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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:

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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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**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**



# 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

The **Government Printing Works (GPW)** 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.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwnonline.co.za](http://www.gpwnonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

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
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
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 - BUSINESS RULES****NOTICE SUBMISSION PROCESS**

3. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
4. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
5. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
  - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
    - 6.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
    - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
  - 6.2. Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
  - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
  - 6.4. Any additional notice information if applicable.
7. 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. The information submitted on the electronic *Adobe* form will be published as-is.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. 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.
10. Should a customer submit a bulk submission 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.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
  - 11.1. 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).
  - 11.2. 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;

**CANCELLATIONS**

12. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
13. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

14. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

15. All notices not meeting the submission rules 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)). Reasons for rejections include the following:
  - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
  - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
  - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
  - 15.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

16. 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.
17. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

18. The Government Printer will assume no liability in respect of—
  - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 18.2. 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;
  - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

19. 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.

**CUSTOMER INQUIRIES**

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.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
21. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

22. 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.
23. 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.
24. 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**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
25. 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.
26. 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**.
27. The **Government Printing Works** 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

28. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
29. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

## 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](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

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

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF HOME AFFAIRS

NO. 995

09 SEPTEMBER 2016

**ALTERATION OF SURNAMEN 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. Nkosiyekhaya Joseph Mchunu - 541003 5384 086 - Inanda Township, DURBAN, 4344 - *Nxumalo*
2. Joshua Lethogonolo Masiya - 970214 6398 088 - E112 Kgamakwe Section, PHOTSANENG, 0311 - *Kgobane*
3. Kagiso Charles Kolobe - 900417 5469 082 - 4149 Dunge Street, TSAKANE, 1550 - *Mahlaela*
4. Elisabeth Grové - 910331 0021 087 - Heidkamp 26, 299331 Lachendorf, GERMANY, 29331 - *Friend*
5. Mthokosisi Selby Biyela - 780705 5691 084 - 2 Matclay Place, Phoenix, CLAYFIELD, 4068 - *Zwane*
6. Jodel Paliam - 980126 0588 084 - 318 Viewhaven Drive, WOODVIEW, 4068 - *Murugasen*
7. Tamsanqa Xoli - 880218 5447 084 - 23038 Moses Street, Soweto-On -Sea, PORT ELIZABETH, 6201 - *Mgqala*
8. Thabo William Tshwane - 850905 5476 081 - Ga-Molapo Area, ZEBEDIELA, 0604 - *Malapela*
9. Simnikiwe Vitshima - 971012 6100 085 - Tanga Area, BUTTERWORTH, 4960 - *Kota*
10. Akaona Solomon - 910731 5231 088 - Kubusie Village, STUTTERHEIM, 4930 - *Gqoba*
11. Anga Mpahleni - 961122 1099 083 - Mconco Area, LIBODE, 5100 - *Dutywa*
12. Khayalethu Nopolula - 891118 5980 083 - Mvuzi Area, MOUNT FRERE, 5090 - *Meyatho*
13. Siyanda Aubrey Mjiyakho - 971004 6146 085 - 2411 Ekuvukeni Street, LADYSMITH, 3135 - *Mkhize*
14. Sithabiso Buthelezi - 960503 6249 081 - Mdwebu Area, Ntabamhlophe, ESTCOURT, 3310 - *Zwane*
15. Otlotleng Darlington Orateng Maleka - 970613 5441 080 - E79 Mokgabo Street, Kagung Area, KURUMAN, 8460 - *Moetlo*
16. Vusumuzi Louis Sekati - 721115 6059 087 - 327 Block L, SOSHANGUVE, 0152 - *Matoni*
17. Ntanganedzeni Nkhumeleni - 880722 5711 084 - Tshitereke Area, THOHOYANDOU, 0950 - *Vele*
18. Bhekithemba Benfred Dladla - 680424 5606 081 - Shane Area, GREYTOWN, 3250 - *Gwala*
19. Mateu George Sizane - 890915 5386 083 - 9934 Extension 11, EVATON WEST, 1984 - *Sithole*
20. Melisa Ayabonga Ntisana - 940902 0508 085 - 9 Arden Road, EERSTE RIVIER, 7100 - *Lolo*
21. Richard Mulaudzi - 971008 5880 081 - P O Box 10, GROOTHOEK, 0628 - *Ntsoane*
22. Comfort Maxwell Mashego - 861228 5911 081 - P O Box 13, HAZYVIEW, 1242 - *Maphanga*
23. Tebogo Sibuyi - 961024 6065 087 - Stand No 955, MKHUHLU, 1246 - *Lubambo*
24. Khanyisa Zinyusile - 971112 1243 086 - 4073 Nu 2, MDANTSANE, 5219 - *Marwanana*
25. Njabulo Pecervirence Magagula - 980216 5680 083 - P O Box 121, MBAMBISO, 1335 - *Mhlanga*

26. Madlabane Neve Matsolo - 841224 5933 089 - Stand No 90504, Zwelisha Trust, WHITE RIVER, 1240 - *Mcunu*
27. Mthokozisi Ngcobo - 950501 5894 081 - 27069 Mpola Phase 1, Milkway, Dassenhoek, PINETOWN, 3610 - *Mkhize*
28. Simphiwe Nene - 810826 5750 086 - B31 Mncane Road, GREYTOWN, 3250 - *Dlamini*
29. Zukiswa Nokobongo - 911230 1151 084 - Nikhwe Area, MTHATHA, 5099 - *Cekisa*
30. Charity Zinzi Celiwe Shangase - 971205 0651 083 - B012 Mzomuhle Road, PARKGATE, 4339 - *Qwabe*
31. Bonguxolo Ndabeni - 890210 5834 088 - Mbangweni Location, NTABANKULU, 5130 - *Nogaya*
32. Wandisa Rinah Nongcekulana - 911106 0927 080 - Tabase Area, MTHATHA, 5099 - *Ndamase*
33. Andisiwe Nongcekulana - 940101 0949 080 - Ngcengane Area, MTHATHA, 5099 - *Ndamase*
34. Khutso Macdonald Mahomane - 821119 5447 086 - 37748 Shadi Street, MAMELODI EAST, 0122 - *Moagi*
35. Tswarelo Greatpeace Khaba - 910910 5289 086 - 9626 Kgari Street, TSAKANE, 1550 - *Malomane*
36. Amos Alfred Siduba - 800120 5281 082 - 897 Mashiane Street, Masishaba Section, DUDUZA, 1496 - *Khanye*
37. Moji Daniel More - 811212 5918 081 - 18324 Zone 14, SEBOKENG, 1983 - *Ntsala*
38. Edrick Eddie Mboshana - 770621 5626 081 - P O Box 2218, BUSHBUCKRIDGE, 1280 - *Khoza*
39. Siyabonga Thabane Mkefa - 890528 5294 080 - 1659 Vesting Street, Extension 13, NATURENA, 2095 - *Ngubane*
40. Mduduzi Masuku - 960220 5289 089 - 49 Hlabangane Street, KWATHEMA, 1575 - *Sibiya*
41. Walter Teboho Mkwanzazi - 930215 6009 087 - 18097 Fraq Zamdela, SASOLNURG, 1947 - *Makgongwane*
42. Kagiso Isaac Noto - 940310 5762 089 - 3695 Ketapele Area, VANDERBIJLPARK, 1901 - *Kanye*
43. Nondumiso Lisa Msani - 931105 0739 087 - Kwaqoloqolo Ward 15, PORT SHEPSONE, 4240 - *Shezi*
44. Ntokozo Sithole - 960305 1130 088 - Hammasdale Area, RICHMOND, 3280 - *Mbeje*
45. Nokwanda Nomfundo Ziquku - 940721 1231 087 - Haza Location, MERRIVALE, 3291 - *Mothekhe*
46. Anthon Tshepo Molala - 771029 5381 088 - 236 Loding Area, Extension 1, MARAPYANE, 0431 - *Moimana*
47. Thulani Collen Mbambo - 930427 6155 089 - House No 291, Ematabetulu, INANDA, 4310 - *Mnyandu*
48. Mpiyakhe George Sithole - 690102 6832 082 - 3116 Lethuli Street, TSAKANE, 1550 - *Motaung*
49. Sindisiwe Kele - 781031 0449 082 - 15557 Insomi Street, Extension 16, VOSLOORUS, 1475 - *Ndou*
50. Thabang Mothai Bogosi Modupe - 881102 5924 087 - 2668 Zone 2, ITSOTENG, 2744 - *Matlaba*
51. Sandile Khoza - 850108 5410 081 - 5078 Itshehlope, Extension 8, Langaville, TSAKANE, 1550 - *Tshabalala*
52. Simphiwe Patrick Mtshali - 830401 5321 084 - Komu Area, KWAMNYALU, 3115 - *Zondo*
53. Zolani Ndzule - 950329 6267 085 - 18957 Maxheguana Street, KRAAIFONTEIN, 7570 - *Lutshaba*
54. Lennox Luanda Ndletyana - 761126 5451 085 - 28330 Phaliso Street, Greenfield, STRAND, 7140 - *Mangena*
55. Owen Manona - 670307 5838 089 - 14 Delius Street, DELFT SOUTH, 7100 - *Gontsana*
56. Toni Michaela Willis - 940529 0186 081 - 18 Salisbury Road, Portlands, MITCHELLS PLAIN, 7785 - *Arenz*
57. Dimakatso Rebeca Sitando - 911214 0382 080 - 332 Libangeni Area, MBIBANE, 0449 - *Manqindi*
58. Winslow Sebonego Pule - 760204 5949 084 - 1097 Borakalalo Village, LEHURUTSHE, 2870 - *Tolo*
59. Doris Maphenduka - 761026 2915 084 - Manganyela Area, ELLIOTDALE, 5070 - *Maxhego*
60. Sbhongile Rejoice Shandu - 830103 0714 087 - A1048 Illovo Township, WINKLESPRUIT, 4126 - *Mbambo*



61. Mzukisi Meshack Ralarala - 920205 5993 086 - Ketekete Area, MOUNT FLETCHER, 4770 - *Khasibe*
62. Lukhanyo Tasana - 900627 5737 086 - 20142 Ndzuzo Street, Nomzamo, STRAND, 7140 - *Ludziya*
63. Themba Hola - 790923 5838 088 - 197 Matanzima, Nu 2, Motherwell, PORT ELIZABETH, 6211 - *Kortjass*
64. Yusra Karriem - 971120 0167 081 - 2 Fifth Avenue, Cravenby Estate, PAROW, 7490 - *Dawood*
65. Emmanuel Thulani Mfene - 970703 5807 081 - 3933 Section I, EKANGALA, 1021 - *Mabena*
66. Thato Tabusa - 970923 5715 080 - House No E530, Tsineng, KURUMAN, 8460 - *Andries*
67. Vumile Khethukuthula Jele - 980411 0924 087 - Stand No A176, MPULUZI, 2335 - *Mabula*
68. Lungelo Hopewell Mauku - 980807 6033 080 - P O Box 1004, WHITERIVER, 1240 - *Masinga*
69. Nolubabalo Theo Roloma - 980129 1289 082 - 1513 Extension 22, EMBALENHLE, 2285 - *Lunyawo*
70. Mthokozisi George Vilakazi - 960714 5944 081 - 6041 Mazibuko Street, DAVEYTON, 1522 - *Habile*
71. Sifiso Samuel Gwebu - 910403 5278 085 - 2005 Ncwane Street, Jabulani, SOWETO, 1868 - *Dhladhla*
72. Kagiso Abram Mathibe - 860903 5393 081 - 1322b Tshetlo Street, Naledi, SOWETO, 1868 - *Seepe*
73. Dumile Cedrick Makhaba - 950516 6176 080 - 21808 Extension 20, EMBALENHLE, 2285 - *Budule*
74. Lebohlang Annah Nelane - 890128 0475 089 - 5598 Extension 3, ORANGE FARMS, 1930 - *Tshabalala*
75. Mpho Gift Radebe - 980331 5345 080 - 4489 Extension 9, EMBALENHLE, 2285 - *Morolong*
76. Gudani Mabere - 951119 5577 082 - Dumasi Area, THOHoyANDOU, 0950 - *Mnamateli*
77. Xolani Dlamini - 920615 5451 085 - Inkumane Location, RICHMOND, 3780 - *Mkhize*
78. Sthabile Luthuli - 970529 0507 081 - P O Box 558, UMZINTO, 4200 - *Ndebele*
79. Thato Puleng Banele Nzimande - 970525 0252 082 - 24 Skosane Street, Kwathema, SPRINGS, 1575 - *Maseko*
80. Sibusiso Hlongwane - 960721 5712 087 - Area 38, Umgababa Township, UMGABABA, 4126 - *Mthuli*
81. Edwin Bakang Sebandi - 960329 5564 084 - House No 2570, BATLHAROS, 8476 - *Itumeleng*
82. Nasiphi Samkele Petshana - 970326 5888 081 - Tsazo Area, NGCOBO, 5050 - *Nomafeje*
83. Anele Nkuzo - 950625 5801 083 - Mpane Area, ELLIOTDALE, 5099 - *Gaehler*
84. Bongwi Penwell Mahlangu - 980205 5631 089 - Stand No 1159, Tweefontein G, KWAMHLANGA, 1022 - *Kabini*
85. Livhuwani Dzivhani - 970714 6172 086 - Malavuwe Area, MALAMULELE, 0982 - *Khangale*
86. Mpho Tshwane - 920309 0561 086 - P O Box 414, MALAPANE, 0032 - *Malapela*
87. Matome Peter Makhudu - 730412 6145 084 - 19468 Extension 8, Boitekong, RUSTENBURG, 0300 - *Raseala*
88. Dorah Tsholofelo Mokgatle - 950228 0456 084 - 11729 New Stand, Zeerust Road, LONELY PARK, 2745 - *Tlhapi*
89. Thando Mokoena - 971206 5328 081 - 2562b Zone 2, DIEPKLOOF, 1717 - *Maphanga*
90. Yamkela Ndabakhe - 980210 0453 083 - 1079 Ballenden Street, ORLANDO EAST, 1804 - *Maqwara*
91. Bella Sibeko - 971217 0752 084 - 2760 Wright Road, EVATON, 1980 - *Segole*
92. Walter Mongezi Mthembu - 920405 5362 080 - 1278 Mosaka Street, BOPHELONG, 1901 - *Mbele*
93. Daphney Maluleka - 940219 0338 086 - 1198 Block B, Sekampaneng, TEMBA, 0407 - *Raphahla*
94. Promise Ngwenya - 940421 1350 082 - Stand No 136, KABOKWENI, 1245 - *Mhlanga*

95. Nthabiseng Reginah Buthelezi - 930421 0335 086 - 130 Extension 3, DUDUZA, 1496 - *Makgalemele*
96. Petrus Bhekisisa Buthelezi - 900703 5472 089 - 3934 Masechaba, Coolbreeze, DUDUZA, 1496 - *Makgalemele*
97. Edwin Ngqovovo - 750325 5977 080 - 1286a White City Jabavu, SOWETO, 1868 - *Selili*
98. Sicelo Christopher Molahlehi - 740722 5600 089 - 18953 Rapetsoe Street, Extension 6, KWATHEMA, 1575 - *Duma*
99. Linda Zulu - 910311 5521 083 - 1292b Mqantla Street, Zone 1, PIMVILLE, 1809 - *Njanya*
100. Simphiwe Gift Khoza - 960724 5061 083 - 26st No 23 Jule Street, MALVERN, 2094 - *Mthethwa*
101. Katleho Molefe - 970703 5968 081 - Room 15A, Block G, Hostel 3, SEBOKENG, 1983 - *Sefatsa*
102. Samantha Letsoalo - 980331 0993 082 - Stand No 147, GA-THOKA, 0727 - *Matlala*
103. Ncedo Ngwendu - 790710 5476 088 - P326 Ntungele Crescent, KHAYELITSHA, 7784 - *Qamba*
104. Thandazani Tshazi - 980129 5997 086 - P O Box 114, HARDING, 4680 - *Dlamini*
105. Silindile Mbali Dladla - 950119 1197 084 - Thuma Area, Etuwane Location, NKANDLA, 3855 - *Magwaza*
106. Sbonelo Ngobese - 971214 6193 082 - Etsheni Area, WARTBURG, 3233 - *Mnguni*
107. Mxolisi Emmanuel Buthelezi - 970404 5688 080 - 141 Springbok Farm, DUNNHAUSER, 3080 - *Mtshali*
108. Dingaan Moses Sibanyoni - 941215 5813 080 - Stand No 156, Kameelrivier B, KWAMHLANGA, 1022 - *Msiza*
109. Mzomuhle Nxumalo - 980208 5984 086 - Hlazakazi Area, NQUTHU, 3155 - *Nene*
110. Patrick Lucky Malunga - 721224 5515 089 - 9889a Orlando West, SOWETO, 1804 - *Phadi*
111. Noluthando Valerie Nyandeni - 940313 0978 080 - 6400 Mt Cook Street, Extension 4, Lenasia South, LENASIA, 1829 - *Luthuli*
112. Marubini Billy Rambuda - 791010 6184 081 - 4971 Khubayi Street, Chiawelo, SOWETO, 1818 - *Tshavhungwe*
113. Nokuphiwa Skoo Duze - 940330 0971 089 - 8402 Sentso Street, ORLANDO WEST, 1804 - *Tshikororo*
114. Thabo Hector Mathibe - 850428 5653 088 - 1322b Tshehlo Street, KWAXUMA, 1868 - *Seepe*
115. Vincent Mavangwe - 750912 5896 087 - 522 Herring Circle, Extension 1, LAWLEY, 1830 - *Mahlangu*
116. Jabulani Makhokha - 860216 5679 080 - 222 De Waal Drive, WINDMILL PARK, 1459 - *Netshaulu*
117. Siphesande Willie - 930528 6193 085 - Lawley Station, LENASIA, 1821 - *Makomfane*
118. Calvin Nkosinathi Mbethe - 910711 5658 084 - Stand No 6914, Extension 4, MHLUZI, 1053 - *Shabangu*
119. Ernest Conley May - 890706 5485 086 - 179 Dr Belcher Road, Heidedal, BLOEMFONTEIN, 9323 - *Jansen*
120. Boledi Happy Mosese - 961231 0755 080 - 10423 Mphanama, MPILO, 1069 - *Diphofa*
121. Mbavhalelo Shirinda - 850807 0536 085 - P O Box 1251, MUTALE, 0956 - *Rasivhaga*
122. Mkhululi Peter - 970715 6267 081 - 1972 Vulindlela Street, Thembalethu, GEORGE, 6530 - *Mtonjeni*
123. Thabo Tsubaki - 781007 5369 087 - 596 B Ngalela Street, Phiri, SOWETO, 1818 - *Molapo*
124. Tumelo Mashigo - 780926 5278 082 - 1841 Makobole Street, Mapetla Extension, SOWETO, 1818 - *Mashaba*
125. Nkateko Mathonsi - 970323 1065 087 - P O Box 34, BUSHBUCKRIDGE, 1280 - *Dzombeni*
126. Daniel Moselane - 810603 5502 084 - 1395 New Stand Section, KLIPGAT, 0193 - *Mafafo*
127. Rabagae Joseph Tsamaesi - 830327 5600 088 - 326 A Crutse Street, White City Jabavu, SOWETO, 1868 - *Sonopo*
128. Nthoesele Elizabeth Mofokeng - 811006 0899 084 - 13706 Harry Gwala, ZAMDELA, 1947 - *Molete*

129. Minenhle Nosipho Ntombela - 960915 0704 087 - P O Box 181, NKANDLA, 3885 - *Sikhakhane*
130. Morithi Jarana Makaba - 741127 5795 088 - P O Box 48, GARAKGADI, 0470 - *Mampuru*
131. Phuti Charles Meletse - 921223 6025 088 - P O Box 14, MARIBANA, 0778 - *Shilajoe*
132. Mkhonzeni Godfrey Phungula - 790107 5348 088 - Ngome Area, GREYTOWN, 3250 - *Ngubane*
133. Godfrey Mandlenkosi Khumalo - 871112 5507 081 - 1373 Section F, EKANGALA, 1021 - *Mashabane*
134. Thanduxolo Malusi Zilimbolo - 911211 6226 089 - Mangethe Reserve, MANDENI, 4492 - *Majola*
135. Sibusiso Khumalo - 800910 6060 083 - Ndaleni Area, RICHMOND, 3780 - *Khoza*
136. Njabulo Wonderboy Sithole - 940907 5910 087 - Lindelani Location, NTUZUMA, 4240 - *Cele*
137. Bonisiwe Octavia Dlamini - 760716 0448 085 - Uitval Wasbank, WASBANK, 2920 - *Mazibuko*
138. Joseph Tsepang Maloka - 931204 5364 080 - 180 Block 9, Doornkop, ROODEPORT, 1725 - *Rasoeu*
139. Vusumuzi Sfiso Masango - 880909 6627 084 - 8085 Makana Street, Extension 14, WITBANK, 1035 - *Novela*
140. Deron Zekhaya Madlala - 880410 6073 080 - Magoma Area, RICHMOND, 3780 - *Sithole*
141. Oratile Mabaso - 940119 5421 087 - 2140 Foxlake, TLHABANE, 0309 - *Morare*
142. Tebogo Violet Mashaba - 960718 5765 081 - A50 Santavillage, Ackerville, WITBANK, 1039 - *Mthimkhulu*
143. Elijah Makhosi Nkosi - 970527 5506 082 - 41 B Winnie Street, Regenspark, JOHANNESBURG, 2090 - *Mkhomazi*
144. Mbolekwa Faleni - 811213 5588 080 - Isilangwe Area, BIZANA, 4800 - *Jwaca*
145. Kelebohile Yulanda Mokhethi - 900419 0186 083 - 1013 Boitumelo Location, WINBURG, 9420 - *Sethole*
146. Thembinkosi Hlungwani - 850403 5689 085 - 405 Extension 4, Sicelo, MEYERTON, 1960 - *Hleza*
147. Siyabonga Irvin Lumkwana - 970516 5090 080 - 52 Wally Place, NATURENA, 2095 - *Nhlapo*
148. Sephai Justinus Ngoetjana - 950608 5642 087 - 101-15th Avenue, ALEXANDRA, 2090 - *Dikobe*
149. Rethabile Theodia Radebe - 980313 0876 087 - 8001 Phase 5, Tshepiso, SHARPVILLE, 1928 - *Mofokeng*
150. Lefa Malata - 970318 6405 080 - Molebeledi Area, JANE FURSE, 1085 - *Tjatji*
151. Lorick Maluleke - 970327 1012 080 - 129-13th Avenue, ALEXANDRA, 2090 - *Mabunda*
152. Mpho Simon Mosoma - 920303 6189 083 - Ngwaabe Area, JANE FURSE, 1085 - *Tau*
153. Tusani Douglas Mnguni - 920817 6321 081 - P O Box 731, NONGOMA, 3950 - *Ndwardwe*
154. Thabelo Dakada - 931204 0706 087 - P O Box 139, DZIMAULI, 0975 - *Dagada*
155. Mahlogonolo Frans Sebetha - 930809 6157 084 - P O Box 373, ROZANO, 0723 - *Mailula*
156. Amarsingh Mpe - 830916 6008 083 - P O Box 437, POLOKWANE, 0700 - *Ranoto*
157. Nditsheni Norman Sioma - 791019 5407 088 - Mavhunga Area, DZANANI, 0955 - *Mufara*
158. Zanele Sharon Sibeko - 910825 1354 082 - Mangosuthu Area, QUMBU, 3180 - *Nkosi*
159. Ntokozo Wiseman Hadebe - 940723 6021 083 - House No 204, Sinqobile Area, DAGGAKRAAL, 2491 - *Vilakazi*
160. Zama Sydwell Mkwanazi - 891123 6305 082 - 1098 Kwazamokuhle, Extension 3, KWAZAMOKUHLE, 2655 - *Buthelezi*
161. Nontokozi Prudence Zondo - 941212 0381 080 - Loskop Area, ESTCOURT, 3310 - *Mosia*
162. Thabiso Vusi Mafane - 830923 5785 083 - Stand No 909, ECULINDENI, 1301 - *Ndlazi*
163. Thabiso Mnkani - 851205 5355 081 - 20081 Gamakgeru, TSHEHLWANENG, 1124 - *Nkadimeng*

164. Mpumelelo Penelope Mashinini - 870412 0299 085 - 1073/66 Azalia, STANDERTON, 2431 - *Dhlamini*
165. Akho Ngcweleshe - 960106 6160 082 - Qumanco Area, NGCOBO, 5050 - *Zimela*
166. Samuel Buti Dlamini - 711216 5653 086 - 790 Khathide Street, VREDE, 9835 - *Mosikili*
167. Unathi Ngcefe - 970323 5856 085 - Upper Telle Village, STERKSPRUIT, 9762 - *Sephula*
168. Mduduzi Phenyane - 960315 6163 083 - P O Box 1033, MAHLABATHINI, 3865 - *Mthembu*
169. Sipehelele Sitisitshini - 950310 5807 089 - Zinkumbini Area, LIBODE, 5760 - *Lubuzo*
170. Emmanuel Mashigo - 980128 5164 085 - P O Box 30, BUSHBUCKRIDGE, 1280 - *Mogane*
171. Christopher James Hamilton Buddle - 911113 5113 088 - 10 Kromboom Road, Ronde Bosch, CAPE TOWN, 7700 - *Morrison*
172. Emily Duvill - 950814 0234 082 - 38 Newlands Avenue, Newlands, CAPE TOWN, 7700 - *Duvill-Roniger*
173. Yonela Mncwabe - 950303 1307 089 - Gaguba Area, PORT ST JOHNS, 5120 - *Bozana*
174. Njabulo Clerence Manana - 960214 5875 088 - Stand No 7696, Eziphunzini, PIET RETIEF, 2380 - *Nkutha*
175. Mlungisi Nkalimeva - 960816 6039 082 - Ngxogi Area, NGCOBO, 5050 - *Pama*
176. Bayanda Tyesi - 970307 6113 083 - P O Box 73, NGCOBO, 5050 - *Ngcweleshe*
177. Malesela Paepae Prince Kiewet Mokonyama - 960119 5226 085 - 883 Phago Street, Extension 1, Leseding, VAALWATER, 0530 - *Nyamah*
178. Thandiwe Diniso - 960801 1143 089 - 1415 Myocwane Street, SOWETO, 1868 - *Zulu*
179. Nonhlanhla Lindiswa Gcaba - 910307 1308 087 - Mamba Res, ESHOWE, 3815 - *Sikhakhane*
180. Nontobeko Zulu - 940103 1520 084 - P O Box 26993, NKANDLA, 3865 - *Phakathi*
181. Ayanda Mnyandu - 910221 6224 084 - Manekwane Area, MAHLABATHINI, 3865 - *Mahaye*
182. Qaphelani Nhlanhla Biyela - 940921 6122 089 - Oqaqeni Area, MAPHUMULO, 4470 - *Mhlongo*
183. Themba Jan Mabena - 721006 5926 089 - 6399 Block F4, EERSTERUS, 0429 - *Mahlangu*
184. Itumeleng Michael Rapolai - 820703 5523 086 - 9 E Makouspan, RADITHUSO, 2738 - *Van Dassie*
185. Sibonelo Astino Khanyile - 970706 5625 080 - Wome Area, MAPHUMULO, 4470 - *Ngobese*
186. Thabo Matsobane Abram Lekoloane - 790922 5946 081 - 326 Michause View, KGABALATSANE, 0208 - *Mosehla*
187. Vusumuzi Vincent Ntombela - 721028 5617 088 - Mkhukhuze Area, EMPANGENI, 3880 - *Gumede*
188. Thandiswa Ngxoli - 921229 1216 085 - P O Box 1204, COFIMVABA, 5380 - *Tshetsha*
189. Sikhumbuzo All Mathebula - 800722 5361 085 - Imbali Unit 13, PIETERMARITZBURG, 3201 - *Mbanjwa*
190. Phalane Zacharia Rampheri - 890905 6633 088 - P O Box 155, GA MOTHAPO, 0734 - *Raseona*
191. Jabulile Makhubu - 870119 0361 084 - 1724 Mthombeni Crescent, SPRUITVIEW, 1431 - *Madlabane*
192. Lebogang Mathonsi - 931017 5162 084 - 160 Eastern Kenya, Tsutsumani, JOHANNESBURG, 2090 - *Kunene*
193. Thabo Christopher Mahlo - 870903 5811 080 - P O Box 193, SHILUVANE, 0873 - *Shai*
194. Sello Israel Ndarane - 720312 6067 084 - 1464 Langa Street, Extension 36, DAWN PARK, 2007 - *Tlale*
195. Nqobizwe Michael Simelane - 940421 5504 080 - No 67 Chrisdevilliers Street, Nederland Park, ERMELO, 2350 - *Mashaba*
196. Nomthandazo Sigasa - 890718 0480 087 - 378 Manamela Street, Kwaguqa, Thusanang, WITBANK, 1039 - *Mabena*
197. Hendrick Tshabangu - 900622 6166 088 - P O Box 392, RADITSHABA, 0710 - *Makgafela*

198. Sabelo Cabangani Chiliza - 890417 5885 081 - Kwa Khoza Area, ESHOWE, 3815 - *Shandu*
199. Zuko Mngweba - 930123 6007 087 - Brooksneck, MOUNT AYLIFF, 4735 - *Mdingi*
200. Khulekani Wiseman Ngcobo - 921229 6310 081 - P 534 Mayibuye Road, UMLAZI, 4031 - *Madlala*
201. Mbali Happy Msomi - 961229 0615 080 - Machubeni Area, NKANDLA, 3835 - *Sikhakhane*
202. Zinhle Jabulile Mbuli - 951110 1084 082 - Esk# 2207, East Born Farm, DANNHAUZER, 3080 - *Radebe*
203. Tshenolo Mokgabi - 941020 5349 089 - 5478 Extension West, JOUBERTON, 2574 - *Mohlamme*
204. Monde Ntsizakalo - 760801 5200 085 - 41 Thomas Street, KING WILLIAMS TOWN, 5600 - *Mnyaka*
205. Melinda Potgieter - 960816 0028 081 - 3 Fairfield Villas, Meerlast Street, BELLVILLE, 7530 - *Booth*
206. Nosiphe Ntloko - 910221 1366 088 - 520 Rama Street, Siteview, GRABOUW, 7160 - *Rum Rum*
207. Patrick Kgomotso Matsheke - 830601 5622 080 - Stand No 3366, MARAPYANE, 0431 - *Thema*
208. Delight Homeletter Mashaba - 750616 6241 082 - Stand No 790, Mganduzweni Trust, KABOKWENI, 1240 - *Ndimande*
209. Esther Mogase Manaswe - 770513 0738 088 - 5898 Extension 3, Maboloko Street, MHLUZI, 1053 - *Mathabathe*
210. Moroma Tebogo Phokomosane - 790611 5681 083 - P O Box 335, MOTHIBISTAD, 8474 - *Dikwidi*
211. Sive Mdunusana - 960316 5253 081 - Gobošana Location, KING WILLIAMS TOWN, 5600 - *Ngwendu*
212. Thabiso Edwin Tsubella - 890909 6962 083 - 96-16th Avenue, ALEXANDRA, 2090 - *Lethoele*
213. Mthokozisi Patrick Mkhize - 941122 6285 088 - C1732 Umlazi Township, UMLAZI, 4066 - *Mngwengwe*
214. Njabulo Nzimande - 891230 5965 087 - Hlokozi Location, HIGHFLATS, 3306 - *Malevu*
215. Sbonelo Jazi - 930924 6566 083 - Mzongwana Area, MATATIEL, 4730 - *Makhaya*
216. Morena Jacob Khahleli - 641022 5528 087 - 10003 Makeneng Crescent, Extension 5, THOKOZA, 1426 - *Molise*
217. Nakudi Moses Madigage - 860407 5959 081 - 38027 Monageng Street, MAMELODI EAST, 0122 - *Mnisi*
218. Seope Solomon Makgeta - 860219 5589 085 - No 2005 Bokwidi Village, BAKENBERG, 0611 - *Sebetha*
219. Lindokuhle Mpambani - 970626 5792 088 - All Saints Area, NGCOBO, 5050 - *Mlonyeni*
220. Mahlatse Rolin Manyama - 810301 0546 087 - 5633 Block F 4, NEW EERSTERUS, 0407 - *Malepe*
221. Beki Thomas Dlamini - 820720 5756 086 - 588 Nkomo Street, Ratanda, HEIDELBERG, 1441 - *Moeketsi*
222. Anthony Jabulani Xaba - 851008 5454 080 - Flat 1208, 120 End Street, Doornfontein, JOHANNESBURG, 1874 - *Motha*
223. Ndimiso Malibongwe Mtetwa - 891222 6177 085 - Thulasizwe Area, MAHLABATHINI, 3866 - *Mbatha*
224. Hloniphile Princess Ngubane - 810206 1037 087 - Ndindima Area, ESIKHAWINI, 3887 - *Dube*
225. Xoliswa Hlophe - 970306 6359 084 - A1330 Magwaza Road, Mpumalanga Township, HAMMARSDALE, 3700 - *Khanyile*
226. Amos Kau Monageng - 820130 5943 082 - 1030 Moteti Village, DENNILTON, 1030 - *Ramatlo*
227. Lungile Merresa Mdakane - 961116 1108 084 - P O Box 61, LOSKOP, 3330 - *Ndlovu*
228. Bontle Mongaula - 870617 0582 088 - 330 Ditlou Street, MADIKWE, 2840 - *Pooe*
229. Hendrik Mzweni Motau - 561122 5399 087 - 4552 Extension 7, Botleng, DELMAS, 2210 - *Ngoza*
230. Moshe C Lenaba - 701003 6121 087 - 4990 Skhosana Street, ORLANDO EAST, 1804 - *Sekhantso*
231. Bonisani Ntlamba - 971112 5990 088 - Lubacweni Area, MOUNT FRERE, 5090 - *Njece*
232. Sfiso Mxolisi Mtimunye - 891221 6123 081 - 920 Kwa Phaahla, MDUTJHANA, 0472 - *Mtsweni*

233. Kenneth Mokoena - 901113 5233 086 - 1405 Mthethwa Street, THOKOZA, 1426 - *Mogwena*
234. Modupi Gratitude Ntjana - 850212 5329 083 - 6328 Moremi Street, THOKOZA, 1426 - *Rabele*
235. Nokuthula Matsuma - 840424 1355 086 - New Homes, TSOLO, 5170 - *Ntshawu*
236. Bandile Mhlutheni - 960605 6233 088 - P O Box 147, QUMBU, 5180 - *Betele*
237. Philani Hendry Malinga - 911213 6327 081 - 228 Entokozweni, VAN REENEN, 3372 - *Mazibuko*
238. Omphemetse Edward Melodi - 781025 5690 088 - Lonely Park, MMABATHO, 2735 - *Mogwasi*
239. Thabo Touphele Raswele - 891130 5468 084 - A 0171 Setupulane Village, REBONE, 0618 - *Futhane*
240. Sthembiso Cyprian Thusi - 821201 5824 082 - 141 Masakhane Road, KWANDENGEZI, 3610 - *Langa*
241. Malefetsane Michael Mofokeng - 930422 5974 085 - 65 Turffontein, WITSIESHOEK, 9870 - *Nkomo*
242. Nkosinathi Mlambo - 950213 5706 089 - 834 Kwa Makhutha Township, AMANZIMTOTI, 4126 - *Jiyane*
243. Kgasago Brian Malatji - 980402 5615 085 - Private Bag X1126, SOVENGA, 0727 - *Teffo*
244. Keletso Bernard Sebetha - 960828 6365 086 - 14 Latlhane Section, MAKOTOPONG, 0733 - *Mailula*
245. Bangani Stuurman - 770202 7192 081 - 1264 Mandela Park, VENTERSTAD, 9700 - *Xilongo*
246. Sihle Mufikiselwa Sithole - 911207 6154 081 - Room 27 Block G, Khuthuza Hostel, ALBERTON, 3135 - *Ngubane*
247. Musa Mthombeni - 900625 5338 087 - 358 Mokoena Section, KATLEHONG, 1431 - *Nhlapo*
248. Rodney Sakhumusa Lukhele - 911109 5054 082 - 407 Ramokanop East, ALBERTON, 1450 - *Mdluli*
249. Job Oubas Skhosana - 770609 5320 086 - 242 Nevellhi Street, PRETORIA, 0100 - *Maphosa*
250. Rolivhuwa Walter Litshani - 971011 5456 084 - 80 Gomba Street, ATTERIDGEVILLE, 0008 - *Phaswana*
251. Musawenkosi Brian Swakaxa - 910504 6057 087 - 99 Tshabalala Street, GREYLINGSTAD, 2415 - *Nkosi*
252. Lekina Nomsombuluko Nkosi - 771220 0511 080 - 52 Block Ia, SOSHANGUVE, 0152 - *Nene*
253. Mbalenhle Hazel Khumalo - 940409 0342 085 - 1230 Ohlange Area, INANDA, 4310 - *Mphili*
254. Tshifhiwa Mukhono - 920220 5919 080 - Shayandima, THOHOYANDOU, 0950 - *Nevhutalu*
255. Malibongwe Lethiwe Ngema - 950805 1233 081 - P O Box 352, CEZA, 3866 - *Buthelezi*
256. Johanna Masegare Komane - 890305 0747 085 - 956 Extension 3, Klarinet, WITBANK, 1035 - *Magoa*
257. Floyd Mpho Motau - 890201 5411 084 - 07 Extension 10, WITBANK, 1035 - *Matsimane*
258. Americo Muchanga - 970627 5458 084 - 7537 Tshepison West, Block 1, ROODEPOORT, 1725 - *Mabessa*
259. Nonisa Ntlantlani - 971213 0884 084 - Coffee Bay Area MQANDULI, 5050 - *Lolose*
260. Lindokuhle Levison Kubheka - 951208 5697 089 - 6968 Shonyane Street, TSAKANE, 1050 - *Dhlamini*
261. Sukona Kamogelo Ntlailane - 910118 5292 080 - Flat No 4, Fire Station, Onyx Drive, CARLETONVILLE, 2499 - *Khosi*
262. Daniel Nhlanhla Senokoane - 961023 5672 083 - 113 Plot, Nhlapo Stand, SOSHANGUVE, 0152 - *Nhlapo*
263. Amanda Mmalehu Mahlobogoana - 930703 0387 088 - 1012 Block L, SOSHANGUVE, 0152 - *Seboya*
264. Ray-Jessie Hendricks - 920731 0296 084 - 247 Jakkalsvlei Avenue, BONTEHEUWEL, 7764 - *Bailey*
265. Tsepang Kgaphola - 880206 1025 087 - 36424 Kwa-Xuma Street, TSAKANE, 1550 - *Manganyi*
266. Ayanda Thando Mkhize - 970214 6341 088 - Rookdale Area, BERGVLEI, 3350 - *Zwane*



267. Thandiwe Nyikinya - 930724 1013 085 - 1002 Mure Street, Extension 8, TSAKANE, 1500 - *Dangisa*
268. Mpho Natacia Mdhuli - 860116 5439 081 - Stand No 2190, Romane Trust, HAZYVIEW, 1242 - *Kgoedi*
269. Piet Ntsimi Tala - 690328 5751 086 - P O Box 501, SEHLAKWANE, 1047 - *Masango*
270. Sifiso Cry Mawela - 960319 5339 082 - Eskom No 014032, Manzana Area, OSIZWENI, 2950 - *Nkosi*
271. Erick Bhekithemba Dladla - 700511 5512 081 - Stand No J 659, UMLAZI, 4001 - *Nxasane*
272. Anele Xayimpi - 980812 5905 080 - Dumbi Area, NTABANKULU, 5130 - *Tshula*
273. Mfundo Mbulelo Eugene Mbonani - 911127 5857 080 - No 1581 Section 2, MADADENI, 2951 - *Ndaba*
274. Anele Cyril Mafuna - 870424 5914 089 - 587 Jako Road, KOKSTAD, 4700 - *Nyanga*
275. Ntombizethu Khanyile - 970727 0692 081 - Kwanxamela Area, NKANDLA, 3825 - *Zuma*
276. Vusumuzi Aubrey Khuzwayo - 691207 5743 088 - Q 519 Umlazi Township, UMLAZI, 4001 - *Khoza*
277. Bontsho John Magudulela - 920506 5656 080 - 26418 / 174 Extension 18, EMBALENHLE, 3280 - *Motloung*
278. Philisiwe Mahodi - 941204 0476 085 - 2396 Mt Mariah, PHOENIX, 4000 - *Msomi*
279. Stoffel André Gadula - 801204 5540 082 - 19 Moria Basson Avenue, Louivale Road, UPINGTON, 8801 - *Gedula*
280. Norman Mathebula - 820205 5575 082 - Stand No 296, Majeje, PHALABORWA, 1360 - *Malatshi*
281. Mabhoko Justice Mashaba - 950909 6322 087 - 95 Mooiplaas Area, MOOPLAAS, 1192 - *Nkosi*
282. Sibusiso Blessing Mfeka - 810802 6049 083 - P O Box 67270, INANDA, 4310 - *Mbokazi*
283. Bheki Mntungwa - 850904 6123 081 - P O Box 58, TUGELA FERRY, 3010 - *Cele*
284. Jacob Mnguni - 881018 5381 088 - Stand No 2030, BOEKENHOUTHOEK, 0458 - *Ngele*
285. Mahlatse George Mahlanya - 931104 5594 084 - 803 Naledi , Extension 2, KWA XUMA, 1868 - *Langa*
286. Nompumelelo Shezi - 911214 0722 087 - A 343 Kwa-Dabeka, CLERMONT, 3612 - *Mtshali*
287. Nkululeko Mbhele - 950203 6312 086 - N 238 Umlazi Township, UMLAZI, 4001 - *Cele*
288. Sipiwe David Manzini - 640611 5319 082 - 6581 Ivory Park, MIDRAND, 1600 - *Mabanga*
289. Mr Khutso Meselane Tsesane - 940928 5481 085 - P O Box 120, MARISHANE, 1064 - *Diketane*
290. Joyce Sizane - 940923 0985 081 - 10098 House No , Setlopo Village, MMABATHO, 2745 - *Leketanyane*
291. Ntombikayise Gcinile Majozi - 910827 1308 084 - Mathini Area, NKANDLA, 3655 - *Buthelezi*
292. Khonzeni Luthando Jiyane - 900927 1550 081 - 300104 Cliffdale, HLOBANE, 3145 - *Xaba*
293. Jabulile Miya - 960715 0459 082 - Flatcomfish Street, Extension G, MIDRAND, 1682 - *Motaung*
294. Asiphe Mciteka - 960327 1312 086 - Sbangweni Area, LIBODE, 5160 - *Mhlaba*
295. Johannes Jurgens Nonyane - 960513 6355 085 - Marulane 124, OHRIGSTAD, 1122 - *Gouws*
296. Kamogelo Mgwanya - 960221 5834 080 - Stand No 61, SHABALALALA, 1242 - *Mkhonto*
297. Duduzile Dube - 960313 1398 085 - 113 Thabo Morena Road, UMLAZI, 4001 - *Cebekhulu*
298. Sliandile Zwane - 961111 0935 082 - B 2258 Msingizane Grove, NTUZUMA, 4359 - *Nzama*
299. Lindiwe Mtshali - 960501 0943 089 - P O Box 607, HLABISA, 3957 - *Dlamini*
300. Sedupe Jackson Motebejane - 890829 6340 082 - P O Box 197, MPHAHLELE, 0736 - *Ntsoane*
301. Amos Makua - 940809 6019 084 - 1520 Monsterlus, MPUDULLE, 1057 - *Marede*

302. Samuel Sempe Tokologo Mosima - 881022 5445 083 - 1674 Siphetwe Street, GA-RANKUWA, 2128 - *Molobi*
303. Nthabiseng Manavhela - 840202 1411 087 - 447 Madabeni Stand, SINTHUMALE, 1700 - *Mathobela*
304. Aphiwe Alex Matomani - 901001 6246 084 - 8317 Boxongo Street, KWEZEKHELE, 6001 - *Mpengesi*
305. Mthokozisi Arthur Mabaso - 830502 5521 084 - St Cladi, LADYSMITH, 3370 - *Zwane*
306. Tholumusa Wiseman Mthembu - 860111 5350 081 - G 4908 Umlazi Township, UMLAZI, 4001 - *Mazeka*
307. Thamsanqa Wiseman Mdletshe - 770612 5398 086 - P O Box 1113, PINETOWN, 3600 - *Mkhize*
308. Moses Mthembu - 790709 5379 086 - E 4 Isulabasha Jabula Road, KWA MASHU, 4359 - *Nxele*
309. Mfanufikile Nhlakanipho Zungu - 890409 5909 086 - Enseleni Area, RICHARDS BAY, 3900 - *Nzama*
310. Mdmiseni Oscar Myeni - 930612 6099 086 - Mandlazini Area, Phase 01, RICHARDS BAY, 3900 - *Langa*
311. Zamani Ndaba - 900606 7094 084 - Nokukhanya St , H 11602 Tsakane Area D, LADYSMITH, 3370 - *Hlatshwayo*
312. Hanyane Ben Phonela - 751223 5536 080 - 112 Kekana Street, MODIMOLLE, 0510 - *Mafifi*
313. Nkululeko Kabini - 971128 5891 084 - Stand No 1274, SIYABUSWA, 0472 - *Mthimunye*
314. Gugu Beatrice Mkhali - 890109 1239 088 - 496 Kwa-Dela, DAVEL, 2320 - *Mabuza*
315. Katlego Faith Ramokgaba - 890814 0934 080 - 1041 Bethel Section, LEFARAGATLHA, 0335 - *Mmekwa*
316. Simangele Nsebenzo Qwabe - 911002 0932 081 - P O Box 330, KWANGWANASE, 3973 - *Nsele*
317. Tulani Batyi - 980119 6165 080 - St Cuthberths, TSOLO, 0100 - *Mzumbana*
318. Mahlogonolo Meisie Choma - 941020 1166 081 - Ga Mampuru Area, NGWAABE, 1058 - *Makuwa*
319. Mncedisi Sabelo Zondi - 880718 6215 083 - Slimangamehlo Area, LOSKOP, 3330 - *Mbuyisa*
320. Days Bushang Kubyane - 770326 5596 082 - P O Box 4675, KEMPTON PARK, 1614 - *Sehulwane*
321. Phathutshedzo Mashaamba - 890130 6050 080 - P O Box 14230, MURAGA, 0950 - *Mashamba*
322. Sihle Amos Nkonyeni - 960916 5698 084 - Boboyi Location, Ward 20, PORT SHEPSTONE, 4240 - *Mbanjwa*
323. Lerato Evidence Mashike - 911101 0645 089 - 318 Block Xx, SOSHANGUVE, 0152 - *Venter*
324. Siphu Buyeye - 800915 5480 083 - 4663 / 03 Apule Avenue, Phase 1, BRAAMFISCHER, 1875 - *Ngcobo*
325. Lungile Nomzamo Dumisa - 880614 1191 082 - P O Box 246, NONGOMA, 5950 - *Sithole*
326. Surprise Majawonke Mbuyane - 970410 6171 083 - Stand No 1315, KABOKWENI, 1245 - *Mnisi*
327. Mokgadi Selina Mohlaloga - 580404 0964 082 - 47 Zone 6, SESHEGO, 0742 - *Lekonyane*
328. Tumisho Godfrey Montjane - 941207 6191 087 - P O Box 525, MPHAHLELE, 0715 - *Mphahlele*
329. Nkosingiphile Mbatha - 980601 6320 088 - Ophathe Area, TUGELA FERRY, 3010 - *Nguse*
330. Pamela Petra Maswanganyi - 940606 0874 088 - 199 Maxwell Close, Unit 65, Northridng, JOHANNESBURG, 2169 - *Williams*
331. Thulile Cedric Chauca - 690127 5365 081 - 273 Road 3, Chesterville, DURBAN, 4091 - *Khumalo*
332. Karabo Edith Marutha - 940505 0673 088 - 9jh Khaas Street, Zone 1, MAHWELERENG, 0626 - *Teffo*
333. Snegugu Thobile Malimela - 910206 1298 084 - P O Box 14840, NKANDLA, 3855 - *Khuzwayo*
334. Mpho Mashigo - 830112 5641 088 - 1841 Makobole Street, Mapetla Extension, CHIAWELO, 1818 - *Mashaba*
335. Lucas Macheke - 660411 5269 089 - 1869 Section F, MAMELODI WEST, 0122 - *Mabunda*



336. Pieter De Bruyn - 970502 5098 083 - 23 E.Casta Street, DANABAAL, 6510 - *Visser*
337. Xolani Mnisi - 940430 5420 080 - 796 Sgwabula Street, EMGWENYA, 1195 - *Nkosi*
338. Vusi Mabona - 760714 5495 086 - 210 Leboeng Section, TEMBISA, 1632 - *Nkosi*
339. Vuyo John Moloto - 950508 5430 089 - 4435 Section M, MAMELODI WEST, 0122 - *Kokela*
340. Shane Ricardo Swartz - 780820 5091 084 - 58 Klip Road, GRASSY PARK, 7941 - *Schwartz*
341. Johannes Mahlomola Motaung - 800728 5356 082 - 21600 Amelia, Zamndela, SASOLBURG, 1949 - *Kobedi*

## DEPARTMENT OF HOME AFFAIRS

NO. 996

09 SEPTEMBER 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 Forenames printed in *italics*:

1. Kaylyn Mhlaba - 970614 0152 086 - Oh Overcome Heights, 855 Sea Winds, CAPE TOWN, 7945 - *Nothandwayo*
2. Dorcas Kagiso Mmila - 930111 5734 082 - 4510 Mokha Street, Unit 13, MMABATHO, 2735 - *Kagiso*
3. Kgabo Mildred Keetse - 660909 0379 084 - 102 – 13th Street, BOCHUM, 0790 - *Padi Kgabo Mildred*
4. Nditshenj Mabunda - 690510 6131 083 - F 97 Lindelani Section, KINGSWAY, 1501 - *Goerge Ditshenj*
5. Ntshavheni Sabei - 870626 5644 082 - Stand No 2598, Moloto, KWAMHLANGA, 1022 - *Ntshavheni Mike*
6. Nandipa Buyana - 920707 0916 087 - D 148 Duncan Village, EAST LONDON, 5200 - *Nandipha*
7. Wengu Gongo - 941204 0957 084 - Nyosana Area, LUSIKISIKI, 4800 - *Wendy*
8. Letula Jonas Motaung - 730403 5685 089 - 934 Matlwangtlwang, STEYNSRUS, 9515 - *Lethola Jonas*
9. Khanyisane Nzama - 971226 6108 084 - White City, MAPHUMULO, 4470 - *Celimpilo*
10. Thabile Magazi - 920503 0505 081 - 24 Bruidjie Avenue, Extension 23, Karenpark, AKASIA, 0182 - *Thabile Londoloza Ibtihaj*
11. Doctor Mokoka - 901001 5750 086 - Stand No MM0185, Block 1, Moloto, KWAMHLANGA, 1022 - *Doctor Siwedi*
12. Khomotso Matlala - 961109 0460 085 - P O Box 2460, LEBOWAKGOMO, 0631 - *Dikeledi*
13. Lesia Manaka - 880811 0808 084 - Hwelereng Area, LEBOWAKGOMO, 0737 - *Lecia Mamosadi*
14. Bethuel Matsobane Mphahlele - 850324 5505 081 - Mogodi Area, GA-MPHAHLELE, 0736 - *Bethuel Matabologe Matsobane*
15. Anglais Melody Lakhi - 750917 0137 080 - 140 Jasmyn Street, Flamieda, KLERKSDORP, 2570 - *Aneesa Anglais Melody*
16. Ryan William Malikwa - 911222 5084 080 - 25 Cathkin, New Tafelsig, CAPE TOWN, 7785 - *Riyaad*
17. Mantlokwandile Nicholas Melula - 800530 5431 083 - 31 – 964 Gqudu Street, Makhaza, KHAYELITSHA, 7525 - *Andile Matlokoa*
18. Nathan Zandile Johnson - 911010 5173 080 - 41 Boeing Street, Rocklands, MITCHELLS PLAIN, 7700 - *Nathan*
19. Shannon Elroy Hendricks - 931117 5191 081 - 66 Junker Crescent, The Hague, DELFT, 7100 - *Shabeer*
20. Neliswa Mdze - 971120 0576 083 - 1673 Van Niekerk Street, Extension 3, MARGATE, 4240 - *Nelisa*
21. Khorombi Ndou - 531121 5653 086 - 3101 Phandamashango Street, Extension 2, CHIAWELO, 1818 - *Lorden Khorombi*
22. Zwelitsha Slurgsby Mgidlana - 580610 5888 080 - 32222 Kodwa Street, Makhaza, KHAYELITSHA, 7784 - *Mxolisi Zwelitsha Slurgsby*
23. Nobubele Patience Koyana - 630713 0046 082 - P O Box 105, MARGATE, 4275 - *Nobubele Patience Patiswa*
24. Xolisile Honono - 970429 6020 082 - Lower Roza Area, QUMBU, 5180 - *Ogiyonke Xolisile*
25. Siyanda Mtshazi - 900508 5965 085 - Mbalisweni Area, QUMBU, 5180 - *Siyanda Hector*

26. Ntjatja Rahaba Tsunke - 620111 0539 085 - 2215 Sebotsa Crescent, BOTHAVILLE, 9660 - *Ntjatja Rahaba*
27. Nokuzola Kritzinger - 670312 0742 088 - 103 Shawley Lodge, 1 Dale Brook Crescent, Victory Park, JOHANNESBURG, 2195 - *Zola*
28. Sandile Ndimande - 971204 1128 084 - Makhowe Area, HLUHLUWE, 3960 - *Zandile*
29. Mahomed Yaseen Raschid - 940922 5575 087 - 16 Jasmine Road, Riyadh, VERULAM, 4340 - *Mohammed Yaseen Faizel*
30. Vusi Mdladla - 850426 5862 089 - P O Box 620, VERULAM, 4339 - *Vusi Cyprian*
31. Lahliwe Bonisiwe Mthembu - 850207 0939 084 - P O Box 106, KWAMHLANGA, 3973 - *Bonisiwe Simphiwe*
32. Hluphekile Hlatshwayo - 880825 0752 084 - P O Box 106, KWANGWANASE, 3973 - *Nonhlanhla Philiswa*
33. Lindiwe Patricia Jele - 930816 0772 081 - 30 Ringline Street, Hutienheight, NEWCASTLE, 2940 - *Mbalenhle Lindiwe Patricia*
34. Banana Ellen Radebe - 970830 0127 080 - 17 Endulwini Section, TEMBISA, 1632 - *Banyana Ellen Mathapeló*
35. Nkosingiphile Mkhize - 800611 0541 082 - Mbongo Lwane Area, ESHOWE, 3515 - *Nonhlahla Nkosingiphile*
36. Cumani Enoch Mdyogolo - 941117 5455 088 - 858 Mahlangueni Street, Duncan Village, EAST LONDON, 5100 - *Chumani Enoch*
37. Absolom Mnisi - 600412 5851 085 - 591 Sithole Street, RATANDA, 1441 - *Absolom Timmy*
38. Lungile Ndlovu - 961228 0590 087 - Stand No 525, KABOKWENI, 1245 - *Lungile Pride*
39. Oupa Tshepo Nicodemus Olifant - 770524 5770 083 - 248 Moroka Location, THABA NCHU, 9780 - *Themba*
40. Bonkinkosi Oscar Nene - 560419 5788 082 - Stand No 3652, ORANGE FARM, 2001 - *Bonginkosi Oscar*
41. Zakhele Ngiba - 510730 5389 080 - 5955 Umsinga Street, Protea Glen, Extension 4, SOWETO, 1819 - *Mzikayise Zakhele*
42. Godfree Buta - 690217 5494 088 - 1111 Keerom, SEHLAKWANE, 1047 - *Swartbooi Godfree*
43. Frank Mashire Magampa - 681224 5974 086 - Vleishboom Area, NEBO, 1057 - *Seakge Frank*
44. Kgotlaetsile Aggrius Masisi - 841104 5384 089 - 10890 Majemontsho Mine, MAFIKENG, 2745 - *Aggrius Kgotlhaitsile*
45. Thembeni Mjamane - 820408 0462 088 - Madadana Area, BIZANA, 4800 - *Thembeni Lindeni*
46. Shimanganiso Lebogang Periel Moabelo - 890511 0346 089 - 19 B Meyer Street, Albertville, RANDBURG, 2194 - *Lebogang Shimanganiso*
47. Nondwe Chopela - 900117 0825 086 - 2047 Sycamore Street, Extension 2, Dlamini, SOWETO, 1818 - *Nondwe Bongiwé*
48. Mohamed Bhengu - 911102 5592 086 - 732 Lion Road, Pennyville, NEW CANADA, 1804 - *Mohamed Xolani*
49. Peter Mbodlolo - 630310 6118 088 - 798 Fundo Street, Extension 24, NELLMAPIUS, 0162 - *Valiphatwa Peter*
50. Tsietsi George Bookholane - 760918 5659 084 - 16792 Rasofia Mokiri Street, St Helena Park, THABONG, 9463 - *Rampolo George Calvin*
51. Ipeleng Philpine Ramalete - 920213 1046 081 - Serule Street, PAARDEKRAAL, 0300 - *Ipeleng Phillipine*
52. Fazlin Williams - 891217 0406 084 - 55 Settlers Way, Harmony Village, MITCHELLS PLAIN, 7785 - *Faith*
53. Moshiano Jacob Magane - 920917 5457 082 - 1276 Phala Street, Extension 1, MARAPONG, 0556 - *Tshwenyana Moshiano Jacob*
54. Virginia Frances Juries - 651026 0746 088 - 14 Hester Street, VALHALLA PARK, 7490 - *Kashiefa*
55. Victor Ntutu - 881101 6297 089 - Zone 23 No 4, LANGA, 8001 - *Victor Simthembile*
56. Dian Abrahams - 640315 0165 082 - 6 Manie Street, Heather Park, EERSTE RIVER, 7100 - *Diane Pearlé*
57. Avhatali Makwarela - 880204 6260 080 - P O Box 659, SHAYANDIMA, 0945 - *Avhatakali*

58. Avril Topley - 921106 0313 081 - 1 First Avenue, Sherwood Park, MANENBERG, 7764 - *Taybah*
59. Foster Themba Mathebula - 900302 6151 089 - P O Box 2099, GIYANI, 0826 - *Foster Garry*
60. Maafrika George Kekana - 700404 5579 088 - Makushoaneng Village, GOMPIES, 0631 - *Maafrika*
61. Lukhanyo Qopholo - 930918 6370 082 - Ngcolora Area, TSOLO, 5170 - *Lukhanyo Axole*
62. Tarizin Ndlovu - 970601 5934 089 - Stand No 645, NHLAZATSHE, 1192 - *Zwelibanzi Meshack*
63. Carrin Cupido - 961206 0333 088 - 25e Rywood Park, HANOVER PARK, 7780 - *Mueerah*
64. Janine Henritha Van Der Fort - 910122 0231 085 - 7a Lansry Walk, HANOVER PARK, 7780 - *Kauthar*
65. Nowethu Mcilongo - 930808 1344 085 - 385 Mzamomhle Location, Gonubie, EAST LONDON, 5257 - *Owethu*
66. Fulufhedzani Ramalida - 840625 0938 082 - Block Jv 6279 Jeffsville, SAULSVILLE, 0125 - *Fulufhedzani Sylvia*
67. Tobile Mcingana Toni - 671213 5745 085 - Meriam Makeba Building, Lohatla Military Base Loll, POSTMASBURG, 8420 - *Thobile*
68. Anania Ntshwane - 910813 1183 081 - 28 Mashall Street, Tasbet Park Extension 3, WITBANK, 1034 - *Anania Martha*
69. Nokwanda Nzimande - 740925 0936 081 - 1292 - Sizwe Street, ALBERTON, 1426 - *Nokwanda Princess*
70. Lavhelesani Maumela - 901223 6042 087 - 62 Mohlabane Street, SAULSVILLE, 0125 - *Blessing*
71. Itumeleng Ignorance Mathambo - 900719 5675 083 - 111 Jabulani Close Street, LOTUS GARDENS, 0008 - *Itumeleng Wayne*
72. Tina Valerie Nhlengethwa Nhlengethwa - 630512 1172 081 - 23 Zambezi Estate, 21 Sefako Makgatho Drive, MONTANA, 0185 - *Tina Valerie*
73. Sandiswa Mofokeng - 850429 0704 082 - Private Bag X13, WELKOM, 9459 - *Manthona*
74. Wakhele Ndlelo - 950325 5219 085 - 3769 Joe Gqabi, ALIWAL NORTH, 9750 - *Vakele*
75. David Tsamai Ratsela - 730701 5748 082 - 12 Daws Avenue, BEDFORDVIEW, 2007 - *Tsamai*
76. Mthokozisi Lovington Msomi - 880905 5565 085 - 185 Francis Baard, 720 Sedibeng, PRETORIA, 0001 - *Mthokozisi Ntokozo*
77. Kagisho Mamashela Murwa - 870305 5672 084 - 60 Gustav Schmill, PHILLIP NEL, 0183 - *Kagisho Lekoa*
78. Moeti Bafana-Boy Mashiane - 850616 6193 084 - 726 Paarl Flats, Francis Baard Street, PRETORIA, 0001 - *Moeti Bafana*
79. Kholosa Kobo - 880701 1101 086 - Murray And Roberts, Block 27, TSOLO, 5170 - *Kholosa Alungile*
80. Tshelhana Willy Rantlwathwa - 830917 5523 080 - House No 2095, Zone 2, SUTELONG, 0404 - *William Tshelhana*
81. Rademate Johannes Mabunda - 571021 5805 085 - House No 7, Radkol Avenue, OLIFANTSFONTEIN, 1666 - *Resemate Johannes*
82. Vonani Mali Mabaso - 950713 5634 082 - 302 Micol-Ann, 299 Visagie Street, PRETORIA, 0001 - *Vonani Malvin*
83. Phylis Ndhlovu - 961017 0805 086 - 3477 Oblela Street, Extension 4, NELLMAPIUS, 0122 - *Sbongile Phyllistaz*
84. Thelma Modupadi Makaleng - 890324 0409 083 - 6606 Extension 3, SOSHANGUVE, 0152 - *Thelma Senyane*
85. Agatha Sindisiwe Nokuthula Dube - 750824 0742 085 - B1249 Unit 2, HAMMERSDALE, 3700 - *Sindisiwe Nokuthula*
86. Innocent Leshona - 700803 6186 084 - 8835 Setlalentoa Street, Zone 5, GA-RANKUWA, 0208 - *Innocent Arkangel Chiphwanya*
87. Mohanuoa Hlahatsi - 911109 0822 087 - 816 Monise Section, KATLEHONG, 1431 - *Mohanuoa Hani*
88. Elvis Mokgoro Mogolane - 980128 5917 086 - P O Box 106, NEBO, 1059 - *Malese Elvis*

89. Kgomoitso Masipa - 971128 0580 088 - Stand No 119 , Coopers Park , MOLETJIE, 0709 - *Kgomoitso Beauty*
90. Celiwe Nyanisiwe Makhunga - 891014 5353 084 - Stand No 82, Mzamo Section, CAROLINA, 1185 - *Celokuhle Nyaniso*
91. Sibongakonke Sibongakonke Mkhize - 730507 5491 080 - B1295 Mpumalanga Township, HAMMARSDALE, 3700 - *Sbongakonke Sphamandla*
92. Nomathemba Gora - 800916 1209 088 - Xora Mouth , ELLIOTDALE, 5070 - *Nomathemba Nomthunzi*
93. Lucat Kutamo Phokane - 950930 1075 082 - P O Box 12345, ACORNHOEK, 1360 - *Ditshego*
94. Lesego Gregory Mothoagae - 900831 5932 081 - 52 Moshabele Street , Tlhabane West, RUSTENBURG, 0300 - *Lesedi Gregory*
95. Matlakala Emmily Mothibedi - 980405 0412 085 - 15445 Kgotso Street, Extension 5, KANANA, 2619 - *Refilwe*
96. Odwa Maramncwa - 950903 6297 084 - Nqcinase Area, NGONYAMA, 5080 - *Odwa Monde*
97. Sisandiswa Aunoria Rasmeni - 870209 0743 082 - 651 Honey Suckle Street, Alueda Park, KIBLER PARK, 2091 - *Sisandiswa*
98. Tenki Selinah Madondo - 840111 0745 082 - Stand No 908 Extension 3, Tigane Township, HARTEBEEFONTEIN, 2600 - *Lethogonolo Selinah*
99. Eunice Mistake Buthelezi - 960104 0274 082 - 21 Andrew Mischea910513Is, GRAAF-REINET, 6280 - *Eunice-Buhle*
100. Ketlhoetsweng Idah Motswagosele - 881011 0506 080 - Borakalalo Village, Tlhaole Section, LEHURUTSE, 0870 - *Relebogile Idah*
101. Moloko Lucy Seponye - 790225 0536 083 - P O Box 589, NEBO, 1059 - *Mankoko Lucy*
102. Pule Samuel Mosweu - 851225 5256 089 - 13525 Extension 11, JOUBERTON, 2574 - *Pule Gift*
103. Ipeleng Gracious Seepamore - 890924 5915 081 - E7192 Zone 2, THABA NCHU, 9780 - *Centropain Ipeleng Gracious*
104. Ezrom Mbongeni Mahlangu - 940812 5602 082 - Stand No 1699, KAMEELREVIER, 0472 - *Ezrom Mbongeni*
105. Dinah Nomathamsanqa Mashabela - 831027 0757 086 - Shop 1a 4267, SERALENG, 0308 - *Nomathamsanqa*
106. Lebogang Mahlaula - 960521 0980 089 - 165 Rathoke, MARBLE HALL, 0450 - *Sophy Ramaisela Lebogang*
107. Phumza Njongo - 670925 0934 080 - Ngxogi Area, NGCOBO, 5050 - *Phumza Primrose*
108. Devagee Perumal - 590301 0065 084 - 7 Eiderwood Close , Woodview, PHOENIX, 4068 - *Maryann Devagee*
109. Jabulane Hlongwane - 901009 1036 087 - House No 85 Hadebe Stand, Blaauwbosh, OSIZWENI, 2952 - *Jabulile*
110. Buyiswa Benene - 961214 1096 084 - Ngcwala Area, MQANDULI, 5080 - *Busiswa*
111. Ntombebhongo Nomdlembu - 910513 1303 081 - Ntlenzi Area, FLAGSTAFF, 4810 - *Ntombebhongo Nosibusiso*
112. Siboniso Lindani Xaba - 781121 5581 086 - A33 Ngema Street, Zone 5, MEADOLANDS, 2940 - *Siboniso Leeroy*
113. Valentia Thembi Ndlovu - 940226 0781 082 - 491 Ntombikaze Street, Extension 2, SOSHANGUVE, 0152 - *Elizabeth*
114. Pheladi Dineo Konaite - 831022 0936 087 - 51 Monakane Street, Extension 17, ATTERIDGEVILLE, 0008 - *Dineo*
115. Mamaboya Michell Ndowneni - 970411 0369 087 - Block A208 Qugga Estate, 269 Research Road, PRETORIA WEST, 0183 - *Lerato Michell*
116. Lucky Matodzi - 960714 5503 085 - P O Box 1750, DZANANI, 0955 - *Lucky Mashudu*
117. Nobesuthu Mhatu - 961214 0983 084 - Ngobozana Area, LUSIKISIKI, 4820 - *Zamahlubi Nobesuthu*
118. Vuyolwethu Nguye - 920930 0945 084 - Dam-Dam Location, PEDDIE, 5640 - *Vuyolwethu Thantaswa*

119. Shonani Makhale - 900310 0640 080 - Nico Malan Drive, KING WILLIAMS TOWN, 5600 - *Mutondwa Shonani*
120. Angathini Rayingana - 930928 1417 085 - Ciko Area, WILLOWVALE, 5040 - *Anganathi*
121. Tlhaole Simon Motshoso - 720414 5289 089 - 1705 Mmatli Street, BOTHAVILLE, 9660 - *Lepile Simon*
122. Johanna Seanego - 870410 0532 083 - House No 010170, Segole 1, RAMATATANE, 0638 - *Nthabiseng Johanna*
123. Megan Khota - 950327 0029 089 - 20 Pierie Road, Ruimsig, ROODERPOORT, 1724 - *Aarifah*
124. Regret Baloyi - 920702 1256 088 - Mavele Village, TZANEEN, 0850 - *Blessing Rejoice*
125. Pogoti Irene Sekiti - 940912 0856 087 - 2748 Winnie Mandela, Zone 10, TEMBISA, 1632 - *Lethabo Irene Pogoti*
126. Carmelita-Anastacia Kayser - 910424 0655 085 - 54 6th East Ridge, MITCHELLS PLAIN, 7785 - *Nasheela*
127. Nosiseko Mlindi - 961221 0422 088 - 2339 Phalido Street, DUNOON, 7441 - *Nosiseko Asiphe*
128. Sipamandla Bota - 931114 5770 089 - 420 Block S, SAULSVILLE, 0125 - *Sipamandla Akhona Innocent*
129. Enrico Mario Breda - 920721 5190 085 - 22f Pecan Street, BONTEHEUWEL, 7764 - *Tashreeq*
130. Mamodupi Glementine Makhubedu - 720118 0445 089 - 09 Frederick Ernst Road, THABA TSHWANE, 0187 - *Mmamodupi Clementine*
131. Andrew Bengu - 880819 5365 083 - No 3 Mahler Street, DELFT, 7100 - *Olwetu Andrew*
132. André Van Rooyen - 921218 5169 085 - 47 Kunene Crescent, Leiden, DELFT, 7100 - *Adenaan*
133. Kashmir Chanchal Pattundeen - 870314 0273 088 - 16 Lady Bruce Place, Morningside, DURBAN, 4001 - *Kashmir Bagwandeem*
134. Xolani Peace Njapa - 891120 5881 089 - Stand No 3229, MARGATE, 4275 - *Salem King*
135. Notumata Mhlotshazana - 940619 1039 080 - Mahlangu Area, QUMBU, 5180 - *Notumata Phumzani*
136. Oupana Cedrick Mangcongoza - 881014 5483081 - 142 Zakheni, KWAMHLANGA, 1022 - *Olibille Khaya*
137. Jabula Ngubombi - 960321 1071 081 - Kotana Area, NQAMAKWE, 4990 - *Weziwe Jabula*
138. Murunwa Justice Nthabalala - 841226 5480 086 - Stand No 922, Middelpaas, SHONGWE MISSION, 1331 - *Murunwa Justice Velaphi*
139. Hunadi Mokgohloa - 961030 0379 085 - 3 Sneeuweg Road, SPRINGS, 1559 - *Hillary Hunadi*
140. Fezile Babalo Matana - 570724 5836 080 - 33 14th Street, ORANGE GROVE, 2119 - *Diya*
141. Ohentse Ivin Motse - 910222 5672 083 - 57 Rose Street, DOBSONVILLE GARDENS, 1863 - *Irvin Ofentse*
142. Oscarinah Madiya - 831220 0772 086 - Gomolo Area, PORT ST JOHN, 5120 - *Oscarinah Nolwandiso*
143. Tiego Thai - 850926 5471 088 - 329 B Khoara Street, Naledi, Kwa – Xuma, SOWETO, 1868 - *Phehello*
144. Shaun Nqini - 930705 5366 082 - No 7 E Sports Way, BRAKPAN, 1540 - *Jabulani Shaun Ibak*
145. Nontihlile Nunge - 610706 0497 085 - 91 Galteemore Street, Malvern, JOHANNESBURG, 2094 - *Nonkosi*
146. Azola Ndamase - 960826 0853 081 - Ngobozana Area, LUSIKISIKI, 4820 - *Amanda Azola*
147. Mana Lira Msomi - 950414 1345 084 - Malangeni Location, UMZINTO, 4200 - *Londeka Lira*
148. Maxangu Prince Mulamula - 750518 5401 081 - 1259 / 13 Fig Street, Xavier Reef Estate, ORMONDE, 2091 - *Mikateko Prince*
149. Conract Zwelani Manenidze - 941216 5181 080 - 1717 B Zone 2, DIEPKLOOF, 1864 - *Conrad Zwelani*

150. Salmon Nyakale - 930202 5833 089 - 1897 Bopalamo Street, Zone 1, GA – RANKUWA, 05208 - *Tebogo Salmon*
151. Liezle Shahzad - 850422 0344 082 - 162 Grey Street, Parkersdam, WORCESTER, 6850 - *Liza*
152. Zanele Gumede - 971224 1230 086 - Qiko Location, UMZINTO, 4200 - *Zanele Ayanda*
153. Ewonke Nondumo Oyama Mbali - 830222 1137 088 - 1884 Matyhila Street, FORT BEAUFORT, 5720 - *Oyama*
154. Andisiwe Mdllovuzane - 980207 5819 086 - Mhluzini Area, MOUNT AYLIFF, 4735 - *Aviwe*
155. Desiree Martlow - 620906 0859 080 - 51 Aloe Street, HANOVER PARK, 7780 - *Dilshaad*
156. Miranda Elizabeth Petersen - 530913 0802 085 - 12 Maureen Street, Tafelsig, MITCHELLS PLAIN, 7785 - *Mush Feekah*
157. Marl- Aucamp - 910112 0052 086 - Amethyst Street 28, BELLVILLE, 7530 - *Marlé*
158. Ntlantla Gwendoline Karabo Zwane - 870623 0570 081 - 1281 Block A, MABOPANE , 0190 - *Nhlanhla Gwendoline Karabo*
159. Itireleng Raesibe Leso - 951030 0454 088 - House 235 Unit B, MANKWENG, 0727 - *Itireleng*
160. Yamukelo Angel Xulu - 890714 1281 087 - Matshagini Location, PIETERMARITZBURG, 3201 - *Nobuhle Hlengiwe*
161. Siphesihle Rithabile Mahasela - 980713 5582 087 - 1574 S1 Azalea , Edendale East, PIETERMARITZBURG, 3216 - *Rithabile Thabisang*
162. Thuso Tseki - 731010 5564 088 - 3137 Mogoye Street, ORLANDO EAST, 1804 - *Thuso Phillip*
163. Lucia Rapholo - 950201 0762 082 - 1629 Telescope Road, Freedom Park, DAVLAND, 1811 - *Palesa Lucia*
164. Atiyya Cassim - 970418 0070 086 - 25 Shrike Street, LENASIA, 1827 - *Atiyya Danka*
165. Matshedi Virginia Masemeni - 940509 0472 087 - 1948 Stand, V – Buffer, SOSHANGUVE, 0152 - *Matshedis Virginia*
166. Xoliswa Ncapayi - 950414 6313 087 - 2230 Thembisa Location, BURGERSDORP, 9744 - *Xolisani*
167. Bhekumuzi Refuge Shoji - 950329 5855 088 - D 1340 Umlazi Township, UMLAZI, 4031 - *Bhekumuzi*
168. Tshepo Lawrence Matlebyane - 980227 5121 085 - 2966 Extension 4, MOOKGOPHONG, 0560 - *Malesela Charles*
169. Alpheus Macaleng Charlie Mkendani - 951222 5590 087 - 827 Zone 1, ITSOSENG, 2744 - *Charlie Matjaleng*
170. Zukiswa Nguzana - 580828 1125 089 - Mqambule Area, MQANDULI, 5080 - *Zukiswa Victoria*
171. Tjibugo Betty Makgoga - 560605 0306 082 - Longtill Area, STEELPOORT, 1133 - *Kwena Betty*
172. Gibson Lethole Lethole - 560831 5401 088 - 30131 Middletown, OSKRAAL, 2250 - *Mokwape Gibson*
173. Solly Oupa Mashile - 641115 5410 080 - 28/13 Smallfarm, EVATON, 1984 - *Solly Oupa Solomon*
174. Allison Kim Salie - 901104 0058 081 - 12 Salm Road, NOOITGEDACHT, 7490 - *Ameerah*
175. Johannah Ncani Skhosana - 910209 0965 083 - 417 Strekfontein, BOLEU, 0474 - *Cecilia Ncani*
176. Muzi Christopher Banda - 800623 5661 088 - 67 Smithof Manson, 1 Hospital Street, BRAAMFONTEIN, 2001 - *Masia Pyton*
177. Kristen Narand - 770817 0219 084 - 55 Avalen Crescent, Northcroft, PHOENIX, 4068 - *Kristen Naygar*
178. Thembisile Mtungwa - 931211 0721 081 - Sunrise Location, DONNYBROOK, 3237 - *Thembile*
179. Labelo Ferrinton Andries Phuti - 910718 6187 088 - 2008 Extension X, MABOPANE, 0190 - *Kabelo Ferrinton Andries*
180. Zandile Kunene - 910903 1568 082 - 2291 Majazane, GRASMERE, 1833 - *Zandile Patricia*



181. Khethiwe Londiwe Buthelezi - 940427 1380 086 - Po Box 50470, ULUNDI, 3838 - *Khethiwe Londeka*
182. Siphosethuthuli Nkosi - 921226 0066 081 - 74 Amilca Cabral, Entshonalanga, TEMBISA, 1632 - *Siphosethu*
183. Suliman Lloyd Thyne - 600908 5629 082 - 19248 Morubi Street, KIMBERLEY, 8345 - *Lloyd Sulaiman*
184. Nomusa Khoza - 730108 0357 085 - 23 Glanville Crescent, WENDYWOOD, 2144 - *Nomazizi Nomusa*
185. Rabel Ndhlovu - 980402 0118 085 - Pearieglen Nature Reserve, House No 1 January Masilela Dr, LYNWOOD PARK, 0041 - *Pretty Nsovo*
186. Andile Mkwanyana - 970110 5368 082 - 19 Rakosa Street, DUDUZA, 1496 - *Best*
187. Sydney Leope - 951024 5511 083 - 38494 Extension 18, MAMELODI EAST, 0122 - *Senyake Sydney*
188. Lettie Olyn - 840812 0327 082 - 1002 Deben, DEBEN, 8463 - *Kebiditsemang Letty*
189. Glory Kholeka Nene - 980526 0098 085 - A 125 Kwadabeka Location, CLERNAVILLE, 3610 - *Glory Kholeka Lolitha*
190. Sonovuyo Beyile - 980316 1016 082 - U - 498 Site B, KHAYELITSHA, 7784 - *Sinovuyo*
191. Carus Celumusa Gumede - 940120 6401 086 - 4664 Kanyamazane, KANYAMAZANE, 1214 - *Sokhile Celumusa*
192. Sibongile Mdluli - 740405 1211 081 - Stand No 4069, KABOKWENI, 1245 - *Sibongile Busie*
193. Mabhuti Sohena - 950308 5994 089 - 4025 Nu 2, MDANTSANE, 5219 - *Yonela*
194. Nwabisa Msindo - 890606 1422 085 - E 202 Sweethome Farm, Philippi, CAPE TOWN, 7785 - *Nwabisa Nosange*
195. Florina Wilson - 810704 0128 089 - 7 De Straat 38, Rustof, STRAND, 7160 - *Feroza*
196. Madikana Ronald Satekge - 840828 6114 084 - 112 – 7th Avenue, ALEXANDRA, 2090 - *Mahlakala Ronald*
197. Rochelle Colette Rajaal - 870603 0207 082 - 13 Ah – Shene Street, BLOEMENDAL, 6059 - *Aneesa*
198. Mmadipela Francinah Makinana - 850312 0290 080 - 5606 Tlotlanang Street, Kanana Section, POTCHEFSTROOM, 2520 - *Mandisa*
199. Sudney Hlabane - 970305 5756 084 - P O Box 546, MSOGWABA, 1215 - *Sydney*
200. Zanomzi Ngxambuza - 811006 5684 085 - U 486 Mtembu Street, Site B, KHAYELITSHA, 5101 - *Lwazi*
201. William Strykies Kgomoetshweu - 610808 5673 080 - Mshongoville Section, VRISCHGEWAAGDT, 2776 - *Oupanyana William*
202. Brilliant Jali - 960717 6040 080 - Nosita Location, MARGATE, 4275 - *Phiwokuhle Brilliant*
203. Demetrey George Donough - 850320 5124 089 - Oxford Street No 2, WOODSTOCK, 8001 - *Nadeem*
204. Jacinto Sithole - 970611 6005 086 - 1314 Rosemary Street, LENASIA, 1827 - *Jacint*
205. Siyabonga Nongwana - 930807 5646 081 - Bityi Location, MTHATHA, 5099 - *Siyabonga Simfumene*
206. Raymond Hlongwane - 740909 5340 085 - 16 Langtoon Avenue, The Reeds, CENTURION, 0157 - *Raymond Mihlwari*
207. Sphephile Bhekabadietshe Mdletshe - 980116 5612 088 - House No 3047, Section 3, MADADENI, 2951 - *Sphephile Sizwe*
208. Lunga Fortunate Fakazi - 970515 5167 088 - 290 Demat Road, Welbedacht, CHATSWORTH, 4092 - *Fortune*
209. Mpumelelo Eiwinie Khanyile - 940616 5173 089 - 6040 Morailane Street, Orlando East, SOWETO, 1804 - *Mpumelelo Erwin*
210. Tebogo Zwelithini Mathibela - 960115 5517 085 - 19701 Mako Street, Section N, MAMELODI, 0122 - *Andile Tebogo Zwelithini*
211. Thembi Sathekege - 930620 5612 080 - 2461 Zone 2, SESHEGO, 0742 - *Themba Zackharia*



212. Neziswa Sokutapa-Mbovu - 840604 0740 087 - 46 Petersielie Street, DELFT SOUTH, 7100 - *Lithemba*
213. Fagmieda Simon - 791123 0226 087 - No 53 Divine Terrales, PLATTEKLOOF, 7446 - *Faye Victoria*
214. Zandile Hlalo - 970108 1196 085 - 201 Buffer Zone, PHOLA, 2230 - *Zandile Promise*
215. Omphile Hlongwane - 860531 0803 083 - 4650 Umkota Street, Extension 3, PROTEA GLEN, 1818 - *Sindisiwe Nkosimphile*
216. Abigaile Samangele Mkhonto - 801127 0952 087 - 655 Mganduzweni Trust, WHITE RIVER, 1240 - *Abigail Sacrilegious*
217. Austine Stuurman - 960805 1145 085 - 16 – 5th Avenue, GRAHAMSTOWN, 6140 - *Allistine*
218. Thato Kaloshi Sebwelelang Malata - 900907 1082 087 - 1028 Stand, SEKWATI, 1063 - *Thato Sehwelelang*
219. Jeanett Ipeleng Moeng - 940715 0419 081 - 320 Odinbung, MABOPANE, 0190 - *Lebogang Ipeleng Jeanett*
220. Keitumetse Thejane - 931015 0868 085 - 818 Phiri Street, Central Western Jabavu, SOWETO, 1860 - *Azaniah Grace*
221. Simbonile Tipa - 971115 0933 086 - Jujura Area, WILLOWVALE, 5040 - *Andiswa*
222. Zehlile Phakamile Bhengu - 750926 0511 087 - Woza Area, MAPHUMULO, 4470 - *Zehlile Phakamile Goodness*
223. Sharon Lahliwe Tshabalala - 810613 0723 080 - 521 Bulayo Street, Mofolo North, Sgodiphola, SOWETO, 1868 - *Sharon Nomathamsanqa*
224. Terence Mketo - 530405 5159 082 - Mngazana Area, NGQELENI, 5140 - *Terence Tembinkosi*
225. Alicia Janice Solomon - 920817 0378 087 - 49 Denchworth Road, CAPE TOWN, 7764 - *Tayden Pixie*
226. Mzukisi Mguye - 810604 6129 083 - 45 – 049 Yena Street, Makhaza, KHAYELITSHA, 7784 - *Phillip Mzukisi*
227. Marvin Azaad Marrian - 840726 5269 083 - 45 Mullin Road, 15 Mcalpine Road, 29 Wychwood Close, GERMISTON, 1400 - *Marvin*
228. Phathakge Stephen Makobe - 660306 5627 080 - 148 Khudu Street, ATTERIDGEVILLE, 0008 - *Steven Phathakge*
229. Ziningi Nzama - 970525 1264 086 - New City, UMZIMKULU, 3297 - *Ziningi Asiphe*
230. Silindelo Zakhe Xaba - 970510 5788 082 - Kwa-Ngenetsheni Area, VRYHEID, 3100 - *Silindelo Zakhele*
231. Batho Kozisile Shibe - 510617 0607 089 - 801 Flamingo Court, 857 Umbilo Road, DURBAN, 4001 - *Bathokozisile Octavia*
232. Wayne Settley - 870214 5368 083 - 66 Vraagom Street, SALDANNA, 7395 - *Waleed*
233. Florence Tginziwe Mambakra - 580615 0755 085 - 22349 Elijah Barayi Street, Makhaya, KHAYELITSHA, 7784 - *Florence Tyinziwe*
234. Nomfezeko Zanzazo - 870810 1205 086 - 4886 Mangaung, VREDENDAL NORTH, 8160 - *Nosakhe*
235. Anele Notshokovu - 880110 6121 083 - 04 Green Street, OUDTSHOORN, 6625 - *Anda Bradely*
236. Nophumzile Monica Damani - 460512 0486 081 - Y 542 Site B, KHAYELITSHA, 7784 - *Monica*
237. Meisie Sepepu Rowana - 931125 0742 089 - 110 Millbourne Road, Bertrams, JOHANNESBURG, 2094 - *Nokubonga Meisie Sepepu*
238. Tandisa Xaka - 850711 0622 087 - 20594 Ndzuzo Street, Nomzamo, STRAND, 7140 - *Yandisa*
239. Zuntukazi Gladile - 940607 1003 081 - Labella Street, CLAN WILLIAMS, 8135 - *Luntukazi*
240. Buyiswa Kabi - 550912 0836 080 - Mbozi Area, WILLOWVALE, 5257 - *Buyiswa Frances*
241. Khaya Sakawuli - 630726 5827 082 - Magwaza Area, COFIMVABA, 5380 - *Khaya Khayaletu*
242. Zukiswa Nyokana - 971230 1080 082 - Nxanxashe Area, WILLOWVALE, 5040 - *Olwethu*

243. Gerald Foto Mrasi - 930728 6009 089 - Mbanglolo Area, WILLOWVALE, 5100 - *Aphelele*
244. Mxolisi Wanda - 601202 5917 088 - Mkhoma Reserve, ENSELENI, 3882 - *Johannes Thula*
245. Mbali Mthethwa - 910410 1294 081 - No 3668 Ward 13, OSIZWENI, 2952 - *Mbali Nokulunga*
246. Siphelo Cetywayo - 980324 6037 087 - Dumalisile Area, WILLOWVALE, 5040 - *Bavuyise*
247. Mkhululeni Nododile - 911022 6177 085 - 8 Crossberg Street, Ikwezi Extension, MTHATHA, 5099 - *Mkhuseli*
248. Croydon Richard William McLaren - 830311 5169 088 - 175 Breede Street, RIVERLEA, 2093 - *Shafiq*
249. Luthando Bambeni - 850723 6043 085 - W 38 Waterworks, Pineview, GRABOUW, 7166 - *Luthando Welcome*
250. Martha Sekwane - 970213 0938 089 - Stand No 1372, KWAGGAFONTEIN , 0458 - *Eunice Martha*
251. Pusoetsile Jacob Mokgalagadi - 770203 5562 085 - House No 81 Q, Diphitshing Village, TAUNG, 8580 - *Pusho*
252. Nomathole Ngcobo - 890105 0235 085 - 73 Second Avenue, Gerardsville , CENTURION, 0182 - *Nhlanhla*
253. Siphon Ntshali - 871129 5498 087 - Nqamuzana Area, EMPANGENI, 3880 - *Sipho Bhekithemba Ernest*
254. Alonso Wentworth Larry Deon Markgraaf - 850810 5221 083 - 7 – 9 New Main Road, KIMBERLEY, 8300 - *Wentworth Alonso*
255. Elvis Ngoveni - 840427 1358 083 - Stand No 808, Khubu Village, Marutwa, NMAMITWA, 0871 - *Avis*
256. Thabo Mahlalela - 970120 6141 081 - Stand No 269, MASBEKELA, 1342 - *Thabo Brian*
257. Matlakala Martha Prins - 930102 0598 085 - 20437 Grassland, BLOEMFONTEIN, 9300 - *Lerato Mpho*
258. Ra-Eez Khan - 950531 5644 087 - 10 Bernard Place, Extension 4, LENASIA, 1829 - *Ghazanfar Feroza Phoenix*
259. Zibuyisile Malindi Majola - 910814 1224 081 - 1040 Mandela Park, Zone 4, KATLEHONG, 1431 - *Ntombenhle Zibuyisile*
260. Pieter Johannes Andries Hoffman - 831103 6247 081 - 125 Lyme Road North, St Francis Bay, HUMANSDORP, 6312 - *Pierce*
261. Ishmael Mareletse - 551229 5685 084 - 2679 Sikhakhane Crescent, Spruitview, GERMISTON, 1425 - *Morake Ishmael*
262. Sankie Mahlatsi Mphuthi - 891007 0380 086 - 2093 Tuscan Village, BRONKHORSTSPRUIT, 1020 - *Sankie Mahlatsi Mmasechaba*
263. Nomtandazo Silver Kambi - 740101 1241 083 - 1593 Zihlangu Street, THOKOZA, 1400 - *Nomtandazo Sylvia*
264. Dimpho Ramoshaba - 830303 6042 083 - 1152 Kabylie Street, NELLMAPIUS, 0122 - *Neo*
265. Thembeke Ndima - 741228 0451 089 - 743 Skhosana Street, SOBANTU, 3210 - *Thembeke Primrose*
266. Khunjulwa Mkontwana - 830728 0955 080 - 297 Lesika Street, Ponong, VOSLOORUS, 1475 - *Khunjulwa Wowo*
267. Lesiba Adam Mphahlele - 821231 5918 089 - Lekurung, GA-MPHAHLELE, 0736 - *Letswai Adam*
268. Mankate Karabo Maserumule - 910227 0770 089 - 971 Mohlaotwane, GA-RAKGOADI, 1068 - *Modibo Karabo*
269. Bangeni Buselaphi Mbatha - 910923 1162 082 - P O Box 4804, HLABISA, 3937 - *Bongiwe Nosipho*
270. Norah Caseitsiwe Tshukudu - 530627 0659 085 - 48 Church Street, ZEERUST, 2800 - *Gaseitsiwe Norah*
271. Sekese Prudence Busisiwe Mbokane - 660713 0444 082 - 2192 Thanjekwayo Street, ERMELO, 2350 - *Success Prudence Busisiwe*
272. Mlekeli Nayo - 720425 5749 088 - Zone 20, No 39, LANGA, 6220 - *Mlekeli William*
273. Boniswa Mashiyi - 860502 0769 087 - Mkwenkwezi Street, Slovo Park, MTHATHA, 5100 - *Boniswa Carol*

274. Mkhululi Beyile - 770411 5393 084 - 1427 Father Curran Street, New Cross Roads, NYANGA, 7755 - *Mkhululi Shaun*
275. Maroke Geometric Nkadimeng - 881206 6106 089 - No L 22 C , Waterfall Barracks, SIMONSTOWN, 7975 - *Maroke Mokhudu*
276. Donovan Charles Rietmuller - 850906 5271 084 - 5 Merriefield Park, Woodlands, MITCHELLS PLAIN, 7755 - *Abdud Dayaan*
277. Phelelaphi Princess Hadebe - 910719 0713 085 - Mhlumayo, LADYSMITH, 3370 - *Philiswa Princess*
278. Nomvula Mbali Shongwe - 900302 1352 088 - P O Box 188, Emahloshini Area, NONGOMA, 3950 - *Mbali Nomvula*
279. Edwin Sunnyboy Hlatshwayo - 660214 5820 087 - 130 Sweet Thorw Place, Xawadu Nature Estate, HARTBESPOORTDAM, 0296 - *Edwin Sizwe*
280. Thulani Johannes Dhlamini - 860621 5315 082 - 10 – 257 Lindelani, VREDE, 9835 - *Sphiwe Lucas*
281. Makobo Alice Seoka - 910717 1233 087 - Stand No 1235, Mamadimo Park, MMANKWENG, 0727 - *Makobo Alicia*
282. Nomfundo Malindi - 580724 0980 089 - Nconyama Area, COFIMVABA, 5350 - *Noncedile*
283. Amanda Lufele - 970801 5637 084 - 902 Zola Location, DORDRECHT, 5435 - *Thandolwethu*
284. Nomabhongo Malakeiwe Njoloza - 960420 0140 085 - 3105 Nu 7, MDANTSANE, 5219 - *Sibahle Nomabhongo Malakhiwe*
285. Anamisa Ngoma - 940220 5329 088 - 52 Bhebhelele Street, Duncan Village, EAST LONDON, 5110 - *Chris*
286. Brenda Mogoemang - 870518 1054 087 - 7386 Extension 36, OLIEVENHOUTBOSCH, 0147 - *Salma*
287. Johannes Nkosana Matebula - 881121 6004 087 - 1758 Zone 1, GA-RANKUWA, 0205 - *Nkosana*
288. Msizi Madadla Khathwayo - 860616 5313 087 - 138 New Village, BARBERTON, 1300 - *Msizi Aubrey*
289. Sibusiso Ngubo - 900524 5909 080 - 68 Extension 11, VILLIERSDORP, 6848 - *Sibusiso Christopher*
290. Moipolai Maria Thagane - 690116 0334 085 - 5523 K 6, Kutwanong, ODENDAALSRUS, 9400 - *Moipolai Irene*
291. Annah Phindile Mnguni - 910320 0790 080 - Stand No 922, SIYABUSWA, 0472 - *Thulisile Phindile*
292. Namsiza Leah Masanabo - 910203 1047 082 - Stand No 1605, Kwaggafontein, EMPUMALANGA, 0458 - *Leah Phumzile*
293. Miniyeza Yandisa Titi - 880519 6057 081 - 51 Samaai Street, Laingville, ST HELENA BAY, 7390 - *Yandisa*
294. Aubrey Nyongwana - 930226 5388 083 - 380 Dennehoud Street, KAKBASKRAAL, 7302 - *Bantu Aubrey*
295. Thabisile Netty Tibane - 730129 0323 083 - Stand No 775, Extension 3, Klarinet, WITBANK, 1035 - *Sizani Lettie*
296. Mthetheleli Ntsunguzi - 890305 6071 084 - Gr 134, Saulsville Hostel, SAULSVILLE, 0125 - *Mthetheleli Luvuyo*
297. Maite Phindile Mabe - 841128 0938 086 - Zn 225, Brazzaville, ATTERIDGEVILLE, 0125 - *Maite Phindile Doris*
298. Emily Matthodi Mapogo - 860502 0752 083 - Private Bag X1023, Personel Service School, THABA TSHWANE, 0143 - *Kutloano*
299. Thabo Brian Mothiba - 820603 5366 082 - No 7 Lapworth Road, Gressworld, KEW, 2090 - *Thabo Ramadimetša*
300. Jacob Malete Mmekoa - 770310 5527 081 - 299 Namibia Drive, Tsutsumani Village, ALEXANDRA, 2090 - *Jacob Malepe*
301. Jan Mtombeni - 830116 5332 085 - 37729 Konyane Street, MAMELODI EAST, 0122 - *Ronnie Jan*
302. Mannini Jemina Ramohlakoane - 880601 0847 087 - 958 Mokhono Street, WELKOM, 9463 - *Lesego Gladness*
303. Lehlohonolo Trocia Mogale - 971215 0776 087 - Plot 3 & 4, LETHABONG, 0100 - *Lehlogonolo Trocia*
304. Sokesimbone Khumalo - 901010 6342 082 - Room No 54, Kenndal Reserve, Edgewood Campus, PINETOWN, 3866 - *Melusi Sokesimbone*

305. Sontaga Isaia Sekgobela - 640404 5813 084 - Stand No 980, Zone D, NAMAAGALE, 1391 - *Sontaga Isaiah*
306. Mokgokgothi Judas Malomane - 891019 5583 085 - 82 Leboeng Village, OHRIGSTAD, 1122 - *Kervin Lesedi*
307. Lindeni Joyce Mkhonza - 800907 0544 088 - 24 Suurvy, RICHARDS BAY, 3900 - *Nelly Nothando Lindeni*
308. Norah Mazivila - 980324 1222 080 - P O Box 534, GIYANI, 0826 - *Tsundzukani*
309. Jan Malesela Ramolotsa - 890928 5834 085 - Stand No 81, Nobody, GA-MOTHIBA, 0726 - *George Malesela*
310. Marika Johannes Motloug - 780819 5514 087 - 6775 Extension 4, Evaton West, EVATON, 1900 - *Marika Johannes Malakwane*
311. Msizi Harrison Ndovela - 880610 5585 089 - P O Box 630, RAMSGATE, 4285 - *Msizi*
312. Zanexolo Iven Sodladla - 950703 6202 088 - Ndefela Village, STERKSPRUIT, 9762 - *Zanoxolo Iven*
313. Freeman Tshabalala - 580913 5851 086 - 4218 Zone 4, PIMVILLE, 1700 - *Muzi Freedman*
314. Luzuko Ncume - 860520 5619 081 - 7448 Extension 2, Moleleki, KATLEHONG, 0155 - *Luzuko Vuyo*
315. Londekile Ndkwazi Siyethemba Buthelezi - 970624 0811 086 - 1193 Protea Street, NOORDGESIG, 1804 - *Londekile Nokwazi Siyethemba*
316. Nolwazi Majola - 910311 0610 089 - Ashburton, PIETERMARITZBURG, 3200 - *Nolwazi Mdokazi*
317. Qhamukile Zuma - 810726 0501 080 - Othwebo, CATO RIDGE, 3680 - *Ahamukile Protasia*
318. Simphiwe Viciah Sekwane - 980228 0697 087 - No 789, NHLAZATSHE, 1100 - *Simphiwe Valenciah*
319. Maroret Mariska Kapiera - 690815 0144 085 - 6 Akasja Avenue, GARIES, 8221 - *Magret Mariska*
320. Abram Kedibone Majola - 940506 6072 085 - 520 Hospital View, Koster, RUSTENBURG, 0348 - *Abram Thabang*
321. Francis Zondi - 961202 6015 084 - Swamimane, PIETERMARITZBURG, 3200 - *Francis Sbonseni*
322. Helchizedek Rethabile Rute - 910819 5703 089 - Fortgale, MTHATHA, 5100 - *Rethabile Melchizedek*
323. Sanelisiwe Mchunu - 980506 0873 083 - Franee, PIETERMARITZBURG, 3200 - *Samkelisiwe*
324. Nonhlanhla Lucy Tshabalala - 970910 0493 086 - 7550 Extension 3, WINTERVELDT, 0198 - *Nonhlanhla Lucy*
325. Mbongiseni Mlambo Mdletshe - 951004 6034 087 - Eziqeni Reserve, P O Box 17, MBAZWANA, 3974 - *Sibongiseni Mlando*
326. Taryn Ockhuis - 960301 0074 088 - 1 Tor Close, Salberau, ELSIES RIVER, 7490 - *Imaan*
327. Iwazi Sotyantya - 950209 5804 080 - 23774 Akkerboom Street, Dunoon, MILNERTON, 7441 - *Lwazi*
328. Mirriam Faniswa Victoria Mvila - 540912 0836 083 - 14 Rhemu Street, PHOENIX, 7441 - *Faniswa Victoria*
329. Tanna-Lee Hiscock - 940620 0150 084 - 45 Kays Caravan Park, Woltemade Street, STRAND, 7140 - *Tanna-Lee Luisa*
330. Mokganyetji Repholoshitjoe Leshilo - 930421 0773 088 - 1359 Extension 2, DUVHA PARK, 1035 - *Repholoshitjoe Ramatsimele*
331. Nonhlanhla Sindy Dlamini - 940211 0416 087 - 414893 Malinyana Road, PIETERMARITZBURG, 3201 - *Samkelo Sindy*
332. Johannes Sibanyoni - 811110 5283 086 - 10251 Kafue Street, Extension 16, Kwa-Guqa, EMALANLENI, 1039 - *Vusi*
333. Alfred Mbongeni Mkhize - 770822 5516 088 - 69 Dungby Avenue, 74 Glen Meade, PIETERMARITZBURG, 3200 - *Sandile Mbongeni*
334. Kgantshe Julie Makunyane - 980217 0686 083 - Ga-Maepa, SEKHUKHUNE, 1124 - *Thuli Makgwale*
335. Noxolo Loran Moneti - 890719 0789 089 - 22 Brushwood, Nest Avenue, FERNDAL, 2194 - *Lorna*

336. Mapaseka Josephine Molefe - 800308 0428 085 - 2698 Zone 2, PIMVILLE, 1809 - *Mapaseka Josephine Palesa*
337. Charlotte Dean - 930124 0064 082 - 109 Symphony Avenue, CAPE TOWN, 7820 - *Malika*
338. Halala Khoza - 870915 1312 087 - Kwakhoza Reserve, ESHOWE, 3815 - *Halala Abongile*
339. Mayvis Duduzile Mgwekazi - 611105 0611 085 - B 404, UMLAZI, 4001 - *Maureen Duduzile*
340. Portia Nzimande - 980329 0113 081 - 5096 Masibi Crescent, Extension 3, Mohlakeng, RANDFONTEIN, 1760 - *Keitumetse Portia*
341. Mkhipheni Joshua Myeza - 681106 5854 089 - 1565 Section 3, Kanana, MADADENI, 2951 - *Siphamandla Joshua*
342. Joyce Nomusa Mgaga - 650221 0515 085 - House No 21, Crank Show, NEWCASTLE, 2940 - *Joyce Nomusa Thuledu*
343. Nontozanele Charlotte Bobelo - 860729 0303 084 - Meadowlance, MADADENI, 2500 - *Nontozanele Kagiso Charlotte*
344. Sithembile Nozipho Mbatha - 830120 0485 088 - P O Box 82, HLUHLUWE, 3960 - *Sithembile Nozipho Rose*
345. Phelelaphi Mkhize - 870512 0828 088 - Winnie Mandela Extension 23, Zone 5, TEMBISA, 1632 - *Londiwe Phumzile*
346. Mhlonyane James Tame - 320303 5336 087 - 34 Mama Way, Settlers Place, LANGA, 7455 - *Mhlonyane James*
347. Mthobisi Msimango - 970304 5352 085 - 270 B Mzimhlophe, SOWETO, 1700 - *Mthobisi Sibongukwanda*
348. Raeesa Naicker - 791103 0048 087 - 34 Colnbrook Complex, 6th Road, Noordwyk, MIDRAND, 1682 - *Vanessa*
349. Getrude Jiyane - 741014 0434 089 - 6377 Kenkane Street, VOSLOORUS, 1475 - *Emmah Getrude*
350. Kgotso Armstrong Mochadibane - 860711 5666 087 - 16054 Mashinini Street, Extension 5, Tsakane, BRAKPAN, 1550 - *Kgotso*
351. Themba Johanna Nojaholo - 870117 0850 080 - 1123 Bonafide Street, Buhle Park, GERMISTON, 1401 - *Zusakhe Themba*
352. Nosamkele Nolakhi Diko - 771215 0905 084 - 126 Railway Street, GERMISTON, 1401 - *Nolakhi*
353. Ndifelani Hendrick Mafhaga - 690101 9253 080 - 79 Central Village, Roger Park, BOKSBURG, 1459 - *Ndifelani Mylord*
354. Ntlatla Spambo - 960116 5898 087 - 48 Arterial Road, Bedford View, GERMISTON, 1401 - *Olwethu*
355. Njabulo Zimu - 980325 6181 080 - 108 Camberley Court, Oxted Avenue, Dinwiddle, GERMISTON, 1401 - *Njabulo Caleb*
356. Terence Thabo Nzimande - 820528 5627 086 - 311 Morris Mansions, 135 Jeppe Street, JOHANNESBURG, 2001 - *Thabisani Terrence*
357. Aganda Ngqalela - 980103 5500 083 - 248 Extension 13, Boitekong, RUSTENBURG, 0308 - *Ayanda*
358. Johannes Makgoale - 920520 6149 086 - 287 / 18 Ammone Street, Lehae, LENASIA, 1700 - *Tiisetso*
359. Rooi Christina Masemola - 471205 0344 080 - 1946 Block G, SOSHANGUVE, 0152 - *Christinah*
360. Fedile Annah Manel - 840212 0387 089 - 34239 Extension 6, MAMELODI EAST, 0122 - *Fedile Annah Sylvia*
361. Darren Stuurman - 950617 5095 089 - 9 Roos Street, Schauderville, PORT ELIZABETH, 6020 - *Anees*
362. Noxolo Shosha - 910825 1168 086 - Xilinka Area, NQAMAKWE, 4990 - *Noxolo Tracey Lee*
363. Yoliswa Mbangata - 840728 0715 086 - 2270 Cuba Township, BUTTERWORTH, 4960 - *Yoliswa Nancy*
364. Simangenduku Mkhize - 710920 5360 086 - A 432 Sekema Street, TOKOZA, 2001 - *Simangenduku Jan*
365. Nomzamo Maheneza - 910424 0630 088 - 1 Westside Ridge, Corner Banbury & Ayr Street, WESTDENE, 2092 - *Nomzamo Aluta*
366. Matshwenyego Betty Molefe - 890811 0544 083 - 2334 Duduza, TEMBISA, 1632 - *Ramodika Betty*
367. Sibongile Brenda Seleka - 841013 0373 080 - 4084 F 3 New Eersterus, HAMMANSKRAAL, 0407 - *Sibongile*
368. Aimée Lisa Dodgen - 921229 0064 080 - 251 – 13th Avenue, KENSINGTON, 7405 - *Azrah*

369. Teron Fredericks - 910522 0245 086 - 53 Swallow Walk, Kuilsrivier, CAPE TOWN, 7580 - *Thurrayah*
370. Melissa Rose Moodley - 870525 0198 088 - 71 Janari Road, Grassy Park, CAPE TOWN, 7941 - *Laila*
371. Jan Johannes Van Der Westhuizen - 931016 5114 087 - Raakvat Boerdery, KOEKENAAP, 8146 - *Johndré*
372. Shannon Leigh Blignaut - 930620 0174 086 - 13 Tontel Avenue, Rosendal, DELFT, 7100 - *Shabeekah*
373. Lebogang Esther Lechuti - 900129 0680 080 - 233 Persimmon Street, MALVERN, 2094 - *Roderick Kgosi*
374. Mandobo Lydia Shuping - 590305 0651 082 - 8305 Mzilankatha Street, MOHLAKENG, 1754 - *Nomvula Lydia*
375. Hlapogadi Phetla - 950412 0684 081 - 10th Avenue, 451 Nick Smith Street, GEZINA, 0742 - *Gabriella Hlapogadi*
376. Phalama Modiba - 921114 0235 080 - 3778 Maseja Section, HEBRON, 0193 - *Phakama Charlie*
377. Sindile Mgijima - 750101 7996 083 - 6085 Nkumanda Street, Kwanokuthula, PLETTENBERG BAY, 6600 - *Victor Sindile*
378. Leah Ntomzodwa Mentеше - 941118 0785 081 - 5378 Sisulu Section, VEREENIGING, 1930 - *Leah Ntombizodwa*
379. Sixolelwe Majokweni - 980410 0596 085 - L 1527 Klipfontein Road, LUSAKA, 7750 - *Sixolisiwe*
380. Bella Melgas - 680102 0146 085 - 5998 Cryoute Street, Extension 8, ENNERDALE, 1800 - *Bella Cathy*
381. Nondumiso Nqobile Sibiya - 861208 0808 086 - 1373 Mothukoza, NEWCASTLE, 2940 - *Nondumiso Nqobile Sbhongakonke*
382. Thembile Hermming Tshemese - 831029 5389 089 - 8 Hertzog Street, Peace Haven, VEREENIGING, 1939 - *Thembile Simphiwe Hermming*
383. Paulina Zwane - 750305 0344 080 - 2481 Mokoerekoere Street, Zone 2, PIMVILLE, 1819 - *Mpho Paulina*
384. Butie Daniel Maijane - 911010 6822 081 - House No 23 F, MADIPELENG, 8537 - *Gopolang Benjamin*
385. Abednico Lebusa - 870202 6166 085 - 71675 Election Park, Kanana, SEBOKENG, 1983 - *Mahlomola Patrick*
386. Bethwell Ngcobo - 841102 6031 089 - Azalea Location, PIETERMARITZBURG, 3201 - *Maxwell*
387. Ntuthuko Majola - 840411 0452 089 - 12 Kinghorn Crescent, ASHBURTON, 3213 - *Mbokazi Ntuthuko*
388. Nombuso Amanda Cele - 970328 0735 085 - 154 Damjee Building, Victoria Street, DURBAN, 4001 - *Fathyma Nombuso*
389. Zilingene Iris Cele - 930508 0478 088 - P O Box 49986, DWESHULA, 4247 - *Zilingene Iris Zanele*
390. Ntshekisang Allice Mmila - 650326 5822 087 - 2021 Unit 2, LERATO, 2880 - *Ntshekisang Alex*
391. Bongani Christopher Mazibuko - 861110 5911 081 - 9375 Kgatliso Street, Ikageng Location, POTCHEFSTROOM, 2531 - *Joseph Bongani Christopher*
392. Mahlomola Mathume Mogofe - 860705 5819 084 - 33879 Moretlwa Street, Extension 6, MAMELODI EAST, 0122 - *Atlehang Neo*
393. Sasmuel Motimele Magashule - 560404 5806 084 - 1009 Tamane Street, TLADI, 1700 - *Medimele Samuel Mokgothu*
394. Patiswa Tondoni - 870104 0515 087 - 340 Qonisa Street, Duncan Village, EAST LONDON, 5100 - *Patiswa Aphelele*
395. Martin Patrick Jnr Mbundu - 980126 5084 089 - 17 Nerina Street, NOORDGESIGHT, 1700 - *David Patrica Junior*



## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 997

09 SEPTEMBER 2016

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


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) that a claim for restitution of land rights on:

REF NO.	CLAIMANT	PROPERTY	PORTION	DISTRICT	CURRENT LAND OWNER	Bonds/No Bonds	DEED OF TRANSFER
Z 0071	Mr. Saaiman Ndala	Klein Zonder Hout 519 JR	Portion 9(RE) Portion 15 Portion 17	City of Tshwane Metropolitan	CCTrade 502 CC CCTrade 502 CC Tes Trust	Land Bank Ltd B23622/2012	T39785/2012 T39785/2012 T148356/2006
Z 0048	Mrs. Ramaesela Betty Masango	Sterkfontein 495 JR	Portion 1(remaining extent) Portion 3(remaining extent)	Mbombela Local Municipality Mbombela Local Municipality	Teiperion PTY LTD Teiperion PTY LTD	I-1579/2011C N/A	T42969/1996 T42969/1996

**INTERESTED PARTIES:** The land claimants Mrs Ramaesela Betty Masango, Teiperion PTY LTD and Mbombela Local Municipality, the current land owners and the City of Tshwane Metropolitan Municipality.

and has been submitted to the office of the Regional Land Claim Commission. The Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of Rule 5 of the Rules Regarding Procedure of Commission Established in terms of section 16 of Restitution of Land Rights Act as amended. Any interested party on the claim is hereby invited to submit representations in terms of section 11A of the Restitution of Land Rights Act No. 22 of 1994 as amended within 60 (sixty) working days from the publication date of this notice, any comments/information may be send to:

MR. L.H. MAPHUTHA  
The Regional Land Claims Commissioner  
Gauteng Province  
RLCC Gauteng  
Private Bag X03  
ARCADIA  
0007  
TEL: (012) 310-6500/6620.FAX: (012) 323-0312

  
Mr. Solomon Maruma  
Deputy Director: IMU  
RLCC Gauteng  
Date: 29/08/2016



## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 998

09 SEPTEMBER 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 of the Restitution of Land Rights Act, 1994 (Act 22 of 1994) as amended, for the Gazette Notice of ..... in Government Gazette No ..... of .....

1. Reference No. : R 0238
2. Claimant : Mr Kgosana Henry Sefanyetso

REF NO.	CLAIMANT	PROPERTY DESCRIPTION	PORTIONS	CURRENT LANDOWNERS	DEED NO	EXTENT	DISTRICT	INTERESTED PARTIES
R 0238	Mr Henry Kgosana Sefanyetso	Rustenburg Town and Town lands 272 JQ	Portion 127 (Portion of Portion 1)	Rustenburg District Municipality	T28900/973	302.8689	Bojanala District	Rainbow Chicken, Expol, Choppies Store and Cash and Carry Store

Any party who has interest in the above-mentioned land is hereby invited to submit within 30 days from the publication of this notice, any objections, comments/information to:

The Office of the Regional Land Claims Commissioner: North West Province  
Private Bag X 08  
Mmabatho  
2735

Tel: (018) 389 9602  
Fax: (018) 389 0922

  
Mr L.H. Maphutha

The Regional Land Claims Commissioner  
Commission on Restitution of Land Rights, SA  
Department of Rural Development and Land Reform

Date: 2016/09/31

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 999

09 SEPTEMBER 2016

## AMENDMENT OF GAZETTE NOTICE NO 735 OF 2008

## NOTICE AMENDMENT OF THE GENERAL NOTICE IN TERMS OF SECTION 11A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT 22 OF 1994), AS AMENDED,

Notice is hereby given in terms of Section 11A (4) that an amendment is hereby made to the Gazette Notice 735 of 2008, Government Gazette No. 31130.

The amendment of this gazette is made to include Mamaila Bolobedu Tribe as the claimants of the farm Verschfontein 233 LT, Elandsfontein 235 LT and Sterkfontein 203 LT. The farms were previously gazette on behalf of N'wa Mankena Community.

N'wa-Makena Community lodged a land claim on the farms Modjadjishoek, Pretoriushoek, Verschfontein 233 LT, Elandsfontein 235 LT while Mamaila Bolobedu Tribe lodged a land claim on the farms Remaining extent, Portion 1 of Verschfontein 233 LT, Elandsfontein 235 LT and Sterkfontein 203 LT. Therefore this gazette is amended to include Mamaila Bolobedu Tribe on the farms Remaining extent, Portion 1 of Verschfontein 233 LT, Elandsfontein 235 LT and Sterkfontein 203 LT.

Feasibility study conducted by the Office of the Regional land claims commissioner: Limpopo revealed that the properties claimed are not feasible for land restoration as they are currently used for residential purposes and subsistence farming by different communities.

The gazette is amended as follows:

FARM	OWNER	TITLE DEED NO	EXTENT (ha)	ENDORSEMEN TS	HOLDERS	CLAIMANT
R/E of farm Verschfontein 233 LT	RSA	T8670/1948	1417.7161h	K7876/2003M	Ndowana Exploration PTY LTD	N'wa-Makena Community and Mamaila Bolobedu Tribe
Portion 1 of farm Verschfontein 233 LT	Gazankulu Government	T33562/1988	384.2255h			N'wa-Makena Community and Mamaila Bolobedu Tribe

Elandsfontein 235 LT	RSA	T8670/1948	1547.8033h	VA6884/1997	No Details	N'wa-Makena Community and Mamaila Bolobedu Tribe
Sterkfontein 203 LT	RSA	T8670/1948	1239.0093h	K7876/2003RM VA/1997	Ndowana Exploration PTY LTD	Mamaila Bolobedu Tribe

The Office of the Regional Land Claims Commissioner-Limpopo is investigating this claim. Any party that has an interest in the above properties is hereby invited to submit in writing, within 30 days of publication of this notice, any comments, objection or information under reference number KRP 3619 and 2547 to:

**Office of the Regional Land Claims Commissioner**  
Private Bag X9552  
Polokwane  
0700

**Submission may also be:**

**First Floor, 96 Kagiso House  
Corner Rissik & Schoeman Street  
Polokwane  
0700**

**MR. L.H MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
DATE:**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1000

09 SEPTEMBER 2016

NOTICE IN TERMS OF SECTION 3(4)(d) OF THE TRANSFORMATION OF  
CERTAIN RURAL AREAS ACT, 1998 (ACT NO. 94 OF 1998)

I, Gugile E Nkwinti, Minister of Rural Development and Land Reform, hereby publish in terms of section 3(4)(d) of the Transformation of Certain Rural Areas Act, 1998 (Act No. 94 of 1998), the notice set out in the Schedule.



NKWINTI, G E (MP)

MINISTER OF RURAL DEVELOPMENT AND LAND REFORM

DATE: 17/03/2016

## SCHEDULE

**NOTICE IN TERMS OF SECTION 3(4)(a) OF THE TRANSFORMATION OF CERTAIN RURAL AREAS ACT, 1998 (ACT No. 94 OF 1998), FOR THE ENON / BERSHEBA BOARD AREA**

The Sundays River Valley Municipality, in conjunction with an elected committee of the Enon/Bersheba community, intends determining, as set out in the Schedule to this Notice, to which entity the land known as Enon Mission Farm No. 40, in the Division of Uitenhage, in extent 10 663,09 hectares, as contemplated in section 3(1) of the Transformation of Certain Rural Areas Act, 1998 (Act No. 94 of 1998), should be transferred.

The Municipality will determine the transfer by –

- (a) the continuous submission of documents, communication and liaison on the implementation of the Implementation Plan for the Transformation Process (as drawn up and approved by the Department of Rural Development and Land Reform in consultation with all role players);
- (b) the identification of all residents as defined in section 1 of the Transformation of Certain Rural Areas Act, 1998 (Act No. 94 of 1998);
- (c) enquiring about and the determination of all rights held by residents in the above-mentioned land;
- (d) conflict resolution and mediation;
- (e) the drafting of a land use and administrative plan;
- (f) the holding of public meetings whereby all residents will be informed of the possible options of an entity to which the land should be transferred; and

- (g) determining a referendum date when the residents may vote for an entity to which the land should be transferred.

The above-mentioned actions will be concluded at the end of the transitional period, contemplated in section 9 (1)(a) of the Transformation of Certain Rural Areas Act, 1998 (Act No. 94 of 1998).

Detailed plans will be available at the Sundays River Valley Municipality and the Port Elizabeth District Office of the Department of Rural Development and Land Reform for inspection.

## DEPARTEMENT VAN LANDELIKE ONTWIKKELING EN GRONDHERVORMING

NO. 1000

09 SEPTEMBER 2016

KENNISGEWING INGEVOLGE ARTIKEL 3(4)(d) VAN DIE WET OP DIE TRANSFORMASIE VAN SEKERE LANDELIKE GEBIEDE, 1998 (WET No. 94 VAN 1998)

Ek, Gugile E. Nkwinti, Minister vir Departement van Landelike Ontwikkeling en Grond Hervorming, publiseer hierby ingevolge artikel 3(4)(d) van die Wet op die Transformasie van Sekere Landelike Gebiede, 1998 (Wet No. 94 van 1998), die kennisgewing soos uit een gesit in die Bylae.



NKWINTI, G E (LP)

MINISTER DEPARTEMENTE VAN LANDELIKE ONTWIKKELING EN GROND  
HERVORMING

DATUM: 17/03/2016

BYLAE



**KENNISGEWING INGEVOLGE ARTIKEL 3(4)(a) VAN DIE WET OP DIE TRANSFORMASIE VAN SEKERE LANDELIKE GEBIEDE, 1998 (WET No. 94 VAN 1998), VIR DIE ENON/BERSHEBA RAADSGEBIED**

Die Sondag Rivier Vallei Munisipaliteit, in samewerking met 'n verkose komitee van die Enon/Bersheba gemeenskap, beoog om, soos uiteengesit in die Bylae tot hierdie Kennisgewing, te bepaal aan watter entiteit die grond bekend as Enon Mission Farm No. 40, Afdeling van Uitenhage, groot 10 669,09 hektaar, soos beoog in artikel 3(1) van die Wet op die Transformasie van Sekere Landelike Gebiede, 1998 (Wet No. 94 van 1998), oorgedra moet word.

Die Munisipaliteit sal die oordrag bepaal deur –

- (a) deurlopende voorlegging van dokumente, kommunikasie en skakeling oor die implementering van die Implementeringsplan vir die Transformasieproses (soos opgestel en goedgekeur deur die Departement van Grondsake in oorlegpleging met al die rolspelers);
- (b) alle inwoners soos omskryf in artikel 1 van die Wet op die Transformasie van Sekere Landelike Gebiede, 1998 (Wet No. 94 van 1998), te identifiseer;
- (c) navrae te doen oor en die vasstelling van alle regte gehou deur inwoners in die bogemelde grond;
- (d) konflikoplossing en –bemiddeling;
- (e) die opstel van 'n grondgebruiks- en administratiewe plan;

- (f) die hou van openbare vergaderings waartydens alle inwoners ingelig sal word oor moontlike opsies van 'n entiteit aan wie die grond oorgedra kan word; en
- (g) 'n referendumdatum te bepaal waarop die inwoners kan stem vir 'n entiteit aan wie die grond oorgedra moet word.

Die bogemelde aksies sal afgehandel wees aan die einde van die oorgangstyd beoog in artikel 9 (1)(a) van die Wet op die Transformasie van Sekere Landelike Gebiede, 1998 (Wet No. 94 van 1998).

Gedetailleerde planne sal vir inspeksie ter insae lê by die Sondagsriviervallei-munisipaliteit en die Port Elizabeth kantoor van die Departement van Landelike Ontwikkeling en Grond Hervorming

TH2511 (A)

#### SOUTH AFRICAN REVENUE SERVICE

NO. 1001

09 SEPTEMBER 2016

#### INCOME TAX ACT, 1962

### CONVENTION BETWEEN THE REPUBLIC OF SOUTH AFRICA AND THE REPUBLIC OF CHILE FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND ON CAPITAL

In terms of section 108(2) of the Income Tax Act, 1962 (Act No 58 of 1962), read in conjunction with section 231(4) of the Constitution of the Republic of South Africa, 1996, it is hereby notified that the Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital set out in the Schedule to this Notice has been entered into with the Government of the Republic of Chile and has been approved by Parliament in terms of section 231(2) of the Constitution.

It is further notified in terms of paragraph 1 of Article 28 of the Convention, that the date of entry into force is 11 August 2016.

## SCHEDULE

### CONVENTION BETWEEN THE REPUBLIC OF SOUTH AFRICA AND THE REPUBLIC OF CHILE FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME AND ON CAPITAL

#### Preamble

The Government of the Republic of South Africa and the Government of the Republic of Chile desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital,

**HAVE AGREED** as follows:

#### CHAPTER I

##### SCOPE OF THE CONVENTION

###### Article 1

###### *Persons Covered*

This Convention shall apply to persons who are residents of one or both of the Contracting States.

###### Article 2

###### *Taxes Covered*

1. This Convention shall apply to taxes on income and on capital imposed on behalf of a Contracting State or of its political subdivisions, irrespective of the manner in which they are levied.

2. There shall be regarded as taxes on income and on capital all taxes imposed on total income, on total capital, or on elements of income or of capital, including taxes on gains from the alienation of movable or immovable property, taxes on the total amount of wages or salaries paid by enterprises, as well as taxes on capital appreciation.

3. The existing taxes to which the Convention shall apply are in particular:

- (a) in Chile, the taxes imposed under the Income Tax Act, "Ley sobre Impuesto a la Renta";

(hereinafter referred to as "Chilean tax"); and

- (b) in South Africa:
  - (i) the normal tax;
  - (ii) the secondary tax on companies; and
  - (iii) the withholding tax on royalties;

(hereinafter referred to as “South African tax”).

4. The Convention shall apply also to any identical or substantially similar taxes and to taxes on capital that are imposed after the date of signature of the Convention in addition to, or in place of, the existing taxes. The competent authorities of the Contracting States shall notify each other of any significant changes that have been made in their respective taxation laws.

## CHAPTER II

### DEFINITIONS

#### Article 3

##### *General Definitions*

1. For the purposes of this Convention, unless the context otherwise requires:
  - (a) the term “Chile” means the Republic of Chile and includes the territorial sea thereof as well as any area outside the territorial sea, including the continental shelf, designated under the laws of Chile and in accordance with international law, as an area within which Chile may exercise sovereign rights or jurisdiction; and
  - (b) the term “South Africa” means the Republic of South Africa and includes the territorial sea thereof as well as any area outside the territorial sea, including the continental shelf, designated under the laws of South Africa and in accordance with international law, as an area within which South Africa may exercise sovereign rights or jurisdiction;
  - (c) the terms “a Contracting State” and “the other Contracting State” mean Chile or South Africa, as the context requires;
  - (d) the term “business” includes the performance of professional services and of other activities of an independent character;
  - (e) the term “company” means any body corporate or any entity that is treated as a body corporate for tax purposes;
  - (f) the term “competent authority” means:
    - (i) in Chile, the Minister of Finance or an authorised representative; and
    - (ii) in South Africa, the Commissioner for the South African Revenue Service or an authorised representative;

- (g) the terms “enterprise of a Contracting State” and “enterprise of the other Contracting State” mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State;
- (h) the term “international traffic” means any transport by a ship or aircraft operated by an enterprise of a Contracting State, except when such transport is solely between places in the other Contracting State;
- (i) the term “national”, in relation to a Contracting State, means:
  - (i) any individual possessing the nationality or citizenship of that Contracting State; and
  - (ii) any legal person or association deriving its status as such from the laws in force in that Contracting State; and
- (j) the term “person” includes an individual, a company and any other body of persons.

2. As regards the application of the provisions of the Convention at any time by a Contracting State, any term not defined therein shall, unless the context otherwise requires, have the meaning that it has at that time under the law of that State for the purposes of the taxes to which the Convention applies, any meaning under the applicable tax laws of that State prevailing over a meaning given to the term under other laws of that State.

#### **Article 4**

##### ***Resident***

1. For the purposes of this Convention, the term “resident of a Contracting State” means any person who, under the laws of that State, is liable to tax therein by reason of that person’s domicile, residence, place of management, place of incorporation or any other criterion of a similar nature, and also includes that State and any political subdivision or local authority thereof. This term, however, does not include any person who is liable to tax in that State in respect only of income from sources in that State or capital situated therein.

2. Where by reason of the provisions of paragraph 1 an individual is a resident of both Contracting States, then that individual’s status shall be determined as follows:

- (a) the individual shall be deemed to be a resident solely of the State in which a permanent home is available to the individual; if a permanent home is available to the individual in both States, the individual shall be deemed to be a resident solely of the State with which the individual’s personal and economic relations are closer (centre of vital interests);
- (b) if sole residence cannot be determined under the provisions of subparagraph (a), or if the individual has not a permanent home available in either State, the individual shall be deemed to be a resident solely of the State in which the individual has an habitual abode;

- (c) if the individual has an habitual abode in both States or in neither of them, the individual shall be deemed to be a resident solely of the State of which the individual is a national;
- (d) if the individual is a national of both States or of neither of them, the competent authorities of the Contracting States shall settle the question by mutual agreement.

3. An item of income, profit or gain derived through a person that is fiscally transparent under the laws of either Contracting State shall be considered to be derived by a resident of a Contracting State to the extent that the item is treated for the purposes of the taxation laws of that Contracting State as the income, profit or gain of a resident.

4. Where by reason of the provisions of paragraph 1 a person other than an individual is a resident of both Contracting States, the competent authorities of the Contracting States shall by mutual agreement endeavour to determine the mode of application of the Convention to the person. In the absence of such agreement by the competent authorities of the Contracting States, the person shall not be entitled to any relief or exemption from tax provided by the Convention.

## **Article 5**

### ***Permanent Establishment***

1. For the purposes of this Convention, the term "permanent establishment" means a fixed place of business through which the business of an enterprise is wholly or partly carried on.

2. The term "permanent establishment" includes especially:

- (a) a place of management;
- (b) a branch;
- (c) an office;
- (d) a factory;
- (e) a workshop, and
- (f) a mine, an oil or gas well, a quarry or any other place relating to the exploration for or the exploitation of natural resources.

3. The term "permanent establishment" shall also include:

- (a) a building site, a construction, assembly or installation project or supervisory activities in connection with such site or project, but only if such site, project or activities last more than six months;
- (b) the furnishing of services, including consultancy services, by an enterprise through employees or other personnel engaged by an enterprise for such purpose, where activities of that nature continue within the Contracting State for a period or periods exceeding in the aggregate 183 days in any twelve-month period commencing or ending in the fiscal year concerned;

- (c) the performance of professional services or of other activities of an independent character in a Contracting State by an individual, if that individual is present in that Contracting State for a period or periods exceeding in the aggregate 183 days in any twelve-month period commencing or ending in the fiscal year concerned.

4. Notwithstanding the preceding provisions of this Article, the term “permanent establishment” shall be deemed not to include:

- (a) the use of facilities solely for the purpose of storage, display or delivery of goods or merchandise belonging to the enterprise;
- (b) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage, display or delivery;
- (c) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;
- (d) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise, or of collecting information, for the enterprise;
- (e) the maintenance of a fixed place of business solely for the purpose of advertising, supplying information or carrying out scientific research for the enterprise, provided that the activity is of a preparatory or auxiliary character.

5. Notwithstanding the provisions of paragraphs 1 and 2, where a person – other than an agent of an independent status to whom paragraph 7 applies – is acting on behalf of an enterprise and has, and habitually exercises, in a Contracting State an authority to conclude contracts on behalf of the enterprise, that enterprise shall be deemed to have a permanent establishment in that State in respect of any activities which that person undertakes for the enterprise, unless the activities of such person are limited to those mentioned in paragraph 4 which, if exercised through a fixed place of business, would not make this fixed place of business a permanent establishment under the provisions of that paragraph.

6. Notwithstanding the preceding provisions of this Article, an insurance enterprise of a Contracting State shall, except in the case of re-insurance, be deemed to have a permanent establishment in the other Contracting State if it collects premiums in the territory of that other State or if it insures risks situated therein through a representative other than an agent of independent status to whom paragraph 7 applies.

7. An enterprise shall not be deemed to have a permanent establishment in a Contracting State merely because it carries on business in that State through a broker, general commission agent or any other agent of an independent status, provided that such persons are acting in the ordinary course of their business and that the conditions that are made or imposed in their commercial or financial relations with the enterprise do not differ from those which would be generally made by independent agents.

8. The fact that a company which is a resident of a Contracting State controls or is controlled by a company which is a resident of the other Contracting State, or which carries on business in that other State (whether through a permanent establishment or otherwise), shall not of itself constitute either company a permanent establishment of the other.



**CHAPTER III**  
**TAXATION OF INCOME**

**Article 6**

***Income from Immovable Property***

1. Income derived by a resident of a Contracting State from immovable property (including income from agriculture or forestry) situated in the other Contracting State may be taxed in that other State.

2. For the purposes of this Convention, the term "immovable property" shall have the meaning which it has under the law of the Contracting State in which the property in question is situated. The term shall in any case include property accessory to immovable property, livestock and equipment used in agriculture and forestry, rights to which the provisions of general law respecting landed property apply, usufruct of immovable property and rights to variable or fixed payments as consideration for the working of, or the right to work, mineral deposits, sources and other natural resources. Ships and aircraft shall not be regarded as immovable property.

3. The provisions of paragraph 1 shall apply to income derived from the direct use, letting or use in any other form of immovable property.

4. The provisions of paragraphs 1 and 3 shall also apply to the income from immovable property of an enterprise.

**Article 7**

***Business Profits***

1. The profits of an enterprise of a Contracting State shall be taxable only in that State unless the enterprise carries on business in the other Contracting State through a permanent establishment situated therein. If the enterprise carries on or has carried on business as aforesaid, the profits of the enterprise may be taxed in the other State but only so much of them as is attributable to that permanent establishment.

2. Subject to the provisions of paragraph 3, where an enterprise of a Contracting State carries on business in the other Contracting State through a permanent establishment situated therein, there shall in each Contracting State be attributed to that permanent establishment the profits which it might be expected to make if it were a distinct and separate enterprise engaged in the same or similar activities under the same or similar conditions and dealing wholly independently with the enterprise of which it is a permanent establishment and with all other persons.

3. In determining the profits of a permanent establishment, there shall be allowed as deductions expenses which are incurred for the purposes of the permanent establishment, including executive and general administrative expenses so incurred, whether in the Contracting State in which the permanent establishment is situated or elsewhere.

4. In so far as it has been customary in a Contracting State to determine the profits to be attributed to a permanent establishment on the basis of an apportionment of the total profits of the enterprise to its various parts, nothing in paragraph 2 shall preclude that Contracting State from determining the profits to be taxed by such an apportionment as may be customary. The method of apportionment adopted shall, however, be such that the result shall be in accordance with the principles contained in this Article.

5. No profits shall be attributed to a permanent establishment by reason of the mere purchase by that permanent establishment of goods or merchandise for the enterprise.

6. For the purposes of the preceding paragraphs, the profits to be attributed to the permanent establishment shall be determined by the same method year by year unless there is good and sufficient reason to the contrary.

7. Where profits include items of income which are dealt with separately in other Articles of this Convention, then the provisions of those Articles shall not be affected by the provisions of this Article.

## Article 8

### *Shipping and Air Transport*

1. Profits of an enterprise of a Contracting State from the operation of ships or aircraft in international traffic shall be taxable only in that State.

2. For the purposes of this Article, the expression "operation of ships or aircraft" by an enterprise, also includes:

- (i) the charter or rental on a bareboat basis of ships and aircraft;
- (ii) the rental of containers and related equipment,

if that charter or rental is incidental to the operation by the enterprise of ships or aircraft in international traffic.

3. The provisions of paragraph 1 shall also apply to profits from the participation in a pool, a joint business or an international operating agency.

**Article 9*****Associated Enterprises***

## 1. Where

- (a) an enterprise of a Contracting State participates directly or indirectly in the management, control or capital of an enterprise of the other Contracting State, or
- (b) the same persons participate directly or indirectly in the management, control or capital of an enterprise of a Contracting State and an enterprise of the other Contracting State,

and in either case conditions are made or imposed between the two enterprises in their commercial or financial relations which differ from those which would be made between independent enterprises, then any profits which would, but for those conditions, have accrued to one of the enterprises, but, by reason of those conditions, have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

2. Where a Contracting State includes in the profits of an enterprise of that State – and taxes accordingly – profits on which an enterprise of the other Contracting State has been charged to tax in that other State and the profits so included are profits which would have accrued to the enterprise of the first-mentioned State if the conditions made between the two enterprises had been those which would have been made between independent enterprises, then that other State, if it agrees that the adjustment made by the first-mentioned State is justified both in principle and as regards the amount, shall make an appropriate adjustment to the amount of the tax charged therein on those profits. In determining such adjustment, due regard shall be had to the other provisions of this Convention and the competent authorities of the Contracting States shall if necessary consult each other.

**Article 10*****Dividends***

1. Dividends paid by a company which is a resident of a Contracting State to a resident of the other Contracting State may be taxed in that other State.

2. However, such dividends may also be taxed in the Contracting State of which the company paying the dividends is a resident and according to the laws of that State, but if the beneficial owner of the dividends is a resident of the other Contracting State, the tax so charged shall not exceed:

- (a) 5 per cent of the gross amount of the dividends if the beneficial owner is a company which holds directly at least 25 per cent of the capital of the company paying the dividends;
- (b) 15 per cent of the gross amount of the dividends in all other cases.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of these limitations.

The provisions of this paragraph shall not affect the taxation of the company in respect of the profits out of which the dividends are paid.

The provisions of this paragraph shall not limit application of the Additional Tax payable in Chile provided that the First Category Tax is fully creditable in computing the amount of additional tax.

3. The term "dividends" as used in this Article means income from shares or other rights participating in profits (not being debt-claims), as well as income from other rights which is subjected to the same taxation treatment as income from shares by the laws of the Contracting State of which the company making the distribution is a resident.

4. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the dividends, being a resident of a Contracting State, carries on business in the other Contracting State of which the company paying the dividends is a resident through a permanent establishment situated therein and the holding in respect of which the dividends are paid is effectively connected with such permanent establishment. In such case, the provisions of Article 7 shall apply.

5. Where a company which is a resident of a Contracting State derives profits or income from the other Contracting State, that other State may not impose any tax on the dividends paid by the company, except in so far as such dividends are paid to a resident of that other State or in so far as the holding in respect of which the dividends are paid is effectively connected with a permanent establishment situated in that other State, nor subject the company's undistributed profits to a tax on undistributed profits, even if the dividends paid or the undistributed profits consist wholly or partly of profits or income arising in such other State.

6. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the shares or other rights in respect of which the dividend is paid to take advantage of this Article by means of that creation or assignment.

## Article 11

### *Interest*

1. Interest arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other State.

2. However, such interest may also be taxed in the Contracting State in which it arises and according to the laws of that State, but if the beneficial owner of the interest is a resident of the other Contracting State, the tax so charged shall not exceed:

- (a) 5 per cent of the gross amount of the interest derived from:
  - (i) loans granted by banks and insurance companies;
  - (ii) bonds or securities that are regularly and substantially traded on a recognised securities market;
  - (iii) a sale on credit paid by the purchaser of machinery and equipment to a beneficial owner that is the seller of the machinery and equipment;
- (b) 15 per cent of the gross amount of the interest in all other cases.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of these limitations.

3. The term "interest" as used in this Article means income from debt-claims of every kind, whether or not secured by mortgage, and in particular, income from government securities and income from bonds or debentures, as well as income which is subjected to the same taxation treatment as income from money lent by the laws of the State in which the income arises. The term interest shall not include any item which is treated as a dividend under the provisions of Article 10.

4. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the interest, being a resident of a Contracting State, carries on business in the other Contracting State in which the interest arises through a permanent establishment situated therein and the debt-claim in respect of which the interest is paid is effectively connected with such permanent establishment. In such case, the provisions of Article 7 shall apply.

5. Interest shall be deemed to arise in a Contracting State when the payer is a resident of that State. Where, however, the person paying the interest, whether that person is a resident of a Contracting State or not, has in a Contracting State a permanent establishment in connection with which the indebtedness on which the interest is paid was incurred, and such interest is borne by such permanent establishment, then such interest shall be deemed to arise in the State in which the permanent establishment is situated.

6. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the interest, exceeds, for whatever reason, the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Convention.

7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the debt-claim in respect of which the interest is paid to take advantage of this Article by means of that creation or assignment.

## **Article 12**

### ***Royalties***

1. Royalties arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other State.

2. However, such royalties may also be taxed in the Contracting State in which they arise and according to the laws of that State, but if the beneficial owner of the royalties is a resident of the other Contracting State, the tax so charged shall not exceed:

- (a) 5 per cent of the gross amount for the use of, or the right to use, any industrial, commercial or scientific equipment;
- (b) 10 per cent of the gross amount of the royalties in all other cases.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of these limitations.

3. The term "royalties" as used in this Article means payments of any kind received as a consideration for the use of, or the right to use, any copyright of literary, artistic or scientific work, including cinematograph films and films, tapes or discs for radio or television broadcasting and other means of image or sound reproduction, any patent, trade mark, design or model, plan, secret formula or process or other intangible property, or for the use of, or the right to use, industrial, commercial or scientific equipment, or for information concerning industrial, commercial or scientific experience.

4. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the royalties, being a resident of a Contracting State, carries on business in the other Contracting State in which the royalties arise through a permanent establishment situated therein and the right or property in respect of which the royalties are paid is effectively connected with such permanent establishment. In such case, the provisions of Article 7 shall apply.

5. Royalties shall be deemed to arise in a Contracting State when the payer is a resident of that State. Where, however, the person paying the royalties, whether that person is a resident of a Contracting State or not, has in a Contracting State a permanent establishment in connection with which the obligation to pay the royalties was incurred, and such royalties are borne by such permanent establishment, then such royalties shall be deemed to arise in the State in which the permanent establishment is situated.

6. Where, by reason of a special relationship between the payer and the beneficial owner or between both of them and some other person, the amount of the royalties, having regard to the use, right or information for which they are paid, exceeds the amount which would have been agreed upon by the payer and the beneficial owner in the absence of such relationship, the provisions of this Article shall apply only to the last-mentioned amount. In such case, the excess part of the payments shall remain taxable according to the laws of each Contracting State, due regard being had to the other provisions of this Convention.

7. The provisions of this Article shall not apply if it was the main purpose or one of the main purposes of any person concerned with the creation or assignment of the rights in respect of which the royalties are paid to take advantage of this Article by means of that creation or assignment.

### **Article 13**

#### ***Capital Gains***

1. Gains derived by a resident of a Contracting State from the alienation of immovable property situated in the other Contracting State may be taxed in that other State.

2. Gains from the alienation of movable property forming part of the business property of a permanent establishment which an enterprise of a Contracting State has in the other Contracting State, including such gains from the alienation of such a permanent establishment (alone or with the whole enterprise), may be taxed in that other State.

3. Gains from the alienation of ships or aircraft operated in international traffic or from movable property pertaining to the operation of such ships or aircraft, shall be taxable only in the Contracting State of which the alienator is a resident.

4. Gains derived by a resident of a Contracting State from the alienation of shares or other rights representing the capital of a company, or comparable interests or rights in any other person, that is a resident of the other Contracting State, may be taxed in that other Contracting State.

5. Gains from the alienation of any property other than that referred to in paragraphs 1, 2, 3 and 4, shall be taxable only in the Contracting State of which the alienator is a resident.



## **Article 14**

### ***Income from Employment***

1. Subject to the provisions of Articles 15, 17 and 18, salaries, wages and other remuneration derived by a resident of a Contracting State in respect of an employment shall be taxable only in that State unless the employment is exercised in the other Contracting State. If the employment is so exercised, such remuneration as is derived therefrom may be taxed in that other State.

2. Notwithstanding the provisions of paragraph 1, remuneration derived by a resident of a Contracting State in respect of an employment exercised in the other Contracting State shall be taxable only in the first-mentioned State if:

- (a) the recipient is present in the other State for a period or periods not exceeding in the aggregate 183 days in any twelve-month period commencing or ending in the fiscal year concerned, and
- (b) the remuneration is paid by, or on behalf of, an employer being a person who is not a resident of the other State, and
- (c) the remuneration is not borne by a permanent establishment which the employer has in the other State.

3. Notwithstanding the preceding provisions of this Article, remuneration derived in respect of an employment exercised aboard a ship or aircraft operated in international traffic by an enterprise of a Contracting State may be taxed in that State.

## **Article 15**

### ***Directors' Fees***

Directors' fees and other similar payments derived by a resident of a Contracting State in that person's capacity as a member of the board of directors or a similar organ of a company which is a resident of the other Contracting State may be taxed in that other State.

## **Article 16**

### ***Entertainers and Sportspersons***

1. Notwithstanding the provisions of Articles 7 and 14, income derived by a resident of a Contracting State as an entertainer, such as a theatre, motion picture, radio or television artiste, or a musician, or as a sportsman, from that person's personal activities as such exercised in the other Contracting State, may be taxed in that other State.

2. Where income in respect of personal activities exercised by an entertainer or a sportsperson in that person's capacity as such accrues not to the entertainer or sportsperson but to another person, that income may, notwithstanding the provisions of Articles 7 and 14, be taxed in the Contracting State in which the activities of the entertainer or sportsperson are exercised.

### **Article 17**

#### ***Pensions***

1. Pensions arising in a Contracting State and paid to a resident of the other Contracting State, may be taxed in the first-mentioned State.

2. Alimony and other maintenance payments paid to a resident of a Contracting State shall be taxable only in that State. However, any alimony or other maintenance payments paid by a resident of one of the Contracting States to a resident of the other Contracting State, shall, to the extent it is not allowable as a relief from tax to the payer, be taxable only in the first-mentioned State.

### **Article 18**

#### ***Government Service***

1. (a) Salaries, wages and other remuneration, other than a pension, paid by a Contracting State or a political subdivision or a local authority thereof to an individual in respect of services rendered to that State or subdivision or authority shall be taxable only in that State.

(b) However, such salaries, wages and other remuneration shall be taxable only in the other Contracting State if the services are rendered in that State and the individual is a resident of that State who:

- (i) is a national of that State; or
- (ii) did not become a resident of that State solely for the purpose of rendering the services.

2. The provisions of Articles 14, 15 and 16 shall apply to salaries, wages and other remuneration in respect of services rendered in connection with a business carried on by a Contracting State or a political subdivision or a local authority thereof.

**Article 19*****Students***

Students or business apprentices who are present in a Contracting State solely for the purpose of their education or training and who are, or immediately before being so present were residents of the other Contracting State, shall be exempt from tax in the first-mentioned State on payments received from outside that first-mentioned State for the purpose of their maintenance, education or training.

**Article 20*****Other Income***

1. Items of income of a resident of a Contracting State, wherever arising, not dealt with in the foregoing Articles of this Convention shall be taxable only in that State.

2. The provisions of paragraph 1 shall not apply to income, other than income from immovable property as defined in paragraph 2 of Article 6, if the recipient of such income, being a resident of a Contracting State, carries on business in the other Contracting State through a permanent establishment situated therein and the right or property in respect of which the income is paid is effectively connected with such permanent establishment. In such case, the provisions of Article 7 shall apply.

3. Notwithstanding the provisions of paragraphs 1 and 2, items of income of a resident of a Contracting State not dealt with in the foregoing Articles of the Convention and arising in the other Contracting State may also be taxed in that other State.

**CHAPTER IV****TAXATION OF CAPITAL****Article 21*****Capital***

1. Capital represented by immovable property owned by a resident of a Contracting State and situated in the other Contracting State, may be taxed in that other State.

2. Capital represented by movable property forming part of the business property of a permanent establishment which an enterprise of a Contracting State has in the other Contracting State, may be taxed in that other State.

3. Capital represented by ships and aircraft operated in international traffic, and by movable property pertaining to the operation of such ships or aircraft, shall be taxable only in the Contracting State of which the enterprise operating such ships or aircraft is resident.

4. All other elements of capital of a resident of a Contracting State shall be taxable only in that State.

## CHAPTER V

### METHODS FOR AVOIDANCE OF DOUBLE TAXATION

#### Article 22

##### *Avoidance of Double Taxation*

1. In Chile, double taxation shall be avoided as follows:

- (a) residents of Chile, obtaining income or owning capital which has, in accordance with the provisions of this Convention, been subject to taxation in South Africa, may credit the tax so paid against any Chilean tax payable in respect of the same income or capital, subject to the applicable provisions of the law of Chile (which shall not affect the general principle hereof). This paragraph shall apply to all income or capital referred to in this Convention;
- (b) where, in accordance with any provision of this Convention, income derived or capital owned by a resident of Chile is exempt from tax in Chile, Chile may nevertheless, in calculating the amount of tax on other income or capital, take into account the exempted income or capital.

2. In South Africa, double taxation shall be avoided as follows:

subject to the provisions of the law of South Africa regarding the deduction from tax payable in South Africa of tax payable in any country other than South Africa (which shall not affect the general principle hereof), Chilean tax paid by residents of South Africa in respect of income or capital taxable in Chile, in accordance with the provisions of this Convention, shall be deducted from the taxes due according to South African fiscal law. Such deduction shall not, however, exceed an amount which bears to the total South African tax payable the same ratio as the income or capital concerned bears to the total income or capital, as the case may be.

**CHAPTER VI****SPECIAL PROVISIONS****Article 23*****Non-discrimination***

1. Nationals of a Contracting State shall not be subjected in the other Contracting State to any taxation or any requirement connected therewith, which is other or more burdensome than the taxation and connected requirements to which nationals of that other State in the same circumstances, in particular with respect to residence, are or may be subjected. This provision shall, notwithstanding the provisions of Article 1, also apply to persons who are not residents of one or both of the Contracting States.

2. The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that other State than the taxation levied on enterprises of that other State carrying on the same activities.

3. Nothing in this Article shall be construed as obliging a Contracting State to grant to residents of the other Contracting State any personal allowances, reliefs and reductions for taxation purposes on account of civil status or family responsibilities that it grants to its own residents.

4. Except where the provisions of paragraph 1 of Article 9, paragraph 6 of Article 11 or paragraph 6 of Article 12 apply, interest, royalties and other disbursements paid by an enterprise of a Contracting State to a resident of the other Contracting State shall, for the purpose of determining the taxable profits of such enterprise, be deductible under the same conditions as if they had been paid to a resident of the first-mentioned State. Similarly, any debts of an enterprise of a Contracting State to a resident of the other Contracting State shall, for the purpose of determining the taxable capital of such enterprise, be deductible under the same conditions as if they had been contracted to a resident of the first-mentioned State.

5. Companies which are residents of a Contracting State, the capital of which is wholly or partly owned or controlled, directly or indirectly, by one or more residents of the other Contracting State, shall not be subjected in the first-mentioned State to any taxation or any requirement connected therewith which is other or more burdensome than the taxation and connected requirements to which other similar companies which are residents of the first-mentioned State are or may be subjected.

6. In this Article, the term "taxation" means taxes that are subject of this Convention.

## Article 24

### *Mutual Agreement Procedure*

1. Where a person considers that the actions of one or both of the Contracting States result or will result for that person in taxation not in accordance with the provisions of this Convention, that person may, irrespective of the remedies provided by the domestic law of those States, present a case to the competent authority of the Contracting State of which the person is a resident or, if the case comes under paragraph 1 of Article 23, to that of the Contracting State of which the person is a national. The case must be presented within three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Convention.

2. The competent authority shall endeavour, if the objection appears to it to be justified and if it is not itself able to arrive at a satisfactory solution, to resolve the case by mutual agreement with the competent authority of the other Contracting State, with a view to the avoidance of taxation which is not in accordance with the Convention. Any agreement reached shall be implemented in accordance with the domestic law of the Contracting States.

3. The competent authorities of the Contracting States shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of the Convention.

4. The competent authorities of the Contracting States may communicate with each other directly for the purpose of reaching an agreement in the sense of the preceding paragraphs.

## Article 25

### *Exchange of Information*

1. The competent authorities of the Contracting States shall exchange such information as is necessary for carrying out the provisions of this Convention or of the domestic laws of the Contracting States concerning taxes covered by the Convention in so far as the taxation thereunder is not contrary to the Convention. The exchange of information is not restricted by Article 1. Any information received by a Contracting State shall be treated as secret in the same manner as information obtained under the domestic laws of that State and shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the assessment or collection of, the enforcement or prosecution in respect of, or the determination of appeals in relation to the taxes imposed by that State. Such persons or authorities shall use the information only for such purposes. They may disclose the information in public court proceedings or in judicial decisions.

2. In no case shall the provisions of paragraph 1 be construed so as to impose on a Contracting State the obligation:

- (a) to carry out administrative measures at variance with the laws and administrative practice of that or of the other Contracting State;
- (b) to supply information which is not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;
- (c) to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process, or information, the disclosure of which would be contrary to public policy (*ordre public*).

3. If information is requested by a Contracting State in accordance with this Article, the other Contracting State shall obtain the information to which the request relates in the same way as if its own taxation were involved even though the other State does not, at that time, need such information.

## **Article 26**

### ***Members of Diplomatic Missions and Consular Posts***

Nothing in this Convention shall affect the fiscal privileges of members of diplomatic missions or consular posts under the general rules of international law or under the provisions of special agreements.

## **Article 27**

### ***Miscellaneous Rules***

1. For the purposes of paragraph 3 of Article XXII (Consultation) of the General Agreement on Trade in Services, the Contracting States agree that, notwithstanding that paragraph, any dispute between them as to whether a measure falls within the scope of this Convention may be brought before the Council for Trade in Services, as provided by that paragraph, only with the consent of both Contracting States. Any doubt as to the interpretation of this paragraph shall be resolved under paragraph 3 of Article 24 or, failing agreement under that procedure, pursuant to any other procedure agreed to by both Contracting States.

2. With respect to pooled investment accounts or funds (as for instance the existing Foreign Capital Investment Fund, Law N°18.657), that are subject to a remittance tax and are required to be administered by a resident in Chile, the provisions of the Convention shall not be interpreted to restrict imposition by Chile of the tax on remittances from such accounts or funds in respect of investment in assets situated in Chile.

3. Nothing in the Convention shall affect the application of the existing provisions of the Chilean legislation DL 600 (Foreign Investment Statute) as they are in force at the time of signature of the Convention and as they may be amended from time to time without changing the general principle thereof.



4. Contributions in a year in respect of services rendered in that year paid by, or on behalf of, an individual who is a resident of a Contracting State or who is temporarily present in that State to a pension plan that is recognised for tax purposes in the other Contracting State shall, during a period not exceeding in the aggregate 60 months, be treated in the same way for tax purposes in the first-mentioned State as a contribution paid to a pension plan that is recognised for tax purposes in that first-mentioned State, if:

- (a) such individual was contributing on a regular basis to the pension plan for a period ending immediately before that individual became a resident of or temporarily present in the first-mentioned State; and
- (b) the competent authority of the first-mentioned State agrees that the pension plan generally corresponds to a pension plan recognised for tax purposes by that State.

For the purposes of this paragraph, "pension plan" includes a pension plan created under the social security system of a Contracting State.

5. Nothing in the Convention shall affect the taxation in Chile of a resident in South Africa in respect of profits attributable to a permanent establishment situated in Chile, under both the First Category Tax and the Additional Tax but only as long as the First Category Tax is deductible in computing the Additional Tax.

6. Nothing contained in the Convention shall prevent South Africa from imposing on the profits attributable to a permanent establishment in South Africa of a company, which is a resident of Chile, a tax at a rate which does not exceed the rate of normal tax on companies by more than five percentage points.

## CHAPTER VII

### FINAL PROVISIONS

#### Article 28

##### *Entry into Force*

1. Each of the Contracting States shall notify to the other, through the diplomatic channel, the completion of the procedures required by its law for the bringing into force of this Convention. The Convention shall enter into force on the date of receipt of the later of these notifications.

2. The provisions of the Convention shall have effect:

- (a) in Chile,

in respect of taxes on income obtained and amounts paid, credited to an account, put at the disposal or accounted as an expense, on or after the first day of January in the calendar year next following that in which the Convention enters into force; and

- (b) in South Africa,
  - (i) with regard to taxes withheld at source, in respect of amounts paid or credited on or after the first day of January in the calendar year next following that in which the Convention enters into force; and
  - (ii) with regard to other taxes, in respect of taxable years beginning on or after the first day of January in the calendar year next following that in which the Convention enters into force.

## **Article 29**

### ***Termination***

1. This Convention shall remain in force indefinitely but either of the Contracting States may terminate the Convention through the diplomatic channel, by giving to the other Contracting State written notice of termination on or before 30 June of any calendar year starting five years after the year in which the Convention entered into force.

2. The provisions of the Convention shall cease to have effect:

- (a) in Chile,

in respect of taxes on income obtained and amounts paid, credited to an account, put at the disposal or accounted as an expense, on or after the first day of January in the calendar year next following that in which the notice is given; and
- (b) in South Africa,
  - (i) with regard to taxes withheld at source, in respect of amounts paid or credited on or the first day of January in the calendar year next following that in which such notice is given; and
  - (ii) with regard to other taxes, in respect of taxable years beginning on or after the first day of January in the calendar year next following that in which such notice is given.

**IN WITNESS WHEREOF** the undersigned, being duly authorised thereto, have signed this Convention.

**DONE** at Pretoria in duplicate in the English and Spanish languages, this 11<sup>th</sup> day of July 2012, both texts being equally authentic.

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF SOUTH AFRICA**

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF CHILE**

## PROTOCOL

On signing the Convention between the Republic of South Africa and the Republic of Chile for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and on Capital, the undersigned, being duly authorised thereto, have agreed on the following provisions that shall form an integral part of this Convention:

1. In general

It is understood that the two Governments shall, through the competent authorities, consult together regarding the terms, operation and application of the Convention to ensure that it continues to serve the purposes of avoiding double taxation and preventing fiscal evasion and shall, where they consider it appropriate, conclude Protocols to amend the Convention.

Either Government may at any time request consultations, to be conducted by the competent authorities in an expeditious manner on matters relating to the terms, operation and application of the Convention which it considers require urgent resolution.

2. Ad Article 5, paragraph 3

It is understood that for the purposes of computing the time limits in paragraph 3 of Article 5, activities carried on by an enterprise associated with another enterprise within the meaning of Article 9 of the Convention shall be aggregated with the period during which activities are carried on by the enterprise if the activities of the associated enterprises are identical or substantially the same.

3. Ad Article 7

It is understood that the provisions of paragraph 3 of Article 7 shall apply only if the expenses can be attributed to the permanent establishment in accordance with the provisions of the tax laws of the Contracting State in which the permanent establishment is situated.

4. Ad Articles 4, 10, 11, 12 and 22

- (i) It is understood that the Chilean forms contained in Circular 17 of 2004 complies with the requirement to establish residence and thereby obtaining the benefits of this Convention.
- (ii) Any amendment or change of the residence certificates as agreed above shall be settled by mutual agreement by the competent authorities.

5. Ad Article 16

It is understood that the income referred to in paragraph 1 of Article 16 shall include any income derived from any personal activity exercised in the other State related with that person's renown as an entertainer or sportsperson.

## 6. Ad Article 17

It is understood that the term “pensions” includes any payments made to a scheme member or beneficiary in accordance with the scheme’s rules by a pension scheme that is recognised for tax purposes by the Contracting State in which the pension arises.

**IN WITNESS WHEREOF** the undersigned, being duly authorised thereto, have signed this Protocol.

**DONE** at Pretoria in duplicate in the English and Spanish languages, this 11<sup>th</sup> day of July 2012, both texts being equally authentic.

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF SOUTH AFRICA**

**FOR THE GOVERNMENT OF  
THE REPUBLIC OF CHILE**

**SUID-AFRIKAANSE INKOMSTEDIENS**

NO. 1001

09 SEPTEMBER 2016

**INKOMSTEBELASTINGWET, 1962****KONVENSIE TUSSEN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REPUBLIEK VAN CHILI  
TER VERMYDING VAN DUBBELE BELASTING EN TER VOORKOMING VAN FISKALE  
ONTDUIKING MET BETREKKING TOT BELASTINGS OP INKOMSTE EN OP KAPITAAL**

Ingevolge artikel 108(2) van die Inkomstebelastingwet, 1962 (Wet No 58 van 1962), saamgelees met artikel 231(4) van die Grondwet van die Republiek van Suid-Afrika, 1996, word hiermee kennis gegee dat die Konvensie ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking met betrekking tot belasting op inkomste en op kapitaal wat in die Bylae tot hierdie Kennisgewing vervat is, aangegaan is met die Regering van die Republiek van Chili en deur die Parlement goedgekeur is ingevolge artikel 231(2) van die Grondwet.

Daar word verder bekendgemaak dat ingevolge paragraaf 1 van Artikel 28 van die Konvensie, die datum van inwerkingtreding 11 Augustus 2016 is.

**BYLAE****KONVENSIE TUSSEN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REPUBLIEK VAN CHILI  
TER VERMYDING VAN DUBBELE BELASTING EN TER VOORKOMING VAN FISKALE  
ONTDUIKING MET BETREKKING TOT BELASTINGS OP INKOMSTE EN OP KAPITAAL****Aanhef**

Die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek van Chili, uit 'n begeerte om 'n Konvensie ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking ten opsigte van belasting op inkomste en op kapitaal aan te gaan,

**HET SOOS VOLG OOREENGEKOM:****HOOFSTUK I****BESTEK VAN KONVENSIE****Artikel 1*****Persone Gedek***

Hierdie Konvensie is van toepassing op persone wat inwoners van een van of albei die Kontrakterende State is.

**Artikel 2*****Belastings Gedek***

1. Hierdie Konvensie is van toepassing op belasting op inkomste en op kapitaal wat ten behoeve van 'n Kontrakterende Staat of sy staatkundige onderverdelings gehef word, ongeag die wyse waarop dit gehef word.

2. Alle belasting wat gehef word op totale inkomste, op totale kapitaal, of op die elemente van inkomste of van kapitaal, ook belasting op winste uit die vervreemding van roerende of onroerende eiendom, belasting op die totale bedrag van lone of salarisse wat deur ondernemings betaal word, asook belasting op kapitaalaanwas, word as belasting op inkomste en op kapitaal beskou.

3. Die bestaande belasting waarop die Konvensie van toepassing is, is in die besonder:

- (a) in Chili, die belasting wat ingevolge die Inkomstebelastingwet, "Ley sobre Impuesto a la Renta", opgelê word;

(hierna "Chileense belasting" genoem); en



- (b) in Suid-Afrika:
- (i) die normale belasting;
  - (ii) die sekondêre belasting op maatskappye; en
  - (iii) die terughoubelasting op tantième;

(hierna "Suid-Afrikaanse belasting" genoem).

4. Die Konvensie is ook van toepassing op enige identiese of wesenlik soortgelyke belastings en op belastings op kapitaal wat na die datum van ondertekening van die Konvensie benewens of in die plek van die bestaande belastings gehef word. Die bevoegde owerhede van die Kontrakterende State moet mekaar in kennis stel van enige beduidende veranderinge wat aan hulle onderskeie belastingwette aangebring is.

## HOOFSTUK II

### WOORDOMSKRYWING

#### Artikel 3

##### *Algemene Woordoms krywing*

1. Vir die doeleindes van hierdie Konvensie, tensy dit uit die samehang anders blyk:
  - (a) beteken die uitdrukking "Chili" die Republiek van Chili en ook die gebiedswaters daarvan, asook enige gebied buite die gebiedswaters, ook die vastelandsplat, wat ingevolge die wette van Chili en ooreenkomstig die volkereg aangewys is as 'n gebied waarin Chili soewereine regte of jurisdiksie kan uitoefen; en
  - (b) beteken die uitdrukking "Suid-Afrika" die Republiek van Suid-Afrika en ook die gebiedswaters daarvan, asook enige gebied buite die gebiedswaters, insluitende die vastelandsplat, wat ingevolge die wette van Suid-Afrika en ooreenkomstig die volkereg aangewys is as 'n gebied waarin Suid-Afrika soewereine regte of jurisdiksie kan uitoefen;
  - (c) beteken die uitdrukking "'n Kontrakterende Staat" en "die ander Kontrakterende Staat" Chili of Suid-Afrika, na gelang van die samehang;
  - (d) beteken die uitdrukking "besigheid" ook die verrigting van beroepsdienste en van ander bedrywighede van 'n onafhanklike aard;
  - (e) beteken die uitdrukking "maatskappy" enige regspersoon of enige entiteit wat vir belastingdoeleindes as 'n regspersoon behandel word;
  - (f) beteken die uitdrukking "bevoegde owerheid":
    - (i) in Chili, die Minister van Finansies of 'n gemagtigde verteenwoordiger; en
    - (ii) in Suid-Afrika, die Kommissaris van die Suid-Afrikaanse Inkomstediens of 'n gemagtigde verteenwoordiger;

- (g) beteken die uitdrukkings "onderneming van 'n Kontrakterende Staat" en "onderneming van die ander Kontrakterende Staat" onderskeidelik 'n onderneming wat deur 'n inwoner van 'n Kontrakterende Staat gedryf word en 'n onderneming wat deur 'n inwoner van die ander Kontrakterende Staat gedryf word;
- (h) beteken die uitdrukking "internasionale verkeer" enige vervoer per skip of lugvaartuig wat deur 'n onderneming van 'n Kontrakterende Staat bedryf word, uitgesonderd waar sodanige vervoer alleenlik tussen plekke in die ander Kontrakterende Staat geskied;
- (i) beteken die uitdrukking "burger", met betrekking tot 'n Kontrakterende Staat:
  - (i) enige individu wat burgerskap van daardie Kontrakterende Staat het; en
  - (ii) enige regspersoon of vereniging wat sy status as sodanig verkry uit die wette wat in daardie Kontrakterende Staat van krag is; en
- (j) beteken die uitdrukking "persoon" ook 'n individu, 'n maatskappy en enige ander liggaam van persone.

2. Betreffende die toepassing van die bepalings van die Konvensie te eniger tyd deur 'n Kontrakterende Staat het enige uitdrukking wat nie daarin omskryf is nie, tensy dit uit die samehang anders blyk, die betekenis wat dit op daardie tydstip ingevolge die reg van daardie Staat het vir die doeleindes van die belastings waarop die Konvensie van toepassing is, en geniet enige betekenis ingevolge die toepaslike belastingwette van daardie Staat voorrang bo 'n betekenis wat ingevolge ander wette van daardie Staat aan die uitdrukking geheg is.

#### **Artikel 4**

##### ***Inwoner***

1. Vir die doeleindes van hierdie Konvensie beteken die uitdrukking "inwoner van 'n Kontrakterende Staat" enige persoon wat ingevolge die wette van daardie Staat aanspreeklik is vir belasting daarin as gevolg van daardie persoon se domisilie, verblyf, plek van bestuur, plek van inlywing of enige ander kriterium van soortgelyke aard, en sluit dit ook daardie Staat en enige staatkundige onderverdeling of plaaslike owerheid daarvan in. Hierdie uitdrukking sluit egter nie 'n persoon in wat in daardie Staat net ten opsigte van inkomste uit bronne in daardie Staat of kapitaal geleë daarin belastingpligtig is nie.

2. Waar 'n individu uit hoofde van die bepalings van paragraaf 1 'n inwoner van albei Kontrakterende State is, word daardie individu se status soos volg bepaal:

- (a) die individu word geag 'n inwoner te wees alleenlik van die Staat waarin 'n permanente tuiste tot die individu se beskikking is; indien 'n permanente tuiste in albei State tot die individu se beskikking is, word die individu geag 'n inwoner te wees alleenlik van die Staat waarmee die individu se persoonlike en ekonomiese betrekkinge die nouste is (tuiste van lewensbelange);
- (b) indien die uitsluitlike verblyf nie kragtens die bepalings van subparagraaf (a) vasgestel kan word nie, of indien die individu nie 'n permanente tuiste in enigeen van die State beskikbaar het nie, word die individu geag 'n inwoner te wees alleenlik van die Staat waarin die individu 'n gebruikelike verblyfplek het;

- (c) indien die individu 'n gebruikelike verblyfplek in albei State of in nie een van hulle het nie, word die individu geag 'n inwoner te wees alleenlik van die Staat waarvan die individu 'n burger is;
- (d) indien die individu 'n burger van albei State of van nie een van hulle is nie, moet die bevoegde owerhede van die Kontrakterende State die saak deur onderlinge ooreenkoms beslis.

3. 'n Inkomste-, profyt- of wins-item wat verkry word deur 'n persoon wat fisikaal deursigtig is ingevolge die wette van een van beide die Kontrakterende State word geag verkry te wees deur 'n inwoner van 'n Kontrakterende Staat in die mate dat die item vir die doeleindes van die belastingwette van daardie Kontrakterende Staat behandel word as die inkomste, profyt of wins van 'n inwoner.

4. Waar uit hoofde van die bepalings van paragraaf 1 'n ander persoon as 'n individu 'n inwoner van albei Kontrakterende State is, moet die bevoegde owerhede van die Kontrakterende State deur onderlinge ooreenkoms poog om die wyse van toepassing van die Konvensie op daardie persoon te bepaal. By ontstentenis van sodanige ooreenkoms deur die bevoegde owerhede van die Kontrakterende State is daardie persoon nie geregtig op enige belastingverligting of -vrystelling wat deur die Konvensie bepaal word nie.

## Artikel 5

### *Permanente Saak*

1. Vir die doeleindes van hierdie Konvensie beteken die uitdrukking "permanente saak" 'n vaste besigheidsplek waardeur die besigheid van die onderneming in geheel of gedeeltelik gedryf word.

2. Die uitdrukking "permanente saak" sluit in die besonder in:

- (a) 'n plek van bestuur;
- (b) 'n tak;
- (c) 'n kantoor;
- (d) 'n fabriek;
- (e) 'n werkwinkel; en
- (f) 'n myn, 'n olie- of gasbron, 'n steengroef of enige ander plek wat verband hou met die ontginning of benutting van natuurlike hulpbronne.

3. Die uitdrukking "permanente saak" behels eweneens:

- (a) 'n bouperseel, 'n konstruksie-, monteer- of installeerprojek of toesighoudende bedrywighede in verband met so 'n perseel of projek, maar net indien so 'n perseel, projek of bedrywigheid langer as ses maande duur;
- (b) die lewering van dienste, ook konsultasiedienste, deur 'n onderneming deur middel van werknemers of ander personeel wat vir sodanige doel deur 'n onderneming in diens geneem word, waar bedrywighede van daardie aard voortduur in die Kontrakterende Staat vir 'n tydperk of tydperke wat altesaam meer is as 183 dae in enige twaalfmaandetydperk wat in die betrokke fiskale jaar begin of eindig;

- (c) die verrigting van beroepsdienste of van ander bedrywighede van 'n onafhanklike aard in 'n Kontrakterende Staat deur 'n individu, indien daardie individu teenwoordig is in daardie Kontrakterende Staat vir 'n tydperk of tydperke wat altesaam meer is as 183 dae in enige twaalfmaandetydperk wat in die betrokke fiskale jaar begin of eindig.

4. Ondanks die voorgaande bepalings van hierdie Artikel word die uitdrukking "permanente saak" geag nie die volgende in te sluit nie:

- (a) die gebruik van fasiliteite uitsluitlik met die doel om goedere of handelsware wat aan die onderneming behoort, op te berg, uit te stal of te lewer;
- (b) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort, uitsluitlik met die doel om dit op te berg, uit te stal of te lewer;
- (c) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort, uitsluitlik vir die doel van verwerking deur 'n ander onderneming;
- (d) die instandhouding van 'n vaste besigheidsplek uitsluitlik met die doel om vir die onderneming goedere of handelsware aan te koop of inligting in te win;
- (e) die instandhouding van 'n vaste besigheidsplek uitsluitlik met die doel om vir die onderneming te adverteer, inligting te verskaf of wetenskaplike navorsing te doen, met dien verstande dat die bedrywigheid van 'n voorbereidende of bykomstige aard is.

5. Ondanks die bepalings van paragrafe 1 en 2, waar 'n persoon – uitgesonderd 'n agent met onafhanklike status op wie paragraaf 7 van toepassing is – in 'n Kontrakterende Staat namens 'n onderneming optree en die gesag het, en dit gereeld uitoefen, om namens die onderneming kontrakte aan te gaan, word daardie onderneming geag 'n permanente saak in daardie Staat te hê ten opsigte van enige bedrywighede wat daardie persoon vir die onderneming onderneem, tensy die bedrywighede van daardie persoon beperk is tot dié in paragraaf 4 genoem, wat, indien dit deur 'n vaste besigheidsplek uitgeoefen word, hierdie vaste besigheidsplek nie ingevolge die bepalings van daardie paragraaf 'n permanente saak sal maak nie.

6. Ondanks die voorgaande bepalings van hierdie Artikel word 'n versekeringsonderneming van 'n Kontrakterende Staat, uitgesonderd met betrekking tot herversekering, geag 'n permanente saak in die ander Kontrakterende Staat te hê indien hy premies invorder in die gebied van daardie ander Staat of risiko's daarin verseker deur 'n ander verteenwoordiger as 'n agent met onafhanklike status op wie paragraaf 7 van toepassing is.

7. 'n Onderneming word nie geag 'n permanente saak in 'n Kontrakterende Staat te hê bloot omdat hy in daardie Staat deur 'n makelaar, algemene kommissieagent of enige ander agent met onafhanklike status besigheid dryf nie, met dien verstande dat sulke persone in die gewone loop van hulle besigheid handel en dat die voorwaardes wat gestel of opgelê word in hul handels- of finansiële betrekkinge met die onderneming nie verskil van daardie wat in die algemeen deur onafhanklike agente gestel word nie.

8. Die feit dat 'n maatskappy wat 'n inwoner van 'n Kontrakterende Staat is, beheer het oor of beheer word deur 'n maatskappy wat 'n inwoner van die ander Kontrakterende Staat is, of wat in daardie ander Staat besigheid dryf (hetsy deur 'n permanente saak of andersins), beteken nie op sigself dat enigeen van die maatskappe 'n permanente saak van die ander is nie.

## HOOFSTUK III

### BELASTING VAN INKOMSTE

#### Artikel 6

##### *Inkomste uit Onroerende Eiendom*

1. Inkomste wat 'n inwoner van 'n Kontrakterende Staat verkry uit onroerende eiendom (ook inkomste uit landbou of bosbou) wat in die ander Kontrakterende Staat geleë is, kan in daardie ander Staat belas word.

2. Vir die doeleindes van hierdie Konvensie, het die uitdrukking "onroerende eiendom" die betekenis wat daaraan geheg word ingevolge die reg van die Kontrakterende Staat waarin die betrokke eiendom geleë is. Die uitdrukking sluit in elk geval in eiendom bykomstig by onroerende eiendom, lewende hawe en toerusting wat in die landbou en bosbou gebruik word, regte waarop die bepalings van die algemene reg ten opsigte van grondbesit van toepassing is, vruggebruik op onroerende eiendom en regte op veranderlike of vaste betalings as vergoeding vir die ontginning, of die reg op die ontginning, van mineraalafsettings, bronne en ander natuurlike hulpbronne. Skepe en lugvaartuie word nie as onroerende eiendom beskou nie.

3. Die bepalings van paragraaf 1 is van toepassing op inkomste wat uit die regstreekse gebruik, verhuring of gebruik in enige ander vorm van onroerende eiendom verkry word.

4. Die bepalings van paragrawe 1 en 3 is ook van toepassing op die inkomste uit die onroerende eiendom van 'n onderneming.

#### Artikel 7

##### *Besigheidswinste*

1. Die winste van 'n onderneming van 'n Kontrakterende Staat is net in daardie Staat belasbaar, tensy die onderneming in die ander Kontrakterende Staat besigheid dryf deur 'n permanente saak wat daarin geleë is. Indien die onderneming besigheid dryf of gedryf het soos in die laaste deel van die voorgaande sin genoem, kan die winste van die onderneming in die ander Staat belas word, maar net soveel daarvan as wat aan daardie permanente saak toeskryfbaar is.

2. Behoudens die bepalings van paragraaf 3, waar 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat besigheid dryf deur middel van 'n permanente saak wat daarin geleë is, word daar in elke Kontrakterende Staat aan daardie permanente saak die winste toegeskryf wat hy na verwagting sou maak indien hy 'n aparte en afsonderlike onderneming was wat besig is met dieselfde of soortgelyke bedrywighede onder dieselfde of soortgelyke omstandighede en heeltemal onafhanklik teenoor die onderneming waarvan hy 'n permanente saak is en teenoor alle ander persone optree.

3. By die vasstelling van die winste van 'n permanente saak word uitgawes wat vir die doeleindes van die permanente saak aangegaan word, ook uitvoerende en algemene administratiewe uitgawes aldus aangegaan, as aftrekkings toegelaat, hetsy in die Kontrakterende Staat waarin die permanente saak geleë is of elders.

4. In soverre dit in 'n Kontrakterende Staat gebruiklik is om die winste wat aan 'n permanente saak toegeskryf moet word, vas te stel op die grondslag van 'n toedeling van die totale winste van die onderneming aan sy onderskeie dele, belet niks in paragraaf 2 daardie Kontrakterende Staat om die winste wat belas moet word, vas te stel deur sodanige toedeling as wat gebruiklik is nie. Die metode van toedeling wat aanvaar word, moet egter sodanig wees dat die resultaat in ooreenstemming is met die beginsels in hierdie Artikel vervat.

5. Geen wins word aan 'n permanente saak toegeskryf op grond van die blote aankoop deur daardie permanente saak van goedere of handelware vir die onderneming nie.

6. Vir die doeleindes van voorgaande paragrawe word die wins wat aan die permanente saak toegeskryf moet word, jaar na jaar volgens dieselfde metode vasgestel tensy daar goeie en afdoende redes vir die teendeel is.

7. Waar die wins inkomste-items insluit wat afsonderlik in ander Artikels van hierdie Konvensie behandel word, word die bepalings van daardie Artikels nie deur die bepalings van hierdie Artikel geraak nie.

## Artikel 8

### *Skeeps- en Lugvervoer*

1. Die wins van 'n onderneming van 'n Kontrakterende Staat uit die bedryf van skepe of lugvaartuie in internasionale verkeer is net in daardie Staat belasbaar.

2. Vir die doeleindes van hierdie Artikel behels die uitdrukking "bedryf van skepe of lugvaartuie" deur 'n onderneming ook:

- (a) die bevrugting of verhuring op 'n sonder-bemanning-basis van skepe of lugvaartuie;
- (b) die verhuring van houers en verwante toerusting,

waar sodanige bevrugting of verhuring bykomstig is by die bedryf deur die onderneming van skepe of lugvaartuie in internasionale verkeer.

3. Die bepalings van paragraaf 1 is ook van toepassing op winste uit deelname aan 'n poel, 'n gesamentlike besigheid of 'n internasionale bedryfsagentskap.

## Artikel 9

### *Verwante Ondernemings*

1. Waar –

- (a) 'n onderneming van 'n Kontrakterende Staat regstreeks of onregstreeks aan die bestuur van, beheer oor of kapitaal van 'n onderneming van die ander Kontrakterende Staat deelneem, of
- (b) dieselfde persone regstreeks of onregstreeks aan die bestuur van, beheer oor of kapitaal van 'n onderneming van 'n Kontrakterende Staat en 'n onderneming van die ander Kontrakterende Staat deelneem,

en in enigeen van die gevalle voorwaardes tussen die twee ondernemings in hulle handels- of finansiële betrekkinge gestel of opgelê word wat verskil van dié wat tussen onafhanklike ondernemings gestel sou word, kan enige wins wat by ontstentenis van daardie voorwaardes aan een van die ondernemings sou toegeval het maar as gevolg van daardie voorwaardes nie aldus toegeval het nie, by die wins van daardie onderneming ingesluit en dienoreenkomstig belas word.

2. Waar 'n Kontrakterende Staat by die wins van 'n onderneming van daardie Staat wins insluit – en dit ooreenkomstig belas – waarop 'n onderneming van die ander Kontrakterende Staat in daardie ander Staat belas is, en die wins aldus ingesluit wins is wat aan die onderneming van eersgenoemde Staat sou toegeval het indien die voorwaardes wat tussen die twee ondernemings gestel is, dié was wat tussen onafhanklike ondernemings gestel sou word, moet daardie ander Staat, indien hy instem dat die aanpassing gemaak deur eersgenoemde Staat beide in beginsel en wat die bedrag betref geregverdig is, die bedrag van die belasting wat hy op daardie wins hef, toepaslik aanpas. By die vasstelling van sodanige aanpassing moet daar behoorlik ag geslaan word op die ander bepalings van hierdie Konvensie en moet die bevoegde owerhede van die Kontrakterende State met mekaar oorleg pleeg indien nodig.

## Artikel 10

### *Dividende*

1. Dividende wat deur 'n maatskappy wat 'n inwoner van 'n Kontrakterende Staat is, aan 'n inwoner van die ander Kontrakterende Staat betaal word, kan in daardie ander Staat belas word.

2. Sodanige dividende kan egter ook belas word in die Kontrakterende Staat waarvan die maatskappy wat die dividende betaal, 'n inwoner is, en wel ooreenkomstig die wette van daardie Staat, maar as die voordelige eienaar van die dividende 'n inwoner van die ander Kontrakterende Staat is, moet die belasting wat aldus gehef word nie meer wees nie as:

- (a) 5 persent van die bruto bedrag van die dividende indien die voordelige eienaar 'n maatskappy is wat minstens 25 persent van die kapitaal van die maatskappy hou wat die dividende betaal;
- (b) 15 persent van die bruto bedrag van die dividende in alle ander gevalle.



Die bevoegde owerhede van die Kontrakterende State moet by onderlinge ooreenkoms besluit oor die wyse van toepassing van hierdie beperkings.

Hierdie paragraaf raak nie die belasting van die maatskappy ten opsigte van die wins waaruit die dividende betaal word nie.

Hierdie paragraaf beperk nie die toepassing van die Bykomende Belasting ("Additional Tax") wat in Chili betaalbaar is nie, met dien verstande dat die Eerste Kategorie Belasting ("First Category Tax") ten volle krediteerbaar is by die berekening van die bedrag van bykomende belasting.

3. Die uitdrukking "dividende" soos dit in hierdie Artikel gebruik word, beteken inkomste uit aandele of ander regte wat in winste deel (wat nie skuldeise is nie), asook inkomste uit ander regte wat onderhewig is aan dieselfde belastingbehandeling as inkomste uit aandele ingevolge die wette van die Kontrakterende Staat waarvan die maatskappy wat die uitkering doen, 'n inwoner is.

4. Die bepalings van paragrawe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die dividende, wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat, waarvan die maatskappy wat die dividende betaal 'n inwoner is, besigheid dryf deur middel van 'n permanente saak wat daarin geleë is, en die aandeelhouding ten opsigte waarvan die dividende betaal word, effektief aan sodanige permanente saak verbonde is. In sodanige geval is die bepalings van Artikel 7 van toepassing.

5. Waar 'n maatskappy wat 'n inwoner van 'n Kontrakterende Staat is, wins of inkomste uit die ander Kontrakterende Staat verkry, mag daardie ander Staat geen belasting hef op die dividende wat deur die maatskappy betaal word nie, uitgesonderd in soverre sodanige dividende aan 'n inwoner van daardie ander Staat betaal word of in soverre die aandeelhouding ten opsigte waarvan die dividende betaal word, effektief verbonde is aan 'n permanente saak wat in daardie ander Staat geleë is, en onderwerp hy ook nie die maatskappy se onuitgekeerde wins aan 'n belasting op onuitgekeerde wins nie, selfs al bestaan die dividende wat betaal word of die onuitgekeerde wins in geheel of gedeeltelik uit wins of inkomste wat in sodanige ander Staat ontstaan.

6. Die bepalings van hierdie Artikel is nie van toepassing nie indien dit die hoofogmerk of een van die hoofogmerke was van enige persoon betrokke by die skep of toedeling van die aandele of ander regte ten opsigte waarvan die dividende betaal word om by wyse van daardie skepping of toedeling voordeel te trek uit hierdie Artikel.

## Artikel 11

### *Rente*

1. Rente wat in 'n Kontrakterende Staat ontstaan en aan 'n inwoner van die ander Kontrakterende Staat betaal word, kan in daardie ander Staat belas word.

2. Sodanige rente kan egter ook in die Kontrakterende Staat waarin dit ontstaan en ooreenkomstig die wette van daardie Staat belas word, maar as die voordelige eienaar van die rente 'n inwoner van die ander Kontrakterende Staat is, mag die belasting wat aldus gehef word, nie meer wees nie as:

- (a) 5 persent van die bruto bedrag van die rente wat verkry word uit:
  - (i) lenings wat deur banke en versekeringsmaatskappye toegestaan word;
  - (ii) obligasies of effekte wat gereeld en beduidend op 'n erkende effektebeurs verhandel word;
  - (iii) 'n verkoop op krediet wat betaal word deur die koper van apparaat en toerusting aan 'n voordelige eienaar wat die verkoper van die apparaat en toerusting is;
- (b) 15 persent van die bruto bedrag van die rente in alle ander gevalle.

Die bevoegde owerhede van die Kontrakterende State moet deur onderlinge ooreenkoms besluit oor die wyse van toepassing van hierdie beperkings.

3. Die uitdrukking "rente" soos dit in hierdie Artikel gebruik word, beteken inkomste uit alle soorte skuldeise, hetsy deur 'n verband gesekureer al dan nie, en in die besonder inkomste uit staatseffekte en inkomste uit obligasies of skuldbriewe, asook inkomste wat onderhewig is aan dieselfde belastingbehandeling as inkomste uit geld wat ingevolge die wette van die Staat waarin die inkomste ontstaan, uitgeleen word. Die uitdrukking "rente" sluit nie enige item in wat kragtens die bepaling van Artikel 10 as 'n dividend behandel word nie.

4. Die bepaling van paragrawe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die rente wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat waarin die rente ontstaan, besigheid dryf deur 'n permanente saak wat daarin geleë is, en die skuldeis ten opsigte waarvan die rente betaal word, effektief aan sodanige permanente saak verbonde is. In sodanige geval is die bepaling van Artikel 7 van toepassing.

5. Rente word geag in 'n Kontrakterende Staat te ontstaan wanneer die betaler 'n inwoner van daardie Staat is. Waar die persoon wat die rente betaal, hetsy daardie persoon 'n inwoner van 'n Kontrakterende Staat is al dan nie, in 'n Kontrakterende Staat 'n permanente saak het ten opsigte waarvan die skuld waarop die rente betaal word, aangegaan is, en sodanige rente deur daardie permanente saak gedra word, word sodanige rente egter geag te ontstaan in die Staat waarin die permanente saak geleë is.

6. Waar, vanweë 'n besondere verhouding tussen die betaler en die voordelige eienaar of tussen hulle albei en 'n ander persoon, die bedrag van die rente, om watter rede ook al, meer is as die bedrag waarop die betaler en die voordelige eienaar sou ooreengekom het by ontstentenis van so 'n verhouding, is die bepalings van hierdie Artikel net op laasgenoemde bedrag van toepassing. In sodanige geval bly die oormaatdeel van die betalings belasbaar ooreenkomstig die wette van elk van die Kontrakterende State, met behoorlike inagneming van die ander bepalings van hierdie Konvensie.

7. Die bepalings van hierdie Artikel is nie van toepassing nie indien dit die hoofmerk of een van die hoofmerke was van enige persoon betrokke by die skep of toekenning van die skuldeis ten opsigte waarvan die rente betaal word om by wyse van daardie skepping of toekenning voordeel te trek uit hierdie Artikel.

## Artikel 12

### *Tantième*

1. Tantième wat in 'n Kontrakterende Staat ontstaan en aan 'n inwoner van die ander Kontrakterende Staat betaal word, kan in daardie ander Staat belas word.

2. Sodanige tantième kan egter ook in die Kontrakterende Staat waarin dit ontstaan en ooreenkomstig die wette van daardie Staat belas word, maar as die voordelige eienaar van die tantième 'n inwoner van die ander Kontrakterende Staat is, mag die belasting wat aldus gehef word nie meer wees nie as:

- (a) 5 persent van die bruto bedrag vir die gebruik, of die reg op die gebruik, van enige nywerheids-, handels- of wetenskaplike toerusting;
- (b) 10 persent van die bruto bedrag van die tantième in alle ander gevalle.

Die bevoegde owerhede van die Kontrakterende State moet deur onderlinge ooreenkoms besluit oor die wyse van toepassing van hierdie beperkings.

3. Die uitdrukking "tantième" soos dit in hierdie Artikel gebruik word, beteken betalings van enige soort wat ontvang word as vergoeding vir die gebruik, of die reg op die gebruik, van enige outeursreg op letterkundige, artistieke of wetenskaplike werk, insluitende kinematograaffilms en films, bande of skywe vir radio- of televisie-uitsending en ander metodes van beeld- of klankreproduksie, enige patent, handelsmerk, ontwerp of model, plan, geheime formule of proses of ander ontasbare eiendom, of vir die gebruik, of die reg op die gebruik, van nywerheids-, handels- of wetenskaplike toerusting, of vir inligting rakende nywerheids-, handels- of wetenskaplike ondervinding.

4. Die bepalings van paragrawe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die tantième wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat waarin die tantième ontstaan, besigheid dryf deur middel van 'n permanente saak wat daarin geleë is, en die reg of eiendom ten opsigte waarvan die tantième betaal word, effektief aan sodanige permanente saak verbonde is. In so 'n geval is die bepalings van Artikel 7 van toepassing.

5. Tantième word geag in 'n Kontrakterende Staat te ontstaan wanneer die betaler 'n inwoner van daardie Staat is. Waar die persoon wat die tantième betaal, hetsy daardie persoon 'n inwoner van 'n Kontrakterende Staat is al dan nie, in 'n Kontrakterende Staat 'n permanente saak het ten opsigte waarvan die verpligting om die tantième te betaal, aangegaan is, en sodanige tantième deur daardie permanente saak gedra word, word sodanige tantième egter geag te ontstaan in die Staat waarin die permanente saak geleë is.

6. Waar, as gevolg van 'n spesiale verhouding tussen die betaler en die voordelige eenaar of tussen hulle albei en 'n ander persoon, die bedrag van die tantième, met inagneming van die gebruik, reg of inligting waarvoor dit betaal word, meer is as die bedrag waarop die betaler en die voordelige eenaar sou ooreengekom het by ontstentenis van so 'n verhouding, is die bepalings van hierdie Artikel net op laasgenoemde bedrag van toepassing. In so 'n geval bly die oormaatdeel van die betalings belasbaar ooreenkomstig die wette van elk van die Kontrakterende State, met behoorlike inagneming van die ander bepalings van hierdie Konvensie.

7. Die bepalings van hierdie Artikel is nie van toepassing nie indien dit die hoofmerk of een van die hoofmerke was van enige persoon betrokke by die skep of oordrag van die regte ten opsigte waarvan die tantième betaal word om by wyse van daardie skepping of oordrag voordeel te trek uit hierdie Artikel.

### **Artikel 13**

#### ***Kapitaalwins***

1. Wins wat 'n inwoner van 'n Kontrakterende Staat verkry uit die vervreemding van onroerende eiendom wat in die ander Kontrakterende Staat geleë is, kan in daardie ander Staat belas word.

2. Wins uit die vervreemding van roerende eiendom wat deel uitmaak van die besigheidseiendom van 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, insluitende sodanige wins uit die vervreemding van so 'n permanente saak (alleen of met die hele onderneming), kan in daardie ander Staat belas word.

3. Wins uit die vervreemding van skepe of lugvaartuie wat in internasionale verkeer bedryf word of uit roerende eiendom wat op die bedryf van sodanige skepe of lugvaartuie betrekking het, is net belasbaar in die Kontrakterende Staat waarvan die vervreemder 'n inwoner is.

4. Wins wat 'n inwoner van 'n Kontrakterende Staat verkry uit die vervreemding van aandele of ander regte wat die kapitaal verteenwoordig van 'n maatskappy, of vergelykbare belange of regte in enige ander persoon, wat 'n inwoner van die ander Kontrakterende Staat is, kan in daardie ander Kontrakterende Staat belas word.

5. Wins uit die vervreemding van enige ander eiendom as dié in paragrawe 1, 2, 3 en 4 genoem, is belasbaar net in die Kontrakterende Staat waarvan die vervreemder 'n inwoner is.

## **Artikel 14**

### ***Inkomste uit Diensbetrekking***

1. Behoudens die bepalings van Artikels 15, 17 en 18 is salarisse, lone en ander besoldiging wat 'n inwoner van 'n Kontrakterende Staat ten opsigte van 'n diensbetrekking verkry, net in daardie Staat belasbaar, tensy die diensbetrekking in die ander Kontrakterende Staat uitgeoefen word. Indien die diensbetrekking aldus uitgeoefen word, mag die besoldiging wat daaruit verkry word in daardie ander Staat belas word.

2. Ondanks die bepalings van paragraaf 1 is die besoldiging wat deur 'n inwoner van 'n Kontrakterende Staat verkry word ten opsigte van 'n diensbetrekking wat in die ander Kontrakterende Staat uitgeoefen word, net in eersgenoemde Staat belasbaar indien:

- (a) die ontvanger daarvan in die ander Staat teenwoordig is vir 'n tydperk of tydperke van hoogstens altesaam 183 dae in enige twaalfmaandetydperk wat in die betrokke fiskale jaar begin of eindig, en
- (b) die besoldiging betaal word deur, of namens, 'n werkgewer wat 'n persoon is wat nie 'n inwoner van die ander Staat is nie, en
- (c) die besoldiging nie deur 'n permanente saak wat die werkgewer in die ander Staat het, gedra word nie.

3. Ondanks die voorgaande bepalings van hierdie Artikel kan die besoldiging wat verkry word ten opsigte van 'n diensbetrekking wat uitgeoefen word aan boord van 'n skip of lugvaartuig wat in internasionale verkeer bedryf word deur 'n onderneming van 'n Kontrakterende Staat, in daardie Staat belas word.

## **Artikel 15**

### ***Direkteursgelde***

Direkteursgelde en ander soortgelyke betalings wat deur 'n inwoner van 'n Kontrakterende Staat verkry word in daardie persoon se hoedanigheid as lid van die direksie of soortgelyke struktuur van 'n maatskappy wat 'n inwoner van die ander Kontrakterende Staat is, kan in daardie ander Staat belas word.

## **Artikel 16**

### ***Vermaaklikheidskunstenaars en Sportlui***

1. Ondanks die bepalings van Artikels 7 en 14 kan die inkomste wat verkry word deur 'n inwoner van 'n Kontrakterende Staat as 'n vermaaklikheidskunstenaar (soos 'n teater-, rolprent-, radio- of televisie-artiste of 'n musikant), of as 'n sportpersoon, uit daardie persoon se persoonlike bedrywighede as sodanig uitgeoefen in die ander Kontrakterende Staat, in daardie ander Staat belas word.

2. Waar inkomste ten opsigte van persoonlike bedrywighede wat deur 'n vermaaklikheidskunstenaar of 'n sportpersoon in daardie persoon se hoedanigheid as sodanig uitgeoefen word, nie aan die vermaaklikheidskunstenaar of sportpersoon toeval nie maar aan 'n ander persoon, kan daardie inkomste, ondanks die bepalings van Artikels 7 en 14, belas word in die Kontrakterende Staat waarin die bedrywighede van die vermaaklikheidskunstenaar of sportpersoon uitgeoefen word.

## **Artikel 17**

### ***Pensioene***

1. Pensioene wat in 'n Kontrakterende Staat ontstaan en aan 'n inwoner van die ander Kontrakterende Staat betaal word, kan in eersgenoemde Staat belas word.

2. Alimentasie en ander onderhoudbetalings wat aan 'n inwoner van 'n Kontrakterende Staat betaal word, is net in daardie Staat belasbaar. Enige alimentasie of ander onderhoudbetalings wat deur 'n inwoner van een van die Kontrakterende State aan 'n inwoner van die ander Kontrakterende Staat betaal word, is egter, in die mate waarin dit nie as belastingverligting aan die betaler toelaatbaar is nie, net in eersgenoemde Staat belasbaar.

## **Artikel 18**

### ***Regeringsdiens***

1. (a) Salarisse, lone en ander besoldiging, uitgesonderd 'n pensioen, wat deur 'n Kontrakterende Staat of 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan aan 'n individu betaal word ten opsigte van dienste gelewer aan daardie Staat of onderverdeling of owerheid, is net in daardie Staat belasbaar.
- (b) Sodanige salarisse, lone en ander besoldiging is egter net in die ander Kontrakterende Staat belasbaar as die dienste in daardie Staat gelewer word en die individu 'n inwoner van daardie Staat is wat:
  - (i) 'n burger van daardie Staat is; of
  - (ii) nie 'n inwoner van daardie Staat geword het uitsluitlik met die doel om die dienste te lewer nie.

2. Die bepalings van Artikels 14, 15 en 16 is van toepassing op salarisse, lone en ander besoldiging ten opsigte van dienste gelewer in verband met 'n besigheid wat gedryf word deur 'n Kontrakterende Staat of 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan.

**Artikel 19*****Studente***

'n Student of besigheidsléerling wat in 'n Kontrakterende Staat teenwoordig is uitsluitlik vir die doel van die student se onderrig en opleiding en wat 'n inwoner is, of onmiddellik voor sodanige teenwoordigheid 'n inwoner was, van die ander Kontrakterende Staat, is in eersgenoemde Staat vrygestel van belasting op betalings ontvang van buite daardie eersgenoemde Staat vir die doel van die student se onderhoud, onderrig en opleiding.

**Artikel 20*****Ander Inkomste***

1. Inkomste-items van 'n inwoner van 'n Kontrakterende Staat, ongeag waar dit ontstaan, wat nie in die voorgaande Artikels van hierdie Konvensie behandel word nie, is net in daardie Staat belasbaar.

2. Die bepalings van paragraaf 1 is nie op inkomste van toepassing nie, uitgesonderd inkomste uit onroerende eiendom soos dit is in paragraaf 2 van Artikel 6 omskryf word, indien die ontvanger van sodanige inkomste wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat besigheid dryf deur middel van 'n permanente saak wat daarin geleë is, en die reg of eiendom ten opsigte waarvan die inkomste betaal word, effektief aan daardie permanente saak verbonde is. In so 'n geval is die bepalings van Artikel 7 van toepassing.

3. Ondanks die bepalings van paragrawe 1 en 2 kan inkomste-items van 'n inwoner van 'n Kontrakterende Staat wat nie in die voorgaande Artikels van die Konvensie behandel word nie en in die ander Kontrakterende Staat ontstaan, ook in daardie ander Staat belas word.

**HOOFSTUK IV****BELASTING VAN KAPITAAL****Artikel 21*****Kapitaal***

1. Kapitaal verteenwoordig deur onroerende eiendom wat besit word deur 'n inwoner van 'n Kontrakterende Staat en geleë is in die ander Kontrakterende Staat, kan in daardie ander Staat belas word.

2. Kapitaal verteenwoordig deur roerende eiendom wat deel uitmaak van die besigheidseiendom van 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, kan in daardie ander Staat belas word.

3. Kapitaal verteenwoordig deur skepe en lugvaartuie wat in internasionale verkeer bedryf word, en deur roerende eiendom wat betrekking het op die bedryf van sodanige skepe of lugvaartuie, is slegs belasbaar in die Kontrakterende Staat waarvan die onderneming wat sodanige skepe of lugvaartuie bedryf 'n inwoner is.



4. Alle ander elemente van kapitaal van 'n inwoner van 'n Kontrakterende Staat is net in daardie Staat belasbaar.

## HOOFSTUK V

### METODES VIR VERMYDING VAN DUBBELE BELASTING

#### Artikel 22

##### *Vermyding van Dubbele Belasting*

1. In Chili word dubbele belasting soos volg vermy:

- (a) inwoners van Chili wat inkomste verkry of kapitaal besit wat ooreenkomstig die bepalings van hierdie Konvensie onderhewig is aan belasting in Suid-Afrika, kan die belasting wat aldus betaal word, aftrek van enige Chileense belasting wat betaalbaar is ten opsigte van dieselfde inkomste of kapitaal, behoudens die toepaslike bepalings van die reg van Chili (wat nie die algemene beginsel hiervan raak nie). Hierdie paragraaf is van toepassing op alle inkomste of kapitaal wat in hierdie Konvensie genoem word;
- (b) waar, ooreenkomstig enige bepaling van hierdie Konvensie, inkomste verkry of kapitaal besit deur 'n inwoner van Chili vrygestel is van belasting in Chili, kan Chili nogtans, by berekening van die bedrag van belasting op ander inkomste of kapitaal, die inkomste of kapitaal wat vrygestel is in berekening bring.

2. In Suid-Afrika word dubbele belasting soos volg vermy:

behoudens die bepalings van die reg van Suid-Afrika betreffende die aftrekking vanaf belasting betaalbaar in Suid-Afrika van belasting betaalbaar in enige ander land as Suid-Afrika (wat nie die algemene beginsel hiervan raak nie), word Chileense belasting wat deur inwoners van Suid-Afrika betaal word ten opsigte van inkomste of kapitaal wat in Chili belasbaar is, ooreenkomstig die bepalings van hierdie Konvensie afgetrek van die belastings wat ooreenkomstig die Suid-Afrikaanse fiskale reg verskuldig is. Sodanige aftrekking mag egter nie meer wees nie as 'n bedrag wat tot die totale Suid-Afrikaanse belasting betaalbaar in dieselfde verhouding staan as waarin die betrokke inkomste of kapitaal tot die totale inkomste of kapitaal staan, na gelang van die geval.

## HOOFSTUK VI

### SPEZIALE BEPALINGS

#### Artikel 23

#### *Niediskriminasie*

1. Burgers van 'n Kontrakterende Staat mag nie in die ander Kontrakterende Staat onderwerp word aan enige belasting of enige vereiste in verband daarmee nie wat anders of knellender is as die belasting en verwante vereistes waaraan burgers van daardie ander Staat in dieselfde omstandighede, in die besonder met betrekking tot verblyf, onderwerp is of kan word nie. Hierdie bepaling is ondanks die bepalings van Artikel 1 ook van toepassing op persone wat nie inwoners van een van of albei die Kontrakterende State is nie.

2. Die belasting op 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, word nie in daardie ander Staat minder gunstig gehef as die belasting wat gehef word op ondernemings van daardie ander Staat wat dieselfde bedrywighede uitoefen nie.

3. Hierdie Artikel word nie so uitgelê dat dit 'n Kontrakterende Staat verplig om aan inwoners van die ander Kontrakterende Staat enige persoonlike korting, verligting en vermindering vir belastingdoeleindes toe te staan wat hy op grond van burgerlike status of gesinsverantwoordelikhede aan sy eie inwoners toestaan nie.

4. Uitgesonderd waar die bepalings van paragraaf 1 van Artikel 9, paragraaf 6 van Artikel 11 of paragraaf 6 van Artikel 12 van toepassing is, is rente, tantième en ander betalings betaal deur 'n onderneming van 'n Kontrakterende Staat aan 'n inwoner van die ander Kontrakterende Staat, met die doel om die belasbare wins van sodanige onderneming te bepaal, aftrekbaar op dieselfde voorwaardes asof dit aan 'n inwoner van eersgenoemde Staat betaal is. Eweneens is enige skuld van 'n onderneming van 'n Kontrakterende Staat teenoor 'n inwoner van die ander Kontrakterende Staat, met die doel om die belasbare kapitaal van daardie onderneming te bepaal, aftrekbaar op dieselfde voorwaardes asof dit teenoor 'n inwoner van die eersgenoemde Staat aangegaan is.

5. Maatskappye wat inwoners van 'n Kontrakterende Staat is, waarvan die kapitaal regstreeks of onregstreeks in geheel of gedeeltelik deur een of meer inwoners van die ander Kontrakterende Staat besit of beheer word, word nie in eersgenoemde Staat onderwerp aan enige belasting of enige vereiste in verband daarmee wat anders of knellender is as die belasting en verwante vereistes waaraan ander soortgelyke maatskappye wat inwoners van eersgenoemde Staat is, onderhewig is of kan wees nie.

6. In hierdie Artikel beteken die uitdrukking "belasting" belastings wat die onderwerp is van hierdie Konvensie.

## Artikel 24

### *Prosedure vir Onderlinge Ooreenkoms*

1. Waar 'n persoon van mening is dat die optrede van een van of albei die Kontrakterende State tot gevolg het of sal hê dat daardie persoon nie ooreenkomstig die bepalings van hierdie Konvensie belas word nie, kan daardie persoon, ongeag die regs middels waarvoor die landsreg van daardie State voorsiening maak, 'n saak stel aan die bevoegde owerheid van die Kontrakterende Staat waarvan die persoon 'n inwoner is of, indien die saak onder paragraaf 1 van Artikel 23 ressorteer, aan dié van die Kontrakterende Staat waarvan die persoon 'n burger is. Die saak moet gestel word binne drie jaar na die eerste kennisgewing van die optrede wat lei tot belasting wat nie ooreenkomstig die bepalings van die Konvensie is nie.

2. Die bevoegde owerheid moet, indien die beswaar na sy oordeel geregverdig voorkom en indien hy self nie 'n bevredigende oplossing kan kry nie, probeer om die saak deur onderlinge ooreenkoms met die bevoegde owerheid van die ander Kontrakterende Staat te besleg met die oog op die vermyding van belasting wat nie in ooreenstemming met die Konvensie is nie. Enige ooreenkoms wat bereik word, moet toegepas word ooreenkomstig die landsreg van die Kontrakterende State.

3. Die bevoegde owerhede van die Kontrakterende State moet poog om enige moeilikhede of twyfel wat oor die vertolking of toepassing van die Konvensie ontstaan, deur onderlinge ooreenkoms te besleg.

4. Die bevoegde owerhede van die Kontrakterende State kan regstreeks met mekaar kommunikeer met die doel om tot 'n ooreenkoms te kom soos in die voorgaande paragrawe beoog.

## Artikel 25

### *Uitruil van Inligting*

1. Die bevoegde owerhede van die Kontrakterende State moet daardie inligting uitruil wat nodig is vir die uitvoering van die bepalings van hierdie Konvensie of van die landsreg van die Kontrakterende State rakende belastings wat deur die Konvensie gedek word, in soverre die belasting daarkragtens nie strydig is nie met die Konvensie. Die uitruil van inligting word nie deur Artikel 1 beperk nie. Enige inligting wat deur 'n Kontrakterende Staat ontvang word, word as geheim behandel op dieselfde wyse as inligting wat ingevolge die landsreg van daardie Staat verkry is, en mag slegs bekend gemaak word aan persone of owerhede (insluitende howe en administratiewe liggame) gemoeid met die aanslaan of invordering van, die afdwing of vervolging ten opsigte van, of die beslissing van appèlle met betrekking tot die belastings wat deur daardie Staat opgelê word. Sodanige persone of owerhede mag die inligting net vir sodanige doeleindes gebruik. Hulle mag die inligting in openbare hofverrigtinge of by regterlike besluite openbaar maak.

2. In geen geval mag die bepalings van paragraaf 1 so uitgelê word dat dit aan 'n Kontrakterende Staat die verpligting oplê:

- (a) om administratiewe maatreëls uit te voer wat strydig is met die wette en administratiewe praktyk van daardie of van die ander Kontrakterende Staat nie;
- (b) om inligting te verskaf wat nie ingevolge die wette of in die normale loop van die administrasie van daardie of die ander Kontrakterende Staat verkrygbaar is nie;
- (c) om inligting te verstrek wat enige handels-, besigheids-, industriële, kommersiële of beroepsgeheim of handelsproses openbaar sal maak, of inligting waarvan die openbaarmaking strydig met openbare beleid (*ordre public*) sal wees nie.

3. Indien inligting ooreenkomstig hierdie Artikel deur 'n Kontrakterende Staat versoek word, moet die ander Kontrakterende Staat die inligting waarop die versoek betrekking het, verkry op dieselfde wyse as wanneer sy eie belasting betrokke is, selfs al het die ander Staat sodanige inligting nie op daardie tydstip nodig nie.

## Artikel 26

### ***Lede van Diplomatieke Missies en Konsulêre Poste***

Niks in hierdie Konvensie raak die fiskale voorregte van lede van diplomatieke missies of konsulêre poste ingevolge die algemene reëls van die volkereg of ingevolge die bepalings van spesiale ooreenkomste nie.

## Artikel 27

### ***Diverse Reëls***

1. Vir die doeleindes van paragraaf 3 van Artikel XXII (Oorlegpleging) van die Algemene Ooreenkoms op Handel in Dienste, kom die Kontrakterende State ooreen dat, ondanks daardie paragraaf, enige geskil tussen hulle oor of 'n maatreël binne die bestek van hierdie Konvensie val, net met die instemming van beide Kontrakterende State voor die Raad vir Handel in Dienste gebring mag word soos by daardie paragraaf bepaal. Enige twyfel oor die vertolking van hierdie paragraaf moet ingevolge paragraaf 3 van Artikel 24 besleg word of, by ontstentenis van ooreenkoms ingevolge daardie prosedure, ingevolge enige ander prosedure waartoe beide Kontrakterende State ooreenkom.

2. Ten opsigte van gepoelde beleggingsrekeninge of fondse (soos byvoorbeeld die bestaande Buitelandse Kapitaalbeleggingsfonds (die "Foreign Capital Investment Fund, Law N°18.657")) wat onderhewig is aan 'n remisebelasting en deur 'n inwoner in Chili geadministreer moet word, word die bepalings van die Konvensie nie so uitgelê dat dit die oplegging deur Chili van belasting op remises uit sodanige rekeninge of fondse ten opsigte van 'n belegging in bates wat in Chili geleë is, beperk nie.

3. Niks in die Konvensie raak die toepassing van die bestaande bepalings van die Chileense wetgewing DL 600 (Wet op Buitelandse Belegging) soos dit ten tye van die ondertekening van die Konvensie van krag is en soos dit van tyd tot tyd gewysig kan word sonder om die algemene beginsel daarvan te verander nie.

4. Bydraes in 'n jaar ten opsigte van dienste gelewer in daardie jaar, wat betaal word deur of namens 'n individu wat 'n inwoner van 'n Kontrakterende Staat is of wat tydelik in daardie Staat teenwoordig is, aan 'n pensioenskema wat vir belastingdoeleindes in die ander Kontrakterende Staat erken word, word, vir 'n tydperk wat altesaam nie meer is nie as 60 maande, vir belastingdoeleindes in die eersgenoemde Staat op dieselfde wyse behandel as 'n bydrae wat betaal word aan 'n pensioenskema wat vir belastingdoeleindes in daardie eersgenoemde Staat erken word, indien:

- (a) daardie individu op 'n gereelde grondslag bygedra het tot die pensioenskema vir 'n tydperk wat eindig onmiddellik voordat daardie individu 'n inwoner van die eersgenoemde Staat geword het of tydelik daarin teenwoordig was; en
- (b) die bevoegde owerheid van die eersgenoemde Staat instem dat die pensioenskema oor die algemeen ooreenstem met 'n pensioenskema wat vir belastingdoeleindes deur daardie Staat erken word.

Vir die doeleindes van hierdie paragraaf, behels "pensioenskema" ook 'n pensioenskema wat ingevolge die maatskaplike sekerheidstelsel van 'n Kontrakterende Staat geskep is.

5. Die Konvensie raak nie die belasting in Chili van 'n inwoner in Suid-Afrika ten opsigte van wins toeskryfbaar aan 'n permanente saak wat in Chili geleë is nie, ingevolge beide die Eerste Kategorie Belasting en die Bykomende Belasting maar net in soverre die Eerste Kategorie Belasting by die berekening van Bykomende Belasting aftrekbaar is.

6. Niks vervat in die Konvensie verhoed Suid-Afrika daarvan om op die wins toeskryfbaar aan 'n permanente saak in Suid-Afrika van 'n maatskappy, wat 'n inwoner van Chili is, 'n belasting te hef teen 'n koers wat die koers van normale belasting op maatskappye nie meer as vyf persentasiepunte oorskry nie.

## HOOFSTUK VII

### FINALE BEPALINGS

#### Artikel 28

##### *Inwerkingtreding*

1. Elk van die Kontrakterende State stel die ander in kennis, deur middel van die diplomatieke kanaal, van die voltooiing van die prosedures wat ingevolge sy reg vir die inwerkingtreding van hierdie Konvensie vereis word. Die Konvensie tree in werking op die datum van ontvangs van die laaste van hierdie kennisgewings.

2. Die bepalinge van die Konvensie is van toepassing:

- (a) in Chili,

ten opsigte van belastinge op inkomste verkry en bedrae betaal, gekrediteer aan 'n rekening, tot beskikking gestel of in rekening gebring as 'n uitgawe, op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin die Konvensie van krag word; en

- (b) in Suid-Afrika,
  - (i) met betrekking tot belastings wat by die bron teruggehou word, ten opsigte van bedrae betaal of gekrediteer op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin die Konvensie van krag word; en
  - (ii) met betrekking tot ander belastings, ten opsigte van jare van aanslag beginnende op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin die Konvensie van krag word.

## **Artikel 29**

### ***Opsegging***

1. Hierdie Konvensie bly onbepaald van krag, maar enigeen van die Kontrakterende State kan die Konvensie deur middel van die diplomatieke kanaal opsê deur aan die ander Kontrakterende Staat skriftelik kennis van opsegging te gee op of voor 30 Junie van enige kalenderjaar wat begin vyf jaar na die jaar waarin die Konvensie in werking getree het.

2. Die Konvensie hou op om van toepassing te wees:

- (a) in Chili,

ten opsigte van belastings op inkomste verkry en bedrae betaal, gekrediteer aan 'n rekening, tot beskikking gestel of in rekening gebring as 'n uitgawe, op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin kennis gegee is; en
- (b) in Suid-Afrika,
  - (i) met betrekking tot belastings wat by die bron teruggehou word, ten opsigte van bedrae betaal of gekrediteer op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin sodanige kennis gegee is; en
  - (ii) met betrekking tot ander belastings, ten opsigte van jare van aanslag beginnende op of na die eerste dag van Januarie in die kalenderjaar wat eerste volg op die jaar waarin sodanige kennis gegee is.

**TEN BEWYSE WAARVAN** die ondergetekendes, behoorlik daartoe gemagtig, hierdie Konvensie geteken het.

**GEDOEN** te Pretoria in twee oorspronklike tekste in die Engelse en Spaanse taal, op hede die 11de dag van Julie 2012, waarvan beide tekste ewe outentiek is.

**VIR DIE REGERING VAN DIE  
REPUBLIEK VAN SUID-AFRIKA**

**VIR DIE REGERING VAN DIE  
REPUBLIEK VAN CHILI**



## PROTOKOL

By die ondertekening van die Konvensie tussen die Republiek van Suid-Afrika en die Republiek van Chili ter Vermydning van Dubbele Belasting en ter Voorkoming van Fiskale Ontduiking met betrekking tot Belasting op Inkomste en op Kapitaal, het die ondergetekendes, behoorlik daartoe gemagtig, ooreengekom dat die volgende bepalings 'n integrerende deel van hierdie Konvensie vorm:

1. In die algemeen

Daar word verstaan dat die twee Regerings, deur die bevoegde owerhede, saam oorleg pleeg betreffende die uitdrukkings, gelding en toepassing van die Konvensie om seker te maak dat dit steeds beantwoord aan die doeleindes van vermyding van dubbele belasting en voorkoming van fiskale ontduiking en, waar hulle dit toepaslik ag, Protokolle aangaan om die Konvensie te wysig.

Elk van die regerings kan te eniger tyd oorlegpleginge versoek, wat deur die bevoegde owerhede op 'n vinnige en doeltreffende wyse gevoer moet word oor aangeleenthede betreffende die uitdrukkings, gelding en toepassing van die Konvensie wat hy meen dringende beslegting vereis.

2. Ad Artikel 5, paragraaf 3

Daar word verstaan dat vir doeleindes van berekening van die tydbeperkings in paragraaf 3 van Artikel 5, die bydryghede uitgeoefen deur 'n onderneming wat verwant is aan 'n ander onderneming volgens die bedoeling van Artikel 9 van die Konvensie, gevoeg word by die tydperk waarin bedryghede deur die onderneming uitgeoefen word, indien die bedryghede van die verwante ondernemings identies of wesenlik soortgelyk is.

3. Ad Artikel 7

Daar word verstaan dat die bepalings van paragraaf 3 van Artikel 7 net van toepassing is indien die uitgawes toegeskryf kan word aan die permanente saak ooreenkomstig die bepalings van die belastingwette van die Kontrakterende Staat waarin die permanente saak geleë is.

4. Ad Artikels 4, 10, 11, 12 en 22

- (i) Daar word verstaan dat die Chileense vorms vervat in Omsendbrief 17 van 2004 voldoen aan die vereiste om verblyf te bepaal en daardeur die voordele van hierdie Konvensie te verkry.
- (ii) Enige wysiging van of verandering aan die verblyfsertifikate soos hierbo ooreengekom word deur onderlinge ooreenkoms deur die bevoegde owerhede beslis.

5. Ad Artikel 16

Daar word verstaan dat die inkomste wat in paragraaf 1 van Artikel 16 genoem word, enige inkomste behels wat verkry word uit enige persoonlike bedrywigheid wat in die ander Staat uitgeoefen word wat verband hou met daardie persoon se alombekendheid as 'n vermaaklikheidskunstenaar of 'n sportpersoon.

## 6. Ad Artikel 17

Daar word verstaan dat die uitdrukking "pensioene" insluit enige betalings gedoen aan 'n skemalid of begunstigde ooreenkomstig die skema se reëls deur 'n pensioenskema wat vir belastingdoeleindes deur die Kontrakterende Staat waarin die pensioen ontstaan, erken word.

**TEN BEWYSE WAARVAN** die ondergetekendes, synde behoorlik daartoe gemagtig, hierdie Protokol onderteken het.

**GEDOEN** te Pretoria in twee oorspronklike tekste in die Engelse en die Spaanse taal, op hede die 11de dag van Julie 2012, waarvan beide tekste ewe outentiek is.

**VIR DIE REGERING VAN DIE  
REPUBLIC VAN SUID-AFRIKA**

**VIR DIE REGERING VAN DIE  
REPUBLIC VAN CHILI**

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 1002

09 SEPTEMBER 2016

**CO-OPERATIVES TO BE REMOVED FROM THE REGISTER**

**SHUMANI ZWABUDI CO-OP LTD  
KHETHULWAZI CO-OP LTD  
SINETHEMBA BUILDING CO-OP LTD  
MOBUA TRADING CO-OP LTD  
CLASSIC DESIGN CO-OP LTD  
BASWA ITHUTENG POULTRY FARMING CO-OP LTD  
EMONA CALL CENTRE CO-OP LTD  
UWENI CO-OP LTD  
MAKWANDE OKWETHU CO-OP LTD  
SINQUMO CONSUMER CO-OP LTD  
NHLANZINI CO-OP LTD  
SIZIKHETHELE CO-OP LTD  
MASINGANA CO-OP LTD  
UNONDWAYIZA CO-OP LTD  
UMTHI ONENKONZO BRICKMAKING CO-OP LTD  
SHONASHONA GARDEN AND GROUNDS CO-OP LTD  
MZAMBA GOAT PRODUCTION AGRICULTURAL CO-OP LTD  
SIYAVUNA PHEZUKOMKHONO CO-OP LTD  
FISHER CONSTRUCTION AND TRADING CO-OP LTD  
ZABELENI CO-OP LTD  
MSHIYENI AGRICULTURAL CO-OP LTD  
AWUBUYE UMNOTHO CO-OP LTD  
ISINKWA SETHU CO-OP LTD  
OKWENTUTHWANE CO-OP LTD  
ETJANINI FUEL STATION CO-OP LTD  
MKHALANDODA SEWING CO-OP LTD  
AMADLELANDAWONYE CO-OP LTD  
MASAKHANE NGCENGE CO-OP LTD  
USIZO LWAMA HLUBI CATERING CO-OP LTD  
MGWENYA CONSTRUCTION CO-OP LTD  
STAR CLUB CO-OP LTD  
MASIZANA CO-OP LTD  
AMAMBUYISA CO-OP LTD  
BHEKISISA IMPILO YOMUNTU AGRICULTURAL CO-OP LTD**

Notice is hereby given that the names of the abovementioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefore, be lodged with this office before the expiration of the period of sixty days.

**REGISTRAR OF CO-OPERATIVES**

Office of the Registrar of Co-operatives

Dti Campus

77 Meintjies Street

Private Bag X237

**Pretoria**

0002

**Pretoria**

0001

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 1003

09 SEPTEMBER 2016

**CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER**

AMALAKAZANE SECURITY CO-OP LTD  
MAKANA COMMUNITY BASED MAINTENANCE CO-OP LTD  
MKHABAMYENGE CO-OP LTD  
AVELLA JUICE CO-OP LTD  
YAWEH ALUMINIUM AND GLASS MANUFACTURING CO-OP LTD  
NDLELENHLE CO-OP LTD  
OGQOLWENI CO-OP LTD  
SIZAMA OKUHLE CO-OP LTD  
EMHLWANENI CO-OP LTD  
SIYASHESHA CO-OP LTD  
NEW LANDS CO-OP LTD  
SIYETHEMBA BURIAL CO-OP LTD  
SINOMFUTHO AGRICULTURAL CO-OP LTD  
SIYAPHAMBILI NETHEMBA CO-OP LTD  
MASIBUMBANE-SEKUSILE CO-OP LTD  
ICOMU ARTS AND CRAFT CO-OP LTD  
ZIMISELE CLEANING CO-OP LTD  
UNGAGIPHAZAMISI CO-OP LTD  
ITHEMBELISHA CO-OP LTD  
SIYAVUKUZA CO-OP LTD  
LELI PHAMBILI VEGE GARDEN CO-OP LTD  
IQOQO CO-OP LTD  
WAKE-UP MBOKODO CO-OP LTD  
THATHAMANDLA CO-OP LTD  
TSALANANG CLOTHING AND CURTAIN CO-OP LTD  
KUNTWELA EZANSI CO-OP LTD  
IGUGWANA CO-OP LTD  
MAHLOSANA CO-OP LTD  
MASIBOMSANE CO-OP LTD  
LET'S DO IT CO-OP LTD  
KPT VENDING CO-OP LTD  
ITHEMBACABANTU CO-OP LTD  
INHLANZI CO-OP LTD  
INTAKAYEMPAKAMO CO-OP LTD  
BREAD OF LIFE SEWING CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

**REGISTRAR OF CO-OPERATIVES**

Office of the Registrar of Co-operatives  
Dti Campus  
77 Meintjies Street  
Pretoria  
0002  
Private Bag X237  
Pretoria  
0001

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 1004

09 SEPTEMBER 2016

**CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER**

HELDERBERG TRAINING TOURISM AND COMMUNITY CO-OP LTD  
NTABINAMASI CO-OP LTD  
UNISTONE CREATIONS CO-OP LTD  
KHANYANJALO POULTRY CO-OP LTD  
QHAKISA CO-OP LTD  
NCEDISIZWE MULTI-PURPOSE CO-OP LTD  
IGUGU LIKA MUSA HOUSING CLEANING AND ENVIRONMENT MANAGEMENT CO-  
OP LTD  
EMZAMWENI AGRICULTURAL CO-OP LTD  
CELINHLANHLA CO-OP LTD  
TIRISANO CLEANING CO-OP LTD  
SENZOKUHLE WOMENS CLUB CO-OP LTD  
VUKANI CLEANING CO-OP LTD  
TLONG QWA QWA CO-OP LTD  
LUYANOTHANDO CO-OP LTD  
MZOMUSHA CO-OP LTD  
SENZANGAKHO CO-OP LTD  
SIPHUMEZE CO-OP LTD  
KGATELOPELE CLEANING CO-OP LTD  
FLAMINGO MULTI-PURPOSE CO-OP LTD  
SIZIPHIWE CO-OP LTD  
AMADWALA CO-OP LTD  
ATAMELANG CLEANING CO-OP LTD  
BAFAZI BAMBANANI CO-OP LTD  
ISILULU SAMASIKO CO-OP LTD  
ININGI CURTAINING AND DECORATION CO-OP LTD  
NETHEZEKA CO-OP LTD  
ASIHLANZEKE CO-OP LTD  
GWEBINDLALA NATHI MULTI-PURPOSE CO-OP LTD  
KWAKHOZA CO-OP LTD  
EMONA SPA CO-OP LTD  
THUTHUKANI MA-AFRICA CO-OP LTD  
UMKHONTO WE SIZWE TRANSPORT CO-OP LTD  
SIZOLUHLE CO-OP LTD  
INGQONDO-YETHU CO-OP LTD  
VUMA CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

**REGISTRAR OF CO-OPERATIVES**

Office of the Registrar of Co-operatives

Dti Campus

77 Meintjies Street

Private Bag X237

**PRETORIA**

0002

PRETORIA

0001

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 556 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 11 August 2016 it received a complaint referral from Anthony Martin, Betsa Close Corporation, Keith Ho Racing (Pty) Ltd, Fonda Ralph Alfredo Nereo, Funnel Heathe, Ghillino Corissa, Lines Clinton, Playbet (Pty) Ltd, Ricky Sin Racing (Pty) Ltd, Sepels Best Bets Close Corporation, Steyl Gavin, Symons Desmond and Gauteng Off-Course Bookmakers' Association against Phumelela Gaming and Leisure Limited, Gold Circle (Pty) Ltd, Kenilworth Racing (Pty) Ltd, Tellytrack and Gauteng Gambling Board. The complainants alleged that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(i) alternatively section 4(1)(a) and Sections 8 (a),(b),(c) and/or (d) of the Competition Act 89 of 1998.

(CDM case no.: CRP085Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 557 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 11 August 2016 it received a complaint referral from The Competition Commission against Global Coffee Exports Ltd and Secret River Trading CC t/a Caffeflux. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(i) of the Competition Act 89 of 1998.

(CDM case no.: CR082Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 558 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 31 August 2016 it approved without conditions the merger between Rosewild Trade and Invest (Pty) Ltd and Chlor-Alkali Holdings (Pty) Ltd.

(CDM case no.: LM035May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 559 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 15 August 2016 it received a complaint referral from The Competition Commission against Natal Witness Publishing and Printing Company Limited and Caxton and CTP Publishers and Printers Ltd. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(ii) of the Competition Act 89 of 1998.

(CDM case no.: CR084Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 560 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 11 August 2016 it received a complaint referral from The Competition Commission against Hudaco Trading (Pty) Ltd and Fermel (Pty) Ltd. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(ii) of the Competition Act 89 of 1998.

(CDM case no.: CR081Aug16)

**The Chairperson  
Competition Tribunal**



**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 561 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 11 August 2016 it received a complaint referral from The Competition Commission against Lennings Dec Rail Services (Pty) Ltd, Plasser Railway Machinery (SA) (Pty) Ltd and Railway Mechanised Maintenance Company (Pty) Ltd. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(ii) & (iii) of the Competition Act 89 of 1998.

(CDM case no.: CR078Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 562 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 11 August 2016 it received a complaint referral from The Competition Commission against Today's Destiny Trading and Project 81 CC and Raite Security Services and Consulting CC. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(i) and (iii) of the Competition Act 89 of 1998.

(CDM case no.: CR079Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 563 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 10 August 2016 it received a complaint referral from The Competition Commission against Eye Way Trading (Pty) Ltd and Seardel Group Trading (Pty) Ltd t/a Berg River Textiles. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(iii) of the Competition Act 89 of 1998.

(CDM case no.: CR073Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 564 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 31 August 2016 it approved without conditions the merger between Rebosis Property Fund Limited and Billion Group Proprietary Limited in respect of Billion Property Developments Proprietary Limited, Bay West City Proprietary Limited, Billion Asset Managers Proprietary Limited and Billion Property Services Proprietary Limited.

(CDM case no.: LM053Jul16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 565 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 31 August 2016 it approved without conditions the merger between Billion Property Group Proprietary Limited and Bay West City Proprietary Limited.

(CDM case no.: LM072Aug16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 566 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 31 August 2016 it approved without conditions the merger between The Bidvest Group Limited and Brandcorp Holdings Proprietary Limited.

(CDM case no.: LM052Jul16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 567 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 24 August 2016 it approved without conditions the merger between Zico Capital Two Proprietary Limited and Goldrush Group Proprietary Limited.

(CDM case no.: LM013Apr16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 568 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 24 August 2016 it approved without conditions the merger between Fruit and Veg City Proprietary Limited and The Butchery businesses owned by various Glen Aire Close Corporations.

(CDM case no.: LM036May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 569 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 24 August 2016 it approved without conditions the merger between Bonitas Medical Fund and Liberty Medical Scheme.

(CDM case no.: LM039Jun16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 570 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 12 August 2016 it approved the merger between African Rainbow Capital (Pty) Ltd and ooba (Pty) Ltd subject to conditions.

(CDM case no.: LM257Mar16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 571 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 24 August 2016 it approved without conditions the merger between AFGRI Equipment Proprietary Limited and Agrico Proprietary Limited.

(CDM case no.: LM031May16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 572 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 10 August 2016 it approved without conditions the merger between Investment Solutions Holdings Limited and Caveo Fund Solutions Proprietary Limited.

(CDM case no.: LM056Jul16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 573 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 10 August 2016 it approved without conditions the merger between Mendo Properties Proprietary Limited and Vukile Property Fund Limited in respect of the enterprises conducted on Bloemfontein Fedsure House, Pretoria De Bryn Park, Pretoria Koedoe Arcade, Pretoria Navarre and Pretoria Arcadia Sancardia.

(CDM case no.: LM037Jun16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 574 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 10 August 2016 it approved the merger between Southern Sun Hotels (Pty) Ltd and Hospitality Property Fund Limited subject to conditions.

(CDM case no.: LM218Jan16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 575 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 04 August 2016 it approved the merger between Ferro South Africa (Pty) Ltd and Revertex South Africa (Pty) Ltd subject to conditions.

(CDM case no.: LM261Mar16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 576 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 04 August 2016 it approved without conditions the merger between Accelerate Property Fund Limited and Laritza Investments No 183 Proprietary Limited in relation to Eden Meander Lifestyle Centre.

(CDM case no.: LM054Jul16)

**The Chairperson  
Competition Tribunal**

**ECONOMIC DEVELOPMENT DEPARTMENT****NOTICE 577 OF 2016****COMPETITION TRIBUNAL****NOTIFICATION OF COMPLAINT REFERRAL**

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that on 10 August 2016 it received a complaint referral from The Competition Commission against Eye Way Trading (Pty) Ltd and Seardel Group Trading (Pty) Ltd t/a Berg River Textiles. The Competition Commission alleges that the respondents engaged in a prohibited practice in contravention of section 4(1)(b)(i) & (iii) of the Competition Act 89 of 1998.

(CDM case no.: CR074Aug16)

**The Chairperson  
Competition Tribunal**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 578 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. This is a claim for the restitution of land rights submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim are as follows:

**Claimant** : Ernest Sass  
**ODI** : Mrs Catherine Magdalene Dyers  
**Number of Claims** : 1  
**Area** : City of Cape Town.  
**Properties** : As listed below  
**Date Submitted** : 31 December 1998.

REF NO	CLAIMANT	PROPERTY DISCRPTION	CURRENT OWNER
KRK6/2/3/A/6/0/198 9/280 ( S919)	Ernest Sass	Erf 48671 Newlands	Munro Wayne Masterman

The Regional Land Claims Commission will investigate this claim 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)424-5146

CHECKED.....

DATE.....23/6/16.....

APPROVED.....

DATE.....2016/05/17.....

Mr. L.H Maphutha  
 Regional Land Claims Commissioner



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 579 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. This is a claim for the restitution of land rights submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim are as follows:

**Claimant** : Khashifah Yaghya  
**ODI** : Mustapha Abdulla  
**Number of Claims** : 1  
**Area** : City of Cape Town.  
**Properties** : As listed below  
**Date Submitted** : 01 December 1998.

REF NO	CLAIMANT	PROPERTY DISCRIPTION	CURRENT OWNER
KRK6/2/3/A/6/0/198 9/280 ( Y16 )	Khashifah Yaghya	Erf 48650 Newlands	C SHELL 130 PTY LTD.

The Regional Land Claims Commission will investigate this claim 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)424-5146

CHECKED.....

DATE..... 04/7/16.....

APPROVED.....

DATE..... 20/6/16/17.....

Mr. L.H Maphutha  
 Regional Land Claims Commissioner

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 580 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. This is a claim for the restitution of land rights submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim are as follows:

**Claimant** : Mr Andrew James Jansen  
**ODI** : Mr Andrew James Jansen  
**Number of Claims** : 1  
**Area** : City of Cape Town.  
**Properties** : As listed below  
**Date Submitted** : 14 April 1994.

REF NO	CLAIMANT	PROPERTY DISCRPTION	CURRENT OWNERS
KRK6/2/3/A/6/0/198 9/280 ( J794 )	Andrew James Jansen	Erf 59665 Lansdowne	Pitcock Jeffrey Eric & Lynda Mary Joan Pitcock.

The Regional Land Claims Commission will investigate this claim 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)424-5146

CHECKED.....

DATE.....01/07/16.....

APPROVED.....

DATE.....2016/07/17.....

Mr. L.H Maphutha  
 Regional Land Claims Commissioner

DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 581 OF 2016

INVITATION FOR THE PUBLIC TO COMMENT ON THE INTELLECTUAL  
PROPERTY CONSULTATIVE FRAMEWORK 2016

I, Dr Rob Davies, Minister of Trade and Industry, hereby publish the Intellectual Property Consultative Framework for public comment.

Interested persons may submit written comments on the proposed Framework by no later than 30 September 2016 to:

The Director-General  
Department of Trade and Industry (**the dti**)  
Private Bag X84  
Pretoria  
0001

Or hand deliver to:

Att: Mr M Nkomo  
77 Meintjies Street, Sunnyside  
Block B, 3<sup>rd</sup> Floor  
Pretoria

Email: [ipframework@thedti.gov.za](mailto:ipframework@thedti.gov.za)



**Dr Rob Davies, MP**  
**Minister of Trade and Industry**

28 August 2016

# Intellectual Property Consultative Framework

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## 1. Purpose

- i. The National Development Plan (NDP) calls for greater emphasis on innovation, improved productivity, more intensive pursuit of a knowledge economy and better exploitation of comparative and competitive advantages. Intellectual property (IP) is an important policy instrument in promoting innovation, technology transfer, research and development (R&D), industrial development and more broadly - economic growth.
- ii. Government's experience to date has shown that IP is a vast, interdisciplinary field that implicates a broad range of government departments and agencies. Therefore, it is impossible for one Ministry, absent extensive inter-governmental consultation and collaboration to present a broadly representative governmental perspective. The same can be said of the numerous sectors of society that are affected by IP.
- iii. The purpose of this document is not to prescribe South Africa's IP policy position, but to put forward the perspective of **the dti** in a consultative instrument to facilitate what will be continuous engagement with governmental partners and society at large. This in our view is the best way to render the formulation of South Africa's IP policy a joint project that adopts a coordinated approach.
- iv. The extent of public engagement; the internal capacity of governments on IP matters; and the degree of government co-ordination are key factors in national IP policy formulation and law reform.<sup>1</sup> **the dti** aims to ensure that the development of South Africa's IP policy takes into account these fundamental principles. The IP Consultative Framework will serve as a tool in pursuing this approach.
- v. South Africa requires a coordinated and balanced approach to IP that provides effective protection of IP rights (IPRs) and responds to South Africa's unique innovation and development dynamics. South Africa's IP Policy must engender the ethos of the Constitution and complement the country's industrial policy and broader socio-economic development objectives. Hence, the IP Policy must be informed *inter alia* by the Constitution, NDP, the National Industrial Policy Framework (NIPF) and the various iterations of the Industrial Policy Action Plan (IPAP). It should also be aligned to the country's objectives of promoting local manufacturing, competitiveness and transformation of industry in South Africa.
- vi. Increasingly, IP is discussed in various international forums such as the World Intellectual Property Organization (WIPO), The World Trade Organization (WTO), the Group of Twenty (G20), the Organization for Economic Co-operation and Development (OECD) and in engagements with trade partners. This requires a coordinated South African approach to IP matters informed by South Africa's development imperatives.
- vii. The South African Constitution guarantees the right to property and that no law may permit arbitrary deprivation of property.<sup>2</sup> In terms of the Constitution, property is not

<sup>1</sup> Deere (2009) 'The Politics of Intellectual Property Reform in Developing Countries' in *Property And Sustainable Development: Development Agendas In A Changing World*, Pedro Roffe, ed., Edward Elgar Press: Oxford: Oxford University Press, at p 113.

<sup>2</sup> Section 25 of the Constitution of the Republic of South Africa 1996.

limited to land and would by implication include IP. This interpretation is consistent with Constitutional Court jurisprudence.<sup>3</sup> In addition, the Constitution provides a balanced approach to property rights by also taking into account public interest. In this regard, public interest includes the nation's commitment to bring about reforms that promote equitable access. A balanced approach will be taken in the development of the IP policy in line with the Constitution.

- viii. As stated in paragraph 7 of the African Group's proposal for the establishment of a Development Agenda for WIPO:

*"IP is just one mechanism among many for bringing about development. It should be used to support and enhance the legitimate economic aspirations of all developing countries including LDCs, especially in the development of their productive forces, comprising of both human and natural resources. IP should therefore, be complementary and not detrimental to individual national efforts at development, by becoming a veritable tool for economic growth".*

- ix. This document raises discussion points and proposes a way forward for South Africa to ensure a development-oriented IP policy which is cognizant of the international, regional and domestic context. As such, it proceeds from the basis that the IP policy should advance the following objectives:
- a. Engender the ethos of the Constitution.
  - b. Align the country's IP regime to its NDP and industrial policy.
  - c. Develop a co-ordinated intergovernmental approach to IP.
  - d. Strike a balance between the creators and users of IP.
  - e. Stimulate innovation.
  - f. Facilitate the development of key industries while striking a balance with the public interest.
  - g. Contribute to the attraction of foreign direct investment and technology transfer.
  - h. Adopt a coordinated approach to IP in sub-regional, regional and international forums.
  - i. Promote public health.

## **2. Strategy**

- i. The IP policy is eagerly awaited in view of the important issues and interests that it will affect. Hence, there is a need to assure the public that government recognizes the urgency and importance of reform in key areas. On the other hand, urgency cannot be a reason to sacrifice the requisite depth of analysis in what are highly technical, important and contentious issues.
- ii. As a means of striking a balance between the need for urgent action in some areas and further in depth study in others, it is suggested that the issues be categorized as immediate, medium term and monitoring and evaluation.

<sup>3</sup> *Re Certification of the Constitution of the RSA*, 1996 (4) SA 744 (CC) and *Laugh it Off Promotions CC v South African Breweries International (Finance) BV t/a Sabmark International* 2006(1) SA 144 (CC).



- iii. The immediate issues will be analyzed and in depth, tangible reforms suggested in consultation with intergovernmental partners and external stakeholders. Finite timelines would be attached to these.
- iv. The medium term issues form part of the in-built agenda. These are key areas that require further in-depth study. This should be done in accordance with international best practices such as WIPO methodologies and informed by domestic priorities. More flexible timelines would apply to these.
- v. The monitoring and evaluation of existing initiatives would be undertaken with the view to undertaking impact assessment and alignment with the broader IP Policy where necessary. Flexible timelines would be applicable.
- vi. It is proposed therefore that in light of the urgency, importance, high public profile as well as the strong institutional capacity and experience possessed by government on the intersection between IP and public health which covers among others medicines, vaccines and diagnostics, this area together with its multiplicity of sub-issues should be the immediate priority. It is also important to pursue areas where South Africa has international commitments such as geographical indications (GIs) to comply with and take advantage of opportunities contained in international agreements.
- vii. Prioritizing these issues affords an opportunity to establish public confidence in the process being undertaken by government. This will serve us well going forward as we pursue the broader in-built agenda once the immediate issues have been addressed.

### **3. Inter-Ministerial Committee (IMC) on IP**

- i. Given the cross cutting nature of IP, ensuring inter-governmental coordination is key. While **the dti** may lead on IP, only a collaborative effort can harness the collective resources in government to the benefit of the people of South Africa
- ii. The committee must be comprised of government officials responsible for implementing programs that either affect or are affected by IP.
- iii. In the immediate term, the IMC would serve as a consultative forum aimed at achieving a coordinated approach to the IP policy formulation process. This function would continue as we pursue the broader in – built agenda. Thereafter, the committee would ensure implementation of the IP policy in government programs.
- iv. Another key function that the committee would serve is to ensure a consistent and coherent government approach to multilateral IP forums. To achieve this end, the IMC should work closely with government officials representing South Africa at multilateral forums to ensure harmonized negotiating positions.
- v. The establishment of the committee is an urgent priority.



#### 4. Immediate issues

##### Overview

**Immediate domestic review** – sub-issues include:

- Local manufacture and export in line with industrial policy,
- Patents – substantive search and examination,
- Patent opposition,
- Patentability criteria,
- Disclosure requirements,
- Parallel importation,
- Exceptions,
- Compulsory licenses,
- IP & competition law.

**International best practice** – a Brazil Russia India China South Africa (BRICS) perspective.

**International commitments** – including GIs.

##### 4.1 Immediate domestic review

- i. The South African government has a proud history of robustly engaging with issues that concern the intersection between IP and public health. Indeed the government's stance in *PMA v the President of the Republic of South Africa* was a key factor leading to global dialogue around the potentially negative impact of IPRs on public health,<sup>4</sup> culminating in the Doha Declaration on TRIPS and Public Health.<sup>5</sup>
- ii. South Africa has been a key player in the global recognition that the duty owed by States to safeguard public health is not inconsistent with their concomitant responsibility to honor international treaty obligations. Tellingly, paragraph 4 of the Doha Declaration on TRIPS and Public Health states as follows:
 

*"We agree that the TRIPS Agreement does not and should not prevent members from taking measures to protect public health. Accordingly, while reiterating our commitment to the TRIPS Agreement, we affirm that the Agreement can and should be interpreted and implemented in a manner supportive of WTO members' right to protect public health and, in particular, to promote access to medicines for all."*
- iii. Having said this, the South African government has to date not made full use of the flexibility within international law through the pursuit of appropriate policy and legislation. This is despite a Constitutional imperative to increase access to medicines as a component of the State's obligation to take reasonable measures toward the realization of the right to healthcare services.<sup>6</sup> Indeed, this Constitutional imperative is reflected in government policies such as the NDP and the National Drug Policy for South Africa.<sup>7</sup> It is apt that the IP Policy should support these instruments.

<sup>4</sup> Case 4183/98.

<sup>5</sup> WT/MIN(01)/DEC/2, 20 November 2001.

<sup>6</sup> Section 27 of the Constitution of the Republic of South Africa, 1996.

<sup>7</sup> The NDP seeks *inter alia* to increase male and female life expectancy to 70 and to prevent and reduce the disease burden while the National Drug Policy aims to ensure the availability and accessibility of essential

- iv. What follows is a discussion of key areas identified by **the dti** as domains where a more equitable balance could be struck between private and public interest. The purpose of highlighting these issues is to garner the views of governmental partners on how best to achieve an appropriate balance. The aim is to ensure that South Africa protects IPRs and at the same time achieves its objectives of promoting national development imperatives which include among others boosting local manufacturing, innovation and ensuring equitable access to medicines. This will require development of an appropriate framework for granting patents. A number of interventions as outlined below will be explored.

#### 4.1.1 *Local manufacture and export in line with industrial policy*

- i. The Pharmaceuticals industry is one of the priority sectors identified by IPAP. The contribution of manufacturing in this industry to South Africa's GDP has declined from 1.6-1.1% over the past 6 years. Having said this, the sector provides direct employment to approximately 10,000 people and the downstream segment provides approximately 25,000 jobs.<sup>8</sup>
- ii. The local pharmaceutical market (a two-tier pharmaceutical market, divided into the public and private market) is the largest in Sub-Saharan Africa and worth a total estimated R40 billion. According to the National Association, the country spent 8.7% of its GDP on healthcare in 2014 passing the 5% recommended by WHO.
- iii. Despite these figures, the South African pharmaceuticals sector is still relatively small by international standards, constituting a mere 0.4% and 1% of the global market by value and volume respectively.<sup>9</sup> There is tremendous potential for this sector to grow and contribute further jobs to the South African economy.
- iv. Growth of the domestic pharmaceutical industry will contribute to sustainability of supply and allow the country to fulfill key health objectives of the National Drug Policy, in particular, to ensure the availability and accessibility of essential drugs.<sup>10</sup> It is estimated that 65% of domestic demand is met by imports and that medical products are the 5th largest contributor to South Africa's trade deficit.<sup>11</sup> While imports are an important source of medicines, increasing domestic capacity by promoting beneficiation and localization will ensure security of supply, given *inter alia* that the country's unique disease burden necessitates drugs formulated using specific active pharmaceutical ingredients (APIs) of which global supply is limited.<sup>12</sup>
- v. Project Ketlaphela is a government driven initiative aimed at establishing a fully integrated pharmaceutical company. The entity will engage in the manufacture of APIs and in the short-medium term, tablet formulation targeting the burden of diseases initially for South Africa and subsequently expanding into the Southern African Development Community (SADC). This will be key to increasing the domestic component of the supply of generic antiretrovirals (ARVs) and improving security of supply both domestically and sub-regionally. South Africa's IP regime should complement the country's industrial development ambitions as they pertain to key sectors such as pharmaceuticals.

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drugs. NDP, p. 71-72 and National Drug Policy for South Africa, p. 3. While the latter instrument predates the Constitution, it is reflective of the ethos of Section 27 of the Bill of Rights.

<sup>8</sup> IPAP 2013/14-2015/16, p. 97.

<sup>9</sup> *Ibid.*

<sup>10</sup> National Drug Policy for South Africa, p. 3.

<sup>11</sup> Abbott, Correa and Drahos (2013), *Emerging Markets and the World Patent Order*, at p. 270.

<sup>12</sup> For example, Emtricitabine is frequently used in South Africa whereas globally lamivudine is more prevalent.

#### 4.1.2 *Substantive Search and Examination*

- i. It is a matter of much debate that South Africa does not conduct substantive search and examination (SSE) prior to the grant of patents. Section 34 of the Patents Act 57 of 1978 (Patents Act) read together with Regulations 40 and 41 of the Patent Regulations, 1978 (Patent Regulations) have the effect that the Companies and Intellectual Property Commission (CIPC) only conducts examination in relation to the formalities of the application. Hence, South Africa employs a so called depository system. The major benefit of the depository system is that it places the cost of substantive examination on parties that are directly interested in the patent in the event that the grant of a patent is challenged at the level of the Commissioner of Patents. This allows the State to allocate scarce technical skills toward infrastructure development and other key developmental areas. Despite this benefit, there are major drawbacks for both the producers and users of IP resulting from the depository system that render it crucial to work toward the adoption of SSE.
- ii. The underlying policy rationale of patents is to serve as an incentive to stimulate innovation. In adopting SSE, the challenge will be to ensure that patentability criteria are observed while at the same time avoiding backlogs. This will require judicious and efficient use of limited State resources.<sup>13</sup> Several models are being considered, including the introduction of online patent searches and substantive examination that combines partial recognition of searches and examination reports conducted in foreign offices, with full substantive examination in certain fields pursuant to the country's development and public interest considerations. Whichever model is adopted, the rolling out of SSE must be done in a manner consistent with the non-discrimination requirements in Article 27.1 of the TRIPS Agreement.
- iii. Fundamentally, adopting a SSE approach which takes into consideration a nation's capacity constraints and legitimate public health interest by prioritizing certain sectors would not conflict with the TRIPS Agreement. The interpretation of Article 27.1 of the TRIPS Agreement must be conducted in accordance with the Vienna Convention on the Law of the Treaties. The said Article of TRIPS only refers to discrimination in respect of three hypotheses (the place of invention, the field of technology and whether products are imported or locally produced) and only in relation to the availability and 'patent rights enjoyable'. Therefore, that provision could not be the basis for a complaint where the examination of patents (a hypothesis not covered in Article 27.1) is introduced for a particular field of technologies since the patents would still be available and the scope and content of the patent rights would not be affected.<sup>14</sup>
- iv. We are conscious that the implementation of SSE like any new administrative procedure may have teething problems. For this reason, CIPC is considering entering into outsourcing arrangements with certain patent offices that are known to be highly efficient. This would be a contingency against the accumulation of inordinate backlogs.

<sup>13</sup> CIPC is in the process of recruiting an initial 20 Patent examiners who will undergo intensive training.

<sup>14</sup> In addition, a WTO Panel has already pronounced that differentiation – a legitimate practice – must be distinguished from discrimination. See *Canada – Patent Protection for Pharmaceutical Products*, WT/DS 114/R.

#### 4.1.3 *Patent Opposition*

- i. Affording third parties an opportunity to bring their resources to bear and present relevant information to patent examiners in an opposition process can augment the capacity of CIPC to conduct SSE.
- ii. Revocation proceedings entail the prohibitive costs and risks of litigation. South Africa should consider the most efficient ways of utilizing opposition procedures in line with international best practice and pursuant to stakeholder input.

#### 4.1.4 *Patentability Criteria*

- i. Article 1 of the TRIPS Agreement read with Articles 7 and 8 give WTO members the flexibility to implement and interpret the TRIPS patentability requirements in a manner consistent with *inter alia*, their public health concerns.<sup>15</sup> The absence of SSE in South Africa renders government unable to use this flexibility in the grant of patents.
- ii. International best practice from a broad range of sources should be considered in order to develop an appropriate approach for South Africa.

#### 4.1.5 *Disclosure Requirements*

- i. In terms of Article 29 of TRIPS, members shall require that an applicant for a patent shall disclose the invention in a manner sufficiently clear and complete for the invention to be carried out by a person skilled in the art. This policy instrument can be used to augment the capacity of CIPC to conduct SSE in a timely fashion. Moreover, it can be used to facilitate technology transfer which is of key importance if South Africa is to reap the benefits of IP and is accordingly one of the key objectives of the TRIPS Agreement.<sup>16</sup>
- ii. The use of disclosure requirements in a manner that utilises the flexibility in the TRIPS Agreement should be considered.

#### 4.1.6 *Parallel Importation*

- i. Article 6 read together with footnote 6 to the TRIPS Agreement gives members the flexibility to determine their own regimes for the exhaustion of IPRs.
- ii. In South Africa, parallel importation is governed by 1997 amendments to the Medicines and Related Substances Act 101 of 1965 (Medicines Act),<sup>17</sup> which legislation is administered by the Department of Health (DOH). The relevant provision applies notwithstanding any rights conferred in terms of the Patents Act.<sup>18</sup> This would suggest that the lack of utilization of this provision does not relate directly to IPRs. Having said this, explicitly incorporating total international exhaustion into the Patents Act would clarify matters.<sup>19</sup>

<sup>15</sup> Novelty, involving an inventive step/ non obviousness and being capable of industrial applicability constitute the patentability criteria set out in Article 27 of TRIPS.

<sup>16</sup> Article 7 of the TRIPS Agreement.

<sup>17</sup> Section 15C of the Medicines Act.

<sup>18</sup> *Ibid.*

<sup>19</sup> A narrow interpretation of section 45(2) of the Patents Act in its current form could potentially give rise to challenges should parallel importation be pursued.

- iii. Communication and information sharing between **the dti** and DOH would be important in addressing any antagonism between relevant provisions, particularly as DOH works toward implementation of the recently proposed amendments to the Medicines Act.<sup>20</sup>

#### 4.1.7 *Exceptions*

- i. As a means of striking a balance between the rights of creators and users of IPRs, Article 30 of the TRIPS Agreement allows members to provide limited exceptions to patent rights.
- ii. South Africa incorporated the early working/ "Bolar" exception in a 2002 amendment to the Patents Act.<sup>21</sup> This is an important tool to assist generic producers to enter the market as soon as possible once the patentee's exclusive rights cease.
- iii. **the dti** should engage the DOH, generic producers and other relevant stakeholders to ascertain the effectiveness of this provision. Further exceptions could be considered if it is deemed that they could contribute to the furtherance of the objectives of the IP policy to the benefit of South Africa. The World Health Organization (WHO) for instance has recommended that member States should consider, where appropriate, use of a "research exception" to address public health needs in developing countries consistent with TRIPS.<sup>22</sup>

#### 4.1.8 *Voluntary Licenses*

A voluntary license can generally be described as an agreement between an IPR holder and another party. In the South African public health context, the other party has tended to be a generic producer. Voluntary licensing has contributed to generic competition particularly where ARVs used in the treatment of HIV/AIDS are concerned. Having said this, voluntary licenses may not always provide the requisite level of access in other disease areas. Hence, government requires a mix of policy options for instances where voluntary mechanisms prove inadequate.

#### 4.1.9 *Compulsory Licenses*

- i. This policy instrument is regarded as one of the most important tools to ensure that IPRs do not unduly restrict access to essential innovations. Its use in the context of the intersection between patents and public health has provoked entire libraries of academic work, volumes of policy discourse and some of the most intense treaty negotiations of our time.
- ii. The TRIPS Agreement sets conditions for the use of compulsory licenses.<sup>23</sup> Provided that these are complied with, it is now a matter of course that States have the right to determine the grounds upon which they issue compulsory licenses.<sup>24</sup>

<sup>20</sup> Medicines and Related Substances Amendment Bill 2014.

<sup>21</sup> Section 69A(1) of the Patents Act.

<sup>22</sup> Global Strategy & Plan of Action on Public Health, Innovation & Intellectual Property (GSPA-PHI), Element 2.4 (e).

<sup>23</sup> Article 31 of the TRIPS Agreement.

<sup>24</sup> Paragraph 5 of the Doha Declaration of TRIPS and Public Health.



- iii. Voluntary licensing arrangements such as the Medicines Patent Pool (MPP) are crucial to the South African government's efforts to provide access to affordable medicines and we will continue to engage in them. Having said this, in order to promote sustainability of supply, it is important to ensure that a workable compulsory licensing system is in place to increase affordability and restrain anti-competitive practices where the need arises.
- iv. It is important to acknowledge that IPRs cannot be seen as the sole impediment to effective utilization of compulsory licensing as a policy instrument. South Africa is yet to issue a compulsory license despite the Patents Act providing for it.<sup>25</sup> The current tendering system is one example of a non-IP related impediment to the use of compulsory licensing. Measures to facilitate contracts that allow tender recipients to maximize economies of scale should be considered. In this regard, the WHO has recommended that countries should monitor carefully supply and distribution chains and procurement practices to minimize costs that could adversely influence the price of these products and devices.<sup>26</sup>
- v. In addition, it is important to ensure that the compulsory licensing procedure provided in our legislation does not result in unnecessary delays or undue obstacles. Various means of streamlining the compulsory licensing processes should be considered in accordance with international best practice and in consultation with stakeholders. The following observations pertaining to the Patents Act warrant consideration:

#### 4.1.9.1 Judicial process

- i. All applications for compulsory licenses in South Africa are subject to a judicial process before the Commissioner of Patents.<sup>27</sup> The grant of a compulsory license is therefore subject to the timeframes and expenses that apply to litigation. This can be exacerbated and access further delayed in the event that the decision of the Commissioner to grant a license is appealed.<sup>28</sup>
- ii. The TRIPS Agreement does not require the grant of compulsory licenses to be made subject to a judicial process. A more streamlined and accessible administrative process should be considered.

#### 4.1.9.2 Adequate remuneration

- i. One of the TRIPS conditions for the grant of compulsory licenses is that the IPR holder must be paid an adequate remuneration.<sup>29</sup> The Patents Act does not contain guidelines on how to ascertain what would constitute adequate remuneration other than providing a non-exhaustive list of factors that may be relevant.<sup>30</sup> The provision of guidelines can assist parties to achieve timely conclusion of the voluntary license negotiations that are mandatory in certain

<sup>25</sup> Section 56 of the Patents Act.

<sup>26</sup> Global Strategy & Plan of Action on Public Health, Innovation & Intellectual Property (GSPA-PHI), para 24.

<sup>27</sup> Sections 8 and 19 of the Patents Act.

<sup>28</sup> Section 76 of the Patents Act.

<sup>29</sup> Article 31(h).

<sup>30</sup> Section 56(7) of the Patents Act.

cases.<sup>31</sup> This would prevent undue delay in the voluntary license negotiation process. One precedent is the Canada Access to Medicines Regime (CAMR).

- ii. Guidelines for determining adequate remuneration should be explored as a means to streamline the compulsory licensing process.

#### 4.1.9.3 Government use

- i. The TRIPS Agreement explicitly states that public non-commercial use of patented subject matter is not subject to the requirement of negotiating with an IPR holder.<sup>32</sup> The South African Patents Act goes beyond what is provided for in TRIPS by requiring Ministers of State to enter into such negotiations before an application to the Commissioner of Patents can be made.<sup>33</sup>
- ii. The inclusion of this requirement may cause unwarranted delays and should be reviewed.

#### 4.1.9.4 Compulsory licenses for export

In terms of compulsory licensing for export, South Africa played an important role in raising the profile of the IP and public health debate at the WTO and has joined the growing body of WTO members that have adopted the Paragraph 6 mechanism through ratification.<sup>34</sup> The paragraph 6 mechanism has however been the subject of various criticisms.<sup>35</sup> The South African government is cognizant of the stated limitations and will engage stakeholders to find ways of ensuring that our implementation is as simplified as possible. In addition, we will engage constructively within the WTO structures to find ways of streamlining the Paragraph 6 mechanism.

#### 4.1.9.5 Compulsory licenses to remedy anti-competitive practices

- i. Article 31(k) allows members to use compulsory licensing as a remedy to anti-competitive practices. Such licenses can be issued without complying with a number of TRIPS conditions, most notably: prior negotiation with patent holders, being limited to the purpose for which it was authorized, and the requirement of being predominantly for domestic use.
- ii. As mentioned above, the licensing provisions in the Patents Act do not take full advantage of TRIPS flexibilities. The judicial process provided by the Patents Act is in general, more cumbersome than required in TRIPS. This is particularly true of Article 31(k).

<sup>31</sup> Article 31(b) of the TRIPS Agreement requires the grant of compulsory licenses to be preceded by voluntary license negotiations except in circumstances of national emergency or public health crises, public non-commercial use, and to remedy anti-competitive practices.

<sup>32</sup> *Ibid.*

<sup>33</sup> Section 4 of the Patents Act.

<sup>34</sup> Both Houses of Parliament ratified the Paragraph 6 mechanism in terms of section 231 of the Constitution in November 2015, and the instrument of acceptance has been deposited at the WTO Secretariat.

<sup>35</sup> Joint NGO Statement on TRIPS and Public Health: WTO Deal on Medicines – A Gift Bound in Red Tape. September 10, 2003.



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- iii. A more streamlined administrative process for the issuance of compulsory licenses should be considered. In addition, it is suggested that guidance be introduced as to which practices would be considered anti-competitive. This could be done by way of an amendment to the Patents Act,<sup>36</sup> alternatively guidelines could be issued. Either route must be pursued in consultation with relevant government institutions and stakeholders.

#### 4.1.10 IP and Competition

- i. In theory, the development of new medicines involves high costs and risks, and for this reason IP protection is considered an instrument that allows innovators to recoup investment. Without adequate IP protection, the theory posits, these investments simply would not be made. Currently, a global debate, led by the WHO, is underway around incentive models in the context of medicines.<sup>37</sup>
- ii. Competition regulation has a role in ensuring that patents are not used as platforms for illegitimately extending the market power. Markets for many pharmaceuticals are inelastic. Furthermore, there are aspects of the South African markets for pharmaceuticals that increase the opportunities for anti-competitive practices such as their small and concentrated nature. Finally, it should be noted that from a public interest perspective, purchasers of essential medicines are not ordinary consumers in that their demand is inelastic. There is great public interest in ensuring access to medicines. The South African competition law was developed as a transformational device in the early days of post-apartheid South Africa. It should therefore be able to accommodate these special features of medicine consumers.
- iii. In addressing the interface between IP and competition, the TRIPS Agreement gives members scope to use competition policy as an instrument to facilitate access to medicines. Article 8 on its own, and in particular, read through the interpretive lens of the Doha Declaration on TRIPS and Public Health empowers WTO members to take measures aimed at restraining anti-competitive practices.
- iv. Article 31(k) of TRIPS concerns compulsory licenses to remedy anti-competitive practices while Article 40 empowers members to prohibit anti-competitive licensing practices and provides a large degree of discretion in defining the prohibited practices.
- v. The Competition Act 89 of 1998 (Competition Act) and the Patents Act can be used to action the competition related TRIPS flexibilities and advance consumer welfare. Chapter 2 of the Competition Act and various licensing provisions in the Patents Act are most pertinent.<sup>38</sup>
- vi. Chapter 2 of the Competition Act covers practices such as horizontal restrictions, vertical restrictions and abuse of dominance.

<sup>36</sup> A 2013 UNDP Study suggests that expressly stating that the section 56 grounds constitute anti-competitive practices. While this suggestion has merit, further consultative deliberation would be required given the complex legal and economic issues at play.

<sup>37</sup> Section 4.3(vii) below.

<sup>38</sup> Sections 56-57 and 90 of the Patents Act.

- vii. The famous *Hazel Tau* case, which was spearheaded by civil society, is a pertinent matter.<sup>39</sup> Although it was resolved before the Tribunal could consider the substantive merits; the case was a watershed as it clarified that competition law is an important instrument to achieve an appropriate balance between the interests of the creators and users of IP.
- viii. Few parties have sought to use the provisions of the Competition Act to alleviate adverse impacts of exclusive IPRs on consumer welfare and by extension, public health. One factor is the relative smallness of the South African pharmaceutical market. This serves as a disincentive to generic companies incurring the cost of litigation. Another factor is the highly technical nature of the requisite analysis. Interested parties are likely to face such difficulties going forward given the complexity of the legal and economic considerations involved as well as the relative dearth of jurisprudential succor.
- ix. Guidelines on IP and competition could be developed in line with international best practice and in consultation with relevant government departments and stakeholders.

#### 4.2 International best practice – a BRICS perspective

- i. In developing the appropriate approach to the issues raised above (4.1) due regard will be given to international best practice, including the experience of countries in similar levels of development such as BRICS. It will be important to study how these countries have utilized the TRIPS flexibilities to respond to their specific needs.
- ii. The South African government through **the dti** in particular participates in the recently established BRICS IPR Cooperation Mechanism (IPRCM). The said institution will serve as an important information sharing forum that can augment the collective information and human capital resources of policy makers and implementation agencies in BRICS countries as well as deepen mutual cooperation.
- iii. Having said this, South Africa's unique dynamics must inform the approach to the country's IP policy.

#### 4.3 International commitments

- i. South Africa is party to the following multilateral treaties in IP:
  - Berne Convention for the Protection of Literary and Artistic Works (Berne Convention), since October 1928;
  - Paris Convention for the Protection of Industrial Property (Paris Convention), since December 1947;
  - WIPO Convention, since March 1975;
  - TRIPS Agreement, since January 1995;
  - Budapest Treaty (Deposit of Micro-organisms), since December 1997;
  - Patent Cooperation Treaty (PCT), since March 1999.

<sup>39</sup> *Hazel Tau et al. v. GlaxoSmithKline, Boehringer Ingelheim, et al. & AIDS Healthcare Foundation et al v. GlaxoSmithKline, Boehringer Ingelheim, et al.* Case Numbers: 2002sep226 & 2002jan357.

- ii. With the exception of TRIPS these treaties are all administered by WIPO while the WTO administered TRIPS incorporates the substantive provisions of the Paris and Berne Conventions.
- iii. South Africa has been party to the TRIPS Agreement since inception and is an active, influential participant in the TRIPS Council. TRIPS has become a fundamental aspect of the international IP regime and South Africa has played an important role in safeguarding the flexibilities available to members. Having adopted the 2030 Agenda for Sustainable Development, and in particular, Sustainable Development Goal 3, it is incumbent on South Africa to continue playing this role.
- iv. WIPO members have concluded numerous treaties to which South Africa is not party. It is important for countries to safeguard their policy space and not assume obligations that would not be in the national interest. On the other hand, treaties are aimed at dealing with important global challenges that cannot be addressed through domestic instruments due to their extra-territorial nature. In addition, certain treaties can assist countries to advance their offensive interests thereby increasing gross national income (GNI).
- v. In light of the principals established in the IP policy, South Africa should analyze WIPO treaties to which we are not party in order to determine whether they present opportunities that could benefit the country which we are currently not utilizing.
- vi. Aside from the above mentioned IP treaties, South Africa is party to several other international arrangements that are implicated by IP such as WHO. That organization's Constitution states that "the objective of WHO shall be the attainment by all peoples of the highest possible level of health".<sup>40</sup> To give effect to this mandate, WHO plays a strategic and central role in the relationship between public health, innovation and IP.<sup>41</sup>
- vii. WHO has been engaged in efforts to address identified weaknesses in the global R&D system which is reliant on market based incentives such as patents. The current R&D regime has stimulated significant innovations and will continue to do so but it has not been able to address issues such as lack of affordability, limited research where market returns are small or uncertain (including the 'neglected diseases' that predominantly affect the world's poorest), inefficient overlap of research efforts, and overuse of medicines such as antibiotics.<sup>42</sup> De-linkage of the market price from R&D costs, use of open knowledge innovation, and use of licensing conditions to favour access, are regarded as core principles formulated by the Consultative Expert Working Group on Research and Development: Financing and Coordination (CEWG).<sup>43</sup> Antimicrobial resistance (AMR) is considered a global public health threat. Lack of new tuberculosis (TB) medicines is also a public health imperative. A number of strategies to address AMR have recently been reported, these include rapid diagnostic tests and R&D for new antibiotics and anti TB medicines.

<sup>40</sup> Article 1 of the Constitution of the World Health Organization.

<sup>41</sup> Global Strategy & Plan of Action on Public Health, Innovation & Intellectual Property (GSPA-PHI), para 15.

<sup>42</sup> Moon "WHO: Past, Present and Future WHO's Role in The Global Health System: What Can Be Learned From Global R&D Debates"? *Public Health*. 2014 Feb; 128(2): 167-72. doi: 10.1016/j.puhe.2013.08.014. Epub 2014 Jan 3.

<sup>43</sup> WHO Secretariat, Progress Report on World Health Assembly resolution 66.22 (A/RDMCF/2) April 2016.

- viii. South Africa must participate in R&D initiatives and multilateral IP forums in a coordinated fashion ensuring that the positions adopted are consistent. Formulating governmental positions under the auspices of an IMC on IP will ensure a coordinated approach.
- ix. In terms of regional and bilateral arrangements, a trend has emerged in terms of which standards of IP protection that go beyond what is required by TRIPS are being promoted.<sup>44</sup> South Africa and other developing countries worked extremely hard at multilateral level to ensure that the flexibilities within the TRIPS Agreement were unequivocally recognized as legitimate policy tools, particularly as they pertain to public health. It is crucial that we do not erode the gains made multilaterally by assuming TRIPS plus IP obligations in bilateral and regional engagements.
- x. An IMC on IP should examine any treaties under negotiation which contain IP provisions to ensure that they comply with the principles of the IP Policy.

#### 4.3.1 *Geographical Indications (GIs)*

- i. South African does not have a statute dealing specifically with GIs, and also does not have a *sui generis* registration system for GIs in respect of all kinds of products, however this position may change given certain legislative initiatives underway. The following statutes contain references to GIs or deal with indications of the geographical origin of goods or services:
  - ii. Trade Marks Act no. 194 of 1993; Agricultural Products Standards Act no. 119 of 1990; Liquor Products Act 60 of 1989; and Merchandise Marks Act 17 of 1941.
  - iii. The Department of Agriculture Forestry and Fisheries (DAFF) has published draft regulations on GIs which were open for public comment. Continued inter-Ministerial engagement is encouraged.
  - iv. At multilateral level there are several developments that have a bearing on the protection of GIs. TRIPS provides for the protection of GIs through Articles 22, 23 and 24. A debate which has stalled at this point is how Members will agree to set up a multilateral system for notification and registration of wines and spirits GIs.
  - v. South Africa has agreed to conclude a bilateral GI Protocol with the EU that goes beyond wines and spirits. This, however, does not change South Africa's position at the WTO in respect of the limited and non-binding nature of the establishment of an international wines and spirits GI Register for information purposes only.
  - vi. WIPO's Lisbon System for the International Registration of Appellations of Origin offers a means of obtaining protection for an appellation of origin in the contracting parties to the Lisbon Agreement. The Lisbon System should be considered by an IMC on IP.

<sup>44</sup> Roffe 'Intellectual Property Bilateral Agreements and Sustainable Development: The Challenge of Implementation' (2007) Jan Intellectual Property Bilateral Agreements and Sustainable Development- Series: 1 at [http://www.ciel.org/wp-content/uploads/2015/03/FTA\\_ImplementationPub\\_Jan07.pdf](http://www.ciel.org/wp-content/uploads/2015/03/FTA_ImplementationPub_Jan07.pdf). Valdés and Tavengwa, WTO, Economic Research and Statistics Division, Staff working Paper ERSD-2012-21, 31 October 2012, p. 40. WTO, WIPO, WHO, "Promoting Access to Medical Technologies and Innovation – Intersections Between Public Health, Intellectual Property and Trade", 2012, p. 84.



## 5. In-Built Agenda

### 5.1 Medium term

- i. This section proposes substantive issues that should be addressed once policy formulation on the immediate issues has been secured. It also sets out recent developments in terms of international best practice in IP policy formulation and suggests ways in which South Africa can implement these.
- ii. One of the key aspects of the WIPO Development Agenda was for WIPO to place a greater emphasis on demand-side developmental concerns of developing members in its provision of technical assistance. This is aptly captured in Recommendation 10 which mandates WIPO:

*“To assist member States to develop and improve national intellectual property institutional capacity through further development of infrastructure and other facilities with a view to making national intellectual property institutions more efficient and promote fair balance between intellectual property protection and the public interest. This technical assistance should also be extended to sub-regional and regional organizations dealing with intellectual property”.*
- iii. To implement this recommendation, WIPO undertook several initiatives such as the formation of the Committee on Development and Intellectual Property (CIDP) and the establishment of a project named: “Improvement of National, Sub Regional and Regional IP Institutional and User Capacity (Development Agenda Project DA\_10\_05)”.
- iv. Development Agenda Project DA\_10\_05 was conducted from 2009-2012 and served as a pilot project with the aim of developing tools for IP policy formulation. Algeria (which joined the project in 2011) Dominican Republic, Mongolia, Moldova, Tanzania and Mali participated.
- v. The project resulted in the successful development and publication of a comprehensive methodology toolkit for the formulation of National IP Strategies.
- vi. Development Agenda Project DA\_10\_05 and the resulting toolkit were subject to an external review which found the methodology to be sufficiently consultative and responsive to the needs of member States. The review also found that the toolkit is both replicable and adaptable. This outcome is supported by the toolkit’s use by at least 10 other countries. Indeed, of the 29 countries that have recently concluded or are in the process of formulating their IP policies, many are doing so with the assistance of WIPO.
- vii. WIPO technical assistance has in the past been criticized for placing too much emphasis on compliance with international IP standards, which were generally seen as favoring multinational corporations from developed countries without due regard for a demand-driven approach that takes into consideration the economic nuances and development objectives of countries receiving the technical assistance. Having said this, since the adoption of the 45 recommendations of the development agenda, WIPO has taken significant steps to remedy such concerns and its input into the formulation of national IP policies in developing countries is evidence of this evolution. A strong case in point is the Rwanda IP Policy of 2009 which is largely regarded as a progressive and sound instrument.



- viii. It is suggested that South Africa follows an approach that is in line with WIPO-established methodologies but tailored to South Africa's specific dynamics. Here, a broadly constituted IMC on IP could work together with the WIPO Secretariat. As a member of WIPO, the vast resources of this institution are available to South Africa and government would be remiss in not bringing them to bear.
- ix. The following substantive issues are proposed as working areas for the IMC to develop in collaboration with WIPO and other expert institutions:
- IPRs in agriculture;
  - IPRs and biotechnology/ genetic resources;
  - IPRs and the environment/ climate change/ green technologies;
  - IPRs and the informal sector;
  - Branding of South African goods and services (collective marks, certification marks and GIs);
  - Safeguarding South African emblems and national icons;
  - IPRs and the government;
  - Commercialization of IPRs;
  - IPRs and localization and beneficiation;
  - Policymaking in the international arena;
  - IPR awareness & capacity building; and
  - Enforcement.
- x. This list is indicative and not exhaustive. It will be refined in accordance with intergovernmental and stakeholder consultations.

## 5.2 Monitoring and evaluation

- i. Several legislative initiatives have commenced or been concluded prior to the formulation of the National IP Policy. Indigenous knowledge and copyright-related issues are most pertinent. It is proposed therefore that these constitute the issues that will be subject to monitoring and evaluation. This allows the finalization of existing initiatives – to which significant resources have already been committed - while ensuring an opportunity for alignment with the broader IP Policy.
- ii. The following themes are covered in the existing initiatives:
- a. Copyright and related issues, including:
    - IP & creative industries,
    - access to knowledge – libraries and archives/ disabled persons/ copyright exceptions and limitations/ digital technologies,
    - IPRs in the digital age); and
  - b. Traditional knowledge (TK)/ indigenous knowledge.

**DEPARTMENT OF TRANSPORT****NOTICE 582 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 I**

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

**(A) ARS Aviation (Pty) Ltd; ARS Aviation.** (B) Diepkloof Airfield N7, Hangar 1, Malmesbury, Western Cape, 7299. (C) Class II & III. (D) Type N1, N2, G2, G3, G8, G11 & G12. (E) Category A3 & A4.

**(A) Snap Developments (Pty) Ltd; Over The Top Photography.** (B) 45 Mimosa Drive, Mtunzini, 3867, KZN. (C) Class III. (D) Type G4 & G16 (Remotely Piloted Aircraft Systems). (E) Category H1.

**(A) Skyhawk Aviation (Pty) Ltd; Skyhawk Aviation.** (B) Hangar 10, Lanseria International Airport, 1748. (C) Class II & III. (D) Type N1, N2, G3 & G4. (E) Category A3 & A4.

**(A) Spiral Air Charters CC; LBI Charters.** (B) Hangar #5, Wonderboom Airport, Pretoria. (C) Class III. (D) Type G3, G4, G5 and G8. (E) Category A2, A3 and A4.

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**BOARD NOTICE 153 OF 2016**

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**PROPOSED AMENDMENTS TO THE CODE OF PROFESSIONAL CONDUCT FOR REGISTERED AUDITORS**

In accordance with the provisions of Section 10(1)(a) of the Auditing Profession Act 26 of 2005 (the Act), the Independent Regulatory Board for Auditors (IRBA) publishes, pursuant to the provision of Section 4(1)(c) of the Act, the following for public information and comment:

**THE PROPOSED AMENDMENTS TO THE IRBA CODE OF PROFESSIONAL CONDUCT RELATING TO NON COMPLIANCE WITH LAWS AND REGULATIONS**

To ensure that all relevant stakeholders are consulted and to streamline the consultation process, interested and affected stakeholders are invited to submit written comments to the IRBA by 10 October 2016.

Please be advised that the proposed amendments to the IRBA Code of Professional Conduct are available and may be downloaded from the IRBA website at <http://www.irba.co.za/guidance-to-ras/technical-guidance-for-auditors/exposure-drafts-and-comment-letters>.

The IRBA's Committee for Auditor Ethics (CFAE) will consider comments received on the proposed amendments prior to the IRBA Board approving and publishing the final amendments. All comments received will be regarded as being on public record, unless confidentiality is requested.

Please submit written comments, preferably in Word format, by email to:

The Director: Standards  
Independent Regulatory Board for Auditors  
Attention: Mr I Vanker  
Email: [standards@irba.co.za](mailto:standards@irba.co.za)

For any enquiries, please contact the Professional Manager: Ethics on the above email address or call her directly on +27 87 940-8870.

Bernard Peter Agulhas  
Chief Executive Officer  
Independent Regulatory Board for Auditors





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