justification is allowed: <ul style="list-style-type: none"> ○ Left ○ Right ○ Center ○ Full • Do not use additional hard or soft returns at the end of line/paragraphs. The paragraph breaks are automatically applied by the output software <ul style="list-style-type: none"> ○ Allow the text to wrap automatically to the next line only use single hard return to indicate the next paragraph ○ Numbered lists are allowed, but no special formatting is applied. It maintains the standard paragraph styling of the gazette, i.e. first line is indented.
	e.g. 1. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. 2. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river. The quick brown fox jumps over the lazy river.	



You can find the **new electronic Adobe Forms** on the website www.gpwonline.co.za under the Gazette Services page.

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GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 446

29 May 2015

REGULATION ISSUED IN TERMS OF SECTION 74(1) READ WITH SECTION 23(3)(d) OF THE VALUE-ADDED TAX ACT, 1991 (ACT NO. 89 OF 1991)

In terms of section 74(1) of the Value-Added Tax Act, 1991, I, Nhlanhla Musa Nene, Minister of Finance, hereby prescribe in the Schedule hereto, the continuous and regular activities for purposes of section 23(3)(d) of the Act.



N.M. NENE
MINISTER OF FINANCE

SCHEDULE

DEFINITIONS

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

“**the Act**” means the Value-Added Tax Act, 1991 (Act No. 89 of 1991).

NATURE OF ACTIVITIES

2. (1) A person may apply to register as a vendor at the time that any goods or services are acquired directly in respect of the commencement of a continuous and regular activity set out below:
 - (a) Agriculture, Farming, Forestry and Fisheries:
 - (i) The cultivating of land for purposes of producing crops;
 - (ii) The breeding and raising of livestock or wild animals;
 - (iii) The planting, maintaining and harvesting of tree plantations;
 - (iv) The farming of aquatic organisms or plants, including hydroponics, aquaponics and aeroponics; or
 - (v) Catching, taking or harvesting of “fish” as defined in the Marine Living Resources Act, 1998 (Act No. 18 of 1998);
 - (b) Mining: The exploring for or extracting of any mineral, metal, oil, gas or natural gas resource;
 - (c) Ship and Aircraft Building: The building of ships, yachts, other floating vessels or aircrafts;

- (d) **Manufacture or Assembly:** The manufacture or assembly of plant, machinery, motor vehicles (including motor vehicles used in mining or farming) or locomotives;
 - (e) **Property Development:** The construction of residential or commercial buildings for purposes of selling or leasing such buildings, to the extent that the activity is not an exempt activity contemplated in section 12 of the Act;
 - (f) **Infrastructure Development:** Infrastructure development in the form of buildings, permanent installations or structures, for purposes of carrying on a person's enterprise, where the—
 - (i) total value of such development, in terms of any contractual obligation accepted by that person, exceeds R1 million; and
 - (ii) completion of such development will take more than 12 months from date of commencement of that development.
 - (g) **Beneficiation:** The treatment of goods, extracted as a result of a mining process, for purposes of improving the properties of such goods.
- (2) A person conducting any activity listed in paragraphs (a) to (g) must, where required in terms of any legislation, have applied for or be in possession of the relevant permit, licence or similar document, issued or to be issued by the appropriate regulatory authority, authorising that person to conduct that activity.

No. R. 446**29 Mei 2015**

**REGULASIE UITGEREIK KRAGTENS ARTIKEL 74(1) SAAMGELEES MET
ARTIKEL 23(3)(d) VAN DIE WET OP BELASTING OP TOEGEVOEGDE WAARDE,
1991 (WET NO. 89 VAN 1991)**

Ingevolge artikel 74(1) van die Wet op Belasting op Toegevoegde Waarde, 1991, skryf ek, Nhlanhla Musa Nene, Minister van Finansies, hierby in die Bylae hierby, die voortdurende en gereelde aktiwiteite vir die doeleindes van artikel 23(3)(d) van die Wet voor.

N.M. NENE
MINISTER VAN FINANSIES

BYLAE**WOORDOMSKRYWING**

1. In hierdie regulasie, tensy uit die samehang anders blyk, dra enige woord of uitdrukking waaraan 'n betekenis ingevolge die Wet toegeskryf is, die betekenis aldus daaraan geheg, en dra die volgende terme die volgende betekenis:

“die Wet” beteken die Wet op die Belasting op Toegevoegde Waarde, 1991 (Wet No. 89 van 1991).

AARD VAN AKTIWITEITE

2. (1) 'n Persoon mag aansoek doen om te registreer as 'n ondernemer ten tyde van die verkryging van enige goed of dienste direk in verband met die aanvang van 'n voortdurende en gereelde aktiwiteit soos hieronder uiteengesit:
 - (a) Landbou, Boerdery, Bosbou en Visserye:
 - (i) Die bewerking van grond met die doel om gewasse te produseer;
 - (ii) Die teel en grootmaak van lewende hawe of wilde diere;
 - (iii) Die aanplant, instandhouding en oes van boomplantasies;
 - (iv) Die boerdery van akwatiese organismes of plante, insluitend hidroponiese, akwaponiese en aeroponiese kweking; of
 - (v) Die vang, neem of oes van “vis” soos omskryf in die Wet op Lewende Mariene Hulpbronne, 1998 (Wet No. 18 van 1998);
 - (b) Mynbou: Die verkenning vir of onttrekking van enige mineraal-, metaal-, olie-, gas- of natuurlike gashulpbron;

- (c) Skeep- en lugvaartuigbou: Die bou van skepe, seiljagte, ander drywende vaartuie of lugvaartuie;
 - (d) Vervaardiging of Montering: Die vervaardiging of montering van aanlegte, masjinerie, motorvoertuie (insluitend motorvoertuie gebruik in mynbou of boerdery) of lokomotiewe;
 - (e) Eiendomsontwikkeling: Die oprig van residensiële of kommersiële geboue met die doel om die geboue te verkoop of te verhuur, in die mate wat die aktiwiteit nie 'n vrygestelde aktiwiteit soos beoog in artikel 12 van die Wet is nie;
 - (f) Infrastruktuurontwikkeling: Die ontwikkeling van infrastruktuur in die vorm van geboue, permanente installasies of strukture, met die doel om 'n persoon se onderneming te bedryf, waar die—
 - (i) totale waarde van die ontwikkeling, ingevolge enige kontraktuele verpligting soos aanvaar deur daardie persoon, R1 miljoen oorskry; en
 - (ii) voltooiing van die ontwikkeling langer as 12 maande vanaf die aanvangsdatum van daardie ontwikkeling sal neem.
 - (g) Verryking: Die behandeling van goed, onttrek as gevolg van 'n mynbouproses, met die doel om die eienskappe van die goed te verbeter.
- (2) 'n Persoon wat enige van die aktiwiteite gelys in paragrawe (a) tot (g) bedryf, moes of moet, indien so vereis kragtens enige wetgewing, reeds aansoek gedoen het vir of in besit wees van die nodige permit, lisensie of soortgelyke dokument, uitgereik of wat uitgereik staan te word deur die gepaste regulerende owerheid, wat daardie persoon magtig om sodanige aktiwiteit te bedryf.

No. R. 447

29 May 2015

REGULATION ISSUED IN TERMS OF SECTION 74(1) READ WITH SECTION 23(3)(b)(ii) OF THE VALUE-ADDED TAX ACT, 1991 (ACT NO. 89 OF 1991)

In terms of section 74(1) of the Value-Added Tax Act, 1991, I, Nhlanhla Musa Nene, Minister of Finance, hereby prescribe in the Schedule hereto, the requirements that must be met by a person applying for registration as a vendor in terms of section 23(3)(b)(ii) of the Act.



N.M. NENE
MINISTER OF FINANCE

SCHEDULE

DEFINITIONS

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

“**Banks Act**” means the Banks Act, 1990 (Act No. 94 of 1990);

“**National Credit Act**” means the National Credit Act, 2005 (Act No. 34 of 2005);

“**Tax Administration Act**” means the Tax Administration Act, 2011 (Act No. 28 of 2011); and

“**the Act**” means the Value-Added Tax Act, 1991 (Act No. 89 of 1991).

REQUIREMENTS FOR VOLUNTARY REGISTRATION UNDER SECTION 23(3)(b)(ii)

2. A person carrying on any enterprise whose total value of taxable supplies made or to be made has not exceeded R50 000, but can reasonably be expected to exceed that amount within 12 months from the date of registration, qualifies to apply to register as a vendor. That person must in addition to the information required in terms of Chapter 3 of the Tax Administration Act, provide the Commissioner with proof that any one or more of the circumstances in regulation 3 applies to that person.

CIRCUMSTANCES WHEN A PERSON CARRYING ON AN ENTERPRISE CAN REASONABLY BE EXPECTED TO EXCEED R50 000 WITHIN 12 MONTHS FROM THE DATE OF REGISTRATION

3. The Commissioner will be satisfied that a person carrying on an enterprise can reasonably be expected to make taxable supplies in excess of R50 000 in the twelve months following the date of registration, where one or more of the following circumstances exists:

- (1) Taxable supplies made for more than two months:

- (a) Proof that the average value of taxable supplies made by the person in the preceding months as contemplated in paragraph (b), prior to the date of application for registration, exceeded R4 200 per month;
 - (b) For purposes of determining the average value of taxable supplies, the person must use the value of taxable supplies made for a minimum of two and a maximum of eleven months immediately preceding the date of application;
- (2) Taxable supplies made for one month: In the case where the person has only made taxable supplies for one month immediately preceding the date of application for registration, proof that the total value of taxable supplies made by the person in that month has exceeded R4 200;
- (3) Written Contracts: The person is, in terms of a contractual obligation in writing, required to make taxable supplies in excess of R50 000 in the 12 months following the date of registration;
- (4) Finance Agreements: A copy of the relevant agreement where the person has entered into—
 - (a) a financial agreement with a bank registered in terms of the Banks Act;
 - (b) a “credit agreement” with a “credit provider” as defined in the National Credit Act;
 - (c) an agreement with a designated entity, public authority or any other person who continuously or regularly provides finance; or
 - (d) a financial agreement with a person that is not a resident of the Republic;

wherein the person mentioned in (a), (b), (c) or (d) above has agreed to fund the expenditure incurred or to be incurred in the commencement or furtherance of the enterprise and the total repayments in terms of that financial, credit or other agreement will in the 12 months following the date of application for registration exceed R 50 000; or

(5) Expenditure:

(a) Proof of—

- (i) expenditure incurred or to be incurred in connection with the commencement or furtherance of the enterprise, as set out in any written agreement entered into by such person; or
- (ii) capital goods acquired in connection with the commencement of the enterprise, and

(b) Proof of payment or any extended payment agreement entered into in respect of items contemplated in sub-paragraph (5)(a)(i) and (ii), where applicable, evidencing that payment in respect of these items—

- (i) as at the date of application for registration has exceeded R50 000;
- (ii) will in any consecutive 12 month period commencing before and ending after the date of application for registration exceed R50 000; or
- (iii) will in the 12 months following the date of application for registration exceed R 50 000.

No. R. 447**29 Mei 2015**

**REGULASIE UITGEREIK KRAGTENS ARTIKEL 74(1) SAAMGELEES MET
ARTIKEL 23(3)(b)(ii) VAN DIE WET OP BELASTING OP TOEGEVOEGDE
WAARDE, 1991 (WET NO. 89 VAN 1991)**

Kragtens artikel 74(1) van die Wet op Belasting op Toegevoegde Waarde, 1991, skryf ek, Nhlanhla Musa Nene, Minister van Finansies, hierby in die Bylae hierby, voor die vereistes waaraan voldoen moet word deur 'n persoon wat om registrasie as 'n ondernemer kragtens artikel 23(3)(b)(ii) van die Wet aansoek doen.

N.M. NENE

MINISTER VAN FINANSIES

BYLAE**WOORDOMSKRYWING**

1. In hierdie regulasie, tensy uit die samehang anders blyk, dra enige woord of uitdrukking in hierdie regulasie vervat waaraan 'n betekenis ingevolge die Wet toegeskryf is, die betekenis aldus daaraan geheg, en die volgende terme het die volgende betekenis:

“**Bankwet**” beteken die Bankwet, 1990 (Wet No. No. 94 van 1990);

“**National Credit Act**” beteken die “National Credit Act, 2005” (Wet No. 34 van 2005);

“**Wet op Belastingadministrasie**” beteken die Wet op Belastingadministrasie, 2011 (Wet No. 28 van 2011); en

“**die Wet**” beteken die Wet op Belasting op Toegevoegde Waarde, 1991 (Wet No. 89 van 1991).

VEREISTES VIR VRYWILLIGE REGISTRASIE KRAGTENS ARTIKEL 23(3)(b)(ii)

2. 'n Persoon wat enige onderneming bedryf waarvan die totale waarde van die belasbare lewerings wat gemaak is of staan te word, nie R50 000 oorskry het nie, maar redelikerwys verwag kan word daardie bedrag binne 12 maande vanaf die datum van registrasie te oorskry, kwalifiseer om aansoek te doen om as 'n ondernemer te registreer. Daardie persoon moet benewens die inligting vereis ingevolge Hoofstuk 3 van die Wet op Belastingadministrasie, die Kommissaris van bewys voorsien dat een of meer van die omstandighede in regulasie 3 op daardie persoon van toepassing is.

OMSTANDIGHEDE WAARONDER 'N PERSOON WAT 'N ONDERNEMING BEDRYF REDELIKERWYS VERWAG KAN WORD BINNE 12 MAANDE VANAF DIE DATUM VAN REGISTRASIE R50 000 TE OORSKRY

3. Die Kommissaris sal tevrede wees dat 'n persoon wat 'n onderneming bedryf, redelikerwys verwag kan word om belasbare lewerings wat R50 000 oorskry in

die twaalf maande wat volg op die datum van registrasie te maak, waar een of meer van die volgende omstandighede bestaan:

- (1) Belasbare lewerings vir meer as twee maande gemaak:
 - (a) Bewys dat die gemiddelde waarde van belasbare lewerings deur die persoon gemaak in die voorafgaande maande soos beoog in paragraaf (b), voor die datum van aansoek om registrasie, R4 200 per maand oorskry het;
 - (b) Met die doel om die gemiddelde waarde van belasbare lewerings te bepaal, moet die persoon die waarde van belasbare lewerings gemaak vir 'n minimum van twee en 'n maksimum van elf maande onmiddellik voor die datum van aansoek gebruik;
- (2) Belasbare lewerings vir een maand gemaak: In die geval waar die persoon slegs belasbare lewerings gemaak het vir een maand onmiddellik voor die datum van aansoek om registrasie, bewys dat die totale waarde van belasbare lewerings deur die persoon in daardie maand gemaak, R4 200 oorskry het;
- (3) Skriftelike Kontrakte: Die persoon word, ingevolge 'n skriftelike kontraktuele verpligting, verplig om belasbare lewerings wat R50 000 oorskry, te maak in die 12 maande wat op die datum van registrasie volg;
- (4) Finansieringsooreenkomste: 'n Afskrif van die tersaaklike ooreenkoms waar die persoon—
 - (a) 'n finansieringsooreenkoms met 'n bank geregistreer ingevolge die Bankwet aangegaan het;
 - (b) 'n "credit agreement" met 'n "credit provider" soos omskryf in die "National Credit Act" aangegaan het;

- (c) 'n ooreenkoms met 'n aangewese entiteit, openbare owerheid of enige ander persoon wat voortdurend of gereeld finansiering verskaf, aangegaan het; of
- (d) 'n finansieringsooreenkoms met 'n persoon wat nie 'n inwoner van die Republiek is nie, aangegaan het,

waarin die persoon genoem in (a), (b), (c) of (d) hierbo ingestem het om die uitgawes aangegaan of aangegaan te word in die aanvang of bevordering van die onderneming te befonds en die totale terugbetalings ingevolge daardie finansierings-, krediet- of ander ooreenkoms in die 12 maande wat volg op die datum van aansoek om registrasie R 50 000 sal oorskry; of

(5) Uitgawes:

- (a) Bewys van—
 - (i) uitgawes aangegaan of aangegaan te word in verband met die aanvang of bevordering van die onderneming, soos in enige skriftelike ooreenkoms deur daardie persoon aangegaan, uiteengesit; of
 - (ii) kapitaalgoed in verband met die aanvang van die onderneming verkry, en
- (b) Bewys van betaling of enige uitgebreide betalingsooreenkoms aangegaan ten opsigte van items in sub-paragraaf (5)(a)(i) en (ii) beoog, waar toepaslik, wat bewys lewer dat betaling ten opsigte van hierdie items—
 - (i) soos op die datum van aansoek om registrasie R50 000 oorskry het;

- (ii) in enige opeenvolgende tydperk van 12 maande wat begin voor en eindig na die datum van aansoek om registrasie R50 000 sal oorskry; of
- (iii) in die 12 maande wat volg op die datum van aansoek om registrasie R 50 000 sal oorskry.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 748 6052, 748 6053, 748 6058

Advertisements: Tel: (012) 748 6205, 748 6208, 748 6209, 748 6210, 748 6211

Subscriptions: Tel: (012) 748 6054, 748 6055, 748 6057

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 748 6052, 748 6053, 748 6058

Advertensies: Tel: (012) 748 6205, 748 6208, 748 6209, 748 6210, 748 6211

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