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# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above. Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

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take note!

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

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

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

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- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the gazette numbers in the righthand column:

Alle Proklamasies, Goewermentskennisgewings, Algemene Kennisgewings en Raadskennisgewings gepubliseer, word vir verwysingsdoeleindes in die volgende Inhoudopgawe ingesluit wat dus weeklikse indeks voorstel. Laat u self deur die Koerantnommers in die regterhandse kolom lei:

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**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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**NOTICE SUBMISSION DEADLINES FOR ORDINARY GAZETTES**

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

**GOVERNMENT PRINTING WORKS CONTACT INFORMATION****Physical Address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:  
**For queries and quotations, contact:** Gazette Contact Centre:

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

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** subscriptions@gpw.gov.za  
**Tel:** 012-748-6066 / 6060 / 6058  
**Fax:** 012-323-9574

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

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

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

### EXTRA-ORDINARY

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

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

**GOVERNMENT PRINTING WORKS BUSINESS RULES**

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

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](mailto:submit.egazette@gpw.gov.za). All notice submissions not on Adobe electronic forms will be rejected.
3. When submitting your notice request, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email and must be attached separately. (In other words, your email should have an Adobe Form plus proof of payment/purchase order as 2 separate attachments. Where notice content is applicable, it should also be a 3rd separate attachment).
4. Notices brought to GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format.
5. All "walk-in" customers with notices that are not on electronic Adobe forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.
6. For National or Provincial gazette notices, the following applies:
  - 6.1 These notices must be accompanied by an electronic Z95 or Z95Prov Adobe form
  - 6.2 The notice content (body copy) MUST be a separate attachment.
7. 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](http://www.gpwonline.co.za))
8. 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](mailto:info.egazette@gpw.gov.za))
9. All re-submissions will be subject to the standard cut-off times.
10. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
11. The electronic Adobe form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered.
12. Requests for Quotations (RFQs) should be received by the Contact Centre at least 24 hours before the submission deadline for that specific publication.

**APPROVAL OF NOTICES**

13. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

The Government Printer indemnified against liability

14. The Government Printer will assume no liability in respect of—
  - 14.1 any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

- 14.2 erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
- 14.3 any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

#### LIABILITY OF ADVERTISER

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

#### COPY

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

#### PAYMENT OF COST

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

#### PROOF OF PUBLICATION

24. Copies of the Government Gazette which may be required as proof of publication, may be ordered from the Government Printer at the ruling price. The Government Printer will assume no liability for any failure to post such Government Gazette(s) or for any delay in despatching it them

**IMPORTANT ANNOUNCEMENT**

*Closing times* **PRIOR TO PUBLIC HOLIDAYS** for  
**GOVERNMENT NOTICES, GENERAL NOTICES,  
 REGULATION NOTICES AND PROCLAMATIONS** 2016

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

- 16 March, Wednesday for the issue of Thursday 24 March 2016
- 23 March, Wednesday for the issue of Friday 1 April 2016
- 21 April, Thursday for the issue of Friday 29 April 2016
- 28 April, Thursday for the issue of Friday 6 May 2016
- 9 June, Thursday for the issue of Friday 17 June 2016
- 4 August, Thursday for the issue of Friday 12 August 2016
- 8 December, Thursday for the issue of Thursday 15 December 2016
- 22 December, Thursday for the issue of Friday 30 December 2016
- 29 December, Thursday for the issue of Friday 6 January 2017

**BELANGRIKE AANKONDIGING**

*Sluitingstye* **VOOR VAKANSIEDAE** vir  
**GOEWERMENTS-, ALGEMENE- & REGULASIE-  
 KENNISGEWINGS ASOOK PROKLAMASIES** 2016

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

- 16 Maart, Woensdag vir die uitgawe van Donderdag 24 April 2016
- 23 Maart, Woensdag vir die uitgawe van Vrydag 1 April 2016
- 21 April, Donderdag vir die uitgawe van Vrydag 29 April 2016
- 28 April, Donderdag vir die uitgawe van Vrydag 6 Mei 2016
- 9 Junie, Donderdag vir die uitgawe van Vrydag 17 Junie 2016
- 4 Augustus, Donderdag vir die uitgawe van Vrydag 12 Augustus 2016
- 8 Desember, Donderdag vir die uitgawe van Donderdag 15 Desember 2016
- 22 Desember, Donderdag vir die uitgawe van Vrydag 30 Desember 2016
- 29 Desember, Donderdag vir die uitgawe van Vrydag 6 Januarie 2017



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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**

NO. 826

15 JULY 2016

**AGRICULTURAL PRODUCT STANDARDS ACT, 1990  
(ACT No. 119 OF 1990)****INVITATION TO PROSPECTIVE ASSIGNEES IN TERMS OF SECTION 2 OF THE AGRICULTURAL  
PRODUCT STANDARDS ACT**

The Minister of Agriculture, Forestry and Fisheries is in terms of Section 2 (3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) empowered to designate any person, undertaking, body, institution, association or board having particular knowledge in respect of the product concerned, as an assignee in respect of that product.

Accordingly, prospective assignee(s) who qualify and are competent are hereby invited to express their interest by making applications to be designated by the Minister in terms of Section 2(3)(a) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990). In order to evaluate the qualification and competence of the prospective assignees, due regard should be taken of the minimum requirements set for an assignee when a detailed application accompanied by a proposal is submitted to the Executive Officer: Agricultural Product Standards. The prospective assignee(s) may be designated for the purpose of the application of section 3A read together with sections 3 and 4A of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990).

**The prospective Assignee(s) may be designated to carry out inspection for the purposes of the application of the Act with respect to either one of the following categories of regulated products:**

***A. Regulated dairy and related products (dairy and imitation dairy products and edible ices)***

***B. Regulated animal products (poultry meat and eggs, as well as any other meat and meat products for which regulations may be promulgated).***

**C. Regulated processed products** (fruit juices and drinks, frozen fruit and vegetables, jam, jelly & marmalade, rooibos, honey, table olives, fat spreads, mayonnaise & salad dressings and vinegar) and **canned processed products** (canned pasta, canned mushrooms, canned fruit and canned vegetables), as well as any other processed products and canned processed products for which regulations may be promulgated.

The prospective assignee(s) will be selected in accordance with their compliance with the set requirements (which may be accessed from the website: <http://www.daff.gov.za>), and selection will further be evaluated on the basis of a scheduled interview.

**Submission of applications**

All applications should be submitted in writing to:

The Executive Officer: Agricultural Product Standards, Department of Agriculture, Forestry and Fisheries, Private Bag X343, Pretoria, 0001; or Physical Address (Hand Delivery): Director Food Safety and Quality Assurance, Harvest House, 30 Hamilton Street, Arcadia, Pretoria.

**Deadline: 2 September 2016**

**Enquiries:** Executive Officer: Agricultural Product Standards - Mr. B.M. Makhafola at 012 319 6023.

**Information Session**

All prospective Assignees are invited to attend an information session to familiarise themselves with the minimum requirements set for an Assignee and the detailed information which should accompany the written application.

**Venue:** Imbizo Hall, Harvest House, 30 Hamilton Street, Arcadia, Pretoria

**Date:** 18 July 2016

**Time:** 10:00

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 827

15 JULY 2016

**PUBLICATION OF EXPLANATORY SUMMARY OF THE NATIONAL FORESTS  
AMENDMENT BILL, 2015**

1. Notice is hereby given in terms of Rule 241 (1) (b) of the Rules of the National Assembly that the Minister of Agriculture, Forestry and Fisheries intends to introduce the National Forests Amendment Bill, 2015 in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 241 (1) (c) of the Rules of the National Assembly.
3. The National Forests Amendment Bill, 2015 seeks to amend the National Forests Act, 1998, so as to provide for clear definitions of natural forests and woodlands; to provide for public trusteeship of the nation's forestry resources; to increase the promotion and enforcement of sustainable forest management; to increase the measures provided for in the Act to control and remedy deforestation; to provide for appeals against decisions taken under delegated powers and duties to reinforce offences and penalties; and to provide for matter connected therewith.
4. A copy of the Bill can be found on the website of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and the Department of Agriculture, Forestry and Fisheries at <http://www.daff.gov.za> .

**DEPARTMENT OF DEFENCE AND MILITARY VETERANS**

**NO. 828**

**15 JULY 2016**



**DEPARTMENT OF MILITARY VETERANS**

**SECTION 14 MANUAL PROMOTION OF ACCESS TO INFORMATION**

**(ACT 2 OF 2000)**

Version 2 Updated 7 May 2016

1

## DEFINITION OF CONCEPTS

**Court** - means the court to which a person can make an application for the matter to be resolved. The courts are the Constitutional Court acting in terms of Section 167(6)(a) of the Constitution or a High Court or another court of similar status or a Magistrate's Court either generally or in respect of a specified class of decisions in terms of this Act, designated by the Minister of Justice and Constitutional Development by notice in the Gazette and presided over by the magistrate or an additional magistrate designated in terms of Section 91A within whose areas of jurisdiction it resides.

**DMV** – Department of Military Veterans.

**Fees** – means the amount of money paid for processing the request.

**Head** – of, or in relation to, a public body, means in case of a natural person, that natural person or any person duly authorised by that natural person.

**Information Officer** – means the officer in the office to whom a request for access to information to a record/information has to be submitted.

**Internal appeal** – an internal appeal refers to the process whereby a requester is dissatisfied with the decision of the Information Officer or in an instance in which his/her request was ignored and no response given within 30 days / extended for a period of 30 days. An internal appeal has to be lodged with the relevant authority where such a process is applicable.

**Personal information** – means information about an identifiable individual including, but not limited to, information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health and birth of the individual; information relating to the individual or information relating to financial transactions in which the individual was involved.

**Personal applicant** – means an applicant seeking access to a record containing personal information about her/him.

**Public body** – means any department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government or any other functionary or institution exercising a power or performing a duty in terms of the Constitution or a provincial constitution or exercising a public power or performing a public function in terms of any legislation.

**Record** – means any recorded information regardless of its form or medium in the possession or under the control of the office whether or not it was created by the office.

**Relevant authority** – means the person to whom an internal appeal is lodged.

## INTRODUCTION

1. Access to information is a right entrenched in Section 32 of the Constitution of the Republic of South Africa, which provides that

- a. *"everyone has the right of access to any information held by the state and any information held by another person that is required for the exercise or protection of any rights"; and*
- b. *"National legislation must be enacted to give effect to this right and may provide for reasonable measures to alleviate the administrative and financial burden on the state".*

2. To fulfil the constitutional obligation, the Promotion of Access to Information Act (PAIA), 2000 (Act No. 2 of 2000) ("the Act") was enacted by Parliament and came into effect on 9 March 2001.

## COMPILATION OF A MANUAL IN TERMS OF SECTION 14 OF THE ACT

3. In terms of Section 14 of the Act, the Information Officer of a public body is required to compile a manual within six (6) months after the commencement of this section or the coming into existence of a public body. The manual containing the following information must be compiled in three official languages:

- a. A description of the structure and functions of the body.
- b. The contact details of every Deputy Information Officer of the body appointed in terms of Section 17(1) of the Act.
- c. A description of the guide compiled in terms of Section 10 of the Act.
- d. Sufficient details to facilitate a request for access to a record of the body and a description of the subjects on which the body holds records and the categories of records held on each subject.
- e. Categories of records of the body that are available without a person having to request access in terms of the Act (Section 15(2)).
- f. A description of the services of the body available to members of the public and how to gain access to those services.
- g. A description of any arrangement or provision for a person, other than a public body referred to in the definition of "public body", by consultation, making representations, or to participate in or influence:-
  - \* the formulation of policy; or
  - \* exercise of powers or performance of duties by the public body.
- h. A description of all remedies available in respect of an act or failure to act by the body.

- i. Any other information that may be prescribed.

## **OBJECTIVES OF THE ACT**

4. The objectives of the Act are to
  - a. give effect to the constitutional right of access to information, balancing it with any other rights;
  - b. give effect to the constitutional obligations of the State of promoting a human rights culture and social justice;
  - c. establish voluntary and mandatory mechanisms of disclosing information; and
  - d. promote transparency, accountability and effective governance of all public and private bodies.

## **APPLICATION OF THE ACT**

5. The Act is applicable as follows:
  - a. Application to Record. Promotion of access to information applies to both public and private bodies as defined in the Act.
  - b. Exclusion of Certain Records
    - i. The Act does not apply to a record of a public or private body if that record is requested for purposes of criminal or civil proceedings after the commencement of such proceedings, and if the production or access to the record for purposes of criminal or civil proceedings is provided for in any other law (Section 7(1)).
    - ii. The Act does not apply to the records of cabinet, cabinet committees, judicial functions of a court or a special tribunal, a record of a judicial officer of a court or special tribunal or a record of an individual member of parliament or a provincial legislature in that capacity (Section 12).

## **DELEGATION OF POWERS**

6. The Information Officer has delegated all powers and functions to the Deputy Information Officer as defined in the Act.

## **STRUCTURE AND FUNCTION**

7. The Department of Military Veterans (DMV) was established in terms of the Military Veterans Act, No. 18 of 2011 to provide socio-economic benefits to military veterans and, in certain instances, their dependants. Section 5(1)(a)-(k), read together with Section 24(1), deals with the benefits applicable to military veterans

and the regulations that the Minister may make, prescribing the criteria to be met to qualify for benefits.

8. The organisational and functional Structure of the DMV, comprising 169 posts, was approved by the Minister in 2010. The budget programmes of the Department, as approved by National Treasury in February 2015, have been aligned with the approved functional structure provided below.

### **CONTACT DETAILS**

9. Contact details are as follows:

- a. Information Officer: Mr L.Z. Make  
E-mail: Lifeni.Make@dmv.gov.za  
Telephone number: 012 765 9336
- b. Deputy Information Officer: Mr B. Mpangalasane  
E-mail: bangani.mpangalasane@dmv.gov.za  
Telephone number: 012 765 9355
- c. Postal Address:  
Department of Military Veterans  
Private Bag X943  
Pretoria  
0001
- d. Street Address:  
328 Festival Street  
Hatfield  
Pretoria

### **WHO CAN REQUEST INFORMATION?**

10. The Promotion of Access to Information Act provides that everyone has a right of access to information. Thus, a natural or juristic person (e.g a company or a close corporation) can request access to information from the public body.

11. A person who requests information is referred to as a requester. The Act distinguishes between two types of requesters, namely a 'requester' and a 'personal requester'.

12. In relation to the Department, a requester is defined as any person who requests access to a record of the Office on behalf of another. However, the definition excludes the following public bodies:

- a. A state department or administration in the national, provincial or local sphere of government.
- b. Any functionary or institution when exercising a power or executing a duty in terms of the Constitution or a provincial constitution.



- c. Any other functionary or institution when exercising a public power or performing a public function in terms of any legislation.
- d. A personal requester means a requester who is seeking access to a record containing personal information about the requester.
- e. The definition of personal information excludes information about an individual who has been dead for more than 20 years.
- f. A personal requester is, in the first instance, a requester, and, depending on the type of information requested, becomes a personal requester.
- g. When a person requests personal records and any other records, such a person should, for purposes of payment of the prescribed request fees, be regarded as a personal requester, and not be classified as a requester if the records so requested are mainly for personal information.
- h. Requests for access to information can also be made on behalf of another person. Whenever a request for information is on behalf of another, proof of capacity must be attached.
  - i. A person can request information on behalf of another person if he/she is a guardian of a person under the age of 18 or if a person is unable to understand the nature of the request. If the record concerns a deceased person, proof of next of kin of the deceased or written consent from the deceased's next of kin to make the request must be attached.
  - ii. Persons who cannot read or write may make an oral request which will be put in writing by the Information Officer.
- i. Access to records held by the Department will be given if
  - i. Procedural requirements relating to a request for access to that record have been complied with;
  - ii. Access to that record is not refused on any grounds for refusal as contemplated in Chapter 4 of Part 2 of the Act. This includes a request for access to a record containing personal information about the requester; and
  - iii. Right of access to a record is not affected by any reasons that have been given for requesting access or the Information Officer's belief concerning the reasons for requesting access (Section 11[3]).

#### **FROM WHOM CAN INFORMATION OR A RECORD BE REQUESTED?**

13. Information from a record can be requested from the Information Officer or the Deputy Information Officer.

#### **HOW TO REQUEST ACCESS TO A RECORD FROM THE OFFICE**

14. A request to the Information Officer/ Deputy Information Officer must be made in writing.

15. To this end, Form A (printed in the Government Gazette, Notice R187 of 15 February 2002), must be completed, signed and submitted to the Information Officer or Deputy Information Officer. If this form is not completed, it is an act of non-compliance, thus making any relief in terms of PAIA impossible.

- a. The completed form has to be submitted to the Information Officer by hand at his/her physical address or sent by electronic mail together with the payment of a request fee of R35.00.
- b. The Information Officer/Deputy Information Officer is obliged to assist illiterate or disabled people who are unable to complete forms when making requests. The Information Office/Deputy Information Officer will transcribe their oral requests. The information Officer or Deputy Information Officer must render such reasonable assistance needed by a requester free of charge (Section 19).
- c. If requesting information and/or records of a deceased member, the following must be complied with:
  - i. In terms of Section 34(2)(e) the requester must submit proof of being the deceased's next of kin or submit a letter of consent from the deceased's next of kin indicating that he/she is requesting the information and/or records.
  - ii. In terms of Section 18(2)(a)(i), a death certificate or certified copy of the deceased's identity document must be submitted.
- d. The requester must provide full particulars of the record to which access is requested, including the reference number if that is known, to enable personnel to locate the record. If the space provided is inadequate, the requester must continue on a separate folio and attach it to Form A. The requester must sign all the additional attached folios.
- e. The requester's proof of payment must accompany the request to gain access to the records of the DMV. The request fee must be deposited into the bank account of the DMV. If requesting access to the requester's personal information and/or records, the request fee is not applicable.

#### **REQUESTS NOT DEALT WITH WITHIN 30 DAYS**

16. After submitting Form A to the Information Officer/Deputy Information Officer and the payment of the request fee, he/she should respond to the request within 30 days. The Information Officer/Deputy Information Officer can extend the 30-day period only for a further 30 days, after receiving written notification together with reasons for such an extension.

17. When the Information Officer decides to grant a person access to a record, he/she will indicate the payment of the access fee (if any) for the time spent

searching for and preparing the record, and he/she must state the form in which access will be given.

18. When access is refused, the Information Officer/Deputy Information Officer will give reasons for such a refusal in terms of PAIA and cite the specific section relied upon.

**WHAT IF THERE IS NO RESPONSE TO YOUR REQUEST WITHIN 30 DAYS / THE EXTENDED PERIOD OF 30 DAYS OR YOU FEEL AGGRIEVED BY THE DECISION OF THE INFORMATION OFFICER / DEPUTY INFORMATION OFFICER?**

19. When a request for access is simply ignored or the Information Officer/Deputy Information Officer fails to respond to the request within 30 days or within the extended period of 30 days, such non-response is deemed a refusal.

**TRANSFER OF RECORDS OR REQUESTS**

20. If a request for access is made to the Information Officer or Deputy Information Officer and such record is not in the possession of or under the control of that body, but in the possession of another public body, the Information Officer to whom the request is made must, within a reasonable time, but within 14 days after the request has been received, transfer the request to the Information Officer of the other public body.

**FEES**

21. The Information Officer or Deputy Information Officer to whom a request for access is made must, by notice, require payment of the prescribed fee from the requester (not applicable to a personal requester), before processing the request (Section 22).

22. The prescribed request fee is R35.00. The requester may lodge an internal appeal or an application with a court against the tender or payment of the request fee.

23. A personal requester does not have to pay the request fee. Only a requester, who is not a personal requester, must pay a request fee. Therefore, requesters must be classified correctly.

24. The Information Officer of the public body must withhold a record until the requester has paid the applicable fees.

25. Any payment made in respect of a request for access that is refused must be repaid to the requester by the Information Officer or Deputy Information Officer.

26. A requester whose request for access to a record of a public body has been granted must pay a fee for reproduction, ie the cost for making a copy of the record. The reproduction fee for the different categories of reproduction are set out in the table below :

<b>Form and kind of copy of a record</b>	<b>Amount R</b>
To search and prepare the record for disclosure	R15.00
For every photocopy, per A4 size page or part thereof	0.60
For every printed photocopy, per A4 size page or part thereof held on a computer or in electronic or machine readable form,	0.40
For a copy in a computer-readable form/electronic, per disk	5.00
Compact disc	5.00
For a transcription of visual images, for an A4 size page or part thereof for a copy of visual images	22.00 60.00
For a transcription of an audio record, for an A4-size page or part thereof	12.00
for a copy of an audio record	17.00

27. The actual postage fee is payable when a copy of a record is to be posted to a requester.

#### **DECISION IN RESPECT OF THE REQUEST**

28. The Information Officer or Deputy Information Officer to whom a request for access is made or transferred must, subject to Sections 26 (extension of period to deal with request), 47, 48 and 49 (third party notification and intervention] of the Act, as soon as reasonably possible, but in any event within 30 days after the request is received, decide if the request will be granted or refused.

29. The requester must be notified of the decision, in the manner in which the requester stated, as contemplated in Section 18 (2)(e), that he or she wishes to be informed in any other manner that is reasonably possible.

30. If the request for access is refused, the Information Officer or Deputy Information Officer must give adequate reasons for the refusal, including the provisions of the Act relied upon;

31. The requester may lodge an internal appeal or an application with a court against the refusal of the request, and the procedure (including the period) for lodging the internal appeal or application.

#### **EXTENSION OF PERIOD TO DEAL WITH REQUEST**

32. The Information Officer or Deputy Information Officer to whom a request for access has been made or transferred may extend the original period of 30 days once for a further period of not more than 30 days, if

- a. the request is for a large number of records or requires a search through a large number of records, and compliance with the original period would unduly interfere with the activities of the public body concerned;

- b. the request requires a search for records or collection of records at an office of a public body not situated in the same town or city as the office of the Information Officer or Deputy Information Officer that cannot reasonably be completed within the original period;
- c. consultation between divisions of the public body or with another public body is necessary or desirable to decide upon the request that cannot reasonably be completed within the original period;
- d. more than one of the circumstances contemplated in subparagraphs a, b, or c above exists in respect of the request making compliance with the original period reasonably impossible; or
- e. the requester consents in writing to such extension.

33. When a period is extended, the Information officer or Deputy Information Officer is required to notify the requester of the extension within 30 days after the request has been received or transferred.

34. For the purpose of the Act, failure by the Information Officer or Deputy Information Officer to make a decision about a request for access within 30 days is regarded as a refusal of the request.

35. Any part of the record that may or must be refused in terms of any of the provisions of Chapter 4 of Part 2 of the Act can be severed from any part that contains information that must be disclosed, despite any other provision of the Act.

36. If access to part of a record is granted and the other part is refused, the requester must comply with the requirements for a notice in terms of Section 25(2), which grants access, and with the requirements for a notice in terms of Section 25(3), which refuses access.

#### **RECORDS THAT CANNOT BE FOUND OR DO NOT EXIST**

37. The Information Officer or Deputy Information Officer must notify the requester by way of an affidavit or affirmation that it is not possible to give access to the record after all reasonable steps to find it have been taken, and where there are reasonable grounds for believing that the record is in possession of the public body but cannot be found or does not exist.

38. The affidavit or affirmation to be issued by the Information Officer or Deputy Information Officer must give a full account of all the steps taken to find the record in question or to determine whether the record exists, including all the communications with every person who conducted the search on his or her behalf.

39. For the purposes of the Act, the notice that the record cannot be found or does not exist will be regarded as a decision to refuse a request for access to the record.

40. If the record in question is found afterwards, the requester must be informed thereof and given access to the record unless there are grounds for the refusal of access in terms of which such access is refused.

41. The record of all search instructions and reports must be kept for ease of reference when making an affidavit or affirmation in compliance with the Act.

### **ACCESS AND FORMS OF ACCESS**

42. Access Fee. The requester must pay an access fee, if any is payable, upon receipt of the notice that his or her request for access has been granted, where after he or she will be given access immediately in the applicable form as indicated in the request by the requester and in the language requested or available (Section 29).

43. Forms of Access. Access to a record for which a request for access has been granted may be given by

- a. supplying a copy of the record or by making arrangements for inspection of the record if the record is in a written or printed form;
- b. making arrangements to view the images or being supplied with copies or transcriptions by means of equipment which is ordinarily available to the public body in the case of the record not being in written or printed form but in visual images or printed transcriptions of those images that can be reproduced;
- c. making arrangements to hear the sounds or by means of written or printed transcription of the sounds in the case of a record in which words or information are recorded in such a manner that they can be reproduced in the form of sound or written or printed transcription by using equipment that is ordinarily available to the public body;
- d. means of a copy of a record in a computer-readable form or any other case, in the case of a record held on computer or in electronic or machine-readable form, and from which the public body concerned can reproduce a printed copy by using computer equipment and expertise ordinarily available to the public body;

### **LANGUAGE OF ACCESS**

44. Access to a record must be given in the language preferred by the requester, if it exists in such a language. If it does not exist in the preferred language, it should be given in the language in which the record exists.

### **GROUND FOR REFUSAL OF ACCESS TO RECORDS**

45. In some instances, there are mandatory grounds in terms of which access to a record must be refused. However, to avoid a blanket refusal, certain conditions exist. The Information Officer or Deputy Information Officer must refuse a request for access to a record if such a record

- a. contains unreasonable personal information about a third party including a deceased person;

- b. request for information held by the South African Revenue Service if held for the purposes of enforcing legislation concerning the collection of revenue;
- c. contains
  - i. trade secrets of a third party;
  - ii. financial, commercial, or technical information other than trade secrets likely to cause harm;
  - iii. constitutes a breach of confidence owed to the third party or supplied in confidence;
  - iv. information supplied by a third party in confidence likely to endanger the life or the physical safety of an individual, security of a building, structure or system including computer or communication system, means of transport or any other property;
- d. is prohibited in terms of the Criminal Procedure Act, No.51 of 1977;
- e. privileged from production; and
- f. contains information about research being conducted for a third party.
- g. may refuse a request for access to a record as contemplated in Sections 37 (1)(b), 38 (b), 39 (1)(b), 41 (1)(a) or (b), 42 (1) or (3), 43 (2), 44 (1) or (2) or 45, unless the provisions of Section 46 apply.

### **THIRD PARTY NOTIFICATION AND INTERVENTION NOTICE TO THIRD PARTIES**

46. All reasonable steps must be taken by the information or Deputy Information Officer who considers a request for access to a record to inform a third party to whom the record relates in the request (Section 47(1)).

47. The Information Officer or Deputy Information Officer must inform a third party by the fastest means possible, as soon as is reasonably possible, but in any event within 21 days after the request has been received or transferred. The notification to the third party must

- a. state that the Information Officer or Deputy Information Officer is considering a request for access to a record and must describe the content of the record;
- b. furnish the name of the requester; and
- c. describe the type of record being requested.
- d. indicate that the Information Officer or Deputy Information Officer believes

- i. the disclosure of the record would reveal evidence of a substantial contravention of, or failure to comply with the law;
  - ii. an imminent and serious public safety or environmental risk analysis and the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question;
- e. state that the third party may, within 21 days after the third party has been informed,
  - i. make a written or oral representation to the Information Officer or Deputy Information Officer as to why the request for access should be refused; or
  - ii. give written consent for the disclosure of the record to the requester.

48. If a third party is not informed orally of a request for access, the Information Officer or Deputy Information Officer is required to give such third party a written notice stating the matters referred to above.

#### **REPRESENTATIONS AND CONSENT BY THIRD PARTIES (SECTION 48)**

49. Within 21 days after being informed, a third party who has been informed of a request for access may make written or oral representations to the Information Officer as to why the request should be refused or give written consent for the disclosure of the record to the requester.

50. A third party who obtains knowledge about a request for access without being informed by the Information Officer or deputy information officer may make written or oral representations to the Information Officer or Deputy Information Officer as to why the request should be refused or give written consent for the disclosure of the record to the requester.

#### **DECISION IN RESPECT OF REPRESENTATIONS FOR REFUSAL AND NOTICE THEREOF**

51. Within 30 days after the third parties concerned have been informed as provided for in Section 47, the Information Officer or Deputy Information Officer must

- a. decide, after duly considering any representations made by a third party in terms of Section 48, whether to grant the request for access; and
- b. notify the third party so informed, and a third party not informed in terms of section 47(1), but that made representations, or is located before the decision is taken, of the decision made.

52. If a third party is not informed of the request, after all reasonable steps have been taken, and the third party does not make any representations, any decision whether to grant the request for access must be made with due regard to the fact that the third party did not have the opportunity to make representations as to why the request should be refused.



53. The notice given upon granting a request for access must state
- a. adequate reasons for granting the request, including the provisions of the Act relied upon;
  - b. that the third party may lodge an internal appeal against the decision within 30 days after notice has been given, and the procedure for lodging the internal appeal; and
  - c. that the requester will be given access to the record after the expiry of the 30-day period, unless such internal appeal is lodged within that period.
54. After 30 days have expired after the notice to the third party, the requester must be given access to the record, unless an internal appeal or an application to a court is lodged against the decision within that period.

#### **AUTOMATICALLY AVAILABLE RECORDS**

55. In terms of Section 14(e), read together with Section 15(2), the Department must provide the latest notice that can be obtained automatically without request. The following is a list in terms of this section:

- a. Military Veterans Act, No. 18 of 2011.
- b. Application forms for benefits and registration on the military veterans' database.
- c. Strategic plans.
- d. Annual performance plans.
- e. Military veteran's magazine: *Honour*.

#### **SERVICES AVAILABLE FROM THE DEPARTMENT OF MILITARY VETERANS**

56. Military Veterans' Benefits Regulations. Section 24(1) of the Act prescribes that the Executive Authority develop criteria that stipulate the means test for each of the benefits. In invoking this provision, the Department of Military Veterans has developed regulations providing the criteria to be met in order to qualify for benefits stipulated in Section 5 of the Act.

57. The Military Veterans' Benefit Regulations cover the following benefits:
- a. Housing.
  - b. Health care.
  - c. Dedicated counselling and treatment for mental illness and posttraumatic stress.
  - d. Facilitation of business opportunities.
  - e. Facilitation of employment placement.

- f. Compensation for injury, trauma and disease.
- g. Burial support.
- h. Honouring and memorialising.
- i. Transport.

#### **PARTICIPATION BY ANY PERSON (Section 14(1)(g))**

58. Section 14(1)(g) deals with arrangements made by any person other than a public body as defined by the Act who, by consultation, may make representations that may influence the formulation of policy, exercising of powers or execution of duties by the body.

59. What follows is how military veterans can participate by means of consultation to influence either the formulation of policy or the exercising of powers or performance.

#### **NATIONAL MILITARY VETERANS' ASSOCIATION**

60. Section 7(1) of the Military Veterans Act stipulates that the Director-General must establish a Military Veterans' Association by publication in the Government Gazette. Furthermore, the DG and the Association must create mechanisms to ensure that the Association acts as an umbrella association representing military veterans' organisations. The mechanisms must at least result in the Association

- a. representing military veterans' organisations fairly;
- b. conducting its business fairly, transparently and accountably;
- c. holding free, fair and regular elections; and
- d. reporting to the Minister on its activities at least once a year.

61. The association must

- a. perform the functions provided for in this Act;
- b. advise the Minister on matters relating to legislation and policy affecting military veterans as the Minister may require; and
- c. advise the Minister or the Director-General on any other matter relating to the affairs of military veterans that the Minister or the Director-General may require.

#### **ADVISORY COUNCIL ON MILITARY VETERANS**

62. Section 9(1) of the Military Veterans' Act establishes an Advisory Council on Military Veterans responsible to the Minister that attends to the interests of military veterans and must

- a. perform the functions provided for in this Act;

- b. advise the Minister on any matter relating to the policy applicable to military veterans; and
- c. on its own initiative or at the request of the Minister, or of the Director-General, make recommendations to the Minister or the Director-General, as the case may be, and furnish advice on all matters pertaining to military veterans and their dependants.

63. Invitations for nominations were advertised in two national newspapers. Nominations had to be in writing and directed to the Director-General. The Military Veterans' Association nominated at least 3 persons for appointment.

#### **MILITARY VETERANS' APPEAL BOARD**

64. Section 19 of the Military Veterans' Act establishes the Military Veterans' Appeal Board, which must

- a. consider any appeal lodged with it by a military veteran against any decision taken by an official in terms of this Act which adversely affects the rights of that military veteran;
- b. consider any question of law relating to military veterans referred to it by the Minister or the Director-General; and
- c. advise the Minister or the Director-General regarding any legal matter relating to military veterans which the Minister or the Director-General refers to it.

65. The Appeal Board may

- a. confirm, set aside or vary a decision taken by an official;
- b. substitute any other decision for the decision; or
- c. provide the required legal advice.

#### **APPEALS AGAINST DECISIONS**

66. Right of Internal Appeal to Executing Authority. An internal appeal against a decision of the Information Officer or Deputy Information Officer may be lodged with the executing authority on any of the following grounds:

- a. A refusal to grant access.
- b. A decision taken with regard to fees, access or extension of period to deal with requests.

67. A third party may lodge an internal appeal against a decision of the Information Officer or Deputy Information Officer to grant a request for access.

68. Manner of Internal Appeal. An internal appeal must be

- a. lodged in the prescribed Form B within 60 days if notice to a third party as required by Section 49(1)(b) and within 30 days after a decision has been taken or notice has been given to the appellant of the decision appealed against; and
- b. delivered or sent to the Information Officer or Deputy Information Officer at his or her address or electronic mail address.

69. Notice to and Representations by other Interested Persons. When considering an internal appeal against the refusal of a request for access to a record, the relevant authority must inform the third party to whom or which the record relates of the internal appeal, unless all necessary steps to locate the third party have been unsuccessful. A third party must be informed within 30 days after the receipt of the internal appeal and by the fastest means reasonably possible.

70. Notice to a Requester. When considering an internal appeal against the granting of a request for access, the relevant authority must, give notice of the internal appeal to the requester. The relevant authority must notify the requester - within 30 days after the receipt of the internal appeal and, stating in the notice that the third party may, within 21 days after notice has been given, make written representations to that authority as to why the request should be granted.

71. A requester to whom notice is given may make written representations to the relevant authority within 21 days after that notice has been given, as to why the request for access should be granted.

## **APPLICATIONS TO COURT**

### 72. Applications regarding decisions of relevant authority

- a. A requester or third party may apply to a court for appropriate relief only after having exhausted the internal appeal procedure against a decision of the Information Officer or Deputy Information Officer.
- b. A requester whose internal appeal has been unsuccessful or is aggrieved by a decision of the relevant executing authority to disallow the late lodging of an internal appeal may, by way of an application within 30 days, apply to a court for appropriate relief in terms of Section 82.
- c. The unsuccessful third party in an internal appeal to the relevant executing authority may, by way of an application, within 30 days apply to a court for appropriate relief in terms of Section 82.

### 73. Procedure

- a. An application in terms of Section 78 may be lodged only with a High Court or another court of a similar status.
- b. The burden of establishing that the refusal of a request for access or any decision taken in terms of Section 22, 26(1) or 29(3) complies with the provisions of the Act rests on the party claiming that it so complies.

74. Decision in Respect of Application. The court hearing an application may grant any order that is just and equitable, including an order

- a. confirming, amending or setting aside the decision which is the subject of the application concerned;
- b. requiring from the relevant executing authority to take such action or to refrain from taking such action as the court considers necessary within a period mentioned in the order;
- c. granting an interdict, interim or specific relief, a declaratory order or compensation; or
- d. concerning the costs.

#### **LIABILITY**

75. No person is criminally or civilly liable for anything done in good faith in the exercise or performance or purported exercise or performance of any power or duty in terms of the Act.

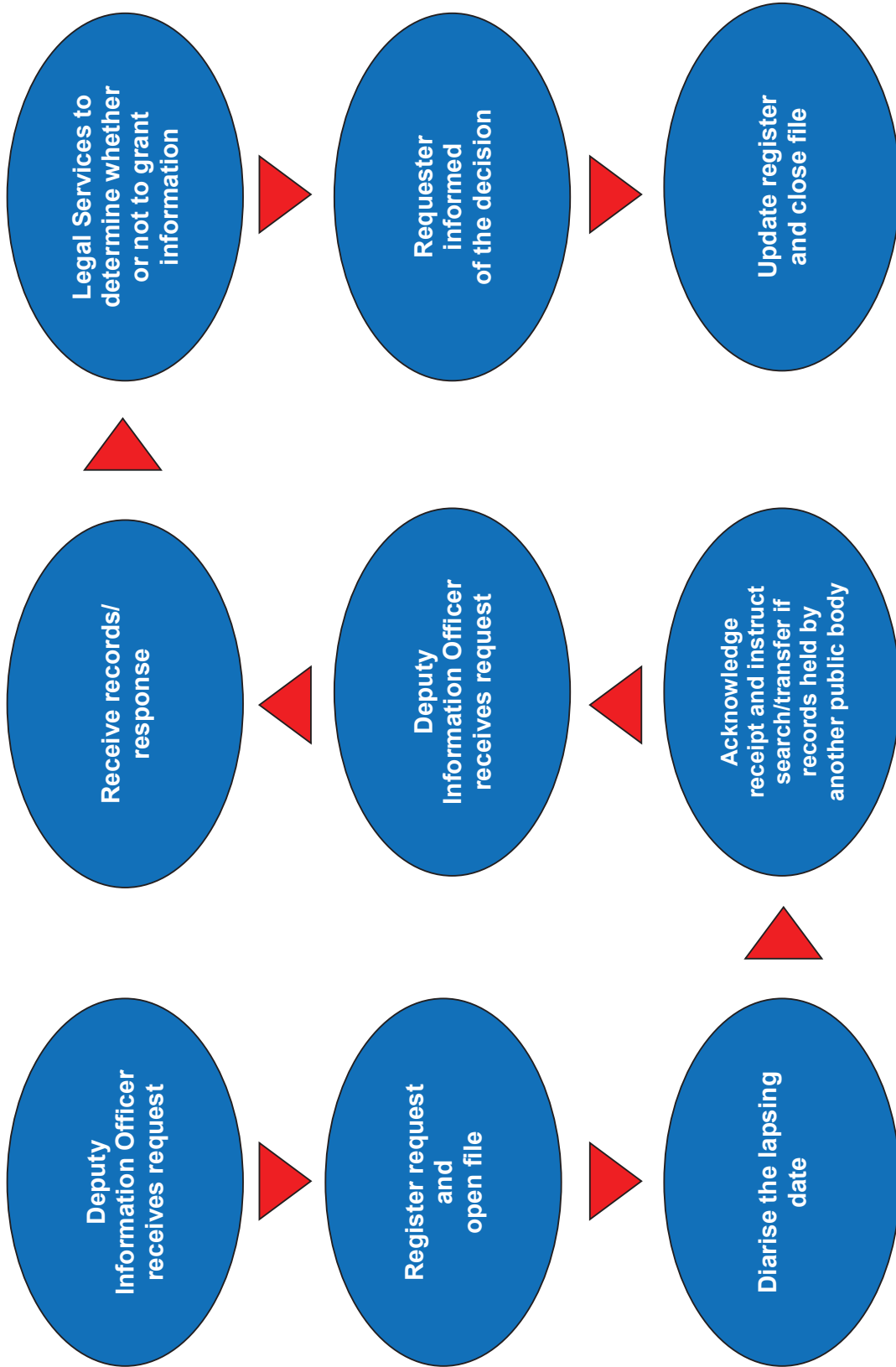
#### **OFFENCES**

76. A person who, with intent to deny a right of access in terms of the Act, destroys, damages, alters, conceals, falsifies or makes a false record commits an offence and is liable to conviction leading to a fine or imprisonment for a period not exceeding two years.

#### **REVIEW OF THE MANUAL**

This manual shall be reviewed as and when the need arises.

**PAIA PROCESS FLOW DIAGRAM**



**DEPARTEMENT VAN VERDEDIGING EN MILITÊRE VETERANE**

**NO. 828**

**15 JULIE 2016**



**ARTIKEL 14 HANDLEIDING**

**BEVORDERING VAN TOEGANG TOT INLIGTING**

**(WET 2 VAN 2000)**

## DEFINISIE VAN BEGRIPPE

**Hof** – beteken die hof waar 'n persoon aansoek kan doen om 'n saak te besleg. Die howe is die Konstitusionele Hof wat optree ingevolge artikel 167(6)(a) van die Konstitusie of 'n hooggeregskof of 'n ander hof met soortgelyke status of 'n landdroshof, hetsy algemeen of ten opsigte van 'n spesifieke klas van besluite ingevolge hierdie Wet, aangewys deur die Minister van Justisie en Konstitusionele Ontwikkeling deur kennisgewing in die Staatskoerant en onder voorsitterskap van die landdros of 'n addisionele landdros aangewys ingevolge artikel 91A in wie se ampsgebied die saak resorteer.

**DMV** – Departement van Militêre Veterane

**Foioe** – die bedrag geld betaal vir die afhandeling van die versoek.

**Hoof** – van, of met betrekking tot, 'n openbare liggaam, beteken in die geval van 'n natuurlike persoon, daardie natuurlike persoon of enige persoon behoorlik daartoe gemagtig deur die natuurlike persoon.

**Inligtingsbeampte** – Dit is die beampte by wie 'n versoek om toegang tot inligting in 'n rekord/inligtingstuk by die kantoor ingedien moet word.

**Interne appèl** – 'n Interne appèl verwys na die proses wat gevolg word wanneer 'n aansoeker ontevrede is met die besluit van die inligtingsbeampte of 'n instelling waar sy versoek geïgnoreer is en geen reaksie binne 30 dae / verlengde tydperk van 30 dae ontvang is nie. Interne appèl moet aangeteken word by die toepaslike owerheid waar so 'n proses toepaslik is.

**Persoonlike inligting** – beteken inligting oor 'n identifiseerbare individu, insluitende maar nie beperk nie tot ras, geslag, swangerskap, huwelikstatus, nasionale, etniese of sosiale oorsprong, kleur, seksuele oriëntasie, ouderdom, fisiese of geestelike gesondheid en geboorte van die individu; inligting met betrekking tot die individu of inligting met betrekking tot finansiële transaksies waarby die individu betrokke was.

**Persoonlike aansoeker** – beteken 'n aansoeker wat toegang verlang tot 'n rekord wat persoonlike inligting oor hom/haar bevat.

**Openbare liggaam** – beteken enige staatsdepartement of administrasie in die nasionale of provinsiale regeringsfeer of enige munisipaliteit in die plaaslike regeringsfeer of enige ander ampsbekleër of instelling wat ingevolge die Konstitusie of 'n provinsiale konstitusie gesag uitoefen of openbare gesag uitoefen of 'n openbare funksie ingevolge enige wetgewing verrig.

**Rekord** – beteken enige vasgelegde inligting, ongeag die vorm of medium daarvan in die besit van of onder die beheer van die kantoor, of dit deur die kantoor geskep is of nie.

**Tersaaklike gesag** – beteken die persoon by wie 'n interne appèl aangeteken word.



## INLEIDING

1. Toegang tot inligting is 'n reg wat onder artikel 32 van die Konstitusie van die Republiek van Suid-Afrika verskans word. Artikel 32 van die Konstitusie maak voorsiening dat

- a. *"almal/ reg van toegang het tot enige inligting wat deur die staat gehou word en enige inligting wat deur 'n ander persoon gehou word en benodig word vir die uitoefening of beskerming van enige regte "; en*
- b. *"Nasionale wetgewing moet uitgeoefen word om uitvoering aan hierdie reg te gee en mag voorsiening maak vir redelike maatreëls om die administratiewe en finansiële las op die staat te verlig."*

2. Om aan die konstitusionele verpligting te voldoen, het die parlement die Wet op Bevordering van Toegang tot Inligting (WBTI), 2000 (Wet Nr. 2 van 2000) ("die Wet") uitgevaardig en het dit op 9 Maart 2001 van krag geword.

## SAMESTELLING VAN 'N HANDLEIDING KRAGTENS ARTIKEL 14 VAN DIE WET

3. Ingevolge artikel 14 van die Wet word van die inligtingsbeampte van 'n openbare liggaam verwag om binne ses (6) maande na die inwerkingtreding van hierdie artikel of die ontstaan van 'n openbare liggaam 'n handleiding saam te stel. Die handleiding moet in drie amptelike tale saamgestel word en die volgende inligting bevat:

- a. 'n Beskrywing van die liggaam se struktuur en funksies.
- b. Die kontakbesonderhede van elke adjunk-inligtingsbeampte van die liggaam kragtens artikel 17 (1) van die Wet aangestel.
- c. 'n Beskrywing van die gids kragtens artikel 10 van die Wet saamgestel.
- d. Voldoende besonderhede om 'n versoek om toegang tot 'n rekord van 'n liggaam te fasiliteer, en 'n beskrywing van die onderwerpe waarvoor die liggaam rekord hou en die kategorieë van rekords wat oor elke onderwerp gehou word.
- e. Kategorieë van rekords van die liggaam wat beskikbaar is sonder dat 'n persoon kragtens die Wet (artikel 15 (2)) toegang hoef te versoek.
- f. 'n Beskrywing van die dienste van die liggaam beskikbaar aan lede van die publiek en hoe om toegang tot daardie dienste te verkry.
- g. 'n Beskrywing van enige reëling of voorsiening vir 'n persoon, anders as 'n openbare liggaam waarna in die definisie van "openbare liggaam" verwys word, deur konsultasie, rig van verhoë, om deel te neem aan die formulering van beleid of uitoefening van magte of uitvoering van verpligtinge deur 'n openbare liggaam te beïnvloed.
- h. 'n Beskrywing van alle regsmedele beskikbaar ten opsigte van 'n handeling of nalating om te handel deur die liggaam.
- i. Enige ander inligting wat voorgeskryf mag word.

## DOELWITTE VAN DIE WET

4. Die doelwitte van die Wet is om
- a. uitvoering te gee aan die grondwetlike reg van toegang tot inligting en dit met enige ander regte in ewewig te hou;
  - b. uitvoering te gee aan die grondwetlike verpligtinge van die Staat om 'n menseregtekultuur en maatskaplike regverdigheid te bevorder;
  - c. vrywillige en verpligte meganismes vir die openbaarmaking van inligting daar te stel; en
  - d. deursigtigheid, aanspreeklikheid en effektiewe bestuur van alle openbare en private liggame te bevorder.

## TOEPASSING VAN DIE WET

5. Die Wet is soos volg van toepassing:
- a. Toepassing op Rekords. Bevordering van toegang tot inligting is van toepassing op openbare en private liggame, soos in die Wet gedefinieer.
  - b. Uitsluiting van Sekere Rekords
    - i. Die Wet is nie van toepassing op 'n rekord van 'n openbare of private liggaam as daardie rekord versoek word vir doeleindes van kriminele of siviele verrigtinge en na die aanvang van sodanige verrigtinge nie, en indien enige ander wet voorsiening maak vir die produksie of toegang tot die rekord vir doeleindes van kriminele of siviele verrigtinge nie (artikel 7(1)).
    - ii. Die Wet is nie van toepassing op die rekords van die kabinet, kabinetskomitees, geregtelike funksies van 'n hof of 'n spesiale tribunaal, 'n rekord van 'n regterlike beampte van 'n hof of spesiale tribunaal of 'n rekord van 'n individuele lid van die parlement of 'n provinsiale wetgewer in daardie hoedanigheid nie (artikel 12).

## DELEGASIE VAN MAGTE

6. Die inligtingsbeampte het alle magte en funksies aan die adjunk inligtingsbeampte gedelegeer, soos in die Wet gedefinieer.

## STRUKTUUR EN FUNKSIE

7. Die Departement van Militêre Veterane (DMV) is tot stand gebring kragtens die Wet op Militêre Veterane, Wet No. 18 van 2011, om sosio-ekonomiese voordele aan militêre veterane en, in sommige gevalle, hulle afhanklikes te voorsien. Artikel 5(1)(a-k), gelees saam met artikel 24 (1), gee aandag aan die voordele van toepassing op militêre veterane en die regulasies wat die minister mag maak om die kriteria waaraan voldoen moet word om vir die voordele te kwalifiseer, voor te skryf.

8. Die organisatoriese en funksionele struktuur van die DMV, wat uit 169 poste bestaan, is in 2010 deur die Minister goedgekeur. Die begrotingsprogramme van die

departement, soos op 30 September 2011 deur Nasionale Tesourie goedgekeur, is in ooreenstemming gebring met die goedgekeurde struktuur hieronder aangedui.

### KONTAKBESONDERHEDE

9. Kontakbesonderhede is soos volg:

- a. Inligtingsbeampte: Mnr. L.Z. Make  
E-pos: [Lifeni.Make@dmv.gov.za](mailto:Lifeni.Make@dmv.gov.za)  
Telefoonnommer: 012 765 9336
- b. Adjunk Inligtingsbeampte: Mnr. B. Mpangalasane  
E-pos: [bangani.mpangalasane@dmv.gov.za](mailto:bangani.mpangalasane@dmv.gov.za)  
Telefoonnommer: 012 765 9355
- c. Posadres:  
Departement van Militêre Veterane  
Privaatsak X943  
Pretoria  
0001
- d. Straatadres:  
Festivalstraat 328  
Hatfield  
Pretoria

### WIE KAN INLIGTING VERSOEK?

10. Die Wet op Toegang tot Inligting maak voorsiening dat elkeen 'n reg op toegang tot inligting het. Daarom kan 'n natuurlike of regspersoon (bv. 'n maatskappy of 'n beslote korporasie) toegang tot inligting van die openbare liggaam (bv. Departement van Paaie en Transport) versoek.

11. 'n Persoon wat inligting versoek, word na verwys as 'n versoeker. Die Wet onderskei tussen twee tipes versoekers, naamlik 'n **'versoeker'** en 'n **'persoonlike versoeker'**,

12. Met betrekking tot die departement, word 'n versoeker gedefinieer as enige persoon wat namens iemand anders 'n versoek om toegang tot 'n rekord van die kantoor rig. Die definisie sluit egter die volgende openbare liggame uit:

- a. 'n Staatsdepartement of administrasie in die nasionale, provinsiale of plaaslike regeringsfeer.
- b. Enige amptenaar of inrigting wanneer 'n mag of plig kragtens die Konstitusie of 'n provinsiale konstitusie uitgeoefen word.
- c. Wanneer enige ander amptenaar of inrigting 'n openbare mag of openbare funksie kragtens enige wetgewing uitoefen of verrig.
- d. 'n Persoonlike versoeker beteken 'n versoeker wat toegang verlang tot 'n rekord wat persoonlike inligting oor die versoeker bevat.
- e. Die definisie van persoonlike inligting sluit inligting oor 'n individu wat vir langer as 20 jaar oorlede is, uit.

- f. In die eerste instansie is 'n persoonlike versoeker 'n versoeker, en, afhangesende van die tipe inligting wat versoek word, word die persoon 'n persoonlike versoeker.
- g. In die geval waar 'n persoon beide persoonlike rekords en enige ander rekord versoek, word die persoon as 'n persoonlike versoeker beskou en nie as 'n versoeker geklassifiseer nie as die aangevraagde rekords hoofsaaklik vir persoonlike inligting is.
- h. Versoeke om toegang tot inligting kan ook namens 'n ander persoon gerig word. Wanneer 'n versoek om inligting namens 'n ander persoon is, moet 'n bewys van hoedanigheid aangeheg wees.
  - i. 'n Voog van 'n persoon onder die ouderdom van 18 of van 'n persoon wat nie die aard van die versoek kan verstaan nie, kan inligting namens hom/haar versoek. Indien die rekord oor 'n afgestorwe persoon is, 'n bewys van hoedanigheid as die naasbestaende van die oorledene of dat skriftelike toestemming van die oorledene se naasbestaende ontvang is om die versoek te rig, moet aangeheg word.
  - ii. Persone wat nie kan lees of skryf nie kan 'n mondelinge versoek rig, wat deur die inligtingsbeampte op skrif gestel sal word.
- i. Toegang tot rekords gehou deur die departement sal gegee word indien
  - i. prosedurele vereistes met betrekking tot 'n versoek om toegang tot daardie rekord nagekom is;
  - ii. toegang tot daardie rekord nie geweier is op enige grond vir weiering soos bedoel in hoofstuk 4 van deel 2 van die Wet nie. Dit sluit in 'n versoek om toegang tot 'n rekord wat persoonlike inligting oor die versoeker bevat; en
  - iii. Reg van toegang tot 'n rekord word nie geaffekteer deur enige redes wat gegee is vir die versoek om toegang of die inligtingsbeampte se mening oor die redes vir die versoek om toegang nie (artikel 11 [3]).

#### **VAN WIE KAN INLIGTING OOR 'N REKORD VERSOEK WORD?**

13. Inligting oor 'n rekord kan van die inligtingsbeampte / adjunk-inligtingsbeampte versoek word.

#### **HOE OM TOEGANG TOT 'N REKORD VAN DIE KANTOOR TE VERSOEK**

14 'n Versoek moet skriftelik aan die inligtingsbeampte/adjunk-inligtingsbeampte gerig word.

15. Vir hierdie doel moet Vorm A (gedruk in die Staatskoerant, Staatsdiens-kennisgewing R187 van 15 Februarie 2002) voltooi, onderteken en by die inligtingsbeampte ingedien word. Indien Vorm A nie voltooi is nie, is daar geen nakoming nie en is steun op die WBTI vir enige regshulp daarkragtens nie moontlik nie.

- a. Die voltooide vorm moet per hand by die inligtingsbeampte by sy/haar fisiese adres ingedien word, of per elektroniese pos gestuur word tesame met die betaling van 'n versoekfooi ten bedrae van R35.00.

- b. Die inligtingsbeampte / adjunk-inligtingsbeampte is verplig om ongeletterde en gestremde mense wat nie in staat is om die vorms te voltooi wanneer 'n versoek gerig word nie, te help. Die inligtingsbeampte / adjunk-inligtingsbeampte sal hulle mondelinge versoeke op skrif stel. Die inligtingsbeampte / adjunk-inligtingsbeampte moet sodanige redelike bystand, benodig deur 'n versoeker, gratis lewer (artikel 19).
- c. Wanneer inligting en/of rekords van 'n oorlede lid versoek word, moet die volgende nagekom word:
  - i. Ingevolge artikel 34(2)(e), moet die versoeker 'n bewys indien dat hy/sy die oorledene se naasbestaande is of 'n toestemmingsbrief van die oorledene se naasbestaande indien wat aandui dat hy/sy die inligting en/of rekords versoek.
  - ii. Ingevolge artikel 18(2)(a)(i), moet 'n doodsertifikaat of gesertifiseerde afskrif van die oorledene se identiteitsdokument ingedien word.
- d. Die versoeker moet volle besonderhede van die rekord waartoe toegang versoek word, voorsien, insluitende die verwysingsnommer indien dit bekend is, om personeel in staat te stel om die rekord op te spoor. Indien die spasie voorsien onvoldoende is, moet die versoeker op 'n aparte folio voortgaan en dit aan Vorm A vasheg. Die versoeker moet al die bykomende aangehegte folio's onderteken.
- e. Die versoeker se bewys van betaling moet die versoek vergesel om toegang tot die rekords van die DMV te verkry. Die versoekfooi moet in die bankrekening van die DMV inbetaal word. Indien toegang tot die versoeker se persoonlike inligting en/of rekords versoek word, is die versoekfooi nie toepaslik nie.

#### **VERSOEKE WAT NIE BINNE 30 DAE AANDAG GENIET NIE**

16. Na indiening van Vorm A by die inligtingsbeampte / adjunk-inligtingsbeampte en die betaling van die versoekfooi, moet die inligtingsbeampte / adjunk-inligtingsbeampte binne 30 dae op die versoek reageer. Die inligtingsbeampte / adjunk-inligtingsbeampte kan die tydperk van 30 dae slegs vir 'n verdere 30 dae verleng, ná skriftelike kennisgewing, met redes vir sodanige verlenging.

17. Wanneer die inligtingsbeampte besluit om aan 'n persoon toegang tot 'n rekord te verleen, sal 'n aanduiding van die betaling van die toegangsfooi (indien enige) vir die tyd gespandeer op die soek na en voorbereiding van die rekord gegee word, en moet die vorm waarin toegang verleen sal word, genoem word.

18. Wanneer toegang geweier word, sal die inligtingsbeampte/adjunk-inligtingsbeampte redes vir sodanige weiering verskaf en die spesifieke artikel waarop gesteun word onder die gronde vir weiering kragtens die WBTI aangehaal word.

#### **WAT INDIEN DAAR GEEN REAKSIE BINNE 30 DAE / DIE VERLENGDE TYDPERK VAN 30 DAE OP U VERSOEK IS NIE, OF U GEGRIEF VOEL OOR DIE BESLUIT VAN DIE INLIGTINGSBEAMPTE/ADJUNK-INLIGTINGSBEAMPTE?**

19. Wanneer 'n versoek om toegang eenvoudig geïgnoreer word of die inligtingsbeampte / adjunk-inligtingsbeampte nie binne 30 dae of binne die verlengde

tydperk van 'n verdere 30 dae reageer nie, word sodanige gebrek aan reaksie as 'n weiering geag.

### OORDRAG VAN REKORDS OF VERSOEKE

20. Indien 'n versoek om toegang aan die inligtingsbeampte of adjunk-inligtingsbeampte gerig word en sodanige rekord nie in die besit van of onder die beheer van daardie liggaam is nie, maar in die besit van 'n ander openbare liggaam, moet die inligtingsbeampte aan wie die versoek gerig is, binne 'n redelike tyd, maar binne 14 dae nadat die versoek ontvang is, die versoek na die inligtingsbeampte van die ander openbare liggaam oordra.

### FOOIE

21. Die inligtingsbeampte of adjunk-inligtingsbeampte aan wie 'n versoek om toegang gerig word, moet deur kennisgewing betaling van die voorgeskrewe fooi van die versoeker (nie van toepassing op 'n persoonlike versoeker nie), versoek voordat die versoek verwerk word (artikel 22).

22 Die voorgeskrewe versoekfooi is R35.00. Die versoeker mag intern appèl aanteken of 'n aansoek teen die aanbieding of betaling van die versoekfooi by 'n hof indien.

23. 'n Persoonlike versoeker hoef nie die versoekfooi te betaal nie. Slegs 'n versoeker wat nie 'n persoonlike versoeker is nie, moet die versoekfooi betaal. Versoekers moet dus korrek geklassifiseer word.

24 Die inligtingsbeampte van die openbare liggaam moet 'n rekord weerhou totdat die versoeker die toepaslike fooie betaal het.

25 Die inligtingsbeampte of adjunk-inligtingsbeampte moet enige betaling wat gemaak is ten opsigte van 'n versoek om toegang wat geweier is, aan die versoeker terugbetaal.

26. 'n Versoeker wie se versoek om toegang tot 'n rekord van 'n openbare liggaam toegestaan is, moet 'n fooi vir reproduksie betaal, naamlik die koste om 'n kopie van die rekord te maak. Die reproduksiefooi vir die verskillende kategorieë van reproduksie word in die volgende tabel uiteengesit:

Vorm en soort van kopie van 'n rekord	Bedrag
Vir elke fotokopie van 'n A4-grootte bladsy of deel daarvan	0.60
Vir elke gedrukte kopie van 'n A4-grootte bladsy of deel daarvan wat op rekenaar of in elektroniese of masjien-leesbare vorm gehou word	0.40
Vir 'n kopie in 'n rekenaar-leesbare vorm op - Starskyf ("stiffy disc")	5.00
Vir 'n transkripsie van visuele beelde, vir 'n - A4-grootte bladsy of deel daarvan	22.00
Vir 'n transkripsie van 'n oudiorekord, vir 'n - A4-grootte bladsy of deel daarvan	12.00

27. Die werklike posgeld is betaalbaar wanneer 'n kopie van die rekord aan die versoeker gepos word.

### **BESLUIT TEN OPSIGTE VAN DIE VERSOEK**

28. Die inligtingsbeampte of adjunk-inligtingsbeampte aan wie 'n aansoek om toegang gerig of oorgedra is, moet, onderworpe aan artikels 26 (verlenging van tydperk om versoek af te handel), 47, 48 en 49 (derdeparty-kennisgewing en intervensie) van die Wet, so gou as wat redelik moontlik is maar in ieder geval binne 30 dae nadat die versoek ontvang is, besluit of die versoek toegestaan of geweier sal word.

29. Die versoeker moet oor die besluit in kennis gestel word op die wyse waarop die versoeker genoem het hy/of sy in kennis gestel moet word, soos bedoel in artikel 18 (2) (e), of op enige ander wyse wat redelik moontlik is.

30. Indien die versoek om toegang geweier is, moet die inligtingsbeampte of adjunk-inligtingsbeampte voldoende redes vir die weiering verskaf, insluitende die bepalings van die Wet waarop gesteun word.

31. 'n Versoeker mag intern appèl aanteken of 'n aansoek by 'n hof indien teen die weiering van die versoek, en die prosedure (insluitende die tydperk) vir die aanteken van/aansoek vir die interne appèl of aansoek.

### **VERLENGING VAN DIE TYDPERK OM DIE VERSOEK TE VERWERK**

32. Die inligtingsbeampte of adjunk-inligtingsbeampte aan wie 'n versoek om toegang gerig of oorgedra is, mag die oorspronklike tydperk van 30 dae eenkeer vir 'n verdere tydperk van nie meer as 30 dae verleng nie, indien

- a. die versoek vir 'n groot getal rekords is of 'n soektog deur 'n groot aantal rekords vereis en nakoming van die oorspronklike tydperk onredelik met die aktiwiteite van die openbare liggaam sou inmeng;
- b. die versoek 'n soektog na rekords in, of afhaling daarvan by, 'n kantoor van die openbare liggaam wat nie in dieselfde dorp of stad as die kantoor van die inligtingsbeampte of adjunk-inligtingsbeampte geleë is, sou vereis en nie redelik binne die oorspronklike tydperk afgehandel kan word nie;
- c. konsultasie onder afdelings van die openbare liggaam of met 'n ander openbare liggaam nodig of wenslik is om te besluit oor die versoek en nie redelik binne die oorspronklike tydperk afgehandel kan word nie;
- d. meer as een van die omstandighede bedoel in subparagraawe a, b of c hierbo ten opsigte van die versoek bestaan en nakoming van die oorspronklike tydperk nie redelik moontlik maak nie; of
- e. die versoeker skriftelik tot so 'n verlenging instem.

33. Wanneer 'n tydperk uitgestel word, word van die inligtingsbeampte of adjunk-inligtingsbeampte vereis om die versoeker binne 30 dae nadat die versoek ontvang of oorgedra is, oor die verlenging in te lig.

34. Vir die doeleindes van die Wet word versuim van die inligtingsbeampte of adjunk-inligtingsbeampte om binne 30 dae 'n besluit oor die versoek om toegang te neem, as weiering van die versoek geag.

35. Enige deel van die rekord wat kragtens enige van die bepalings van hoofstuk 4 van deel 2 van die Wet geweier mag of moet word, kan geskei word van enige deel wat inligting bevat wat openbaar gemaak moet word, ongeag enige ander bepaling van die Wet.

36. Indien toegang tot 'n gedeelte van 'n rekord toegestaan word en die ander deel geweier word, moet die versoeker voldoen aan die vereistes vir 'n kennisgewing waar toegang kragtens artikel 25 (2) toegestaan word en voldoen aan die vereistes vir 'n kennisgewing waar toegang kragtens artikel 25 (3) geweier word.

### **REKORDS WAT NIE GEVIND KAN WORD NIE OF NIE BESTAAN NIE**

37. Die inligtingsbeampte of adjunk-inligtingsbeampte moet die versoeker by wyse van 'n beëdigde verklaring of bevestiging in kennis stel dat toegang tot die rekord nie moontlik is nie nadat alle redelike stappe geneem is om dit te vind, en waar redelike gronde bestaan om te glo dat die rekord in die openbare liggaam se besit is maar nie gevind kan word nie of nie bestaan nie.

38. Die beëdigde verklaring of bevestiging wat die inligtingsbeampte of adjunk-inligtingsbeampte moet maak, moet volledig verslag doen oor al die stappe wat geneem is om die betrokke rekord te vind of om te bepaal of die rekord bestaan, insluitende al die kommunikasie met elke persoon wat die soektog namens hom of haar gedoen het.

39. Vir die doeleindes van die Wet, sal die kennisgewing dat die rekord nie gevind kan word nie of nie bestaan nie, beskou word as 'n besluit om 'n versoek om toegang tot die rekord te weier.

40. Indien die betrokke rekord agterna gevind word, moet die versoeker toegang tot die rekord gegee word, tensy gronde vir die weiering van toegang bestaan waarkragtens sodanige toegang geweier word.

41. Rekord van alle soek-instruksies en -verslae moet gehou word vir maklike verwysing wanneer 'n beëdigde verklaring of bevestiging in ooreenstemming met die Wet gemaak word.

### **TOEGANG EN VORME VAN TOEGANG**

42. Toegangsfooi. Die versoeker moet 'n toegangsfooi betaal, indien enige fooi betaalbaar is, by ontvangs van die kennisgewing dat sy of haar versoek om toegang toegestaan is, waarna hy of sy onmiddellik toegang gegee sal word in die toepaslike vorm soos aangedui in die versoek deur die versoeker en in die taal versoek of beskikbaar (artikel 29).

43. Vorme van toegang. Toegang tot 'n rekord waarvoor 'n versoek om toegang toegestaan is, mag gegee word deur

- (a) 'n kopie van die rekord te voorsien of deur reëlins vir ondersoek van die rekord te tref indien die rekord in 'n skriftelike of gedrukte vorm is;
- (b) reëlins te tref om die beelde te besigtig of van kopieë of transkripsies voorsien te word deur middel van toerusting wat gewoonlik tot die openbare liggaam se beskikking is, in die geval waar die rekord nie in skriftelike of gedrukte vorm is nie maar in visuele beelde of gedrukte transkripsies van beelde wat gereproduseer kan word;



- (c) reëlings te tref om die klanke te hoor of deur middel van skriftelike of gedrukte transkripsies van die klanke, in die geval van 'n rekord waarin woorde of inligting opgeneem is op so 'n wyse dat hulle in die vorm van klank of skriftelike of gedrukte transkripsie gereproduseer kan word deur gebruikmaking van toerusting wat gewoonlik tot die openbare liggaam se beskikking is;
- (d) middel van 'n kopie van 'n rekord in 'n rekenaar-leesbare vorm of enige ander geval, in die geval van 'n rekord gehou op 'n rekenaar of in elektroniese of masjien-leesbare vorm, en waarvan die betrokke openbare liggaam 'n gedrukte kopie kan reproduseer deur rekenaartoeusting en kundigheid te gebruik wat gewoonlik tot die openbare liggaam se beskikking is.

#### **TAAL VAN TOEGANG**

44. Toegang tot 'n rekord moet gegee word in die taal wat die versoeker verkies, indien dit in so 'n taal bestaan, en indien dit nie in die voorkeurtaal bestaan nie, in enige taal waarin die rekord bestaan.

#### **GRONDE VIR WEIERING VAN TOEGANG TOT REKORDS**

45. In sommige gevalle is daar verpligte gronde vir weiering ingevolge waarvan toegang tot 'n rekord geweier moet word. Seker voorwaardes bestaan egter om 'n allesomvattende weiering te voorkom. Die inligtingsbeampte of adjunk-inligtingsbeampte moet 'n versoek om toegang tot 'n rekord weier indien

- a. die rekord onredelike persoonlike inligting oor 'n derde party, insluitende 'n afgestorwe persoon, bevat;
- b. die versoek gaan oor inligting gehou deur die Suid-Afrikaanse Inkomstediens vir die doeleindes om wetgewing rakende die insameling van belasting af te dwing;
- c. die versoek
  - i. handelsgeheime van 'n derde party bevat;
  - ii. finansiële, kommersiële of tegniese inligting anders as handelsgeheime wat moontlik skade mag doen, bevat;
  - iii. neerkom op 'n plig- of vertrouensbreuk verskuldig aan die derde party of vertroulik voorsien;
  - iv. gaan oor inligting wat vertroulik deur 'n derde party verskaf is en die lewe of fisiese veiligheid van 'n individu, sekuriteit van 'n gebou, struktuur of stelsel, insluitende 'n rekenaar- of kommunikasiestelsel, vervoermodus of enige ander eiendom in gevaar kan stel;
- d. die rekord verbode is kragtens die Strafproseswet 51, 1977;
- e. die rekord beskerm word teen produksie;
- f. die rekord inligting bevat oor navorsing wat vir 'n derde party gedoen word;

- g. die rekord(s) verband hou met aangeleenthede bedoel in artikels 37 (1)(b), 38 (b), 39 (1)(b), 41 (1)(a) of (b), 42 (1) of (3), 43 (2), 44 (1) of (2) of 45, tensy die bepalings van artikel 46 van toepassing is;

### **DERDEPARTY-KENNISGEWING EN INTERVENSIË-KENNISGEWING AAN DERDE PARTYE**

46. Die inligtingsbeampte of adjunk-inligtingsbeampte moet alle redelike stappe neem om 'n derde party in te lig oor 'n versoek om toegang tot 'n rekord wat met die derde party verband hou (artikel 47 (1)).

47. Die inligtingsbeampte of adjunk-inligtingsbeampte moet 'n derde party deur middel van die vinnigste metode moontlik inlig, so gou as wat redelik moontlik is, maar in ieder geval binne 21 dae nadat die versoek ontvang of oorgedra is.

48. Die kennisgewing aan die derde party moet

- a. noem dat die inligtingsbeampte of adjunk-inligtingsbeampte 'n versoek om toegang tot 'n rekord oorweeg en die inhoud van die rekord beskryf;
- b. die naam van die versoeker aandui;
- c. die tipe rekord wat versoek word, beskryf;
- d. aandui of die inligtingsbeampte of adjunk-inligtingsbeampte glo dat
  - i. die openbaarmaking van die rekord getuienis van 'n wesentliche oortreding van of versuim om die Wet na te kom, sou blootlê
  - ii. 'n dreigende en ernstige openbare of omgewingsrisiko-ontleding en die openbare belang by die openbaarmaking van die rekord duidelik swaarder weeg as die skade bedoel in die betrokke bepaling;
- e. meld dat die derde party binne 21 dae nadat die derde party ingelig is,
  - i. skriftelike of mondelinge verhoë aan die inligtingsbeampte of adjunk-inligtingsbeampte moet rig oor waarom die versoek om toegang geweier behoort te word; of
  - ii. skriftelike toestemming vir die openbaarmaking van die rekord aan die versoeker moet gee.

48. As 'n derde party nie mondeling van 'n versoek om toegang ingelig is nie, word van die inligtingsbeampte of adjunk-inligtingsbeampte verwag om aan sodanige derde party 'n skriftelike kennisgewing te gee wat die aangeleenthede waarna hierbo verwys word, meld.

### **VERTOË EN TOESTEMMING DEUR DERDE PARTYE (ARTIKEL 48)**

49. 'n Derde party wat oor 'n versoek om toegang ingelig is, mag binne 21 dae nadat hy of sy ingelig is, skriftelike of mondelinge verhoë aan die inligtingsbeampte rig oor waarom die versoek geweier behoort te word, of skriftelike toestemming gee vir die openbaarmaking van die rekord aan die versoeker.

50. 'n Derde party wat kennis ontvang oor 'n versoek om toegang sonder dat hy of sy deur die inligtingsbeampte of adjunk-inligtingsbeampte ingelig is, mag skriftelike of mondelinge verhoë aan die inligtingsbeampte of adjunk-inligtingsbeampte rig oor waarom die versoek geweier behoort te word of skriftelike toestemming gee vir die openbaarmaking van die rekord aan die versoeker.

### **BESLUIT TEN OPSIGTE VAN VERHOË VIR WEIERING EN KENNISGEWING DAARVAN**

51 Binne 30 dae nadat die betrokke derde partye in kennis gestel is soos artikel 47 daarvoor voorsiening maak, moet die inligtingsbeampte of adjunk-inligtingsbeampte

- (a) besluit of die versoek toegestaan word nadat die nodige aandag gegee is aan verhoë deur 'n derde party kragtens artikel 48;
- (b) die derde party, wat kragtens artikel 47 (1) sodanig ingelig is, of 'n derde party wat nie ingelig is nie, maar wat wel verhoë gerig het, of opgespoor is voor die besluit geneem is, van die besluit in kennis stel.

52. Indien 'n derde party nie oor die versoek ingelig is nie, nadat alle redelike stappe geneem is, en die derde party geen verhoë rig nie, moet enige besluit oor die toestaan van die versoek om toegang geneem word met die nodige inagneming van die feit dat die derde party nie die geleentheid gehad het om verhoë te rig oor waarom die versoek geweier behoort te word nie.

53. Die kennisgewing dat die versoek om toegang toegestaan word moet meld

- a. voldoende redes vir die toestaan van die versoek, insluitende die bepalings van die Wet waarop gesteun word;
- b. dat die derde party intern teen die besluit mag appelleer binne 30 dae nadat kennis gegee is, asook die prosedure om appèl aan te teken; en
- c. dat die versoeker toegang tot die rekord gegee sal word ná die verstryking van die tydperk van 30 dae, tensy sodanige appèl binne daardie tydperk aangeteken word.

54. Ná die verstryking van 30 dae nadat die kennisgewing aan die derde party gegee is, moet aan die versoeker toegang tot die rekord gegee word, tensy interne appèl aangeteken is of 'n aansoek by 'n hof teen die besluit binne daardie tydperk ingedien is.

### **OUTOMATIES BESKIKBARE REKORDS**

55. Kragtens artikel 14(e), gelees saam met artikel 15(2), moet die departement die jongste kennisgewing wat bekom kan word, outomaties sonder versoek voorsien. Die volgende is 'n lys kragtens hierdie artikel:

- a. Wet op Militêre Veterane, Wet No. 18 van 2011.
- b. Aansoekvorms vir voordele en registrasie op die databasis van die militêre veterane.
- c. Strategiese planne.
- d. Jaarlikse uitvoeringsplanne.

- e. Militêre veterane se tydskrif, *Honour*.

## **DIENSTE BESIKBAAR VAN DIE DEPARTEMENT VAN MILITÊRE VETERANE**

56 Regulasies vir Voordele van Militêre Veterane. Artikel 24 (1) van die Wet skryf voor dat die uitvoerende gesag kriteria moet ontwikkel wat die gemiddelde toets vir elk van die voordele stipuleer. Deur hom op hierdie bepaling te beroep, het die Departement van Militêre Veterane regulasies ontwikkel wat die kriteria daarstel waaraan voldoen moet word om te kwalifiseer vir voordele wat in artikel 5 van die Wet gestipuleer word.

57. Die voordele-regulasies vir Militêre Veterane dek die volgende voordele:

- a. Behuising.
- b. Gesondheidsorg.
- c. Toegewyde berading en behandeling vir geestesongesteldheid en posttraumatiese stres.
- d. Fasilitering van besigheidsgelentede.
- e. Fasilitering van indiensnemingsplasing.
- f. Kompensasie vir besering, trauma en siekte.
- g. Begrafnisondersteuning.
- h. Eerbewys en herdenking.
- i. Vervoer.

## **DEELNAME DEUR ENIGE PERSOON (Artikel 14(1)(g))**

58. Artikel 14(1)(g) hanteer reëlings getref deur enige persoon buiten 'n openbare liggaam soos gedefinieer in die Wet wat, deur konsultasie, die formulering van beleid, uitoefening van magte of uitvoering van verpligtinge deur die liggaam mag beïnvloed.

59. Wat volg, is hoe militêre veterane by wyse van konsultasie kan deelneem om die formulering van beleid of die uitoefening van magte of prestasie te beïnvloed.

## **NASIONALE VERENIGING VAN VETERANE**

60. Artikel 7 (1) van die Wet op Militêre Veterane stipuleer dat die Direkteur-generaal deur publikasie in die Staatskoerant 'n Vereniging vir Militêre Veterane (SANMVA) moet stig. Verder moet die DG en die SANMVA meganismes skep om te verseker dat die SANMVA optree as 'n sambreelorganisasie wat organisasies van militêre veterane verteenwoordig. Die meganismes moet ten minste inhou dat die vereniging

- (a) organisasies van militêre veterane op 'n regverdige wyse verteenwoordig;
- (b) sy sake op 'n regverdig, deursigtig en aanspreeklik bedryf;
- (c) vrye, regverdige en gereelde verkiesings hou; en
- (d) ten minste een keer per jaar oor sy aktiwiteite aan die minister rapporteer.

61. Die vereniging moet

- a. die funksies waarvoor hierdie Wet voorsiening maak, verrig;
- b. die minister adviseer oor aangeleenthede rakende wetgewing en beleid wat militêre veterane raak, soos die minister mag benodig; en
- c. die minister of die direkteur-generaal adviseer oor enige saak rakende die aangeleenthede van militêre veterane wat die minister of die direkteur-generaal mag benodig.

### **ADVIESRAAD VIR MILITÊRE VETERANE**

62. Artikel 9 (1) van die Wet op Militêre Veterane stel 'n Adviesraad vir Militêre Veterane daar wat aan die minister verantwoording moet doen, na die belange van militêre veterane moet omsien en

- (a) die funksies waarvoor hierdie Wet voorsiening maak, moet verrig;
- (b) die minister moet adviseer oor enige saak met betrekking tot die beleid van toepassing op militêre veterane; en
- (c) op sy eie inisiatief of op versoek van die minister of direkteur-generaal aanbevelings aan die minister of die direkteur-generaal moet maak, soos die geval mag wees, en advies oor alle sake met betrekking tot militêre veterane en hulle afhanklikes voorsien.

63. Uitnodigings vir nominasies is in twee nasionale koerante geadverteer. Nominasies moes op skrif wees en aan die direkteur-generaal gerig word. Die Vereniging vir Militêre Veterane moes ten minste 3 persone vir aanstelling nomineer.

### **Appèlraad vir Militêre Veterane**

64. Artikel 19 van die Wet op Militêre Veterane stel die Appèlraad vir Militêre Veterane daar. Die Appèlraad moet

- (a) enige appèl wat deur enige militêre veteraan by hom aangeteken word teen enige besluit wat 'n beampte kragtens hierdie Wet geneem het wat die regte van daardie militêre veteraan negatief beïnvloed;
- (b) enige regspraak met betrekking tot militêre veterane wat deur die minister of direkteur-generaal na hom verwys is, oorweeg; en
- (c) die minister of direkteur-generaal adviseer ten opsigte van enige regspraak met betrekking tot militêre veterane wat die minister of die direkteur-generaal na hom verwys het.

65. Die Appèlraad mag

- a. 'n besluit wat deur 'n beampte geneem is, bevestig, tersyde stel of wysig;
- b. 'n besluit met enige ander besluit vervang; of
- c. die benodigde regsadvies verskaf.

**APPËLLE TEEN BESLUIE**

66. Reg van Interne Appèl tot die Uitvoerende Gesag. 'n Interne appèl teen 'n besluit van die inligtingsbeampte of adjunk-inligtingsbeampte mag by die uitvoerende gesag aangeteken word, op enige van die volgende gronde:

- a. Weiering om toegang toe te staan.
- b. 'n Besluit geneem ten opsigte van fooie, toegang of verlenging van die tydperk om versoeke te hanteer.

67. 'n Derde party mag intern appèl aanteken teen 'n besluit van die inligtingsbeampte of adjunk-inligtingsbeampte om 'n versoek om toegang toe te staan.

68. Wyse van Interne Appèl. 'n Interne appèl moet

- a. op die voorgeskrewe Vorm B (hierby aangeheg) aangeteken word, binne 60 dae vanaf kennisgewing aan 'n derde party soos bepaal deur artikel 49 (1) (b), en binne 30 dae nadat 'n besluit geneem of kennis aan die appellant gegee is van die besluit waarteen geappelleer word; en
- b. aan die inligtingsbeampte of adjunk-inligtingsbeampte se adres, faksnommer of elektroniese posadres gestuur of by hom of haar afgelewer word.

69. Kennisgewing aan en Verdoë van ander Belanghebbende Persone. Wanneer die tersaaklike owerheid 'n interne appèl teen die weiering van 'n versoek om toegang tot 'n rekord oorweeg, moet hy die derde party op wie die rekord van toepassing is, oor die interne appèl inlig, tensy alle nodige stappe om die derde party op te spoor, onsuksesvol was. 'n Derde party moet binne 30 dae na ontvangs van die interne appèl en op die vinnigste moontlike manier moontlik in kennis gestel word.

70. Kennisgewing aan 'n Versoeker. Wanneer die tersaaklike owerheid 'n interne appèl teen die toestaan van 'n versoek om toegang oorweeg, moet hy kennis van die interne appèl aan die versoeker gee. Die tersaaklike owerheid moet die versoeker binne 30 dae na ontvangs van die interne appèl in kennis stel en in die kennisgewing noem dat die derde party binne 21 dae nadat die kennisgewing gegee is, skriftelike verdoë aan die owerheid mag rig oor waarom die versoek toegestaan behoort te word.

71. 'n Versoeker aan wie kennis gegee is, mag binne 21 dae nadat kennis gegee is, skriftelike verdoë aan die tersaaklike owerheid rig oor waarom die versoek om toegang toegestaan behoort te word.

## HOFAANSOEKE

### 72. Aansoeke ten opsigte van Besluite van Tersaaklike Owerheid

- a. 'n Versoeker mag by 'n hof aansoek doen om toepaslike regshulp slegs nadat die interne appèlprosedure teen 'n besluit van die inligtingsbeampte of adjunk-inligtingsbeampte uitgeput is.
- b. 'n Versoeker wie se interne appèl onsuksesvol was of gegrief is deur 'n besluit van die tersaaklike uitvoerende owerheid om die laat aantekening van 'n interne appèl af te keur, mag by wyse van 'n aansoek binne 30 dae by 'n hof aansoek doen om toepaslike regshulp kragtens artikel 82.
- c. Die onsuksesvolle derde party in 'n interne appèl tot die tersaaklike uitvoerende owerheid mag by wyse van 'n aansoek binne 30 dae by 'n hof aansoek doen om toepaslike regshulp kragtens artikel 82.

### 73. Prosedure

- a. 'n Aansoek kragtens artikel 78 mag slegs by 'n hooggeregshof of 'n ander hof met soortgelyke status ingedien word.
- b. Die bewyslas dat die weiering van 'n versoek om toegang of 'n besluit geneem kragtens artikel 22, 26(1) of 29(3) voldoen aan die bepalings van die Wet rus op die party wat beweert dat dit sodanig voldoen.

### 74. Besluit ten opsigte van Aansoek. Die hof wat 'n aansoek aanhoor mag enige bevel toestaan wat regverdig en billik is, insluitende 'n bevel

- a. wat die besluit, wat die onderwerp van die betrokke aansoek is, bevestig, wysig of tersyde stel;
- (b) wat van die tersaaklike owerheid vereis om sodanige aksie te neem of hom daarvan te weerhou om sodanige aksie te neem as wat die hof nodig ag binne 'n tydperk in die bevel genoem;
- (c) wat 'n interdik, tussentydse of spesifieke regshulp, 'n verklarende bevel of vergoeding toestaan; of
- (d) ten opsigte van koste.

## AANSPREEKLIKHEID

75. Geen persoon is krimineel of siviël aanspreeklik vir enigiets wat te goeder trou in die beoefening of uitvoering of beweerde beoefening of uitvoering van enige mag of verpligting kragtens die Wet gedoen is nie.

## OORTREDINGS

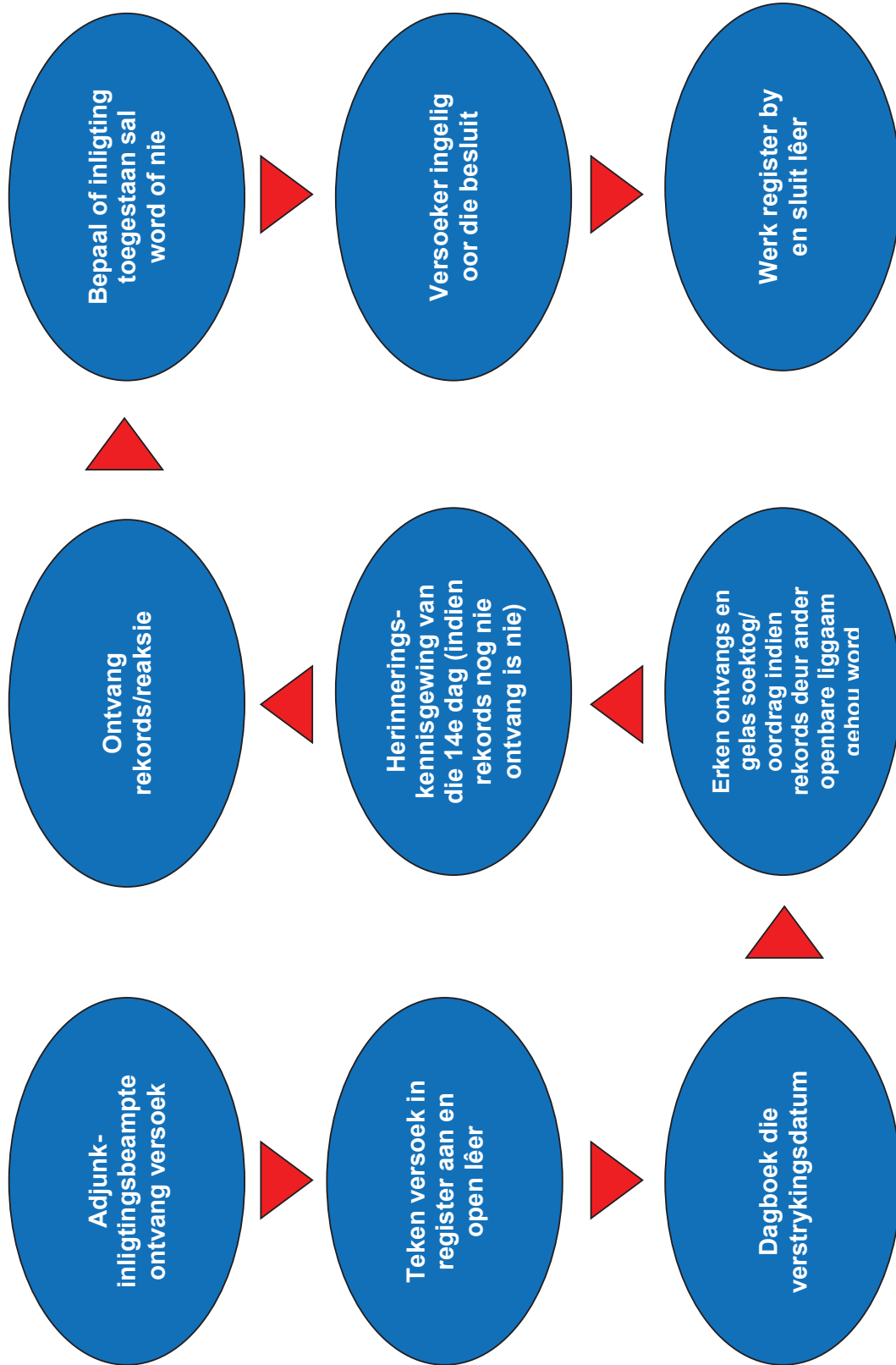
76. 'n Persoon wat, met die bedoeling om 'n reg tot toegang kragtens die Wette ontsê, 'n rekord vernietig, beskadig, verander, versteek, vervals of 'n valse rekord maak, begaan 'n oortreding en is by skuldigbevinding onderhewig aan 'n boete of gevangenisstraf vir 'n tydperk wat nie twee jaar oorskry nie.

## **HERSIENING VAN DIE HANDLEIDING**

77. Hierdie riglyn sal hersien word soos en wanneer die behoefte ontstaan.



**MBTI-PROSES VLOEIDIAGRAM**





**LEFAPHA LA MEKAUBERE YA SESOLE**

**KAROLO 14 YA MANYUWALE  
MATLAFATSO YA THODISO YA TLHAHISOLESERING**

**(MOLAO 2 WA 2000)**

**TLHALOSO YA MANTSWE A SEBEDISITSWENG MONA**

**Lekgotla** – ke hore lekgotla moo motho a kenyang kopo hore tseko ya hae e namolwe.

Makgotla ana ke Lekgotla la Molaotheo le sebetsang ho latela karolo 167 (6) (a) ya Molaotheo kapa Lekgotla le Phahameng la Molao kapa lekgotla le leng la boemo bo tshwanang kapa Lekgotla la Makgiseterata la kamehla, kapa lekgotla le theilweng tlasa ditseko tse qetilweng ho latela Molao ona, e le lekgotla le qadilweng ke Letona la Toka le Ntshetsopele ya Molaotheo ka nothisi ya *Gazette* tlasa bodulasetulo ba Makgiseterata kapa makgiseterata wa motlatsi tlasa karolo 91A sedikeng sa Iona.

**LMS** – Lefapha la Mekaubere ya Sesole.

**Tefo** – tjhelete kaofela e batlehang ho lekola kopo/tseko.

**Hlooho** – ya kemedi, kapa kamanong le mokgatlo setjhabeng, e tla ba motho ka sebele kapa morumuwa ofe le ofe ya kgethilweng ke motho eo.

**Ofisiri ya Tlahisoleseding** – Eena ke ofisiri kantorong e amehang e amohelang dikopo malebana le thodiso ya rekoto/tlahisoleseding.

**Boipeletso/Apile ya kahare** – boipeletso ba/apile ya kahare ho bolela ha mokopi a sa kgotsofatswa ke qeto ya mohlank'a tlahisoleseding kapa nakong eo kopo ya hae e qhadilweng ya se arajwe pele ho matsatsi a 30 / ha feta matsatsi a 30 ho se karabo. Boipeletso ba/apile ya nako eo bo/e lokela ho hlahlelwa le ba-ka-sehlohong moo ho lokelang.

**Lesedi ka motho** – ho bolela lesedi ka motho ya tsejwang ho kenyeletsa empa ho sa felle ka lesedi le amanang le morabe, kgodiso, bong, boimana, lenyalo, tjako, lesika kapa setso, mmala, bo-ikutlwa-bong (*sexual orientation*), dilemo, bophelo mmeleng kapa hlohong le letswalo la motho; lesedi ka motho kapa lesedi ka tshebediso ya motho ya tjhelete nengneng.

**Ya ikopelang** – ke motho ya ipatlelang rekoto e tshwereng ditaba ka eena.

**Tlamano ya setjhaba** – ke lefapha la mmuso kapa botsamaisi ba mmuso bo tlasa naha kapa provensi kapa tlasa mmasepala kapa lefapha lefe le lefe le etsang mosebetsi tlaasa tataiso ya Molaotheo kapa molao wa provensi kapa le sebeletsang setjhaba ho latela melao e fapaneng.

**Rekoto** – e bolela lesedi le bolokilweng jwangjwang tlaasa taolo ya Ofisi leha lesedi leo le sa qala ofising eo.

**Mookamedi ya amehang** – ho bolela motho eo boipiletso/apile ya kahare e lebisitsweng ho eena.

**SELELEKELA**

1. Thodiso ya lesedi ke tokelo e hatsitsweng tlasa karolo 32 ya Molaotheo wa Rephaboliki ya Afrika Borwa. Karolo 32 ya Molaotheo e supa hore:

- a. *'bohle re na le tokelo ya thodiso ke mmuso ya lesedi lefe kapa lefe; hape lesedi lefe le lefe le tshwerweng ke motho ya itseng le hlokahala ho sebedisa le ho sireletsa tokelo efe le efe ya hao' hape*
- b. *"Molao wa Naha o lokela ho latelwa ho phethahatsa ditokelo tseo, ebile ho tlamaha ho nkwe mehato ho bebofatsa tsamaiso le leqeme la tjehelete ditefong ke mmuso".*

2. Molemong wa ho fihlella pehelo ya molaotheo, Molao wa Thodiso ya Tlhahisoleseding wa 2000 (Moalo 2 wa 2000) (Molao) o ile wa kenngwa tshebetsong ke Palamente mohla 9 Tlhakubele 2001.

**SENGOTSWENG SA MANYUWALE HO LATELA KAROLO 14 YA MOLAO**

3. Ofisiri ya Tlhahisoleseding ya tlamano ya setjhaba e tlangwa ke karolo 14 ya Molao ho ngola manyuwale pele ho dikgwedi tse tsheletseng (6) ha karolo ena le lefapha di qadile. Manyuwale o loketse ho ba le dingolwa tse latelang tse tshwanetseng ho ngolwa ka dipuo tse tharo tse molaong:

- a. thapodisetso ya mofuta wa tlamano le mesebetsi wa yona;
- b. sebaka le dinomoro tsa boiteanyo tsa ofisiri ya tlhahisoleseding ya tlamano ya setjhaba ya kgethilweng ho latela karolo 17(1) sa Molao;
- c. thapodisetso ya bukan'a tataiso e ngotsweng ho latela Karolo 10 ya Molao;
- d. ditaba ka botlalo ho potlakisa kamohelo ya kopo ya thodiso ya rekoto ya tlhahisoleseding ho tlamano le tlhaloso ya dintlha tseo tlamano e tshwereng rekoto ya tsona, mmoho le mofuta ya direkoto tse amehang;
- e. mofuta ya direkoto tsa tlamano tse teng ntle le hore motho a kenye kopo ya thodiso ya tlhahisoleseding tlaasa Molao (karolo 15(2));
- f. thapodisetso ya ditshebeletso tsa tlamano tse teng setjhabeng le hore ditshebeletso di fumaneha jwang na;
- g. thapodisetso efe le efe hore motho mang kapa mang, ntle le tlamano ya setjhaba e hlahositsweng e le 'tlamano ya setjhaba', a be le seabo dipuisanong le boipiletsong ho fetola sebopeho le mokgwa tshebediso ya molao tlaasa puso le tshebetsong ya tlamano ya setjhaba

- h. thapodisetso ya dipheko tse latelwang molaong ha tlamano ya setjhaba e hloleha ho tswela batho thuso; le
- i. lesedi lefe le lefe le boletsweng

#### **SEPHEO SA MOLAO ONA**

#### 4. Sepheo sa Molao ona ke

- a. Ho hlompha ditokelo tlaasa molaotheo tsa thodiso ya tlhahisoleseding e tsheheditsweng ka ho lekana le ditokelo tse ding;
- b. Ho hlompha dipheko tse tshwanetseng Puso malebana le molaotheo ho matlafatsa bophelo ba ditokelo tsa botho le toka setjhabeng;
- c. Ho aha tsela tsa boithaopo le tlamello ho ntsha tlhahisoleseding; le
- d. Ho matlafatsa nnete, boikarabelo le tsela tse molemo tsa ho busa kahara ditlamano tsa setjhaba le tsa poraefete.

#### **TSHEBETSO YA MOLAO**

#### 5. Molao o sebetsa ka tsela e latelang:

- a. Tshebetso ho Rekoto. Matlafatso ya Thodiso ya Tlhahisoleseding e sebetsa ho ditlamano tsa setjhaba le ditlamano tsa poraefete jwalekaha molao o hlalosa.
- b. Molao o kgetholla direkoto tse ding
  - i. Molao ha o thodisane ka rekoto ya tlamano ya setjhaba le tlamano ya poraefete hore e sebediswe molemong wa ditseko tsa bokgothotsi kapa ditseko tse amehang, ebile rekoto e jwalo e kanna ya tholeha ka melao e meng (Karolo 7(1)) molemong wa ditseko tsa bokgothotsi le ditseko tse amehang.
  - ii. Molao ha o dumelle thodiso ya direkoto tsa kabinete ya palamente, tsa dikomiti tsa kabinete, mesebetsi ya lekgotla la ditseko le toka, rekoto ya ofisiri ya toka ya lekgotla la ditseko le toka kapa ya lekgotla le amehang kapa rekoto ya leloko la palamente kapa leloko la ketsamelao ya provensi (Karolo 12 sa Molao).

#### **BOLAEDI KA MOLAEELWA**

- 6. Mohlank'a Tlhahisoleseding o laeletsa Motlats'a hae bolaedi ba hae ho latela Molao ona o amehang.

**SEBOPEHO LE MOSEBETSI**

7. Lefapha la Mekaubere ya Sesole (LMS) le theilwe ka Molao 18 wa 2011 mabapi le Mekaubere ya Sesole lebitsong la ho ba tswela thuso le melemo, mme moo ho hlokehang hammoho le bana ba bona. Karolo 5 (1)(a-k), se kopaneng le Karolo 24(1), se hlalosa mabapi le melemo e lokelang Mekaubere ya Sesole le melaelo ya Letona la Tshireletso e tla latelwa ho amohedisa Bahale ba Sesole ditlhapiso tse amehang.

8. Letona le ile la laya Moralo wa bolaedi le tshebetso wa LMS o fumantshitsweng diposo tse 169 selemong sa 2010. Mohla 30 Lwetse 2011, tekanyo ya ditjhelete ya Lefapha lena e ile ya amohelwa ka taeletso ya *National Treasury* ho latela moralo le mosebetsi ka tsela ena e latelang:

**DINTLHA TSA BOIKOPANYO**

9. Dintlha tsa Boikopanyo ke tse latelang:

- a. Ofisiri ya Tlhahisoleseding: Mong L.Z. Make  
E-Mail:Lifeni.Make@dmv.gov.za
- b. Motlatsa Ofisiri ya Tlhahisoleseding: Mong B. Mpangalasane  
E-Mail:bagan.mpangalasane@dmv.gov.za  
Nomoro ya Mohalo: 012 765 9336 / 9355
- c. Aterese ya Poso:  
Department of Military Veterans  
Private Bag X943  
Pretoria  
0001
- d. Aterese ya Mmila:  
328 Festival Street  
Hatfield  
Pretoria

**KE MANG YA DUMELETSWENG HO ETSA KOPO YA TLHAHISOLESERING NA?**

10. Molao wa Matlafatso ya Thodiso ya Tlhahisolesedi o bolela hore kaofela batho ba na le tokelo ya thodiso ya tlhahisoleseding. Kahoo, motho, kapa ya qosehang (mohlala khampani kapa kopano e kgwebong) e dumelletse ho kopa thodiso ya tlhahisoleseding ho tlamano ya setjhaba.

11. Motho ya kenyang kopo ya thodiso ya tlhahisoleseding o bitswa mokopi. Molao o arohanya pakeng tsa mefuta e mmedi ya bakopi, e leng 'mokopi' wa tlhahisoleseding le 'motho ya ikopelang' tlhahisoleseding.

12. Ho latela Lefapha, mokopi o hlalosa e le motho mang kapa mang ya kenyang kopo ya thodiso ya rekoto kantorong lebitsong la e mong. Empa tlhaloso ena e kgetholla ditlamano tse lateleng:

- a. lefapha la mobuso kapa tlamano boemong ba naha, provensi kapa mmasepala.
- b. tshebeletso kapa tlamano e phethahatsang bolaodi ho latela Molaotheo wa Naha kapa wa provensi; kapa
- c. tshebeletso kapa tlamano efe le efe e phethehatsang bolaodi ba setjhaba kapa e sebetsang ho latela molao o itseng.
- d. Motho ya ikopelang tlhahisoleseding ho bolela mokopi wa thodiso ya rekoto e tshwereng tlhahisoleseding ka ha eena.
- e. Ka ditaba ka ha eena ho kgetholla tlhahisoleseding ka motho ya shweleng dilemo tse fetang 20.
- f. Motho ya ikopelang tlhahisoleseding e dutse e le mokopi, mme ka lebaka la mofuta wa tlhahisoleseding e koptjwang, e boela hape e ba motho ya ikopelang.
- g. Ha motho a kopa bobedi rekoto ka ha eena le direkoto tse ding, motho eo o tla bitswa motho ya ikopelang eseng mokopi lebakeng la ditefo tse beuweng malebana le kopo tse amehang, ebang direkoto tse kopilweng di le molemong wa tlhahisoleseding ya hae.
- h. Kopo ya thodiso ya tlhahisoleseding e ka kenngwa ke motho ya ronngweng ke e mong. Kanao tsohle ho lokela hore bopaki ba borumuwa bo lomahanywe le kopo e kenngwang.
  - i. Motho eo e leng mohlakomedi wa ngwan'a tlasa dilemo tse 18; kapa ya sa hlalohanyeng mofut'a kopo, o dumelletswa ho kenya kopo lebitsong la motho ya amehang. Moo ebang ke rekoto malebana le motho ya shweleng, bopaki ba boitsebiso bo supang kamano le leloko kapa lengolo la beng ka mofu hore kopo e kenngwe di lokela ho lomahanngwa le kopo.
  - ii. Lebakeng la batho ba sa tsebeng ho ngola le ho bala, bona ba dumelletswa ho kenya kopo ya molomo, yona e tla ngolwa fatshe ke Ofisiri ya Tlhahisoleseding.
- i. Lefapha le tla dumella batho thodiso ya direkoto tse teng ha
  - i. ho latetswe ditsela tse nepahetseng malebana le kopo ya thodiso ya rekoto; mme

- ii. ha hoa hanwa ka thodiso ya rekoto e amehang tlasa mabaka a hlalositse ho Kgaolo 4 Karolo 2 ya Molao. Sena se kenyelletsa kopo ya thodiso ya rekoto e tshwereng tlhahisoleseding ka mokopi, mme
- iii. tokelo ya thodiso ya tlhahisoleseding e sa angwe ke mabaka afe le afe a tsheheditse kopo ya thodiso kapa hore na Ofisiri ya Tlhahisoleseding e nahana hore mabaka a kopo eo ke afe na (serapa 11[3]).

### **O KENYA KOPO YA TLHAHISOLESERING KAPA REKOTO HO MANG NA?**

13. Tlhahisoleseding kapa rekoto e ka koptjwa ho tswa ho Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri ya Tlhahisoleseding.

### **O KENYA KOPO YA THODISO YA REKOTO OFISING JWANG**

14. Kopo e lokela ho kenngwa ka lengolo ho Ofisiri ya Tlhahisoleseding / Motlatsa Ofisiri ya Tlhahisoleseding.

15. Ho etsa sena Foromo A (e hatsitsweng ka Gazette ya Mmuso, Nothisi ya Mmuso R187 ya 15 Tlhakola 2002) e tlatsitsweng, e saenilweng e lokela ho fuwa Ofisiri ya Tlhahisoleseding. Moo Foromo A e sa tlatsuwang, ha hwa nepahala, mme ha ho kamoo o tla fumana thuso ho latela Molao wa Matlafatso ya Thodiso ya Tlhahisoleseding (MMTT) kateng.

- a. Foromo e tlatsitsweng e lokela ho fuwa Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri ya Tlhahisoleseding kahara letsoho atereseng e boletsweng, kapa e romelwe ka mokgw'a elektroniki mmoho le tefo ya kopo ya R35-00.
- b. Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri wa Tlhahisoleseding o tlamehile ho thusa batho ba sa rutehang kapa ba qhwadileng ba amehang, bao ka lebaka la ho se tsebe ho bala le ho ngola, ba hlolehang ho tlatsa diforomo nakong eo ba kenyang dikopo. Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri wa Tlhahisoleseding o tla ba ngolla dikopo tsa bona tsa molomo fatshe. Ofisiri wa Tlhahisoleseding kapa Motlats'a Ofisiri wa Tlhahisoleseding ba lokela ho thusa batho ba jwalo ntle le tefo (Karolo 19).
- c. Moo ho koptjwang tlhahisoleseding le/kapa direkoto tsa motho ya hlokahetseng, tse latelang di tlamehile:
  - i. Ho latela Karolo 34(2)(e) mokopi o lokela ho ntsha bopaki ba hore o amana le mofu kappa a ntshe lengolo le fanang ka tumello ho tswa ho beng ka mofu le bolelelang hore o kopa tlhahisoleseding le/kapa direkoto.
  - iii. Ho latela Karolo 18(2)(a)(i), setefikeiti sa lefu kapa kopi e netefaditsweng ya setefikeiti sa lefu e tlameha ho ntshwa.



- d. Mokopi o lokela ho fana ka dintlha kaofela tsa rekoto e koptjwang, mmoho le nomoro ya tshupo ebang e le teng hore batho ba tsebe ho e fumana. Moo ho sa lekaneng ho ngola ka botlalo, mokopi a tswela pele ho ngola leqepheng le leng a ntano lehokela Foromong A. Mokopi o lokela ho saena maqephe kaoafela a tlatsetso.
- e. Bopaki ba tefo ba mokopi bo lokela ho ba mmoho le kopo ya thodiso ya direkoto sa Lefapha la Mekaubere ya Sesole (LMS). Tefo e tshwanetse ho kenngwa akhaontong ya banka ya LMS. Moo mokopi ya ikopelang tlhahisoleseding le/kapa direkoto kaha eena, ha ho tefo.

#### **DIKOPO TSE SA SEBETSWANG PELE HO MATSATS'I A 30 A FETA**

16. Kamora ho fumana Foromo A mmoho le tefo, Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri ya Tlhahisoleseding, ba lokela ho fana ka karabo pele ho matsatsi a 30. Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri ya Tlhahisoleseding ba dumeletswe ho eketsa nako ya matsatsi a 30. Ba ka eketsa ka matsatsi a mang a 30 feela kahodimo, kamora ho ntsha lengolo la nothisi, mmoho le mabaka a tshehetsang keketso eo.

17. Moo Ofisiri ya Tlhahisoleseding e dumetseng ho fa motho rekoto, ho tlameha ho ntshwe polelo ya tefo ya thodiso (moo e batlahalang) e mabapi le nako e sentsweng lebakeng leo kapa malebana le ho hlopha rekoto, ho be ho bolelwe le mokgwa oo thodiso ena e tla etsahalang ka oona.

18. Ebang ho hanwa ka thodiso ena, Ofisiri ya Tlhahisoleseding / Motlats'a Ofisiri ya Tlhahisoleseding o tla fana ka mabaka a kganelo eo a be a hlalose karolo e mo fang matla ho latela Molao wa Matlafatso ya Thodiso ya Tlhahisoleseding (MMTT).

#### **O ETSANG HA O SA FUMANE KARABO HO KOPO YA HAO PELE MATSATS'I A 30 A FETA / KAMORA HOBA MATSATS'I A 30 A EKEDITSWENG KAPA HA O KGOPISITSWE KE QETO YA OFISIRI YA TLHAHISOLESEDING / MOTLATS'A OFISIRI YA TLHAHISOLESEDING**

19. Moo kopo ya thodiso ya tlhahisoleseding e qheletsweng kathoko kapa Ofisiri/Motlats'a Ofisiri ya Tlhahisoleseding ba hlolehang ho araba pele matsatsi a 30 a feta kapa matsatsi a ekeditsweng a 30, tlhokeho ya karabo e nkuwa e le kganelo.

#### **HO FETISETSWA HA DIREKOTO KAPA DIKOPO**

20. Moo kopo ya thodiso e etswang ho ofisiri ya tlhahisoleseding kapa motlats'a ofisiri mme rekoto eo e se ho eena kapa tlhokomelong ya tlamano e amehang, empa tlhahisoleseding eo e le matsohong a tlamano e nngwe ya setjhaba, Ofisiri ya Tlhahisoleseding eo kopo e entsweng ho eena o tlameha, pele ho matsatsi a 14 a feta kamora ho amohela kopo eo, a fetisetse kopo eo ho Ofisiri ya Tlhahisoleseding wa tlamano e nngwe ya setjhaba.

**DITEFO**

21. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri eo kopo e etswang ho eena o tlameha, ka nothisi, ho batla tefo ya tjehelete e beilweng, ho mokopi, empa eseng ho mokopi ya ipatlelang lesedi molemong wa hae, pele a hlopha kopo eo (Karolo 22).

22. Tefo e beilweng ke R 35-00. Mokopi o dumelletswa ho kenya boipiletso kantorong e amehang kapa kopo lekgotleng la molao hore a se lefe tjehelete ya tefo ya kopo ya thodiso ya tlhahisoleseding.

23. Ya kopang molemong wa hae, ha a tlameha ho lefa tjehelete ya tefo ya kopo. Ke feela ya ipatlelang lesedi malebana le lebaka le ka thoko, ho sa bolele ya kopang, ya lokelang ho lefa tjehelete ya kopo ya tlhahisoleseding, ya tlamehang ho lefa tjehelete. Kahoo, bakopi ba tlhahisoleseding ba lokela ho arolwa ka nepo.

24. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri wa tlamano ya setjhaba o lokela ho tshwara rekoto ho fihlela mokopi a lefa tjehelete e beilweng.

25. Tefo ya tjehelete e entsweng malebana le kopo ya thodiso ya tlhahisoleseding empa ya hanuwa, e lokela ho kgutlisetswa ho mokopi ke Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri.

26. Mokopi ya thodisitsweng tlhahisoleseding ke tlamano ya setjhaba o tlameha ho lefa tjehelete ya dikopi, ke hore, ditjeo mabapi le dikopi tsa direkoto, tse bitswang tjehelete ya kgatiso, ka tsela e latelang:

Ho batlana le ho lokisa rekoto hore e senolwe	R15.00
Ka kopi ya leqhephe le le leng la A4 kapa karolo ya lona	0.60
Ka leqhephe le le leng le hatsitsweng la A4 kapa karolo ya lona	0.40
Ka kopi ya mofuta o balehang khomputeng/elektroniki diski ka nngwe	
Compact disc	40.00
Ka phetolelo ya ditshwantsho, hodima leqhephe la A4 kapa karolo ya lona	22.00
Ka kopi ya ditshwantsho	60.00
Ka phetolelo ya kgatiso ya lentswe, ho leqhephe la A4 kapa karolo ya lona	12.00
Ka kopi ya kgatiso ya lentswe	17.00

27. Ditjeo tse batlhalang tsa thomello ka poso di teng moo kopi ya rekoto e tshwanetseng ho romellwa mokopi.

**QETO E NKUWANG MALEBANA LE KOPO E ENTSWENG**

28. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri ya amohelang kopo ya thodiso ya tlhahisoleseding kapa e fetiseditsweng ho eena, ho latela Karolo 26 (keketso ya nako ho sebetsana le kopo e entsweng), 47, 48 le 49 (nothisi ya tlaleho le ho namola) ya molao o amehang, ba tla lokela ho potlaka kamoo ho kgonehang ho araba hore kopo e jwalo ea qhelwa kapa ea amohelwa na pele matsatsi a 30 a feta.

29. Mokopi o tla tsebiswa kahoo, ka tsela eo a ikgethetseng yona, ho latela serapa 18 (2)(e), hore eena o ikgethetse ho tsebiswa ka mokgwa ofe le ofe o molemong wa hae.

30. Moo kopo ya thodiso ya tlhahisoleseding e qhadilweng, Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o tlameha ho fana ka mabaka a lekaneng a bakileng kganelo eo, mmoho le dipehelo tsa Molao tse bakileng hoo.

31. Mokopi wa thodiso ya tlhahisoleseding o dumelletse ho kenya boipiletso kapa kopo lekgotleng la molao kgahlanong le ho qhelwa ha kopo, le kgahlanong le tsela (mmoho le nako e nkuweng) e latetsweng ho utlwa boipiletso kapa kopo ya hae.

**LELEFATSO YA NAKO HO SEBETSANA LE KOPO**

32. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri ya amohelang kopo ya thodiso ya tlhahisoleseding kapa e fetiseditsweng ho eena o dumelletse ho lelefatsa nako e molaong ya matsatsi a 30 hang empa esebe ho feta matsatsi a 30, ebang –

- a. e leng kopo ya direkoto tse ngata kapa moo kopo e jwalo e hlokanng hore ho tsonngwe ho kgabahana le direkoto tse ngata, mme moo letsholo leo le ka sitisang tsamaiso ya tlamano ya setjhaba e amehang ho sa hlokahale.
- b. moo kopo e entsweng e qosang letsholo la direkoto le ho latuwa setlamong sa setjhaba se toropong eo Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri a seng ho yona mme letsholo leo le ke ke la qetwa kanako e baletsweng.
- c. Ho hlokahala therisano pakeng tsa diofisi tse fapaneng tsa tlamano e amehang ya setjhaba kapa tlamano ya setjhaba e nngwe e ka thoko hore ho nkuwe qeto mabapi le kopo ya thodiso ya tlhahisoleseding e ke keng ya sebetswa kanako e beuweng;
- d. moo ho nang le mabaka a fetang a hlalositsweng dirapaneng (a), (b), kapa (c) kahodimo malebana le ho kengwa ha kopo ya thodiso ya tlhahisoleseding ho bakang tieho e sa lebellwang ho tlola nako e badilweng; kapa
- e. mokopi wa thodiso ya tlhahisoleseding a dumetse ka lengolo hore ho lelefatswe nako eo.

33. Moo nako e lelefaditsweng teng, Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o tshwanetse ho tsebisa mokopi wa thodiso ya tlhahisoleseding kaha lelefatso eo pele ho matsatsi a 30 a feta morao ho amohela kopo le ho e fetisetsa pele.

34. Ebang Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri a hloleha ho phethahatsa hoo pele matsatsi a 30 a feta, ho bolela hore, ho latela Molao o amehang, kopo e qhadilwe.

35. Karolo efe kapa efe ya rekoto ya tlhahisoleseding e lokelang ho qhalwa ho latela dipehelo tsa Temana 4 ya Karolo 2 ya Molao e ka kgaolwa karolong ya tlhahisoleseding e batlhalang ho sa natswe pehelo efe le efe ya Molao.

36. Moo thodiso ya karolo ya rekoto ya tlhahisoleseding e ntshuwang empa ho hanwa ka karolo e nngwe ya eona, mokopi o lokela ho dumellana le dingolwa tsa nothisi, ho latela Karolo 25(2), e laelang thodiso ya tlhahisoleseding le ho ikobela dingolwa tse ntshang nothisi, ho latela Karolo 25(2), e qhalang thodiso ya tlhahisoleseding.

#### **DIREKOTO TSE SA FUMANEHENG KAPA TSE SIYO**

37. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o tshwanetse ho tsebisa mokopi ka mokgwa afidafiti kapa tiisetso hore ha ho kgonehe ho mo thusa ka thodiso ya tlhahisoleseding, kamora ho etsa matsapa a hlokaahalang, rekoto eo e nyametse empa ho tsebahetse e le teng tlasa tlhokomelo ya tlamano ya setjhaba e amehang kapa e sa tloha e le teng ho hang.

38. Afidafiti kapa tiisetso e etswang ke Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri e tlameha ho hlalosa mehato e nkuweng le tsohle tse entsweng ho fumana rekoto e amehang le hore rekoto eo, e fela e ne e le teng na, ho kenyeletsa tleho tsa batho kaofela ba neng ba mo thusa ho batlana le rekoto eo.

39. Nothisi ya hore rekoto ha e tholehe kapa haeyo, e bolela hore kopo ya rekoto eo e qhaduwe, ho latela Molao o amehang.

40. Moo rekoto e amehang e tholwang kamorao, mokopi o tshwanetse ho dumellwa thodiso ya rekoto ya tlhahisoleseding e amehang ntle le haeba ho na le mabaka a thibelang thodiso eo.

41. Rekoto ya ditaello tsa dipatlisiso tsa rekoto le ditlaleho di tshwanetse ho bolokwa hantle hore di tle di sebediswe nakong eo ho etswang afidafiti kapa netefatso molemong wa Molao.

#### **THODISO LE DFIFOROMO TSA THODISO**

42. Tefo ya thodiso ya tlhahisoleseding. Mokopi o tshwanetse ho lefa tjelete ya thodiso moo e batlhalang, hang ha a tsebisitswe hore kopo ya hae ya thodiso ya tlhahisoleseding e dumetswe, kamora moo eena o tla thodiswa tlhahisoleseding hanghang, ka foromo e loketseng ho latela kopo ya hae hape kopo eo e ngotswe ka puo ya ikgethileng kapa eo tlhahisoleseding e fumanehang ka yona (Karolo 29).

43. Diforomo tsa thodiso ya tlhahisoleseding. Thodiso ya Tlhahisoleseding, e dumetsweng, e ka fanwa ka

- a. mokgwa wa kopi ya rekoto kapa ka ho dumella hore rekoto eo e ngotsweng fatshe e lekolwe;
- b. ho dumella hore ho lekolwe ditshwantsho, hape le tse tsamayang mmoho le dikopi kapa dingolwa ka disebediswa tse fumanehang habonolo kantorong ya tlamano ya setjhaba, moo e leng hore rekoto ha e sebopehong sa dingolwa kapa kgatiso ya ditshwantsho tse dumelang ho hatiswa;
- c. ho dumella ho mamelwa ha medumo kapa ka tsela ya phetolelo ya medumo mongolong; moo e leng hore rekoto ke ya mantswe kapa ditaba di hatsitswe ka tsela eo di ka hlahiswang ka sebopeho sa modumo kapa dingolwa kapa kgatiso ya phetolelo eo, ka disebediswa tse fumanehang habonolo kantorong ya tlamano ya setjhaba;
- d. mokgwa wa kopi ya rekoto e balehang e khomputeng jwalojwalo, moo rekoto e amehang e leng khomputeng kapa e baleha ka tsela elektroniki kapa mochini, eo tlamano ya setjhaba e tsebang tsela tsa kgatiso ya kopi e ngotsweng ka mechini ya khomputa ka bohlale ba bona ba kamehla;

#### **PUO YA THODISO YA TLHAHISOLESERING**

44. Thodiso ya tlhahisolesering e tshwanetse e ntshuwe ka puo eo mokopi a e batlang, moo ebang e fumaneha ka puo eo. Moo e sa fumanehang ka puo e batlwang, e ntshuwe ka puo eo rekoto e ngotsweng ka yona.

#### **MABAKA A HO HANA KA THODISO YA DIREKOTO**

45. Ho na le mabaka a ho qhelwa ha kopo, ao ka oona ho ka hanwang ka kopo kanako tse ding. Empa le teng, ho qoba hore ho se hanelwe dikopo ho sa feleng, ho na le tumello tse ikgethileng. Ofisiri ya Tlhahisolesering kapa Motlats'a Ofisiri o dumeletswe ho qhela kopo ya thodiso ya rekoto haeba rekoto eo:

- a. e tshwere ditaba tsa motho e mong tse sa batlahaleng ho kenyeleditse le tsa motho ya shweleng.
- b. e le kopo ya ditaba tse tshwerweng ke kantoro ya Ditshebeletso tsa Lekgetho tsa Afrika Borwa (*South African Revenue Services*) ha di tshwerwe molemong wa molao o amanang le lekgetho
- c. e tshwere:
  - i. ditaba tsa kgwebo tsa lekunutu tsa motho e mong;

- ii. ditaba tsa ditjhelete, kgwebo, kapa tse ding tse seng setlwaeding (*technical information*) e se tsa kgwebo, tse ka bakang tshilafatso;
  - iii. tse tla baka ho se tshepahale di bile di bolokilwe molemong wa motho e mong kapa di senotswe ka botshepehi;
  - iv. ditaba tse senotsweng ke motho e mong ka botshepehi tse ka behang bophelo ba e mong kotsing kapa hwa baka tsitsipano, meahong, disebedisweng le dikhomputeng kapa ditshebeletsong tsa dikgokahano, ditshebeletsong tsa teranseporoto le thepeng e nngwe
- d. e thibetswe ho latela Molao wa Thibelo ya Botlokotsebe wa 51,1977;
- e. e thibetswe ho hatiswa hore e se phatlalatswe hoohe, mme
- f. e tshwere ditaba tse fuputswang molemong wa motho e mong.
- (b) a ka qhela kopo ya thodiso ya Tlhahisoleseding ho latela dikarolo 37 (1)(b), 38 (b), 39(1)(b), 41(1)(a) kapa (3), 43(2), 44(1) kapa (2) esitana le moo dipehelo tsa karolo 46 di amehang teng.

#### **NOTHISI HO MOTHO E MONG LE NOTHISI YA TAMOLO HO MOTHO E MONG**

46. Ofisiri ya Tlhahisoleseding kapa Motlats'a hae ya seka-sekang kopo ya thodiso ya rekoto o tshwanetse kahohle-hohle ho tsebisa motho eo rekoto eo e amanang le eena (Karolo 47(1)).
47. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o tshwanetse ho tsebisa motho ya amehang kapele-pele kamoo ho kgonehang, empa pele matsatsi a 21 kamora hore kopo e amohelwe kapa e fetiswe. Nothisi ho motho ya amehang e lokela
- a. ho bolela hore Ofisiri ya Tlhahisoleseding kapa Motlats'a ofisiri o qadile ho sebetsana le kopo ya rekoto ya tlhahisoleseding e bolelang hape le dingolwa tsa rekoto e amehang;
  - b. fana ka lebitso la mokopi; hape e
  - c. hlalose mofuta wa rekoto e kopuweng;
  - d. ho hlalosa hore Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o kgolwa hore:
    - i. ho fana ka rekoto ya tlhahisoleseding e tla senola bopaki bo nammeng ba tlolo ya molao, kapa ho hananang le molao
    - ii. ho tla baka le ho hlahisetsa setjhaba le tikoloho kotsi ho fetang molemo wa ho ntsha rekoto ya tlhahisoleseding ka tebello ya dipehelo tsa molao o amehang.

- e. hlalosa hore matsatsi a 21 kamorao hore motho ya amehang a tsebiswe o dumeletswe,
- (i) ho etsa tlaleho ya molomo kapa e ngotsweng fatshe ho Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri ho botsa hore hobaneng kopo ya hae e tshwanetse ho qhallwa ka thoko.
  - (ii) hore a fane ka tumello e ngotsweng ya ho thodisa mokopi rekoto ya tlhahisoleseding.

48. Ebang motho ya amehang a sa jwetsa ka molomo ka thodiso ya tlhahisoleseding, Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o lebelletswe ho ntsha nothisi e ngotsweng ho motho ya amehang e tshwereng ditaba tse boletsweng kahodimo.

#### **TLALEHO LE TUMELO YA BATHO BA AMEHANG (KAROLO 48)**

49. Motho ya amehang ya tsebisitsweng ka thodiso ya tlhahisoleseding, ho latela karolo 48, pele ho matsatsi a 21 a tsebisitswe, a ka etsa boipeletso ba molomo kapa bo ngotsweng ho Ofisiri ya Tlhahisoleseding hobaneng kopo eo e tshwanela ho qhallwa ka thoko kapa a ka fana ka tumello e ngotsweng ya ho ntshwa ha tlhahisoleseding eo.

50. Motho ya amehang ya tsebileng ka thodiso ya tlhahisoleseding ntle le ho bolellwa ke Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri o dumelletswe ho etsa tlaleho e ngotsweng kapa ya molomo ho Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri hobaneng kopo eo e lokela ho qhelwa ka thoko kapa a ka fana ka tumello e ngotsweng ya thodiso ya rekoto ya tlhahisoleseding ho mokopi.

#### **QETO MALEBANA LE TLALEHO YA HO QHELWA HA KOPO LE NOTHISI YA TENG**

51. Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri, pele ho matsatsi a 30 kamorao hore batho ba amehang ba jwetswe, ho latela tlhaloso ya karolo 47, o tshwanela

- a. kamorao hore a seke-seke tlaleho e entsweng ke batho ba amehang ho nka qeto ho latela karolo 48, hore na kopo eo ya thodiso ya tlhahisoleseding e dumelwe na; le
- b. ho ntsha nothisi malebana le motho ya amehang, ho ikopanya le eena ho mo fa qeto e nkuwang.

52. Moo motho ya amehang a sa tsebiswang mabapi le kopo e kentsweng, ka hohlehohle, mme eena a lesa ho kenya tlaleho, qeto ya ho thodisa tlhahisoleseding e tla tswalwa ke hore motho ya amehang ha a tloha a thotse monyetla wa ho kenya tlaleho ya hore kopo eo e qhalwe.

53. Nothisi e ntshitsweng nakong eo thodiso ya tlhahisoleseding e dumetsweng e tshwanetse ho bolela

- a. mabaka a felletseng hore kopo eo e dumelwe, ho kenyelletsa dipehelo tsa Molao o sebedisitsweng;
- b. hore motho ya amehang o dumelletswe ho hlahlela apile ya kahare malebana le qeto e nkuweng pele ho matsatsi a 30 kamora ho ntshwa ha nothisi, le tsela e latelwang ya apile ya kahare kantorong eo; le
- c. hore mokopi o tla thodiswa rekoto ya tlhahisolesedig kamora hore matsatsi a 30 a fete, ntle le hore apile eo e hlahletswe pele ho nako eo e badilweng.

54. Mokopi o tshwanetse ho thodiswa rekoto ya tlhahisoleseding, kamorao ho fete matsatsi a 30 hoba ho ntshwe nothisi ho motho ya amehang ntle le moo ho hlahletsweng apile ya kahare kantorong le moo ho entsweng kopo lekgotleng kgahlanong le qeto e nkuweng, kanako eo.

#### **DIREKOTO TSE FUMANEHANG HANGHANG**

55. Ho latela Karolo 14 (e), e kopantswe le Karolo 15(2), Lefapha le tshwanela ho ntsha nothisi e ntjha e fumanehang hanghang ntle le hore ho etswe kopo. Tse latelang ke lenane malebana le karolo ena:

- a. Molao 18 wa 2011 Mabapi le Mekaubere ya Sesole;
- b. Diforomo tsa kopo ya ditlhapiso le ngodiso ho lenane la mekaubere ya sesoleng;
- c. Maano a maholo.
- d. Maano a selemo a boikitlaetso.
- e. Makasini wa Mekaubere ya sesole: *Honour*

#### **DITSHEBELETSO TSE FUMANEHANG HO LEFAPHA LA MEKAUBERE YA SESOLE**

56. Melao ya Ditlhapiso tsa Mekaubere ya Sesole. Karolo 24 (1) ya Molao e supa hore Molaodi wa Phethahatso o ntsha mabaka a lekanyang hore na motho o tshwanelwa ke tlhapiso efe le efe. Moo a sebedisang tshupiso ena, Lefapha la Mekaubere ya Sesole le sebedisa melawana e fanang ka mabaka a dumellang hore motho a fuwe ditlhapiso ho latela Karolo 5 ya Molao.

57. Melawana ya Ditlhapiso tsa Mekaubere ya Sesoleng e kenyelletsa ditlhapiso tse latelang ka tlaase:

- a. Bodulo.
- b. Kalafo ya Bophelo.



- c. Kalafo le phekolo ya malwetse a hlooho le tsietso.
- d. Ho tataisa ho menyetla ya dikgwebo.
- e. Ho tataisa thodiso ya mosebetsi.
- f. Tlhapiso ya dikotsi, tsietso le malwetse.
- g. Thuso nakong ya lepato.
- h. Tlotliso le sehopotso.
- i. Transeporoto.

### **SEABO KA MANG KAPA MANG (KAROLO 14(1)(g))**

58. Karolo 14 (1) e bua ka dithlophiso tse etswang ke motho mang le mang ntle le tlamano ya setjhaba ho latela tlhaloso ya Molao, ka ho botsa, a ka etsa tlaleho e ka tshwaetsang ketso ya pholisi; kapa tshebediso ya molao, phethahatso ya mosebetsi ke tlamano

59. Se latelang ke mokgwa oo mekaubere ya sesoleng e tla salang morao ho tshwaetsa ketso ya pholisi kapa tshebediso ya molao le phethehatso ya mosebetsi.

### **MOKGATLO WA NAHA WA MEKAUBERE YA SESOLE**

60. Karolo 7(1) ya Molao wa Mekaubere ya Sesole e hlalosa hore *Director-General* o tlameha ho theha Mokgatlo wa Naha wa Mekaubere ya Sesole ka phatlalatso ya *Government Gazette*. Ho feta moo, *Director-General (DG)* le Mokgatlo wa Mekaubere ya Sesole (MMS) ba tshwanetse ho lokisa metjha eo MMS e lokelang ho emela mekgatlo e meng ya Mekaubere ya Sesole ka yona. Metjha e tlameha bonyane ho lebisana Mokgatlo:

- a. ho emeleng mekaubere ka mokgwa o motle
  - b. ho sebetseng ka mokgwa o motle, o bonahalang o ikarabelang
  - c. ho tshwareng dikgetho tse otlolohileng, tse nepahatseng nako le nako
  - d. ho itlaleheng ho Letona mabapi le mesebetsi ya oona bonyane hanngwe ka selemo.
61. Mokgatlo o tshwanetse ho:
- a. etsa mesebetsi e ntshitsweng ke Molao;
  - b. eletsana Letona ditabeng tse mabapi le molao le pholisi e amang Mekaubere ya Sesole kamoo Letona le laelang kateng; le

- c. eletsa Letona kapa *Director-General* ditabeng tse ding tse amanang le bophelo ba mekaubere ya sesole kamoo Letona kapa *Director-General* ba laealang kateng.

#### **KHANSELE YA BOELETSI TABENG TSA MEKAUBERE YA SESOLE**

62. Karolo 9(1) ya Molao wa Mekaubere ya Sesoleng e theile Khansesle ya Boelets'i tabeng tsa mekaubere ya sesole e ikarabelang ho Letona le shebaneng le ditabatabelo tsa Mekaubere ya Sesole mme e tshwanetse:

- a. ho etsa mesebetsi e laetsweng ke molao;
- b. ho elets'a Letona tabeng dife le dife tse amanang le pholisi e shebaneng le Mekaubere ya Sesole; le
- c. boyoneng, kapa ka taelo ya Letona, kapa *Director-General*, e fane ka dikeletso ho Letona le *Director-General* jwang le jwang, e le keletso ditabeng tse amang Mekaubere ya Sesole le malapa a bona.

63. Memo ya ho thonya e tla phatlalatswa dikoranteng tse pedi tsa naha. Ho thonngwa ka lengolo le lebiswang ho *Director-General*. Mokgatlo wa Mekaubere ya Sesole e tshwanetse ho thonya bonyane batho ba bararo ka palo setulong.

#### **BOTO YA APILE YA MEKAUBERE YA SESOLE**

64. Karolo 19 ya Molao wa Mekaubere ya Sesole e thea Boto ya Apile ya Mekaubere ya Sesole. Boto ya Apile e tshwanetseng ho:

- a. sekaseka apile efe le efe e kentsweng ke mokaubere wa sesole kgahlanong le qeto efe le efe e nkilweng ke mohlank'a mmuso ho latela Molao e le qeto e hlokofoatsang ditokelo tsa mokaubere wa sesoleng.
- b. sekaseka qaka efe le efe e molaong e amang mekaubere ya sesole e fetiseditsweng ho yona ke Letona kapa *Director-General*; le
- c. elets'a Letona kapa *Director-General* malebana le taba efe le efe e molaong e amang mekaubere ya sesole eo Letona kapa *Director-General* a ka e fetisetsang ho yona.

65. Boto ya Apile ebile e ka:

- a. tiisa, qhala kapa fetola qeto e nkuweng ke mohlank'a mmuso;
- b. nka qeto efe le efe ho fetolela qeto ya pele; kapa
- c. fana ka keletso e hlokaahalang ya molao.

**DIAPILE KGAHLANONG LE DIQETO TSE NKUWENG**

66. Tokelo ya Apile ya Kahare ho Molaodi ya ka Sehlohong. Apile ya kahare ho Molaodi ya ka Sehlohong kgahlanong le qeto ya Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri e dumeletswe ho bolaodi ba phethahatso tlaasa mabaka ana a latelang:

- a. qhalo ya kopo ya thodiso ya tlhahisoleseding;
- b. qeto malebana le tefo ya tjelete e batlhalang, thodiso le lelefatso ya nako malebana le kopo tse entsweng.

67. Motho e mong a ka kenya apile ya kahare kgahlanong le qeto ya Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri hore a amohela kopo ya thodiso ya tlhahisoleseding.

68. Mokgw'a Apile ya Kahare. Apile ya kahare e tshwanetse

- a. ho etsuwa ka foromo e tshwanetseng, Foromo B (e hoketsweng mona) pele ho matsatsi a 60 moo ho le teng nothisi ho motho e mong jwalekaha ho boletswe ke karolo 49(1)(b), le pele ho matsatsi a 30 kamorao ho nkuwe qeto kapa nothisi e fetiseditswe ho moipiletsi ya kgahlanong le qeto e nkuweng; le
- b. ho romelwa ho Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri atereseng ya hae, kapa atereseng ya elektroniki (*electronic mail address*).

69. Nothisi le Tlaleho ho le ka Batho ba bang ba Amehang. Bolaodi bo amehang bo lokela ho tsebisa batho ba angwang ke rekoto ya apile, nakong eo ba sekasekang apile kgahlanong le ho qhelwa ha kopo ya thodiso ya tlhahisoleseding, ntle le haeba ba hlolehile kahohle-hohle ho ikopanya le motho eo ya amehang. Motho ya amehang o tshwanetse ho tsebiswa pele ho matsatsi a 30 kamora ho amohela apile le ho tsebiswa ka mokgwa o potlakileng.

70. Nothisi ho Mokopi. Moo ho ho seka-sekwang apile ya kahare kgahlanong le ho dumelwa ha thodiso, bolaodi bo amehang bo tshwanetse ho ntsha fana ya apile ya kahare ho mokopi. Bolaodi bo amehang bo tshwanetse ho tsebisa mokopi - pele ho matsatsi a 30 kamora ho fumana lengolo la apile ya kahare mme, ba bolele nothising eo hore motho ya amehang o dumeletswe hore, pele ho matsatsi a 21 kamora hore nothisi ya apile e ntshwe, a a ngole lengolo la boipiletso ho bolaodi boo hobaneng kopo e tshwanetse ho dumelwa.

71. Mokopi ya fumanang nothisi a ka ngola lengolo la boipiletso ho bolaodibo a mehlang pele ho matsatsi a 21 kamaora ho fumana nothisi, hobaneng thodiso e tshwanetse ho dumelwa.

**DIKOPO TSE LEBISITSWENG LEKGOTLENG**

72. Dikopo tse malebana le diqeto tsa bolaodi bo amehang

- a. Mokopi kapa motho ya amehang o dumeletswe ho kenya kopo lekgotleng ho batla thuso feela kamorao ho hloleha haholo ka ho latela tsela tsa apile kgahlanong le qeto ya Ofisiri ya Tlhahisoleseding kapa Motlats'a Ofisiri.
- b. Mokopi ya hlotsweng ke apile kapa ya kgopisitsweng ke qeto ya molaodi ya amehang ka ho hana boipiletso ba hae bo siuweng ke nako, o dumeletswe ho kenya kopo pele ho matsatsi a 30 lekgotleng ho thuswa ka pheko e hlokahalang ho latela karolo 82 ya Molao.
- c. Mokopi ya hlolehileng apileng ya kahare ho molaodi ya amehang o dumeletswe, ka mokgwa wa lengolo la kopo, ho etsa kopo pele ho matsatsi a 30 ho lekgotla ho thuswa ka pheko e hlokahalang ho latela dipehelo tsa Karolo 82.

73. Mokgwa

- a. Kopo ho latela karolo 78 e hlalhelwa feela le Lekgotla le Phahameng kapa lekgotla le leng la boemo bo lekanang.
- b. Ke boikarabelo ba moitseki ya tsekang ho paka hore qhalo ya kopo ya thodiso ya tlhahisoleseding kapa qeto efe le efe e nkuweng ho latela karolo 22, 26 (1) kapa 29 (3) e dumellana le dipehelo tsa Molao.

74. Qeto malebana le Kopo e Hlahletsweng. Lekgotla le mamelang tseko eo le dumeletswe ho ntsha taelo e utlwahalang le e molemo o lekaneng, e le taelo e kenyelleditseng

- a. tiisetso, phetholo kapa qhalo ya qeto e tsekwang tabeng ya kopo e amehang;
- b. hore bolaodi bo amehang bo nke mohato kapa bo lese mehato eo lekgotla le fumaneng e hlokahala kanako e badilweng taelong eo;
- c. ho ntsha thibelo (*interdict*), ya nakwana kapa pheko e tlamang, taelo e namolang kapa tlhapiso;
- d. tse amanang le tefo ya ditshenyehelo.

**MOLATO**

75. Ha ho motho ya tla fumanwa molato tlasa bokebekwa le bosinyi moo teng ho tsekwang tlasa tshusumetso e nneteng kapa lebitsong la mosebetsi o molemong wa ho latela Molao.

**DITLOLO**

76. Motho ya ikemiseditseng ho hanela thodiso ya tlhahisoleseding ka ho senya rekoto, ka ho e fetola, ho e pata, ho e shanofatsa o tlola molao mme o tla otlwa kamora ho fumanwa molato ka faene kapa ho kwallwa tjhankaneng nako e sa feteng dilemo tse pedi.

## **HO NTLWAFATSWA HA MANYUWALE**

Manyuwale ena e tla fetolwa le ho ntlafatswa ha ho hlokeha.

## MMAPA WA KOPO YA THODISO YA TLHAHISOLESERING

Motlats'a Ofisiri wa tlhahisoleseding o fumana kopo



O rejistara kopo le ho qetobula faele



O ngola bukeng ya hae (*diary*)



O fumana direkoto/karabo



O hopotsa hore direkoto di fihle ho eena pele ho letsatsi la bo-14



O dumela hore o fela a thotse kopo ea tlhahisoleseding. Tlhahisoleseding eo e tsonngwe/ o fetisetsa kopo ho tlamano e nngwe ya setjhaba e amehang



O nka qeto ya ho qhela kopo kapa ho thodisana ka tlhahisoleseding



Mokopi o tsebiswa ka e nkuweng



O ngola botjha rejistareng le ho kwala faele

## ECONOMIC DEVELOPMENT DEPARTMENT

NO. 829

15 JULY 2016

**MEMORANDUM OF AGREEMENT**

Entered into between

**THE COMPETITION COMMISSION**  
(Hereinafter referred to as “the Commission”)

And

**CONSTRUCTION INDUSTRY DEVELOPMENT BOARD**  
(Hereinafter referred to as “the Board”)**WHEREAS~**

The Commission is a regulatory body established in terms of the provisions of section 19 of Competition Act, 1998 (Act No.89 of 1998), as amended (“the Competition Act”), herein duly represented by Mr Tembinkosi Bonakele, in his capacity as the Commissioner of the Commission.

**WHEREAS~**

The Board is a statutory body established in terms of section 2 of the Construction Industry Development Board Act, 2000 (Act No.38 of 2000), herein duly represented by Ms Hlengiwe Khumalo in her capacity as the Acting Chief Executive Officer of the Board.

**WHEREAS~**

In terms of the provisions of section 4(f) of the Construction Industry Development Board Act, the Board shall promote, establish or endorse uniform and ethical standards that regulate the actions, practices and procedures of parties engaged in construction contracts.

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In terms of section 5(4)(a) of the Construction Industry Development Board Act and in order to promote uniform and ethical standards within the construction industry, the Board must publish a code of conduct for all construction-related procurement and all participants involved in the procurement process.

In terms of paragraph 2.3 of the code for all parties engaged in construction procurement ("the code of conduct"), one of the principles governing the conduct of all parties involved in construction-related procurement is that in the interests of a healthy industry that delivers value to clients and society, the parties in any public or private construction-related procurement should in their dealings with each other comply with all applicable legislation and associated regulations.

Paragraph 3 of the code of conduct lists examples of conduct that conflicts with the code including but not limited to:

- Contractors engaging in collusive practices that have direct or indirect adverse impacts on the cost of the project to the employer;
- Tenderers, except for the purpose of joint venture formation or collective action to deal with unfair conditions or other faults in documentation, engaging in collusive practices with other tenderers, or potential tenderers; and
- Tenderers not exchanging information regarding tenders with any other tenderer prior to the closing time and date for tenders.

#### **WHEREAS~**

The Commission is established in order to, *inter alia*, investigate, control, and evaluate restrictive horizontal and vertical practices, abuse of a dominant position, exemptions and mergers.

#### **WHEREAS~**

The Commission, in terms of section 21(1)(h), read with sections 3(1A)(b), 82(1), (2) and (3) of the Competition Act, is responsible for :

- negotiating agreements with any regulatory authority;
- coordinating and harmonizing the exercise of concurrent jurisdiction in respect of competition matters; and
- ensuring the consistent application of the principles of the Competition Act.

**THEREFORE, the parties agree to conclude this Agreement as follows:**

#### **1. OBJECTIVE AND SCOPE**

The objective of this Agreement is to establish a formal basis for-

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- 1.1. co-operative governance enshrined in section 41 of the Constitution and section 3(1A), 21(1)(h) and 82 of the Competition Act in the exercise of jurisdiction over competition matters within the construction industry;
- 1.2. managing areas of concurrent jurisdiction over prohibited practices as indicated above; and
- 1.3. providing for the exchange of information and the protection of confidential information.

This Agreement is entered into on the basis of mutual respect, in a spirit of goodwill and does not affect the independence of the regulatory bodies herein.

## 2. COMMENCEMENT AND DURATION

This Agreement shall commence on the date of the last signature of the parties, and shall remain in force until it is replaced, cancelled or repealed by agreement, in writing, between the parties.

## 3. INVESTIGATION OF COMPLAINTS

### 3.1 Complaints: Concurrent Jurisdiction

- a. Where a complaint is lodged about a practice in respect of which the Commission and the Board have concurrent jurisdiction over the conduct mentioned in paragraph 3 of the cidb's code of conduct, the following process shall be followed:
  - i. The regulator that receives the complaint ("the recipient regulator") may make the complaint available to the other regulator within 7 (seven) days after a formal decision to investigate the complaint has been taken;
  - ii. Where the recipient regulator deems it appropriate, the recipient regulator may inform the complainant that the matter shall be discussed jointly by the Commission and the Board in terms of this Agreement;
  - iii. The Board and the Commission may consult each other and evaluate the complaint in order to establish how the complaint may be managed in terms of this Agreement;
  - iv. The recipient regulator may inform the complainant of the decision of the consultation between the Commission and the Board as soon as possible;
  - v. The recipient regulator may give the complainant further directions regarding the prosecution of the complaint in issue;
  - vi. In the event that the complaint is dealt with by the Board, persons from the Commission may participate in an advisory capacity;

- vii. In the event that the complaint is dealt with by the Commission, persons from the Board may participate in an advisory capacity.

3.2 In evaluating how the complaint may be managed, the parties must have regard to the principle that-

- i. The Commission has primary authority to investigate and evaluate alleged prohibited practices in order to give effect to the Competition Act;
- ii. The Board has primary authority to exercise powers and perform functions assigned to it in terms of the Construction Industry Development Board Act.

3.3 Nothing in the procedure contemplated in paragraph 3.1 shall detract from the jurisdiction of the Board or the Commission to receive and deal with complaints in terms of their enabling statutes. Nor shall it preclude a complainant from lodging a complaint with both regulators.

3.4 Complaints: No Concurrent Jurisdiction

- a. Where a complaint is lodged about a practice in respect of which either the Commission or the Board has jurisdiction, but there is no concurrent jurisdiction, the following process shall be followed:
  - i. The complainant must lodge the complaint with the regulator that has jurisdiction;
  - ii. If upon receiving a complaint, the regulator is of the view that it does not have jurisdiction over the complaint, the regulator with whom the complaint is lodged shall inform the complainant accordingly and advise the complainant to file the complaint to the relevant regulator;
  - iii. If the Board is the regulator with jurisdiction, it may, if it is legally competent under its legislation to take into account considerations of competition principles, consult with the Commission so as to ensure the consistent application of competition principles to the complaint in question;
  - iv. If the Commission is the regulator with jurisdiction, it may, if it is legally competent under its legislation to take into account considerations of the Board's Code of Conduct and Construction Procurement Best Practices, consult with the Board so as to ensure the consistent application of construction industry principles to the complaint in question;
  - v. The Board and the Commission may, upon request from each other, participate in each other's proceedings in an advisory capacity.

3.5 In the circumstances contemplated in 3.4 above, the decision of the regulator exercising jurisdiction to consult the other regulator shall be discretionary and

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voluntary. The regulator exercising jurisdiction may with or without consultation make its independent decision.

- 3.6 When the Commission and the Board consult each other as contemplated in 3.1 or 3.4 above, they shall do so at no cost to each other.
- 3.7 In either of the circumstances contemplated in 3.1 or 3.4 above, the Board and the Commission shall act expeditiously as circumstances permit and shall each encourage the other party to achieve a timely response.

#### **4. EXCHANGE OF INFORMATION**

Subject to paragraph 6 below, the Board and the Commission may exchange such information as may be necessary to give effect to this agreement.

#### **5. APPLICATION FOR IMMUNITY OR CORPORATE LENIENCY**

- 5.1 If the Commission receives an application for immunity in terms of its Corporate Leniency Policy (CLP), the granting of such immunity to the applicant does not prevent the Board from conducting an inquiry against the relevant applicant/construction firm to determine whether or not they have contravened the code of conduct. Furthermore the Commission may, prior to a decision being taken on the application, consult the Board for advice on such an application.

#### **6. TREATMENT OF CONFIDENTIAL INFORMATION**

- 6.1 Any information shared by the Commission and Board pursuant to this Agreement shall be used only for lawful supervisory and statutory purposes.
- 6.2 The Board and the Commission may share confidential or restricted information subject to their statutory confidentiality requirements<sup>1</sup>.
- 6.3 The regulator providing the confidential or restricted information pursuant to this Agreement shall clearly indicate what information is confidential or restricted to the regulator receiving the confidential information.
- 6.4 The regulator requesting confidential or restricted information may be required to submit a written confidentiality undertaking in respect of the information provided by the other regulator.

#### **7. IMPLEMENTATION AND DISPUTE RESOLUTION**

- 7.1 The Board and the Commission may each designate a specific individual from its organization to manage the implementation of this agreement. These individuals will liaise in relation to all instances of cooperation initiated in terms of this agreement, to ensure that the obligations of the respective parties are satisfactorily fulfilled.

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<sup>1</sup> Section 44 of the Competition Act and Rule 14 of the Rules for the Conduct of Proceedings in the Competition Commission.

7.2 If the Board or the Commission is of the opinion that the other party is not acting in accordance with the letter or spirit of this agreement, the matter may be dealt with through interaction between the Chief Executive Officer and the Commissioner.

## **8. VARIATION AND AMENDMENTS TO THE AGREEMENT**

Any variations or amendments to this Agreement shall have no legal effect and shall not be binding on the Board and the Commission unless reduced into writing and signed by parties authorized to act on behalf of both the parties.

## **9. DOMICILIUM CITANDI ET EXECUTANDI AND SIGNATORIES**

The parties choose the following addresses as their respective points of contact to receive any process and communication for purposes of this Agreement:

The Competition Commission  
Department of Trade and Industry Campus  
Mulayo Building, Block C  
77 Meintjies Street  
Sunnyside  
Pretoria  
Contact Person: Head: Stakeholder Relations

The Construction Industry Development Board  
Blocks N & R  
SABS Campus  
No. 2 Dr Lategan Road  
Groenkloof  
Pretoria  
Contact Person: Manager: Legal and Compliance

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**10. PUBLICATION**

In accordance with the provisions of this section 82(3)(d) of the Competition Act, this Agreement shall be published in the **Gazette** for public information as soon as it has been signed.

SIGNED on behalf of CIDB at PRETORIA on the 29 FEBRUARY 2016



Signature of Duly Authorised Signatory

HLENGIWE KHUMALO

Name

ACTING CEO

Designation



Witness 1



Witness 2

Signed on behalf of Competition Commission South Africa at PRETORIA

on the <sup>7<sup>TH</sup></sup>~~15<sup>TH</sup>~~ of the JUNE 2016



Signature of Duly Authorised Signatory

THEMBINKOSI BONAKELE

Name

COMMISSIONER

Designation



Witness 1



Witness 2

## DEPARTMENT OF HEALTH

NO. 830

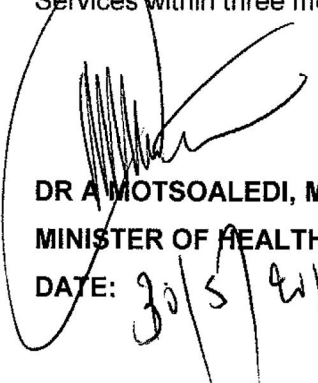
15 JULY 2016

## NATIONAL HEALTH ACT, 2003 (ACT NO. 61 OF 2003)

## EMERGENCY MEDICAL SERVICES REGULATIONS

The Minister of Health intends, in terms of section 90(1)(m) of the National Health Act, 2003 (Act No. 61 of 2003), to make Regulations in the schedule.

Interested persons are invited to submit any substantiated comments on the proposed Regulations, or any representations they may wish to make in regard thereto, to the Director-General: Health, Private Bag X828, Pretoria, 0001, NaidoR@health.gov.za - for the attention of the Director: Emergency Medical Services within three months of this notice.



DR A MOTSOLEDI, MP  
MINISTER OF HEALTH

DATE: 30/5/2016

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## SCHEDULE

### DEFINITIONS

1. In these Regulations a word or expression to which a meaning has been assigned in the Act, bears the meaning so assigned and, unless the context otherwise indicates:

**"Advanced Life Support (ALS)"** means a level of care provided within the Paramedic, Emergency Care Technician or Emergency Care Practitioner scope of practice as determined by the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Adverse patient incident"** means an event or circumstance that leads to unintended harm or injury to, suffering or illness of, a patient;

**"Ambulance"** means an appropriately equipped vehicle which is either airborne, or land-based and designed or adapted for the purpose of providing emergency care and the transportation of patients which is licensed to an Emergency Medical Service and registered as per the respective legislation, as amended and staffed and equipped as per "Annexures A and B";

**"Ambulance Emergency Assistant"** means a person registered as such with the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Base or Station"** means a dedicated self-contained facility for the housing of emergency vehicles, personnel and associated emergency equipment;

**"Basic Life Support (BLS)"** means a level of emergency care provided primarily by emergency care providers that practice within the Basic Ambulance Assistant scope of practice as determined by the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Committee"** means the Emergency Medical Services Advisory Committee appointed in terms of Regulation 7;



**"Emergency Care"** means the evaluation, treatment and care of an ill or injured person in a situation in which such emergency evaluation, treatment and care is required, and the continuation of treatment and care during the transportation of such person to or between health establishments;

**"Education Institution Emergency Medical Service"** means an organisation or body that is dedicated, staffed and equipped to operate as an ambulance or medical response vehicle in order to offer emergency care for the purpose of education and training of emergency care students who are registered with the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Emergency Medical Service" or "EMS"** means an organisation or body that is dedicated, staffed and equipped to operate an ambulance, medical rescue vehicle or medical response vehicle in order to offer emergency care;

**"Event Medical Service"** means an organisation or body that is dedicated, staffed and equipped to operate an ambulance or medical response vehicle in order to offer emergency care at mass gathering or high risk events;

**"Emergency Medical Service Manager"** means a person who is duly appointed as the responsible manager for the Emergency Medical Service and who is registered with the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Emergency Care Personnel"** means personnel who are registered with the Health Professions Council of South Africa under the auspices of the Professional Board for Emergency Care;

**"Head of Department"** means the accounting officer for a provincial health department;

**"Health Professions Act"** means the Health Professions Act, 1974 (Act No.56 of 1974);

**"Health Professions Council of South Africa" or "HPCSA"** means the body established in terms of section 2 of the Health Professions Act;

**"Inspecting Officer"** means a person employed with, or appointed by, the Provincial Health Licensing and Inspectorate Authority;

**"Intermediate Life Support (ILS)"** means a level of emergency care provided within the Ambulance Emergency Assistant scope of practice as determined by the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Licence"** means a licence issued in terms of these Regulations, which authorises the provision of an Emergency Medical Service;

**"Licensing and Inspectorate Authority"** means the provincial health component appointed by the Head of Department for the licensing and inspection of Emergency Medical Services;

**"MEC"** means the Member of the Provincial Executive Council responsible for Health;

**"Medical Practitioner"** means a person registered as such in terms of the Health Professions Act;

**"Medical Rescue Vehicle"** means a vehicle registered to an Emergency Medical Service as such and registered as per the National Road Traffic Act, as amended and staffed and equipped as per "Annexures A and B";

**"Medical Response Vehicle"** means a vehicle registered to an Emergency Medical Service as such and registered as per the National Road Traffic Act, as amended and staffed and equipped as per "Annexures A and B";

**"Paramedic"** means a person registered as such with the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Response time"** means the time measured from when an Emergency Medical Service receives an emergency call to the time the first medical responder arrives at the scene;

**"Responsible person"** means a person, a nominee, in the case of a company or an association of persons (whether corporate or not) or an organ of state, registered with HPCSA, who establishes, extends, conducts, maintains or renders an Emergency Medical Service;

**"Register of Emergency Medical Services"** means the publicly available register referred to in Regulation 5 (13);

**"National Road Traffic Act"** means the National Road Traffic Act, 1996 (Act No.93 of 1996);

**"Sluice facilities"** means a facility that is dedicated to the laundering of dirty linen and cleaning of soiled equipment;

**"Supervising Medical Practitioner"** means a medical practitioner who:

- a) is contracted or employed by an Emergency Medical Service in a supervisory clinical capacity;
- b) is regularly consulted by Emergency Care Personnel;
- c) holds additional emergency medical qualifications; and
- d) is registered with the Health Professions Council of South Africa in terms of the Health Professions Act;

**"Temporary licence"** means a valid licence issued in terms of these Regulations which authorises the temporary provision of an Emergency Medical Service; and

**"Volunteer Emergency Medical Service"** means an organization or body which is licensed to provide such Volunteer Emergency Medical Services as formally approved by the relevant Provincial Department of Health and registered in accordance with the National Road Traffic Act and must be registered as a Non Profit Organisation, as well as a Public Benefit Organisation as per the relevant Act or Regulation. Such volunteer personnel shall not receive any remuneration for the provision of Volunteer Emergency Medical Services, but may receive reasonable reimbursement for expenses incurred such as telephone costs, equipment costs and fuel costs for the use of their own vehicles.

## SCOPE OF APPLICATION

### 2. These Regulations apply to:

- (a) public and private Emergency Medical Services operating in the Republic of South Africa, excluding the South African National Defence Force; and
- (b) the South African Military Health Services when providing a service within the civilian environment to non-military patients.

## LICENCING

### 3. (1) A person, organisation or organ of state may not establish, operate, extend, manage, control, change ownership, rename, temporarily or permanently relocate the resources, or alter the services:

- (a) an Emergency Medical Service;
- (b) an Aeromedical Service;
- (c) an Event Medical Service;
- (d) a Volunteer Emergency Medical Service; or
- (e) an Education Institution Emergency Medical Service;

### (2) The minimum licensing category shall be Intermediate Life Support:

- (a) an Emergency Medical Service that is licensed at either Intermediate Life Support level, or Advanced Life Support level, shall be allowed to operate up to, but not exceeding, 50% of the ambulances operated by the Emergency Medical Service at Basic Life Support level; and
- (b) the remaining 50% of the ambulances being operated by the Emergency Medical Service shall be operated at either Intermediate Life Support level, or Advanced Life Support level, or a combination of thereof.

- (3) The Head of Department may only issue a licence if the service has been inspected by an inspecting officer and found to be in compliance with Annexures A and B and suitable and adequate for the purpose of providing a service in respect of the licence application.
- (4) A Volunteer Emergency Medical Services is required to comply with the requirements for licensing of an Emergency Medical Service with the exclusion of Sections 2(b) and 5(c) in Annexure A.
- (5) Private Emergency Medical Services (excluding Event Medical Services) may only provide emergency medical service within the demarcated boundary within a health district as specified in their application for a licence and in which their base/s are located unless transporting patients between health establishments or if requested by the Head of Department.

#### **APPLICATION FOR A LICENCE**

4. (1) An application for the licensing of an Emergency Medical Service must be:
  - (a) submitted on the prescribed form (Annexure C) to the Head of Department for the Province where the service will operate;
  - (b) accompanied by the required supporting documents;
  - (c) accompanied by the prescribed application and inspection fees as per Annexure D;
  - (d) Volunteer Emergency Medical Services are only required to pay annual licensing fees per response vehicle and/or ambulance as stipulated in Annexure D.
- (2) An application submitted in terms of subregulation (1)(a) must be an original application delivered by hand or by registered mail to the Head of Department.

- (3) An applicant may withdraw the application at any time before it has been evaluated by the Committee. If an applicant withdraws the application after the Committee has considered it, the application fee will be forfeited.
- (4) The Head of Department may, on the receipt of an application issue a temporary licence valid for a period of six months in the event of a licensed vehicle being relocated from one Province to another, except for when such movement occurs in the course of an inter-provincial patient transfer:
  - (a) a temporary licence shall be issued within 14 days of application;
  - (b) a temporary licence may not be renewed;
  - (c) a temporary licence shall be deemed to have expired in the event that an application for a licence is refused or if an application for a licence is withdrawn;
  - (d) in the case of a temporary licence issued in the event of a licensed vehicle moving from one Province to another, only the prescribed annual licencing fee shall be applicable.
- (5) An application received without proof of payment of the application fee:
  - (a) shall not be processed until the application fee is paid;
  - (b) if the application fee is not paid within 30 days of submission of the application, the applicant must provide valid reasons in writing to the Head of Department as to why the deadline has not been met;
  - (c) the Head of Department may then pend the application for a period not exceeding 90 days after which period, if the application fee has still not been paid, the application may be considered to have been withdrawn.

- (6) An applicant submitting an application for the licensing of an Emergency Medical Service must have a base or station which adheres to the minimum norms and standards provided for in Annexure A.

#### PROCESSING OF THE APPLICATION

5. (1) On receipt of the application, the Head of Department must issue the applicant, by registered mail, with an acknowledgement of receipt of the application, which indicates the date on which the application was received.
  - (2) The Head of Department must:
    - (a) within 10 days of receipt of an application review the application to determine whether it has been properly completed or whether additional information is required; and
    - (b) concurrently place a notice in a local newspaper and in the *gazette* to inform the public of the application and invite public comment on the application providing a period of 21 days for such public comment.
  - (3) If the Head of Department is of the opinion that the application form as contemplated in Regulation 4(1) has been properly completed, he or she must, within 10 days, instruct an inspecting officer to inspect the Emergency Medical Service concerned.
  - (4) If the Head of Department is of the opinion that the application form has not been properly completed or that additional information is required, the Head of Department must inform the applicant, in writing, of the incompleteness of the application and request the applicant to properly complete the application form or supply the additional information required, as the case may be, by a specified date.
  - (5) If an applicant fails to properly complete an application form or to supply the additional information by the date specified by the Head of Department in terms of subregulation (4), the applicant must be regarded as having withdrawn the application.

- (6) The Licensing and Inspectorate Authority must carry out an inspection of the Emergency Medical Service and submit a written report on the findings relating to the inspection to the Committee within 25 days of the instruction of the Head of Department.
- (7) If an applicant fails to provide a date for inspection to the Licensing and Inspectorate Authority within 120 days of the date specified by the Head of Department in terms of subregulation (6), the applicant must be regarded as having withdrawn the application.
- (8) The Committee must make a recommendation within 20 days of receipt of the report on the findings of the inspection from the Licensing and Inspectorate Authority.
- (9) The Head of Department must, within 15 days of receipt of recommendations from the Committee, consider the recommendations and make a decision.
- (10) The Head of Department may, prior to taking a decision in terms of subregulation (9), refer an application back to the Committee for reconsideration of its recommendations:
  - (a) the Head of Department must give reasons in writing for referring an application back to the Committee;
  - (b) if the Head of Department refers the application back for reconsideration, the Committee must make its final recommendation on such an application within 20 days of the application being referred back to it.
- (11) The Head of Department must, within 10 days of receipt of a final recommendation in terms of subregulation (10), consider the recommendation in accordance with subregulation (9).
- (12) The Head of Department must, within 10 days of deciding on an application as contemplated by subregulations (9) or (10), inform the applicant in writing of the



decision and, if the application is refused, give written reasons for the refusal and also inform the applicant of his or her right to appeal in terms of Regulation 25.

- (13) If the Head of Department has confirmed the Committee's recommendations that an application be approved, the Head of Department must issue a licence for the Emergency Medical Service to be registered in a register of Emergency Medical Services.

## INSPECTION

6. (1) Inspections in terms of these Regulations are carried out in order to determine whether the service complies with Annexures A and B and is suitable and adequate for the purpose of providing the service for which it is or has applied to be licensed.
- (2) Subject to a patient's right to privacy and confidentiality, the owner of an Emergency Medical Service or any other person responsible for the management or control of an Emergency Medical Service or who is in charge of the service, must provide to an inspecting officer acting in terms of these Regulations:
- (a) the information that the inspecting officer may require with regard to the organisation and management of that Emergency Medical Service, including the accommodation, care and treatment of the patients;
  - (b) registers, clinical records and any other records of patients, staff and vehicles;
  - (c) any other information necessary to assess compliance with these Regulations, including with the requirements listed in Annexures A and B.
- (3) The inspecting officer may request the submission of any other information, including but not limited to service performance data.
- (4) In the case of an Emergency Medical Service operating multiple bases, the inspecting officer must take into consideration that items such as the registers and clinical registers may be held at another base or office which may be the primary base or head office of the Emergency Medical Service.
- (5) Subject to a patient's right to privacy and confidentiality, a person may not:

- (a) in any way, obstruct an inspecting officer from carrying out her or his inspection;
- (b) refuse to furnish, to the best of her or his knowledge, information requested by the inspecting officer;
- (c) refuse when requested by the inspecting officer, to show any vehicle, apparatus or place;
- (d) refuse, when requested by the inspecting officer, to unlock a cupboard or storage compartment or area.

#### **EMERGENCY MEDICAL SERVICES ADVISORY COMMITTEE**

7. (1) The Head of Department must appoint members of the Committee.
- (2) The Committee must advise and make recommendations on an application referred to in Regulation 4 as well as advise the Head of Department on matters concerning licensing.
- (3) The Head of Department must determine the terms of reference of the Committee.
- (4) The Committee must be comprised of at least seven members each with a minimum of 10 years experience in Emergency Medical Service for members referred to in subregulation (5) (c), (e) and (f).
- (5) The Committee must at least consist of:
- (a) one member nominated by the National Department of Health;
  - (b) one staff member of the Provincial Department, who must not be from the Emergency Medical Services component of the Provincial Department;
  - (c) one member who is a specialist in emergency medicine, or an appropriate allied specialist discipline;
  - (d) one member nominated by an organisation recognised in terms of the Organised Local Government Act, 1997 (Act No. 52 of 1997), to represent local government in the Province;

- (e) one member with extensive technical expertise from public Emergency Medical Services;
  - (f) one member with extensive technical expertise from private Emergency Medical Services; and
  - (g) one member representing health care users in the Province.
- (6) The Committee must recommend one of the members as the chairperson of the Committee to the Head of Department for appointment.
- (7) At the first meeting of the Committee:
- (a) the chairperson must determine the procedure to be followed at the meetings of the Committee;
  - (b) the Committee must appoint a deputy chairperson;
  - (c) the Committee must establish a code of conduct for members.
- (8) The chairperson may, at any stage in the consideration of an application, call upon any person to participate in the proceedings of the Committee, if the chairperson is satisfied that that person will be able to assist the Committee to make a recommendation, but that person may not vote.
- (9) The chairperson must ensure that a full record is kept of attendance at, the proceedings of, and any resolutions taken at a meeting of the Committee.
- (10) The Committee must be convened as frequently as it may be necessary to deal with applications.
- (11) A quorum for a meeting is 50%+1 of the members of the Committee, but either the chairperson or deputy chairperson must always be present.
- (12) Voting:
- (a) a decision of the majority of members present at a meeting of the Committee is a decision of the Committee; and

- (b) in the event of the number of votes leading to a tie, the chairperson or deputy chairperson presiding at the meeting has a casting vote.
- (13) The chairperson of the Committee must submit an annual report on the activities and expenditure of the Committee to the Head of Department within 60 days of the end of the financial year.
- (14) The Head of Department must pay members who are not employed by the State:
  - (a) remuneration; and
  - (b) allowances for reasonable actual subsistence and travelling expenses necessitated by the attendance of a meeting of the Committee, as determined by the MEC, with the concurrence of the MEC responsible for finance.

#### EXCLUSION OF MEMBERS OF THE COMMITTEE

8. (1) A member of the Committee may not be present during, or take part in, a discussion of, or the taking of a decision in respect of, or the making of recommendations on, an application before the Committee in which:
- (a) that member or a spouse, immediate family member, business partner, associate or employer (other than the State), of that member; and/ or
  - (b) business partner, associate, immediate family member or employer (other than the State) of the spouse of that member, has a direct or indirect financial interest or has had such an interest during the previous 12 months.
- (2) For the purpose of subregulation (1)(a):
- (a) **"spouse"** means a person with whom the member lives as if they were married or with whom the member habitually cohabits; and
  - (b) **"immediate family member"** means a parent, child, brother, sister, brother-in-law, sister-in-law, whether or not such a relationship results from birth, marriage or adoption.

- (3) A person may not, while he or she is a member of the Committee, accept any form of employment, gift or reward from a person who has a direct or indirect financial interest in an Emergency Medical Service, or a person who has applied for a licence in terms of Regulation 4.
- (4) Where a member of the Committee has a current or potential financial or other conflict of interest, such member must declare such conflict of interest to the chairperson of the Committee timeously and recuse himself or herself from any proceedings where such a conflict of interest may arise.

#### **DECLARATION BY COMMITTEE MEMBERS**

9. (1) A person who is appointed to the Committee in terms of Regulation 7(1) must, within 14 days of receiving notice of his or her appointment, submit a written declaration to the Head of Department, which must contain:
  - (a) any financial or other interest which is or may be related to, or is in conflict with, such an appointment; and/or
  - (b) relevant information about any conviction for an offence listed in Schedule 1 to the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- (2) Failure to submit the declaration referred to in subregulation (1)(a) will result in the appointment being suspended for a period not exceeding 60 days until the declaration is received.
- (3) If a member of the Committee:
  - (a) experiences a change in financial or other interests which may affect his or her ability to consider any matter impartially, such a member must, within 10 days from the date of the changed circumstances and within a reasonable period prior to consideration of an affected matter, submit a written notice of such change of financial or other interests to the Head of Department; and
  - (b) fails to comply with paragraph (a), his or her appointment as a member may be revoked.

- (4) A declaration submitted must be for the sole purpose of determining whether such financial or other possible conflicts of interest may preclude the appointment of the person as a member or preclude his or her continued membership of the Committee.
- (5) The Head of Department must ensure that a declaration submitted is confidential and is not publicly disclosed.
- (6) A member of the Committee may not use his or her appointment as a member of the Committee to promote the financial or other interest of another person in relation to Emergency Medical Services.
- (7) A member of the Committee who:
  - (a) fails to give truthful answers or provide the full declaration of financial or possible conflicts of interest;
  - (b) uses his or her appointment as a member of the Committee to promote the financial or other interest of any person; or
  - (c) fails to recuse himself or herself as contemplated in Regulation 8(4),

is guilty of an offence and liable, on conviction, to a maximum fine of R25 000.00 and must forthwith cease to be a member of the Committee.

#### **TERMINATION OF MEMBERSHIP**

10. (1) A member of the Committee may, at any time, resign as a member of the Committee by giving not less than 30 days written notice to the Head of Department.
- (2) The Head of Department may terminate the appointment of a member of the Committee with immediate effect if the member:
  - (a) is or becomes an un-rehabilitated insolvent;
  - (b) fails to:
    - (i) declare his or her financial interest or other conflicts of interests;

- (ii) recuse himself or herself where he or she or an immediate family member has an interest in the outcome of any decision to be made or made by the Committee.
- (c) is suffering from an infirmity of mind or body which prevents him or her from properly discharging his or her duties as a member of the Committee;
- (d) has engaged in conduct, which brings or could bring the Committee into disrepute or threatens the integrity of the Committee;
- (e) fails to attend two consecutive meetings of the Committee without having been granted leave of absence by the chairperson;
- (f) fails to carry out duties and functions of the Committee to the best of his or her ability;
- (g) contravenes Regulation 8(3).

#### **CONSIDERATION OF APPLICATION FOR LICENCE**

11. When considering an application for a licence, the Committee must consider the comments and responses received in respect of the application in order to determine whether there is a justifiable need for the proposed Emergency Medical Service and may take into account the following:

- (a) the need to ensure consistency of health service development at national, provincial and local levels and the need to promote equitable distribution and rationalisation of health services with a view to correcting inequities based on racial, gender, economic and geographical factors and taking into account:
  - (i) the demographic and epidemiological characteristics of the populations to be served;
  - (ii) the total and target population in the area;
  - (iii) the age and gender composition of the population;
  - (iv) the morbidity and mortality profiles of the population;
- (b) the availability of existing Emergency Medical Services;
- (c) the need to promote quality services which are accessible, affordable, cost-effective and safe;
- (d) the potential advantages and disadvantages of the application for any affected communities;

- (e) the need to advance persons or categories of persons designated in terms of the Employment Equity Act, 1998 (Act No. 55 of 1998), the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003), the Cooperatives Act, 2005 (Act No. 14 of 2005) and the emerging small, medium and micro-enterprise sector, including cooperatives;
- (f) the potential benefits of training and research and development with a view to the improvement of health service delivery;
- (g) the need to ensure that ownership of Emergency Medical Services does not create perverse incentives for service providers to over service patients or refer them inappropriately;
- (h) where applicable, the quality of health services rendered by the applicant in the past.

#### **RECOMMENDATIONS OF THE COMMITTEE**

**12.** Following an analysis of the application, the Committee may make the following recommendations to the Head of Department:

- (a) that the licence be granted;
- (b) the licence be granted subject to conditions which the Committee considers appropriate, including but not limited to the nature or extent of services to be provided by the Emergency Medical Service;
- (c) that the application be refused.

#### **DECISION OF THE HEAD OF DEPARTMENT**

**13.** The Head of Department may make the following decisions:

- (a) confirm the recommendation of the Committee;
- (b) reject the recommendation of the Committee;
- (c) confirm the recommendation to grant the licence and amend the conditions recommended by the Committee.



**ISSUING OF LICENCE AND LICENCE TOKENS**

- 14** (1) Upon an application for an Emergency Medical Service being granted, or conditionally granted, the Head of Department must:
- (a) issue a licence to operate the service concerned; and
  - (b) issue a licence token for each vehicle to be used by that service as an ambulance, medical rescue vehicle or medical response vehicle.
- (2) A licence contemplated in subregulation (1) (a) must contain the following:
- (a) the name of the owner of the Emergency Medical Service;
  - (b) the name of the Emergency Medical Service;
  - (c) the geographical location of the base/s within the health district of the Emergency Medical Service;
  - (d) the type of service to be rendered by the Emergency Medical Service;
  - (e) the type and number of vehicles the Emergency Medical Service will operate;
  - (f) any other information which the Head of Department may consider necessary.
- (3) A licence token contemplated in subregulation (1)(b) must contain the following:
- (a) the name of the Emergency Medical Service;
  - (b) the registration number of the vehicle;
  - (c) the date on which the licence token was issued;
  - (d) the date on which the licence token expires;
  - (e) the type of vehicle.

**DISPLAY OF LICENCE AND LICENCE TOKEN**

- 15.** The Emergency Medical Service Manager must ensure that:
- (a) the licence referred to in Regulation 14(1)(a) is displayed in a conspicuous position at the primary base of head office of the Emergency Medical Service;
  - (b) the licence token referred to in Regulation 14(1)(b) is displayed in a conspicuous position on every vehicle that is licensed.

**ANNUAL RENEWAL OF LICENCE AND LICENCE TOKEN**

16. (1) The licence and licence tokens of an Emergency Medical Service must be renewed every twelve (12) months.
- (2) The renewal application must be submitted at least ninety (90) days prior to expiry of the licence.
- (3) The annual renewal is subject to the successful inspection of such service in terms of Regulation 6.
- (4) The inspection for annual renewal is subject to the payment of fees determined by the Minister in terms of Regulation 24.
- (5) Upon the satisfactory inspection for the purpose of the annual renewal as provided for in Sub-regulation (2), the Head of Department must issue a licence and licence tokens compliant with regulations 14(1)(b) and 14(1)(b) respectively.

**INSPECTION OF REGISTERED EMERGENCY MEDICAL SERVICE**

- 17 (1) The Head of Department must ensure that every Emergency Medical Service is re-inspected within 30 days of its licence being granted in order to determine whether the service complies with Annexures A and B and is suitable and adequate for the purpose of providing the service for which it is licensed.
- (2) The Head of Department must, at least once in every calendar year in addition to the inspection in terms of subregulation (1), inspect or cause to be inspected, by a duly authorised inspecting officer, every Emergency Medical Service registered in terms of these Regulations in order to determine whether the service complies with Annexures A and B and is suitable and adequate for the purpose of providing the service for which it is licensed.
- (3) The Head of Department may, whenever it is considered necessary, in writing instruct the Licensing and Inspection Authority to carry out any additional inspections in order to determine whether the service complies with Annexures A and B and is

suitable and adequate for the purpose of providing the service for which it is licensed.

### **MANAGEMENT OF AN EMERGENCY MEDICAL SERVICE**

- 18** (1) An Emergency Medical Service must appoint, in a full time capacity, an Emergency Medical Services Manager who is qualified and registered with the Health Professions Council of South Africa, as at least an Ambulance Emergency Assistant, to manage the service.
- (2) Volunteer Emergency Medical Services must appoint an Emergency Medical Services Manager who is qualified and registered with the Health Professions Council of South Africa, as at least an Ambulance Emergency Assistant, to manage the service.
- (3) The Emergency Medical Service Manager must:
- (a) ensure that the number of patients conveyed in an ambulance does not exceed the maximum number permitted in terms of its design and safety constraint provisions;
  - (b) ensure that the Emergency Medical Service is operated in a way that provides quality care and does not compromise the safety of the public, patient or personnel;
  - (c) keep patient records confidential, as required by law and the ethical rules of the HPCSA;
  - (d) inform the Head of Department within 30 days of any change in the particulars furnished by or on behalf of the licence holder in terms of these Regulations;
  - (e) ensure that a patient is not refused emergency care by the Emergency Medical Service because of the patient's inability to pay, or on any other grounds;
  - (f) ensure that protocols exist for immediate intervention in the event of the exposure of personnel to situations of a hazardous, biological, chemical, psychological or physical nature;
  - (g) maintain a formal set of standard operating procedures that staff members shall adhere to;

- (h) promote safe driving techniques as well as awareness of defensive driving techniques;
- (i) ensure that every vehicle operated by the Emergency Medical Service is fitted with a satellite tracking device that is capable of live satellite tracking, including current location, speed and route travelled and shall be capable of generating historic reports;
- (j) ensure that the Emergency Medical Service maintains valid calibration certificates for the relevant equipment in use by the Emergency Medical Service as prescribed in Annexure B;
- (k) ensure that every ambulance manufactured on, or after, the implementation date of these Regulations is in compliance in terms of the South African National Standards (SANS) Regulations by a registered vehicle manufacturer;
- (l) ensure that every vehicle is in a road worthy condition as per the relevant Road Traffic legislation;
- (m) ensure that the Emergency Medical Service maintains copies of each of the following documents for every ambulance manufactured on, or after, the implementation date of these Regulations:
  - (i) Manufacturer / Importer / Builder (MIB) Certificate of the manufacturer, importer or builder of the ambulance;
  - (ii) Builder's Certificate for each ambulance;
  - (iii) eNaTIS Certificate for each ambulance as issued by the manufacturer of the ambulance.
- (n) ensure that scheduled medication is stored and recorded as per the Medicines and Related Substance Act, 1965 (Act No. 101 of 1965) and Pharmacy Act, 1974, (Act No. 53 of 1974);
- (o) ensure that all Emergency Care Personnel are registered with the HPCSA and practise within the HPCSA's scope of practice and that patients should not be over serviced for financial gain;
- (p) must ensure and maintain good conduct and high levels of professionalism;
- (q) must comply with the provisions for emergency driving in accordance with the Road Traffic Bylaws;
- (r) must ensure that in multiple patient situations, patients are treated and transported according to the triage priority and comply with the carrying capacity of the ambulance; and

- (s) shall retain ultimate responsibility for ensuring ethical behaviour of Emergency Care Personnel.

#### **INFORMATION CONCERNING THE EMERGENCY MEDICAL SERVICE**

- 19 (1) The Emergency Medical Service Manager must ensure that an individual patient care record is kept for every patient treated or conveyed by the service.
- (2) The Emergency Medical Service Manager must ensure that the following information is captured on a monthly basis, properly secured and readily available to be provided at the request of an Inspecting Officer or the Head of Department:
- (a) response time performance appropriately categorised into the response categories for urban and rural areas;
  - (b) the names, qualifications, relevant HPCSA registration details and number of hours worked per month of employees, contractors and volunteers;
  - (c) a file for each staff member employed by the service with the following, as a minimum:
    - (i) copy of the identity document for each staff member;
    - (ii) copy of Drivers Licence and Professional Drivers Permit;
    - (iii) copy of a pay slip for each month;
    - (iv) copy of completed IRP 5 forms;
  - (d) proof of registration for every staff member with:
    - (i) Compensation for Occupational Injuries and Diseases Fund;
    - (ii) Pay As You Earn;
    - (iii) Skills Development Levy;
    - (iv) Unemployment Insurance Fund;
  - (e) proof of the number of ambulances and response vehicles in the service;
  - (f) a record of the number and nature of adverse patient incidents;
  - (g) the monthly staff shift rosters; and
  - (h) a record of complaints received and the resolutions thereof.

## SUSPENSION AND/OR CANCELLATION OF LICENCE

- 20** (1) If an Emergency Medical Service contravenes or does not comply with these Regulations, the Head of Department must give written notice of the non-compliance to the licence holder.
- (2) The notice must state:
- (a) the nature and extent of the non-compliance which must be rectified;
  - (b) that failure to rectify the non-compliance within a period specified in the notice may lead to the cancellation or suspension of the licence;
  - (c) that the licence holder is entitled to make written representations to the Head of Department, within a period specified in the notice, regarding the proposed cancellation or suspension of the licence.
- (3) If, at the expiry of the period specified in terms of subregulation (2)(b), the non-compliance has not been rectified to the satisfaction of the Head of Department, he or she may, having regard to all the relevant facts, including the report of the inspection officer and any representation by the licence holder, cancel or suspend the licence of the Emergency Medical Service.
- (4) If the licence is cancelled or suspended, the Head of Department must within 10 days inform the licence holder in writing of:
- (a) the decision;
  - (b) the reasons for the decision; and
  - (c) the right of appeal.

## REINSTATEMENT OF LICENCE AND LIFTING OF SUSPENSION

- 21** (1) An Emergency Medical Service whose licence has been cancelled or suspended may, at any time, apply for the reinstatement of the licence or the lifting of its suspension.
- (2) The provisions of Regulation 4 apply, with the changes required by the context, in respect of the application for the reinstatement of a licence.

- (3) Before the Head of Department reinstates a licence or lifts its suspension, an inspecting officer must inspect the Emergency Medical Service concerned in order to determine whether the service complies with Annexures A and B and is suitable and adequate for the purpose of providing the service for which it is licensed and make a recommendation to the Head of Department.
- (4) The Head of Department may submit the representation for the reinstatement of the licence or the lifting of the suspension to the Committee for further consideration and recommendation.

#### **AMENDMENT OF LICENCE**

22. In order to change the level of service provision for which a licence has been issued, a licence holder must apply to the Head of Department to amend the licence accordingly. The provisions of Regulations 4 and 5 apply, with the changes required by the context, in respect of the application for the amendment of a licence.

#### **CHANGE OF OWNERSHIP**

23. (1) A licence for an Emergency Medical Service may not be transferred.
- (2) If an Emergency Medical Service is transferred or sold to a new owner:
  - (a) the new owner must submit an application in terms of Regulation 4.
  - (b) the new owner shall not be permitted to operate until a new licence or temporary licence has been issued.

#### **FEES**

24. (1) The Minister must from time to time determine the applicable fees and publish such fees by notice.
- (2) An applicant may make representations to the respective Head of Department for a waiver of the applicable fees.

- (3) The fee for renewal of a licence is payable each year on completion of the annual inspection contemplated in Regulation 6.
- (4) The renewal licence and licence tokens must not be issued until proof of payment of the relevant fee is submitted.

## APPEAL

25. (1) A person who:

- (a) has applied for a licence for an Emergency Medical Service or for the renewal of such licence, and whose application has been refused; or
- (b) whose licence has been cancelled or suspended,

may lodge an appeal, in writing, to the MEC within 30 days of being notified of the refusal, cancellation or suspension, and give reasons for the appeal.

- (2) The MEC must, within 30 days of receipt of an appeal, submit a copy of the appeal to the Head of Department.
- (3) The Head of Department must, within 30 days of receipt of a copy of an appeal, submit a response to the appeal to the MEC.
- (4) The MEC may appoint up to three independent and suitable persons, who are not employees of the Department or members of the Committee, to advise the MEC on the appeal.
- (5) The MEC may uphold or refuse an appeal and may, in the event that the appeal is upheld, replace the decision of the Head of Department and grant the application.
- (6) An appeal must be finalised within 60 days of the date on which the Head of Department submits a response to the MEC in terms of subregulation (3).
- (7) The MEC must communicate the decision on the appeal to the appellant in writing and, if the appeal is refused, give the reasons for the refusal of the appeal:



- (a) if the MEC upholds an appeal, this decision, together with the reasons for the decision, must be communicated to the Head of Department in writing;
- (b) the Head of Department must make the necessary entry in the register for Emergency Medical Services.

## **EXEMPTIONS**

26. The Head of Department may, at any time and on such conditions and for such period as he or she may determine, but not longer than three months, grant in writing an organization or body an exemption from any requirements of these Regulations, provided the exemption would not adversely impact on patient care. Any exemption granted in terms of this Regulation and reasons for granting the exemption must be reflected in the Register of Emergency Medical Services.

## **POWERS OF EMERGENCY CARE PERSONNEL**

27. Emergency Care Personnel may, whenever they regard it necessary or expedient in order to perform their functions of saving life or preventing bodily harm, perform any act reasonably necessary in order to enable them to perform their functions, and may also, subject to the applicable law:
- (a) close any road or street;
  - (b) enter or break into any premises;
  - (c) damage or destroy any property;
  - (d) cause to be removed from the scene any person who is dangerous, or in danger, or who obstructs the Emergency Care Personnel in the performance of his or her duties; and
  - (e) cause to be removed from the scene any Emergency Care Personnel that refuses appropriate levels of care to a patient that requires higher qualification intervention.

## **OFFENCES AND PENALTIES**

28. A person who:

- (a) establishes, operates, extends, manages, controls, changes ownership, renames, temporarily or permanently relocates the resources, or alters the services of an Emergency Medical Service without a licence;
- (b) fails to renew a licence to provide an Emergency Medical Service;
- (c) is the responsible person for, or is employed by an Emergency Medical Service and who:
  - (i) obstructs or refuses to allow the inspection officer or a person acting on its behalf, access to such Emergency Medical Service for the purpose of an inspection in terms of these Regulations;
  - (ii) fails to comply with the provisions of these Regulations;
  - (iii) obstructs or prevents access of Emergency Care Personnel to a patient in a situation requiring emergency care;
  - (iv) behaves, or allows staff members to behave (in the case of a responsible person), in a manner that shall be fairly deemed to be bringing the industry into disrepute;
  - (v) conducts clinical procedures that are not within the scope of practice for the relevant Emergency Care Personnel as defined by the Health Professions Council of South Africa;
  - (vi) has knowledge of a situation requiring emergency care and wilfully or negligently withholds relevant information from (an) Emergency Medical Service(s);
- (d) abuses or summons a service while he or she knows that there is no reason to do so;
- (e) displays on, or fits an unlicensed vehicle in terms of these Regulations with:
  - (i) a siren;
  - (ii) red flashing lights;
  - (iii) the "star of life" symbol or other symbols, emblems, logos, heraldic devices, marks, words or phrases in a way associated with Emergency Medical Services;
  - (iv) the phrases, "Paramedic", "Emergency Medical Services", "Emergency Care Practitioner", "ECP", "Advanced Life Support", "ALS", "Intermediate Life Support", "ILS", "Emergency Care Technician", "ECT", "Emergency Care Assistant", "ECA", "ambulance", "Emergency Medical Response",

"Basic Ambulance Assistant", "BAA", "Basic Life Support", "BLS", or a derivative thereof.

- (f) displays the word "Paramedic", "Intensive Care Unit", "ICU", or the phrase "Advanced Life Support", "ALS" or "Emergency Care Practitioner", "ECP", on a vehicle where such vehicle is not:
  - (i) staffed by at least one person registered as a medical practitioner, emergency care practitioner or paramedic with the HPCSA;
  - (ii) equipped to provide an Advanced Life Support service;
  - (iii) licensed in terms of these Regulations as an ambulance, medical response vehicle or medical rescue vehicle;
- (g) impersonates Emergency Care Personnel;
- (h) obstructs Emergency Care Personnel in the performance of their functions in terms of Regulation 27;

is guilty of an offence and liable, on conviction

- (i) to a fine not exceeding R500 000.00; or imprisonment for a period not exceeding five (5) years; or both such fine and imprisonment for a period not exceeding five (5) years; or
- (ii) the penalties as may be determined by the Minister that may be imposed in terms of the National Health Act, 2003 (Act No. 61 of 2003).

## DELEGATIONS

29. The Head of Department may delegate a power or function conferred or imposed upon her or him in terms of these Regulations to an official, except:
- (a) the power to decide on an application in terms of these Regulations;
  - (b) the power to cancel or suspend a licence in terms of Regulation 20(3);
  - (c) the duty to respond to an appeal in terms of Regulation 25(3).

## AMENDMENT OF SPECIFIC REQUIREMENTS

30. The Minister may by notice in the gazette, amend the requirements contemplated in Annexures A, B, C and D.

**TRANSITIONAL PROVISIONS**

31. (1) An Emergency Medical Service which is operational before the commencement of these Regulations must be allowed to continue to provide services for a maximum period of one year after the commencement of these Regulations.
- (2) The Emergency Medical Service referred to in sub-regulation (1) must be licensed in terms of these regulations before it may continue to operate after the period of one year following the commencement of these Regulations.
- (3) Failure to licence an Emergency Medical Service referred to in subregulation (1) constitutes an offence as provided for in Regulation 28(a).

**REPEAL**

32. The Emergency Medical Services Regulations, 2015, published in Government Notice No. R413, Government Gazette No. 38775 dated 8 May 2015 are hereby repealed.

**SHORT TITLE**

33. These Regulations are called the Emergency Medical Services Regulations, 2016.

**Annexure A****REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES****1) SERVICE LEVELS**

- a) An Emergency Medical Service will operate in accordance with its licence, and the infrastructure shall be capable of supporting it over the period of its intended operation.
- b) Emergency Medical Services must be registered to provide services within the following categories:
  - i) basic life support and
  - ii) intermediate life support and/or
  - iii) advanced life support and/or
  - iv) aeromedical service and/or
  - v) event medical service and/or
  - vi) education institution Emergency Medical Service and/or
- c) Where such service requires in addition to provide medical rescue services it shall ensure that it has personnel trained in accordance with courses approved by the HPCSA and be in possession of the appropriate specialised rescue equipment.

**2) GENERAL REQUIREMENTS**

- a) The service must be supervised by an Emergency Medical Service Manager who is qualified in at least Ambulance Emergency Assistant and registered with the HPCSA.
- b) The service must have a base or station that:
  - i) has rest facilities;
  - ii) is available 24 hours per day;
  - iii) has permanent, plumbed, clean and hygienic ablution facilities.
- c) There must be available:
  - i) sluice facilities with which to clean contaminated equipment and linen; and
  - ii) vehicle washing facilities which have the appropriate medical waste traps built in that comply with Local Municipal By-laws.
- d) There must be an adequate medical waste management system and the Emergency Medical Service must have contractual proof of a current agreement with a registered waste management disposal company for the disposal of such medical waste.

- e) Medical store room that complies with the requirements for the safe storage of medicines and pressurised vessels as per the relevant legislation.
- f) The Emergency Medical Service must be registered in accordance with the appropriate legislation:
  - i) in the case of private sector services, the applicant must be registered as a company in terms of the Companies Act, 2008 (Act No. 71 of 2008); and registered with the Board of Healthcare Funders;
  - ii) In the case of a Volunteer Emergency Medical Service the applicant must be registered as a Non Profit Organisation, as well as a Public Benefit Organisation as per the relevant Act or Regulation.
- g) Proof of adequate liability insurance must be available for the said Emergency Medical Service.
- h) An Emergency Medical Service must operate according to the Ethical and Professional Rules of the HPCSA and the Ethical Guidelines for good practice in the health care professions. The Responsible Person, Supervising Medical Practitioner and Emergency Service Manager must at all times be in good standing with the HPCSA.

### 3) PERSONNEL

- a) A minimum of two persons shall staff an ambulance or medical rescue unit, and a minimum of one person shall staff a medical response vehicle.
- b) Personnel shall be registered with the HPCSA as determined by the level of service offered and shall be as follows:
  - i) **Basic Life Support**
    - (1) Personnel shall be registered as a Basic Ambulance Assistant.
  - ii) **Intermediate Life Support**
    - (1) The patient attendant shall be registered as an Ambulance Emergency Assistant, whilst the second crew shall hold a minimum registration of Basic Ambulance Assistant.
  - iii) **Advanced Life Support - Ambulance**
    - (1) The patient attendant shall hold a minimum registration of Paramedic whilst the second crew shall hold a minimum registration of Basic Ambulance Assistant, though it should preferably be a person holding a minimum registration of Ambulance Emergency Assistant.
  - iv) **Medical Response Unit**
    - (1) This unit shall be staffed with at least one staff member, who shall hold a minimum registration with the HPCSA of Ambulance Emergency Assistant.

**v) Medical Rescue**

- (1) Both personnel shall be registered with the HPCSA and at least one of the personnel shall hold a minimum registration of Ambulance Emergency Assistant.
- (2) In addition to this both personnel shall hold a minimum qualification of Basic Medical Rescue, as approved by the HPCSA.

**vi) Aeromedical Service**

- (1) The senior medical staff member on the air ambulance shall be registered in the category of at least a Paramedic with the HPCSA, who shall hold valid CAT 138, Aviation Health Care Provider, Advanced Cardiac Life Support, Intermediate Trauma Life Support or Advanced Trauma Life Support and Paediatric Advanced Life Support certificates.
- c) The crew of an ambulance, medical response unit or medical rescue unit shall hold an appropriate valid driver's licence and, in the case of a patient carrying vehicle both the second crew as well as the patient attendant shall also be in possession of a valid professional driving permit which shall be in the category "Passengers".
  - d) All personnel shall be dressed in appropriate uniform protective clothing, with their first name or initial, surname and registration category clearly depicted on the said clothing.
  - e) Emergency Care Personnel shall at all times, remain in the company of the patient while he/she is in the care of the Emergency Medical Service or until hand over at a health establishment.
  - f) Emergency Care Personnel must not exceed the maximum working hours as per the regime of shift workers as guided by the Basic Conditions of Employment Act, 57 of 1997 and the Public Service Regulations, 2001 as amended and as applicable.

**4) MINIMUM STAFF REQUIREMENTS**

- a) An Emergency Medical Service shall employ the following, minimum number of operational staff members:

**i) Advanced Life Support**

- (1) In a health district where the total population is more than 150 000 persons as described by Statistics South Africa in the most recently published "Census" report, an Emergency Medical Service licensed at Advanced Life Support level shall ensure that a Paramedic registered with the HPCSA, is staffing at least one vehicle per operational shift at all times.
- (2) In a health district where the total population is less than or equal to 150 000 persons as described by Statistics South Africa in the most recently published "Census" report, an Advanced Life Support service should employ at least one registered Paramedic.

**ii) Intermediate Life Support**

- (1) An Emergency Medical Service should employ a minimum of one Ambulance Emergency Assistant per ambulance licensed to the respective Emergency Medical Service at all times for all ambulances that are intended to be operated at intermediate life support level.

(2) This shall be in addition to the Emergency Medical Service Manager.

**iii) Second Staff Member on an Ambulance**

(1) The minimum staffing requirement for the second staff member on an ambulance shall be a person registered in the category Basic Ambulance Assistant with the HPCSA.

**iv) Nurses**

(1) A nurse may assist a fully staffed ambulance with a minimum of two ambulance crew members that are registered at a minimum level of Basic Ambulance Assistant.

(2) The nurse shall not be considered to be one of the two staff members required to staff the ambulance, unless the nurse in question holds dual registration with both the Health Professions Council of South Africa (HPCSA) as well as South African Nursing Council (SANC).

**v) Supervising Medical Practitioner**

(1) One Supervising Medical Practitioner with suitable emergency medical qualifications and experience must be appointed to or contracted by the service for each health district in which it operates.

(2) A Supervising Medical Practitioner must not be contracted to more than three Emergency Medical Services simultaneously.

(3) The Emergency Medical Service must hold a current, written, service level agreement with the supervising medical practitioner that confirms that the supervising medical practitioner is available to assist with clinical governance, medical advice as well as supervision and training, where necessary.

**5) VEHICLES**

a) All Emergency Medical Service vehicles utilised shall comply with the National Road Traffic Act or the relevant vehicle registration and safety legislation, as applicable.

b) Ambulances shall:

i) be configured in such a way that the medical personnel have complete access to a patient in order to begin and maintain life support;

ii) be fitted with a two way radio and/or cellular communication system which allows for communication at all times with the dispatch centre;

iii) be fitted with red warning lights that shall be visible from the front, rear and both sides of the vehicle at all times, and siren in accordance with the relevant vehicle registration and safety legislation;

iv) display the word "Ambulance" on the front and rear of all ambulances and shall adhere to the following minimum dimensions: 600mm X 150mm; or large as possible proportionate to make of the vehicle.



- v) be configured in such a way that the interior of the patient compartment, excluding the driver's cab section, shall be a minimum of-
- (1) height 1222mm;
  - (2) width 1333mm;
  - (3) length 1900mm;
- vi) be configured in such a way that adequate, permanently installed lighting is provided in the patient compartment;
- vii) have installed within the ambulance a minimum of a 2 000 watt electrical inverter, capable of providing a 220 volt power supply to the patient treatment compartment of the vehicle;
- viii) have an adequate entry that allows for the loading/off loading of the patient without compromising the condition of the patient;
- ix) be configured in such a way that a patient can be carried in the supine position with specialised medical equipment fitted;
- x) have an approved restraining device fitted for all patients and emergency care personnel;
- xi) have a stretcher restrained with a restraining device, approved by the manufacturer of the stretcher, which shall be permanently fitted to the vehicle and shall restrain both the front and rear of the stretcher;
- xii) have a stretcher that is secured in such a way that it allows medical personnel clear view of, and access to, the patient and specialised medical equipment;
- xiii) have a stretcher that is fitted in such a way that it does not block the entry or emergency exits of the vehicle;
- xiv) have a stretcher that is fitted in such a way that it does not block access to the airway of the patient and in such a way that the performance of advanced airway techniques will not be hindered;
- xv) be configured in such a way that medical equipment and medical gas cylinders are secured in brackets that are attached to the body of the vehicle and do not allow any vertical or horizontal movement of the medical equipment or medical gas cylinders within the compartment of the ambulance;
- xvi) be configured in such a way that medical equipment and medical gas cylinders are fitted in such a way that they do not obstruct the entry or emergency exits of the vehicle or pose a potential threat to personnel or patients;
- xvii) have medical gas cylinders and outlets marked in accordance with SANS Codes of Practice and that have been subjected to visual and hydrostatic inspection by a Department of Labour approved testing facility;

- xviii) have an adequate supply of convenient hanging devices that are fitted for intravenous therapy - such shall be fitted in such a way as not to inflict injury to patients or medical personnel;
  - xix) have a patient compartment that is lined with a non-porous material to avoid blood and other body fluids from contaminating the area, and allows for the cleaning of the compartment;
  - xx) have surfaces and equipment within the ambulance free from the visible appearance of any and all contaminants including but not limited to: dust, dirt, blood, faeces, urine, vomit, human tissue or any other bodily fluid;
  - xxi) have a patient compartment separated from the driver compartment in such a way that the patient, treatment of the patient, and actions of the patient shall in no way interfere with the driving of the vehicle;
  - xxii) in the case of a vehicle with a gross vehicle mass which exceeds 3 500kg, be fitted with retro-reflective red and retro-reflective yellow chevron strips on the rear of the vehicle, as required by the relevant National Road Traffic Act;
  - xxiii) in the case of a vehicle with a gross vehicle mass which exceeds 3 500kg, be fitted with yellow, retro-reflective strips to both the sides of the vehicle as well as the rear of the vehicle, in addition to the chevron, which shall be fitted no more than 600mm from the lower part of the body of such vehicle, as required by the relevant National Road Traffic Act;
- c) The number of emergency medical response vehicles registered to an Emergency Medical Service may not exceed the number of ambulances registered to that Emergency Medical Services;
  - d) The vehicles included on the licence for the Emergency Medical Service must be listed as being owned by the applicant of an Emergency Medical Service and registered in the category "Owner" on the "Certificate of Registration" as per the National Road Traffic Act or other relevant vehicle registration and safety legislation.
  - e) Each vehicle operated as an ambulance, medical response vehicle or medical rescue vehicle must be clearly marked, licensed, registered as per the National Road Traffic Act or relevant vehicle registration and safety legislation and in accordance with nationally approved livery.
  - f) Livery that is not reflective of the functions of an emergency medical service will not be approved.

## 6) EMERGENCY TELEPHONE NUMBER

- a) Every emergency vehicle operated by the emergency medical service shall display the 24 hour emergency telephone number of the respective ambulance service on the rear and both sides of the respective emergency vehicle and shall adhere to the following minimum dimensions:

- i) ambulance: 600mm x 150mm;
- ii) medical response vehicle: 300mm x 90mm;
- iii) medical rescue vehicle: 300mm x 90mm.

#### **7) LICENCE TOKEN**

- a) All ambulances, medical response vehicles and medical rescue vehicles operated by the Emergency Medical Service should display a valid licence token in a prominent position on the windscreen of the ambulance where it is easy to view in terms of the National Road Traffic Act.

#### **8) AEROMEDICAL SERVICE**

- a) In the case of an aero-medical service, the aircraft operator shall hold the appropriate G7 licence and CATS/Part 138 accreditation as specified by the Civil Aviation Authority of South Africa.

#### **9) COMMUNICATION SYSTEM**

- a) All Emergency Medical Services must have an appropriate communication system that allows for easy communication between the base or station and vehicles.

#### **10) COMPLAINTS MECHANISM**

- a) All Emergency Medical Services must have an appropriate complaints mechanism that aligns with the National Complaints Management Protocol for the Public Health Sector of South Africa, 2014 the details of which must be made available to EMS users, including by the clearly visible posting of such details in each vehicle and at each EMS base or station.

#### **11) EQUIPMENT**

- a) All ambulances, medical response vehicles and medical rescue vehicles shall have, as a minimum, the equipment as listed in Annexure B.

## Annexure B


**health**

 Department:  
 Health  
 REPUBLIC OF SOUTH AFRICA

**EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES**

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Airway Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Oropharyngeal Airway Nos. 00,0,1,2,3,4	2 each	2 each	2 each	2 each	2 each	2 each	2 each
Hard Suction Catheter (Paediatric)	2	2	2	2	2	2	2
Neonatal Suction Catheters Size No. 5 FG	2	2	2	2	2	2	2
Neonatal Suction Catheters Size No. 6 FG	2	2	2	2	2	2	2
Neonatal Suction Catheters Size No 8 FG	2	2	2	2	2	2	2
Paediatric Suction Catheter Size No. 10 FG	1	1	1	1	1	1	1
Adult Suction Catheter Size No. 12 FG h	1	1	1	1	1	1	1
Adult Suction Catheter Size No. 14 FG	1	1	1	1	1	1	1
Neonatal Suction Catheters Size No. 5 FG	1	1	1	1	1	1	1
Neonatal Suction Catheters Size No. 6 FG	1	1	1	1	1	1	1
Neonatal Suction Catheters Size No 8 FG	1	1	1	1	1	1	1
Paediatric Suction Catheter Size No. 10 FG	0	1	OPTIONAL	1	1	OPTIONAL	OPTIONAL
Adult Suction Catheter Size No. 12 FG	0	0	1	0	0	1	1
Adult Suction Catheter Size No. 14 FG	2	2	2	2	2	2	2
Portable Suction Apparatus (Combination of Battery and Electrically Operated)	2	2	2	2	2	2	2
Manual Hand Operated Portable Suction Apparatus (As a back up device)	2	2	2	2	2	2	2
Stethoscope (Combination of diaphragm and bell type head)	1	1	1	1	1	1	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Endotracheal Intubation Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Laryngoscope set for adult and paediatric including the following:							
Handle with batteries in full working condition	0	0	1	0	0	1	1
Batteries - spare for laryngoscope	0	0	2	0	0	2	2
Size 0 blade	0	0	1	0	0	1	1
Size 1 blade	0	0	1	0	0	1	1
Size 2 blade	0	0	1	0	0	1	1
Size 3 blade	0	0	1	0	0	1	1
Size 4 blade	0	0	1	0	0	1	1
Size 5 blade	0	0	OPTIONAL	0	0	OPTIONAL	OPTIONAL
Disposable, sterile ET tubes including the following:							
Size 2.5 mm ID ET tube	0	0	2	0	0	2	2
Size 3 mm ID ET tube	0	0	2	0	0	2	2
Size 3.5 mm ID ET tube	0	0	2	0	0	2	2
Size 4 mm ID ET tube	0	0	2	0	0	2	2
Size 4.5 mm ID ET tube	0	0	2	0	0	2	2
Size 5 mm ID ET tube	0	0	2	0	0	2	2
Size 5 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 5.5 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 6 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 6.5 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 7 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 7.5 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 8 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Size 8.5 mm ID ET tube (cuffed, high volume, low pressure)	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 1	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 1.5	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 2	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 2.5	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 3	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 3.5	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 4	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 4.5	0	0	2	0	0	2	2
Sub-glottic Laryngeal Mask (LMA), size 5	0	0	2	0	0	2	2
Small ET tube introducer	0	0	1	0	0	1	1

Large ET tube introducer	0	0	1	0	0	1	1
Gum Elastic Bougie	0	0	1	0	0	1	1
Magill forceps - Adult	0	1	1	1	1	1	1
Magill forceps - Paediatric	0	1	1	1	1	1	1
10ml syringes	0	0	1	0	0	1	1
20ml syringes	0	0	2	0	0	2	2
Pair sharp, clean scissors	0	0	1	0	0	1	1
1m Tape / ET tube securing device	0	0	2	0	0	2	2
Water soluble lubricant gel	0	0	2	0	0	2	2
Xylocaine spray	0	0	1	0	0	1	1
Heimlich type Flutter valves	0	0	2	0	0	2	2
Heat moisture exchanger valve for ventilated patients	0	0	1	0	0	1	1

### EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Breathing / Ventilation Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Adult oxygen masks providing 40% inhaled oxygen with tubing	4	4	4	4	4	4	4
Adult non-rebreather masks providing 100% inhaled oxygen with tubing	2	2	2	2	2	2	2
Adult oxygen nebuliser masks including tubing and fluid reservoir	2	2	2	2	2	2	2
Nasal cannula with tubing	2	2	2	2	2	2	2
Paediatric oxygen masks providing 40% inhaled oxygen with tubing	2	2	2	2	2	2	2
Paediatric non-rebreather masks providing 100% inhaled oxygen with tubing	2	2	2	2	2	2	2
Paediatric oxygen nebuliser masks including tubing and a fluid reservoir	2	2	2	2	2	2	2
Oxygen T-Piece with tubing	2	2	2	2	2	2	2
Adult Bag-Valve-Mask with Reservoir and adult mask (size 4)	1	1	1	1	1	1	1
Paediatric Bag-Valve-Mask with Reservoir and paediatric mask (size 1)	1	1	1	1	1	1	1
Neonatal Bag-Valve-Mask with Reservoir and neonatal mask (size 0)	1	1	1	1	1	1	1
Oxygen Humidification Device	1	1	1	0	0	1	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Oxygen Supply	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Minimum of a portable oxygen cylinder. Size "D"	2	2	2	2	2	2	2
Portable oxygen cylinder gauge with flow meter	1	1	1	1	1	1	1
Fitted oxygen cylinder/s, size "F" capable of supplying a minimum of 30 minutes of oxygen at a flow rate of at least 15 litres per minute.	2	2	2	0	0	0	2
Fitted oxygen cylinder gauge with flow meter	1	1	1	0	0	0	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Ventilator	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Mechanical volume cycled ventilator with PEEP valve & pressure relief valve, with appropriate fitting allowing connection to fitted oxygen supply within the ambulance, including the following features ( <b>requires annual calibration certification</b> ):	0	0	1	0	0	1	1
• Volume and pressure control:							
• Volume							
• Inspiratory Pressure							
• PEEP							
• FiO2							
• Rate							
• Alarms (Peak Inspiratory Pressure, Low Pressure)							
Anti-bacterial ventilation circuit filter for use with both manual as well as mechanical ventilation methods.	0	2	2	2	2	2	2

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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Diagnostic /Therapeutic Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Sphygmomanometer including adult, paediatric and neonatal cuffs	1	1	1	1	1	1	1
Pupil torch	1	1	1	1	1	1	1
Glucometer and blood glucose monitoring strips	1	1	1	1	1	1	1
Pulse Oximeter (if not included as a feature of an ECG monitor or electronic patient monitor)	0	1	1	1	1	1	1
Automated External Defibrillator (AED) (annual calibration <b>not</b> required due to self-testing and self-calibration of the unit)	1	0	0	0	0	0	0
Automated External Defibrillator (AED) that is approved by the manufacturer for use in a moving vehicle. To be used in combination with a Vital Signs Monitor that includes visual 3 lead ECG Monitoring and a ECG rhythm printer/recorder feature ( <b>Vital Signs Monitor requires annual calibration certification</b> )	0	1	0	1	1	0	0
<b>OR</b>							
ECG monitor and defibrillator featuring 3 lead ECG monitoring capability, 3 lead cable, AED capability, AED pads, manual defibrillation, recorder / printer with paper and hard defibrillation paddles ( <b>requires annual calibration certification</b> )	0	1	0	1	1	0	0
ECG monitor and defibrillator featuring 3 lead ECG monitoring capability, external cardiac pacing, cardioversion, pacing/AED pads, manual defibrillation, recorder / printer with paper and hard defibrillation paddles ( <b>requires annual calibration certification</b> )	0	0	1	0	0	1	1
Defibrillation gel	0	1	1	1	1	1	1
End Tidal CO2 Monitor – Capnograph (if not included as a feature of an ECG monitor or electronic patient monitor)	0	0	1	0	0	1	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Miscellaneous Disposable Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Boxes of disposable examination gloves (S,M,L)	1 each	1 each	1 each	1 each	1 Each	1 each	1 each
Wound dressings 100mm x 100mm	5	5	5	5	5	5	5
Wound dressings 100mm x 200mm	4	4	4	4	4	4	4
Hydrogel Burn Dressing 100mm x 100mm	2	2	2	2	2	2	2
Hydrogel Burn Dressing 200mm x 200mm	1	1	1	1	1	1	1
Hydrogel Burn Dressing 200mm x 450mm	2	2	2	2	2	2	2
Gauze swabs (100mm x 100mm)	20	20	20	20	20	20	20
Roll of 25 mm adhesive tape (zinc oxide)	1	1	1	1	1	1	1
Roll of 10 mm adhesive tape (hypo-allergenic)	1	1	1	1	1	1	1
75mm elasticised bandages	4	4	4	4	4	4	4
100mm elasticised bandages	4	4	4	4	4	4	4
Sealed maternity pack (including 2 x sealed & sterile surgical blades, 4 x sealed sanitary pads, 2 x sealed space blankets, 4 x sealed & sterile umbilical cord clamps, 1 x sealed & sterile mucous extractor)	1	1	1	1	1	1	1
Regurgitation bags	4	4	4	0	0	0	4
Or Large kidney bowl / receiver (may not be a bedpan)	1	1	1	0	0	0	4
Sealed space blanket	4	4	4	4	4	4	4
Clear safety goggles	2	2	2	2	2	2	2
Range of nasogastric tubes, including:	0	0	1	0	0	1	1
Size 5 French	0	0	1	0	0	1	1
Size 8 French	0	0	1	0	0	1	1
Size 10 French	0	0	1	0	0	1	1
Size 12 French	0	0	1	0	0	1	1
Size 14 French	0	0	1	0	0	1	1
Size 18 French	0	0	1	0	0	1	1
Urine drainage bag	0	0	2	0	0	2	2
Foleys catheters FG5, 8, 10, 12, 14, 16, 18	0	0	1	0	0	1	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Intravenous Therapy Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Alcohol Swab (30mm x 30mm)	0	30	30	30	30	30	30
14 gauge intra-venous catheters	0	2	2	2	2	2	2
16 gauge intra-venous catheters	0	2	2	2	2	2	2
18 gauge intra-venous catheters	0	2	2	2	2	2	2
20 gauge intra-venous catheters	0	2	2	2	2	2	2
22 gauge intra-venous catheters	0	2	2	2	2	2	2
24 gauge intra-venous catheters	0	2	2	2	2	2	2
60 micro drops / ml – Administration Sets	0	2	2	2	2	2	2
Intraosseous needle or device with needle	0	0	1	0	0	1	1
15 drops / ml or 20 drops / ml-Administration Sets	0	2	2	2	2	2	2
10 drops / ml – Blood Administration Set	0	2	2	2	2	2	2
High Capacity 10 drops / ml Administration Set	0	0	1	0	0	1	1
Volume Control Administration Set (eg. Buretrol, DosiFix)	0	0	1	0	0	1	1
200ml Normal Saline – IV Fluid	0	2	2	2	2	2	2
1000ml Ringers Lactate – IV Fluid Or 1000ml Balsol – IV Fluid	0 0	2 2	2 2	2 2	2 2	2 2	2 2
500ml Synthetic Colloid e.g. Haemacell / Haes-sterile	0	1	1	1	1	1	1
Transparent, waterproof, IV securing dressing (e.g. Tegaderm or similar) minimum of 10cm x 12cm dimensions	0	8	8	8	8	8	8
Infusion flow regulators (eg Dial-a-Flow, Dosi Flow)	0	2	2	2	2	2	2
3 Way Stopcock	0	1	2	1	1	2	2
Spencer Wells Artery Forceps	0	2	2	2	2	2	2
Pressure Infusion Bags	0	0	2	0	0	2	2

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Drugs and Drug Therapy Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Medication cooler bag for drugs requiring refrigeration	0	0	1	0	0	1	1
Activated Charcoal	1	1	1	1	1	1	1
Glucose powder or gel	1	1	1	1	1	1	1
Entonox with demand valve and regulator	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
50 ml syringes	0	0	1	0	0	1	1
20 ml syringes	0	2	2	2	2	2	2
10 ml syringes	0	2	2	2	2	2	2
5 ml syringes	0	2	2	2	2	2	2
2 ml syringes	0	2	2	2	2	2	2
1 ml syringes	0	0	2	0	0	2	2
16 gauge needles	0	4	4	4	4	4	4
20 gauge needles	0	4	4	4	4	4	4
Aspirin	0	10 x 150 mg	10 x 150 mg	10 x 150 mg	10 x 150 mg	10 x 150 mg	10 x 150 mg
Dextrose 50%	0	Min 60 ml	min 100 ml	Min 60 ml	Min 60 ml	min 100 ml	min 100 ml
Fenoterol Ipratropium Bromide	0	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's
	0	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's
Salbutamol	0	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's	5 x UDV's
Adenosine	0	0	min 10 x 6mg/2ml glass ampoule	0	0	min 10 x 6mg/2ml glass ampoule	min 10 x 6mg/2ml glass ampoule
Adrenaline	0	0	min 20 x 1mg/1ml glass ampoule	0	0	min 20 x 1mg/1ml glass ampoule	min 20 x 1mg/1ml glass ampoule
Amiodarone Hydrochloride	0	0	min 4 x 150mg/3ml glass ampoule	0	0	min 4 x 150mg/3ml glass ampoule	min 4 x 150mg/3ml glass ampoule
Atropine Sulphate	0	0	min 20 x 1mg/1ml glass ampoule	0	0	min 20 x 1mg/1ml glass ampoule	min 20 x 1mg/1ml glass ampoule
Calcium Chloride 10%	0	0	min 4 x 1g/10ml glass ampoule	0	0	min 4 x 1g/10ml glass ampoule	min 4 x 1g/10ml glass ampoule
Clopidogrel	0	0	min 8 x 75mg tablets	0	0	min 8 x 75mg tablets	min 8 x 75mg tablets

Diazepam	0	0	min 5 x 10mg/2ml glass ampoule	0	0	min 5 x 10mg/2ml glass ampoule	min 5 x 10mg/2ml glass ampoule
Flumazenil	0	0	min 2 x 0.1mg/1ml 10ml glass ampoule	0	0	min 2 x 0.1mg/1ml 10ml glass ampoule	min 2 x 0.1mg/1ml 10ml glass ampoule
Furosemide	0	0	min 10 x 20mg/2ml glass ampoule	0	0	min 10 x 20mg/2ml glass ampoule	min 10 x 20mg/2ml glass ampoule
Glucagon	0	0	min 1 x 1mg vial / pre drawn syringe	0	0	min 1 x 1mg vial / pre drawn syringe	min 1 x 1mg vial / pre drawn syringe
Glyceryl Trinitrate	0	0	min 1 x s/l spray bottle, or 50 x 0.5mg tabs	0	0	min 1 x s/l spray bottle, or 50 x 0.5mg tabs	min 1 x s/l spray bottle, or 50 x 0.5mg tabs
Hydrocortisone	0	0	min 4 x 100mg/2ml glass vial	0	0	min 4 x 100mg/2ml glass vial	min 4 x 100mg/2ml glass vial
Lignocaine Hydrochloride (Systemic and Local anaesthetic)	0	0	min 5 X 100mg/ml glass ampoule	0	0	min 5 X 100mg/ml glass ampoule	min 5 X 100mg/ml glass ampoule
Lorazepam	0	0	min 5 x 4mg/1m glass ampoule	0	0	min 5 x 4mg/1m glass ampoule	min 5 x 4mg/1m glass ampoule
Magnesium Sulphate	0	0	min 4 x 1g/2ml glass ampoule	0	0	min 4 x 1g/2ml glass ampoule	min 4 x 1g/2ml glass ampoule
Methylprednisolone	0	0	min 4 x 125mg/2ml glass ampoule, or equivalent	0	0	min 4 x 125mg/2ml glass ampoule, or equivalent	min 4 x 125mg/2ml glass ampoule, or equivalent
Metoclopramide Monohydrochloride	0	0	min 5 x 10mg/2ml glass ampoule	0	0	min 5 x 10mg/2ml glass ampoule	min 5 x 10mg/ml glass ampoule
Midazolam	0	0	Min 5 x 15mg/3ml glass ampoule or equivalent	0	0	Min 5 x 15mg/3ml glass ampoule or equivalent	Min 5 x 15mg/3ml glass ampoule or equivalent
Morphine Sulphate	0	0	min 5 x 15 mg/1ml glass ampoule or equivalent	0	0	min 5 x 15 mg/1ml glass ampoule or equivalent	min 5 x 15 mg/1ml glass ampoule or equivalent
Naloxone Hydrochloride	0	0	min 5 x 0.4mg/1ml glass ampoule	0	0	min 5 x 0.4mg/1ml glass ampoule	min 5 x 0.4mg/1ml glass ampoule
Promethazine	0	0	min 5 x 25mg/ml glass ampoule	0	0	min 5 x 25mg/ml glass ampoule	min 5 x 25mg/ml glass ampoule
Sodium Bicarbonate 8,5%	0	0	min 2 x 8.5% 50ml bag	0	0	min 2 x 8.5% 50ml bag	min 2 x 8.5% 50ml bag
Thiamine Hydrochloride	0	0	min 1 x 100mg/ml ampoule	0	0	min 1 x 100mg/ml ampoule	min 1 x 100mg/ml ampoule

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

<b>Drugs according to the HPCSA scope of practice for registered Emergency Care Practitioners (per ambulance / vehicle)</b>	<b>BLS Ambulance</b>	<b>ILS Ambulance</b>	<b>ALS Ambulance</b>	<b>ILS Response Vehicle</b>	<b>Medical Rescue Vehicle</b>	<b>ALS Response Vehicle</b>	<b>ALS Air Ambulance</b>
Etomidate (Hypnomidate, Amidate)	0	0	min 4 x 20mg/10ml ampoule	0	0	min 4 x 20mg/10ml ampoule	min 4 x 20mg/10ml ampoule
Ketamine (Ketalar, Ketaset)	0	0	min 4 x 100mg/1ml ampoule	0	0	min 4 x 100mg/1ml ampoule	min 4 x 100mg/1ml ampoule
Succinylcholine/Suxamethonium Chloride (Scoline, Anectine) Succinylcholine/Suxamethonium Chloride	0	0	min 4 x 100mg/2ml ampoule in cold storage	0	0	min 4 x 100mg/2ml ampoule in cold storage	min 4 x 100mg/2ml ampoule in cold storage
Vecuronium Bromide (Norcuron)	0	0	min 6 x 4mg/1ml ampoule	0	0	min 6 x 4mg/1ml ampoule	min 6 x 4mg/1ml ampoule
Rocuronium Bromide (Esmeron, Zemuron)	0	0	min 2 x 10mg/ml in a 2ml ampoule in cold storage	0	0	min 2 x 10mg/ml in a 2ml ampoule in cold storage	min 2 x 10mg/ml in a 2ml ampoule in cold storage

### EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

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Transport and Immobilization Equipment	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Hard/Stiff Neck Cervical Collars – Small	2	2	2	2	2	2	2
Hard/Stiff Neck Cervical Collars – Medium	2	2	2	2	2	2	2
Hard/Stiff Neck Cervical Collars – Large	2	2	2	2	2	2	2
Full set of Soft Cervical Collars (Small, Medium, Large)	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
Patient Extrication Device – Adult (KED)	1	1	1	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
Patient Extrication Device – Paediatric (KED)	1	1	1	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
Long spine board	1	1	1	0	0	0	OPTIONAL
Scoop stretcher	1	1	1	0	1	0	1
Vacuum Mattress	0	OPTIONAL	OPTIONAL	0	0	0	1
Set Head Blocks	2	2	2	OPTIONAL	OPTIONAL	OPTIONAL	2
Spider harness	2	2	2	OPTIONAL	OPTIONAL	OPTIONAL	2
Lower extremity traction splint – Adult	1	1	1	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
Lower extremity traction splint – Paediatric	1	1	1	OPTIONAL	OPTIONAL	OPTIONAL	OPTIONAL
Long splints – Leg	6	6	6	6	6	6	6
Short splints – Arm	4	4	4	4	4	4	4



## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Other	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Pillow	2	2	2	0	0	0	2
Sheet	6	6	6	0	0	6	6
Blanket	2	2	2	0	0	0	1
Bedpan/urinal	1	1	1	0	0	0	OPTIONAL
Waste disposal facility (enclosed container)	1	1	1	0	0	0	1
Red, medical waste disposal plastic bags	6	6	6	6	6	6	2
Enclosed, commercially manufactured, disposable sharps container	1	1	1	1	1	1	1
Suitably manufactured Jump Bag for safe, clean and secure storage and transportation of medical equipment	1	1	1	1	1	1	1
Suitably manufactured Drug Pouch for safe, clean and secure storage and transportation of medication and administration accessories	0	0	1	0	0	1	1
Pair rescue scissors	1	1	1	1	1	1	1
High visibility, reflective vest and / or jacket	2	2	2	1	2	1	OPTIONAL
Safety helmet	2	2	2	1	2	1	OPTIONAL
Fire Extinguisher (minimum of 2KG dry powder)	1	1	1	1	1	1	OPTIONAL
Thermometer (standard)	1	1	1	1	1	1	1
Casebook or patient record sheet	1	1	1	1	1	1	1
Map book or fitted GPS device	1	1	1	1	1	1	1

### EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Requirements for MICU transfers - the following requirements are per station, and not per vehicle (mandatory)	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Vital signs monitor (requires annual calibration certification) - or separate automated NIBP, SpO2, electronic capnograph	0	0	1	0	0	1	1
Infusion pump including appropriate administration sets (requires annual calibration certification)	0	0	1	0	0	1	1
Syringe driver including approved syringes (requires annual calibration certification)	0	0	1	0	0	1	1

## EQUIPMENT REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES

**Specific requirements:** Unless otherwise stated, all equipment listed below is per vehicle and not per operational base.

Requirements for MICU neonatal transfers – the following requirements are per station, and not per vehicle (optional):	BLS Ambulance	ILS Ambulance	ALS Ambulance	ILS Response Vehicle	Medical Rescue Vehicle	ALS Response Vehicle	ALS Air Ambulance
Automated neonatal ventilator (requires annual calibration certification) - or mechanical ventilator featuring neonatal, paediatric and adult ventilation modes	0	0	access	0	0	access	1
Transport incubator with backup power and on board alarms (requires annual confirmation of servicing)	0	0	access	0	0	access	1
Vital signs monitor with neonatal probes (requires annual calibration certification)	0	0	access	0	0	access	1
Oxygen inspired analyser	0	0	access	0	0	access	1
Incubator head box	0	0	access	0	0	access	1
Neonatal SPO2 probe and monitor (if not included as a feature of the vital signs monitor)	0	0	access	0	0	access	1

RESCUE EQUIPMENT REQUIREMENTS			
EQUIPMENT	QUANTITY	EQUIPMENT	QUANTITY
Hydraulic Pump	1	Jumper cables	1 set
Hydraulic Spreader	1	10-litre compressed-air cylinder	1
Hydraulic Cutter	1	Pneumatic airbags	1
Hydraulic Hand Pump	1	Pneumatic Hoses	1
Hydraulic Hose	3	Pneumatic Controls and Air Cylinder	1
Hydraulic Rams (Short, Medium, Long)	3	Pneumatic Chisel Set	1
Reciprocating saw	1	Torch	1
Generator, minimum 3,5 kW	1	Pedal cutter	1
Lighting system	1	Tool sheet (Staging)	1
Petrol angle grinder	1	Dry powder portable fire extinguisher	1 X 2.5kg
Step Chocks	2	Abseil Harness with 1 Croll ascender	2
Wedges	4	Helmets	2
Chocks	4	Rescue gloves	2 pairs
Road cones	20	Ropes 50 meters Main line	2
Halligan tool	1	Ropes 50 meters Safety line	2
Hacksaw	1	Edge roller	1
Axe	1	Ascenders	1
Rubber hammer	1	Prusiks	4
Hammer	1	Light-use Ascenders	2
Bolt cutter	1	Descenders	1 set
Toolbox	1	Figure 8 descenders	2
Holmatro Toolbag	1	Brake Bar Racks	1
Chain Saw	1	Petzl ID	2
Bow Saw	1	Carabiners	14
Crow Bar	1	Anchor plate	2
Ratchet straps	2	Slings (S,M,L)	2 each
Glass cutter	1	Rope grabs	2
Spade	1	Cow Tail	6
Broom	1	Directional pulley	4
Duct tape	2	Haul hoist	1
Trolley jack	1	Breathing apparatus and cylinders	2
Bottle jack	1	Bunker kit	1
High Lifting Jack	1	Helmets with visor	1
Jimmy jack	1	Utility rope	1
Soft protection	1	Tarpaulin	1

Hard Protection	1	Torpedo Buoys	2
Seatbelt cutter	1	PFD'S	2
Centre punch	1	Trauma board	1
Large pliers	1	Scoop stretcher	1
Barrier tape	2	SKED stretcher	1
Jerry can with appropriate fuel	1 x 10 Litre	Step Ladder	1
Stokes basket stretcher with straps	1	Head blocks	1
Scoop stretcher	1	Spider harness	1
Webbing	1	KED	1
Oxygen cylinder and gauge	1	Suction unit	1
BVM (Adult, Child, Neonate)	1 each	Jump bag	1
N95	1 box	Sharps Container	1
Red Plastic Bags	5		

**Annexure C**



**EMERGENCY MEDICAL SERVICE LICENCE APPLICATION**

ALL SECTIONS OF THE FORM MUST BE COMPLETED (A – H)

**PROVINCE**

**A COMPANY DETAILS**

**1** Registered company name

**2** Trading as

**3** Registered number

**4** Income tax registration number

**5 Contact details**

Email address

Postal address

Suburb

City/Town  postal code

Province

Physical address

Suburb

City/Town  postal code

Province

**6** Address to which mail must be sent  postal  physical  email

**B MANAGER/PROXY DETAILS (details of responsible person for company)**

1 Name of person

2 Identification/passport number

3 Country of origin (if foreign national)

**4 Contact details**

Telephone number during day  -   
code number

Telephone number during night  -   
code number

Facsimile number  -   
code number

Mobile (cellular) phone number  -   
code number

Email address

Physical address

Suburb

City/Town

postal code

Province





**E**

**1** Land

Type

	Class	Number
Rescue	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
Vehicle	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>

	Class	Number
Response	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
Vehicle	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>

	Class	Number
Ambulance	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>

**2** Air

Aircraft

	Tail	Number
Ambulance	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>
	<input type="text"/> <input type="text"/> <input type="text"/>	<input type="text"/> <input type="text"/> <input type="text"/>

**3** Total number of emergency vehicles

**F EMERGENCY CARE PERSONNEL (number and qualification of emergency vehicles personnel)**

**1**

BAA  AEA  CCA  NDIP  ECA

ECT  ECP  Manager  Doctor

Other  Specify \_\_\_\_\_

**2** Total number of emergency care personnel

**G DECLARATION**

I, \_\_\_\_\_, the company's manager/proxy do hereby

- a) declare that all the particulars furnished by me in this form are true and correct; and
- b) realise that a false declaration is punishable with a fine or one year imprisonment or both.

<b>Signature</b>										
<b>Place</b>										
<b>Date</b>					-			-		
	Year				Month			Day		

**THE FOLLOWING APPENDICES MUST BE ANNEXED TO THE APPLICATION**

1. Copy of the service plan for the geographic area(s) specified in the application
2. Details reasons why the application should be approved with reference to Regulation 3
3. Tax clearance certificate
4. Further information in support of the application

## Annexure D



## EMERGENCY MEDICAL SERVICES FEES

ITEM AS PER REGULATION AND STANDARDS (AS APPLICABLE)	SERVICE	FEE
a) Application fees with respect to a new Emergency Medical Service	Application fee per service	R8 000.00
b) Inspection fees with respect to a new Emergency Medical Service station	Inspection fee per station	R2 000.00
c) Annual licensing fees with respect to a new or existing Emergency Medical Service	Per ambulance	R 300.00
	Per response vehicle	R 300.00
	Per Rescue vehicle	R 500.00
d) Application fees with respect to renewal of Emergency Medical Service licence	Per Emergency Service	R2 000.00
e) Inspections fees with respect of annual renewal of existing Emergency Medical Service	Inspection fee per station	R1 000.00

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 831

15 JULY 2016

**CONTINUING EDUCATION AND TRAINING ACT, 2006 (ACT NO. 16 of 2006)**  
**REGULATIONS ON THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF**  
**ASSESSMENT FOR THE NATIONAL SENIOR CERTIFICATE FOR ADULTS**  
**(NASCA)**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, hereby publish Regulations in terms of Section 41B (4) (f) of the Continuing Education and Training Act, 2006 (Act No. 16 of 2006).

These Regulations, as contained in the Schedule, aim to provide rules and conditions relating to the conduct, management and administration of external examinations for the NASCA. The Regulations further regulate the rights and privileges of all persons involved in the assessment process, which include all officials who are involved in the administration of the assessment, candidates, parents and institutions that require assessment results.



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date: 30/03/2016

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 832

15 JULY 2016

**CONTINUING EDUCATION AND TRAINING ACT, 2006 (ACT NO. 16 of 2006)**  
**CURRICULUM STATEMENTS FOR THE NATIONAL SENIOR CERTIFICATE FOR ADULTS (NASCA)**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, hereby publish curriculum statements for the National Senior Certificate for Adults in terms of Section 41B (4) (f) of the Continuing Education and Training Colleges Act, 2006 (Act No. 16 of 2006) as policy contained in schedules 1-8.

The draft curriculum statements for the National Senior Certificate for Adults (NASCA) were published for public comments in *Government Gazette No. 38520 of 06 March 2015*.

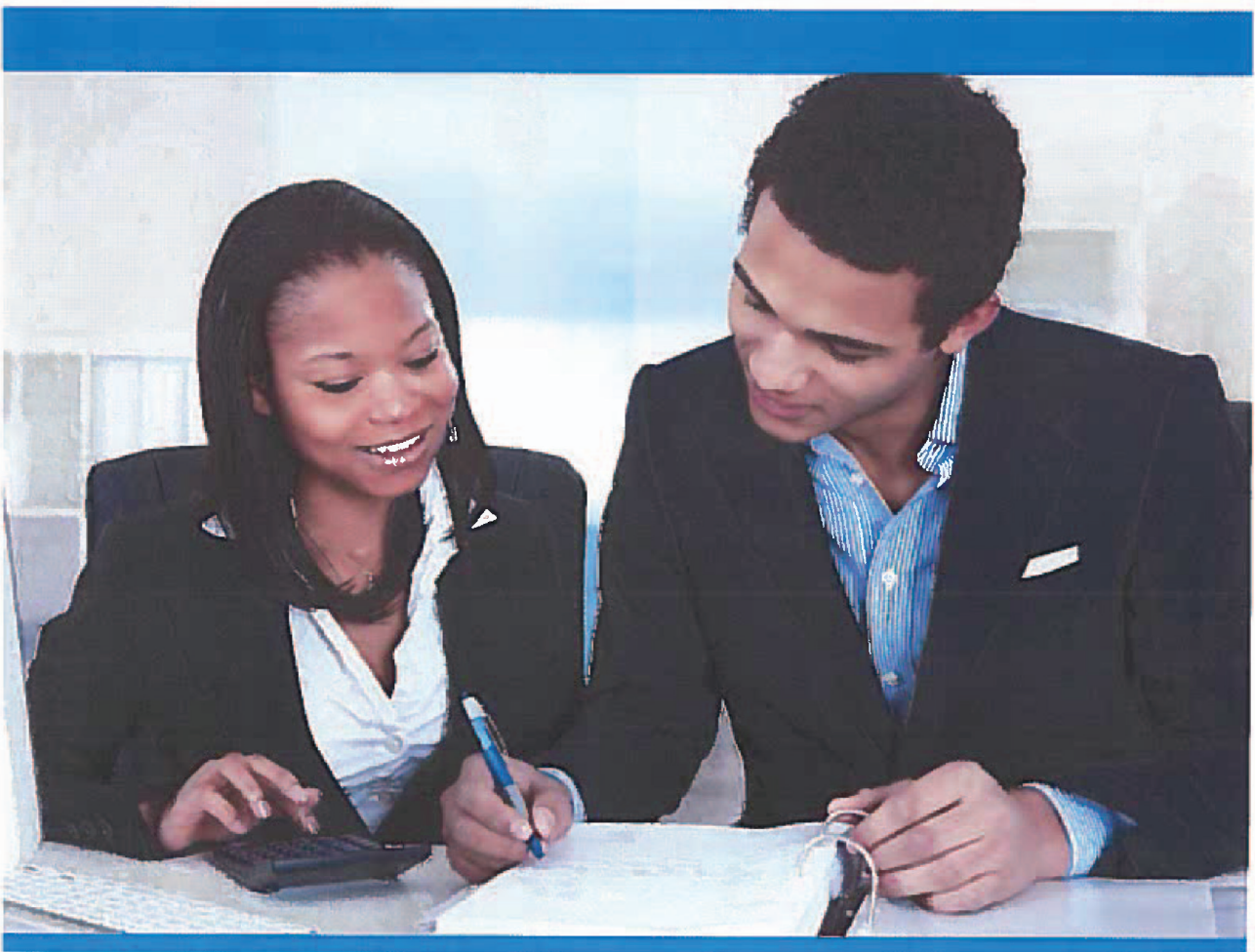
The NASCA curriculum statements will be implemented on a date to be determined by the Department of Higher Education and Training.



**Dr BE Nzimande, MP**  
**Minister of Higher Education and Training**

Date: 23/04/2016

# NATIONAL SENIOR CERTIFICATE FOR ADULTS (NASCA)



**higher education  
& training**

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

# NASCA

## NATURAL SCIENCES Curriculum Statement



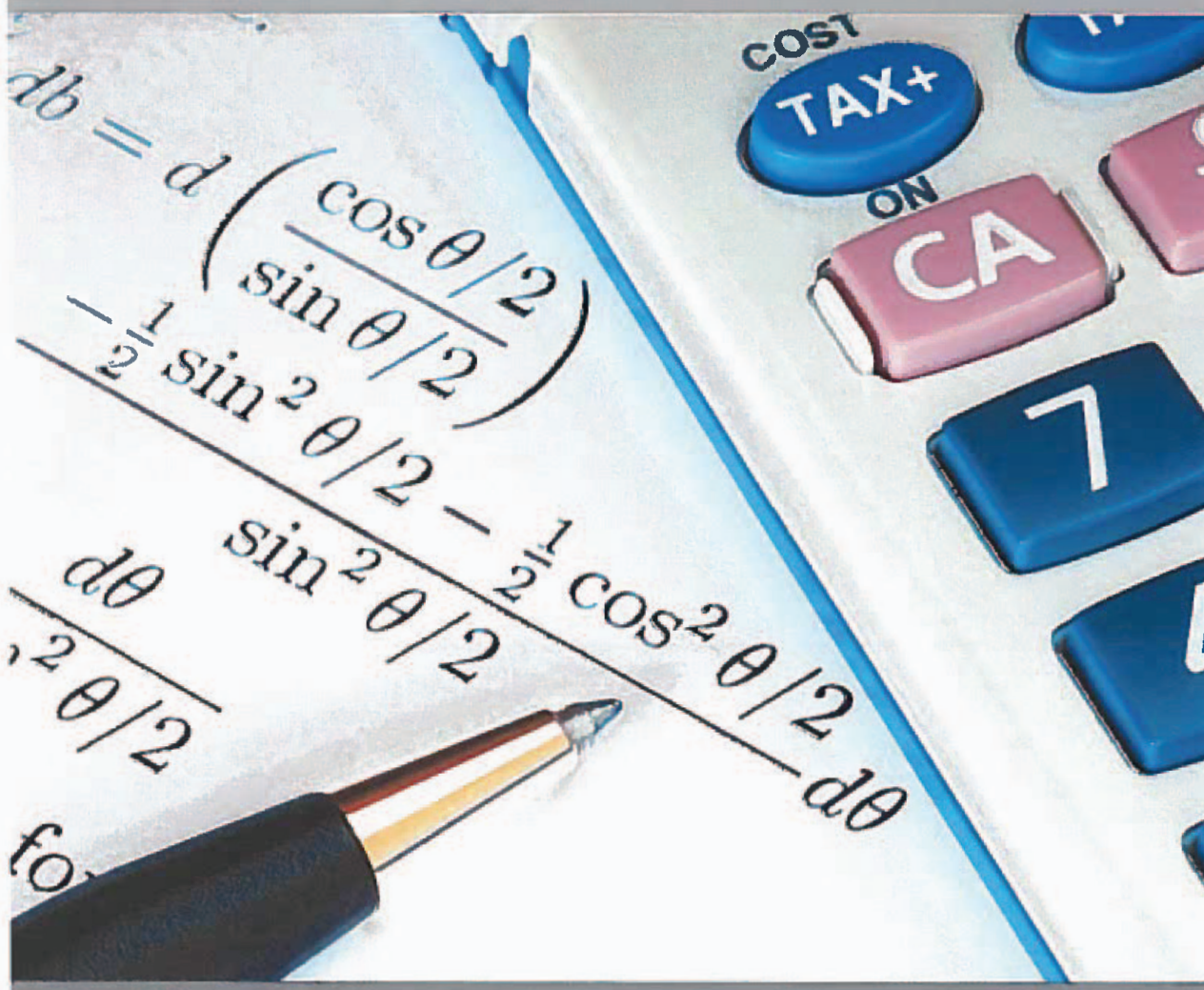
**higher education  
& training**

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

# NASCA

## MATHEMATICS

### Curriculum Statement



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## ENGLISH FIRST ADDITIONAL LANGUAGE Curriculum Statement



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# NASCA

## QUANTITATIVE LITERACY Curriculum Statement



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# NASCA

## Economics, Business and Finance Curriculum Statement



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REPUBLIC OF SOUTH AFRICA

# NASCA

## Human and Social Sciences Curriculum Statement



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Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

Schedule 8

# NASCA

## ICT: Curriculum Statement



higher education  
& training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

## DEPARTMENT OF HOME AFFAIRS

NO. 833

15 JULY 2016

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

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

1. Sabelesihle Maseko - 950419 5385 085 - 7077 Kunene Street, DAVEYTON, 1520 - *Nhlabathi*
2. Sihle Mlungisi Bulose - 901110 5340 085 - A411 Kwadebeka, Walk 12, UKUTHULA, 3610 - *Makhanya*
3. Zandile Sarah Masilela - 890210 0412 088 - 11065 Extension 8, MHLUZI, 1053 - *Masango*
4. Kabelo Ramupi - 921208 5382 085 - 521 Umngeni Street, Senaoane, TSHIAWELO, 1818 - *Buthelezi*
5. Jabu Jones Dhlamini - 800620 5431 082 - 636 Madikane Street, Protea North, TSHIAWELO, 1818 - *Mngadi*
6. Lawrence Nqabeni - 710121 5948 083 - 456 Mhlathuzi Street, Senaoane, SOWETO, 1890 - *Masondo*
7. Dennis Tau - 901010 5267 082 - 834b Ditsetswane, Zone 1, MEADOWLANDS, 1852 - *Khoza*
8. Azwimbavhi Makovhadenga - 951021 5593 087 - 877 Kwagqa Street, NEW CANADA, 2093 - *Nedzamba*
9. Maduvhahafani Correta Ramantswana - 910907 0846 084 - 3333 Mahuvu Close, PROTEA NORTH, 1818 - *Rasifudi*
10. Hlengiwe Ellah Masango - 940511 0670 082 - Stand No 5026, TWO LINE, 0472 - *Masilela*
11. Mholiswa Blessing Phiri - 970815 5571 085 - Stand No 299, Mahushu Trust, WHITE RIVER, 1245 - *Mkatshwa*
12. Letsile David Marutle - 790808 5771 084 - Stand No 60051, Phokwane, NEBO, 1059 - *Mogajane*
13. Pitsane Thomas Maila - 740317 5845 089 - Stand No 250, Metz Village, MARULENG, 0890 - *Mahlako*
14. Aluwani Ramathavha - 971019 5703 082 - Ha-Thukutha Area, THOHOYANDOU, 0950 - *Mudzanani*
15. Johana Mpenyana - 790709 5344 080 - 7737 Extension 11, EMBALENHLE, 2283 - *Malubane*
16. Gabriel Lungisani Mngadi - 850318 5642 084 - 120342 Molweni Dark City, PINETOWN, 3680 - *Nzama*
17. Sebake Thabo Mosehla - 820421 5515 081 - 50050 Matjeding, PHOKOANE, 1059 - *Bosielo*
18. Thabang Jeremiah Jansen - 860515 5813 080 - Stand No 872, Letsokoane, MOLETJIE, 0709 - *Maluleka*
19. Dumisani Masango - 940124 5765 087 - 253 Kwaggafontein E, KWAGGAFONTEIN, 0458 - *Fakude*
20. Adelaide Nompazamo Mpafa - 371207 0151 086 - Ngqutura Area, NGCOBO, 5050 - *Jobela*
21. Fhatuwani Pertunia Radzilani - 960805 0662 080 - P O Box 276, SINTHUMULE, 0920 - *Malima*
22. Agus Olyn - 750415 5421 088 - House No 1850, DEBEN, 8463 - *Metswi*
23. Tumelo Mono - 870117 5679 088 - 3311 Mogoye Street, ORLANDO EAST, 1804 - *Kopedi*
24. Kgotllo Moeng - 970806 5905 084 - 1006 Mochadi, GLENCOWIE, 1061 - *Tsena*
25. Ntokozo Sibeko - 920912 5332 088 - 402 Khumalo Street, Zondi 2, SOWETO, 1868 - *Ndlovu*

26. Monwabisi Osear Mpungula - 750911 5318 084 - 12-6th Avenue, ROODEPOORT NORTH, 1124 - *Hili*
27. Christopher Nhlanhla Mazibuko - 760212 6120 084 - 861 Mdlalose Street, Khumalo Valley, KATLEHONG, 1400 - *Tshabalala*
28. Fundiswa Mafanya - 661208 0601 087 - Farefield Farm, MTHATHA, 5099 - *Tyekela*
29. Doctor Charles Murajane - 761004 5993 085 - Eskom No 1768, Kubyeka Stand, Blawbosch, OSIZWENI, 2951 - *Malinga*
30. Cyprian Thembinkosi Zondi - 610918 5556 084 - A299 Shodwana Road, Uunit 1, HAMMASDALE, 3700 - *Sishi*
31. Lesley Sifiso Mbanjwa - 760627 5288 089 - Woolstone Farm, GREYTOWN, 3250 - *Nzuza*
32. Tshepo Aubrey Montshabatho - 890329 5396 086 - 35 De Beers Terrace, De Beers, KIMBERLEY, 8301 - *Molebiemang*
33. Sibusiso Vincent Motau - 961202 5840 086 - Stand No 3029, Watervaal B, SIYABUSWA, 0472 - *Masilela*
34. Mojalefa Jantjie Motebele - 820801 5368 088 - 4195 Extension 3, EVATON WEST, 1984 - *Tladi*
35. Kaylynne-Leigh Thompson - 910427 0316 087 - 211 Acacia Road, Northcliff, JAHNNESBURG, 2195 - *Jagga*
36. Madoda Thulani Nala - 800906 6045 082 - 1173a Mbatha Street, White City Jabavu, SOWETO, 1809 - *Ciliza*
37. Joseph Sifiso Nkosi - 870318 5768 083 - 8400 Popler Street, ORLANDO GARDENS, 1804 - *Makola*
38. Lungelo Mphasobhen Mdlalose - 951016 5990 085 - P O Box 136, NKANDLA, 3850 - *Ngema*
39. Nhlonipho Simphiwe Mazibuko - 980103 5914 086 - No 304 Grootgeluk Farm, OSIZWENI, 2952 - *Langa*
40. Andiswa Wopela - 970123 0705 083 - Lindale Area, MTHATHA, 5099 - *Bam*
41. Sello Skhosana - 970615 5462 081 - 1975 Mncube Street, DUDUZA, 1490 - *Serage*
42. Sindisiwe Octavia Mkhwanazi - 881012 0291 087 - 2235 Extension 1, ORANGE FARM, 1801 - *Twala*
43. Makgaleme Wanny Makoti - 800607 5799 089 - Mafefe Area, LEBOWAKGOMO, 0733 - *Maphosa*
44. Mandisa Hector Ngwenya - 930108 5834 086 - Stand No 1662, China Section, AMERSFOORT, 2490 - *Mazibuko*
45. Sabelo Errol Dladla - 730925 5589 085 - 171 Protea Glen, Extension 12, Protea Glen, SOWETO, 1818 - *Cele*
46. Dipolelo Madieletse - 950825 5739 081 - Dithabaneng Area, GAMPHAHLELE, 0736 - *Leshilo*
47. Koketso Glen Khota - 960801 5640 080 - Sekuruwe Village, MAPELA, 0610 - *Hamese*
48. Puseletso Evelyn Sathekge - 930903 0967 083 - Stand No 555, Magatle Village, ZEBEDIELA, 0631 - *Shadung*
49. Mogotswane Beryl Maja - 971013 0324 085 - 562 Unit A, LEBOWAKGOMO, 0737 - *Phaswana*
50. Matthews Ranga - 960928 5435 086 - P O Box 251, MARULENG, 0891 - *Raganya*
51. Thabani Brian Ximba - 890807 5632 089 - 21235 Grapefruit Street, Extension 29, Protea Glen, SOWETO, 1818 - *Khumalo*
52. Simphiwe Goodman Zungu - 870206 5413 083 - 1404 Ucilo Road, MANDINI, 4491 - *Shobede*
53. David-Hutch De Beer - 850425 5280 086 - 13 Cosmos Street, PRIMROSE, 1401 - *Barr*
54. Tumelo Eric Mabe - 891010 6477 088 - House No E442, LLOPENG, 8460 - *Maneedi*
55. Mlondi Bongumusa Maphumulo - 970223 5204 080 - K1496 Nogolantethe, DURBAN, 4359 - *Mjoka*
56. Khomotso Masha - 880623 5626 084 - 1003 Leeuwfontein, MOGANYANA, 0459 - *Manyaka*
57. Tyrone David Arendse - 890714 5208 086 - 480 Steenvilla Military Road, STEENBERG, 7827 - *Calvert*
58. Tshepo Radebe - 900504 5581 089 - 339 Bochabela, WITSIESHOEK, 9870 - *Lekhotla*

59. Refiloe Bafedi Gapula - 911212 0787 084 - Maseleseleng Area, JANE FURSE, 1085 - *Kgaphola*
60. Bongani Cornelius Kutoane - 970725 5719 081 - 711 Lake Side, Extension 2, ORANGE FARM, 198 - *Sochifa*
61. Lebohang Portia Motaung - 970209 0404 080 - 1345 Zone 6, Extension 2, SEBOKENG, 1983 - *Silasi*
62. Aphelele Diko - 961001 0661 087 - Mbangweni Area, NTABANKULU, 5130 - *Matshaka*
63. Mmamoraka Gladness Molwatse - 980308 0373 085 - 0071 Marulaneng, Bakenburg, MOKOPANE, 0611 - *Kekae*
64. Andile Mahlangu - 971106 0554 089 - 5227 Waterval B, Newstands, MDUTJANA, 0472 - *Masombuka*
65. Bongiwane Mbaba - 980302 0746 085 - Ezingqolweni Area, LADY FRERE, 5410 - *Ntshinga*
66. Chuene Albert Moroka - 960127 5494 082 - 20243 Wyk 1, SELEKA, 0609 - *Matlou*
67. Bongani Cyprian Ndlela - 901107 5555 084 - P O Box 42850, ELANDSKOP, 3226 - *Mkhize*
68. Lebogang Florence Motlhasedi - 961001 1016 083 - 3428 Maseding Section, MAKAPANSTAD, 0404 - *Kgomo*
69. Thulane Shedriek Motaung - 830511 5455 086 - 124 Kanana, Emzinoni, BETHAL, 2310 - *Nkosi*
70. Johannes Malibe - 880308 5822 087 - P O Box 319, BUSHBUCKRIDGE, 1280 - *Ndlozi*
71. Noxolo Hlongo - 980427 0717 081 - Stand No 1254, THEKWANE, 1214 - *Ngwenya*
72. Masonwabe Qikila - 970311 5998 080 - Mbanze Street, VREDENBURG, 7380 - *Daka*
73. Monica Nonthupheko Nkantini - 971207 0131 082 - 29 Goud Street, VREDENBURG, 7380 - *Fatuse*
74. Mvelo Romeo Dlamini - 970301 5707 086 - Mvoti Area, TONGAAT, 4400 - *Ngidi*
75. Sibusiso Kubeka - 880305 5516 081 - 24 Lake Street, Southdowns Estate, Extension 1, ALBERTON, 1448 - *Ntuli*
76. Sibonelo Christopher Ngwenya - 901116 5362 086 - 215 Mashiyeni Street, Dlamini 2, TSHIAWELO, 1818 - *Mkhabela*
77. Bongani Walter Kokela - 920625 5300 083 - 2482 Masombuka Street, BRONKHORSPRUIT, 1020 - *Mathibela*
78. Mongalo Lawrence Mahapa - 890408 5376 080 - 18 Nduna Street, ATTERIDGEVILLE, 0008 - *Moremi*
79. Nkosinathi Austin Simelane - 880702 5250 085 - 3666 Phaswa, PIET RETIEF, 2380 - *Mabasa*
80. Joseph Lesetja Moshomane - 830430 5331 082 - 54 Bopape Section, MAKOTOPONG, 0700 - *Lekota*
81. Mninawa William Mendela - 721007 5495 083 - No4 Delf Kieway, DELF SOUTH, 7100 - *Mbalo*
82. Sekgota Marcus Oupa Letsoalo - 950613 5193 081 - Stand No 95b, Vierfontein, VLEESCHBOOM, 1059 - *Nkosi*
83. Barnabas Mazibuko - 760721 5413 084 - 1023 Malunga Street, White City Jabavu, SOWETO, 1818 - *Malokotsa*
84. Nandile Mbuli - 980107 0791 084 - 90 Tennyson Street, Quigney, EAST LONDON, 5201 - *Jikwana*
85. Mmapula Jerrida Rangongo - 960215 0366 080 - 23 Nyarjo Street, LOTUS GARDENS, 0008 - *Mathekga*
86. Diboneng Calvin Mashile - 740103 6252 081 - P O Box 1026, HAZYVIEW, 1242 - *Mohlala*
87. Monicca Margaret Madia - 910814 0702 087 - 5873 Freedom Park, Extension 7, MODIMOLLE, 0510 - *Chauke*
88. Emilio John Dominiqo Klazen - 950517 5270 080 - 22 Heath Street, Sadetta, KUILSRIVER, 7580 - *Koopstad*
89. Goodboy Eric Mokwena - 801013 5654 086 - 52 Main Street, Mhluzi, MIDDELBURG, 1050 - *Matshiana*
90. Godfrey Harvey Phindulo Rankhododo - 971017 5534 084 - Dzata Area, DZANANI, 0955 - *Raselabe*



91. Simphiwe Millington Khoza - 830815 5578 080 - Stand No 880, Newskom Trust, WHITE RIVER, 1245 - *Mkhabela*
92. Graciano Vijay Armoed - 930418 5164 081 - 36 Sanneblom Street, Sarepta, KUILS RIVER, 7580 - *Adams*
93. Jones Mambere Chidi - 730105 6763 084 - Stand No 4083, Block 20, Moloto, KWAMHLANGA, 1023 - *Banko*
94. Matome Kutullo Neo Malatji - 971022 5169 080 - 4052 Maseru Street, Zone 9, MEADOWLANDS, 1852 - *Maenetsha*
95. Sakhile Syprian Khumalo - 800404 6275 081 - Rosboom Area, LADYSMITH, 3370 - *Mbhele*
96. Matome Maxon Phadu - 860802 5329 089 - P O Box 7824, KOLOTI, 0709 - *Ramabu*
97. Herbert Themba Mtshali - 831224 6390 083 - 103 Moleleki Section, KATLEHONG, 1431 - *Gabela*
98. Nomsa Matsekge Shabangu - 910112 0712 085 - F7 Lanbou Collery, WITBANK, 1035 - *Makola*
99. Mpho September - 961201 5216 081 - 4427 Diutwileng Street, THABONG, 9463 - *Xaluva*
100. Macdonald Odirile August - 870308 5493 089 - 3258 Berend Street, BARKLY WEST, 8375 - *Thejane*
101. Thabo David Marebane - 940208 5465 085 - 3374 Hlalanikahle, Extension 1, EMALAHLENI, 1039 - *Makate*
102. Amos Thomas Mabote - 760105 6628 082 - Stand No 7656 , Extension 09, DAVEYTON, 1520 - *Mpila*
103. Sizwe Sidney Mamakoko - 970815 6336 082 - 325 Allemansdrift, MBIBANE, 0472 - *Sibanyoni*
104. Mzoli Mzembe - 750309 5860 082 - Brandvlei Cellar, WORCESTER, 6850 - *Nyukwana*
105. Chantel Yoliswa Mthetwa - 970415 0305 082 - 6 Pelican Parade , RICHARDS BAY, 3900 - *Rall*
106. Sakhile Shozi - 951214 5816 083 - Umkhukhuze Area, NDWEDWE, 4342 - *Hlophe*
107. Halalisani Mandlenkosi Skosana - 860524 5680 085 - C-899 Ulundi Township, ULUNDI, 3838 - *Mhlongo*
108. Nkonzo Codesa Ntshangase - 941004 6486 082 - 159 Belgrade Area, PONGOLA, 3170 - *Ndlangamandla*
109. S'celo Khulekani Richard Nkosi - 870712 5719 080 - 1322 Nqutu Area, NQUTU, 1335 - *Mbuli*
110. Masindi Cindy Mulaudzi - 920627 0510 088 - 658a Sifikile Street, Zone 4, MEADOWLANDS, 1400 - *Sigudu*
111. Segopotje Success Matlou - 870117 0563 089 - Ga-Seroka Area, SEKHUKHUNE, 1124 - *Leema*
112. Nomasonto Nekkies Skhosana - 980203 0395 081 - 26028 Emaphupheni, ETWATWA, 1520 - *Modiga*
113. Claribell Thobeka Jau - 940827 0643 089 - P O Box 53206, MEHLOMNYAMA, 4246 - *Jali*
114. Siphabanyiswa Innocent Mseleku - 860131 5589 082 - Boboyi Location, Ward 23, PORT SHEPSTONE, 4240 - *Mzobe*
115. Lesego Majesty Mmakola - 970212 5332 082 - 169t Tshikanoshi Area, KWAMHLANGA, 0468 - *Madileng*
116. Nelisiwe Mthethwa - 960728 0617 088 - Mahlabathini Location, Ward T, IZINGOLWENI, 4260 - *Chiliza*
117. Bongani Luthando Nyamfu - 800617 5832 087 - 4 Kolanisi Street, Khayelitsha, NYANGA, 7750 - *Memani*
118. Nompumelelo Portia Hlophe - 930925 0699 085 - Mayekeni Area, NDWEDWE, 4342 - *Ngcobo*
119. Palesa Boipelo Pearl Matlaopane - 840711 0509 089 - 04 Letlhakane Street, ONVERWACHT, 0555 - *Leeuw*
120. Karabelo Mphahle Maila - 960816 5615 080 - Mamone Area, JANE FURSE, 1061 - *Motshane*
121. Nonhlanhla Kelly Sukwini - 891019 0427 080 - 42 Geraldina Court, Cnr Wolmarans & Quuts, JOHANEESBURG, 2001 - *Matshenja*
122. Senzo Sabelo Mkhize - 961118 5941 080 - Emaswazini Area, WINTERTON, 7310 - *Mfuphi*

123. Mpho Elvis Mkhari - 790916 5788 089 - 61 College View, Maviljan Location, BUSHBUCKRIDGE, 1280 - *Mojapelo*
124. Kedibone Maria Mdhlovu - 790103 1017 082 - Marite Area, BUSHBUCKRIDGE, 1280 - *Mohlala*
125. Boitshepo Brilliant Maja - 860327 5334 087 - 521 Karoo Street, Tsenelong Extension, TEMBISA, 1632 - *Senama*
126. Eldonn Glen Davids - 970814 5506 084 - 12 Ranonkle Street, Parkridge, EAST LONDON, 5209 - *Spalding*
127. Duduzile Beauty Mahlatsi - 891219 0320 083 - 3735 Thiye Street, DUDUZA, 1496 - *Mpe*
128. Sandiso Edison Smith - 821210 5856 085 - , BURGERSDORP, 9744 - *Mgengwana*
129. Sifiso Nkosi - 890120 5315 089 - 1011 Moshu Street, Mailula Park, Extension 3, VOSLOORUS, 1475 - *Mthombothi*
130. Dimpho Nkadameng - 950218 5620 081 - 22 Voyager Streetq, Sunwardpark, EAST VILLAGE, 1460 - *Monage*
131. Mary Mpolai Motsene - 690512 0929 082 - A3 Room 13, Woman's Hostel, ALEXANDRA, 2090 - *Mametse*
132. Heinrich Robert Groiss - 950824 5260 081 - Linzerstrasse 285-287/2/2, Vienna, AUSTRIA, 1140 - *De Villiers*
133. Brandon Pietersen - 920207 5321 086 - Restanwold, ELGIN, 7180 - *Klem*
134. Siphon Mnguni - 900410 5693 082 - 1894 Section H, DARK CITY, 1000 - *Masanabo*
135. Tholakele Vierah Zungu - 760708 0428 084 - P O Box 557, MAHLABATHINI, 3865 - *Zulu*
136. Zizipho Chiora Gcingca - 931223 0499 089 - 317 Main Street, FLAGSTAFF, 4810 - *Ndolo*
137. Kopano Maruma - 870327 5541 085 - P O Box 470, MPHAHLELE, 0736 - *Mphahlele*
138. Mahlomola Paul Nyane - 930725 5303 083 - 2 Phase 1, TSHEPISO, 1928 - *Tsaoane*
139. Mankeli Perpetoa Sathekge - 910116 0972 086 - P O Box 270, GOMPIES, 0631 - *Shadung*
140. Thebeetsile Jackson Nthutang - 960124 5814 088 - Lekaleng Section, KRAAIPAN, 2732 - *Segaecho*
141. Thandokazi Govana - 950410 1253 088 - P O Box 660, FLAGSTAFF, 4810 - *Ndzinya*
142. Lucky Khoza - 811224 6326 081 - Matwebu Location, BIZANA, 4800 - *Dayi*
143. Simon Nanise Phale - 840302 5888 080 - Stand No 1606, PANKOP, 0431 - *Kekana*
144. Bhekithemba Bono Shangase - 830101 5950 086 - Matsheni Location, TRUSTFEED, 3233 - *Masikane*
145. Granny Fikile Mahlangu - 810429 0512 088 - 800 Bufferzone, Phola Location, WITBANK, 2233 - *Mabona*
146. Mpenyana Victor Radebe - 800609 6233 084 - 1228 Mkhwende Street, BOPHELONG, 1913 - *Tsehlane*
147. Rethabili Makamole - 961222 0042 082 - 4730 Maloti Location, MATATIELE, 4730 - *Leballo*
148. Cally Matidi Makofane - 750728 5527 088 - 389 Masibemonye Street, THUTHUKANI, 2434 - *Malatji*
149. Phumlani Hubert Jingxi - 951014 5464 086 - 618 Siphwe Village, SOWETO, 1818sir - *Maliza*
150. Thabile Marota - 940308 0791 087 - 801 Block M, SOSHANGUVE, 0152 - *Kola*
151. Bonginkosi Jason Mbhele - 810221 5753 084 - 1634 Block H , SOSHANGUVE, 0152 - *Shazi*
152. Mashilo Dusty Tlhako - 961013 5438 080 - 49 Unit G, MANKWENG, 0727 - *Makhado*
153. Enock Phahlamohlaka - 940812 5866 083 - 189 Mgababa, Zone 1E, BOLEU, 0474 - *Napyane*
154. Nomusa Violet Tsoari - 971120 0163 080 - 73675 Kanana, SEBOKENG, 1983 - *Okker*

155. Kgothatso Jennifer Motsumi - 960723 5581 082 - 01 Ngobokwane, DENNILTON, 1030 - *Phahlamohlaka*
156. Lerato Innocencia Hlongwane - 861018 0359 083 - 204 Madibeng Hills, KLIPGAT, 0202 - *Mdluli*
157. Zamantungwa Mabaso - 870801 0688 083 - St Chards, LADYSMITH, 3370 - *Zwane*
158. Tsakani Elvis Chauke - 820330 5593 081 - P O Box 2100, ELIM, 0960 - *Muluvhu*
159. Johannes Manakana Dikotla - 921218 5692 086 - Stand No 506, Ga-Thoka, GAMOTHAPO, 0704 - *Phala*
160. Matome Phillemon Kgokolo - 801024 5549 085 - 50 Stiemens Street, Unit 315, Braamfontein, JOHANNESBURG, 2001 - *Manaka*
161. Ceiza Selepe - 960303 5866 088 - Sedan Village, RITAVI, 0870 - *Mnisi*
162. Sinovuyo Ntaba - 931004 1185 087 - Corana Location, NGQELENI, 5140 - *Mandondo*
163. Godfrey Sealetsa - 750726 5797 081 - 1745 New Stand, KLIPGAT, 0202 - *Ndala*
164. Jacob Moramang Ramaai - 831219 5331 088 - 1737 Togo Road, EVATON, 1984 - *Ndalama*
165. Daniel Gezane Mapulane - 720305 5976 081 - 1904 Mangopeng Section, MMAKAU, 0194 - *Ngobeni*
166. Moketla Simon Mamabolo - 971227 5903 087 - Stand No 207, MAKEKETELA, 0727 - *Makwela*
167. Eddie Maluleque - 970227 5369 082 - 125 Block F4, NEW EERSTERUS, 0152 - *Maluleke*
168. Thebe Matthews Motsoeneng - 740617 5484 080 - 53 Sonata Square, Jacaranda Avenue, OLIVEDALE, 2188 - *Tinte*
169. Apollo Tshetu - 770915 6098 088 - 27564 0 Thafeno Street, Wallacedene, KRAAIFONTEIN, 7570 - *Mhaga*
170. Senzo Erald Mfokeng - 810116 5662 089 - 150225 Mathebethe Area, BOTHAS HILL, 3660 - *Chili*
171. Tumelo Moses Manzi - 950510 5270 085 - 8271 Beverly Hills, Phase 4, EVATON, 1984 - *Mokoena*
172. Tokelo Malebati - 940530 5845 085 - Madikeleng Village, MATHABATHA, 0733 - *Swafo*
173. Temosho Malebati - 951123 5699 086 - Madikeleng Village, MATHABATHA, 0733 - *Swafo*
174. Madiba Desmond Mothoa - 910602 5476 082 - Makushoaneng Village, GROOTHOEK, 0628 - *Maja*
175. Kleinboy Thulani Mokwena - 921205 5421 087 - Doornkop Farm, MIDDELBURG, 1053 - *Mashiane*
176. Gift Afrika Manganyi - 791001 5682 084 - 08 Tieroog Street, Lyttelton, CENTURION, 0163 - *Afrika*
177. Bongani Leonard Nkosi - 871108 6066 085 - 200 Mdluli Street, ERMELO, 2351 - *Jagger*
178. Sammy Maponya - 971216 5532 087 - Tickyline Village, TZANEEN, 0850 - *Maunatlala*
179. Tiishetjo Reginald Malebati - 900912 6072 083 - 26 Maliepsdrift, ATOK, 0749 - *Swafo*
180. Lebogang Thelma Mothoa - 930511 0458 084 - Makushoaneng Village, GROOTHOEK, 0628 - *Maja*
181. Johannes Tumelo Chuene - 830316 5915 083 - Seleteng Village, MPHAHLELE, 0736 - *Letsoalo*
182. Vandla Timothy Mngomezulu - 680115 5637 080 - P O Box 603, UBOMBO, 3970 - *Malwane*
183. Mbalenhle Ngcobo - 930905 1395 081 - 2303 Kwamakutha Township, AMANZIMTOTI, 4126 - *Mbatha*
184. Pheeea Ngcangiso - 960920 0428 083 - 916 Zama Street, OLIEVENHOUTBOTCH, 2125 - *Thepa*
185. Maredi Wilson Lesibe – 770315 5819 081 – your wife – Ramadimetje Charlotte Lesibe – 820406 0628 088 – and your four - Charlton Mamogashwe Lesibe – 020402 5629 088 – Tshwaragano Lesiba Lesibe – 080219 5064 083 – Tshireletsego Ramathetje Lesibe – 100105 0235 081 – Phemelo Mologadi Lesibe – 130710 0215 084 - 116 Motanyanyane New Stand, LEBOWAKGOMO, 0737 - *Kgoete*

186. Sarah Mmamorwa Monnapula – 870314 0426 082 – and a minor child – Ntlatfatsa Monnapula – 141128 0580 083 - 10784 Ramosadi, MAHIKENG, 2735 - *Montshioa*
187. Violet Selinah Mathabathe – 860321 0728 088 – and your two minor children – Basetsana Mathildah Mathabathe – 100804 1257 082 – Gomolemo Kgabo Mathabathe – 090802 5945 084 - 215 Kingshasha, NOKANENG, 0407 - *Moeketsi*
188. Thulani Prosper Ndaba – 820310 5836 086 – your wife – Judy Tshepiso Ndaba – 870620 0757 080 – and minor child – Katleho Siyanda Khanye – 110922 5329 083 - 12 Khakhaza Street, KWATHEMA, 1575 - *Ngwenya*
189. Mpho Letlhogonolo Motlhaping – 931205 0504 083 – and a minor child – Rethabile Refentse Motlhaping – 110904 5169 081 - 48 President Steyn Street, VRYBURG, 8650 - *Khumalo*
190. Thabang Joseph Moshebi – 690406 5965 086 – and your two minor children – Tshepo Moshebi – 980430 5285 088 – Aziwe Camilla Moshebi – 990321 0067 084 - 302A Zone 5, SESHEGO, 0742 - *Tsheisa*
191. Maite Josnath Nta – 820626 0774 083 – and your two minor children – Precious Nta – 090909 1254 088 – Tshegofatso Nta – 071214 0189 085 - P O Box 3203, BOCHUM, 0790 - *Ngoepe*
192. Letshego Kevin Seeku – 800519 5482 089 – your wife – Mabase Martha Seeku – 810428 0527 088 – and your three minor children – Retshegofaditswe Seeku – 061014 0140 084 – Letshego Kevin Seeku – 061014 0139 086 – Bontle Seeku – 130211 0435 087 - 33810 Turflaagte, BLOEMFONTEIN, 9300 - *Mohono*
193. Teboho Robert Motloung – 810808 5495 086 – your wife – Modiehi Lizbeth Motloung – 820823 0669 088 – and your two minor children – Tumelo Dolphin Motloung – 040328 5044 083 – Jabulani Gift Motloung – 100624 5806 084 - Masada Farm, BETHLEHEM, 9701 - *Mazibuko*
194. Ramatsimela Florina Latakomo – 791022 0892 080 – and your five minor children – Thembalehle Godfrey Latakomo – 010925 5690 082 – Nkosinathi Latakomo – 041214 5748 080 – Tshephang Latakomo – 070713 5804 086 – Kabelo Latakomo – 091223 5290 083 – Ntsoaki Millicent Latakomo – 130809 1082 087 - P O Box 5165, MPAHLELE, 0736 - *Mashoene*
195. Lordrick Mangwane – 870714 5559 086 – and your two minor children – Ntsako Mangwane – 150116 0388 084 – Vutivi Ntlakuso Mangwane – 101015 0527 081 - Nkambako Area, TZANEEN, 0850 - *Nukeri*
196. Mapula Rachel Ramatsoma – 820414 0308 081 – and your four minor children – Maswana Daniel Ramatsoma – 030725 5347 089 – Ngoako Joas Ramatsoma – 030725 5348 087 – Tebogo Lawrence Ramatsoma – 050302 5441 083 – Lesetja Kleinboy Ramatsoma – 060421 5581 082 - P O Box 525, LEBOWAKGOMO, 0737 - *Mangoale*
197. Mabenyane David Kuape – 870823 5261 088 – your wife – Lerato Imelda Kuape – 910622 0676 080 – and your two minor children – Lehakoe Kuape – 141130 0184 080 – Omphilemphi Kuape – 100801 0999 086 - 18415 Grassland, Phase 2, BLOEMFONTEIN, 9306 - *Mabenyane*
198. Zaheer Essack – 730224 5140 085 – and your three minor children – Aminah Essack – 040227 0216 086 – Khadija Essack – 020113 0390 085 – Ardurrahman Essack – 980402 5457 082 - 25 Tarentaal Street, BRITS, 0250 - *Bhana*
199. Dikeledi Mastify Mahlo – 960318 0737 084 – and a minor child – Gavaza Innocent Mahlo – 130130 0262 087 - Myakayaka Area, TZANEEN, 0870 - *Tiba*
200. Mpoletsng Lucia Phuduhudu – 751129 0714 087 – and a minor child – Ontefetse Phuduhudu – 040703 5171 088 - 199E Loopeng Village, KURUMAN, 8460 - *Seepamere*
201. Refilwe Shira Ramosito – 901007 0369 087 – and a minor child – Segomotso Jackie Junior Ramosito – 140821 5233 085 - 606 Tilodi Street, Nkwe Estate, ROSSLYN, 0182 - *Nkhumane*
202. Sinothando Kama – 930405 0919 080 – and a minor child – Omhle Owam Kama – 121113 1361 083 - 288 Magingxa Street, Zwide Location, FORT BEAUFORT, 5720 - *Booyesen*
203. Dingo Fridah Ncube – 881027 0292 083 – and a minor child – Tears Odirile Ncube – 060115 5280 089 - 2918 Sobhuza Street, SLOVOVILLE, 0198 - *Madiba*
204. Mmasello Melita Mosiamedi – 760113 0229 089 – and your three minor children – Regaogetse Abel Mosiamedi – 051113 5270 086 – Errol Mosiamedi – 090205 5391 087 – Mapala Elizabeth Mosiamedi – 110514 0334 083 - P O Box 55, BOYNE, 0728 - *Molokwane*

205. Selby Falakhe Julia – 830407 6136 082 – your wife – Nkululeko Prudence Julia – 881024 0428 080 – and your two minor children – Olwethu Noluthando Ngilande – 050316 0936 087 – Senamile Alwande Ngilande – 100715 5589 082 - Kwanzimakwe Location, Ward 10, MUNSTER, 4278 - *Nzimande*
206. Keagomang Hilda Tlhaole – 760311 0890 088 – and two minor children – Baitlotli Tlhaole – 150619 5222 083 – Tlotliso Tlhaole – 020415 5589 086 - House No 5E, GADIBOE, 8460 - *Melatwe*
207. Khayelihle Lewelyn Bele – 781009 5333 089 – your wife – Ruth Gugulethu Thobeka Bele – 771112 1008 085 – and a minor child – Lethukukhanya Olwethu Bele – 040707 6272 084 - 78 Bay Ridge, MEERENSEE, 3901 - *Ndovela*
208. Edith Mampabotse Mohuba – 840508 0437 083 – and a minor child – Segohu Simson Amogelang Mohuba – 051027 5454 088 - P O Box 272, LEBOWAKGOMO, 0737 - *Maphutha*
209. Sakhile Alfred Sibiya – 701203 5577 087 – your wife – Nonhlanhla Fortunate Sibiya – 720302 1425 080 - White City Area, NDWEDWE, 4342 - *Mtshali*
210. Mpoti Arforce Dikgare – 620811 5856 083 – your wife – Nakedi Mershy Dikgare – 720501 0117 081 – and a minor child – Itumeleng Dikgare – 081214 0086 081 - Stabd No 628, Ramantsha Village, SINTHUMULE, 0920 - *Dikgari*
211. Nokuthula Penelope Tabhu – 790428 0410 081 – and your two minor children – Lubanzi Sandiso Tabhu – 150510 5361 080 – Thubelihle Mandisa Tabhu – 110614 0880 083 - B89 Pule Mkhize Place, UMLAZI, 4031 - *Mpofana*
212. Xolani Hamlet Shabangu – 781012 5246 087 – and your two minor children – Siyamthanda Bright Shabangu – 010614 6174 086 – Xoliswa Tyler Shabangu – 120827 5515 086 - Stand No 2174, KAMHLUSHWA, 2350 - *Shongwe*
213. Hlengiwe Cibane – 940403 1263 085 – and a minor child – Akhona Nomvuselelo Cibane – 110909 1068 088 - Fokseni Location, UMTHWALUM, 4220 - *Shinga*
214. Sidumo Mkata Mkata – 690530 5300 083 – and your two minor children – Luvuyo Siyanda Mkata – 070327 5144 086 – Monwabisi Thamsanqa Mkata – 000908 5028 083 - 3 De Mist Street, SHARON PARK, 1498 - *Ntoagae*
215. Paseka Ceccilia Modise – 890325 0345 086 – and a minor child – Keketso Khotso Modise – 121223 5260 080 - 4722 Madsa Street, KAGISO, 1754 - *Segoe*
216. Thlologelo Eulenda Mathipa – 911211 0427 089 – and a minor child – Kgothatso Blessing Mathipa – 160218 5368 083 - Pelangwe Village, GANKWANA, 0749 - *Sebapu*
217. Phenyoyiso Benjamin Nonqane – 690913 5572 085 – your wife – Vuyolwethu Nonqane – 770405 0528 082 – and your three minor children – Boipelo Chuma Nonqane – 070419 0334 083 – Tokologo Hlumelo Nonqane – 010329 1225 086 – Ntlatfatsi Mhlahli Nonqane – 091126 0591 084 - 330 Trevor-Gething Street, Garsfontein, PRETORIA, 0060 - *Lekoma*
218. Simphiwe Zinhle Gazu – 820207 0509 082 – and your two minor children – Ndumiso Muzi Ntshangase – 060802 5916 081 – Nosipho Lindokuhle Ntshangase – 080731 1081 085 - P O Box 1900, PONGOLA, 3170 - *Nzimande*
219. Kholakele Ncapayi – 710503 5892 082 – your wife – Nosipho Primrose Ncapayi – 801108 0648 081 - 1259 Extension 02, Kaalfontein, MIDRAND, 1685 - *Zulu*

## DEPARTMENT OF HOME AFFAIRS

NO. 834

15 JULY 2016

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

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

1. Wilhelmina Dickson - 580102 0149 080 - Sondag Straat 10, Silwood Heighs, EESTERIVER, 7580 - *Aziza*
2. Albert Jacobs - 740929 5017 087 - 26 Boekenhout Street, Eastridge, MITCHELLS PLAIN, 7785 - *Marwaan*
3. Mahlape Maria Tsatsane - 870221 0215 086 - 9417 Extension 11, EVATON WEST, 1984 - *Mahlape Kelly*
4. Shina Maria Boshielo - 971104 0426 085 - 64 Maud Road, VALHALLA, 0185 - *Maria Shina*
5. Hendrick Lekoma Groom - 810624 5707 085 - 994 Molalo Street, Munsieville, MOGALE CITY, 1739 - *Hendrick Junior*
6. Zanemvula Ndamase - 941102 5387 085 - 427 Dik Dik Street, PENNEYVILLE, 1804 - *Zanemvula Sakhele*
7. Brenden Maseko - 930705 5137 087 - 660 Thapelo Street, THUTHUKANI, 2430 - *Brenden Anele*
8. John Meleko Sibanda - 850513 5640 084 - 3537 Extension 04, BOITEKONG, 0300 - *John Theo*
9. Edward Prince - 530827 5192 088 - 1Bosbok Court, Zietsman Road, BELLAVISTA, 2091 - *Anwar*
10. Susara Johanna Aletta Potgieter - 521030 0103 082 - 10 Sandra Road, BALLITO, 4420 - *Suzette Johanna Aletta*
11. Walter Small - 420427 5088 080 - 47 Streutzia Road, Extension 2, RIVERLEA, 2000 - *Walter David*
12. Henry Clarke - 380929 5048 087 - 462 bezuidenhoudt, KOMAGGAS, 8242 - *Henry George*
13. Nadeen Johnson - 680729 5083 085 - 194 Van der stel Street, Rowallan Park, PORT ELIZABETH, 6025 - *Nadeem*
14. Patricia Mercial Jonkers - 660922 0504 080 - 5924 Leonard , Doman Avenue, MACASSAR, 7130 - *Hamidah*
15. Malcolm Charles Organ - 640917 5208 088 - PTN7 Msinene Est, HLUHLUWE, 3960 - *Malcolm Charles*
16. Sara Riba - 920204 1072 086 - 7298/102 Extension 4, SOSHANGUVE, 0152 - *Sara Khomotso*
17. Petunia Nkuna - 910511 0882 089 - Stand No 11844, Extension 5, MHLUZI, 1055 - *Petunia Sindile*
18. Speelman Wagenaar - 620207 5239 083 - 596 James Street, MOSSEL BAY, 6530 - *Speelman Mark*
19. Lucinde Dawn Staüdt - 581231 0057 081 - 87 1st Road, GRASSY PARK, 7800 - *Lucinda*
20. Jacob Norman - 500709 5151 080 - 22 Akkerdraai Single, Voorbrug, DELFT, 7100 - *Jacob Jacobus*
21. Shireve Rinquest - 621102 0068 083 - 11 Bega Road, WYNBERG, 7800 - *Shireen*
22. Gloria Charmaine Moosa - 610608 0143 083 - 34 Upper Taylor Street, Central, UITENHAGE, 6229 - *Gadjja*
23. Pebetse Alarcia Molatudi - 950921 0892 080 - 61480 Hlalanikahle, MPUDULLE, 1057 - *Pebetse Acarcia*
24. Douglas Rambau - 820908 5497 088 - Stand 12/27 Westwood Villas, Boysens, PRETORIA WEST, 0082 - *Joshua*
25. Beauty Majola - 890112 0397 089 - Amaoti Lusaka Area, INANDA, 4310 - *Beauty Lindile*

26. Phuti Legodi - 961004 0813 088 - P O Box 320, SESHEGO, 0742 - *Phuti Tshegofatso*
27. Thapelo Charity Ramona - 780304 5839 081 - 147 Adam Nomakola Street, KIMBERLEY, 8345 - *Thapelo*
28. Marius Jacobus Steyn - 730120 5112 084 - 16A Elstjies Kraal Street, MANENBERG, 7764 - *Marwaan Junaide*
29. Waheed Wayne Clinton Young - 680511 5033 082 - No 21 Luti Katz Street, YZERFONTEIN, 7351 - *Wayne Clinton*
30. Jaqueline Lucia Bock - 720821 0036 085 - 11 3rd Avenue, HOUGHTON, 2198 - *Jacqueline Lucia*
31. Asleigh Schoultz - 720822 0359 089 - 3 umuzi, 71 Collard Road, UMGENI PARK, 4051 - *Ashleigh*
32. Dunia Bwanali - 960126 0381 088 - 6437 extension 06, RUSTENBURG, 0300 - *Dunia Tshepisio*
33. Goitsemang Makgoana - 960119 0840 088 - 10055 Shaleng, KHUNWANA, 2748 - *Revelation Tshenolo*
34. Motsamayi Caroline Letshwene - 820923 0949 082 - 1457 Zone 7, GA-RANKUWA, 0208 - *Prosperity Caroline*
35. Janikee Pillay - 680619 0156 087 - 7 Doodia Alley, BRACKENHAM, 3900 - *Tarena*
36. Sivaluxmi Govender - 680125 0172 082 - 18 Muller Street, PIET RETIEF, 2380 - *Savilakshmie*
37. Justin Cecil Hancock - 640513 5002 082 - Ielmeston Court, Outspan Road, Southhills, JOHANNESBURG, 2197 - *Haaroonur-Rasheed*
38. Joseph Beukman - 720205 5162 080 - 25 Maartblom Street, Lentegeur, MITCHELLS PLAIN, 7785 - *Mogamad Yusuf*
39. Marilyn Jacobs - 720614 0177 086 - Flat i-21 River View, WORCESTER, 6850 - *Maryam*
40. Ragini Reddy - 601205 0179 083 - 23 Glenfern, 311 Main Avenue, RANDBURG, 2194 - *Raggini*
41. Goonasagren Virasamy - 540507 5017 083 - 3 Chittagong Road, Merebank, DURBAN, 4052 - *Maggs Gonasagren*
42. Matshwenyego Edward Phiriapa - 920720 5535 083 - 5603 Tlotlanang Street, Ikageng Location, POTCHEFSTROOM, 2520 - *Setumo Edward*
43. Thulani Saleni - 960619 0727 086 - 18789 Lenchman Street, Bloekmbos, KRAAIFONTEIN, 7570 - *Thami*
44. France Alex Gubayi - 790305 6258 088 - House No 74 Black 13, Ga-Madiba, MOKOPANE, 0600 - *Madumelane Frans*
45. Lesego Makola - 840317 5996 089 - 735 Sedibeng Section, TEMBISA, 1632 - *Tsatshi Lesego*
46. Mirriam Kula - 850502 0385 084 - Ny 21 N0206, Gugulethu, CAPE TOWN, 7750 - *Zanele Mirriam*
47. Tahlegelo Marriam Nkuna - 950501 0337 086 - Box 1170, TJATE, 1121 - *Maditi Mahlogonolo*
48. Nobahle Sebengu - 920525 0771 082 - Mzantsi Location, KING WILLIAMS TOWN, 5600 - *Nokuxola Nobahle*
49. Pieyas Mmola - 960602 5527 081 - 6921 Zone 2, Winnie Mandela, TEMBISA, 1632 - *Pius Mohweledi*
50. Moloro Collen Mpholo - 840116 5651 086 - House No 2807, JOHANNESBURG, 1441 - *Moloko Collen*
51. Nomvula Alicia Waqu - 851223 0651 081 - No 5 Dilo Street, Ekuphumleni, KHAYELITSHA, 7784 - *Mapule*
52. Legobole Stephinah Matabane - 971031 0552 083 - P O Box 883, MPAHLELE, 0736 - *Mogau*
53. Nqabakazi Anita Hokwana - 920312 0368 080 - Ny 112-16 Johnson, Qona Street, GUGULETHU, 7750 - *Nqabakazi Anita Phillips*
54. Asanda Tasmin Mki - 930403 0046 087 - 111 Dennegeur Avenue, STRANDFONTEIN, 7788 - *Lerato Tasmin*
55. January Gabonise Mbale - 840922 5486 088 - House No 172, Tlapa Village, RUSTENBURG, 0285sir - *Owen Eric*

56. Nombuyiselo Sisityi Mbombo - 590426 0190 085 - New Payne Location, MTHATHA, 5099 - *Nolundi Samantha*
57. Poelo Mokoena - 970404 0796 086 - Malokela Village, BURGERSFORT, 1150 - *Cidella Poelo*
58. January Johan Vilakazi - 870102 5280 087 - 1871 Hlongwane Drive, STANDERTON, 2430 - *Tebogo Johan*
59. Nopoli Paulinah Zwani - 970709 0362 089 - 1541 Twayi Street, EVATON NORTH, 1984 - *Nopoli Pamla*
60. Thunana Peter Malebye - 730510 6122 084 - House No 389, MOKGALWANA, 0371 - *Thunana Butana Peter*
61. Nokwanda Bayi - 660605 1276 085 - Nkumandeni Area, NGQELENI, 5740 - *Tembisa Nokwanda*
62. Carorry Thuly Majola - 690215 0080 084 - Macekane Reserve, EMPANGENI, 3910 - *Caroline Thulisile*
63. Bangani Sitole - 570116 5945 088 - 54 Bournemouth Bend, Parklands, CAPE TOWN, 7441 - *Bangani Clarence*
64. Nomfusi Maxakato - 740316 1058 085 - Zone 19 Room 57, CAPE TOWN, 8000 - *Nomfundisi Nomfusi Benedict*
65. Ridovhona Maumela - 820726 5100 084 - Ha-Rabali, DZANANI, 0955 - *Ridovhona Nicholas*
66. Sepeng Precious Mashiloane - 961029 5669 086 - 95 Kgaruthuthu Village, MARISHANE, 1064 - *Mankung Johannes*
67. Manduleli Dyasi - 391223 5173 088 - House No F1092, Section 6, MADADENI, 2951 - *Manduleli Harbinger*
68. Andi Nyokana - 891222 1392 085 - Ncamedlana Farm, MTHATHA, 5099 - *Andisiwe*
69. Thandazo Cherish Masilela - 940228 0839 084 - 12124Block X Extension, MABOPANE, 0190 - *Nomthandazo Cherish*
70. Nxolisi Gelvas Khumalo - 750831 5318 084 - 444 Bottle Brush, Crossmoor, CHATSWORTH, 4092 - *Mxolisi Gelvas*
71. Sinenhlanhla Langa - 820415 5650 088 - Montross, PIETERMARITZBURG, 3201 - *Simile Mimshack Langa*
72. Solomon Solly Zwelibanzi Mkhohliso - 860709 6071 083 - 2050 Mashemong, Section 2, HAMMANSKRAAL, 0407 - *Solomon Solly*
73. Sbhongiseni Mbambo - 820809 6321 089 - Sewula School, AMAZIMTOTI, 4100 - *Sbhongiseni Nkanyiso*
74. Boshiwe Nokuthula Mkhize - 790213 0346 083 - Emadukaneni, WEENEN, 3310 - *Nokuthula*
75. Zanele Snethemba Gazu - 971219 6322 086 - Ekuvukeni Area, NONGOMA, 3950 - *Sanele Sthembele*
76. Ruben Nelson - 721219 0627 087 - 98 Ramatshela Street, KIMBERLEY, 8345 - *Nelly Alice*
77. Mampe Mmathapelo Mphahlele - 950716 0559 089 - Stand No 5030, Makhurung, MPHAHLELE, 0736 - *Mmathapelo Ramatsimele*
78. Phillip Dovhani Ramovha - 731009 5940 082 - Ha-Rabali, DZANANI, 0955 - *Phillip Tshifhiwa*
79. Tshwarelo Daniel Tshukudu - 940122 5492 082 - 06 Fynbos Place, ELANDSPOORT, 0183 - *Mokwape Daniel Mokwape*
80. Joseph Gryton Meffolo - 801211 5519 081 - 23 Mabele Street, ATTERIDGEVILLE, 0008 - *Stephens Joseph Seale*
81. Naughty Ayanda Ngcobo - 900117 5666 089 - No 1993, Kwamakhutha, AMANZIMTOTI, 4126 - *Ayanda*
82. Mbuyiseni Peter Isaacs - 970817 5096 089 - 52 Wilfred Street, MELMOTH, 3815 - *Malcom Peter*
83. Witness Buthelezi - 651016 0385 086 - M 1024 Umlazi Township, UMLAZI, 4031 - *Sizakele Witness*
84. Eleazar Msibi - 770616 5338 083 - Box 11071, ULUNDI, 3838 - *Themba Eleazar*
85. Carl Nathan Sasman - 841122 6184 084 - 266 Lake Road, GRASSY PARK, 7945 - *Kashief*
86. Bernadette Araujo De Abreu - 950605 0140 083 - 22 Van Melle Street, ALBERTON, 1449 - *Bernadette Araujo De*



87. Sithwayini Dumakude - 880112 0800 084 - Mgwani Area, HLUHLUWE, 3960 - *Sithwayini Angel*
88. Annastatia Dube - 371010 0797 084 - 403 Essenwood Road, Overport, DURBAN, 4031 - *Annastatia Patricia*
89. Phatiwe Bakana - 970823 0665 084 - 10807 Cebu Street, PHILLIPI, 7785 - *Phatiwe Unam*
90. Martha Basholoni Nyawose - 820110 0367 081 - D 92 Umlazi Township, UMLAZI, 4031 - *Nokuthula*
91. Nothando Abegirl Masango - 950606 0195 085 - 3371 Extension 11, BARBETON, 1300 - *Nothando Ebigirl*
92. Thembi Matilo Seimela - 960901 0592 086 - Stand No 413, Ga-Magoa, MANKWENG, 0727 - *Thembi Matilu*
93. Karabo Paul Mabena - 940508 5308 080 - 6024 Lungile Street, Zone 5, DIEPKLOOF, 1800 - *Mpendulo Karabo*
94. Edward Babylon Jonkers - 950123 5323 084 - 5905 Maranteng, Newton, POSTMASBURG, 8420 - *Edward*
95. Refiloe Yvette Lebakeng - 800130 0390 085 - 48 Geelhout Drive, LOURIER PARK, 9301 - *Mohau Yvette*
96. Makie Iqbal - 890808 0928 084 - House No 10015, Camden, BUSH BUCK, 8481 - *Aliya*
97. Maria Manyaredi Sebegu - 950530 0637 088 - 13941 Phase 6, BLOEMFONTEIN, 9301 - *Olerato Maria*
98. Sylvia Shishenge - 950225 5453 082 - Stand No354, Wayeni, MAKHADO, 0920 - *Nicoll*
99. Zandile Paciance Nkosi - 810624 0823 085 - 8 Moya Street, VRYHEID, 3100 - *Zandile Patience*
100. Maphoka Evelyn Radebe - 920426 0353 080 - 22261 Jerusalem Park, Thabong, WELKOM, 9463 - *Katleho*
101. Nontsikelelo Dhlamini - 970312 0293 089 - Ingwe Street 2560, Zone 2, DIEPKLOOF, 1864 - *Lindokuhle Nontsikelelo*
102. Mzwekaya Timoti - 930504 5940 081 - Ny 55-16, GUGULETHU, 7750 - *Zamikhaya*
103. Nolubabalo Fihlani - 980412 0667 080 - Nyathi Area, LUSIKISIKI, 4820 - *Mihlali Nolubabalo*
104. Mzuvukile Wilton Luvuko Xungu - 861020 5464 082 - Skhobeni Location, KING WILLIAMS TOWN, 5601 - *Mzuvukile*
105. Nobuhle Lungisile Nkabinde - 880117 0841 087 - P O Box 130, WEENEN, 3325 - *Nobuhle Duduzile*
106. Reah Shubane - 940919 0917 082 - 12D Block J Hostel, SAULSVILLE, 0125 - *Thato Reah*
107. Vuyokazi Confidence Dlamini - 890128 1104 084 - 660 Poekom Farm, VILLIERDORP, 6848 - *Siphokazi*
108. Orphel Ramadiba - 890506 6179 088 - P O Box 100, MASHIA, 0944 - *Mulalo Orphel*
109. Msongelwa Johan Nkosi - 940831 5758 082 - Smith Field Farm, ERMELO, 2350 - *Mxolisi John*
110. Ntsikohlanga Marambana - 830225 5777 080 - Dabana Location, PEDDIE, 5640 - *Ntsikohlanga Keke*
111. Tshetlha Tsutsa - 940831 5582 086 - 8 Mosu Street, Flora Park, POLOKWANE, 0699 - *Tshetlha Richard*
112. Bonny Mphela Mampama - 961012 5450 087 - Ga-Ntshabeleng, LEFALANE, 0741 - *Bonny Kgalamatshela*
113. Sanele Caswell Nyembezi - 751129 5528 086 - 750 Lakeside Proper, EVATON NORTH, 1852 - *Sanele Caterpillar Eagle*
114. Almon Thato - 951108 5314 083 - 932 Zone 3, ITSOSENG, 2744 - *Almon Kopano*
115. Ipeleng Ntoi Nkai - 980129 5564 084 - 2275 Extension 2, BOITEKONG, 0300 - *Ipeleng Wesley Ntoi*
116. Onesimo Gobinca - 971201 0607 081 - 7355 Marthinus Street, Zone 4, DIEPKLOOF, 1864 - *Gabriella Onesimo*
117. Mandinho Makamo - 921106 5462 081 - 13 Sesheke Street, Phase 1 Extension 28, VOSLOORUS, 1475 - *Mandinho Richard*
118. Kedibone Lorraine Machaba - 791014 0343 081 - 863 Mabula Street, REBONE, 0617 - *Mpho Refiloe Lorraine*

119. Matimba Blessing Joseph Mazibuko - 920613 5391 088 - 60 Jansen Crescent, PHALABORWA, 1390 - *Matimba Blessing*
120. Aubrey Mapobetsa Pilusa - 890316 5819 084 - Ga-Selepe Village, ATOK, 0749 - *Aubrey Mateu*
121. Hoorzook Shuaib Dawood - 930809 5115 083 - 5 Neon Avenue, Extension 5, LENASIA, 1827 - *Shuayb Hoorzook*
122. Pappas Samuel Ngobeni - 770804 5368 082 - 51 Le Colline Estates, PRETORIA NORTH, 0182 - *Pappas Samuel Romeo Keneilwe*
123. Baba Johannes Masanabo - 960815 5963 086 - 1753 Section H, ENKANGALA, 1021 - *Johannes*
124. Cedrico Martin George - 921029 5206 086 - 57 Parsifal Crescent, Eastridge, MITCHELLS PLAIN, 7785 - *Tashreeq*
125. Njabulo Zikalala - 900330 5576 089 - 83 Sambalpur Road, MEREBANK, 4052 - *Njabulo Phila Blessing*
126. Nkosisiphile Emmanuel Mtolo - 960926 5261 080 - C834 Nzizwa Street, EZAKHENI, 3381 - *Mohammed Emmanuel Alie*

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 835

15 JULY 2016



REPUBLIC OF SOUTH AFRICA

## FORM D

**AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:**  
 (Section 15 of the Promotion of Access to Information Act, 2000 (Act 2 of 2000))  
 [Regulation 5A]

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b))
<b>FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):</b>	
Strategic Documents: Annual Reports, Annual Performance Plans, Legislation, Operational Plans, Procedures and Frameworks, Citizens Report, Minutes and polices (both internal and operational policies) Service Delivery Charter and Standards	Website: <a href="http://www.sacr.gpg.gov.za">www.sacr.gpg.gov.za</a> Office: 35 Rissik Street, Surrey House, Johannesburg 2000
<b>FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):</b>	
None	None
<b>FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii):</b>	
Strategic Documents: Annual Reports, Annual Performance Plan, Legislation, Operational Plans, Procedures and Frameworks, Citizens Report, Minutes and polices (both internal and operational policies), Service Delivery Charter and	Website: <a href="http://www.sacr.gpg.gov.za">www.sacr.gpg.gov.za</a> Office: 35 Rissik Street, Surrey House, Johannesburg 2000
<b>AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):</b>	
Strategic Documents: Annual Reports, Annual Performance Plan, Legislation, Operational Plans, Procedures and Frameworks, Citizens Reports, minutes and polices (both internal and operational policies), Marketing Material. Media statements, PAIA Request forms	Website: <a href="http://www.sacr.gpg.gov.za">www.sacr.gpg.gov.za</a> Office: 35 Rissik Street, Surrey House, Johannesburg 2000

Department of Justice and Constitutional Development

## DEPARTMENT OF LABOUR

NO. 836

15 JULY 2016

**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY OF THE WESTERN CAPE: RENEWAL OF PERIOD OF OPERATION OF THE MAIN COLLECTIVE AGREEMENT**

I, **IAN ANTHONY MACUN**, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32(6)(a)(ii) of the Labour Relations Act, 1995, renew the period fixed in Government Notice No. 708 of 10 June 2016 by a further period ending 30 June 2018.



**DIRECTOR: COLLECTIVE BARGAINING**

**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995**

**UMKHANDLU KAZWELONKE WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI BEMBONI YOKWAKHIWA KWEFENISHA ENTSHONALANGA KAPA: UKUVUSELELWA KWESIKHATHI SOKUSEBENZA KWESIVUMELWANO ESIYINQIKITHI.**

Mina, **IAN ANTHONY MACUN** umQondisi Wezokuxoxisana Phakathi Kwabaqashi nabaSebenzi, ngegunya likaNgqongqoshe Wezabasebenzi, lapha ngokwesigaba 32(6)(a)(ii) soMthetho Wobudlelwano Kwezabasebenzi, ka-1995, ngivuselela isikhathi sokusebenza kwesivumelwano esinqunywe kwiSaziso sikaHulumeni ezinguNombolo R. 708 somhlaka 10 kuNhlangulana 2016 ngesikhathi esengeziwe esiphela mhlaka 30 kuNhlangulana 2018.



**UMQONDISI WEZOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 837

15 JULY 2016

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994  
(ACT NO.22 OF 1994)**

**WHEREAS** The Mangena family lodged a claim which was published in terms of Section 11(1) of the restitution of Land Rights Act, No. 22 of 1994 (as amended)  
And

**WHEREAS** during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that, the claim was lodged before the cut – off date as per instant claim form.

**NOTICE:** is hereby given in terms of Section 11A(1) of the Act that at the expiry of 21 days the notice of claim previously published under Section 11(1) of the Act in Government Gazette Notice mentioned below will be withdrawn unless cause to the contrary is shown to his satisfaction.

The details of the Government Gazette Notice No. 668 of 2015 in the Government Gazette No. 38924 of 03<sup>rd</sup> July 2015 relates to the following:

<b>REFERENCE</b>	: EC 6/2/2/D/83/0/0/1
<b>CLAIMANT</b>	: Malan Ephraim Mangena
<b>PROPERTY</b>	: Naauwpoort Farm No. 571; Remainder of Farm 569; and Farm Roode Hoogte No. 585
<b>EXTENT OF LAND</b>	: 165. 2851
<b>TITLE DEEDS</b>	: T12484/1963
<b>Date Submitted</b>	: 18 December 1995
<b>Current Owner</b>	: Cornelius Betekile Nqumana

The reason why the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that there was an error in stating the exact extent of the property.

**NOTICE** is further given that at the expiry of the aforesaid 21 day period; the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdraw the notice of claim in accordance with the provisions of Section 11(3) of the Act

The Regional Land Claims Commissioner  
Department of Rural Development and Land Reform  
Land Restitution Support Office: Eastern Cape  
P.O. Box 1375  
East London

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Mr L.H. Maphutha  
Regional Land Claims Commissioner

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### BOARD / RAAD

#### NOTICE 408 OF 2016

VETERINARY AND PARA-VETERINARY PROFESSIONS  
ACT, 1982 (ACT NO. 19 OF 1982)

REGULATIONS RELATING TO VETERINARY AND  
PARA-VETERINARY PROFESSIONS: AMENDMENT

#### SCHEDULE

#### Definition

1.

In this Schedule "the Regulations" means the regulations published by Government Notice No. R.2085 of 1 October 1982, as amended by the regulations published by Government Notices Nos. R.1994 of 11 September 1987 (as corrected by Government Notice No. R.2199 of 2 October 1987), R.397 of 4 March 1988, R.1067 of 17 May 1991, R.11 of 3 January 1992, R.976 of 27 March 1992, R.1477 of 23 September 1994, R.47 of 20 January 1995, R.701 of 12 May 1995, R.1401 of 15 September 1995, R.561 of 1 April 1996, R.256 of 14 February 1997, R.257 of 14 February 1997, R.96 of 16 January 1998, R.501 of 1 April 1998, R.751 of 5 June 1998, R.374 of 26 March 1999, R.422 of 1 April 1999, R.618 of 23 June 2000, R.734 of 17 August 2001, R.324 of 22 March 2002, R.562 of 2 May 2003, R.275 of 5 March 2004 (as amended by Government Notice No R.568 of 7 May 2004), R.343 of 15 April 2005, R.249 of 24 March 2006, R.322 of 20 April 2007, R.487 of 30 April 2008, R.655 of 12 June 2009, R.659 of 30 July 2010 and R.810 of 12 October 2012, R.810 of 30 August 2014, R.638, R.305 of 25 April 2014, R.389 of 15 May 2015

#### Substitution of Table 1 of the Regulations

2.

The following Table is hereby substituted for Table 1 of the Regulations.

TABLE 1  
FEES PAYABLE

PURPOSE	AMOUNT
1. Registration of - a student [R.22]	*R 130.00
2.1 Registration of a natural person -	
(a) to practice a veterinary profession	*R 2058.00 for the first registration and R* 6588.00 for a registration of a person whose registration was previously terminated
(b) to practice a veterinary specialist profession	*R 2 058 .00 for the first registration and R* 6588.00 for a person whose registration was previously terminated.
(c) to practice a para-veterinary profession	*R 674.00 for the first registration and R *2 635.00 for the registration of a person whose registration was previously terminated.
2.2 Registration of a juristic person- [R.23]	*R 2 058.00
3. Maintenance of registration of- a student [R.24.1]	*R 130.00
4. Maintenance of registration of- (a) a person practising a veterinary	*R 3658.00

profession	
(b) a person practising a para-veterinary profession	*R 1120.00
(c) a person practising as a pensioner [R.24.2]	*R 330.00
5. Alteration of-	
(a) registration of a person practising a veterinary profession	*R 78.00
(b) speciality of a veterinary specialist	*R 78.00
(c) registration of a person practising a para-veterinary profession [R.25]	*R 78.00
6. Entry of- particulars of a degree, diploma or certificate in a register [R.26]	*R 198.00
7.	
7.1 Examination determined by the Council for registration purposes as a Veterinarian-	
(a) Non-refundable application fee	*R 358.00
(b) Examination Fee Including Application Fee	*R 23 758.00
7.2 Examination determined by the Council for registration purposes as a Para Veterinarian-	
(a) Non-refundable application fee	*R 358.00
(b) Examination Fee Including Application Fee	*R 11 858.00
[Section 20 (5) (c)]	
8. Deferment	*R950.00
9. Routine inspections	*R 3 376.00

\* VAT included

## ECONOMIC DEVELOPMENT DEPARTMENT

### NOTICE 409 OF 2016

### COMPETITION TRIBUNAL

### NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001, that on 30 June 2016 it approved the merger between Anheuser-Busch InBev SA/NV and SABMiller plc subject to conditions.

(CDM case no.: LM211Jan16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 410 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001, that on 15 June 2016 it approved without conditions the merger between FirstRand Bank Limited and MMI Group Limited in respect of the property letting enterprise known as 2 and 4 Merchant Place as well as the related parking bays held in Merchant Place Parkade Share Block Proprietary Limited.

(CDM case no.: LM028May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 411 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001, that on 08 June 2016 it approved without conditions the merger between RMB Holdings Limited and Atterbury Property Holdings Proprietary Limited.

(CDM case no.: LM027May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 412 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001, that on 08 June 2016 it approved without conditions the merger between Liberty Group Limited and the Public Investment Corporation SOC Limited in its capacity as the duly representative of the Government Employees Pension Fund, the Unemployment Insurance Fund and the Compensation Fund.

(CDM case no.: LM020May16)

**The Chairperson  
Competition Tribunal**



**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 413 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the “Rules for the conduct of proceedings in the Competition Tribunal” as published in Government Gazette No. 22025 of 01 February 2001, that on 01 June 2016 it approved without conditions the merger between EOH Intelligent Infrastructure (Pty) Ltd and JOAT Consulting (Pty) Ltd, JOAT Sales and Services GP (Pty) Ltd, JOAT Sales and Services EC (Pty) Ltd and JOAT Sales and Services (Pty) Ltd.

(CDM case no.: LM019May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 414 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the “Rules for the conduct of proceedings in the Competition Tribunal” as published in Government Gazette No. 22025 of 01 February 2001, that on 29 June 2016 it approved without conditions the merger between Reunert Limited and Metal Fabricators of Zambia Plc.

(CDM case no.: LM006Apr16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 415 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the “Rules for the conduct of proceedings in the Competition Tribunal” as published in Government Gazette No. 22025 of 01 February 2001, that on 29 June 2016 it approved without conditions the merger between The Housing Impact Fund South Africa Trust and Mettle Property Solutions Securitisation (RF) Proprietary Limited.

(CDM case no.: LM025May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 416 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF DECISION TO APPROVE MERGER**

The Competition Tribunal gives notice in terms of rule 35(5)(b)(ii) of the “Rules for the conduct of proceedings in the Competition Tribunal” as published in Government Gazette No. 22025 of 01 February 2001, that on 08 June 2016 it approved without conditions the merger between Public Investment Corporation SOC Limited in its capacity as the duly authorised representative of the Government Employees Pension Fund, the Unemployment Insurance Fund and the Compensation Fund and NE Toll Concession Proprietary Limited.

(CDM case no.: LM021May16)

**The Chairperson  
Competition Tribunal**

**DEPARTMENT OF LABOUR**  
**NOTICE 417 OF 2016**  
**LABOUR RELATIONS ACT, 1995**

**INVITATION TO MAKE REPRESENTATIONS**

**NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR RELATIONS ACT, 1995: THE PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION COLLECTIVE AGREEMENT OF THE BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY KWAZULU NATAL**

- 1 I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the Bargaining Council for the Furniture Manufacturing Industry Kwazulu Natal's application for extension to non parties regarding its Provident Fund and Mortality Benefit Association Collective Agreement which was submitted to the Department of Labour on **11 May 2016**.
- 2 Representations must reach the Department of Labour not later than 21 days from the date of publication of this Notice.
- 3 A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Representations should be submitted to the following addresses:

**By Post or Fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Ms MM Ngwetjana  
Postal Address: Private Bag X117  
PRETORIA, 0001  
Fax: 012 309 4156/4848

**Hand Deliveries:**

Department of Labour  
Laboria House  
Room 122/132  
215 Francis Baard Street  
PRETORIA

**By e-mail:**

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)  
[grace.johnson@labour.gov.za](mailto:grace.johnson@labour.gov.za)

  
.....

**MN OLIPHANT, MP**  
**MINISTER OF LABOUR**

01/07/2016

**UMNYANGO WEZABASEBENZI****UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI , 1995****ISIMEMO SOKULETHWA KWEZIKHALO****ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WEZOBUDLELWANO KWEZABASEBENZI KA 1995: ISIVUMELWANO PHAKATHI KWABAQASHI NABASEBENZI SE PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION ESEZIWA EMKHANDLWINI WABAQASHI NABASEBENZI EMBONINI YOKWAKHIWA KWEFENISHA KWAZULU NATAL**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi, ,lapha ngokwesigaba-32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo soMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yokwakhiwa Kwefenisha Kwazulu Natal sokwelulwa kwesiVumelwano Sabaqashi Nabasebenzi se Provident Fund and Mortality Benefit Association selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka **1 kuNhlabha 2016**.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokukhiswa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo kumele zilethwe kulelikheli elilandelayo:

**Ngeposi noma ngefeksi:**

Umnyango Wezabasebenzi

Umqondisi: Wezokuxoxisana kwabaqashi nabasebenzi

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156/4848

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)[grace.johnson@labour.gov.za](mailto:grace.johnson@labour.gov.za)**Okulethwa ngezandla:**

Ihhovisi 122/132

Laboria House

215 Francis Baard Street

PRETORIA



MN OLIPHANT, MP  
UNGQONGOSHE WEZABASEBENZI

01/07/2016

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 418 OF 2016**

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT 1994,  
(ACT No. 22 OF 1994) AS AMENDED.**

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. These claims for the restitution of land rights have been submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding these claims are as follows:

Claimant : Ms C Adams  
Capacity : Ownership  
Date of submission : 03 March 1998

Ref no	Property Description	Area	Extent	Date of Dispossession
KRK6 2 3 A 4 12314 0 578 (R184)	Remainder of Erf 107	Eerste Rivier, City of Cape Town	11,7773 ha	15/07/1974

The Regional Land Claims Commission will investigate these claims in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape  
Private Bag X9163  
Cape Town  
8000

Tel: (021)409-0300  
Fax: (021)418 0205

CHECKED.....  
DATE 14/12/2015.....

APPROVED.....  
DATE 22/1/15.....

Mr. L.H Maphutha  
Regional Land Claims Commissioner

**DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 419 OF 2016**

**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision **not to approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **McTeniam Investments (Pty) Ltd- Biofuel Project**
- **McTeniam Investments (Pty) Ltd - Biofuel Project** is a project that manufactures biofeul. The project will invest a total of **R175 580 000**, with the value of qualifying manufacturing assets equal to **R129 900 000**. The project is classifiable under **SIC code 3329**
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant & Machinery	Oct 2017	104 000 000
Buildings	July 2016	25 900 000
<b>Total Qualifying Assets</b>		<b>129 900 000</b>

- On 23 May 2016, I as the Minister of Trade and Industry, endorsed the recommendation of the 12-I Adjudication Committee meeting of 6 May 2016 not to approve the application of McTeniam Investments (Pty) Ltd- Biofuel Project as an Industrial Policy Project in terms of Section 12-I of the Act and the relevant Regulations. The final position paper on the South African Biofuels Regulatory framework has not been finalised. The project may re-apply when the Position Paper is finalised.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12i Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Ms C Papier  
Telephone No.: 012 394 1069  
Fax No.: 012 394 2069

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 420 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Mpact Operations (Pty) Ltd.**
- **Mpact Operations (Pty) Ltd - Mpact Corrugated Port Elizabeth Investment Project** is a project to manufacture **Corrugated Board and Sheets; Printed and Die Cut Blank**. The project will invest a total of **R 150 000 000**, with the value of qualifying manufacturing assets equal to **R 150 000 000**. The project is classifiable under **SIC 3232**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	30 April 2017	150 000 000
<b>Total Qualifying Assets</b>		<b>150 000 000</b>

- Date of approval: **23 May 2016**.
- Envisaged date of commercial production: **30 April 2017**.
- Additional investment allowance benefit period: **May 2016 to May 2020**.
- Additional training allowance benefit period: **May 2016 to May 2022**.
- **Mpact Operations (Pty) Ltd – Mpact Corrugated Port Elizabeth Investment Project** is approved as a **Brownfield** project and awarded **5** points and afforded **Qualifying Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use **Mpact Operations (Pty) Ltd** is **R52 500 000** (fifty two million five hundred thousand rand).
- The approved amount for the additional **training** allowance is **R460 650** (four hundred and sixty thousand six hundred and fifty rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances **Mpact Operations (Pty) Ltd** will be **R 14 828 982**.



**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Mamaki Ngobeni  
Telephone No.: 012 394 1016  
Fax No.: 012 394 2016

**DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 421 OF 2016**

**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Nestle South Africa (Pty) Ltd.**
- **Nestle South Africa (Pty) Ltd - Mossel Bay Expansion Project** is a project to manufacture **Milk (Liquid and Powder)**. The project will invest a total of **R 238 150 000**, with the value of qualifying manufacturing assets equal to **R 238 150 000**. The project is classifiable under **SIC 3020**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	31 October 2016	208 400 000
Buildings	15 April 2018	29 750 000
<b>Total Qualifying Assets</b>		<b>238 150 000</b>

- Date of approval: **31 March 2016**.
- Envisaged date of commercial production: **15 April 2018**.
- Additional investment allowance benefit period: **March 2016 to March 2020**.
- Additional training allowance benefit period: **March 2016 to March 2022**.
- **Nestle South Africa (Pty) Ltd – Mossel Bay Expansion Project** is approved as a **Brownfield** project and awarded **7** points and afforded **Preferred Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use **Nestle South Africa (Pty) Ltd** is **R130 982 500** (one hundred and thirty million nine hundred and eighty two thousand five hundred rand).
- The approved amount for the additional **training** allowance is **R 7 956 000** (seven million nine hundred and fifty six thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances **Nestle South Africa (Pty) Ltd** will be **R 38 902 780**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Mamaki Ngobeni  
Telephone No.: 012 394 1016  
Fax No.: 012 394 2016

**DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 422 OF 2016**

**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Toronto Group (Pty) Ltd.**
- **Toronto Group (Pty) Ltd** is a project to manufacture **charcoal**. The project will invest a total of **R 127 210 000**, with the value of qualifying manufacturing assets equal to **R 113 210 000**. The project is classifiable under **SIC 3210**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	January 2017	107 810 000
Buildings	January 2017	5 400 000
<b>Total Qualifying Assets</b>		<b>113 210 000</b>

- **Date of approval: 29 February 2016.**
- **Envisaged date** of commercial production: **June 2017**
- Additional investment allowance benefit period: **February 2016 to February 2020.**
- Additional training allowance benefit period: **February 2016 to February 2022.**
- **Toronto Group (Pty) Ltd** is approved as a **Greenfield** project and awarded **7** points and afforded **Preferred** Status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is **R62 265 500** (sixty two million, two hundred and sixty five thousand five hundred rand)
- The approved amount for the additional **training** allowance is **R9 072 000** (nine million seventy two thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances by **Toronto Group (Pty) Ltd** will be **R19 974 500**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Crystal Papier  
Telephone No.: 012 394 1069  
Fax No.: 012 394 2069

**DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 423 OF 2016**

**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Yangtze Optics Africa Cable (Pty) Ltd.**
- **Yangtze Optics Africa Cable (Pty) Ltd - Fibre Optic Cables Project** is a project to manufacture **Fibre Cables**. The project will invest a total of **R 83 298 000**, with the value of qualifying manufacturing assets equal to **R 83 298 000**. The project is classifiable under **SIC 3630**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	30 November 2016	83 298 000
<b>Total Qualifying Assets</b>		<b>83 298 000</b>

- Date of approval: **24 February 2016**.
- Envisaged date of commercial production: **28 February 2017**.
- Additional investment allowance benefit period: **February 2016 to February 2020**.
- Additional training allowance benefit period: **February 2016 to February 2022**.
- **Yangtze Optics Africa Cable (Pty) Ltd – Fibre Optic Cables Project** is approved as a **Greenfield** project and awarded **7** points and afforded **Preferred Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use **Yangtze Optics Africa Cable (Pty) Ltd** is **R 83 298 000** (eighty three million two hundred and ninety eight thousand rand).
- The approved amount for the additional **training** allowance is **R 2 160 000** (two million one hundred and sixty thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances **Yangtze Optics Africa Cable (Pty) Ltd** will be **R 23 928 240**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Mamaki Ngobeni  
Telephone No.: 012 394 1016  
Fax No.: 012 394 2016

**DEPARTMENT OF TRADE AND INDUSTRY**  
**NOTICE 424 OF 2016**  
**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: [Mpact Operations \(Pty\) Ltd](#)
- [Mpact Operations \(Pty\) Ltd - Wadeville Preform Project](#) is a project to manufacture [PET Preforms](#). The project will invest a total of [R 129 028 360](#), with the value of qualifying manufacturing assets equal to [R 124 028 360](#). The project is classifiable under SIC [3380](#).
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	July 2017	122 866 767
Buildings	July 2017	1 161 593
<b>Total Qualifying Assets</b>		<b>124 028 360</b>

- Date of approval: [23 May 2016](#).
- Envisaged date of commercial production: [July 2017](#).
- Additional investment allowance benefit period: [May 2016 to May 2020](#).
- [Mpact Operations \(Pty\) Ltd](#) is approved as a [Brownfield](#) project and awarded [5 points](#) and afforded [Qualifying Status](#).
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is [R 43 409 926 \(forty three million four hundred and nine thousand nine hundred and twenty six rand\)](#)
- The approved amount for the additional **training** allowance is [R 1 973 000 \(one million nine hundred and seventy three thousand rand\)](#)
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances of [the company](#) will be [R12 707 219](#).



**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Andre Potgieter  
Telephone No.: 012 394 1427  
Fax No.: 012 394 2427

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 425 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Tiger Consumer Brands Ltd.**
- **Tiger Consumer Brands Ltd - Albany Bakery Bellville Expansion Project** is a project to manufacture **Bread**. The project will invest a total of **R 318 561 972**, with the value of qualifying manufacturing assets equal to **R 296 336 972**. The project is classifiable under **SIC 3041**.
- Description and costs of qualifying manufacturing assets:

<b>Assets</b>	<b>Expected Date of Assets In Use</b>	<b>Value of Qualifying Assets (R)</b>
Plant and Machinery	1 October 2016	202 243 927
Buildings	1 July 2016	94 093 045
<b>Total Qualifying Assets</b>		<b>296 336 972</b>

- Date of approval: **24 February 2016**.
- Envisaged date of commercial production: **1 June 2018**.
- Additional investment allowance benefit period: **February 2016 to February 2020**.
- Additional training allowance benefit period: **February 2016 to February 2022**.
- **Tiger Consumer Brands Ltd – Albany Bakery Bellville Expansion Project** is approved as a **Brownfield** project and awarded **5** points and afforded **Qualifying Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use **Tiger Consumer Brands Ltd** is **R103 717 940** (one hundred and three million seven hundred and seventeen thousand nine hundred and forty rand).
- The approved amount for the additional **training** allowance is **R 7 141 726** (seven million one hundred and forty one thousand seven hundred and twenty six rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances **Tiger Consumer Brands Ltd** will be **R 31 040 706**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Mamaki Ngobeni  
Telephone No.: 012 394 1016  
Fax No.: 012 394 2016

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 426 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **SOUTHEY HOLDINGS (PTY) LTD**
- **Southey Holdings (Pty) Ltd - Project Uma** is a project to manufacture sandwich panels. The project will invest a total of **R 45 776 247**, with the value of qualifying manufacturing assets equal to **R 45 776 247**. The project is classifiable under **SIC 3559**.
- Description and costs of qualifying manufacturing assets:

<b>Assets</b>	<b>Expected Date of Assets In Use</b>	<b>Value of Qualifying Assets (R)</b>
Plant and Machinery	Feb 2017	42 976 247
Improvements to buildings	Feb 2017	2 800 00
<b>Total Qualifying Assets</b>		<b>45 776 247</b>

- Date of approval: **23 May 2016**.
- Envisaged date of commercial production: **February 2017**.
- Additional investment allowance benefit period: **May 2016 to May 2020**.
- Additional training allowance benefit period: **May 2016 to May 2022**.
- **Southey Holdings (Pty) Ltd – Project Uma** is approved as a **Brownfield** project and awarded **7** points and afforded **Preferred Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by **Southey Holdings (Pty) Ltd** is **R25 176 936** (twenty five million one hundred and seventy six thousand nine hundred and thirty six rand).
- The approved amount for the additional **training** allowance is **R216 000** (two hundred and sixteen thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances for **Southey Holdings (Pty) Ltd** will be **R 7 110 022**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Crystal Papier  
Telephone No.: 012 394 1069  
Fax No.: 012 394 2069

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 427 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Tiger Consumer Brands Ltd.**
- **Tiger Consumer Brands Ltd - Roodekop Beverages Expansion Project** is a project to manufacture **ready to drink beverages**. The project will invest a total of **R89 435 759**, with the value of qualifying manufacturing assets equal to **R88 550 759**. The project is classifiable under **SIC 3053**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	October 2016	88 550 759
<b>Total Qualifying Assets</b>		<b>88 550 759</b>

- **Date of approval: 24 February 2016.**
- **Envisaged date** of commercial production: **October 2016**
- Additional investment allowance benefit period: **February 2016 to February 2020.**
- Additional training allowance benefit period: **February 2016 to February 2022.**
- **Tiger Consumer Brands Ltd- Roodekop Beverages Expansion Project** is approved as a **Brownfield** project and awarded 5 points and afforded **Qualifying** Status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is **R30 992 765** (thirty million, nine hundred ninety two thousand seven hundred and sixty five rand)
- The approved amount for the additional **training** allowance is **R864 000** (eight hundred sixty four thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances by **Tiger Consumer Brands Ltd** will be **R 8 919 894**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Crystal Papier  
Telephone No.: 012 394 1069  
Fax No.: 012 394 2069

**DEPARTMENT OF TRADE AND INDUSTRY**  
**NOTICE 428 OF 2016**  
**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Omnia Group (Pty) Ltd**
- **Omnia Group (Pty) Ltd - New Nitrophos plant and Vertical Spray Chamber** is a project to manufacture Nitrophos, Liquid calcium nitrate. The project will invest a total of **R720 966 547**, with the value of qualifying manufacturing assets equal to **R704 413 405**. The project is classifiable under **SIC 3341**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	March 2018	590 889 779
Buildings	March 2018	113 523 626
<b>Total Qualifying Assets</b>		<b>704 413 405</b>

- **Date of approval: 24 March 2016.**
- **Envisaged date** of commercial production: **March 2018**
- Additional investment allowance benefit period: **March 2016 to March 2020.**
- Additional training allowance benefit period: **March 2016 to March 2022.**
- **Toronto Group (Pty) Ltd** is approved as a **Greenfield** project and awarded 5 points and afforded **Qualifying** Status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is **R246 544 692** (two hundred forty six million, five hundred and forty four thousand six hundred and ninety two rand)
- The approved amount for the additional **training** allowance is **R1 980 000** (one million nine hundred and eighty thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances by **Omnia Group (Pty) Ltd** will be **R69 586 913**.



**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention:           Crystal Papier  
Telephone No.:         012 394 1069  
Fax No.:                 012 394 2069

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 429 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **APL Cartons (Pty) Ltd.**
- **APL Cartons (Pty) Ltd - APL Cartons Expansion Project** is a project to manufacture **Corrugated Cartons**. The project will invest a total of **R352 359 220**, with the value of qualifying manufacturing assets equal to **R 339 878 172**. The project is classifiable under **SIC 3232**.
- Description and costs of qualifying manufacturing assets:

<b>Assets</b>	<b>Expected Date of Assets In Use</b>	<b>Value of Qualifying Assets (R)</b>
Plant and Machinery	30 April 2016	332 716 104
Buildings	30 September 2016	17 162 068
<b>Total Qualifying Assets</b>		<b>339 878 172</b>

- Date of approval: **24 March 2016**.
- Envisaged date of commercial production: **1 September 2020**.
- Additional investment allowance benefit period: **March 2016 to March 2020**.
- Additional training allowance benefit period: **March 2016 to March 2022**.
- **APL Cartons (Pty) Ltd – APL Cartons Expansion Project** is approved as a **Brownfield** project and awarded **5** points and afforded **Qualifying Status**.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use **APL Cartons (Pty) Ltd** is **R118 957 360** (one hundred and eighteen million nine hundred and fifty seven thousand three hundred and sixty rand).
- The approved amount for the additional **training** allowance is **R 12 600 000** (twelve million six hundred thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances **APL Cartons (Pty) Ltd** will be **R 36 836 060**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Mamaki Ngobeni  
Telephone No.: 012 394 1016  
Fax No.: 012 394 2016

**DEPARTMENT OF TRADE AND INDUSTRY**  
**NOTICE 430 OF 2016**  
**SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: **Corruseal Western Cape (Pty) Ltd**
- **Corruseal Western Cape (Pty) Ltd - New Factory Corruseal Western Cape** is a project to manufacture **corrugated paper and paper board**. The project will invest a total of **R 342 890 000**, with the value of qualifying manufacturing assets equal to **R340 990 000**. The project is classifiable under **SIC 3232**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	January 2018	R260 990 000
Buildings	January 2018	80 000 000
<b>Total Qualifying Assets</b>		<b>R340 990 000</b>

- **Date of approval: 24 February 2016.**
- **Envisaged date** of commercial production: **January 2017**
- Additional investment allowance benefit period: **February 2016 to February 2020.**
- Additional training allowance benefit period: **February 2016 to February 2022.**
- **Corruseal Western Cape (Pty) Ltd- New Factory Corruseal Western Cape** approved as a **Brownfield** project and awarded 6 points and afforded **Qualifying** Status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is **R119 346 500** (one hundred nineteen million three hundred forty six thousand five hundred rand)
- The approved amount for the additional **training** allowance is **R 5 004 000** (five million and four thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances by **Corruseal Western Cape (Pty) Ltd** will be **R34 818 140**.

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
 Department of Trade and Industry  
 Private Bag X84  
 PRETORIA  
 0001

For attention: Crystal Papier  
 Telephone No.: 012 394 1069  
 Fax No.: 012 394 2069

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 431 OF 2016

## SECTION 12I TAX ALLOWANCE PROGRAMME

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

**Particulars of applicant**

- Name of applicant: [Fresh Food Direct \(Pty\) Ltd](#)
- [Fresh Food Direct \(Pty\) Ltd t/a Massfresh](#) is a project to manufacture [emulsion based sausages and value added meat products](#). The project will invest a total of [R 181 928 022](#), with the value of qualifying manufacturing assets equal to [R 158 120 775](#). The project is classifiable under SIC 3011.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	July 2017	71 211 040
Buildings	July 2017	86 909 735
<b>Total Qualifying Assets</b>		<b>158 120 775</b>

- Date of approval: [23 May 2016](#).
- Envisaged date of commercial production: [July 2017](#).
- Additional investment allowance benefit period: [May 2016 to May 2020](#).
- [Fresh Food Direct \(Pty\) Ltd](#) is approved as a [Brownfield](#) project and awarded [5 points](#) and afforded [Qualifying Status](#).
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by the company is [R 55 342 271](#) (fifty five million three hundred and forty two thousand two hundred and seventy one rand).
- The approved amount for the additional **training** allowance is [R 4 028 000](#) (four million and twenty eight thousand rand).
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances of the company will be [R16 623 676](#).

**Enquiries relating to this publication should be made to:**

The Secretariat: 12I Tax Allowance Programme  
Department of Trade and Industry  
Private Bag X84  
PRETORIA  
0001

For attention: Andre Potgieter  
Telephone No.: 012 394 1427  
Fax No.: 012 394 2427

**DEPARTMENT OF TRANSPORT  
NOTICE 432 OF 2016**

**INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)  
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations, 1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

**APPENDIX II**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight

**(A) Medair Charter (Pty) Ltd; Medair.** (B) Hangar #202, Gate 7, Lanseria International Airport, Lanseria. (C) Class II & III; I/N066 & I/G099. (D) Type N1, N4 & G7. (E) Category A2, A3 & A4 (F) Lanseria International Airport. (G) Worldwide. **Changes to the Management Plan:** Bruce Johnstone replaces Steve Anderson as the Chief Executive Officer, Riaan Koch replaces Hadley Spencer as the Responsible Person: Flight Operations, Gavin Bennetts replaces Steve Anderson as the Responsible Person: Aircraft and Megan du Raan replaces Bruce Johnstone as the Air Service Safety Officer.

## DEPARTMENT OF TRANSPORT

## NOTICE 433 OF 2016

**AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)  
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR  
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council.

Representation in accordance with section 15 (3) of the Act No. 115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council, Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

## APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for I Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to I.

**(A) Civair Helicopters (Pty) Ltd; Civair.** (B) Beechcraft Road, General Aviation Area, Cape Town International Airport. (C) Class I, II & III; S601D, N111D & G112D. (D) Type S1, S2, N1, N2, G2, G3, G4, G5, G7, G8, G10, G11, G15 & G16 (Ship to shore operations). (E) Category A2, A3, A4, H1 & H2. **Change of the Company Name:** Civair Helicopters (Pty) Ltd to Civair Helicopters and Aeroplane (Pty) Ltd, **changes Management Plan:** TE Warner replaces S Sheepers as the Responsible Person: Aircraft, AAK Cluver replaces R Schwegmann as the Responsible Person: Flight Operations & S Schroeder replaces TP Straw as the Air Service Safety Officer and **adding** Remotely Piloted Aircraft System Operations.

**(A) Copperplate Investments and Trading; Aerotrack.** (B) 16 BEE Later Place, Feather Brooke Estate, Krugerdorp. (C) Class III; (D) Type G3. (E) Category A4. **Adding type** G4, G5, G10 & G16 (RPAS Ops) and **category** A3, H1 & H2.

**(A) Savannah Helicopters CC; Savannah Helicopters CC.** (B) 9A Erica Street, Heatherlands, George, 6529. (C) Class III; G883D. (D) Type G3, G8 & G15. (E) Category H2. **Adding type** G16 (Offshore Operations).

**(A) Spiral Air Charters CC; LBI Charters.** (B) Hangar #5, Wonderboom Airport, Pretoria. (C) Class II; N986D. (D) Type N1 & N2. (E) Category A3 & A4. **Appointments to the Management Plan:** E. Foster as the Responsible Person: Flight Operations, W. Snyman as the Responsible Person: Aircraft & C. Lundall as the Air Service Safety Officer, **addition of category** A2 & **addition of type** G3, G4, G5 & G8.

**(A) Ultimate Heli (Pty) Ltd.** (B) 1<sup>st</sup> Floor, Grand Central, Main Terminal Building, Midrand. (C) Class III; G1143D. (D) Type G3, G4, G5, G8, G10, G11, G12, G13, G15 & G16 (Ship to shore operations) (E) category H1 & H2. **Addition of type G16 Operations** (RPAS) (Night Vision Systems/Night Vision Googles).

**(A) UAV Industries (Pty) Ltd; UAV Industries.** (B) Morning Star Airfield, N7 Contermans Kloof, Cape Town. (C) Class III; G1221D. (D) Type G3, G4 & G16 (RPAS). (E) Category A4, H1 & H2. **Change to the Shareholding & Voting Rights:** Piccola Trust – 31.25%, Vennhold (Pty) Ltd – 31.25%, The Ocean Maverick – 31.25% & Braam Botha Family Trust – 6.25% & **changes to the Management Plan:** Gregory B. Donaldson replaces Martin E. Venn as the Responsible Person: Aircraft & Danielle Louw replaces Leon G du Plessis as the Air Service Safety Officer.



**DEPARTMENT OF TRANSPORT****NOTICE 434 OF 2016****INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)  
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council)

Representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is/ are prepared to be represent or represented at the possible hearing of the application

**APPENDIX II**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight.

**(A) Civair Helicopters (Pty) Ltd; Civair.** (B) Beechcraft Road, General Aviation Area, Cape Town International Airport. (C) Class II; I/N077. (D) Type NI & N4. (E) Category A2, A3 & A4. (F) Cape Town International Airport. (G) & (H) **Change of the Company Name:** Civair Helicopters (Pty) Ltd to Civair Helicopters and Aeroplane (Pty) Ltd, **changes Management Plan:** TE Warner replaces S Sheepers as the Responsible Person: Aircraft, AAK Cluver replaces R Schwegmann as the Responsible Person: Flight Operations & S Schroeder replaces TP Straw as the Air Service Safety Officer.

**(A) Savannah Helicopters CC; Savannah Helicopters CC.** (B) 9A Erica Street, Heatherlands, George,6529. (C) Class III; I/G177. (D) Type G3, G10 & G15. (E) Category H2. **Adding type G4 & G8.**

**(A) Spiral Air Charters CC; LBI Charters.** (B) Hangar #5, Wonderboom Airport, Pretoria. (C) Class II; I/N217. (D) Type N2. (E) Category A3. **Adding category A2.**

**DEPARTMENT OF TRANSPORT****NOTICE 435 OF 2016****AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990)  
APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR  
SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No. 115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

**APPENDIX II**

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to I.

**(A) Henley Air (Pty) Ltd; Henley Air.** (B) Hangar 6, Rand Airport, Germiston. (C) Class III; G576D. (D) Type G2, G3, G4, G5, G7, G8, G10, G11, G15 & G16 (Ship to shore operations). (E) Category H1 and H2. **Adding specifications to type G16** (Night Vision Googles, Powerline Erecting and Stringing operations).

**(A) Medair Charter (Pty) Ltd; Medair.** (B) Hangar #202, Gate 7, Lanseria International Airport, Lanseria. (C) Class II & III; N469D & G564D. (D) Type N1, N2 & G7. (E) Category A1, A2, A3 & A4. **Changes to the Management Plan:** Bruce Johnstone replaces Steve Anderson as the Chief Executive Officer, Riaan Koch replaces Hadley Spencer as the Responsible Person: Flight Operations, Gavin Bennetts replaces Steve Anderson as the Responsible Person: Aircraft and Megan du Raan replaces Bruce Johnstone as the Air Service Safety Officer.

**(A) Drone & Robotic Systems (Pty) Ltd; HAEVIC.** (B) I Triomf Road, Potchindustria, Potchestroom 2531. (C) Class III; G1233D. (D) Type G3, G4 & G10. (E) Category A4, H1 & H2. **Adding type G16** (Remotely Piloted Aircraft Systems).

**DEPARTMENT OF WATER AND SANITATION  
NOTICE 436 OF 2016**

**DRAFT POLICY ON SUSTAINABLE HYDROPOWER GENERATION**

I, Nomvula Paula Mokonyane, in my capacity as Minister of Water and Sanitation, and duly authorized by the National Water Act (Act No. 36 of 1998) hereby give notice of intention, to publish a draft Sustainable Hydropower Generation Policy as contained in the scheduled hereto, for the purposes of comment and consultation with interested and affected parties.

Members of the public are invited to submit to the Minister, within 60 (sixty) days after the publication of the notice in the gazette, written comments or inputs to the following addresses:

**By Post to:**  
**The Director-General**  
**Department of Water and Sanitation**  
**Private Bag X313**  
**Pretoria**  
**0001**

**Or hand delivered to:**  
**Department of Water and Sanitation**  
**185 Francis Baard Street,**  
**Sedibeng Building, Room 914**  
**Pretoria**  
**0001**

Marked for the attention: MR ANIL SINGH: DDG: WATER SECTOR REGULATION

By email: [SinghA3@dws.gov.za](mailto:SinghA3@dws.gov.za) or by fax to: (086 561 4745) or  
Alternative email: [BrisleyM@dws.gov.za](mailto:BrisleyM@dws.gov.za) or by fax to: (086 216 9765)

All enquiries in connection with the draft Sustainable Hydropower Generation Policy can be directed to Mr A.B Singh at (012 336 7360) or Ms M.E Brisley at (012 336 8768)

Comments received after the closing date may not be considered.



**Nomvula Mokonyane**  
**Minister of Water and Sanitation**  
Date: 28.05.16



**water & sanitation**

Department:  
Water and Sanitation  
**REPUBLIC OF SOUTH AFRICA**

## **DRAFT SUSTAINABLE HYDROPOWER GENERATION**

### **POLICY**

**Gazetted for Public Consultation**

*July 2015*

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## 1. Introduction and Background

The global shift towards renewable energy and the ongoing South African energy crisis have created an environment where renewable energy projects including hydropower projects, such as those which are retrofitted to existing dams, are both environmentally and financially attractive due to existing suitable infrastructure.

With South Africa experiencing serious electricity shortages currently, the National Development Plan sets a target of 20 000MW of new-build generation capacity from renewable sources by 2030. This is half of the overall new-build capacity target. The Green Energy Strategic Infrastructure Project aims to deliver a third of this (6.9GW) through independent power producers by 31 March 2019. These renewable technologies include on shore wind, solar photovoltaic, concentrated solar power, biogas, biomass, landfill gas, and **hydropower**. Furthermore the President of the Republic of South Africa, in his State of the Nation address made a commitment that the state will invest and look into the development of hydropower as one of the sustainable renewable energy generation methods. Different forms of hydropower including reservoir, pumped storage and run-of-river systems of various sizes are available and can be used for different forms of electricity.

South Africa has a potential to develop hydropower at existing DWS infrastructure such as dams, canals, pipelines as well as making use of the water resources in SA including the shared river basins. Instead of dams being constructed for the purpose of hydropower, existing reservoirs that are used for other purposes can be fitted with hydropower plants in order to augment electricity supply towards meeting peak electricity demands. This is in line with multiple-use approach enshrined in the 2013 National Water Policy Review. Hydropower is a renewable economic, none polluting and environmentally friendly source of energy.

In order to ensure optimisation of the water resource use, a policy is required. This has prompted Department of Water and Sanitation (DWS) to develop this Policy for the sustainable development of hydropower technologies in the South African water and sanitation **sector**. Irrespective of the type of any prospective installation, hydropower development in South Africa will require authorization in terms of the National Water Act, 1998 (Act No. 36 of 1998) and amendments.

Hydropower generation can contribute not only to the Strategic Infrastructure Projects but also to the Department of Energy's universal electrification and energy efficiency strategy.

## 2. Purpose

The purpose of this document is to provide Policy position for the Department of Water and Sanitation on the establishment and development of hydropower on existing DWS infrastructure as well as within the water resources of South Africa as part of long term interventions by the Department to support sustainable power supply in South Africa.

## 3. Scope of the Policy

The policy provisions will be applicable to prospective and existing hydropower generators in relation to describing the DWS authorisation process for hydropower development on DWS owned infrastructure utilisation and water resources optimisation with regards to water transfer schemes

which include dams, barrages; rivers, irrigation systems (canals and conduits) as well as run-off-river schemes.

It encourages energy efficiency initiatives in the water and sanitation sector which includes but not limited to: Conduit hydropower in development opportunity within Water and Sanitation services infrastructures *and water distribution networks*.

This Policy will address all issues ranging from very small-scale run-off-river projects to the large-scale retrofitted dams. The Department does not foresee dams being constructed for the sole purpose of hydropower however the feasibility of potential hydropower generation at newly planned dams will be required.

*The scope of this Policy excludes tidal lagoons, harbours and wave energy systems but further investigations of suitable hydropower in these systems is encouraged.*

#### **4. Key Policy Considerations**

The key consideration of the policy is to:

- a) Ensure that Hydropower development and its operation is in accordance with the principles of National Water Act no 36 of 1998 i.e. Sustainability, Equity and Efficiency (SEE).
- b) Ensure that hydropower and its operation is in accordance with the DWS sustainable hydropower generation policy.
- c) To contribute towards development of clean energy in order to mitigate green house gas emissions.
- d) DWS application and approval process, and requirements for authorization.
- e) Consider and support the existing national energy legislation, policies, strategies and plans

### **5. Relevant Legislative framework**

#### **5.1 DWS Mandate**

The Department of Water and Sanitation (DWS) is the custodian of South Africa's water resources. It is primarily responsible for the formulation and implementation of policy governing the development and management of the water and sanitation sector. It also has a responsibility to regulate and support provision for water services provided by local government.

The National Water Act (NWA) (Act 36 of 1998) provides a framework for the protection, use, development, conservation, management and control of water resources for the country as a whole.

Integrated water resource management (IWRM) is described in the Act as the means to effect the aim of the NWA, and is operationalised through the **National Water Resource Strategy (NWRS)**, which inter alia:

- determines how much water is- to be "reserved", allocated for international commitments, and available in each water management area;
- provides for the establishment of water resource management institutions such as Catchment Management Agencies (CMAs);

- sets principles for water conservation, **water use** and water quality.

The **National Water Resource Strategy** provides the overall framework for water resource management in the country.

#### **Box 1: Hydropower in the NWRS**

The 2013 NWRS includes provisions for hydropower generation at DWS owned infrastructure facilities, and specifically DWS owned dams. Key excerpts from the NWRS are reproduced here for ease of reference.

An objective of the NWRS is to “*promote the optimal development of hydro-electricity generation at all sites in South Africa where this is economically viable and can make a useful contribution to electricity generation.*”

“*...The installation of small-scale hydro-electric plants to take advantage of the head available and flow from existing dams is being considered in cooperation with the Department of Environmental Affairs (DEA), National Treasury, Eskom, the Central Energy Fund and private sector partners.*”

“*...The Department of Energy (DoE), together with the DWS and the National Treasury (NT), commissioned an investigation of the prospects for retrofitting hydroelectric generation equipment at existing DWA dams with hydroelectric power potential. The DOE has shortlisted 14 sites for further detailed evaluation.*

*The services of Independent Power Producers (IPP) will be procured to construct and operate the hydroelectric power stations that are the most favourable and viable. The IPPs will be required to enter into agreements with the DOE and Eskom for the sale into the national electricity grid of the electricity to be produced.*”

## **5.2 Planning Framework: The National Development Plan Vision 2030**

The 2015-2019 Medium Term Strategic Framework (MTSF) encapsulates the intermediate electricity infrastructure milestones in the context of the NDP and **the Integrated Resource Plan (IRP) 2010** long-term planning framework. The main target for electricity infrastructure development is “*to increase the electricity generation reserve margin from 1% (2014) to 19% in 2019 to ensure the continued, uninterrupted supply of electricity in the country. The corresponding MTSF interim delivery targets for Outcome 6 (an efficient, competitive and responsive economic infrastructure network) therefore require the development of 10 000 MWs additional electricity capacity to be commissioned by 2019 against the 2010 baseline of 44 000 MWs – of which 5 000 MW should be from renewable energy sources.*” (IPPPP Unit 2015)

#### **Box 2: The 2011 IRP 2010-2030 (IRP1)**

The Integrated Resource Plan in the South African context is not the Energy Plan - it is a **National Electricity Plan**. It is a subset of the Integrated Energy Plan. The IRP is also not a short or medium-term operational plan but a plan that directs the expansion of the electricity supply over the given period, emphasizing the objectives for the development of renewable energy technologies (DoE, 2014).



The IRP, inter alia, defines the amount of electricity that is to be developed as new-build capacity for each technology type up to 2030.

### 5.3 Energy Policies and Legislation

The energy policies and interventions in the country, reflecting South Africa's transition to a green economy, include:

#### **White Paper on the Energy Policy of the Republic of South Africa December (1998)**

The *White Paper on Energy Policy* (DME, 1998) sets out Government's policy with regards to the supply and consumption of energy for the next decade. The policy strengthens existing energy systems in certain areas, calls for the development of underdeveloped systems and demonstrates a resolve to bring about extensive change in a number of areas. The policy addresses all elements of the energy sector.

#### **White Paper on Renewable Energy November (2003)**

The White Paper on Renewable Energy supplements the Government's overarching policy on energy as set out in its *White Paper on the Energy Policy of the Republic of South Africa* (DME, 1998), which pledges 'Government's support for the development, demonstration and implementation of renewable energy sources for both small and large-scale applications.'

The White Paper on Renewable Energy sets out Government's vision, policy principles, strategic goals and objectives for promoting and implementing renewable energy in South Africa; it proposes that Government include private energy producers into the electricity generation mix, and that the electricity generation mix should include renewable energy technologies.

It has the following two goals: *to inform the public and the international community of the Government's goals, and how the Government intends to achieve it, and; to inform Government agencies and Organs of State of these goals, and their roles in achieving it.*

The White Paper furthermore commits Government to a number of enabling actions to ensure that renewable energy becomes a significant part of its energy portfolio over the period of ten years and beyond. It supports the aim of the Government to set proper boundaries within which the renewable energy industry can operate and grow, thus contributing positively to the South African economy and to the global environment.

#### **National Climate Change Response White Paper (NCCRP) (2011)**

Government's National Climate Change Response Policy was approved and gazetted in October 2011.

The White Paper represents the culmination of an iterative and participatory policy development process that was started in October 2005 which involved ground-breaking modelling and research activities, national conferences, numerous workshops and conferences in every province, extensive bilateral and stakeholder engagements.

National Climate Change Response White Paper highlights that South Africa's response to climate change has two objectives:

- a) To effectively **manage the inevitable climate change impacts** through interventions that build and sustain South Africa's social, economic and environmental resilience and emergency response capacity; and
- b) To **make a fair contribution to the global effort to stabilise greenhouse gas (GHG) concentrations** in the atmosphere at a level that avoids dangerous anthropogenic interference with the climate system within a timeframe that enables economic, social and environmental development to proceed in a sustainable manner.

Furthermore the National Climate Change Response White Paper committed key sectors, including **electricity, water**, health, bio-diversity and agriculture to compile climate change sector plans to identify and prioritise short and medium term sectoral adaptation initiatives. These sectoral plans should be developed in the context of sectoral legislation and strategies; in the case of the electricity sector, this will be, inter alia, the National Electricity Regulation Act, the National Energy Efficiency Strategy, the Integrated Resource Plan and the Integrated Energy Plan. (Department of Environmental Affairs 2011)

Two of the 8 near-term priority flagship programmes defined in the NCCRP, namely the "renewable energy flagship programme" and the "energy efficiency and energy demand management flagship programme" relate specifically to electricity sector specific objectives. It is argued that the Department of Energy's (DoE) **Renewable Energy Independent Power Producers Procurement Programme (REIPPPP)** can be considered to be the DoE's response to the energy objectives in the NCCRP, though originally initiated from the concepts of the **Renewable Energy White Paper of 2003**.

### Electricity Regulation Act

**The Electricity Regulation Act**, Act 4 of 2006 and the Electricity Regulation Amendment Act, Act 28 of 2007 as amended (ERA), describes the responsibilities and powers of the National Energy Regulator specifically in regards to the processing and issuing of electricity generation, transmission and distribution licences. Inter alia, the Act requires that electricity generation licence applications must include evidence of compliance with **the Integrated Resource Plan (IRP)** of the time **or provide reasons for any deviation for the approval of the Minister**. (Department of Minerals and Energy 2006)

Chapter 4 of the Act introduces the powers and function of both the Minister and the Regulator with regards to New Generation Capacity, including the power to determine the type of energy mix that will make up the capacity need, the extent of participation of the private sector in the generation of the capacity, as well as the means through which this energy is to be procured and bought.

### Box 3: REIPPPP

Section 34 of the Electricity Regulation Act 4 of 2006 (South Africa, 2006), as amended by the Electricity Amendment Act 28 of 2007 (South Africa, 2007), refers to "New Generation Capacity":

*"(1) The Minister may, in consultation with the Regulator-*

- a) *Determine that New Generation Capacity is needed to ensure the continued uninterrupted supply of electricity;*
- b) *Determine the types of energy sources from which electricity must be generated and the percentages of electricity that must be generated from such sources;*
- c) *Determine that electricity thus produced may only be sold to the persons or in the manner set out in such notice;*

- d) *Determine that electricity thus produced must be purchased by the persons set out in such notice;*
- e) *Require that New Generation Capacity must-*
  - *Be established through a tendering procedure which is fair, equitable, transparent, competitive and cost-effective;*
  - *Provide for private sector participation.”*

In August 2011, the Minister of Energy determined that 3 725MW of renewable energy was to be procured through an IPP Procurement Programme 2011, and bought by Eskom. This signified the operationalization of the Renewable Energy Independent Power Producer Procurement Programme, or REIPPPP; designed to contribute towards the target of 20 000MW of additional electricity capacity that is to be generated from renewable energy projects by 2030 as defined in the National Development Plan. A second determination of 3 200MW was made in January 2013, and a third determination of 6 300 MW was made in August 2015.

The programme aims to reduce the country's reliance on fossil fuels, stimulate an indigenous renewable energy industry and contribute to socio-economic development and environmentally sustainable growth, whilst also contributing to the broader national development objectives of job creation, social upliftment and broadening of economic ownership.

## 6. Hydropower Guiding Principles

The following policy principles will apply to all institutions (Private or Public) in the interest of balancing the sustainable water resource protection, water and sanitation provision and hydropower generation

### 6.1 Water Support for Integrated and Sustainable Power Generation

#### Problem Statement

As part of broader government initiative to stimulate energy mix as outlined by National Development Plan (NDP), Hydropower has not been explored to its full potential. There is vast potential of hydropower development in the specific areas within DWS water management catchments and water and sanitation infrastructure (DWS owned and Non DWS) between different government departments at the national, provincial and local levels. The existing delegation of powers between different government departments at the national, provincial and municipal levels on authorization is unclear. However the initiation and implementation of Hydropower generation may place additional responsibilities on DWS in terms of monitoring and management. Realisation and achievement of NWA principles remains a challenge and is ongoing. What is the guarantee? To ensure that Hydropower development and its operation is in accordance with the principles of National Water Act no 36 of 1998's principles i.e. **Sustainability**, Equity and Efficiency (SEE)

#### Policy Principle

DWS will support the development of hydropower as part of both social and economic development within the context of water scarcity and water infrastructure challenges without compromising sustainable protection of water resources and water and sanitation services

provisions. The roles and responsibilities relating to the full process should be defined at every stage of the generation process to ensure sustainable operation. This encompasses all stages from Planning, Construction/Development, Operation & Maintenance and Decommission stages satisfying all required activities.

## 6.2 Differentiated authorisation process

### Problem statements

The current DWS authorisation/licensing process does not differentiate between Authorisation which will result in the Utilisation of DWS, Other Government institution, Private institution or partnership between Private and Government or Government to Government Institution. The hydropower projects results in generation of different capacity ranging from Pico (less than 25 kilo watts (kW) to Mega (more than 1000 Megawatts (MW) projects. In the view of the above challenges DWS needs proper classification of Authorisation and projects to afford clearing of its roles and level of involvement.

### Policy Principle

The current authorisations as per National Water Act will be supplemented to differentiate utilization of DWS Infrastructure and the categorization of the projects. The Hydropower generation projects will follow the current application process as per NWA. On the projects classification DWS will authorize/license all the projects of all classes with capacity ranging from Pico (up to 20 kilo watts (kW) to Mega (more than 10 Megawatts (MW) projects. Furthermore, DWS shall develop conditions on the approval/ authorization of hydropower development applications, which will determine application process that will be followed by both private and public institutions.

The following table highlights the hydropower installation classification for purposes of this policy and will be adopted as outlined in the Department of Energy Hydropower implementation guide, in order to further guide the DWS hydropower development, regulation and all related process.

Hydropower Category	Capacity in Power output
Pico	Up to 20KW
Micro	20kW to 100 kW
Mini	100Kw to 1MW
Small	1MW TO 10 MW
All installations above 10 MW are classified as macro(Large) hydropower plants	>10 MW <i>The large hydropower development has also its history in South Africa and manifested over the years in installation of several significant hydroelectric plants developed together with the large dams. Two most significant large hydroelectric installations Gariep (360 MW) and Vanderkloof (240 MW) are situated on the Orange River in the Northern Cape Province. The smaller existing operational plants are all situated in the Eastern Cape Province namely the Mbashe (42 MW), First and Second Fall (6.4 and 11 MW) and Ncora (2.4 MW).</i>
<i>Adapted from: The sustainable energy resource handbook, volume 2 (Barta,2010)</i>	

### 6.3 Integrated Hydropower Authorisation and Licensing process

#### Problem statement

As outlined in the National Water Act, 1998 (Act no 36 of 1998), any hydroelectricity project require Water Authorisation. **Licensing:** National Energy Regulator of South Africa (NERSA) is the sole authority, to approve applications for the generation of electricity. Any person who generates, distributes, transmits, imports, exports or trades electricity can only do so with a licence granted by NERSA. Unaligned and non-integrated and un-catered for process for consideration of water use licences, relating to exploitation of hydropower generation activities.

This policy principle provides for the concurrence between the Ministers, the Minister responsible for Water Resources (DWS) and the Minister responsible for Energy (DoE) for consensus on process to be followed to integrate the process of approval. In further emphasising NWA requirements, a person may only use water relating to hydropower upon following the NWA authorisation process. In the interests of co-operative governance, DWS will activate (define) arrangements with Department of Energy (DoE) through their regulator, National Energy Regulator South Africa (NERSA), to combine their respective authorisation requirements.

### 6.4 Ensuring Real Hydro Power Investment and Partnerships

#### Problem statement

Given that this is a new endeavour and opportunity for the sector, further investigations need to be conducted to ascertain value for money attached to hydropower development. There is a need for enabling policy environment for the Department opening/encouragement of partnership for dual benefit. Terms regarding sharing of facilities, project ownership after concession, hydropower generation locations (servitudes) need to be stipulated. Furthermore, cost recovery measurers in the hydropower operation value chain need to be defined to ascertain sustainability of the hydropower operation and the DWS infrastructure.

#### Policy Principle

In order to enhance and encourage hydropower generation, DWS will support the following:

**The Independent Power Producers (IPP) Procurement Programme:** designed so as to contribute towards the target of 3 725 megawatts and towards socio-economic and environmentally sustainable growth, and to start and stimulate the renewable industry in South Africa. This will be achieved by maximising the existing opportunity of hydropower opportunities within DWS infrastructures.

**Investment guaranteed as per National treasury guidelines:** Preferential Procurement Process (PPP) etc,

**Memorandum of Understanding on key issues:** Ownership, Concession period, Leasing agreements, Risk plan, Liabilities, Insurance

**Reflective cost recovery mechanisms:** Operation cost, refurbishing cost or replacing obsolete and disposing infrastructure.

Water Charge/Tariff and related investment issues will be dealt with as per DWS pricing strategy in consultation with National Treasury and relevant institutions. Real Hydropower investment is a great way to afford DWS certainty on hydropower generation future sustainability and secure the investor's financial future. At the same time it ensures that DWS will not have to carry the cost if the infrastructure or resource is compromised as a result of hydropower generation by IPPs. This policy position further encourages exploration of different, sustainable and effective investment models.

## **6.5 Compulsory compliance with dam safety standards and other necessary safety requirements**

### **Problem Statement**

DWS has existing Dam safety standard requirements and a plan for monitoring dam construction and operation called the Dam Safety. This plan is underpinned by National Water Act which outlines dam's safety requirements. But there is no explicit direction on how to deal with Dams with Hydropower facilities.

### **Policy Principle**

Compulsory compliance and Non-Negotiable adherence to all DWS dam safety standards requirements. The vigilant compulsory plan will include data collection on the operation vs. safety to afford proactive efforts to deal with any unforeseen circumstances that will compromise water security. The inspection process will amongst others look at instrumentation, equipment maintenance, reading frequency and procedures, action levels, procedures should a failure occur and how reports sent to DWS must be formatted. The reports include photographs, diagrams and data taken at the dam.

## **6.6 Use and promotion of appropriate sustainable technology**

### **Problem statement**

Based on international experience, the development of Hydropower has not been driven solely by concern for human progress and quality of life but is also frequently used to advance nationalist or ideological agendas. Challenges with Hydropower technology include: dependence on rainfall (no control over amount of water available); changes in stream regimens (can affect fish, plants, and wildlife by changing stream levels, flow patterns, and temperature); flooding of land and wildlife habitat (creation of reservoir). Maintaining minimum flows of water downstream of a hydropower installation is critical for the survival of riparian habitats.

### **Policy Principle**

Hydropower can be considered technologically acceptable if the cost of refurbishing or replacing obsolete infrastructure is taken into account, e.g. replacing obsolete dam and disposing sediments, which may have accreted behind them. While this removing process may be technically and

economically viable to smaller projects, there are yet no indications that it will be for the greater majority of very large dams owned by DWS. It is against this background that DWS require promotion of appropriate technology in the continuous environmental risk appraisal linked to appropriate actions taken throughout the hydropower generation value chain and the appropriate technology should be supported by available skills. The authorisation process will vary according to varieties of technology proposed and the processing and decision will be handled on case by case basis.

## **6.7 Utilisation of International Sustainable Hydropower generation protocol**

### **Problem Statement**

Hydropower incidents are usually caused by three (3) main factors: poor planning, unpredictable natural events or equipment failure. Sometimes developers of new dams don't take all geological factors into account. Dam failure can be caused by unpredictable natural causes or due to increased rainfall. Can the disaster related to hydropower be predicted? It is hard to tell because sometimes severity of water rises over prediction. The accidents in this sector are rare but when something does go wrong then the consequences are usually fatal. Planners need to take a lot of geological and environmental issues into account when they plan building new hydroelectric plants although sometimes the events can't be predicted.

### **Policy Principle**

All Hydropower Project utilizing DWS owned Infrastructure and its water Resources will be subjected to The Hydropower Sustainability Assessment Protocol. The Hydropower Sustainability Assessment Protocol is a tool for assessing projects across a range of social, environmental, technical and economic topics. It provides an international common language on how these considerations can be addressed at all stages of a project's lifecycle: planning, preparation, implementation and operation.

## **7 Types of utilisation on DWS water resources and owned infrastructure**

Within the context of this policy, there are four types of utilisation against DWS water resources and owned infrastructure namely:

- a) Demand Management/Energy efficiency/Own use - Where the utilisation will result in the energy generated to be used in own operations e.g. DWS contract IPP to generate electricity to use in their operations. This type of own-use generation is generally considered as a load reduction intervention, in contrast to contributing to the electricity generation function.
- b) Islanded Use Where the utilisation will result in the energy generated to be used directly to households electrification e.g. Rural Electrification Programme

- c) Municipal Grid - Where the utilisation will result in the energy generated to be sold to Municipality for distribution to Municipal operations
- d) Eskom Grid - Where the utilisation will result in the energy generated to be sold to Eskom national grids to support national energy requirements. This can be done through either the REIPPPP or another electricity procurement programme determined by the Minister of Energy.

The four types of utilisation are depicted below in Table 1 below.

**Table 1: Types of Approved utilisation on DWS water resources and owned infrastructure**

Types of Utilisation	DWS Owned Infrastructures				Water Resources	
	Exploitation opportunity				Exploitation opportunity	
	Dams	Canals	Pipelines	Other	Run-of-River	Other (include international rivers basin)
	<i>Retrofit</i>	<i>Conduit</i>	<i>Conduit</i>	<i>other</i>	<i>Run-of-River</i>	<i>Other</i>
Demand Management/Energy Efficiency/Own Use	√	√	√	√	√	√
Islanded use	√	√	√	√	√	√
Municipal grid	√	√	√	√	√	√
Eskom Grid	√	√	√	√	√	√

## 8 Exclusions

The DWS may implement hydropower projects outside these policy principles through any other models as deemed necessary in order to achieve and support the strategic objectives of the country and for purpose of Research and Development (piloting).

## 9 Conclusion

South Africa has an extremely energy-intensive economy in relation to the rest of the world. The current energy challenges have opened up a window for investors to look into independent power production. There is a potential to move towards renewable forms of energy, with hydropower being a key focus.

There is significant and identified potential for the development of hydropower in South African Water Resources infrastructure which may include large dams and the perennial streams and within existing water supply (i.e. urban and agricultural scheme) and wastewater treatment infrastructure. This potential is not necessarily significant with regard to the contribution to the Eskom's national grid, but is significant with regard to the potential reduction in electricity demand on the overloaded national power generation capacity.



Beyond the licensing procedures, the DWS is also responsible for overall management of water resources and all its activities and other water resources management aspects of any riverside hydropower development. DWS have a duty to protect the water resources from any harm that can arise from hydropower development and to ensure sustainable provisions of water.

The DWS shall work closely with the Department of Energy to embrace and advance the development of Hydropower for greater contribution in the energy needs of the country. To provide enabling environments in hydropower generation development to promote sustainable power generation and maximize protection of water resources and its infrastructure against any possible risks that may arise during Power generation processes within DWS water resources infrastructure.

## **10 Approval**

This policy position is approved by:

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**MRS N P MOKONYANE: MINISTER OF WATER AND SANITATION**

**DATE:**

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