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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.gpwonline.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.
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. 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). 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 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 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

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. 54 OF 2016

BY THE
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

**COMMENCEMENT OF THE SECTIONAL TITLES SCHEMES MANAGEMENT
ACT, 2011 (ACT NO. 8 OF 2011)**

In terms of section 22 of the Sectional Titles Schemes Management Act, 2011 (Act No. 8 of 2011), I hereby determine that the Act shall come into operation on the date of publication in the Government Gazette.

Given under my Hand and the Seal of the Republic of South Africa at
CAPE TOWN this 14 day of
SEPTEMBER Two Thousand and Sixteen.



PRESIDENT

By order of the President-in-Cabinet



MINISTER OF THE CABINET

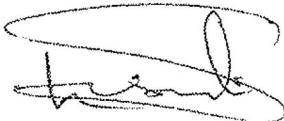
PROKLAMASIE NO. 54 VAN 2016**van die
President van die Republiek van Suid-Afrika****Deeltitelskema Bestuurs Wet, 2011 (Wet Nr. 8 van 2011)**

Kragtens artikel 22 van die Deeltitelskema Bestuurs Wet, 2011 (Wet Nr. 8 van 2011), bepaal ek hierby dat die Wet in werking sal tree op die dag van publikasie in die Staatskoerant.

Gegee onder my hand aan die Sêel van die Republiek van Suid-Afrika te KAAPSTAD op hierdie 14 dag van SEPTEMBER Tweeduisend en Sestien



PRESIDENT
Op las van die President-in-Kabinet



MINISTER VAN DIE KABINET

PROCLAMATION NO. 55 OF 2016
BY THE
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

**COMMENCEMENT OF THE COMMUNITY SCHEMES OMBUD SERVICE ACT,
2011 (ACT NO. 9 OF 2011)**

In terms of section 60 of the Community Schemes Ombud Service Act, 2011 (Act No 9 of 2011), I hereby determine that the Act shall come into operation on the date of publication in the Government Gazette.

Given under my Hand and the Seal of the Republic of South Africa at
CAPE TOWN this 14 day of
SEPTEMBER Two Thousand and Sixteen.



PRESIDENT

By order of the President-in-Cabinet



MINISTER OF THE CABINET

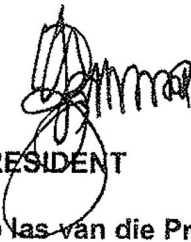
PROKLAMASIE NO. 55 VAN 2016

*van die
President van die Republiek van Suid-Afrika*

**INWERKINGTREDING VAN DIE WET OP GEMEENSKAPSSKEMA
OMBUDSDIENSTE, 2011 (WET NR. 9 VAN 2011)**

Kragtens artikel 60 van die Wet op Gemeenskapsskema Ombudsdienste, 2011 (Wet Nr. 9 van 2011), bepaal ek hierby dat die Wet in werking sal tree op die dag van publikasie in die Staatskoerant.

Gegee onder my hand en die Sêel van die Republiek van Suid-Afrika te
KAPPSTAD op hierdie 14 dag van
SEPTEMBER Tweeduisend en Sestien



PRESIDENT
Op las van die President-in-Kabinet




MINISTER VAN DIE KABINET

PROCLAMATION NO. 56 OF 2016*by the***President of the Republic of South Africa****AMENDMENT OF SCHEDULE 1 TO THE PUBLIC SERVICE ACT, 1994**

In terms of section 7(5)(a) of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), I hereby amend, on the advice of the Minister for the Public Service and Administration, Schedule 1 to the said Act by the substitution in Column 2 of the words “Secretary: Civilian Secretariat for the Police Service” with the words “Secretary for the Police Service”.

Given under my Hand and the Seal of the Republic of South Africa at
Pretoria....., this 27..... day of September....., Two Thousand and Sixteen.


President

By Order of the President-in-Cabinet:


Minister of the Cabinet

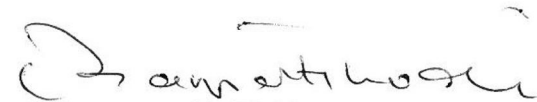
PROKLAMASIE NO. 56 VAN 2016*van die**President van die Republiek van Suid-Afrika***WYSIGING VAN BYLAE 1 BY DIE STAATSDIENSWET, 1994**

Ingevolge artikel 7(5)(a) van die Staatsdienswet, 1994 (gepromulgeer deur Proklamasie No. 103 van 1994), wysig ek hierby, op advies van die Minister vir die Staatsdiens en Administrasie, Bylae 1 by vermelde Wet deur in Kolomm 2 die woorde "Sectretaris: Burgerlike Sekretariaat vir die Polisediens" te vervang met die woorde "Sekretaris vir die Polisediens".

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te
Pretoria....., op hede die ...27..... dag van ...September..., Tweeduisend en Sestien.

**President**

Op las van die President-in-Kabinet:

**Minister van die Kabinet**

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 1217

07 OCTOBER 2016

PLANT BREEDERS' RIGHTS ACT, 1976 (ACT No. 15 OF 1976)

REGULATIONS RELATING TO PLANT BREEDERS' RIGHTS: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), has made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In this Schedule 'the Regulations' means the regulations published by Government Notice No. R. 1186 of 12 September 1997, as amended by Government Notices Nos. R. 1582 of 28 November 1997, R. 867 of 3 July 1998, R. 1285 of 16 October 1998, R. 323 of 19 March 1999, R. 604 of 14 May 1999, R. 1271 of 29 October 1999, R. 392 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2001, R. 667 of 27 July 2001, R. 512 of 3 June 2005, R. 545 of 15 June 2006, R. 1272 of 25 November 2008, R. 287 of 13 March 2009, R.103 of 19 February 2010, R.517 of 17 June 2011, R.950 of 18 November 2011, R. 713 of 7 September 2012; R. 311 of 26 April 2013, R.620 of 23 August 2013, R.416 of 30 May 2014, R. 645 of 29 August 2014 and R.1027 of 19 December 2014; R.1032 of 30 October 2015

Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended by the insertion of the entries in Annexure A in the alphabetically correct position.

DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE

NO. 1217

07 OKTOBER 2016

WET OP PLANTTELEERSREGTE, 1976 (WET NO. 15 VAN 1976)

REGULASIES BETREFFENDE PLANTTELEERSREGTE: WYSIGING

Die Minister van Landbou, Bosbou en Visserye handelende kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), het die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken 'die Regulasies' gepubliseer in Goewermentskennisgewing No. R 1186 van 12 September 1997, soos gewysig deur Goewermentskennisgewing Nos. R. 1582 van 28 November 1997, R. 867 van 3 Julie 1998, R. 1285 van 16 Oktober 1998, R. 323 van 19 Maart 1999, R. 604 van 14 Mei 1999, R. 1271 van 29 Oktober 1999, R. 392 van 20 April 2000, R. 690 van 14 Julie 2000, R. 1078 van 3 November 2000, R. 387 van 18 Mei 2001, R. 667 van 27 Julie 2001, R. 512 van 3 Junie 2005 en R. 545 van 15 Junie 2006, R. 1272 van 25 November 2008, R. 287 van 13 Maart 2009, R.103 van 19 Februarie 2010, R. 517 van 17 Junie 2011, R. 950 van 18 November 2011, R. 713 van 7 September 2012, R. 311 van 26 April 2013, R. 620 van 23 Augustus 2013, R.416 van 30 Mei 2014, R. 645 van 29 Augustus 2014 en R.1027 van 19 Desember 2014.

Wysiging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby gewysig deur die inskrywings in Aanhangsel A in die alfabeties korrekte posisie in te voeg.

ANNEXURE A

TABLE 1
KINDS OF PLANTS AND PERIOD OF RIGHTS
[Reg. 11; 11 (A)]

1		2	3	4
Kind of plant		Category	Period of Plant Breeder's Right (Years)	Period of sole Right (Years)
Botanical Name	Common Name			
Botaniese Naam	Gewone naam			
<i>Agastache</i> L. (All spp.)	Agastache, Hyssop	B	25	8
<i>Elegia</i> L. [All spp.]	Cape Thatching Reed	B	25	8
<i>Eriobotrya</i> Lindl. [All spp.]	Loquat	B	25	8
<i>Hylocereus</i> (A. Berger) Britton & Rose [All spp.]	Dragon fruit	B	25	8
<i>Melilotus</i> (L.) Mill. [All spp.]	Melilot, Sweet clover	A	20	5

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NO. 1218****07 OCTOBER 2016**

AGRICULTURAL PRODUCT STANDARDS ACT, 1990

(ACT No. 119 OF 1990)

**AMENDMENT: REGULATIONS REGARDING THE GRADING, PACKING AND MARKING OF BREAD
WHEAT INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

The Minister of Agriculture, Forestry and Fisheries, under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)--

- (a) made the regulations in the Schedule; and
- (b) determined that the said regulations shall come into operation on the date of publication thereof.

SCHEDULE

In this Schedule "the Regulations" means the regulations published by Government Gazette No. 39627, Notice No.R.64 of 29 January 2016.

1. Amendment of regulation 4 of the Regulations

Regulation 4 of the Regulations is hereby amended by the substitution for paragraph (g) of subregulation (1) of the following paragraph:

"(g) ...be free from glass, metal, coal or dung"

DEPARTMENT OF ARTS AND CULTURE

NO. 1219

07 OCTOBER 2016



SOUTH AFRICAN HERITAGE RESOURCES AGENCY

DECLARATION OF THE SAMORA MACHEL MEMORIAL AND CRASH SITE AS NATIONAL HERITAGE SITES

By virtue of the powers vested in the South African Heritage Resources Agency, in terms of section 27 (5) of the National Heritage Resources Act (No. 25 of 1999) SAHRA hereby declares the Samora Machel Memorial and Crash Site, Mbuzini, Mpumalanga as a National Heritage Site

Statement of Significance

The site commemorates the tragic plane crash in which the then president of Mozambique and loyal supporter of South African Struggle, Samora Machel was killed. The site pays homage to Samora Machel and his inestimable contribution to the establishment of peace and democracy in southern Africa. He has become a revered martyr of the struggle against the forces of Apartheid and Colonialism on the African Continent. The memorial is a symbol of the crucial moral and material support given by the Frontier States to the South African liberation struggle, often at great costs, and honours the people of Mozambique and their solidarity towards the liberation of South Africa.

Schedule

The demarcation of Samora Machel Memorial and Crash Site is as follows:

Site Name	Erf No / Farm	Province	Town	Municipality	Survey Diagram	Figure	Deed
Samora Machel Memorial and Crash Site	Portion 71 of Portion 20 of Farm Matabula 701 JU	Mpumalanga	Mbuzini	Nkomazi	38/2013	ABCDEFGH	STATELAND

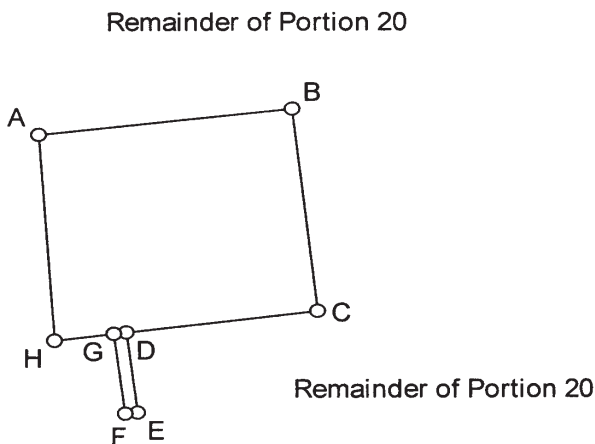
SUBDIVISIONAL DIAGRAM

SIDES Metres	ANGLES OF DIRECTION	CO-ORDINATES Y System: WG 31° X			S.G. No. 38/2013 Approved <i>[Signature]</i> for SURVEYOR- GENERAL 2013-02-26
		Constants:	± 0,00	± 0,00	
AB	248,80	263 10 00	A	-95 563,12	+2 867 743,55
BC	236,31	353 54 20	B	-95 810,15	+2 867 713,95
CD	187,87	82 29 10	C	-95 835,24	+2 867 948,92
DE	93,73	353 11 30	D	-95 648,98	+2 867 973,50
EF	12,34	84 29 20	E	-95 660,09	+2 868 066,57
FG	93,29	173 09 50	F	-95 647,80	+2 868 067,75
GH	58,47	82 28 30	G	-95 636,70	+2 867 975,13
HA	239,74	176 16 00	H	-95 578,73	+2 867 982,79
		Kobinja (48) Δ		-93 310,89	+2 859 458,48
		Matabula (51) Δ		-91 642,72	+2 863 213,96

Description of Beacons

- A,B,D,E,F,G,H : 16mm iron peg
- C : 75mm Square Fence Post

STATE LAND



SCALE 1:7500

The figure **A B C D E F G H**
 represents **6,1493 hectares** of land being
 Portion 71 (Samora Machel Memorial) a portion of Portion 20 of the farm
MATABULA No. 701-JU

Province of Mpumalanga
 Surveyed in July 2012 by me

[Signature]
 T.C. Setati
 Professional Land Surveyor
 Registration Number PLS0884

This diagram is annexed to No. d.d. : i.f.o. Registrar of Deeds : MPUMALANGA	The original diagram is	File : JU-701 - / 1
	S.G. No. : 692/2011 Transfer Grant :	S.R. : 33/2013 Comp. : JU-80

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1220

07 OCTOBER 2016

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act 101 of 1997), hereby publish the Institutional Statute of the Sefako Makgatho Health Sciences University set out in the Schedule hereto.



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date: 02/09/2016

MINISTRY OF HIGHER EDUCATION AND TRAINING**HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)****STATUTE OF THE SEFAKO MAKGATHO HEALTH SCIENCES UNIVERSITY**

The Council of the Sefako Makgatho Health Sciences University has, after consultation with the Senate and the Institutional Forum, drafted the Statute set out in the Schedule hereto in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, which is, in terms of the provisions of section 33 of the said Act, hereby published with the approval of the Minister of Higher Education and Training and which comes into operation on the date of its publication.

SCHEDULE

To introduce a new Statute for the Sefako Makgatho Health Sciences University to give effect to any law relating to the Sefako Makgatho Health Sciences University and to promote the effective and responsible management and governance of the University in respect of matters of importance and matters not expressly prescribed by any law.

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CHAPTER 1 DEFINITIONS

1. Definitions

In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning so assigned to it, and unless the context otherwise indicates –

“Academic department” means an academic department established by the Council on recommendation of the Senate;

“Academic employee” means any person appointed to a teaching or research post at the University and any other employee designated as such by the Council;

“Academic structure” means the Faculties, Schools and Academic Departments of the University and any other academic structure approved by the Council from time to time on recommendation of the Senate;

“Act” means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended;

“Academic year” means that portion of a calendar year approved by the Council on the recommendation of the Senate, for the academic activities of the University;

“Administrative and support employee” means any person appointed by the University to perform an administrative or support function, excluding academic employees;

“Adjunct professor” means an academic employee or any other person given the status and title of adjunct professor by the University;

“Alumni” means the persons contemplated in paragraph 55 of this Statute;

“Alumni Association” means the association recognised by the Council as contemplated in paragraph 56 of this Statute;

“Associate professor” means an academic employee or any other person given the status and title of associate professor by the University;

“Chancellor” means the person appointed as the titular head of the University in accordance with section 26 of the Act;

“Charter” means a set of approved rules describing the composition, mandate and functioning of a committee of the Council or the Senate;

“**Constitution of the SRC**” means the rules pertaining to student governance approved by the Council after consultation with the SRC;

“**Convocation**” means the body composed in accordance with paragraph 48 of this Statute;

“**Council**” means the governing body of the University contemplated in section 27(4) of the Act and composed in accordance with paragraph 18 of this Statute;

“**Day**” means a calendar day, unless a different meaning is attached thereto in this Statute;

“**Dean**” means a person appointed in accordance with this Statute and the Rules of the University for the Appointment of Senior Members of Staff and includes, depending on the context, the Dean of Students;

“**Department**” means the national department responsible for higher education and training;

“**Deputy Vice-Chancellor**” means a person appointed as such in accordance with this Statute and the Rules of the University and may include a person designated by the Council as the Senior Deputy Vice-Chancellor;

“**Donor**” means a person who or a body or entity which made a donation to the University of the monetary value or otherwise as determined by the Council from time to time;

“**Due notice**” means notice that has been given if a written notification has been dispatched by registered post or electronically to the last address registered with the Registrar of the person concerned, at the commencement of the period of notice required;

“**Employee**” means any person employed at the University;

“**Employee association**” means an organisation which consists of employees that are formally associated together;

“**Executive Management**” means the Management of the University consisting of the Vice-Chancellor, the Deputy Vice-Chancellor(s), the Registrar, the Executive Directors and any other employee appointed as such by the Council;

“**Executive Official(s)**” means a person or persons appointed in accordance with this Statute and the Rules for the Appointment of Senior Members of Staff to assist the Vice-Chancellor in performing his or her duties in terms of the Act and this Statute, including but not limited to Deputy Vice-Chancellor(s), the Registrar, the Chief Financial Officer, Executive Directors, Deans or persons holding equivalent positions;

“**Expulsion**” means the permanent expulsion of a student from the University

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and/or a residence of the University;

"Faculty" means a division of the academic structure of the University approved by the Council on recommendation of the Senate consisting of a number of schools or academic departments, as the case may be;

"Functions" includes powers and duties;

"Honorary degree" means a degree conferred upon a person by the Council in accordance with paragraph 73 of this Statute;

"Institutional Forum" means the body composed in accordance with paragraph 41 of this Statute;

"Management" means the Executive Management of the University;

"Management Committee (MANCO)" means a committee comprising the Executive Management and not more than two additional members appointed to the committee by the Vice-Chancellor from the ranks of Executive Officials;

"Ordinary membership of the Alumni Association" means the persons who obtained a degree or a diploma from the former Medical University of Southern Africa (MEDUNSA), or who obtained a degree or a diploma on or before 31 December 2014 from the University of Limpopo for a programme offered at the MEDUNSA Campus of the University of Limpopo, and who obtained membership of the Alumni Association in accordance with the Constitution of the Alumni Association as approved by the Council;

"Minister" means the Minister responsible for higher education and training;

"Members present" means the members present at a formal meeting, including the members allowed by the Chairperson to participate via video and teleconference;

"Office-bearer" means a functionary provided for in the Act, including the Vice-Chancellor, the Deputy Vice-Chancellor(s) and the Registrar;

"Professor" means an academic employee or any other person who has been given the status and title of senior professor or professor by the University, excluding extraordinary and honorary professors;

"Qualification" means any formal qualification registered on the respective sub-framework of the National Qualification Framework, including a degree, diploma or certificate approved by the Senate, the Council and the Department;

"Recognised union" means an employee organisation recognised by the University and registered as a trade union in accordance with the Labour Relations Act, 1995 (Act No. 66 of 1995), as amended;

"Registrar" means the person appointed in accordance with this Statute and the Rules for the Appointment of Senior Members of Staff;

“Representative employee organisation” means a recognised union and/or employee association, depending on the context, recognised by the Council on certain conditions as agreed in a collective and/or recognition agreement;

“Rules” means the Institutional Rules of the University approved by the Council in terms of section 32 of the Higher Education Act;

“School” means a division of the academic structure of the University as approved by the Council on recommendation of the Senate and may consist of a number of academic departments;

“Seat of the University” means the physical location of the University;

“Semester” means one half of the academic year of the University;

“Senate” means the body composed in accordance with paragraph 29 of this Statute;

“Statute” means this statute drafted as contemplated in section 32 of the Act;

“Student” means a person officially registered as either a full-time or a part-time student at the University;

“Student Representative Council” means the body composed in accordance with paragraph 67 of this Statute and SRC has the same meaning;

“Support department” means a support services department established by the Council on recommendation of the Executive Management of the University;

“Suspension” means the temporary expulsion of a student from the University and/or from a residence of the University;

“Student Services Council” means the structure established by the Council in accordance with Section 27(3) of the Act to advise the Council on the rendering of student services at the University

“The University” means the Sefako Makgatho Health Sciences University and SMU has the same meaning;

“Urgent matter” means a matter, which, if not addressed before the next ordinary or special meeting of the Council or the Senate, could cause irreversible harm or prejudice to the University, its employees or students;

“Vice-Chancellor” means the Principal of the University as contemplated in section 30 of the Act appointed in accordance with this Statute and the Rules of the University;

“Written notice” means any notice in writing and includes any notice sent as contemplated by the Electronic Communications and Transactions Act, 2002 (Act No. 25 of 2002), or any act that amends or replaces it.

CHAPTER 2 INSTITUTION

2. Name, seat and powers

- (1) The name of the University is the "Sefako Makgatho Health Sciences University" also officially referred to as "SMU".
- (2) The official physical address of the University is: Sefako Makgatho Health Sciences University, Molotlegi Road, Ga-Rankuwa, 0208, Pretoria, South Africa.
- (3) The official postal address of the University is: Sefako Makgatho Health Sciences University, PO Box 60, MEDUNSA, 0204, Pretoria, South Africa.
- (4) The seat of the University is in Ga-Rankuwa.
- (5) The University was established on 16 May 2014 (Government Gazette No. 37658 of 16 May 2014) as a comprehensive health sciences university.
- (6) The MEDUNSA Campus of the University of Limpopo was incorporated into the Sefako Makgatho Health Sciences University (Government Gazette No. 38086 of 10 October 2014) with effect from 1 January 2015.
- (7) The Sefako Makgatho Health Sciences University is a juristic person as contemplated in section 20 (4) of the Act.
- (8) Notwithstanding subparagraph (7), the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property acquired with the financial assistance of the State or grant to any person any real right therein or servitude.
- (9) Notwithstanding subparagraph (7) and subject to the approval of the Minister in the instances contemplated in section 40 (2) and (3) of the Act, the University may only with a resolution of its Council, not taking into account any vacancy that may exist:
 - (a) enter into a loan or an overdraft agreement; or
 - (c) embark on any construction of a permanent building, or other immovable infrastructural development, or purchasing of immovable property, or long-term lease of immovable property.
- (10) The University functions in accordance with the Act, this Statute and the Rules of the University.
- (11) The University may confer degrees and honorary degrees and award diplomas and certificates.

3. Language policy

- (1) The language of tuition of the University is English.
- (2) The language of official correspondence of the University is English.
- (3) The languages of communication of the University are English and one or more of the local African languages, depending on the nature of the communication, the target groups and practicability.
- (4) The University is committed to promoting multilingualism and the development of the official languages of South Africa through its teaching and research programmes.

4. Composition of the University

- (1) The University consists of:
 - (a) Employees and students
 - (b) The following bodies and structures:
 - i The Council and its committees
 - ii The Convocation
 - iii The Senate and its committees
 - iv Such faculties, schools, academic departments and units as the Council may establish, after consultation with the Senate
 - v The Institutional Forum
 - vi The Management Committee
 - vii The Student Representative Council
 - (c) The following office-bearers
 - i The Chancellor
 - ii The Vice-Chancellor
 - iii The Deputy Vice-Chancellor(s)
 - iv The Registrar
 - v The Executive Official(s)
- (2) No vacancy in any of the offices as contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures as contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function, rights or privileges conferred by the Act or this Statute upon the University or the Council or the Senate, provided that no resolution of the Council or of the Senate shall be valid unless passed at a meeting at which a quorum was present and the rules relating to any such meeting have materially been complied with.

5. General provisions

- (1) Whenever, in terms of a provision of this Statute, a quorum or a majority of votes for any purpose is required and the actual number required at a meeting results in a numerical fraction the next greater number shall be the applicable number to constitute the required quorum or majority.
- (2) Subject to the provisions of paragraph 23 (4), once a meeting constituted in accordance with this Statute is quorate it remains quorate for as long as at least 80 per cent of the number of members constituting a quorum is present at the meeting.
- (3) In the event that a meeting is inquorate, for whatever reason, the members present may discuss, or continue to discuss, the matters on the agenda of the meeting and formulate recommendations for consideration at a quorate meeting.
- (4) An unintentional failure or omission to give notice in terms of a provision of this Statute to any person entitled to receive such notice or to send the minutes of any meeting to any person entitled to receive such minutes does not invalidate the proceedings in respect of which such notice is given or minutes are sent, provided that the failure or omission may not affect more than 10% of the persons involved.
- (5) Notwithstanding the provisions of this Statute, it is incumbent upon the Council, the Management, employees or any person authorised to take any action in terms of this Statute on behalf of the University to ensure that any administrative action contemplated, or taken, is lawful, reasonable and procedurally fair as prescribed by the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), as amended, and that any person whose rights may be adversely affected by such action, receives access to the information required to exercise or protect such rights as prescribed by the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), as amended.
- (6) Should any action taken in terms of this Statute have an adverse effect on the rights of any person, reasons for the action must be supplied to that person subject to the provisions of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), as amended.

**CHAPTER 3
OFFICE BEARERS**

CHANCELLOR

6. Functions of the Chancellor

- (1) The Chancellor is the titular head of the University with no executive powers.
- (2) The Chancellor confers degrees and awards diplomas, certificates and other distinctions on behalf of the University.
- (3) In the absence of the Chancellor, degrees are conferred by the Vice-Chancellor or by a Deputy Vice-Chancellor; and diplomas and certificates are awarded by officials designated by Council.
- (4) The Chancellor performs such other functions as assigned to him or her by Council, subject to the provisions of subparagraph (1).

7. Election and appointment of the Chancellor

- (1) The Chairperson of the Council after consultation with the Vice-Chancellor, or, in his or her absence, the Vice-Chancellor, must determine the date on which a meeting of the Council must be held for the purpose of electing a Chancellor, provided that such meeting must be held within 90 days after the office of Chancellor becomes vacant.
- (2) At least 40 days before the date contemplated in subparagraph (1), the secretary to the Council must give due notice to every member of the Council of the date, place and time of the meeting contemplated in subparagraph (1) and must invite members of the Council, the Senate and the Institutional Forum to submit nominations for the office of Chancellor on a form approved by the Vice-Chancellor, provided that any member is at liberty to supplement the information on the approved form by submission of additional information.
- (3) Any member of the Council, the Senate or the Institutional Forum has the right to nominate a person, with his or her consent, for the office of Chancellor, provided that such nomination is seconded, in writing, by another member of the Council, the Senate or the Institutional Forum.
- (4) The completed nominations must reach the secretary to the Council at least 21 days before the date of the meeting contemplated in

subparagraph (1).

- (5) The secretary to the Council submits the names of the duly nominated candidates, accompanied by the prescribed documentation, as soon as possible after the closing date for nominations to the Executive Committee of the Council, who, with due observance of the eligibility requirements determined by the Council in terms of subparagraph (13), considers the eligibility of the duly nominated candidates with a view to compiling a short-list of no more than five candidates for consideration by the Council.
- (6) At least seven days before the date of the meeting contemplated in subparagraph (1), the secretary to the Council must give due notice to every member of the Council of the names and backgrounds of the duly nominated candidates, clearly indicating to the Council the candidates short-listed by the Executive Committee of the Council.
- (7)
 - (a) The Chancellor must be elected to the office of Chancellor at a meeting of the Council by a majority of the members of the Council holding office on the date of the meeting from the list of candidates short-listed; and
 - (b) The election of the Chancellor must be by secret ballot.
- (8) The Council may at the meeting contemplated in subparagraph (7) (a) and before the commencement of the election process by majority vote of the members of the Council present at the meeting, add the name/s of duly nominated and eligible candidate/s to the short-list of candidates submitted to the Council by the Executive Committee.
- (9) For the purpose of electing a Chancellor, the Chairperson of the Council has an ordinary vote and a casting vote in the event of an equality of votes.
- (10) Each member of the Council has only one vote during each ballot, provided that there must be successive rounds of voting as described in subparagraph (11) if no candidate gains an absolute majority of votes at the meeting contemplated in subparagraph (7) (a) in the first ballot.
- (11) In each successive round of voting, the candidate who gains the least support in the previous ballot is eliminated as a candidate.
- (12) After the Council has elected a Chancellor, the Chairperson of the Council must announce the name of the new Chancellor.
- (13) When the office of the Chancellor becomes vacant and before the commencement of the election process as contemplated in this section,

the Council may determine the competency requirements, skills and profile of candidates eligible for election as the Chancellor.

8. Term of office

- (1) The Chancellor holds office for a period which is to be determined by the Council, but not exceeding five years, unless his or her term of office is terminated as contemplated in subparagraphs (3) to (5).
- (2) A Chancellor may be re-elected, provided that a person may not serve as Chancellor for more than two consecutive terms.
- (3) The term of office of the Chancellor is terminated in the event of –
 - (a) expiry of term of office ;
 - (b) death or incapacity;
 - (c) resignation; or
 - (d) removal from office by means of a resolution passed by at least two-thirds of the total number of serving members of the Council present at the meeting on account of misconduct, incapacity to carry out his or her official functions, or on account of any other reason recognised by law.
- (4) Removal of the Chancellor from office is subject to the processes and procedures prescribed by this Statute, the Rules and legal prescripts in general.
- (5) The resolution contemplated in subparagraph (3)(d) may not be passed without prior notice to the Chancellor of the pending motion for his or her removal and the reasons therefor, and providing him or her with a reasonable opportunity to obtain assistance, to appear in person, and to present and dispute information and arguments.
- (6) When the office of Chancellor becomes vacant the Council must, as soon as possible, elect a new Chancellor in accordance with the provisions of paragraph 7.

VICE-CHANCELLOR**9. Status**

The Vice-Chancellor of the University is *ex officio* the chief executive and accounting officer of the institution as contemplated in the Act.

10. Functions and powers of the Vice-Chancellor

- (1) The Vice-Chancellor is responsible for the management and administration of the University and, subject to the provisions of subparagraph (3), has all the powers necessary to perform these functions.
- (2) The Vice-Chancellor is, subject to the Act and the Rules, responsible for the discipline at the University.
- (3) Council must, subject to the Act, delegate to the Vice-Chancellor all the powers necessary to perform his or her functions.
- (4) The Vice-Chancellor may in turn, subject to the Rules and the approved delegation frameworks of the Council, delegate functions to other employees or the chairperson of any committee, other than the chairpersons of committees of the Council.
- (5) The Vice-Chancellor reports to the Council.
- (6) The Vice-Chancellor is, subject to the Rules, *ex officio* a member of all the committees of the Council and the Senate.
- (7) The Council may assign additional functions, and grant additional powers and privileges to the Vice-Chancellor as contemplated in section 68 (2) of the Act.
- (8) When the Vice-Chancellor is absent or unable to carry out his or her functions for a period longer than 1 working day, but not exceeding 21 working days, he or she must, subject to the Rules and in consultation with the Chairperson of the Council, delegate all or part of his or her functions to a member or members of Management, provided that in the event of a Vice-Chancellor being unable, for whatever reason, to delegate his or her functions as contemplated in this subparagraph, the Chairperson of the Council may delegate said functions to a member or members of Management and/or decide on any other appropriate measure.
- (9) Notwithstanding the provisions of subparagraph (8), the Chairperson of the Council may appoint an Acting Vice-Chancellor when a vacancy arises or when the Vice-Chancellor is temporarily absent, provided that any

appointment for a period of more than three months may only be made after consultation with the Council, the Senate and the Institutional Forum.

- (10) The Acting Vice-Chancellor appointed in accordance with subparagraph (9) may exercise and perform all the functions and powers of the Vice-Chancellor.
- (11) The Vice-Chancellor performs the functions of the Chancellor, if the Chancellor is unable, for whatever reason, to perform the functions of his or her office, or if the office of Chancellor becomes vacant.

11. Appointment of the Vice-Chancellor

- (1) When the post of Vice-Chancellor becomes vacant, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the applicable criteria for the short-listing of candidates and the interviewing and appointment processes take place in the manner determined by the Council and the Rules of the University, subject to section 31(1) of the Act.
- (2) When the term of office of the Vice-Chancellor expires and he or she is available for appointment for a further term of office, the Council may on account of the proven sustainable good performance of the incumbent measured against agreed performance outcomes, decide to re-appoint the Vice-Chancellor for a further term of office only after consultation with the Senate and the Institutional Forum.
- (3) Nothing in subparagraphs (1) and (2) above prevents the Council from advertising or calling for nominations for the position of Vice-Chancellor. The incumbent may apply or be nominated, whichever is appropriate, for the position.

12. Term of office

- (1) The Vice-Chancellor is appointed by the Council for a period not exceeding five years, provided that this term may, subject to paragraph 11, be renewed for a further period not exceeding five years.
- (2) The term of Office of the Vice-Chancellor is terminated in the event of –
 - (a) expiry of term of office;
 - (b) death or incapacity;
 - (c) resignation; or
 - (d) removal from office by the Council in accordance with the Rules or any other reason recognised by law.

- (3) Removal of the Vice-Chancellor from office is subject to the processes and procedures prescribed by this Statute, the Rules and legal prescripts in general.
- (4) The resolution contemplated in subparagraph (2) (d) may not be passed without prior notice to the Vice-Chancellor of the pending motion for his or her removal and the reasons therefor, and providing him or her with a reasonable opportunity to obtain assistance, to appear in person, and to present and dispute information and arguments.

DEPUTY VICE-CHANCELLOR(S), REGISTRAR AND EXECUTIVE OFFICIAL(S)

13. Duties

The Deputy Vice-Chancellor(s), the Registrar and Executive Official(s) are responsible for assisting the Vice-Chancellor in performing his or her duties in terms of the Act and this Statute and have the powers, privileges, functions, duties and conditions of service as are determined by the Council, this Statute, the Rules as well as those delegated to them by the Vice-Chancellor.

14. Appointment and terms of office

- (1) The Deputy Vice-Chancellor(s), the Registrar and Executive Official(s) are appointed in such manner and for such periods as determined by the Council and the Rules.
- (2) Paragraph 12 (2) to (4) applies with the changes required by the context to the termination of the term of office of the Deputy Vice-Chancellor(s), Registrar and Executive Official(s).

15. Vacancies

- (1) Whenever the office of a Deputy Vice-Chancellor, the Registrar or an Executive Official becomes vacant, the Council appoints a successor in accordance with the procedures prescribed in the Rules.
- (2) The provisions of paragraph 10 (8) to (10) apply, with the changes required by the context, to the temporary delegation of responsibilities and the appointment of officials in an acting capacity.

16. Registrar

- (1) The Registrar is appointed by the Council and is, by virtue of his or her office, the secretary to the Council and the Senate, the committees of the

Council and the Senate, and the Institutional Forum.

- (2) The Registrar is not a member of the Council.
- (3) The Registrar acts as the compliance officer of the University.
- (4) The Registrar acts as the electoral officer of the University.
- (5) The Registrar maintains the Convocation Roll of the University.
- (6) The Registrar is the holder of the records of the University.
- (7) In the absence of the Registrar, his or her powers must be exercised and his or her functions performed by a person designated by the Vice-Chancellor.
- (8) The Registrar may designate any other administrative employee to assist him or her.
- (9) Employees designated in terms of subparagraph (8) have the same fiduciary duties and obligations as the Registrar.
- (10) The Registrar provides administrative support to the governance structures of the University, which includes, but is not limited to –
 - (a) keeping the minutes of the Council and the Senate meetings;
 - (b) keeping the minutes of the meetings of all committees of the Council and the Senate; and
 - (c) keeping a register of all resolutions adopted by the Council and the Senate, and providing access to the register to members of the Council and the Senate respectively.
- (11) The Registrar is accountable to the Council through the Office of the Vice-Chancellor for his or her governance support responsibilities.
- (12) The Vice-Chancellor may assign additional functions and responsibilities to the Registrar.

CHAPTER 4 COUNCIL

17. Functions

- (1) The Council governs the University subject to the provisions of the Act, any other applicable legislation and this Statute, and may make Institutional Rules to give effect to this Statute.
- (2) The Council performs all the governance responsibilities imposed on it by the Act and this Statute with due regard to generally accepted principles and practices of good governance and the value framework of the University.
- (3) Without detracting from the generality of subparagraph (1) and (2), the Council performs its responsibilities with regard to the matters determined in section 27(2) and (3), 32(2), 34(2) and 37(1) to (4) of the Act with due compliance with its duty to consult with or to solicit the concurrence of the Senate and or the SRC, as the case may be, in the manner described in the Act.
- (4) The Council may establish committees to assist it in carrying out its duties and may, subject to the provisions of the Act and this Statute, delegate appropriate functions to its committees.
- (5) The Council may, subject to the provisions of the Act and this Statute, delegate functions to the Vice-Chancellor, with the right to delegate further, subject to applicable University policy and the Council-approved delegation frameworks.
- (6) Subject to section 34 of the Act, the Council must
 - (a) appoint people whom the Council considers necessary to manage the University effectively in accordance with the Rules, and
 - (b) after consultation with the Senate or a committee of the Senate appoint and promote academic employees.
- (7) The Council may delegate its functions in terms of subparagraph (6) (a) to a committee of the Council, with the right to delegate, provided that the Council may not delegate the appointment of the Vice-Chancellor, the Deputy Vice-Chancellor(s) and the Registrar.
- (8) The Council may delegate its functions in terms of subparagraph (6) (b) to a joint committee of the Council and the Senate, provided that the appointment and promotion of academic employees at the level of senior lecturer and below may be further delegated to the Vice-Chancellor.

- (9) The Council must keep comprehensive records of all its activities as well as of all assets, liabilities, income, expenditure and other financial transactions as required by section 41 (1) of the Act, and must report to the Minister as contemplated in section 41 (2) of the Act.
- (10) The Council must report regularly on its activities and performance and that of its committees in accordance with its own rules and the guidelines of the Department. It is incumbent upon the Council to inform employees and students of decisions of the Council affecting them.
- (11) The Council must in instances of substantial non-attendance of the Council meetings, with or without apology (three or more meetings), by members representing specific constituencies, report such non-attendance to the relevant constituency.
- (12) No temporary vacancy impairs the capacity of the Council to perform its functions and responsibilities under the Act, this Statute and the Rules, provided that decisions of the Council will have effect only if they are taken in accordance with the prescripts set out in paragraph 23 under the heading "Meetings and meeting procedures of the Council".

18. Composition, eligibility and conduct

- (1) The Council consists of -
 - (a) the Vice-Chancellor;
 - (b) not more than three Deputy Vice-Chancellors;
 - (c) two members of the Senate, elected by the Senate;
 - (d) one academic employee, other than a member of the Senate, elected by the academic employees;
 - (e) one employee representing administrative and support employees who is not a member of the Senate, elected by the administrative and support employees;
 - (f) two student members elected by the SRC from its ranks;
 - (g) five persons appointed by the Minister in accordance with section 27 (4) (c) of the Act;
 - (h) the President of the Convocation and one additional member of the Convocation elected by the Convocation;
 - (i) two persons appointed by the Tshwane Metropolitan Municipality;
 - (j) two donors of the University;
 - (k) not more than six persons appointed by the Council on the basis of their experience and expertise with due regard to the regional

interests of the University; and

- (l) The Chairperson of the Institutional Forum.
- (2) The Council members are elected or appointed in accordance with the provisions of paragraph 20 of this Statute, provided that members contemplated in subparagraph (1) (g) to (k) may not be employees or registered students of the University and provided further that any person who has been a member of a council of a public higher education institution under circumstances contemplated in sections 49A (4) (a) and 49E of the Act and who is implicated in the report of the independent assessor contemplated in section 47 (1) (b) of the Act, is, subject to a determination of the Minister to the contrary, not eligible to serve as a member of the Council.
- (3) In accordance with the Act, at least sixty per cent of the members of the Council must be people who are not employees or students of the University.
- (4) When members are elected to or appointed on the Council, the body entitled to elect or appoint must do so with due regard to suitable representation of race, gender and disability on the Council and the provisions of subparagraph (5).
- (5) The Council may request the body contemplated in subparagraph (4) to take into account the knowledge, experience and skills as determined by the Council.
- (6) A member of the Council or a member of a committee of the Council serves on the Council in his/her personal capacity and—
 - (a) must be a person with knowledge and experience relevant to the objects and governance of the University, with adequate capacity to diligently discharge his/her duties to the Council;
 - (b) must participate in the deliberations of the Council in the best interests of the University;
 - (c) must, before he or she assumes office, declare any business, commercial or financial activities undertaken for financial gain that may raise a conflict or a possible conflict of interest with the University and whether he/she has the capacity to diligently discharge his/her duties to the Council and whether he/she has in the past been involved in any activities that could call into question his/her own reputation or that of the University;
 - (d) may not place himself or herself under any financial or other

obligation to any individual or organisation that might seek to influence the performance of any function of the Council; and

- (e) (i) may not have a conflict of interest with the University; and
- (ii) may not have a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting and which entails or may entail a conflict or possible conflict of interest with the University;

- (7) Each member of the Council must annually declare his or her financial interests and fiduciary roles, which include but are not limited to official and public offices, directorships of companies, memberships of close corporations and trusteeships, in a manner determined by the Council and in accordance with section 27 (7E) (b) of the Act.

19. Term of office

- (1) The Vice-Chancellor and the Deputy Vice-Chancellor(s) are, subject to the provisions of paragraph 18 (1) (b) and 20 (9), members of the Council for as long as they remain in office.
- (2) The term of office of representatives of the SRC is the same as that of the SRC that appointed them.
- (3) The term of office of all other members of the Council is four years, provided that a member whose term of office has expired may, as an interim measure, be extended by the Council once off for a maximum period of six months should the proper constitution of the Council and the continuation of its activities so demand.
- (4) Members of the Council whose terms of office have expired may be re-elected or re-appointed, provided that members, excluding *ex officio* members, may not serve more than two consecutive terms.
- (5) A Council member's membership is terminated –
 - (a) expiry of term of office;
 - (b) upon death or incapacity;
 - (c) if the Council member fails to attend three consecutive ordinary meetings of the Council without the consent of the Chairperson of the Council;
 - (d) if the Council member is sequestered;
 - (e) if the Council member is found guilty of conduct that in the exclusive opinion of the Council is of such a nature that the member's ability to

- exercise his or her fiduciary duties and obligations is undermined and that continued membership of the Council is not desirable;
- (f) if a Council member, who is also an employee or a student of the University, is found guilty of conduct as contemplated in subparagraph (5) (e) or found guilty of misconduct in terms of the Disciplinary Code of the University which, in the opinion of the Council, is of such a serious nature that the member's continued membership of the Council is not desirable;
 - (g) if the Council member is elected or appointed by a particular interest group and the Council member's membership of, or association with the interest group is terminated;
 - (h) if the Council rules that the continued membership of a member is undesirable due to a conflict of interest;
 - (i) if the Council member becomes a patient in an institution for mental health on a continuous basis; or
 - (j) if the Council member has transgressed the Council's Code of Conduct.
- (6) Constituencies that appointed persons to the Council shall be informed by the Registrar of any termination in accordance with subparagraph (5) (c).
- (7) Apart from the Vice-Chancellor, Deputy Vice-Chancellors, representatives of Senate, employee representatives and students appointed by the SRC to serve on the Council, no other member of the Council may be a permanent or temporary employee or a student of the University, and should this happen, such membership terminates automatically.
- (8) All Council members elected or appointed to the Council are entitled, at any time, to submit their resignations in writing to the Chairperson of the Council.

20. Election and nomination procedures

- (1) The Senate representatives on the Council are elected in accordance with the procedure prescribed in paragraph 38 of this Statute.
- (2) The academic employees of the University must elect one representative to represent them on the Council in accordance with the following provisions and process:
 - (a) The representative must be an academic employee who is not a member of the Senate.

- (b) The election must take place by secret ballot at a meeting of the academic employees convened by the Registrar for that purpose and the candidate who obtains the majority of the votes must be duly elected. The quorum for the meeting is twenty per cent of the total number of academic employees.
 - (c) Candidates for election must be duly nominated and nominations must reach the Registrar at least 14 days before the date of the election, and no person may be elected unless he or she has been nominated in writing by at least two members of the academic employees and the nominee has consented to such nomination in writing.
 - (d) Nominations must be invited by the Registrar as soon as a vacancy arises.
 - (e) The Registrar must announce the result of the election.
 - (f) The representative of the academic employees must vacate his or her position on the Council in the event that he or she, for whatever reason, becomes a member of the Senate or ceases to be an academic employee, after which the position must be filled in accordance with the procedure set out in subparagraphs (2) (a) to (e).
- (3) The administrative and support employees of the University must elect one representative to represent them on the Council in accordance with the following provisions and process:
- (a) The representative must be an administrative or support employee, who is not a member of the Senate;
 - (b) The election must take place by secret ballot at a meeting of administrative and support employees convened by the Registrar for that purpose, and the candidate who obtains the majority of the votes must be duly elected. The quorum for the meeting is twenty per cent of the total number of administrative and support employees.
 - (c) Candidates for election must be duly nominated and nominations must reach the Registrar at least 14 days before the date of the election and no person may be elected unless he or she has been nominated in writing by at least two employees from the category of administrative and support employees and the nominee has consented to such nomination in writing.
 - (d) Nominations must be invited by the Registrar as soon as there is a

- vacancy.
- (e) The Registrar must announce the result of the election.
 - (f) The representative of the administrative and support employees must vacate his or her position on the Council in the event that he or she, for whatever reason, becomes a member of the Senate or cease to be a member of the administrative and support employees, after which the position must be filled in accordance with the procedure set out in subparagraphs (3) (a) to (e).
- (4) Student members on the Council are elected at a meeting of the SRC from the ranks of the SRC in accordance with the selection procedure of the SRC.
 - (5) The election of the Council members from the ranks of the University's donors must take place in accordance with paragraph 59 of this Statute.
 - (6) The members of the Council who are appointed to the Council on the basis of their expertise and experience are appointed by means of the following process controlled and supervised by the Registrar:
 - (a) The Registrar must place an advertisement in three national newspapers and on the University's website, inviting organisations, interest groups and individuals to nominate persons with expertise and experience, as determined by the Council, to serve on the Council, provided that the media invitation will include an invitation in at least one national newspaper circulating in the Gauteng Province, and provided further that if a particular round of advertisements has, in the opinion of the Council, not elicited a satisfactory response, the process may be repeated.
 - (b) The Executive Committee of the Council must, with the assistance of the Registrar, draw up a list of the most suitable nominees for recommendation to the Council, provided that the names of all nominees will be tabled at the Council meeting.
 - (c) The required number of members of the Council must be elected at an ordinary or an extraordinary meeting of the Council from the ranks of the nominees, after taking into consideration the recommendations of the Executive Committee of the Council.
 - (7) Apart from the President of the Convocation, the election of one additional member from the ranks of the members of the Convocation who is to serve on the Council must take place in accordance with the procedure prescribed in paragraph 53 of this Statute.

- (8) The process for the appointment of Council members as contemplated in paragraphs 18 (1) (c) to (e), 18 (1) (g) to (k), will be facilitated by the Registrar in his or her capacity as secretary to the Council and the Senate.
- (9) In the event of the Council appointing more than three Deputy Vice-Chancellors, the Deputy Vice-Chancellors serving on the Council must be appointed by the Vice-Chancellor. The Vice-Chancellor may revise the appointments from time to time as necessary.

21. Vacancies on the Council

- (1) Subject to the provisions of subparagraph (2), at least three months before the expiry of the term of office of appointed and elected members of the Council, the secretary to the Council must give notice in writing to whoever appointed or elected such member to enable such person or body to fill the vacancy in accordance with this Statute.
- (2) The secretary to the Council must, within seven days from the date of the constituting meeting of the SRC, give notice to the secretary of the SRC of the obligation of the SRC to appoint members to serve on the Council as contemplated in this Statute.
- (3) Casual vacancies are, with the necessary changes, filled in accordance with the processes described in paragraph 20 above, and the term of office of elected and appointed members are determined by the unexpired term of office of the vacating member of the Council.
- (4) The members of the Council elected or appointed to fill ordinary vacancies are elected for the full term of office applicable to the respective constituencies as determined in paragraph 19.

22. Chairperson and Deputy Chairperson of the Council

- (1) A Chairperson and Deputy Chairperson of the Council must be elected at the first meeting of the Council constituted in accordance with this Statute and thereafter as and when it becomes necessary.
- (2) If a vacancy occurs in the position of Chairperson or the Deputy Chairperson of the Council:
 - (a) The Council must elect a Chairperson and Deputy Chairperson from among its members, who are not employees or students of the University, and who will hold office for a period of four years, or for such shorter period as he or she may be a member of the Council.

- (b) Nominations for the Chairperson or Deputy Chairperson of the Council must be given in writing to the secretary to the Council on or before a date determined by him or her.
 - (c) Each nomination must be signed by at least three members of the Council and countersigned by the nominee to denote his or her acceptance of the nomination.
 - (d) For the duration of the election of a Chairperson, the Vice-Chancellor acts as Chairperson of the meeting.
 - (e) If more than one candidate is nominated for one of the offices, voting takes place by secret ballot.
 - (f) A candidate may be elected to the office of Chairperson or Deputy Chairperson of the Council only by a majority of the members present at a meeting.
 - (g) If no candidate receives a majority of votes, successive rounds of voting take place. In each successive round of voting, the candidate receiving the least votes in the previous round of voting is eliminated as a candidate.
- (3) The Deputy Chairperson of the Council acts as the Chairperson in the absence of the Chairperson and in the absence of both the Chairperson and the Deputy Chairperson, the members present at the meeting shall elect a Chairperson from their own ranks to chair the meeting. While the Deputy Chairperson or another elected Council member acts as Chairperson, he or she is vested with all the powers and performs all the functions of the Chairperson of the Council.
- (4) The Council may determine the competency requirements, skills and profile of candidates eligible for election as the Chairperson and the Deputy Chairperson of the Council.

23. Meetings and meeting procedures of the Council

- (1) The Chairperson of the Council, after consultation with the Vice-Chancellor, must convene a meeting of the Council at least twice in each semester at a time and place determined by the Chairperson.
- (2) Subject to the provisions of the Act and this Statute, the Council determines its own meeting procedures with due observance of accepted norms and practices of fair administrative process. Should circumstances necessitate it, the Chairperson of the Council may allow members to participate in all the activities of a formal meeting of the Council, including

the voting, via video or teleconference.

- (3) Except as otherwise provided in this Statute, decisions of the Council are taken by a majority of votes of the members present at the meeting.
- (4) Fifty per cent plus one of the serving members of the Council, including the members participating via video or teleconference, constitutes a quorum, provided that at least 50 per cent of the members constituting the quorum must be external members who are not students or employees of the University.
- (5) Should a quorum of members not be present at the start of a meeting, the majority of the members present may decide to continue with the discussion of the matters on the agenda and may refer urgent matters to the Executive Committee of the Council for a decision, provided that all other conclusions reached at such a meeting will have no effect unless submitted to and approved by a properly constituted meeting of the Council.
- (6) The Council may grant observer status to persons that would allow such persons to attend a particular Council meeting or Council meetings in general. With the permission of the Chairperson of the Council a person with observer status may take part in the debates of the Council, but may not vote.
- (7) The ruling of the Chairperson on a point of order or procedure is binding unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting for a vote, the outcome of which is binding.
- (8) A member of the Council may not, without leave of the meeting, speak more than once on a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.
- (9) A motion or amendment must be seconded, and, if it is so directed by the Chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the proposer and the seconder.
- (10) At least seven days before the date of an ordinary meeting, the secretary to Council must give each member written notice of the date, time and place of such a meeting. This notice will be accompanied by an agenda with supporting documentation, as applicable.
- (11) Notice of any motion for consideration must be given in writing and must be lodged with the secretary to Council at least 21 days before the date of an ordinary meeting, provided that any matter of an urgent nature may,

without prior notice, but, with the leave of the Chairperson and a majority of the members present, be considered at such a meeting.

- (12) Except as approved by a majority of members, no motion which has been rejected by the Council may be placed before it again within a period of six calendar months from the date of such rejection.
- (13) The secretary to Council must keep comprehensive minutes of each Council meeting.
- (14) The secretary to Council must keep a complete register of Council resolutions adopted and all members of the Council must have access to this register.
- (15) The first act of an ordinary meeting, after it has been constituted, must be to confirm by way of the signature of the Chairperson the correctness of the minutes of the previous meeting(s) and of any special meeting, provided that objections to the minutes of a meeting must be raised and resolved before confirmation of the minutes.
- (16) The Chairperson of the Council has an ordinary vote and, in the event of an equality of votes, also a casting vote.
- (17) If it is so requested and decided by the meeting, the number of members voting for or against any motion must be recorded and at the request of any member the Chairperson must rule that the vote of the requesting member for or against a particular decision be recorded.
- (18) Subject to the provisions of subparagraph (4) with regard to external members of the Council, where seventy five per cent of the serving members of the Council without the Chairperson convening a formal meeting have reached an agreement on a matter referred to them by letter, email, fax or via teleconference by the Chairperson and have conveyed their resolution by letter, email, fax or via teleconference, such a resolution will be equivalent to a resolution of Council and must be recorded in the minutes of the following ordinary meeting.
- (19) The views of a member of the Council, who is unable to attend a formal meeting, either in person or via video and teleconference, may be submitted to the meeting in writing, but may not count as a vote on any matter decided at the meeting.
- (20) No member of the Council may participate in the discussion of, or vote on a matter in which he or she has a direct or indirect financial, personal or other interest and which entails or may entail a conflict or possible conflict of interest with the University.

- (21) A member of the Council must, in writing, inform the Chairperson before the meeting of a conflict or possible conflict of interest in any matter to be discussed at the meeting and is obliged to recuse him or herself from the meeting during the discussion of the matter and the voting thereon.
- (22) If a member of the Council participates in the proceedings and the voting of the Council in connection with a matter in which he or she has a direct or indirect financial, personal or other interest, the resolution of the Council on the matter is invalid.
- (23) A motion to amend or rescind a previous resolution of the Council must be carried by at least two-thirds of the members present.
- (24) Chairperson of the Council may, with at least seven days' notice, convene an extraordinary meeting of the Council notifying members of the matter(s) to be discussed. No other business may be discussed at such a meeting.
- (25) At the request of the Vice-Chancellor or at the written request of at least five members of the Council indicating the need for an extraordinary meeting and the matter(s) to be discussed, the Chairperson shall convene an extraordinary meeting, provided that no other business may be discussed at such a meeting.
- (26) An emergency meeting may be called by the Chairperson after consultation with the Vice-Chancellor, provided that members of the Council be given at least 24 hours' notice of such a meeting and provided further that notice may be given in any manner deemed expedient in the circumstances. Members must be advised of the purpose of the meeting and no other business may be discussed at such a meeting.

24. Executive Committee of the Council

- (1) The Council must establish a Committee known as the Executive Committee of the Council, which consists of –
 - (a) the Chairperson of the Council;
 - (b) the Deputy Chairperson of the Council;
 - (c) the Vice-Chancellor;
 - (d) five members of the Council, one of whom should be a representative of the Senate on the Council, one of whom should be an employee representative on the Council and three of whom should be members of the Council other than employees or students; and

- (e) a student representative on the Council.
- (2) The term of office of members of the Executive Committee of the Council elected in accordance with subparagraph (1) (d) and (e) are two and one year respectively.
- (3) Members of the Executive Committee of the Council elected in accordance with subparagraph (1) (d), whose terms of office have expired, may be re-elected for a second term.
- (4) At the request of the Chairperson of the Executive Committee or a person acting in that capacity any member of the Council may serve as a substitute member for an absent member of the Executive Committee, provided that employees may only substitute for employees and non-employees for non-employees and provided further that student members of the Council may only substitute the student representative.
- (5) The Council may determine the competency requirements, skills and profile of candidates eligible for election as members of the Executive Committee in accordance with subparagraph (1) (d).

25. Chairperson, Deputy Chairperson, Secretary and Meeting Procedures of the Executive Committee of the Council

- (1) The Chairperson of the Council is *ex officio* the Chairperson of the Executive Committee of the Council and the Deputy Chairperson of the Council is *ex officio* the Deputy Chairperson of the Executive Committee of the Council.
- (2) In the absence of the Chairperson, the Deputy Chairperson must act as the Chairperson and in the absence of both the Chairperson and the Deputy Chairperson the members present must elect a Chairperson from their own ranks to chair the meeting.
- (3) Four members of the Executive Committee constitute a quorum, two of whom must be members who are not employees.
- (4) The Executive Committee determines its own meeting procedures with due observance of generally accepted norms and practices of fair administrative process.

26. Powers and functions of the Executive Committee of the Council

- (1) When the Council is not in session, the Executive Committee of the Council assumes the authority of the Council and may perform the functions of the Council with regard to urgent matters and matters

delegated to the Executive Committee by the Council.

- (2) The Executive Committee reports regularly to the Council on its decisions and actions, provided that all decisions and actions taken by the Executive Committee in terms of subparagraph (1) must be submitted to the next meeting of the Council for ratification. Any other decision, action or recommendation of the Executive Committee of the Council may be ratified, amended or rejected by the Council.
- (3) The Council must review the delegations to the Executive Committee of the Council at least every four years.
- (4) The Registrar must keep a detailed consolidated record of all delegated powers as contemplated in subparagraph (1).
- (5) Except in instances where the Council decides differently, the Executive Committee considers all recommendations of the Senate and the committees of the Council before submitting them, with its recommendations, to the Council.
- (6) The Executive Committee may refer any matter arising from the minutes of meetings contemplated in subparagraph (5) back to the Senate or any Council committee.
- (7) The Executive Committee may refer any matter which it deems necessary to the Senate or any Council committee.
- (8) In the event that the Executive Committee is unable to consider a matter requiring the urgent attention of the Council before a meeting of the Council, the Vice-Chancellor may, in consultation with the Chairperson of the Council, submit such matter to the Council directly.
- (9) The Executive Committee of the Council may further delegate the authority granted to it by Council to a committee of the Council, the Vice-Chancellor or to an individual, except in cases where this Statute prescribes differently or the Council has explicitly ruled against further delegation.

27. Committees

- (1) Apart from the Executive Committee of the Council as contemplated in paragraph 24, the Council may establish any other committee as well as joint Council and Senate committees.
- (2) The Council should at least establish the following committees to advise the Executive Committee of the Council and the Council on the responsibilities of the Council: -

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- (a) committee(s) dealing with the provision and planning of human resources, performance management and retention of employees, as well as the remuneration of employees and members of Council;
 - (b) committee(s) dealing with the provision and planning of financial resources, including compliance with audit, risk and investment regulations and governance principles; and
 - (c) committee(s) dealing with the provision and planning of physical resources and infrastructure.
- (3) Each committee must have its own charter prescribing its composition, mandate, powers and duties. Charters approved by the Council will have the status of Rules as contemplated in section 29 (4) and 32(1) of the Act.
- (4) Committees of the Council or joint committees of the Council and the Senate decide on matters within their mandates by a majority vote of the members present at a meeting, provided that the quorum for the meeting will be fifty per cent plus one of the members appointed to the committee.
- (5) The Council may appoint persons who are not members of the Council or the Senate to committees.

CHAPTER 5
SENATE

28. Functions

- (1) The Senate conducts its business under the supervision of the Council and is accountable to the Council for all academic matters as contemplated in section 28 (1) of the Act and all other functions delegated or assigned to it by the Council. The Senate submits reports to the Council on its activities.
- (2) The functions of the Senate include the following and are executed in accordance with the Rules of the University –
 - (a) academic planning and development;
 - (b) the regulation of all activities of the University in respect of teaching and learning, research and community engagement including –
 - (i) guidelines for the appointment and promotion of academic employees;
 - (ii) guidelines for the organisation, structures and administration of teaching and learning, research and community engagement at the University;
 - (iii) management and supervision of the assessment of students; and
 - (iv) quality assurance and promotion in respect of teaching and learning, research and community engagement;
 - (c) to submit recommendations to the Council on policies and procedures relating to, *inter alia*, the following matters –
 - (i) the establishment, amalgamation or closure of faculties, academic departments, institutes, bureaux, research units and centres;
 - (ii) the introduction or discontinuation of and changes to academic programmes, subjects, modules and related matters;
 - (iii) curricula for academic programmes and the content of subjects, modules and other components of academic programmes;
 - (iv) the admission policy of the University;
 - (v) the management, operation and development of the library;
 - (vi) the conferring of degrees and awarding of diplomas, certificates and other approved qualifications of the University, including honorary degrees and awards;
 - (vii) academic dress and graduation ceremonies;

- (viii) organised student life, including student services and student discipline; and
- (ix) the suitability for appointment of candidates for the positions of Vice-Chancellor, Deputy Vice-Chancellor(s) and other Senior Members of Staff in accordance with the Rules of the University;
- (d) to determine, with the approval of the Council, the matters described in section 27(2), 32(2)(b) and 37(4) of the Act; and
- (e) the execution of any other function the Council may assign or delegate to the Senate.

29. Composition of the Senate

- (1) Subject to section 28 (1) and (4) of the Act the Senate consists of-
 - (a) The Vice-Chancellor (Chairperson);
 - (b) The Chairperson of the Council or any other external member of the Council nominated by the Chairperson of the Council;
 - (c) One external member of the Council appointed by the Council;
 - (d) The Deputy Vice-Chancellor(s);
 - (e) The Registrar;
 - (f) The Deans;
 - (g) The Deputy Deans, Heads of Academic Departments, Professors, Associate Professors and Adjunct Professors;
 - (h) The Dean of Students or a person holding an equivalent position;
 - (i) One academic employee from each faculty/school, elected by faculties/schools in accordance with the process described in paragraph 31 (2);
 - (j) Directors of centres, institutes or units with an academic function as determined by the Senate;
 - (k) Directors, or persons holding equivalent positions, of support departments and units with an academic support function as determined by the Senate, including but not limited to:
 - (i) library services;
 - (ii) research support;
 - (iii) academic support;
 - (iv) quality assurance;
 - (v) ICT services
 - (l) The Chairperson of the Institutional Forum;

- (m) Two students elected in accordance with the process described in paragraph 31 (3); and
 - (n) Not more than three additional employees as determined by the Senate.
- (2) The majority of Senate members must be academic employees.
 - (3) The Vice-Chancellor may invite employees of the University or other individuals or groups to attend meetings of the Senate and to address the Senate on a particular matter.
 - (4) When members are elected to the Senate, the body entitled to elect must do so with due regard to suitable representation of race, gender and disability on the Senate.
 - (5) Incidental vacancies in the category of elected members are to be filled for the remainder of the previous incumbent's term of office in accordance with the applicable Rules.

30. Term of office of members of the Senate

- (1) Members of the Senate serving on the Senate in an *ex officio* capacity are members for the duration of their respective terms of office.
- (2) The term of office of representatives of the SRC coincides with that of the SRC that appointed them.
- (3) A student representative serving more than one term on the SRC may be re-elected by the SRC to serve on the Senate for another term, provided that a student representative's membership lapses automatically when he or she is no longer a registered student or is found guilty of misconduct in terms of the Disciplinary Code of the University.
- (4) The term of office of all other members of the Senate is four years, upon the expiry of which members may be re-elected.
- (5) The membership of a member of the Senate elected by a specific interest group terminates automatically when the interest group formally at a meeting contemplated in paragraph 31 withdraws its support for such a member or when such member's association with the interest group, for whatever reason, comes to an end.

31. Election and nomination procedures

- (1) With the exception of the *ex officio* members of the Senate and the members appointed by the Senate, the Registrar must facilitate the

arrangements for the nomination and election of members in accordance with this Statute.

- (2) The Registrar must arrange and administer the election of one academic employee from each faculty/school in the following manner:
 - (a) Within a reasonable period before the election date of members as contemplated in paragraph 29 (1) (i) of the Statute, the Registrar must request the dean(s) of the faculty(ies)/school(s) involved to facilitate the election of one academic employee at a meeting of the faculty/school board to serve on the Senate for a period of four years.
 - (b) Faculty/school representatives must be academic employees who are not already members of the Senate.
 - (c) Faculties/schools elect members to the Senate by means of a secret ballot and candidates obtaining a majority of the votes of the members present at the meeting are elected to the Senate.
 - (d) Candidates for election as faculty/school representatives must be duly nominated and nominations must reach the dean of the faculty/school at least 14 days before the date of the meeting during which the election will take place, and no person may be elected unless he or she has been nominated in writing by at least two members of the academic employees and has consented to such a nomination in writing.
 - (e) The deans must submit the names of the elected members from their respective faculties to the Registrar and the Registrar must announce the results of the election(s).
 - (f) When a member contemplated in subparagraph (2) vacates his or her office, or becomes a member of the Senate in another capacity, the position must be filled in accordance with the procedures set out in subparagraphs (2) (a) to (e).
- (3) Student members of the Senate are elected at a properly constituted meeting of the SRC in accordance with the following provisions and process:
 - (a) The Registrar notifies the President of the SRC whenever it is necessary for student representatives to be elected to the Senate, as contemplated in section 28 (2) (f) of the Act and paragraph 29 (1) (m) of the Statute.
 - (b) The SRC must elect two representatives to the Senate from its ranks by means of a secret ballot and members obtaining a majority of the

votes of the members present at the meeting are elected to the Senate.

- (c) The president of the SRC submits the names of the members elected to the Registrar.
- (d) When a member contemplated in subparagraph (3) for any reason vacates his or her office, the provisions in subparagraphs (a) to (c) apply.

32. Chairperson, Deputy Chairperson and Secretary

- (1) The Vice-Chancellor is the Chairperson of the Senate.
- (2) The Deputy Chairperson of the Senate is elected from the ranks of the Deputy Vice-Chancellors and the provisions of paragraph 22 (2) (d) to (g) relating to the election of the Deputy Chairperson of the Council apply, with the necessary changes, to the election of the Deputy Chairperson of the Senate.
- (3) The Deputy Chairperson holds office for two years and may be re-elected.
- (4) In the absence of the Chairperson, the Deputy Chairperson of the Senate acts as Chairperson and if both the Chairperson and the Deputy Chairperson are absent, the members present must elect a Chairperson from their ranks to chair the meeting.
- (5) If the office of Deputy Chairperson becomes vacant the Senate must elect a successor for a full term.
- (6) The Registrar is the secretary to the Senate.
- (7) The secretary to the Senate must –
 - (a) act as secretary to all committees and joint committees of the Senate;
 - (b) keep the minutes of the meetings of the Senate and its committees and distribute copies of the minutes together with the agenda of the next meeting of the Senate to members; and
 - (c) keep a register of resolutions adopted by the Senate, the Executive Committee of the Senate and the Senate Committees and all members of these bodies must have access to this register.
- (8) The Vice-Chancellor may designate an employee to assist the Registrar with his or her duties as the secretary to the Senate or to act in his or her place. Such designated employee will have the same fiduciary duties and obligations as the Registrar.

33. Meetings of the Senate

- (1) The Chairperson must convene a meeting of the Senate at least twice in each semester. Should circumstances necessitate it, the Chairperson of the Senate may allow members of the Senate who are not able to attend the meeting in person to participate in all the activities of a formal meeting of the Senate, including the voting, via video or teleconference.
- (2) Fifty per cent plus one of the serving members of the Senate, including the members participating via video or teleconference, constitutes a quorum.
- (3) Should a quorum of members not be present at the start of a meeting, the majority of the members present may decide to continue with the discussion of the matters on the agenda and may refer urgent matters to the Council or the Executive Committee of the Senate, as appropriate, for a decision, provided that all other conclusions reached at such a meeting will have no effect unless it is submitted to and approved by a properly constituted meeting of the Senate.
- (4) The Senate may grant observer status to persons that would allow such persons to attend a particular Senate meeting or Senate meetings in general. With the permission of the Chairperson a person with observer status may take part in the debates of the Senate, but may not vote.
- (5) The secretary to Senate must notify each member of the Senate in writing of the date, time and venue of a meeting at least seven days before the meeting. Such notice must be accompanied by an agenda and supporting documentation as appropriate.
- (6) Members who wish to place additional matters for discussion on the agenda must submit such matters in writing through the correct channels to the secretary to Senate at least 14 days before the date of the meeting as published in the official University calendar.
- (7) Urgent matters may be placed on the agenda for discussion or finalisation during a meeting with the approval of the majority of the members present at a meeting.
- (8) The first act of an ordinary meeting, after it has been constituted, must be to confirm by way of the signature of the Chairperson the correctness of the minutes of the previous meeting(s) and of any special meeting, provided that objections to the minutes must be raised and resolved before confirmation of the minutes.

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- (9) A member may not, without the leave of the Chairperson, speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.
- (10) A motion or an amendment thereto must be seconded and, if requested by the Chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the proposer and the seconder.
- (11) The ruling of the Chairperson on any matter of order or procedure is binding unless immediately challenged by a member, in which event the ruling must be submitted without discussion to the meeting for a vote, the outcome of which is binding.
- (12) Notice of a motion to amend or rescind a Rule, or to amend or rescind a previous resolution of the Senate, must be given at a meeting preceding the meeting at which the amendment or rescission is tabled, provided that no such notice is required if the proposal to amend or rescind a Rule or to amend or rescind a previous resolution of the Senate, as the case may be, has been made by a committee of the Senate and provided further the minutes of the meeting of the relevant committee were issued in time to have been received by the members of the Senate at least three working days before the meeting at which its recommendation is to be considered.
- (13) In the absence of a Senate resolution to the contrary, the Senate reaches its decisions through a majority vote by the members present.
- (14) Members vote by a show of hands unless the Senate decides on voting in a particular matter by way of a secret ballot.
- (15) The Chairperson of the meeting has an ordinary and a casting vote in the event of a tie of votes.
- (16) If it is so decided by the meeting, the number of votes for or against any motion must be recorded in the minutes, or, at the request of any member, the Chairperson must direct that the vote of such a member be recorded.
- (17) The Chairperson may, with at least 24 hours' notice, convene an extraordinary meeting of the Senate notifying members of the matter(s) to be discussed. If requested to do so by at least 25 members, the Chairperson must convene an extraordinary meeting, provided that the request is in writing and the matters for discussion are of an urgent nature. No matter other than that of which notice was given may be discussed at an extraordinary meeting.

34. Executive Committee of the Senate

- (1) Senate must establish a committee known as the Executive Committee of the Senate, and the provisions of paragraph 33 apply with the necessary changes to the meetings of such a committee.
- (2) The Executive Committee of the Senate consists of the –
 - (a) Vice-Chancellor (Chairperson);
 - (b) Deputy Vice-Chancellor(s);
 - (c) Registrar
 - (d) Deans of the faculties/schools;
 - (e) Two members of the Senate who are academic employees elected by the Senate; and
 - (f) A student representative on the Senate.
- (3) The Vice-Chancellor may invite officials and employees of the University to attend meetings of the Executive Committee of the Senate and to address the Committee on a particular matter.
- (4) The Committee Officer nominated by the Registrar acts as the Secretary to the Executive Committee of the Senate.

35. Meetings procedures of the Executive Committee of the Senate

- (1) The Executive Committee of the Senate determines its own meeting procedures with due observance of generally accepted norms and practices of fair administrative process. Should circumstances necessitate it, the Chairperson of the Executive Committee of the Senate may allow members of the Committee from the satellite campuses of the University to participate in all the activities of a formal meeting of the Committee, including the voting, via video or teleconference.
- (2) Fifty per cent plus one of all the members of the Executive Committee of the Senate, including the members participating via video and teleconference, constitutes a quorum.
- (3) The Executive Committee of the Senate meets as determined by the Vice-Chancellor, but must meet before each meeting (except extraordinary meetings) of the Senate to co-ordinate and supervise the activities of the Senate committees and to consider reports from such committees with a view to preparing appropriate recommendations to the Senate for its consideration.

- (4) The Executive Committee of the Senate meets four times per annum for ordinary meetings, provided that, if deemed necessary by the Vice-Chancellor, additional meetings may be convened.

36. Powers and functions of the Executive Committee of the Senate

- (1) When the Senate is not in session, the Executive Committee of the Senate assumes the authority of the Senate and performs the functions of the Senate with regard to urgent academic matters and matters delegated to the Executive Committee by the Senate.
- (2) Without limiting the powers and functions of the Executive Committee of the Senate as determined in subparagraph (1) in any way, the Executive Committee of Senate:
- (a) Makes recommendations to the Senate on reports of all Senate committees and Joint Management and Senate committees;
 - (b) Ensures overall coordination of academic matters;
 - (c) Ensures that the policy decisions of the Senate are implemented;
 - (d) Ensures that academic standards, as determined by the Senate, is maintained; and
 - (e) Makes decisions with a view to executing its mandate and performing such other functions including advisory functions as may be determined by the Senate.
- (3) The Executive Committee of the Senate reports regularly to the Senate on the decisions and actions of the Committee, provided that all decisions and actions taken by the Executive Committee of the Senate in terms of subparagraph (1) must be reported to the next meeting of the Senate for ratification. Any other decision, action or recommendation of the Executive Committee of the Senate must be ratified, amended or rejected by the Senate.
- (4) The Senate must revise the delegations to the Executive Committee of the Senate at least every four years.
- (5) The Registrar must keep a detailed consolidated register of all delegated powers as contemplated in subparagraph (1) and (2) and all members of these bodies must have access to this register.
- (6) The Executive Committee of the Senate may further delegate the authority granted to it by the Senate as contemplated in subparagraph (1) and (2) to a committee of the Senate or to an individual, except in cases where this Statute or the Rules prescribes differently or the Senate has

explicitly ruled against further delegation.

37. Committees of the Senate

- (1) The Senate may establish and prescribe the composition and functioning of committees to advise the Senate and the Executive Committee of the Senate, which may include committees with the following mandates:
 - (a) To advise the Senate on the execution of its mandate with regard to teaching and learning, research and community engagement;
 - (b) To advise the Council on behalf of the Senate on the appointment of academic employees;
 - (c) To plan, prepare and implement the academic time-table and related matters;
 - (d) To draft, amend and implement the Rules and policies pertaining to academic programmes (admission, assessment, exclusion etc.), quality assurance, internationalisation and related matters;
 - (e) To deal with student discipline and codes of conduct; and
 - (f) To award prizes, grants etc.
- (2) Except where a member of the Senate acts *ex officio* as the chairperson of a Senate Committee, the Senate must nominate and elect members and chairpersons of committees.
- (3) The Senate may, when appropriate, appoint a person who is not a member of the Senate or an employee to serve on a committee.
- (4) The Executive Committee of the Senate, in consultation with the respective committees, is responsible for the preparation of charters for the Senate Committees for approval by the Senate.
- (5) Each faculty/school must have a faculty/school board constituted in accordance with the Rules.
- (6) Faculty/school boards function as committees of the Senate.
- (7) The dean of the faculty/school is the chairperson of the faculty/school board *ex officio*.
- (8) A faculty/school board of a particular faculty consists of the academic employees appointed in that faculty/school with the rank of lecturer and higher as well as those academic employees of other faculties/schools participating through the offering of modules and/or subjects in the academic programme(s) of that faculty/school nominated by their respective faculty/school boards. The chairperson of the faculty/school board may invite other employees, as necessitated by the agenda of the

board and/or the broader interests of the faculty/school, to attend meetings of the board and to participate in deliberations.

- (9) The provisions of paragraphs 29 (2), 30, 33 (1) to (17) and 37 (1) to (3) are, with the necessary changes, applicable to the composition and functioning of faculty/school boards.
- (10) Subject to the overriding authority of the Senate and the Council the functions of faculty/school boards include the following:
- (a) to develop appropriate academic programmes, research focus areas and community engagement programmes and related policies for the faculties/schools aligned with the strategic objectives of the University.
 - (b) to develop and submit to the Senate or committees of the Senate faculty rules pertaining to their academic programme offering and subject contents, admission to such programmes, progress and completion requirements for students in the various programmes, assessment and examination criteria and outcomes, and related matters.
 - (c) to determine the focus areas of postgraduate research programmes and to enhance the relevance and quality thereof and to submit to the Senate or a committee of the Senate, policies and strategies pertaining to postgraduate training, research, research capacity and infrastructure.
 - (d) to develop appropriate community engagement projects as an integral part of the programme contents of its academic programmes in support of and aligned with institutional strategic imperatives.
 - (e) to appoint and monitor the functioning of faculty/school committees.
 - (f) to report regularly to the Senate on the activities of the faculty/school and its employees and the performance of its students.
 - (g) to perform such other functions as Senate may assign to faculty/school boards.
- (11) In the absence of the dean, the acting dean or a deputy dean must act as the Chairperson, provided that if the dean, acting dean and a deputy dean are all absent, the members present at the meeting of the faculty/school board must elect a chairperson from its ranks to chair the meeting.
- (12) Each faculty/school may have an Advisory Committee appointed in accordance with the Rules.

38. Representatives of the Senate on the Council

- (1) The Senate must elect two representatives from its ranks to serve on the Council for a term of four years.
- (2) Members of the Senate who are members of the Council in a different capacity are not eligible for election.
- (3) The Registrar must notify all members of the Senate in writing of the need to elect a representative or representatives of the Senate to the Council at least seven days before a meeting of the Senate.
- (4) A person will be a candidate for election if he or she is nominated before or during a meeting of the Senate by at least two members, and indicates verbally or in writing, that he or she accepts the nomination.
- (5) Members of the Senate, whose terms of office on Council have expired, may be re-elected.
- (6) The election will take place by means of a secret ballot and the candidate(s) receiving the support of the majority of the members present at the meeting are elected.
- (7) If no candidate receives a majority of votes, successive rounds of voting will take place.
- (8) In each successive round of voting the candidate receiving the lowest number of votes will be eliminated as a candidate.
- (9) After the Senate has elected its representatives, the names of the elected candidate(s) are announced by the Chairperson.
- (10) Incidental vacancies are filled as described in subparagraph (1) to (9) above with the necessary changes, for a full term of office.

CHAPTER 6
MANAGEMENT COMMITTEE (MANCO)

39. Management Committee (MANCO)

- (1) The MANCO is a consultative and advisory committee as defined in this Statute assisting the Vice-Chancellor in the planning and execution of the management and administration of the University in accordance with this Statute and the Rules.
- (2) The Vice-Chancellor is the Chairperson of MANCO.
- (3) MANCO determines its own meeting procedures with due observance of the accepted norms and practices of fair administrative process.
- (4) The advice of MANCO takes effect only after written confirmation thereof by the Vice-Chancellor, who may reject or amend it.
- (5) The Vice-Chancellor may invite individuals who are not members of MANCO to attend meetings of MANCO.
- (6) MANCO may appoint committees to advise MANCO on the matters determined in the terms of reference of such committees.

CHAPTER 7
INSTITUTIONAL FORUM

40. Functions

- (1) In accordance with section 31(1) of the Act, the Institutional Forum must advise the Council on the following matters affecting the University –
 - (a) the implementation of the Act and national policy on higher education;
 - (b) the formulation of race and gender equity policies;
 - (c) the suitability for appointment of candidates for senior management positions;
 - (d) codes of conduct;
 - (e) mediation and dispute resolution procedures;
 - (f) the formulation of policy for fostering an institutional culture characterised by tolerance for diversity of opinion, respect for fundamental human rights and the promotion and protection of high academic standards.
- (2) The advice given by the Institutional Forum must be submitted in writing by the Chairperson of the Institutional Forum to the Council via the office of the Vice-Chancellor.
- (3) The Council must consider the advice given by the Institutional Forum and provide written reasons if the advice is not accepted.
- (4) The Institutional Forum must perform such additional advisory functions as the Council may delegate or award to it.
- (5) The Council may, after consultation with the Institutional Forum, revoke or amend the extended advisory mandate of the Institutional Forum as determined in subparagraph (4).

41. Composition

- (1) The Institutional Forum of the University as contemplated in section 31 (2) of the Act consists of –
 - (a) two representatives of the Management Committee appointed by the Vice-Chancellor;
 - (b) two representatives of the Council, elected by the Council;
 - (c) two representatives of the Senate, elected by the Senate;
 - (d) two representatives of the academic employees elected by the academic employees;
 - (e) two representatives of administrative and support employees elected

- by the administrative and support employees;
- (f) two representatives of students appointed by the SRC;
 - (g) two representatives of the recognised trade union(s) appointed by the union(s); and
 - (h) a maximum of three employee or student members, appointed by the Vice-Chancellor after consultation with the Institutional Forum –
 - (i) on the basis of their expertise and experience; or
 - (ii) in order to represent a specific interest group or groups on campus not already represented in the Institutional Forum.
- (2) A student or an employee who had been found guilty of serious misconduct by a disciplinary committee of the University may not be a member of the Institutional Forum.
- (3) When members are elected to the Institutional Forum, the body entitled to elect must do so with due regard to the suitable representation of race, gender and disability in the Forum.
- (4) The quorum for meetings of constituencies as contemplated in subparagraph (1) (d) to (e) is twenty per cent of the total number of the members of the relevant constituency.

42. Term of office

- (1) The term of office of members of the Institutional Forum is two years, with the exception of members appointed by the SRC and the student members appointed in terms of paragraph 41 (1) (h).
- (2) The term of office of SRC members correspond with the term of office of the SRC that appointed them.
- (3) The term of office of student members appointed in accordance with paragraph 41 (1) (h) is for the academic year in which they were appointed.
- (4) A member may be re-elected or reappointed for a second term.

43. Election procedures

- (1) The Registrar facilitates the processes in terms of which representatives contemplated in paragraph 41 must be appointed or elected by the various constituencies.
- (2) When members are elected or appointed as contemplated in paragraph 41 the body entitled to elect or appoint shall do so in accordance with its own internal appointment or election procedures. All appointments to the

Institutional Forum must be made with sensitivity for the gender and race profile of the Forum.

- (3) Representatives from the recognised trade union(s) must be elected from the ranks of the employees of the University by members of the said union(s), provided that, should the University recognise more than one union, the representatives must be elected at a joint meeting of the recognised unions chaired by the Registrar and provided further that not any of the recognised unions, where more than one union has been recognised, will have more than one representative elected to the Institutional Forum.
- (4) Membership of the Institutional Forum terminates when a member –
 - (a) resigns;
 - (b) ceases to be an employee;
 - (c) is absent from three consecutive meetings of the Institutional Forum without, in the view of the Institutional Forum, a valid reason;
 - (d) is insolvent;
 - (e) is incapable of performing his or her functions;
 - (f) is found guilty of serious misconduct;
 - (g) is convicted of an offence and is sentenced to imprisonment without the option of a fine;
 - (h) a student member deregister as a student; or
 - (i) is elected or appointed by a specific interest group and the interest group at a formal meeting as contemplated in subparagraph (2) withdraws its support for such a member or when such a member's association with the interest group, for whatever reason, is suspended or comes to an end.
- (5) When a vacancy occurs, the secretary to the Institutional Forum must inform the Registrar, who must request the constituency concerned to fill the vacancy in accordance with this Statute and perform any other duty imposed on him or her by this Statute. The term of office of such a member will be for a full term or the unexpired term of office of the previous incumbent, depending on the circumstances.

44. Chairperson, Deputy Chairperson and Secretary

- (1) The Institutional Forum must elect a Chairperson and a Deputy Chairperson from its ranks, provided that the Chairperson and Deputy Chairperson may not be from the same constituency.

- (2) The Chairperson of the Institutional Forum is an *ex officio* member of Senate.
- (3) The term of office of the Chairperson and the Deputy Chairperson is two years or of a lesser duration depending on their membership of the Institutional Forum.
- (4) If the office of the Chairperson or the Deputy Chairperson becomes vacant, the Institutional Forum must elect a successor at its next meeting for a full term.
- (5) The Chairperson of the Institutional Forum reports to the Institutional Forum the decision of Council on the advice submitted by the Institutional Forum to the Council.
- (6) The Registrar is the secretary of the Institutional Forum and he/she may designate an employee to assist him or her in the execution of his or her tasks or to act in his or her place.

45. Meetings of the Institutional Forum

- (1) The Chairperson must convene a meeting of the Institutional Forum at least twice in each semester.
- (2) Subject to the provisions of this Statute, the Institutional Forum determines its own meeting procedures with due observance of generally accepted norms and practices of fair administrative process.
- (3) A quorum consists of fifty per cent plus one of the total number of serving members of the Institutional Forum.
- (4) In the absence of the Chairperson the Deputy Chairperson acts as Chairperson and in the absence of both the Chairperson and the Deputy Chairperson, the members present at a meeting of the Institutional Forum elect a member to chair the meeting.
- (5) A written notice must be issued by the secretary to each member of the Institutional Forum at least seven days before any ordinary meeting, indicating the time, date and place of such meeting. Such notice must be accompanied by an agenda and supporting documentation as appropriate.
- (6) Members who wish to place additional matters on the agenda must send a written request in this regard to the secretary at least five days before the date of the meeting and must provide the secretary with the documentation the member wishes to submit to the Institutional Forum.

- (7) The secretary must keep the minutes of the meetings and a register of the decisions of the Institutional Forum and all members of the Institutional Forum must have access to this register.
- (8) The first act of an ordinary meeting, after it has been constituted, is to confirm by way of the signature of the Chairperson the correctness of the minutes of the preceding ordinary meeting and of any extraordinary meeting(s), provided that any objection to the minutes must be raised and resolved before such confirmation of the minutes.
- (9) A member may not, without the permission of the Chairperson, speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.
- (10) If it is so decided by the meeting, the number of votes for or against any motion must be recorded in the minutes, and at the request of any member, the Chairperson must direct that the vote of such member be recorded.
- (11) A motion or an amendment must be seconded and, if it is so directed by the Chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the proposer and seconder.
- (12) The ruling of the Chairperson on any matter of order or procedure is binding unless immediately challenged by a member, in which event such ruling shall without further discussion be submitted to the meeting for a vote, the outcome of which is binding.
- (13) The Chairperson may convene an extraordinary meeting with four days' notice, stating the reason for the urgent meeting and the matter(s) for discussion.
- (14) When requested by at least one fifth of the members of the Institutional Forum, the Chairperson must convene an extraordinary meeting, provided that the request is in writing and the matters for discussion are stated. Not less than 24 hours' notice must be given of such a meeting.
- (15) No matter other than that of which notice had been given may be considered.
- (16)
 - (a) Subject to the provisions of paragraph 47 of this Statute, all matters must be decided by a majority of votes of the members present at the meeting;
 - (b) The Chairperson has an ordinary vote on every matter and, in the case of an equality of votes, also a casting vote; and
 - (c) Whenever the Chairperson so rules, voting must take place by

means of a secret ballot.

46. Executive Committee of the Institutional Forum

- (1) The Institutional Forum must appoint an Executive Committee to manage and administer the Institutional Forum on a day to day basis.
- (2) The Executive Committee of the Institutional Forum is constituted as follows—
 - (a) the Chairperson of the Institutional Forum;
 - (b) the Deputy Chairperson of the Institutional Forum;
 - (c) three other members of which at least one must be a member of Senate and at least one a student, provided that no constituency may have more than one member on the Executive Committee; and
 - (d) the secretary to the Institutional Forum.
- (3) The Executive Committee of the Institutional Forum determines its own meeting procedures with due observance of generally accepted norms and practices of fair administrative process.
- (4) The quorum for a meeting of the Executive Committee of the Institutional Forum is fifty per cent plus one of the serving members.
- (5) The term of office of the members referred to in subparagraph (2) (c) corresponds with their respective terms of office as members of the Institutional Forum but may not exceed two years. Members may be reappointed.
- (6) The Secretary, or an employee designated by him or her, is responsible for the administrative services that the Executive Committee may require.

47. Decision making

- (1) If the majority of the members present at a meeting vote either in favour of or against a specific proposal, the Institutional Forum has taken an advisory decision.
- (2) When the Institutional Forum has taken an advisory decision a member(s) holding a minority view will be entitled to formulate their view and to submit it to the Council in writing through mediation of the office of the Chairperson of the Institutional Forum.
- (3) If the Council requests the Institutional Forum to advise the Council on a specific matter and the Institutional Forum is not able to take an advisory decision as contemplated in subparagraph (1), the Executive Committee of the Institutional Forum, in conjunction with the members of the Institutional

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Forum, must compile a summary of the various opinions expressed at the Institutional Forum and submit the summary to the Council.

CHAPTER 8 CONVOCAATION

48. Membership

- (1) The Convocation consists of –
 - (a) all persons who have obtained a qualification from the University, as approved by the Senate and the Council;
 - (b) all the persons, other than persons referred to in subparagraph (c), who immediately before the commencement of this Statute were members of the Convocation of the University;
 - (c) the Vice-Chancellor, the Deputy Vice-Chancellor(s), the Executive Officials, the Registrar, the deans of faculties/schools, the academic employees on the staff establishment of the University, professors emeriti, retired employees and such other persons as the Council may determine; and
 - (d) all persons who obtained Ordinary Membership of the Alumni Association and who are not members of the Convocation by virtue of subparagraph (a) to (c).
- (2) The functions of the Convocation are to –
 - (a) facilitate liaison between the University and its former students and academic employees;
 - (b) create networks and canvass support for the strategic objectives of the University, and
 - (c) organise former students and academic employees members of the University with a view to facilitating representation of this constituency on appropriate governance structures.
- (3) The Registrar of the University must keep the official roll of the Convocation (the members' list) and a member is required to register his or her name and address with the Registrar and notify him or her of any change of address.
- (4) The official roll of the Convocation is conclusive evidence of membership of the Convocation and only a person whose name appears on the roll at the time of his or her claiming the right to vote as a member of the Convocation is entitled to do so.
- (5) The Registrar must remove a member's name from the members' list as soon as practicable after notice of the resignation or death of a member.

49. President, Vice-President and Secretary of the Convocation

- (1) The President and the Vice-President of the Convocation are elected by the Convocation from among its ranks at a general meeting and hold office from the close of the meeting at which they are elected until the close of the next general meeting.
- (2) In case of death or resignation of a President, the Vice-President acts as President until a successor has been elected at the next general meeting of the Convocation.
- (3) The provisions of paragraph 22 relating to the election of the Chairperson and the Deputy Chairperson of the Council apply, with the necessary changes, to the election of a President and a Vice-President of the Convocation.
- (4) The Convocation must elect a secretary to the Convocation from among its members by means of a secret ballot and such person must obtain a majority of the votes of the members present at a meeting of the Convocation. The Vice-Chancellor may appoint an employee of the University to assist the secretary or to act in his or her place when necessary.
- (5) Employees of the University are not eligible as candidates for the President, Vice-President or Secretary of the Convocation.

50. Meetings and meeting procedures

- (1) The Convocation must hold at least one general meeting every three years.
- (2) The secretary must give due notice of such a meeting to every member at least eight weeks before the meeting.
- (3) Notice of any motion or matter for discussion at a meeting must be given to the secretary in writing one month before the date of the general meeting.
- (4) The President may with the approval of the meeting allow any motion of which due notice has not been given in terms of subparagraph (3) to be discussed and action to be taken thereon.
- (5) Extraordinary meetings of the Convocation may be called by the President at any time and must be called by the secretary on receipt of a written request signed by at least 100 members stating, in the form of specific motions, the matters to be considered at such a meeting. The meeting must be convened within two months of receipt of such request.

- (6) The secretary must give due notice of extraordinary meetings of the Convocation to each member at least 14 days before the day determined for such a meeting, stating the date, place and time of the meeting. The notice must be accompanied by an agenda and supporting documentation where applicable.
- (7) The Convocation determines its own meeting procedures with due observance of generally accepted norms and practices of fair administrative process.
- (8) The first act of each meeting after its constitution by the reading of the notice calling such meeting must be to confirm by way of the signature of the President the correctness of the minutes of the previous meeting and of any other meetings held subsequently, provided that any objections to the minutes must be raised and resolved before confirmation of the minutes.
- (9) A member may not without the leave of the meeting speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment have the right of reply.
- (10) A motion or amendment must be seconded, and, if it is so directed by the President, be in writing and no motion or amendment may be withdrawn without the consent of the proposer and the seconder.
- (11) The ruling of the President on any matter of order or procedure is binding unless immediately challenged by a member, in which case it must be submitted without further discussion to the meeting for a vote, the outcome of which will be binding.

51. Executive Committee of the Convocation

- (1) The Executive Committee of the Convocation consists of the President, the Vice-President, the Secretary and a maximum of two additional members elected by the general meeting of the Convocation.
- (2) The Executive Committee of the Convocation meets at least once a semester to attend to the affairs of the Convocation in consultation with the University Management.
- (3) The provisions of paragraph 49 will, with the necessary changes, apply to the election, and arrangements in the case of death or resignation of the additional members elected to the Executive Committee of the Convocation.
- (4) The Executive Committee of the Convocation determines its own meeting procedures with due observance of generally accepted norms and

practices of fair administrative process.

- (5) The Executive Committee of the Convocation is accountable to the general meeting of the Convocation and reports regularly on its activities between meetings.
- (6) Executive Officials of the University are not eligible to serve on the Executive Committee of the Convocation.

52. Quorum

- (1) Subject to the provisions of this Statute, 100 members form a quorum, but if a meeting is adjourned owing to failure to reach a quorum, a special meeting must be convened within eight weeks and the members present at such a meeting will be deemed to form a quorum.
- (2) Notwithstanding the failure to reach a quorum at a general meeting, the meeting may proceed with the election of office bearers and other formal business, provided that no decisions can be taken on motions put to such a meeting.
- (3) All matters must be decided by a majority of votes of the members present at the meeting.
- (4) The President has an ordinary vote on every matter and, in the case of an equality of votes, also a casting vote.
- (5) If it is so decided by the meeting, the number of votes for or against any motion must be recorded in the minutes, and at the request of any member the President must direct that the vote of such member be recorded.

53. Election of member of the Convocation to the Council

Whenever it becomes necessary for the Convocation to elect a member to Council as contemplated in paragraph 18 (1) (h) of the Statute, the vacancy must be filled by the Convocation in the following manner –

- (1) In the case of a casual vacancy, the Registrar must within 30 days from the occurrence of the vacancy, invite the written nomination of persons to be elected by members of the Convocation by means of an appropriate notice published in three editions of at least one daily newspaper published in a local African language and one published in English. Nominations must be signed by at least five members and by the nominee, indicating his or her acceptance of the nomination.
- (2) In the case of a vacancy occurring by passage of time, the Registrar must, at least three months before the expiry of the term of office of such

member, invite the written nomination of persons to be elected by members of the Convocation by means of an appropriate notice published in three editions of at least one daily newspaper published in a local African language and one published in English. Nominations must be signed by at least five members and by the nominee, indicating his or her acceptance of the nomination.

- (3) Nominations must be lodged with the Registrar within six weeks of the date of the notice, and the names of the persons nominated must be published by the Registrar in three editions of at least one daily newspaper published in a local African language and one published in English.
- (4) If only one person has been nominated, the person so nominated will be considered duly elected and the Registrar will announce the name of the elected member.
- (5) If more than one person has been nominated, the Registrar must, as soon as is feasible after the publication of the names of the persons nominated, post to every member a printed voting paper containing the names of the candidates arranged in alphabetical order. The voting paper must be returned by a voter in the special envelope provided for this purpose and must reach the Registrar not later than the date specified on the voting paper, which date must not be less than 21 days after the date of issue thereof. The above voting procedures may be complemented or replaced by an electronic voting procedure and protocol approved by the external auditors of the University.
- (6) A voting paper which is not completed in accordance with the instructions printed thereon will be deemed to be invalid.
- (7) The Registrar must act as returning officer and must be assisted by two observers appointed by the President, or, in his or her absence, by the Vice-Chancellor.

54. Submission of resolutions to the Council and the Senate

A copy of all resolutions and statements of the Convocation, duly certified by the President and by the secretary of the Convocation, must be sent to the Chairperson of the Council and to the Chairperson of the Senate for the information of the Council and the Senate.

CHAPTER 9 ALUMNI

55. Alumni

Persons who obtained a degree or diploma from the University, or the former Medical University of South Africa (MEDUNSA), or who obtained a degree or diploma from the University of Limpopo offered at the MEDUNSA Campus of the University of Limpopo, are regarded as alumni of the University and eligible to become a member of the Alumni Association.

56. Alumni Association

- (1) The Council of the University may grant recognition to an association referred to as the Alumni Association of the University, established in accordance with a constitution approved by the Council.
- (2) The aim of the Alumni Association, among others, must be to assist the University in its endeavours to establish support networks and mobilise resources.
- (3) Alumni must inform the secretary to the Association of his or her wish to join the Alumni Association.
- (4) The spouse of a member of the Alumni Association may upon application in accordance with the provisions of the constitution of the Alumni Association acquire associate membership.
- (5) Donors of the University who are not eligible in terms of paragraph 55 may upon application in accordance with the provisions of the constitution of the Alumni Association acquire associate membership.
- (6) Associate members have the rights and privileges as determined in the constitution of the Alumni Association.
- (7) The Alumni Association may establish or recognise different chapters and regions with a view to ensuring that all sectors and interest groups are appropriately catered for by the Association.
- (8) Chapters and regions determine their own procedures and programmes.

CHAPTER 10
DONORS

57. Donors

The University may receive monies, equipment or services of any sort from donors to assist the University in providing quality education, research and community engagement.

58. Qualification as donor

- (1) Any person or entity, who is not an organ of state or a representative thereof and who has made a particular donation to the University, will be deemed to be a donor, provided that if a donation is made by a juristic person, the representative of such juristic person will represent the donor as applicable and provided further that only donors who have donated more than the minimum amount as contemplated in subparagraph (2) will for a period of five years be entitled to elect two members of Council.
- (2) The donation referred to in subparagraph (1), whether in the form of money, either in one sum or in a number of lesser sums, or as property, either in one asset or a number of assets, or as money and property together, must not be less than an amount or valued at not less than an amount fixed from time to time by the Council.
- (3) At any given time the official list of donors of the University as kept by the Registrar serves as conclusive proof of the names and addresses of the persons who are entitled to take part in the election of the representatives of the Donors to the Council of the University.

59. Election of representatives of donors to the Council

- (1) The Registrar must call for written nominations of persons to be elected from the ranks of the University's donors in the printed and/or electronic media, as appropriate.
- (2) Nominations must be signed by at least two proposers and by the nominee, indicating his or her acceptance of the nomination.
- (3) Nominations must be lodged with the Registrar at least four weeks before the election.
- (4) If the number of persons nominated does not exceed the number of vacancies, the persons so nominated will be considered duly elected and the Registrar must announce the names of the members.

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- (5) If the number of persons nominated exceeds the number of vacancies, the Registrar must submit the nominations to the Council.
- (6) The Council will elect the required number of donors from the nominations received by the Registrar by a majority of votes of the members of the Council present at a properly constituted meeting.

CHAPTER 11 EMPLOYEES

60. Appointment

- (1) Subject to section 34 of the Act, the Council appoints employees according to the human resource policies and procedures of the University as approved by the Council from time to time.
- (2) An employee must in writing-
 - (a) before he or she assumes office, declare any business that may raise a conflict or possible conflict of interest with the University; and
 - (b) notify the University of any conflict or possible conflict of interest before the University procures any goods or services from the employee or an organisation within which the employee holds an interest.
- (3) An employee may not conduct business directly or indirectly with the University that entails or may entail a conflict of interest with the University unless the Council of the University is of the opinion that-
 - (a) the goods, product or service in question are unique;
 - (b) the supplier is a sole provider; and
 - (c) it is in the best interest of the University.
- (4) An employee may not on behalf of the University contract with himself or herself or any entity in which he or she has a direct or indirect financial or personal interest.
- (5) Contracting referred in subparagraph (4) relates to conduct that is aimed at receiving any direct or indirect personal gain that does not form part of the employment relationship contemplated in subparagraph (1).

61. Conditions of employment

The conditions of employment of employees, including the determination and review of remuneration, and the undertaking of private work, are approved by the Council in accordance with the relevant University policy and subject to relevant labour legislation.

62. Evaluation

All employees of the University are subject to continuous evaluation of their performance in accordance with a performance management system as approved by the Council from time to time and such evaluation may, with the

approval of the relevant committee of the Council, institutionally be tied to remuneration.

63. Employee discipline

Subject to the provisions of the relevant labour legislation and codes of good practice, employees of the University must subscribe to the institutional code of conduct, the disciplinary code and procedure and the grievance procedure as approved by the Council.

64. Representative employee organisations

The Council may enter into appropriate recognition agreements with registered trade unions and employee associations with a view to recognising such entities as representatives of employees in University processes determining conditions of employment and remuneration levels and adjustments thereto.

**CHAPTER 12
STUDENTS****65. Admission and registration of students**

- (1) A person may be permitted by the Council to register as a student only if he or she satisfies the legal requirements to study at the University and satisfies any other requirements that may be determined by the Council and the Senate. This includes requirements with regard to the admission of students from other universities and countries as well as the exemption from examinations and the recognition of credits.
- (2) Upon registration and signing of the official registration form, whether for a degree, diploma, certificate or for one or more subjects or modules of such degrees, diplomas or certificates, a student subscribes to the Rules of the University.
- (3) The University must inform students and employees of the Rules regarding admission through the appropriate University publications and the electronic media.
- (4) The requirements for admission of a student to the various faculties and academic entities are set out in the applicable faculty or University Rules and may be amended by the Council after consultation with the Senate.
- (5) Specific admission requirements may be set for number-restricted courses or programmes.
- (6) A student is registered for one year at a time or for such shorter period as the Council may determine in general or in a particular case.
- (7) In order for a student to renew his or her registration after the expiry of the period as contemplated in subparagraph (6), the student is required to comply with the re-admission criteria as determined by the Senate and approved by the Council. The determination of criteria by the Senate takes place after consultation with the faculty/school boards.
- (8) The Senate may refuse to allow the renewal of the registration of a student if a student fails to meet the conditions as contemplated in subparagraph (7).
- (9) The criteria as contemplated in subparagraph (7) may include the payment of outstanding fees, minimum academic performance and compliance with approved codes of conduct.

66. Student organisations and activities

Subject to the provisions of the Act and this Statute, the Student Representative Council may recognise student organisations and their activities at the University on such terms and conditions as may be determined by the Council from time to time after consultation with the Student representative Council, and the Council and the Vice-Chancellor may at any time, after furnishing reasons, withdraw such recognition.

67. Student Representative Council (SRC)

- (1) The Council of the University must recognise the Student Representative Council (SRC) and its subdivisions constituted in accordance with section 35 of the Act and the Rules as the representative bodies of students in student governance and related matters. The constitution of the SRC as approved by the Council has the status of Rules of the University.
- (2) In matters that may affect them, the students of the University are represented by the SRC acting in accordance with its statutory mandate and the Rules.
- (3) Only students registered for an academic programme approved by the Senate and the Council may be elected as members of the SRC, provided that no student employed for 25 or more hours per week may serve as a member of the SRC, provided further that the Council may, on the recommendation of the Senate, prescribe the minimum academic status and performance standard for students to serve on the SRC.
- (4) Unless the Vice-Chancellor rules differently with regard to contraventions not resulting in the suspension of the enrolment or the residence accommodation of a student, no student who has been found guilty of contravening the Disciplinary Code or any other approved code of conduct of the University will be eligible to serve on the SRC and a serving member of the SRC found guilty of a transgression, regardless of the disciplinary measure resulting therefrom, will automatically vacate his or her position.
- (5) The SRC must be composed with due regard to suitable representation of race, gender and disability.
- (6) The election of SRC members must be democratic and transparent.
- (7) The term of office of the members of the SRC is one year from the date of their election.
- (8) The privileges of members of the SRC are determined by the Council and may be revoked by the Council.

- (9) The SRC is composed and functions in accordance with its Constitution and the provisions of this Statute and the Rules.
- (10) The SRC Constitution or any amendment thereof must be approved by the Council, after consultation with the SRC.
- (11) If the Council is of the opinion that the SRC is inoperative or unable to function properly, the Council may, after following due process as contemplated in paragraph 5(5) and (6) and consulting the current SRC, if practicable:
 - (a) amend the SRC Constitution as necessary; or
 - (b) revoke the SRC Constitution, disband the serving SRC and make interim arrangements, subject to the Act and this Statute, for the functioning of the SRC; and/or
 - (c) initiate a process to have a new SRC Constitution drafted and/or a new SRC elected.

68. Student discipline

- (1) Registered students are subject to the disciplinary measures and procedures applicable to students as determined by this Statute and the Rules.
- (2) The disciplinary measures and provisions applicable to students as described in the Rules and contemplated by section 36 of the Act, may be changed by the Council after consultation with the Senate and the SRC as provided for in section 32 (2) (d) of the Act.
- (3) If the Vice-Chancellor, who is the chief disciplinary officer of the University, is of the opinion that the circumstances of a specific case warrant it, he or she may perform some or all of the actions performed by the Registrar in terms of the Disciplinary Code or, alternatively, he or she may delegate the authority to perform these functions to another employee or an independent external person.
- (4) The definition of misconduct, the composition of the various disciplinary committees and their duties, the procedures followed during a disciplinary hearing and the various penalties that may be imposed, as well as the lodging of an appeal must be set out in the Rules and made available to all students.
- (5) Where a student has been found guilty of misconduct and the disciplinary measure applied by the University leads to suspension or termination of his or her studies at the University, or his or her expulsion from a University

residence, the student concerned will forfeit all claims to a refund or a rebate on fees paid or payable to the University.

69. Fees

- (1) The Council determines, after consultation with the Executive Management and the SRC, the fees, levies and fines payable by students to the University.
- (2) The Council determines the conditions for admission to examinations and registration at the University for students owing the University outstanding fees, levies, fines or any other amount due and payable to the University.
- (3) The Council will defer the issuing of a certificate pertaining to a degree, diploma, certificate or qualification until the payment of outstanding fees, levies, fines or any other amount due and payable to the University.

70. Awards, bursaries and loans

The Council determines the policy and procedure regarding student financial aid.

71. Student Services Council

- (1) The composition, mandate and functioning of the Student Services Council are determined in the Rules.

CHAPTER 13
DEGREES, DIPLOMAS AND CERTIFICATES

72. Degrees, diplomas and certificates

- (1) Subject to the provisions of the Act and this Statute, the University may confer degrees and award diplomas and certificates in accordance with approved qualifications.
- (2) Save as is provided by this Statute, no degree, diploma or certificate may be conferred or awarded by the University upon any person who has not attained, through the assessment processes of the University, the prescribed standard of proficiency.
- (3) Subject to the provisions of subparagraph (4), the Council may, in consultation with the Senate, withdraw and revoke any degree, diploma, certificate or qualification that was awarded:
 - (a) on the basis of a material error on the part of the University, provided that such withdrawal and revocation may only take place within a period not exceeding two years after the conferment; or
 - (b) as the result of a fraudulent or dishonest act by the recipient in connection with obtaining such degree, diploma, certificate or qualification.
- (4)
 - (a) Prior to the Council withdrawing and revoking the conferment of a degree, diploma, certificate or qualification, the recipient must be:
 - (i) informed of the fact that a withdrawal and revocation is being considered;
 - (ii) provided with relevant information justifying the intention of the Council; and
 - (iii) provided with an opportunity to obtain assistance and to represent and dispute information and arguments and to make representations.
 - (b) In the event that the withdrawal and revocation relates to circumstances contemplated in subparagraph (3) (b), the University must report the matter for criminal investigation.
- (5) The Council may withhold the conferment of a degree, diploma, certificate or qualification pending the outcome of disciplinary proceedings against the recipient.

73. Honorary degrees

- (1) The University may, by resolution of the Council and the Senate and without examination, confer an honorary doctorate it deems appropriate upon any person whom the University may deem worthy of such a degree, provided that the holder of such a degree which has been conferred *honoris causa*, shall not, by the fact that he or she has been admitted thereto, be entitled to practise any profession.
- (2) A proposal to confer an honorary degree must be submitted in writing to the Registrar by a member of the Council, the Senate or the Convocation. Such proposal must be seconded by at least five members of the relevant constituency, must be in writing and must reach the Registrar on or before the date published in the University calendar, accompanied by a detailed statement indicating the reasons for the proposed conferment.
- (3) The Registrar must refer such proposals to the Honorary Degrees Committee, which consists of the Vice-Chancellor, Deputy Vice-Chancellor(s), deans of the faculties, members of the Council on the Senate and three members of the Senate appointed by the Senate.
- (4) The names of the candidates recommended by the Honorary Degrees Committee are submitted to the Senate, accompanied by the *curriculum vitae* ("CV") of the candidates and an appropriate statement describing the reasons for the proposal.
- (5) Without discussion of the candidates or their CVs, the Senate votes by way of a secret ballot on the conferment or not of an honorary degree on the candidate.
- (6) The chairperson of the Senate has an ordinary vote on each resolution and, in the case of an equality of votes, a casting vote.
- (7) The name(s) of the candidate(s) who obtained an ordinary majority of the votes of the members of the Senate present at the meeting is submitted to the Council.
- (8) Without discussing the candidate, the Council votes by way of a secret ballot on the candidate(s) recommended by the Senate, provided that the Council may not discuss the candidates or their CVs or consider any proposal not recommended by the Senate.
- (9) The honorary degree will be awarded to the candidate who has obtained a majority vote of the members of the Council present at a meeting of the Council, provided that no posthumous nominations will be accepted.

74. Congregation and conferring of degrees and awarding of diplomas and certificates

- (1) Degrees are conferred and diplomas and certificates awarded at a congregation (meeting) of the University.
- (2) A congregation is presided over by the Chancellor or, in his or her absence, the Vice-Chancellor, or in his or her absence, a Deputy Vice-Chancellor.
- (3) A congregation must be held at least once a year at such a time and place as may be determined by the Vice-Chancellor on the recommendation of Senate.
- (4) The procedure for the presentation of candidates, the conferring of degrees, the awarding of diplomas and certificates, the wearing of academic dress and all other matters regarding congregations not provided for in this Statute, are determined by Senate and approved by the Council.
- (5) No person may receive a degree, diploma or certificate, other than an honorary degree, unless the Senate or a committee of the Senate certifies that such person has satisfied all the requirements for such a degree, diploma or certificate.

CHAPTER 14
AMENDMENT OF THE STATUTE AND DISPUTE RESOLUTION

75. The Statute

- (1) No motion to adopt, amend or rescind any provision of this Statute is of force and effect unless approved by at least 75 per cent of all members present at a meeting of the Council.
- (2) Amendments to the Statute will take effect only after approval by the Minister and the publication thereof in the Government Gazette as contemplated in section 33 (1) and (2) of the Act.

76. Dispute resolution

- (1) Any dispute pertaining to the interpretation and application of this Statute must be referred to the Vice-Chancellor for a determination. The Vice-Chancellor may request the information he or she deems necessary to decide on the matter and may also seek legal advice.
- (2) Aggrieved parties may request the Council to review the determination of the Vice-Chancellor in terms of subparagraph (1). The determination of the Council after reviewing the matter is final and binding.

CHAPTER 15
TRANSITIONAL PROVISIONS

77. Transitional provisions

- (1) Persons holding an office in terms of the Standard Institutional Statute published in the Government Gazette No. 2365 of 27 March 2002 are deemed to hold office under the corresponding provisions of this Statute, unless it is inconsistent with the Act or this Statute, provided that the terms of office of such persons will, subject to the provisions of subparagraph (2) to (4) and (6), be determined in accordance with the provisions of this Statute and commence on the effective date of this Statute.
- (2) The terms of office of the representatives of the SRC on the Council, the Senate and the Institutional Forum, and the student members appointed by the Vice-Chancellor on the Institutional Forum, will remain the same as that of the SRC that elected them, or for the academic year in which they were appointed, as applicable.
- (3) The continued membership of the Council and the terms of office of the members appointed by the Minister will be determined by him/her.
- (4) At the first meeting of the Council constituted in accordance with paragraph 18 (1) of this Statute it must be decided by lot which six of the members of the Council who are not students, employees or Ministerial appointees hold office for an initial period of three years.
- (5) Notwithstanding the provisions of the Standard Institutional Statute and this Statute, at the last meeting of the Council constituted in terms of paragraph 9 (1) of the Standard Institutional Statute, it must be decided by lot which members of the Council, who served in terms of paragraph 9 (1) (e), (g), (h), (i) and (j) of the Standard Institutional Statute, 2002, and who declared their availability to serve on the Council constituted in terms of this Statute, will serve on the Council in terms of paragraph 18 (1) (d), (e), (h) and (k).
- (6) Members of the Council constituted in terms of paragraph 9 (1) of the Standard Institutional Statute not elected by lot to serve on the Council, as contemplated in subparagraph (5), may serve on the Council as co-opted members, with voting rights, for the remainder of their terms of office, provided that the total number of voting members of the Council may not exceed thirty. Should the membership of the Council as a result of the membership of the co-opted members exceed thirty, it must be decided by lot which of the co-opted members will enjoy voting rights.

- (7) Any constituent part of the University which existed immediately prior to the publication of this Statute continues to exist and function in terms of this Statute, should it be necessary, until the day prior to the day when a new structure, reconstituted in terms of this Statute, becomes functional.
- (8) As a transitional measure, the Council has the competence for a period of not more than two years to take any appropriate step to ensure the substantive implementation of the prescripts of the Act and this Statute, in particular, to appoint in accordance with its own procedures the required number of suitably qualified persons to the Council and the Senate in the relevant categories, in instances where the constituencies mentioned in paragraph 18 (1) and 29 (1) have not been constituted, or not been able to comply substantively with the prescripts of the Act and this Statute.
- (9) Rules in force prior to the commencement of this Statute continue to apply until replaced.
- (10) Any action, including a delegation of powers and functions to any functionary, committee or body, taken in terms of the Statute that existed prior to the commencement of this Statute is deemed to have been taken in terms of the corresponding provision of this Statute. Where there is no corresponding provision, such action will be referred to the Council or the Minister, whichever is appropriate.
- (11) The continuing membership of the Senate of associate and adjunct professors, serving only in that capacity on the Senate, will be reconsidered by the Council, after consultation with the Senate, within six years from the effective date of this Statute, with due consideration of the size and functionality of the Senate.

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1221

07 OCTOBER 2016

**CONTINUING EDUCATION AND TRAINING COLLEGES ACT, 2006
(ACT NO. 16 of 2006)****SCHEDULE OF NAMES OF RECENTLY PROVISIONALLY REGISTERED
PRIVATE COLLEGES**

I, Gwebinkundla Felix Qonde, Director-General of the Department of Higher Education and Training, hereby publish, in terms of Section 31(4)(e) of the *Continuing Education and Training Colleges Act, 2006* (Act No. 16 of 2006) as amended, the names of recently provisionally registered colleges as set out in the schedule.



Mr GF Qonde
Director-General: Higher Education and Training
Date: 06/09/2016

Schedule of names of provisionally registered private colleges and the qualifications they are accredited to offer.

No	Name of College	Qualifications accredited to offer
1.	Academy at Vaal Triangle (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
2.	Akanani Academy (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
3.	Baal-Perazim FET College (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
4.	Centurion Academy (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
5.	Growth Path Projects (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
6.	iCalc Training Academy (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
7.	Ikage SD College – Germiston (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
8.	JFA Square Technical Training Institution (NPC)	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
9.	Kingsway College of Computing and Business Studies (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i> <i>National Certificate (Vocational): Office Administration (Level 2, 3 & 4)</i>
10.	Mbowa College (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
11.	Rockingham College (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
12.	Tshwane Institute of Technology (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>
13.	Wamalloy Engineering College (Pty) Ltd	<i>National Certificate: Engineering Studies (N1, N2 & N3)</i>

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1222

07 OCTOBER 2016

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)

I, Bongikosi Emanuel Nzimande, MP, Minister of Higher Education and Training in accordance with section 33 (1) of the Higher Education Act, 1997 (Act 101 of 1997), hereby publish the amended pages of the Institutional Statute of Nelson Mandela University set out in the Schedule hereto.

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

Date: 02/09/2016

STATUTE
OF THE
NELSON MANDELA
UNIVERSITY

SCHEDULE

To introduce a Statute for the Nelson Mandela University to give effect to the Higher Education Act, 1997 (Act 101 of 1997), as amended, and to promote the effective governance and management of the University in respect of matters not expressly prescribed by the said Act.

PREAMBLE

WHEREAS the Nelson Mandela University has come into being as a result of a name change of the Nelson Mandela Metropolitan University.

WHEREAS the Nelson Mandela Metropolitan University came into being through the incorporation of the Port Elizabeth Campus of the Vista University into the University of Port Elizabeth and the subsequent merger of the University of Port Elizabeth and the Port Elizabeth Technikon by notices issued in this regard by the Minister of Education in terms of Sections 24¹ and 23(1)², respectively, of the Higher Education Act, 1997 (Act 101 of 1997), as amended;

and

WHEREAS it is desirable for the Nelson Mandela University to be a dynamic African university, recognised for its leadership in generating cutting-edge knowledge for a sustainable future by offering a diverse range of quality educational opportunities that will make a critical and constructive contribution to regional, national and global sustainability;

THEREFORE the Council of the Nelson Mandela University has made this Statute in terms of section 32(1) of the Higher Education Act, 1997 (Act 101 of 1997), as amended, to ensure the effective governance and management of the University in respect of those matters not expressly prescribed by the said Act in order to achieve its goals and values.

¹ Notice 1693, Government Gazette No 25737, 14 November 2003

² Notice 1701, Government Gazette No 25737, 14 November 2003

DEFINITIONS

“**senior management**” means, for the purpose of section 31(1)(a)(iii) of the Act and for such other purposes as determined by the council, the members of the management committee, the registrar, the dean of students, the executive deans of faculty, the campus head or campus heads and the senior directors of organisational units;

“**student**” means a person registered for a qualification at the University;

“**students’ representative council**” means the students’ governing body composed as contemplated in paragraph 41;

“**students’ support services council**” means the structure contemplated in paragraph 50;

“**University**” means the Nelson Mandela University and NMU has the same meaning;

“**vice-chancellor**” means the vice-chancellor and principal who is the academic head and chief executive and accounting officer of the University contemplated in paragraph 67;

“**with the concurrence of**” means that the relevant bodies or persons have to reach agreement on a matter;

“**working day**” means any day of a week, excluding a Saturday, a Sunday, a public holiday, or any day declared as a holiday by NMU in the University calendar for a specific year.

UNIVERSITY

Name, status and seat

2. (1) The name of the University is the Nelson Mandela University.

(2) (a) The official postal address of the University is:

PO Box 7700
Nelson Mandela University
Port Elizabeth
6031

(b) The physical address of the University is:

Nelson Mandela University
University Way
Summerstrand
Port Elizabeth
6001

STUDENTS' SUPPORT SERVICES COUNCIL

50. (1) In accordance with section 27(3) of the Act the council establishes a structure, known as the student support services council, to advise the management committee and the council, where applicable, on policies for student support services within the University.
- (2) The composition, functions and other matters related to the student support services council are determined in the Rules after consultation with the students' representative council.

ALUMNI ASSOCIATION

Name of alumni association

51. The alumni association is known as the alumni association of the Nelson Mandela University.

Goals and functions of alumni association

52. (1) The goals of the alumni association are –
- (a) to enhance the image of the alumni association both inside and outside the University community as an important stakeholder body in the University and an asset to the University to support the realisation of the University's mission and goals;
 - (b) to foster loyalty to and pride in the University among members through effective communication so that they may positively influence others;
 - (c) to provide and foster the provision of opportunities for alumni to contribute in financial and other meaningful ways to the advancement of the University;
 - (d) to promote, protect and maintain the rights of the alumni association; and
 - (e) to promote the ideals and purpose of the University to constituencies and stakeholders of the University.
- (2) The alumni association performs the functions required to achieve the goals contemplated in subparagraph (1) and such other functions as determined in the constitution of the alumni association.

DEPARTMENT OF LABOUR

NO. 1223

07 OCTOBER 2016

LABOUR RELATIONS ACT, 1995

INVITATION TO MAKE REPRESENTATIONS

NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR RELATIONS ACT, 1995: THE REGISTRATION AND ADMINISTRATION EXPENSES COLLECTIVE AGREEMENT OF THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL

- 1 I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the Metal and Engineering Industries Bargaining Council's application for extension to non parties regarding its Registration and Administration Expenses Collective Agreement which was submitted to the Department of Labour on **30 August 2016**.
- 2 Representations must reach the Department of Labour not later than 21 days from the date of publication of this Notice.
- 3 A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Representations and/or enquiries regarding copies of the application should be submitted to the following addresses:

By Post or Fax:

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

Hand Deliveries:

Room 122/124
Laboria House
215 Francis Baard Street
PRETORIA

By e-mail:

Mary.ngwetjana@labour.gov.za
alfred.katane@labour.gov.za



.....
MN OLIPHANT, MP
MINISTER OF LABOUR

22/09/2016

UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI, 1995**ISIMEMO SOKULETHWA KWEZIKHALO****ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WOBUDLELWANO KWEZABASEBENZI KA 1995: ISIVUMELWANO SOKUBHALISA KANYE NEZINDLEKO ZOKUPHATHA SOMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI EMBONINI YENSIMBI NOBUNJINIYELA**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi, lapha ngokwesigaba 32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo somKhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yensimbi Nobunjiniyela sokwelula isiVumelwano Sokubhalisa Kanye Nezindleko Zokuphatha selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka **30 kuNcwaba 2016**.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokukhiswa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo kanye/noma imbuzo mayelana namakhopi alesisicelo kumele zilethwe kulamakheli alandelayo:

Ngeposi noma ngefeksi:

Umnyango Wezabasebenzi

Ihhovisi Lomqondisi: Wezokuxoxisana Kwabaqashi Nabasebenzi

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156/4848

Okulethwa ngezandla:

Ihhovisi 122/124

Laboria House

215 Francis Baard Street

PRETORIA

mary.ngwetjana@labour.gov.zaalfred.katane@labour.gov.za

.....
MN OLIPHANT, MP
UNGQONGOSHE WEZABASEBENZI

22/09/2016

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1224

07 OCTOBER 2016

GENERAL NOTICE IN TERMS OF THE LAND REFORM (LABOUR TENANTS)
ACT, 1996 (ACT NO. 3 OF 1996).

Notice is hereby given in terms of section 17 (2)(c) of the Labour Tenants Act, 1996 (Act No. 3 of 1996), that the application for the acquisition of land mentioned below has been lodged with the Director-General on behalf of the following applicants:

NO.	NAME	ID NUMBER
1.	Kleinbooi Sibanyoni	700525 5411 086
2.	Gogela Petrus Mangaki	490206 5553 086
3.	Masotsa Markus Mkiti	430901 5415 087
4.	Mahlangu M. Johannes	620930 5428 089
5.	Msiza M Maria	561210 0872 081

Property description of the affected land	Portion 3 of the farm Vlakfontein 523 JR
District	City of Tshwane Metropolitan Municipality
Province	Gauteng
Land Owner	Vlakfontein Trust

Date Submitted	27 September 2016
Submitted by	Thabo Khumalo

Any interested party on the claim is hereby invited to submit, representations in terms of Section 17 of the Labour Tenants Act, 1996, within 30 days of the publication date of this notice, any comments/ information may be sent to:

Ms. R. Masango

Office of the Chief Director

Provincial Shared Services Centre: Gauteng

524 cnr Steve Biko and Stanza Bopape Streets

Suncardia Building

ARCADIA

Or

Private Bag X9

Hatfield

0028

Telephone: 012 337 3600/ 3622


Director: Tenure Systems Implementation

For **DIRECTOR-GENERAL, DEPARTMENT OF RURAL DEVELOPMENT AND
LAND REFORM**

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1225

07 OCTOBER 2016

**DEPARTMENT: RURAL DEVELOPMENT AND LAND REFORM
GENERAL NOTICE IN TERMS OF THE LAND REFORM (LABOUR TENANTS)
ACT, 1996 (ACT NO. 3 OF 1996).**

Notice is hereby given in terms of section 17 (2)(c) of the Labour Tenants Act, 1996 (Act No. 3 of 1996), that the application for the acquisition of land mentioned below has been lodged with the Director-General by **Jeremia Mshiwa Mokoena, ID No 510795174080**.

Property description of the affected land	Portion 38 of the farm Yzervarkfontein 194 IR
District	City of Tshwane
Province	Gauteng
Farm Owner	Servaas Marie Van Breda Du Plessis

Date Submitted	27 September 2016
Submitted by	Kabelo Tsitsing

Any interested party on the claim is hereby invited to submit, representations in terms of Section 17 of the Labour Tenants Act, 1996. Any comments/ information may be sent to:

Ms. R. Masango
Office of the Chief Director
Provincial Shared Services Centre: Gauteng
524 cnr Steve Biko and Stanza Bopape Streets
Suncardia Building
ARCADIA

Or

Private Bag X9
Hatfield
0028

Telephone: 012 337 3600/ 3622



Director: Tenure Systems Implementation
For **DIRECTOR-GENERAL, DEPARTMENT OF RURAL DEVELOPMENT AND
LAND REFORM**

Date: 27/09/2016

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1226

07 OCTOBER 2016

**GENERAL NOTICE IN TERMS OF THE LAND REFORM (LABOUR TENANTS)
ACT, 1996 (ACT No. 3 of 1996).**

Notice is hereby given in terms of section 17 (2)(c) of the Labour Tenants Act, 1996 (Act No. 3 of 1996), that the application for the acquisition of land mentioned below has been lodged with the Director-General by the Gauteng Provincial Shared Services Centre, on behalf of **Mr. Fernando Mundau Matusse, ID No. 420216 5547 181.**

Property description of the affected land	Portion 8 of the Farm Yzervarkfontein 194 IR
District	City of Tshwane Metropolitan Municipality
Province	Gauteng
Land Owner	Jacobus Gerhardus Oosthuizen

Date Submitted	27 th September 2016
Submitted by	Wilson Bongani Chiwa

Any interested party on the claim is hereby invited to submit, representations in terms of Section 17 of the Labour Tenants Act, 1996. Any comments/ information may be sent to:

Ms. R. Masango
Office of the Chief Director
 Provincial Shared Services Centre: Gauteng
 524 cnr Steve Biko and Stanza Bopape Streets
 Suncardia Building
 ARCADIA

Or

Private Bag X9
 Hatfield
 0028

Telephone: 012 337 3600/ 3622


 Director: Tenure Systems Implementation

For **DIRECTOR-GENERAL, DEPARTMENT OF RURAL DEVELOPMENT AND
 LAND REFORM**

Date: 27/09/16

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1227

07 OCTOBER 2016

GENERAL NOTICE IN TERMS OF THE LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT No. 3 of 1996).

Notice is hereby given in terms of section 17 (2)(c) of the Labour Tenants Act, 1996 (Act No. 3 of 1996), that the application for the acquisition of land mentioned below has been lodged with the Director-General by the Gauteng Provincial Shared Services Centre, on behalf of **Mr. Andries Mahlangu, ID No. 581109 5506 080.**

Property description of the affected land	Portion 57 of the Farm Rooikopjes 483 JR
District	City of Tshwane Metropolitan Municipality
Province	Gauteng
Land Owner	Mr. JCJ Herman & Ms. SE Herman

Date Submitted	27 September 2016
Submitted by	Wilson Bongani Chiwa

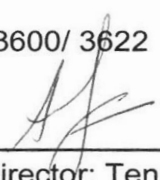
Any interested party on the claim is hereby invited to submit, representations in terms of Section 17 of the Labour Tenants Act, 1996. Any comments/ information may be sent to:

Ms. R. Masango
Office of the Chief Director
 Provincial Shared Services Centre: Gauteng
 524 cnr Steve Biko and Stanza Bopape Streets
 Suncardia Building
 ARCADIA

Or

Private Bag X9
 Hatfield
 0028

Telephone: 012 337 3600/ 3622


 Director: Tenure Systems Implementation

For **DIRECTOR-GENERAL, DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**

Date: 27/09/2016.

SOUTH AFRICAN REVENUE SERVICE

NO. 1228

07 OCTOBER 2016

PUBLICATION OF EXPLANATORY SUMMARY OF THE TAX ADMINISTRATION**LAWS AMENDMENT BILL, 2016**

Notice is hereby given in terms of Rule 276(1)(b) of the Rules of the National Assembly that the Minister of Finance intends to introduce the Tax Administration Laws Amendment Bill, 2016, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 276(1)(c) of the Rules of the National Assembly.

The Bill provides for the amendment of the—

- Income Tax Act, 1962, so as to provide for delegation of a power to disclose certain information; to provide for exemption from dividends tax of a dividend derived from a tax free investment; to amend a Schedule to include a class of taxpayers as provisional taxpayers; to amend a definition so as to include certain dividends; to further regulate the manner of prescribing an effective date; to further regulate the withholding of employees' tax; and to effect textual amendments;
- Customs and Excise Act, 1964, so as to narrow the scope of provisions relating to Special Economic Zones and to align terminology with terminology used in the Special Economic Zones Act, 2014; to broaden the scope of provisions relating to cigarette marking, tracking and tracing and to make certain changes relating to the maximum allowed weight of cigarettes for import or manufacturing; to align the prescription period for refunds to the general prescription period of three years; and to make changes to provisions relating to the payment and calculation of interest on outstanding amounts;
- Value-Added Tax Act, 1991, so as to amend provisions to align with the Special Economic Zones Act, 2014; to amend provisions relating to acceptable documentary proof; to reinsert a prescription period; and to amend a Schedule;

- Mineral and Petroleum Resources Royalty (Administration) Act, 2008, so as to provide greater alignment with the Fourth Schedule to the Income Tax Act, 1962; and to make technical corrections;
- Tax Administration Act, 2011, so as to amend definitions; to specify payment of monies to the National Revenue Fund; to extend the term of office of the Tax Ombud; to provide for appointment of the staff of the office of the Tax Ombud; to broaden the mandate of the Tax Ombud; to impose an obligation to provide reasons for not following non-binding recommendations by the Tax Ombud; to provide for disclosure of certain approved organisations; to extend the period for retention of records by SARS; to extend a period of limitation; to amend the provision for an additional assessment; to extend a period within which to apply for a condonation of a late objection; to amend the constitution of a tax court; to narrow the application of a provision; to add a definition and make provision for a penalty relating to an impermissible avoidance arrangement; and to amend the provision for voluntary disclosure of a default;
- Customs Duty Act, 2014, so as to delete certain unnecessary provisions and to combine certain provisions for purposes of clarity;
- Customs Control Act, 2014, so as to make certain technical corrections; to delete certain unnecessary provisions; to make changes to provisions relating to the submission of cross-border train departure reports; to provide for the transmission of electricity under the international transit procedure; to broaden a rule enabling provision to include rules relating to the treatment of detained counterfeit goods in state warehouses; and generally to make adjustments for the smoother implementation of that Act;

and for matters connected therewith.

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1229

07 OCTOBER 2016

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

**TONGAAT CALL CENTRE CO-OP LTD
S'BONOKUHLE CO-OP LTD
WHITE BEARS CO-OP LTD
QUBUKA NGOKUHLE CO-OP LTD
TLHABOLOGO CLEANING CO-OP LTD
SINENTLANTLA SHERWOOD CO-OP LTD
CENTOCOW WEAVING GROUP CO-OP LTD
VUSIMPILO AMAQHAWA CO-OP LTD
ZAMA-ZAMA CO-OP LTD
QHOHLO ARTS AND CRAFT CO-OP LTD
VELELA CO-OP LTD
VUKANI CATERING CO-OP LTD
TONGAAT SOAP MANUFACTURING CO-OP LTD
TONGAAT DETERGENT AND CHEMICAL MANUFACTURING CO-OP LTD
QEDUKOMA CO-OP LTD
THEMBA UKUKHANYA CO-OP LTD
THE EAGLES CULTURAL VILLAGE CO-OP LTD
SMOKIN BOOK STORE CO-OP LTD
SMOKIN JAZZ CLUB CO-OP LTD
SIYANQOBA CO-OP LTD
UMBONOMUHLE CO-OP LTD
ALIZWA MULTI-PURPOSE CO-OP LTD
INZUZO CO-OP LTD
ISINTU IGALELO CO-OP LTD
IVUMANI CO-OP LTD
INDLANGUBO ZIZAMELENI CO-OP LTD
IFEZILE SEWING CO-OP LTD
KHANYOKUHLE CO-OP LTD
VUSINGQONDO CO-OP LTD
VULINDLELA BUTCHERY CO-OP LTD
INKUNZ'ENHLE CO-OP LTD
KUYENZEKA CO-OP LTD
LINDANI MA-AFRIKA CO-OP LTD
RETHABILE BATHO POULTRY 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

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NOTICE 640 OF 2016****PUBLICATION OF EXPLANATORY SUMMARY OF THE NATIONAL VELDFIRE
AMENDMENT BILL, 2015**

1. Notice is hereby given in terms of Rule 241 (1) (b) of the Rules of the National Assembly that the Minister of Agriculture, Forestry and Fisheries intends to introduce the National Veldfire Amendment Bill, 2015 in the National Assembly shortly.
2. The explanatory summary of the Bill is hereby published in accordance with Rule 241 (1) (c) of the Rules of the National Assembly.
3. The National Veldfire Amendment Bill, 2015 seeks to amend the National Veld and Forest Fire Act, 1998, so as to insert new and to provide clarity on certain definitions; to provide for the facilitation of the formation of fire protection associations by a municipality or a traditional council; to compel a municipality, state owned enterprise, public entity or other organ of state which owns land to join the fire protection associations; to provide for appeals against decisions taken under delegated powers and duties; to amend the title of the Act to National Veldfire Act; to amend the short title and to substitute the long title; and to provide for matters connected therewith.
4. A copy of the Bill can be found on the website of the Parliamentary Monitoring Group at <http://www.pmg.org.za> and the Department of Agriculture, Forestry and Fisheries at <http://www.daff.gov.za> .

CONTINUES ON PAGE 130 - PART 2



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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS
NOTICE 641 OF 2016**



ACCESS TO INFORMATION

MANUAL

for

SOUTH AFRICAN WEATHER SERVICE

(SAWS)

**Published in terms of Section 14
of the Promotion of Access to Information Act 2 of 2000**

Document Reference: LSG-INFO-MAN-001
Document Type: Manual
Version: 1

This document is controlled in terms of the South African Weather Services' Quality Management System and may not be edited, distributed or deemed obsolete without permission of the Management Quality Representative

DOCUMENT CONTROL

Version and Amendment Schedule

Version	Version Date	Author	Description of Amendments
Draft	01 August 2010	Daniel Letsoalo	Document Created
1.0	18 May 2011	Daniel Letsoalo	Documents Finalised

Compliance Schedule

Compliance Type Checked	Compliance Approved by	Responsibility	Signature	Date of Compliance Approval
Documentation Compliance	H. Pfeiffer	Project Manager: TQM		
Legal Compliance	Daniel Letsoalo	Legal Manager		

Approval and Control Schedule

Approved By	Designation	Responsibility	Signature	Date Approved	Copy Status
M Makoela	General Manager: Corporate Affairs	Process Owner			Master
Dr L Makuleni	Chief Executive Officer: South African Weather Service	Approving Authority			

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1. INTRODUCTION AND DEFINITIONS

1.1 INTRODUCTION

On the 3rd of February 2000, the Promotion of Access to Information Act No. 2 of 2000 (“the Act”) was enacted. The Act came into operation on 09 March 2001 and allows individuals to obtain information, including copies of records held by both Public and Private bodies. This gives effect to Section 32 of the Constitution of the Republic of South Africa.

Where a request is made in terms of the Act, the body to whom the request is made is obliged to release the information, save where the Act expressly provides that the information may or must not be released.

The act specifies the procedures to be followed for the making of such a request.

1.2 DEFINITIONS

“**The Act**” means the Promotion of Access to Information Act 2000(Act No2 of 2000 as amended)

“**The manual**” means this manual together with all the annexures and which are available at the South African Weather Service”

“**SAWS**” means South African Weather Service

“**CEO**” means Chief Executive Officer of South African Weather Service

“**The Minister**” means the Minister responsible for the administration of South African Weather Service Act No 8 of 2001

“**Department**” means the departments responsible for the administration of South African Weather Service Act No 8 of 2001

“**Public Good services**” means services provided by SAWS to the public free of charge



“**Commercial services**” means specialized services provided by SAWS at a prescribed and established fees and tariffs

2. PURPOSE FOR THE MANUAL

- 2.1 This Manual has been enacted to give effect to the provisions of Section 14 of the Act and to foster a culture of transparency and accountability whilst giving effect to the right of any person to access information.
- 2.2 This Manual also seeks to actively promote a culture in which persons seeking information from SAWS may apply for, and receive, information to which they are entitled as envisaged in the Constitution of the Republic of South Africa.
- 2.3 Persons seeking to access records kept by SAWS are required to follow specific procedures. This Manual sets out those procedures and provides Requesters with guidance in this regard, and as to the exercise of their rights in respect of the Act.

3. FUNCTIONS OF SAWS

3.1 SAWS IS OBLIGED TO:

The functions of the South African Weather Service are set out in Section 4 of the South African Weather Service Act 8 of 2001, SAWS is obliged to and does:

- a) Provide such Meteorological Services, including Public Good Services and Commercial services, as are necessary to achieve its objectives, where it is in the interests of SAWS and the State to do so. Public Good Services and Commercial Services are described in the Schedules to the Act and are detailed in paragraph 5 below. Commercial Services are charged for whilst Public Good Services are not.

Manual: Access to Information

-
- b) Adhere to the intent of Resolution 40 of the Twelfth Congress of the World Meteorological Organisation, and other related resolutions regarding the internationally free and unrestricted exchange of meteorologically-related data and products; and
 - c) Perform other functions assigned to it by the Minister ("The Minister").

3.2 SAWS IS ENTITLED TO:

- a) Co-operate or enter into Agreements or Contracts with any Person, Institution, Government, or Administration;
- b) Purchase or otherwise acquire, possess, hire, pledge, sell or let property;
- c) With the approval of the Minister, granted with the concurrence of the Minister of Finance, raise money by way of loans from any lawful source, on such terms and conditions and against such security as may be agreed upon;
- d) With the approval of the Minister, establish or assist in establishing companies for the promotion of Meteorological Services or any related business purpose;
- e) Charge fees for the provision of any Commercial Services;
- f) Enter into Agreements with any other Weather Service to deliver services or be of assistance with the delivery of services outside the borders of South Africa;
- g) Enter into Agreements with State Departments for the delivery of services considered to be within the capacity of the Weather Service. These contract services are not deemed part of the Public Good Services.

- 3.3** SAWS alone is entitled to issue severe weather related warnings over South Africa (to ensure that there is a single authoritative voice in this regard).



- 3.4 SAWS is required to take reasonable steps to develop the skills and capacity of the Weather Service so as to enable it to provide for the needs of disadvantaged communities.

4. STRUCTURE OF SAWS

- 4.1 SAWS is a juristic person established in terms of Section 2 of the South African Weather Service Act.
- 4.2 SAWS acts through its Board consisting of a Chief Executive Officer, a Senior Official of the Department and no fewer than 8 and no more than 10 other persons appointed on a part time basis by the Minister in accordance with the Act.
- 4.3 A Chairman and Deputy Chairman are appointed from the Board of SAWS.
- 4.4 Members of the Board are appointed for a period of 3 (three) years and are eligible for re-appointment thereafter for a further 3 (three) year period.
- 4.5 SAWS has a Chief Executive Officer who is a full time member of the Board and is appointed by the Board. From 1 April 2008, the Chief Financial Officer of SAWS is also an ex officio member of the Board.
- 4.6 The Board is appointed in order to:
- a) Ensure the financial viability of SAWS and development of the commercial Services;
 - b) Ensure an efficient, cost effective and high quality Weather Service;
 - c) Set policies, standards and objectives within the framework issued by the Minister and to ensure that the executive management of SAWS implements these policies, standards and objectives;
 - d) Facilitate succession and give guidance in the appointment of senior managers;

Manual: Access to Information

-
- e) Ensure that the Weather Service has adequate systems of internal control, both operational and financial;
 - f) Monitor the performance of the Weather Service and make adjustments to the conditions of service of the personnel with due regard to the applicable labor legislation;
 - g) Recommend any budget proposals or adjustments and submit them to the Minister;
 - h) Set policy for recruitment, training and transformation of the Weather Service;
 - i) Approve a business plan for the Weather Service annually for the next three years and submit it to the Minister for final approval;
 - j) Ensure that the majority of the South African population benefits from the Public Good Services of the Weather Service; and
 - k) Perform any other function assigned to it by the Minister.
- 4.7** The Board is required to meet at least 4 (four) times a year and the meetings are conducted as is set out in Section 10 of this Act.
- 4.8** The Board is entitled to establish 1 (one) or more Committees to perform such functions as the Board may determine. Details of these Committees and their functions are available without formal request from the Information Officer.
- 4.9** The Board is entitled to establish such number of Meteorological Advisory Committees on a National and Regional basis, as is necessary.
- 4.10** The Chief Executive Officer, as appointed by the Board, is responsible for the management of SAWS and is required to report to the Board on all management issues as often as is required by the Board.
- 4.11** In the absence of the Chief Executive Officer, the Board may appoint an Acting Chief Executive Officer for a period of not exceeding 6 (six) months.



- 4.12** The Chief Executive Officer is entitled to employ so many employees as is necessary to enable SAWS to perform its functions.
- 4.13** SAWS obtains funding and utilizes its funding in the manner set out and specified in the South African Weather Service Act No 8 of 2001.
- 4.14** The Minister has established a committee known as "*the Regulating committee for Meteorological Services*" consisting of 5 (five) persons appointed on a part time basis.
- 4.15** The main functions of the Regulating Committee for Meteorological Services are to:
- a)** Set broad limits on the prices of services and products of the Weather Service;
 - b)** Determine the level of user charges to be applied to the Aviation and Maritime Industries by the Weather Service and advise the Minister on the making of regulations in this regard;
 - c)** Ensure that the Weather Service does not abuse its position, but in such a manner as not to place undue restrictions on the Weather Service's commercial activities and must further guard the Weather Service against unfair competition from national and international private Weather Services;
 - d)** Promote the safe, efficient, economical and profitable operation of the Weather Service;
 - e)** Promote the reasonable interest and needs of clients and customers of the Weather Service;
 - f)** Monitor service standards and, where necessary, issue instructions to the Weather Service for improvement; and
 - g)** Perform any other function assigned to it from time to time by the Minister.

5 SERVICES OFFERED BY SAWS:

SAWS offers “Public Good Services” which are provided free of charge and “Commercial Services” which are provided at a prescribed and established fees and tariffs.

5.1 The Public Good Services provided by SAWS:

- a) The gathering of Meteorological and Climatological Observational Data over South Africa and surrounding oceans, sufficient for the needs of the country and to comply with international obligations and also with World Meteorological Organisation standards, where practicable.
- b) The carrying out of those international obligations agreed to under World Meteorological Organisation arrangements, including the international distribution of data and acting as Regional telecommunications Hub and as Regional Specialized Meteorological Centre.
- c) The provision of other Meteorological Services and the representation of Government in the fulfillment of international obligations, where appropriate.
- d) The provision of Weather and Climatic Forecasting and Warning Services intended for the general benefit of the population and the safety of life and property.
- e) The provision of daily rainfall and maximum and minimum temperatures data to the general public.
- f) Acting as custodians of the National Climatological Databank.
- g) The operation of a National Meteorological Telecommunication Network and Computer Infrastructure necessary to provide Public Good Services.
- h) The maintenance of the National Meteorological Library.

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- i) The provision of advice to Government regarding Meteorological and Climatological matters.
 - j) The provision of Meteorological and Function related Training in partnership with Higher Education Institutions.
 - k) The conducting of research focused on reducing the impact of weather related natural disasters and on improving to the quality of the Public Good Services.
 - l) The provision of Meteorological Support for Aviation and Maritime Search and Rescue Activities in accordance with international obligations of the Government.
 - m) The provision of services for the benefit of subsistence farmers and fisheries.

5.2 The Commercial Services offered by SAWS:

- a) The provision of Specialized Weather Forecasting and Climate Information Services.
- b) The provision of services to the Maritime Industry that are not included in international obligations of the SOLAS Convention (Safety Of Life At Sea).
- c) The provision of Aviation Meteorological Services.
- d) Weather and Climate Related Publications.
- e) Meteorological consultations including advice to the Legal and Insurance Industries.
- f) Contracted Weather and Climate related Research.
- g) Research to improve Commercial Services.
- h) The dissemination of Weather and Climate Information.

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- i) The manufacturing and selling of Meteorological equipment to State Departments and users from the Private Sector as well as the servicing, repairing and standardization of equipment falling within the competence of the Weather Service.
- j) The provision of specialized Services to the Media.
- k) Commercial Services provided on an Ad Hoc basis to State Departments.

6 CONTACT DETAILS:

SAWS Head Office is situated at Bolepi House, 442 Rigel Avenue South, Erasmusrand, Pretoria. SAWS also have 23 (twenty three) Weather Offices around the Country with Regional Forecasting Offices at Airports.

The Addresses and contact details given below are for SAWS Head Office. It is recommended that Requesters refer all queries to SAWS Head Office.

If appropriate, Requesters will be referred to other offices of SAWS.

PHYSICAL ADDRESS: Bolepi House
442 Rigel Avenue South
Erasmusrand
PRETORIA
0181

POSTAL ADDRESS : Private Bag X 097
Pretoria
0001

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South Africa

TELEPHONE : +27 (0)12 367 6000

TELEFAX : +27 (0)12 367 6200

DIRECTIONS : Directions are available to Requesters either on our website, or telephonically

WEBSITE : www.weathersa.co.za

CONTACT DETAILS : Information Officer and CEO
The Information Officer for SAWS is:
The Chief Executive Officer

Contact Details:

The Chief Executive Officer of SAWS is:

Dr. Linda Makuleni

Contact Details: +27 (0)12 367 6111

The Deputy Information Officer of SAWS is:

Mr. Daniel Letsoalo

Contact Details: +27 (0)12 367 6250

OTHER OFFICES : Contact Details for other SAWS offices are available from SAWS without need of a formal request.

7 SECTION 10 GUIDE ON HOW TO USE THE ACT:

- 7.1** The South African Human Rights Commission published a Guide on the use of the Act in each official language. The Guide can be obtained from the South African Human Rights Commission Website or the offices of the South African Human Rights Commission (www.sahrc.org.za).
- 7.2** Request forms to be used by persons requesting access to records (a “Requester”) and fee structures payable by Requesters may also be downloaded from this website (www.sahrc.org.za) and are also available on the website for the Department of Justice and Constitutional Development (www.doj.gov.za) under “Regulations”.
- 7.3** The South African Human Rights Commission may also be contacted as follows:

PAIA Unit – The Research and Documentation Department
Private Bag 2700
Houghton
2041
Telephone: +27 (0)11 484 8300
Telefax: +27 (0)11 484 0582 / 1360
e-mail: paia@sahrc.org.za

8. REQUEST FOR ACCESS TO SAWS RECORDS:

The list of subjects on which SAWS holds records will be updated from time to time. In the event that a Requester seeks access to any Record or Information not listed either in this Manual, or elsewhere, the Requester is advised to contact the Information Officer in order to ascertain whether the Record or Information is in fact available, and to ascertain the classification of the Information or Record sought.



It may well be that the Information or Record sought by a Requester is available, but due to the categorization or content thereof, that SAWS are prohibited from disclosing or are entitled to refuse access to the Information or Record, in terms of the Act.

The procedure for requesting access to Information or Records is set out below:

8.1 Records Automatically available to SAWS employees.

The following records are automatically available to SAWS employees, and need not be requested in accordance with the procedures set out below:

- a) The personal records for the employee whose file is allocated to him/her.
- b) Records of disciplinary hearings and related matters are available to the employee who is the subject of the hearings and related matters.
- c) SAWS Policy Documents, Procedures and Guidelines, together with all records to which the general public has access as set out below, are available to employees without a formal request having to be made thereto.

8.2 Records Readily available to the General Public.

The following records and information are available to the General Public and need not be requested in accordance with the procedures set out below. Information may be requested from SAWS telephonically

- a) Annual Reports of SAWS also available on SAWS website (www.weathersa.co.za).
- b) The SAWS Act and Regulations, also available on SAWS website (www.weathersa.co.za).
- c) Marketing brochures and Public Good Information published by SAWS.

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- d) Information available on SAWS website (www.weathersa.co.za). *Note that certain publications are of Commercial nature, and are available against payment of the fee set out on SAWS website.*
- e) SAWS Supply Chain Management Policy and other statutory documents which SAWS are obliged to make available to members of the general public without a formal request.
- f) Documents, Reports, Plans, Frameworks, Policies and Procedures, the Content of which SAWS are obliged to make available to the Public in terms of Legislation.
- g) Documents providing details of and calling for tenders or quotations in respect of any tender issued and called for by SAWS, provided that, where applicable, the fees applicable to that specific tender or request are paid.
- h) Various pamphlets and newsletters.
- i) The Public Good and Commercial Services as per SAWS Act are available (against payment of the fees and tariffs in certain instances) and following of the procedures set out in the South African Weather Service Act and related regulations.
- j) Records or information specifically listed as falling into this category elsewhere in this Manual.

8.3 Records not Readily available to the General Public.

The following Categories of Records and Information are not automatically available to the General Public. A formal request in the manner set out below is required in order for a request to this information and to these records to be considered:

- a) **Personnel Records.** These include:

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- i. Personal information;
- ii. Employment history and health records;
- iii. Personal information and records provided to SAWS by its personnel;
- iv. Records pertinent to any personnel of SAWS provided by third party;
- v. Records and details of training and development of personnel;
- vi. Conditions of employment, employment contracts and related contractual and legal records;
- vii. Internal evaluations and records of evaluations;
- viii. Records and details of internal loans and financial assistance given to personnel;
- ix. Internal records and correspondence;
- x. Records and information which any law or agreement requires SAWS to keep.

b) Customer Records. These include:

- i. Records and information provided by the customer and / or third parties to SAWS;
- ii. Records of all dealings between SAWS and its customers including requests for the provision of Commercial Services and or Public Good Services, details of Accounts with Customers of SAWS and queries from Customers;
- iii. Contracts entered into with Customers and Third Parties;
- iv. Research ,Project Data and Results developed and or obtained by SAWS, whether in conjunction with other parties or on their own, pursuant to various contracts and or instructions given by Third Parties;
- v. Details of donations and funding received;
- vi. Transaction Records;
- vii. Information relating to the finances, operations and internal information of Third Parties obtained from any person or entity who submitted a Tender, Quotation, Proposal, Submission, Presentation, Offer or Response to a

Request for a Quotation, Proposal, or Tender published by SAWS for the supply, provision, or installation of Services, Material or Equipment.

- c) **Records of SAWS.** These include:
- i. Financial Records;
 - ii. Operational Records;
 - iii. Project Records;
 - iv. Management Records;
 - v. Building plans, plant and operational manuals, procedures and maintenance manuals;
 - vi. Databases;
 - vii. Patents, registered designs and trademarks;
 - viii. Technical know-how;
 - ix. Information Technology;
 - x. Intellectual Property;
 - xi. Product Records;
 - xii. Marketing and Strategic Records;
 - xiii. Internal and External correspondence and Communications;
 - xiv. Retirement Fund Records;
 - xv. Statutory Records;
 - xvi. Statutory Compliance Records;
 - xvii. Internal Policies and Procedures;
 - xviii. Treasury Related Records;
 - xix. Securities and Equities;
 - xx. Investment Records;
 - xxi. Financing Records;
 - xxii. Cash-flow Records and Books of Account;
 - xxiii. Records held by SAWS relating to other Weather Services or Entities, whether situated in South Africa or elsewhere;
 - xxiv. Records relating to other Organs of State and Third Parties of whatsoever nature;

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- xxv. Correspondence with Third Parties;
 - xxvi. Contractual Records and copies of Contracts;
 - xxvii. Opinions, Advices and Comments received and given;
 - xxviii. Any Records provided by Third Parties about Contractors or Suppliers of goods or services or equipment to SAWS;
 - xxix. Details of assets of SAWS and contracts pertinent to such assets;
 - xxx. Records and information, which SAWS are required to keep in terms of law;
 - xxxi. Responses to Tenders, Requests for Quotations, and the like;
 - xxxii. Records relating the activities described in 3.2 and 4.6 above;
 - xxxiii. Any other Record not specifically listed which is held by SAWS.
 - xxxiv. Meteorological Training Institute records
 - xxxv. Records that constitute the SAWS QMS as defined by ISO 9001

*Requesters note that the Promotion of Access to Information Act Authorises, and in some instances, requires SAWS to **REFUSE** certain Requests for Access to some Records and Information.*

9. PROCEDURE FOR REQUESTING ACCESS TO A RECORD:

It is recommended that SAWS Website be utilized as a first reference source in order to ascertain whether the information is available on the site and can be freely downloaded. In the event that the Requester does not have access to the Internet and or the information requested is not available on the Website, then in such event:

9.1 Information Relating to a Single Department:

Where the information requested relates to a single department within SAWS and access hereto is likely to be given automatically and without a formal request being made in terms of the Act, the Requester may make the request for the Records and Information directly to the Department concerned. In the event that the Department concerned is unable or unwilling to provide the Information or Record requested, then in such event, the Requester may approach the Information Officer.

9.2 Departmental Head or Contact Person:

The Departmental request referred to in 9.1 above, should be made to the Departmental Person who, reasonably, could be expected to comply with such a request (usually the Head of the Department). Such Official will either:

- a) Refuse or Access the Record or Information; or
- b) Refer the Request to a Higher Authority; or
- c) Grant or Make the necessary arrangements for access to be given to the Record or Information if, after consideration of all relevant facts and circumstances, it is appropriate to do so. If appropriate, the Official may make the granting or arranging of access, subject to appropriate conditions.

9.3 If Requester is dissatisfied with the Response:

In the event that the Requester is dissatisfied with the response to the request, then in such event, it is recommended that the Requester repeat the Request for Information or Records to the Information Officer.

9.4 If Requester is dissatisfied with Information or Record Provided:

In the event that the Requester is dissatisfied with the Information or Records provided, or, with the outcome of his request, and in the event that the Information Officer is unable or unwilling to assist the Requester, then in such event, the Requester is entitled to make use of the Internal Appeal Procedure detailed below.

10. PROCEDURE TO BE FOLLOWED BY A REQUESTER SEEKING ACCESS TO A RECORD WHICH IS NOT AUTOMATICALLY AVAILABLE WITHOUT A FORMAL REQUEST BEING MADE:

10.1 A Requester is required to use Form A as published in Government Gazette R187, dated 15 February 2002 ("the request form"). A copy of this Form is attached hereto as "Form A". If need be, further copies of the Request Form may be obtained from the Information Officer free of charge for, from the sources listed in paragraph 6 above. Such Form must be correctly and completely filled in and signed. If required by the Requester, the Information Officer will assist the Requester in completing the Request Form.

10.2 The Requester must:

- a) Provide sufficient details on the Request Form to enable the Information Officer to accurately and correctly identify the Record or Information sought;
- b) Indicate for Form of Access required, e.g., whether the Requester wishes to view the Record at the Offices of SAWS, or whether the Requester requires a copy thereof (note SAWS will endeavor to provide access to the Requester in the manner sought provided that doing so will not unreasonably interfere with the running of SAWS or damage the Record or infringe a copyright not owned by SAWS and or the State). If, for practical reasons access cannot be given in the

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requested Form, but can be given in an alternative manner, then in such event, an access fee will be calculated on the basis of the Requester's first request;

- c) Indicate whether in addition to a written decision on the Request for Access to a Record, the Requester wishes to be advised of the decision on granting access in any other way, e.g., telephone or e-mail, in which event, this must be indicated and relevant details provided;
- d) In the event that the request is being made on behalf of another person, the Requester must submit proof of the capacity in which the request is being made, to the reasonable satisfaction of the Information Officer;
- e) Request assistance from the Information Officer in the event that the Requester is illiterate or has any other disability making completion of Forms difficult or impossible.

10.3 The Request Form must be submitted by the Requester to the Information Officer together with any applicable request fee. Contact details for the Information Officer are provided elsewhere in this Manual. The duly completed form may be delivered to the Information Officer in any manner that causes it to come to his attention.

10.4 In the event that the Requester complies with the procedural requirements of the Act and this Manual relating to a request for access to any Record or Information and access to that Record and or Information is not refused on any ground mentioned in the Act, then in such event, the Requester will be given Access to the relevant Record of SAWS.

10.5 Requesters are required to note that the provisions of the Act set out a variety of grounds and basis on which a Public Body, including SAWS, would be entitled to refuse access to a Record.

10.6 In the Event that any conflict exists between the provisions of this Manual and the Act, the provisions of the Act will apply. For the sake of clarity, this means that the provisions of



this Manual may not be interpreted such as to create an obligation on SAWS to provide access to Record or Information, which SAWS are obliged or entitled to refuse in terms of the Act.

10.7 Further information pertaining to the notification of the result is set out below.

11. FEES PAYABLE AND NOTIFICATION OF RESULT:

11.1 A Requester seeking access to a Record containing personal information about the Requester is not required to pay a request fee. Other Requesters are required to pay a request fee.

11.2 The fees and charges prescribed in Part II of Notice 187 in the Government Gazette of 15 February 2002 are payable and are annexed as Annexure "A" hereto. These fees are payable as set out therein in respect of all requests (save that the request fee for a personal Requester is not payable).

11.3 The Information Officer is required, as soon as is reasonably possible (but in any event within 30 [thirty] days after the request is received) to decide in accordance with the Act, whether to grant the request and notify the Requester of the decision. In the event that it is reasonably possible to do so, the Information Officer will endeavor to inform the Requester of the decision in the manner in which he requested to be notified.

11.4 In the event that the request is granted, the notification will state:

- a) The access fee, if any, to be paid upon giving access to the Records;
- b) The form in which access will be given;
- c) That the Requester may lodge an Internal Appeal, alternatively, that an Application may be made to Court against the access fee requested or the Form of Access granted; and
- d) The Procedure, including Time Periods, for the lodging of an Internal Appeal.

11.5 In the event that a request for access is refused, the notification to the Requester will state:

- a) The reasons for the refusal, including the provisions of the Act relied upon;

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- b) That the Requester may lodge an Internal Appeal or an Application with the Court, as the case may be, against the Refusal of the Request; and
 - c) The Procedure, including Time Periods, for the lodging of the Internal Appeal or Application as the case may be.
- 11.6 In the event of a refusal, reference to the contents of the Record will be excluded from any reasons given.
- 11.7 The Information Officer may, in certain circumstances, extend the 30 [thirty] day time period within which a response must be given to the request.
- 11.8 In the event that the request is approved, access to the Record shall be given in the manner approved as soon as is reasonably possible and after payment of all prescribed fees.

12. NOTE THAT:

- 12.1 Requesters are obliged to exhaust the Internal Appeal Procedures before they are entitled to approach a Court for appropriate relief against a decision of the Information Officer.
- 12.2 In certain circumstances, the Information Officer and or SAWS are obliged or entitled to refuse an access to a Record or Information or to require a Third Party to be notified of the request in order to be given an opportunity to protect their rights. The basis on which such a refusal must or may be made are those set out in the Act.

13. MANNER OF INTERNAL APPEAL AND APPEAL FEES**13.1 An Internal Appeal:**

- a) Must be lodged in the prescribed Form "B"). A copy of this Form is attached hereto as "Form B".

-
- i. Within 60 (sixty) days of date of the decision;
 - ii. If notice to a Third Party is required by Section 49 (1) (b) of the Act, then within 30 (thirty) days after notice is given to the Third Party of the decision appealed against.
 - b) Must be delivered or sent to the Information Officer and or Deputy Information Officer at the address, fax number, or electronic mail address as per paragraph 6 above;
 - c) Must identify the subject of the internal appeal and state the reasons for the internal appeal and must include any other relevant information or argument known to the Appellant or which the Requester wishes to be taken into account in the consideration of the Appeal;
 - d) If, in addition to a written reply, the Appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
 - e) If applicable, must be accompanied by the prescribed appeal fee referred to in sub-section (3); and
 - f) Must specify a postal or fax address or fax number of the Appellant;
 - g) Will be considered by the Information Officer and a further two SAWS employees who are entitled to obtain internal or external advice to assist them in making a decision.

12.2 Internal Appeal Lodged after Expiry of Period:

If an Internal Appeal is lodged after the expiry of the period referred to in Sub-section 12.1, the Information Officer must:

- a) Upon good cause shown, allow the late lodging of the Internal Appeal;

-
- b) If that relevant authority disallows the late lodging of the Internal Appeal, give notice of that decision to the person that lodged the Internal Appeal.

12.3 The Requester:

A Requester lodging an Internal Appeal against the refusal of his or her request for access, must:

- a) Pay the prescribed appeal fee (if any);
- b) If the prescribed appeal fee is payable in respect of an Internal Appeal, the decision on the internal appeal may be deferred until the fee is paid.

12.4 Notification:

The Requester will be notified of the result of the Internal Appeal within 45 (forty five) days of lodging an Internal Appeal.

12.5 If Requester is still Dissatisfied:

If the Requester is still dissatisfied with the result, then in such event, the High Court may be approached for relief.

14. GENERAL CONSIDERATIONS:

- 14.1 Use of headings in this Manual is for convenience purposes only. Headings are not to be used in the interpretation of any portion of this Manual.
- 14.2 Use of any one gender includes the other.
- 14.3 Where either SAWS or a Requester has rights or obligations in terms of the Act, which are not specifically dealt with herein, such failure does not detract from the existence or reinforceability of such rights. This Manual is issued to **guide** Requesters in the manner in which their rights and obligations are to be fulfilled. It is not the intention of this Manual to remove, detract from or alter either SAWS or the Requester's rights or obligations. To the

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extent that this Manual does so, this is unintentional and the full entitlements, rights and obligations in the Act apply in preference to the contents of this Manual.

14.4 The Act requires that in certain circumstances and particularly where a Third Party's rights may be affected by a request, that the Third Party be notified of the request and given an opportunity to protect their rights and interests.

14.5 This Manual is subject to change from time to time and Requesters are advised to contact the Information Officer to confirm that they are using the most recent Manual.

15. LIST OF GOVERNMENT NOTICES THAT CONTAINS AMNENDMENTS TO THE ACT

15.1 Government Notice No 187 of 2002

15.2 Government Notice No 1244 of 2003

15.3 Government Notice No 1263 of 2003

15.4 Government Notice No 7757 of 2003

15.5 Government Notice No 240 of 2007

15.6 Government Notice No 42 of 2011

End of document



ANNEXURE A

REQUEST FOR ACCESS TO RECORDS

of the

SOUTH AFRICAN WEATHER SERVICE

(SAWS)

Section 18 (1) of the Promotion of Access to Information Act, 2000

(Act 2 of 2000)

(Regulation 6)

ANNEXURE “A” to Access To Information Manual

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ANNEXURE “A” to Access To Information Manual

**1. SAWS PARTICULARS:**

Contact Numbers:

- a) Head Office : 012 367 6000
- b) Information Officer : 012 367 6000
- c) Fax Number : 012 367 6175

2. ADDRESSES:

- a) E-mail Address: info2@weathersa.co.za
- b) **Physical Address:** Bolepi House
442 Rigel Avenue South
Erasmusrand
PRETORIA
0181
- c) **Postal Address:** Private Bag X 097
Pretoria
0001
South Africa

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3. Particulars of Person Requesting Access to Records:

a) The particulars of the person who requests access to the Record must be given below:		
b) The Address and or Fax Number in the Republic to which the information must be sent, must be given:		
3.1	Full Names and Surname	
3.2	Identity Number	
3.3	Postal Address	
3.4	Fax Number	
3.5	Telephone Number	
3.6	e-mail Address	
3.7	Capacity in which request is made, when made on behalf of another person	

4. Particulars of Person on whose behalf Request is made:

This section must be completed ONLY if a request for information is made on behalf of another person.		
4.1	Full Names and Surname	
4.2	Identity Number	

ANNEXURE "A" to Access To Information Manual

**5. Particulars of Record:**

<p>a) Provide full particulars of the Record to which access is requested, including the reference number, if that is known to you, to enable the Record to be located.</p> <p>b) If the provided space is inadequate, please continue on a separate folio, and attach it hereto:</p>		
5.1	Description of Record or relevant part of the Record	
5.2	Reference Number, if available	
5.3	Any further particulars of Record	

6. FEES:

- a) A Request for access to a Record, other than a Record containing personal information about yourself, will be processed only after a request fee has been paid.
- b) You will be notified of the amount required to be paid as the request Fee.
- c) The Fee payable for access to a Record, depends on the form in which access is required, and the reasonable time required to search for and prepare a Record.
- d) If you qualify for exemption of the payment of any Fee, please state the reason.

<p>In your opinion, please state your reason for exemption from payment of Fees</p>	
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ANNEXURE "A" to Access To Information Manual



7. Form of Access to Record:

If you are prevented by a disability to read, view or listen to the Record in the form of access provided for in 1 – 4 below, state your disability and indicate in which form you would prefer to receive your information.	
<u>Disability:</u>	<u>Form in which record is required:</u>

Mark the appropriate box with an "X"

NOTES:

- a. Compliance with your request for access in the specified form may depend on the form in which the Record is available.
- b. Access in the form requested may be refused in certain circumstances. In such a case, you will be informed if access will be granted in another form.
- c. The Fee payable for access to the Record, if any, will be determined partly by the form in which access is required.

7.1 If the Record is in written or printed form:

Copy of Record

Inspection of Record

ANNEXURE "A" to Access To Information Manual

- 7.2 If the Record consists of visual images, this includes photographs, slides, video recordings, computer generated images, sketches, etc.:
- View the images Copy the images Transcription of the images

- 7.3 If the Record consists of recorded words or information which can be reproduced in sound:
- Listen to the soundtrack (audio cassette)
- Transcription of soundtrack (written or printed document)

- 7.4 If Record is held on computer or in an electronic or machine readable form:
- Printed copy of Record
- Printed copy of Information derived from Record
- Copy in computer readable form (CD or DVD)

If you requested a copy or transcription of a Record (above), do you wish the copy or transcription to be posted to you? Postage is payable.

- YES NO

NOTE:

If the Record is not available in the language you prefer, access may be granted in the language in which the record is available. In which language would you prefer the Record?

ANNEXURE "A" to Access To Information Manual**8. Notice of Decision regarding Request for Access:**

You will be notified in writing whether your request has been approved or denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the Record?

9. Signature:

Signed at _____ this _____ day of _____ 20____

Signature of Requester / Person on who's behalf Request is made

FOR OFFICIAL USE

Reference No. _____

Request received by: _____
 (state rank, name and surname of Information Officer / Deputy Information Officer on

(date) _____ at _____ (place)

Request Fee (if any) : _____

Deposit (if any) : _____

Access Fee : _____

Signature of INFORMATION OFFICE / DEPUTY INFORMATION OFFICER



ANNEXURE B

PRESCRIBED FEES

of the

SOUTH AFRICAN WEATHER SERVICE

(SAWS)

Section 54 (2) and (7) of the Promotion of Access to Information Act, 2000

(Act 2 of 2000)

(Regulation 11 (3))

“PRESCRIBED FEES” to Access To Information Manual**Prescribed Fees**

Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) Regulation 11 (3)	
1.	<p>PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE EXCLUSIVE OF VAT (Value Added Tax)</p> <p>a) For every photocopy of an A4 size page or part thereof R1.10</p> <p>b) For every printed copy of an A4 size page or part thereof, held on a computer or in an electronic or machine readable form R0.75</p> <p>c) For a copy in a computer readable form on: CD (Compact Disc) R70.00 DVD (Digital Video Disc) R70.00</p> <p>d) For a transcription of visual images, for an A4 size page or part thereof R40.00 For a copy of Visual Images R60.00</p> <p>e) For a transcription of an Audio Record, for an A4 size page or part thereof R20.00 For a copy of an Audio Record R30.00</p> <p>f) To search for and prepare the Record for Disclosure R30.00 for each hour or part thereof reasonably required for such search and preparation.</p>
Section 54 (2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) Regulation 11 (3)	
2.	<p>PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE EXCLUSIVE OF VAT (Value Added Tax)</p> <p>a) Six hours as the hours to be exceeded before a deposit is payable; and</p> <p>b) One third of the Access Fee is payable as a deposit by the Requester.</p>
Section 54 (7) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) Regulation 11 (3)	
3.	<p>PLEASE NOTE THAT ALL PRICES LISTED BELOW ARE EXCLUSIVE OF VAT (Value Added Tax)</p> <p>The Actual Postage Fee is payable when a copy of a Record must be posted to a Requester.</p>

ADDITIONAL PRESCRIBED INFORMATION:

The Minister of Justice has prescribed no additional information.

End of Document

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING
NOTICE 642 OF 2016**

TO THE PRESENTATION OF THE MICT SETA ANNUAL REPORT 2015/2016

The Presentation of the 2015/16 Annual Report of the Media, Information and Communication Technologies Sector Education and Training Authority will be held on Thursday, 27 October 2016.

All employee organisations, employer organisations and other interested stakeholders within the Media, Information and Communication Technologies Sector are invited to attend.

PROPOSED AGENDA

Time	Item	Presenter
09:15 – 09:50	Registration	All
10:00 – 10:05	Opening and Welcome Video Clip on SETA Performance	MC: Ms. Xabiso Matshikiza
10:05 – 10:20	Foreword by the Chairperson • Report of the Auditor-General for the year 2015/2016	Chairperson: Mr. Siphon J. Mjwara
10:20 – 11:00	CEO's Overview • Predetermined Performance Information • Governance Video Clip on SETA Performance CFO's • Annual Financial Statements of the Accounting Authority for the year 2014/2015	CEO: Mr. Oupa Mopaki CFO: Ms. Noni Gontshi
11:00 – 11:30	Discussion/Comments Video Clip on SETA Performance	MC: Ms. Xabiso Matshikiza
11:30 – 11:45	Way Forward and Closure	Chairperson: Mr. Siphon J. Mjwara
12:00 – 13:30	Lunch	

Venue: Accolades Boutique, Address: 72 Dale Road, Midrand

Date: Thursday, 27th October 2016

Time: 09h15 – 11h45

Your presence at this meeting would be highly appreciated.
(Kindly note that seats are limited to a maximum of two delegates per Organisation)

RSVP by Friday 14 October 2016 @ 16:00

To RSVP please visit our website: www.mict.org.za

For any questions please contact: events@mict.org.za

Notice & Invitation

**NATIONAL TREASURY
NOTICE 643 OF 2016**

**DEVELOPMENT BANK OF SOUTHERN AFRICA ACT, 1997:
AMENDMENT OF REGULATIONS**

In terms of section 17 of the Development Bank of Southern Africa Act, 1997 (Act No. 13 of 1997), the Minister of Finance has amended the regulations published under Government Notice No. R. 1390 of 19 November 1997 (as amended) by the substitution for—

- (a) regulation 3 of the following regulation:

“Additional countries of operation of Bank

3. In addition to the national territories of countries included in the region in terms of section 2A(1)(a) and (b) of the Act, the region shall, for purposes of section 2A(1)(c) of the Act, include the national territories of all other countries on the African continent and oceanic islands thereof.”; and

- (b) regulation 44 of the following regulation:

“Directors may borrow

44. The directors may in their discretion from time to time raise or borrow from the members or other persons any sum or sums of money for the purposes of the Bank, subject to the leverage ratio not exceeding two and a half (2,5) times the sum of its authorised share capital and reserve fund.”.

NASIONALE TESOURIE
KENNISGEWING 643 VAN 2016

WET OP ONTWIKKELINGSBANK VAN SUIDER-AFRIKA, 1997:
WYSIGING VAN REGULASIES

Die Minister van Finansies het, ingevolge artikel 17 van die Wet op Ontwikkelingsbank van Suider-Afrika, 1997 (Wet Nr. 13 van 1997), die regulasies kragtens Goewermentskennisgewing No. R. 1390 van 19 November 1997 gepubliseer (soos gewysing), gewysig deur—

- (a) regulasie 3 deur die volgende regulasie te vervang:

“Bykomende lande waarin Bank werksaam is

3. Bykomend tot die nasionale gebiede van die lande ingesluit in die streek ingevolge artikel 2A(1)(a) en (b) van die Wet, sluit die streek, vir doeleindes van artikel 2A(1)(c) van die Wet, die nasionale gebiede van alle ander lande op die Afrika-kontinent en oseaaneilande daarvan, in.”; en

- (b) regulasie 44 deur die volgende regulasie te vervang:

“Direkteure mag leen

44. Die direkteure kan na goeë dunde van tyd tot tyd by die lede of ander persone enige bedrag of bedrae vir die Bank se doeleindes opneem of leen, met dien verstande dat die hefboomverhouding nie meer is as twee en 'n half (2,5) maal die totaal van sy gemagtigde aandelekapitaal en reserwefonds nie.”

NATIONAL TREASURY
NOTICE 644 OF 2016
PUBLICATION OF EXPLANATORY SUMMARY OF DIVISION OF REVENUE
AMENDMENT BILL, 2016

The Minister of Finance intends introducing the Division of Revenue Amendment Bill ("the Bill") in the National Assembly on 26 October 2016. The explanatory summary of the Bill is hereby published in accordance with rule 241(1)(c) of the Rules of the National Assembly.

The Bill proposes to amend the Division of Revenue Act, 2016 (Act No. 3 of 2016), in accordance with section 12(4) of the Money Bills Amendment Procedure and Related Matters Act, 2009 (Act No. 9 of 2009), since the national adjustments budget for the 2016/17 financial year necessitates changes to the Division of Revenue Act, 2016. The Bill is to be introduced together with the tabling of the national adjustments budget and revised fiscal framework for the 2016/17 financial year.

A copy of the Bill will be obtainable from the National Treasury's website at <http://www.treasury.gov.za> after introduction of the Bill on 26 October 2016, and also from:

Mr A Hendricks
Parliament
PO Box 15
Cape Town
8000
Telephone: 021 403 8223

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 645 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 Abbas Badroodien
Dispossessed person : Mr Badroodien Allie
Number of Claims : 1
Area : City of Cape Town.
Properties : As listed below
Date Submitted : 16 September 1998.

REF NO	CLAIMANT	PROPERTY DISCRIPTION	CURRENT OWNERS
KRK6/2/3/A/6/0/198 9/275 (B622)	Abbas Badroodien	Erf 613 Ottery, City of Cape Town	Jorric Prop (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.....04/8/2016

APPROVED.....

DATE.....2016/08/24

Mr. L.H Maphutha
 Regional Land Claims Commissioner

**SOUTH AFRICAN REVENUE SERVICE
NOTICE 646 OF 2016**



**OFFICE OF THE
TAX OMBUD**
Ensuring fairness

Menlyn Corner, 2nd Floor
87 Frikkie De Beer Street, Menlyn, Pretoria
PO Box 12314, Hatfield, 0028
T 0800 662 837 or +27 12 431 9105 F +27 12 452 5013
E complaints@taxombud.gov.za W www.taxombud.gov.za

I, Judge Bernard Ngoepe, Tax Ombud, hereby publish the Office of the Tax Ombud's Final Language Policy in terms of section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012).

A handwritten signature in black ink, appearing to read 'B. Ngoepe', written over a horizontal line.

Judge B M Ngoepe
South African Tax Ombud



OFFICE OF THE
TAX OMBUD
Ensuring fairness

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LANGUAGE POLICY DOCUMENT

1. PREAMBLE

The Constitution of the Republic of South Africa (RSA) Act 108 of 1996 recognises 11 official languages; recognises the historically diminished use and status of indigenous languages and requires of the State to take practical and positive measures to elevate the status and advance the use of these languages. The Constitution further requires all official languages to enjoy parity of esteem and to be treated equitably.

To this end, the Official Use of Language Act 12 of 2012 was promulgated to, inter alia, provide for the regulation and monitoring of the use of official languages by national government for government purposes, to require the adoption of a language policy by a national department, national public entity and national public enterprise and the establishment of a language unit for a national department, national public entity and national public enterprise.

The Office of the Tax Ombud as established in terms of sections 14 and 15 of the Tax Administration Act, No.28 of 2011 (TAACT) has therefore in compliance with the Use of Official Language Act developed the Language Policy.

2. PURPOSE

The purpose of the Language Policy is to outline how the office of the Tax Ombud will comply with the provisions of the use of Official Languages Act, 2012, and use official languages to share information about its mandate and services with taxpayers and South African citizens.

3. NATURE OF THE BUSINESS OF THE OFFICE OF THE TAX OMBUD

The office of the Tax Ombud was established in terms of **section 14 and 15 of the Tax Administration Act , No 28 of 2011(TAACT)**. The mandate of the Tax Ombud is to review and address any complaint by a taxpayer regarding a service matter, or a procedural or administrative matter arising from the application of the provision of the Tax Act by SARS. The Office of the Tax Ombud is currently located in Pretoria and has not yet established a presence in other provinces. The services are offered through walk-in facilities, a call centre and a website. Roadshows are also conducted throughout the country to educate stakeholders about the service the office offers.

4. SCOPE AND APPLICATION

The provision of this policy is applicable to all employees in the Office of the Tax Ombud and anyone executing the functions on behalf of the Tax Ombud.

5. OFFICE OF THE TAX OMBUD POLICY FOR OFFICIAL LANGUAGES

The Office of the Tax Ombud is committed to making use of all 11 official languages as set out in the Use of Official Languages Act, Act No. 12 of 2012.

5.1 Official languages

The Office of the Tax Ombud has adopted the 11 official languages of the Republic of South Africa as its official languages for the purpose of this policy.

5.2 Factors to be taken into account when applying the official languages

- (a) The preferred use of language to taxpayers and the other stakeholders;
- (b) The practicality during the engagements with taxpayers and other stakeholders;
- (c) Any possible expenditure to be incurred in order to provide a service in a particular language, thus balancing the costs with the preferences of the specific stakeholder; and

- (d) The major regional language spoken during the engagements with taxpayers and other stakeholders, to be based on the language statistics contained in the population census and any other research conducted by a national department, national public or national public enterprise.

5.3 The Office of the Tax Ombud will implement the following measures:

- (a) The internal and external operational business language for the Office of the Tax Ombud will be English.
- (b) The following major languages will be used for engagements with taxpayers and stakeholders for government purposes with due regard to the criteria outlined in clause 5.2 above:
 - (i) isiNdebele, isiXhosa, isiZulu and siSwati (Nguni group);
 - (ii) Sepedi, Sesotho and Setswana (Sotho group);
 - (iii) Tshivenda;
 - (iv) Xitsonga;
 - (v) English; and
 - (vi) Afrikaans.
- (c) Communications and Outreach engagements with stakeholders at a provincial level will be in English and two other major official languages of preference within the specific geographical area, with due regard to the criteria outlined in clause 5.2 above.
- (d) The taxpayer and other stakeholders, who want written or published information in a particular official language, where that communication or information is not being provided in that language, may request that such communication or information be provided in such official language. Such request must be in writing in the language being requested and received by the Office of the Tax Ombud at least 60 (sixty days) prior to the communication or information being required.

5.4 Use of official languages with members of the public

- (a) The Office of the Tax Ombud has developed a complaints procedure which is available in all 11 official languages and has been posted on the website and is available on request.

- (b) The consultants will address the taxpayer's queries on the telephone or in writing in English unless there is a request by a taxpayer who wants information in his/her preferred language. Should a consultant who is able to speak the taxpayer's preferred language not be available at the moment of the request, the Office of the Tax Ombud will within 20 working days and with due regard to the criteria outlined in clause 5.2 above, make arrangements for the taxpayer's query to be attended to in his/her preferred language.
- (c) Language used for formal communication in the form of business forms/system-generated letters will be in English. The Office of the Tax Ombud will ensure that such information is explained upon request in the preferred language.
- (d) The website is presently available in English only. The Website may in future be published in all official languages with due regard to the criteria outlined in clause 5.2 above.
- (e) Hard copy educational material, such as pamphlets and posters, will have English in all provinces and two other major official languages of preference in each province, with due regard to the criteria outlined in 5.2 above.
- (f) English will be used in hearings and other official proceedings, but a request can be made to provide interpreting services in any other official language.
- (g) Persons with disabilities will be accommodated as follows:
- (i) a member of the public who wishes to communicate with the Office of the Tax Ombud in **South African Sign Language** must notify the Communications and Outreach Division in writing at least two weeks before the service is required to enable the office to make the necessary arrangements in time; or
 - (ii) a member who requires information in Braille will be required to inform the Office of the Tax Ombud in writing or telephonically and such information will be made available.
- (h) A taxpayer or stakeholder who wishes to communicate with the Office of the Tax Ombud in a language that is not one of the 11 official languages must, in the case of written communication, provide the Office of the Tax Ombud with an English translation of the relevant correspondence,

and in the case of oral communication provide his/her own interpreter. The OTO will respond with due regard to the criteria outlined in clause 5.2 above.

6. THE LANGUAGE UNIT OF THE OFFICE OF THE TAX OMBUD

The Office of the Tax Ombud will provide resources for the establishment of a Language Unit, which will be part of its Communications and Outreach division. The position of the Language Specialist will be advertised and filled in the new financial year. The role of the Language Specialist is to promote language management and to ensure that the taxpayers and stakeholders are well conversant with the mandate, and the service offered, efficiently through the use of different languages.

7. COMPLAINTS MECHANISM

7.1 Any person who is dissatisfied with the use of official languages by the Office of the Tax Ombud may lodge a complaint addressed to the Tax Ombud, as indicated in terms of section 4(f) of the Use of Official Languages Act, 2012.

7.2 A complaint must be lodged as follows:

- (a) In writing within three months of the complaint arising.
- (b) Any complaint lodged must state the name and surname, physical and postal address, and contact information of the person lodging it.
- (c) A complainant must provide a detailed description of the complaint.
- (d) The Office of the Tax Ombud will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the outcome.

8. REVIEW OF THE POLICY

The Office of the Tax Ombud will review the policy annually and when the need arises.

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 647 OF 2016

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SCHEDULE 1: ISSUE OF NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
ARP 1048:2016	<i>Wildlife rehabilitation – General considerations.</i> Establishes professional standards for wildlife rehabilitation to encourage the development of improved wildlife rehabilitation programs, and to improve care for all wild animals in rehabilitation.
SANS 3001-AG 11:2016/ EN 1097-8:2009	<i>Civil engineering test methods – Part AG11: Tests for mechanical and physical properties of aggregates – Determination of the polished stone value.</i> Describes the reference method used for type testing and in cases of dispute for determining the polished stone value of a coarse aggregate used in road surfacings.
SANS 14785:2016/ ISO 14785:2014	<i>Tourist information offices – Tourist information and reception services – Requirements.</i> Establishes minimum quality requirements for services provided by tourist information offices (TIO) of any type and size, whether publicly or privately operated, in order to satisfy visitors' expectations.
SANS 15962:2016/ ISO/IEC 15962:2013	<i>Information technology – Radio frequency identification (RFID) for item management – Data protocol: data encoding rules and logical memory functions.</i> Deals with the processing of data and its presentation to the RF tag, and the initial processing of data captured from the RF tag. Focuses on encoding the transfer syntax, as defined in ISO/IEC 15961 according to the application commands also defined in ISO/IEC 15961 (published in South Africa as an identical adoption under the designation SANS 15961).
SANS 16336:2016/ ISO 16336:2014	<i>Applications of statistical and related methods to new technology and product development process – Robust parameter design (RPD).</i> Gives guidelines for applying the optimization method of robust parameter design to achieve robust products.
SANS 19136-2:2016/ ISO 19136-2:2015	<i>Geographic information – Geography Markup Language (GML) – Part 2: Extended schemas and encoding rules.</i> Defines the XML Schema syntax, mechanisms and conventions used in the Geography Markup Language (GML).
SANS 19147:2016/ ISO 19147:2015	<i>Geographic information – Transfer Nodes.</i> Specifies the data types and code lists associated with those types for the implementation of transfer nodes and their services in transport modelling and location based services.
SANS 19150-2:2016/ ISO 19150-2:2015	<i>Geographic information – Ontology – Part 2: Rules for developing ontologies in the Web Ontology Language (OWL).</i> Defines rules and guidelines for the development of ontologies to support better the interoperability of geographic information over the Semantic Web.
SANS 19162:2016/ ISO 19162:2015	<i>Geographic information – Well-known text representation of coordinate reference systems.</i> Defines the structure and content of a text string implementation of the abstract model for coordinate reference systems described in ISO 19111:2007 (published in South Africa as an identical adoption under the designation SANS 19111:2009) and ISO 19111-2:2010 (published in South Africa as an identical adoption under the designation SANS 19111-2:2009).
SANS 24611:2016/ ISO 24611:2012	<i>Language resource management – Morpho-syntactic annotation framework (MAF).</i> Provides a framework for the representation of annotations of word-forms in texts, such annotations concern tokens, their relationship with lexical units and their morpho-syntactic properties.
SANS 24617-1:2016/ ISO 24617-1:2012	<i>Language resource management – Semantic annotation framework (SemAF) – Part 1: Time and events (SemAF-Time, ISO-TimeML).</i> Specifies a formalized XML-based markup language called ISO-TimeML, with a systematic way to extract and represent temporal information, and to facilitate the exchange of temporal information, both between operational language processing systems and between different temporal representation schemes.
SANS 60704-2-4:2016/ IEC 60704-2-4:2011	<i>Household and similar electrical appliances – Test code for the determination of air airborne acoustical noise – Part 2-4: Particular requirements for washing machines and spin extractors.</i> Applies to single unit electrical washing machines and the washing and spinning function of combined appliances and spin extractors for household and similar use.
SANS 61511-3:2016/ IEC 61511-3:2003	<i>Functional safety – Safety instrumented systems for the process industry sector – Part 3: Guidance for the determination of the required safety integrity levels.</i> Provides information on the underlying concepts of risk, the relationship of risk to safety integrity, the determination of tolerable risk, a number of different methods that enable the safety integrity levels for the safety instrumented functions to be determined.
SANS 62054-11:2016/ IEC 62054-11:2004	<i>Electricity metering (a.c.) – Tariff and load control – Part 11: Particular requirements for electronic ripple control receivers.</i> Specifies particular requirements for the type test of newly manufactured indoor electronic ripple control receivers for the reception and interpretation of pulses of a single audio frequency superimposed on the voltage of the electricity distribution network and for the execution of the corresponding switching operations.

Standard No. and year	Title, scope and purport
SANS 62056-1-0:2016/ IEC 62056-1-0:2014	<i>Electricity metering data exchange – The DLMS/COSEM suite – Part 1-0: Smart metering standardisation framework.</i> Provides information on the smart metering use cases and on architectures supported by the IEC 62056 DLMS/COSEM series of standards specifying electricity meter data exchange. Provides guidance for selecting the suitable standards for a specific interface within the smart metering system, and selecting the suitable standards for a specific interface within the smart metering system.
SANS 62231-1:2016/ IEC 62231-1:2015	<i>Composite station post insulators for substations with AC voltages greater than 1 000 V up to 245 kV – Part 1: Dimensional, mechanical and electrical characteristics.</i> Is applicable to composite station post insulators for substations with a.c. voltages greater than 1 000 V up to 245 kV. Applies to composite station post insulators of similar design used in power stations of railway systems.
SANS 62271-37-013:2016/ IEC/IEEE 62271-37-013:2015	<i>High-voltage switchgear and controlgear – Part 37-013: Alternating-current generator circuit-breakers.</i> Applicable to three-phase a.c. high-voltage generator circuit-breakers designed for indoor or outdoor installation and for operation at frequencies of 50 Hz and 60 Hz on systems having voltages above 1 kV and up to 38 kV.
SANS 62841-2-4:2016/ IEC 62841-2-4:2014	<i>Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 2-4: Particular requirements for hand-held sanders and polishers other than disc type.</i> Applies to hand-held sanders and polishers with the exception of disc-type tools covered by IEC 62841-2-3.
SANS 62841-3-1:2016/ IEC 62841-3-1:2014	<i>Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 3-1: Particular requirements for transportable table saws.</i> Applies to transportable table saws with a toothed single blade, stacked blades that cut a single groove or slot, or a moulding head cutter intended for cutting wood and analogous materials, plastics and nonferrous metals, except magnesium, with a saw blade diameter between 105 mm and 315 mm.
SANS 62841-3-6:2016/ IEC 62841-3-6:2014	<i>Electric motor-operated hand-held tools, transportable tools and lawn and garden machinery – Safety – Part 3-6: Particular requirements for transportable diamond drills with liquid system.</i> Applies to transportable diamond drills, intended to be connected to a liquid system, which may include liquid from a pipe or container, with a rated voltage of not more than 250 V for single-phase a.c. or d.c. tools and 480 V for three-phase a.c. tools, and a rated input of not more than 3 700 W..
SANS 82079-1:2016/ IEC 82079-1:2012	<i>Preparation of instructions for use – Structuring, content and presentation – Part 1: General principles and detailed requirements.</i> Provides general principles and detailed requirements for the design and formulation of all types of instructions for use that will be necessary or helpful for users of products of all kinds, ranging from a tin of paint to large or highly complex products, such as large industrial machinery, turnkey based plants or buildings.
SANS 300220-2:2016/ ETSI EN 300 220-2:2012	<i>Electromagnetic compatibility and Radio spectrum Matters (ERM); Short Range Devices (SRD); Radio equipment to be used in the 25 MHz to 1 000 MHz frequency range with power levels ranging up to 500 mW.– Part 2: Harmonized EN covering essential requirements under article 3.2 of the R&TTE Directive.</i> Applies to Short Range Devices radio equipment types operating in the frequency bands within 25 MHz to 1 000 MHz range.
SANS 300440-2:2016/ ETSI EN 300 440-2:2010	<i>Electromagnetic compatibility and Radio spectrum Matters (ERM); Short range devices; Radio equipment to be used in the 1 GHz to 40 GHz frequency range – Part 2: Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive.</i> Applies to Non-specific Short Range Devices, alarms, identification systems, radio-determination, telecommand, telemetry, Radio Frequency Identification (RFID) and Detection, movement and alert applications.
SANS 301908-13:2016/ ETSI EN 301 908-13:2013	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 13: Evolved Universal Terrestrial Radio Access (E-UTRA) User Equipment (UE).</i> Applies to radio equipment type User Equipment for Evolved Universal Terrestrial Radio Access (E-UTRA).
SANS 301908-18:2016/ ETSI EN 301 908-18:2014	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 18: E-UTRA, UTRA and GSM/EDGE Multi-Standard Radio (MSR) Base Station (BS).</i> Applies to Multi-Standard Radio capable Base stations (E-UTRA, UTRA, GSM/EDGE) radio equipment type.
SANS 301908-19:2016/ ETSI EN 301 908-19:2013	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 19: OFDMA TDD WMAN (Mobile WiMAX) TDD User Equipment (UE).</i> Applies to User Equipment for IMT-2000 OFDMA TDD WMAN (Mobile WiMAX) operating in TDD mode.
SANS 301908-20:2016/ ETSI EN 301 908-20:2013	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 20: OFDMA TDD WMAN (Mobile WiMAX) TDD Base Stations (BS).</i> Applies to base stations for IMT-2000 OFDMA TDD WMAN (Mobile WiMAX) radio equipment type operating in TDD mode.
SANS 301908-21:2016/ ETSI EN 301 908-21:2011	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 21: OFDMA TDD WMAN (Mobile WiMAX) FDD User Equipment (UE).</i> Applies to the Mobile WiMAX FDD User Equipment for IMTOFDMA TDD WMAN radio equipment type.
SANS 301908-22:2016/ ETSI EN 301 908-22:2011	<i>IMT cellular networks; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive – Part 22: OFDMA TDD WMAN (Mobile WiMAX) FDD Base Stations (BS).</i> Applies to the Mobile WiMAX FDD Base Stations for IMTOFDMA TDD WMAN radio equipment type.
SANS 302502:2016/ ETSI EN 302 502:2008	<i>Broadband Radio Access Networks (BRAN); 5,8 GHz fixed broadband data transmitting systems; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive.</i> Applicable to radio equipment for Fixed Broadband Data Transmitting Systems intended to operate in the 5,8 GHz band (5 725 MHz to 5 875 MHz).
SATR 38502:2016/ ISO/IEC TR 38502:2014	<i>Information technology – Governance of IT – Framework and model.</i> Provides guidance on the nature and mechanisms of governance and management of IT together with the relationships between them within an organization.

Standard No. and year	Title, scope and purport
SATS 17027:2016/ ISO/IEC TS 17027:2014	<i>Conformity assessment – Vocabulary related to competence of persons used for certification of persons.</i> Specifies terms and definitions related to the competence of persons used in the field of certification of persons, in order to establish a common vocabulary. Used also as applicable in other documents specifying competence of persons, such as regulations, standards, certification schemes, research, training, licensing and registration.

SCHEDULE 2: AMENDMENT OF EXISTING STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 164-0:2016 (E.d 1.3)	<i>Plug and socket-outlet systems for household and similar purposes for use in South Africa – Part 0: General and safety requirements. Consolidated edition incorporating amendment No. 3.</i> Amended to update referenced standards and to change the clause on requirements.
SANS 289:2016 (E.d 1.6)	<i>Labelling requirements for prepackaged products (prepackages) and general requirements for the sale of goods subject to legal metrology control. Consolidated edition incorporating amendment No. 6.</i> Amended to delete reference to legislation, to update the clause on declared net quantity of the prepackages product, to update the table on expression of quantity and prescribed quantities (table E.1), and to update the notes in the annex on type size of letters and numerals for statements of net quantity on consumer packages.
SANS 421:2016 (E.d 5.2)	<i>The production of men's shoes (Goodyear welted with stitched or stuck-on outer soles). Consolidated amendment incorporating amendment No.2.</i> Amended to update normative references, to update requirements for laces, to delete the table on requirements for laces, and to update test procedures for laces.
SANS 876:2016/ NRS 012:2013 (E.d 2.1)	<i>Cable terminations and live conductors within air-filled enclosures (insulation co-ordination) for rated a.c. voltages from 7,2 kV up to and including 36 kV. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 876/NRS 012" to read "SANS 876", to update the introduction, to update referenced standards, to update definitions, to change the requirements for clearances, to modify the requirements for design considerations for cable termination enclosures, and to update cable support requirements for cable termination enclosures.
SANS 942:2016 (E.d 2.5)	<i>Children's, youths', and maids' school shoes with direct injection-moulded soles and heels. Consolidated edition incorporating amendment No. 5.</i> Amended to change the requirements in the clauses on type and method of construction, materials and components, constructional requirements and inspection and methods of test, and to update referenced standards.
SANS 1116-2:2016 (E.d 5.1)	<i>Retro-reflective number plates for motor vehicles – Part 2: Number plates (aluminium). Consolidated edition incorporating amendment No. 1.</i> Amended to update requirements for graphics.
SANS 1162:2016 (E.d 1.1)	<i>Responsible tourism – Requirements. Consolidated edition incorporating amendment No. 1.</i> Amended to remove the word "living" (in 5.3.6) and the word "any" (in 5.4.8), and to update the bibliography.
SANS 1489-1:2016 (E.d 1.2)	<i>Electrical connectors in group I and group II hazardous areas – Part 1: General requirements for group I hazardous areas. Consolidated edition incorporating amendment No. 2.</i> Amended to update referenced standards and to delete a footnote.
SANS 10005:2016 (E.d 8)	<i>The preservative treatment of timber.</i> Covers the classification of timber preservatives, hazard conditions for timber, the solvents used for timber preservatives, the preparation of timber for treatment, the various treatment processes and the use of preservative-treated timber in specific areas in South Africa. Does not cover the treatment of timber with fire retardants.
SANS 10222-3:2016/ (E.d 5)	<i>Electrical security installations – Part 3: Electric fences (non-lethal) and manufacture requirements.</i> Gives additional instructions for the manufacturing, installation and connection of electric fences to those given in IEC 60335-2-76 (published in South Africa as an identical adoption under the designation SANS 60335-2-76).
SANS 10284:2016/ ISO 284:2012 (E.d 4)	<i>Conveyor belts – Electrical conductivity – Specification and test method. Consolidated edition incorporating amendment No. 2.</i> Specifies the maximum electrical resistance of a conveyor belt and the corresponding method.
SANS 10400-A:2016 (E.d 3.1)	<i>The application of the National Building Regulations – Part A: General principles and requirements. Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards and the annex on forms that is referenced in the National Building Regulations to include energy usage in buildings.
SANS 16422:2016/ ISO 16422:2006 (E.d 2)	<i>Pipes and joints made of oriented unplasticized poly(vinyl chloride) (PVC-O) for the conveyance of water under pressure – Specifications.</i> Specifies the requirements of pipes and joints made of oriented unplasticized poly (vinyl chloride) (PVC-O), for piping systems intended to be used underground or above-ground where not exposed to direct sunlight, for water mains and services, pressurized sewer systems and irrigation systems.
SANS 60034-25:2016/ IEC TS 60034-25:2014 (E.d 3)	<i>Rotating electrical machines – Part 25: AC electrical machines used in power drive systems – Application guide.</i> Describes the performance characteristics of a.c. electrical machines for use on converter supplies.
SANS 60079-5:2016/ IEC 60079-5:2014 (E.d 4)	<i>Explosive atmospheres – Part 5: Equipment protection by powder filling "q".</i> Contains specific requirements for the construction, testing and marking of electrical equipment, parts of electrical equipment and Ex components in the type of protection powder filling "q", intended for use in explosive gas atmospheres.

Standard No. and year	Title, scope and purport
SANS 60086-1:2016/ IEC 60086-1:2015 (E.d 6)	<i>Primary batteries – Part 1: General.</i> Intended to standardize primary batteries with respect to dimensions, nomenclature, terminal configurations, markings, test methods, typical performance, safety and environmental aspects.
SANS 60086-2:2016/ IEC 60086-2:2015 (E.d 7)	<i>Primary batteries – Part 2: Physical and electrical specifications.</i> Applies to primary batteries based on standardized electrochemical systems. Specifies the physical dimensions, and the discharge test conditions and discharge performance requirements.
SANS 60320-1:2016/ IEC 60320-1:2015 (E.d 4)	<i>Appliance couplers for household and similar general purposes – Part 1: General requirements.</i> Specifies general requirements for appliance couplers for two poles and two poles with earth contact and for the connection of electrical devices for household and similar onto the mains supply.
SANS 61643-22:2016/ IEC 61643-22:2015 (E.d 2)	<i>Low-voltage surge protective devices – Part 22: Surge protective devices connected to telecommunications and signalling networks - Selection and application principles.</i> Describes the principles for the selection, operation, location and coordination of SPDs connected to telecommunication and signalling networks with nominal system voltages up to 1 000 V r.m.s. a.c. and 1 500 V d.c. Addresses SPDs that incorporate protection for signalling lines and power lines in the same enclosure.
SANS 62271-3:2016/ IEC 62271-3:2015 (E.d 2)	<i>High-voltage switchgear and controlgear – Part 3: Digital interfaces based on IEC 61850.</i> Applies to high-voltage switchgear and controlgear for all rated voltage levels above 1 kV and assemblies thereof. Specifies equipment for digital communication with other parts of the power utility automation and its impact on testing.

SCHEDULE 3: WITHDRAWAL OF STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title
ARP 0108:2014	<i>Regulatory requirements for explosion-protected apparatus.</i>
SANS 1271:1999	<i>Mepivacaine hydrochloride injection for dental use.</i>
SANS 1337:1982	<i>Dental zinc oxide-eugenol impression paste.</i>
SANS 6262:1995/ ISO 8243:1991	<i>Cigarettes – Sampling.</i>
SANS 19115:2003/ ISO 19115:2003	<i>Geographic information – Metadata.</i>
SANS 60320-1:2008/ IEC 60320-1:2004	<i>Appliance couplers for household and similar general purposes Part 1: General requirements.</i>
SANS 61643-22:2005/ IEC 61643-22:2007	<i>Low-voltage surge protective devices Part 22: Surge protective devices connected to telecommunications and signalling networks - Selection and application principles</i>
SANS 62271-3:2007/ IEC 62271-3:2006	<i>High-voltage switchgear and controlgear Part 3: Digital interfaces based on IEC 61850.</i>

SCHEDULE 4: ESTABLISHMENT OR DISBANDMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (l) the SABS has established the following technical committees:

Technical Committee No.:	Title	Scope

If your organization is interested in participating in these committees, please send an e-mail to rose.masha@sabs.co.za for more information.

SCHEDULE 5: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents have being considered withdrawn.

NONE

SCHEDULE 6: ADDRESSES OF SABS OFFICES

The addresses of offices of the South African Bureau of Standards where copies of standards mentioned in this notice can be obtained, are as follows:

1. Gauteng head office, 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.
 2. Western Cape Regional Office, SABS, Liesbeek Park Way, Rosebank, PO Box 615, Rondebosch 7701.
 3. Eastern Cape Regional Office, SABS, 30 Kipling Road, cor. Diaz and Kipling Roads, Port Elizabeth, PO Box 3013, North End 6056.
 4. KwaZulu-Natal Regional Office, SABS, 15 Garth Road, Waterfall Park, Durban, PO Box 30087, Mayville 4058.
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**DEPARTMENT OF TRANSPORT
NOTICE 648 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) Boland Helicopters (Pty) Ltd. (B) No. 3 LA Paris, Wemmershoek, Paarl. (C) Class II and III. (D) Type N1, N2, G2, G3, G4, G5, G8, G10 and G15. (E) Category H2.

(A) Pilanesburg Game Capture (Pty) Ltd. (B) No. 13 Fourth Avenue, Cashan Rustenburg, North West, 0299. (C) Class II and III. (D) Type N1, N2, G2, G3, G4, G5, G8 and G10. (E) Category H2.

APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to I.

(A) Absolute Flight Services (Pty) Ltd. (B) Hangar 103, South Side, Lanseria International Airport. (C) Class II; N964D. (D) Type N1 and N2. (E) Category A1, A2 and A3. **Change to Shareholding and Voting Rights:** Absolute Aviation Holdings (Pty) Ltd has 100% and **change to the Management Plan:** R. Geldenhuys replaces F. M. Vos as the Responsible Person: Aircraft

DEPARTMENT OF TRANSPORT**NOTICE 649 OF 2016****INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX II

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight

(A) Absolute Flight Services (Pty) Ltd. (B) Hangar 103, South Side, Lanseria International Airport. (C) Class II; I/N234. (D) Type N1 and N4. (E) Category A1, A2 and A3. (F) Lanseria International Airport. (G) and (H). **Change to Shareholding and Voting Rights:** Absolute Aviation Holdings (Pty) Ltd has 100% and **change to the Management Plan:** R. Geldenhuys replaces F. M. Vos as the Responsible Person: Aircraft

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