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673	Restitution of Land Rights Act (22/1994): That portion of Durban, commonly known as 45 New Clare, Cato Manor .....		

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674	Restitution of Land Rights Act (22/1994): That portion of Durban, commonly known as Shack No. 79 Newlands Township, Ethekwini, KwaZulu-Natal .....	41082	557
675	Restitution of Land Rights Act (22/1994): Umhlathuze Area, Mthonjaneni, KwaZulu-Natal .....	41082	558
676	Restitution of Land Rights Act (22/1994): That portion of Durban, commonly known as No. 9 Andrias Madlokovi Ngema, Cato Manor.....	41082	559
677	Restitution of Land Rights Act (22/1994): Mthonjaneni District.....	41082	560
678	Restitution of Land Rights Act (22/1994): Mooiplazi, Mthonjaneni, KwaZulu-Natal.....	41082	561
679	Restitution of Land Rights Act (22/1994): Exhaphozini Reserve.....	41082	562
680	Restitution of Land Rights Act (22/1994): Clingu 6124.....	41082	563
681	Restitution of Land Rights Act (22/1994): That portion of Durban, commonly known as 117 Fair Breeze, Cato Manor.....	41082	564
682	Restitution of Land Rights Act (22/1994) as amended: Erf 2733, Wellington.....	41082	565
683	Restitution of Land Rights Act (22/1994): Erf 16421, Goodwood.....	41082	566
<b>South African Reserve Bank/ Suid-Afrikaanse Reserwebank</b>			
684	Currency and Exchange Act (9/1933), as amended: Notice and Order of Forfeiture: Elsoguard (Pty) Limited (Registration Number 2012/120665/07).....	41082	567
685	Currency and Exchanges Act (9/1933), as amended: Notice and Order of Forfeiture: Marine Con Clearing and Forwarding Close Corporation (2000/003624/23).....	41082	568
<b>Transport, Department of/ Vervoer, Departement van</b>			
686	International Air Service Act (60/1993): Grant/amendment of international air service license .....	41082	569
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### BOARD NOTICES • RAADSKENNISGEWINGS

148	Financial Markets Act, 2012: Proposed Amendments to the A2X Trading Rules: Publication for Comment .....	41082	571
149	Financial Markets Act, 2012: Proposed Amendments to the A2X Listing Requirements: Publication for Comment .	41082	572
150	Dental Technicians Act (19/1979), as amended: Appointment and Elections of Members of the Council.....	41082	573
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# Closing times for **ORDINARY WEEKLY** **GOVERNMENT GAZETTE** **2017**

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

- **29 December**, Thursday, for the issue of Friday **06 January 2017**
- **06 January**, Friday, for the issue of Friday **13 January 2017**
- **13 January**, Friday, for the issue of Friday **20 January 2017**
- **20 January**, Friday, for the issue of Friday **27 January 2017**
- **27 January**, Friday, for the issue of Friday **03 February 2017**
- **03 February**, Friday, for the issue of Friday **10 February 2017**
- **10 February**, Friday, for the issue of Friday **17 February 2017**
- **17 February**, Friday, for the issue of Friday **24 February 2017**
- **24 February**, Friday, for the issue of Friday **03 March 2017**
- **03 March**, Friday, for the issue of Friday **10 March 2017**
- **10 March**, Friday, for the issue of Friday **17 March 2017**
- **16 March**, Thursday, for the issue of Friday **24 March 2017**
- **24 March**, Friday, for the issue of Friday **31 March 2017**
- **31 March**, Friday, for the issue of Friday **07 April 2017**
- **06 April**, Thursday, for the issue of Thursday **13 April 2017**
- **12 April**, Wednesday, for the issue of Friday **21 April 2017**
- **20 April**, Thursday, for the issue of Friday **28 April 2017**
- **26 April**, Wednesday, for the issue of Friday **05 May 2017**
- **05 May**, Friday, for the issue of Friday **12 May 2017**
- **12 May**, Friday, for the issue of Friday **19 May 2017**
- **19 May**, Friday, for the issue of Friday **26 May 2017**
- **26 May**, Friday, for the issue of Friday **02 June 2017**
- **02 June**, Friday, for the issue of Friday **09 June 2017**
- **08 June**, Thursday, for the issue of Thursday **15 June 2017**
- **15 June**, Thursday, for the issue of Friday **23 June 2017**
- **23 June**, Friday, for the issue of Friday **30 June 2017**
- **30 June**, Friday, for the issue of Friday **07 July 2017**
- **07 July**, Friday, for the issue of Friday **14 July 2017**
- **14 July**, Friday, for the issue of Friday **21 July 2017**
- **21 July**, Friday, for the issue of Friday **28 July 2017**
- **28 July**, Friday, for the issue of Friday **04 August 2017**
- **03 August**, Thursday, for the issue of Friday **11 August 2017**
- **11 August**, Friday, for the issue of Friday **18 August 2017**
- **18 August**, Friday, for the issue of Friday **25 August 2017**
- **25 August**, Friday, for the issue of Friday **01 September 2017**
- **01 September**, Friday, for the issue of Friday **08 September 2017**
- **08 September**, Friday, for the issue of Friday **15 September 2017**
- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 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](http://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, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 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, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 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****EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

**NOTICE SUBMISSION PROCESS**

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. 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.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .  
(Please see *Quotation* section below for further details)
    - 8.1.3. A valid and legible 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
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
    - 8.1.5. Any additional notice information if applicable.
9. 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.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. 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.
12. 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****QUOTATIONS**

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the eGazette Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that **the quotation number can only be used once to make a payment.**

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

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. 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).

- 20.2. 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**

21. 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.
22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. 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**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. 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**

25. 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.
26. 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**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. 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;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. 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.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. 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

31. 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.
32. 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.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. 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.
36. 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**.
37. 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

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

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

#### Physical Address:

**Government Printing Works**

149 Bosman Street

Pretoria

#### Postal Address:

Private Bag X85

Pretoria

0001

#### GPW Banking Details:

**Bank:** ABSA Bosman Street

**Account No.:** 405 7114 016

**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

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

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

**Tel:** 012-748 6200

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

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

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

**Fax:** 012-323-9574



## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. 910

01 SEPTEMBER 2017

PLANT BREEDERS' RIGHTS ACT  
(ACT NO. 15 OF 1976)

In terms of the provisions of the Plant Breeders' Rights Act, Act No 15 of 1976, it is hereby made known that all aspects of plant breeders' rights, of which the particulars appear in the Sections herewith, have been processed for the period April 2017 to June 2017.

Any objections must be submitted in writing to the Registrar of Plant Breeders' Rights within THREE months with reference to denominations, and within SIX months with reference to applications and grants from the date of publication of this issue, accompanied by the appropriate fees.

The bracketed numbers are reference to the addresses of the applicants and agents which can be found on the plant breeders' rights page, on the [www.daff.gov.za](http://www.daff.gov.za) website, or upon request from the Plant Breeders' Rights Office.

Ms Elna de Bruyn  
Registrar of Plant Breeders' Rights

## SECTION 1

## RECEIPTS OF APPLICATIONS FOR PLANT BREEDERS' RIGHTS

## AGRICULTURAL CROPS

Kind of plant: *Brassica napus* L. [Oil seed rape]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8198	Diamond	Nuseed [1416]	AU	Agricol[1]	2017-05-12

Kind of plant: *Triticum* L. [Wheat]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8265	SST 8156	Sensako [24]	ZA	Sensako [24]	2017-06-22

Kind of plant: *Solanum tuberosum* L. [Potato]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8266	Alcander	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8267	Alverstone Russet	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8268	Anivia	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8269	Celandine	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8270	Explorer	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8271	Farida	HZPC Holland [1360] & Van der Werff [1301]	NL	Wesgrow [235]	2017-06-28
PT 8272	Hermosa	HZPC Holland [1360] & Kingma-Krottje [1807]	NL	Wesgrow [235]	2017-06-28
PT 8273	HZD 07-579	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8274	Morgana	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8275	Noblesse	HZPC Holland [1360]	NL	Wesgrow [235]	2017-06-28
PT 8276	Primabelle	HZPC Holland [1360] & Van der Zee [1523]	NL	Wesgrow [235]	2017-06-28
PT 8277	Sunita	HZPC Holland [1360] & W.P. & D. Bierma [1806]	NL	Wesgrow [235]	2017-06-28
PT 8278	Talentine	HZPC Holland [1360] & Van der Zee [1523]	NL	Wesgrow [235]	2017-06-28

## VEGETABLE CROPS

Kind of plant: *Citrullus lanatus* (Thunb.) Matsum. et Nakai [Watermelon]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8264	Sensei	Sakata Seed America [1111]	US	Sakata SA [1356]	2017-06-21

Kind of plant: *Cucumis* L. [Melon]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8262	Crispy Pear	Nunhems [101]	NL	DM Kisch [124]	2017-06-15
PT 8261	Kinder	Nunhems [101]	NL	DM Kisch [124]	2017-05-30

Kind of plant: *Cucurbita* L. [Squash]

Application number	Proposed denomination	Applicant	Country	Agent	Date received
PT 8263	Medallion	Sakata Sudamerica [135]	BR	Sakata SA [1356]	2017-06-21

**ORNAMENTAL CROPS**Kind of plant: *Chamaelium* Desf. [Wac flower]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8239	Jupiter	Nir Nursery [494]	IL	West Coast Flora [789]	2017-04-03
PT 8240	Luna	Nir Nursery [494]	IL	West Coast Flora [789]	2017-04-03

Kind of plant: *Chrysanthemum* L. [Chrysanthemum]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8252	DLFAVEN1	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8253	DLFESKO3	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8254	DLFGAGA1	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8255	DLFINN3	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8256	DLFKALU4	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8257	DLFROSS5	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8258	DLFTAZA10	Deliflor [771]	NL	Knol-Korevaar [770]	2017-06-22
PT 8251	Fidchrymalpur	Dümmen Group BV [1796]	NL	Knol-Korevaar [770]	2017-06-08
PT 8238	Fidchryveronica	Dümmen Group BV [1796]	NL	Knol-Korevaar [770]	2017-04-04

**ERRATUM**Kind of plant: *Rosa* L. [Rose] – APPLICATION WAS NOT PUBLISHED IN 2016

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8241	Ludcrystalice	Ludwig's Rose Farm [14]	ZA	Ludwig's Rose Farm [14]	2016-09-09

END ERRATUM

**FRUIT CROPS**Kind of plant: *Citrus* L. [Mandarin]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8248	US Early Pride	US of America [1112]	US	Stargrow [731]	2017-06-01

Kind of plant: *Fragaria x ananassa* Duchesne [Strawberry]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8233	Arabella	Plant Sciences, Inc. [814]	US	Stargrow [731]	2017-04-28
PT 8242	Malling Centenary	NIAB EMR [1800]	GB	Adams & Adams [65]	2017-05-29
PT 8249	Safari	Plantas De Navarra SA [1081]	SP	Stargrow [731]	2017-06-13
PT 8250	Sahara	Plantas De Navarra SA [1081]	SP	Stargrow [731]	2017-06-13
PT 8234	Triumph	Plant Sciences, Inc. [814]	US	Stargrow [731]	2017-04-28

Kind of plant: *Malus* Mill. [Apple]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8243	Jlve	Burkitt, EM [1801]	NZ	Topfruit [229]	2017-04-25
PT 8244	PremA129	Prevar Limited [1284]	NZ	Topfruit [229]	2017-04-25
PT 8245	PremA34	Prevar Limited [1284]	NZ	Topfruit [229]	2017-04-25

**ERRATUM**Kind of plant: *Prunus persica* (L.) Batsch. var *nucipersica* Schneid [Nectarine] – PUBLISHED IN PVJ 151 & 152 AS A PEACH VARIETIES

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8117	Pearllicious VII	LG Bradford [1389]	US	Topfruit [229]	2016-09-13
PT 8162	SF 03.163	René Monteux-Caillet [1590]	FR	Topfruit [229]	2016-10-27

Kind of plant: *Prunus persica* (L.) Batsch, [Peach] – PUBLISHED IN PVJ 151 WITH DENOMINATION AS **OP868**

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8116	OP868	LG Bradford [1389]	US	Topfruit [229]	2016-09-13

**END ERRATUM**Kind of plant: *Pyrus* L. [Pear]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8246	AC Harrow Crisp	Her Majesty the Queen [1730]	CA	Topfruit [229]	2017-04-25
PT 8247	Harovin Sundown	Her Majesty the Queen [1730]	CA	Topfruit [229]	2017-04-25
PT 8235	HW620	Her Majesty the Queen [1730]	CA	Topfruit [229]	2017-04-03

Kind of plant: *Rubus* L. [Raspberry]

Application No.	Proposed denomination	Applicant	Country	Agent	Date accepted
PT 8237	DrisRaspNine	Driscoll's Inc. [981]	US	Adams & Adams [65]	2016-04-21 • Priority

**SECTION 2****APPLICATIONS WITHDRAWN**

Application No.	Genus	Species	Common Name	Variety Denomination	Date of Withdrawal
PT 2204	<i>Prunus</i>	<i>persica</i> L. Batsch	Peach	Akizora	2017-05-25

**SECTION 3****APPLICATIONS REJECTED**

Application No.	Genus	Species	Common Name	Variety Denomination	Date of Rejection

**SECTION 4****APPLICATIONS FOR APPROVAL OF ALTERATIONS OF DENOMINATIONS**

Application No.	Genus	Species	Common Name	Previous denomination	New denomination



PT 7890	<i>Vaccinium</i>	spp. L.	Blueberry	EB 9-2	Oz Magica
PT 7410	<i>Vitis</i>	spp. L.	Grape	GRAPEVIT 4	NAVSEL 4
ZA 20135385	<i>Zea</i>	mays L.	Maize	PHB 3X23B142WY B	IMP 52-11 B
ZA 20125136	<i>Zea</i>	mays L.	Maize	P 2369WY B	P 2369W B

## SECTION 5

## NOTIFICATIONS OF CHANGE OF AGENTS

Application No.	Genus	Species	Common Name	Variety Denomination	Previous Agent	New Agent

## SECTION 6

## CHANGES IN THE PERSON OF A HOLDER OF A PLANT BREEDER'S RIGHT

Application No.	Genus	Species	Common Name	Variety Denomination	Previous Holder	New Holder
ZA 20145617	<i>Rubus</i>	spp. L.	Raspberry	Driscraspthree	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]

## SECTION 7

## CHANGES IN THE PERSON OF THE APPLICANT OF A PLANT BREEDER'S RIGHT

Application No.	Genus	Species	Common Name	Variety Denomination	Previous Applicant	New Applicant
PT 6666	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstraweight	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6695	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstraweighteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6668	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawfifteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7249	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawforty	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7812	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawfortyfive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7248	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawfortyone	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7813	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawfortysix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6667	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawnine	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6694	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawnineteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6669	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawsixteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7048	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthirtyeight	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7049	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthirtyfive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7058	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthirtynine	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7229	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthirtysix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6902	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthityone	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6901	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawthitytwo	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6670	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawtwenty	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6863	<i>Fragaria</i>	<i>X ananassa Duchesne</i>	Strawberry	Driscstrawtwentyeight	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]

PT 6671	<i>Fragaria</i>	<i>X ananassa</i> Duchesne	Strawberry	Drissstrawtwentyfive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6693	<i>Fragaria</i>	<i>X ananassa</i> Duchesne	Strawberry	Drissstrawtwentyone	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6673	<i>Fragaria</i>	<i>X ananassa</i> Duchesne	Strawberry	Drissstrawtwentyseven	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6672	<i>Fragaria</i>	<i>X ananassa</i> Duchesne	Strawberry	Drissstrawtwentysix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7814	<i>Rubus</i>	spp. L.	Blackberry	Drisblackeleven	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6903	<i>Rubus</i>	spp. L.	Blackberry	Drisblackfive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6904	<i>Rubus</i>	spp. L.	Blackberry	Drisblackfour	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7815	<i>Rubus</i>	spp. L.	Blackberry	Drisblackfourteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7190	<i>Rubus</i>	spp. L.	Blackberry	Drisblacksix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7816	<i>Rubus</i>	spp. L.	Blackberry	Drisblackthirteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7215	<i>Rubus</i>	spp. L.	Blackberry	Drisblackthree	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7817	<i>Rubus</i>	spp. L.	Blackberry	Drisblacktwelve	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6224	<i>Rubus</i>	spp. L.	Blackberry	Drisblacktwo	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7810	<i>Rubus</i>	spp. L.	Raspberry	Driraspeight	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 8129	<i>Rubus</i>	spp. L.	Raspberry	Driraspeight	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6894	<i>Rubus</i>	spp. L.	Raspberry	Driraspfive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 5528	<i>Rubus</i>	spp. L.	Raspberry	Driraspone	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6895	<i>Rubus</i>	spp. L.	Raspberry	Driraspsseven	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6896	<i>Rubus</i>	spp. L.	Raspberry	Driraspsix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6223	<i>Rubus</i>	spp. L.	Raspberry	Drirasptwo	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 8145	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluefifteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6899	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluefive	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6898	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluefour	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7811	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluefourteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7267	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluenine	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 5531	<i>Vaccinium</i>	spp. L.	Blueberry	Drisblueone	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6900	<i>Vaccinium</i>	spp. L.	Blueberry	Drisblueseven	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 6897	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluesix	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7268	<i>Vaccinium</i>	spp. L.	Blueberry	Drisblueten	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7274	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluethirteen	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7273	<i>Vaccinium</i>	spp. L.	Blueberry	Drisbluetwelve	Driscoll Strawberry Associates [981]	Driscoll's, Inc. [981]
PT 7890	<i>Vaccinium</i>	spp. L.	Blueberry	EB 9-2	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7915	<i>Vaccinium</i>	spp. L.	Blueberry	EB 9-4	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]



PT 7888	<i>Vaccinium</i>	spp. L.	Blueberry	Oz Bella	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7891	<i>Vaccinium</i>	spp. L.	Blueberry	Oz Bonita	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7893	<i>Vaccinium</i>	spp. L.	Blueberry	Oz Magnifica	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7889	<i>Vaccinium</i>	spp. L.	Blueberry	Oz Monica	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7892	<i>Vaccinium</i>	spp. L.	Blueberry	Oz Zilla	Rolfe Nominees & Prunus Persica [1758 & 1759]	Biza Trading & Prunus Persica [1803 & 1759]
PT 7410	<i>Vitis</i>	spp. L.	Grape	NAVSEL 4	Vitis Ltd. [1471]	SNFL Ltd, England [1795]

## SECTION 8

## GANT OF PLANT BREEDERS' RIGHTS

## AGRICULTURAL CROPS

Kind of plant: *Eragrostis tef* (Zucc.) Trotter [Teff grass]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7975	Veronica	Stichting [1770]	NL	Millets [1771]	ZA 20176351	2017-04-04	2037-04-04

Kind of plant: *Festuca arundinacea* Schreber [Tall fescue]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 6589	Hummer	Grasslands [1547]	NL	Zylem CC [312]	ZA 20176392	2017-06-26	2037-06-26
PT 7496	Temora	Grasslands [1547]	IE	Zylem CC [312]	ZA 20176393	2017-06-26	2037-06-26

Kind of plant: *Glycine max* (L.) Merril. [GMO Soya bean]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7723	5351 RSF	Asociados [1281]	AR	GDM Seeds SA [1708]	ZA 20176370	2017-05-30	2037-05-30
PT 7724	6402 RSF	GDM Brasil [1715]	BR	GDM Seeds SA [1708]	ZA 20176371	2017-05-30	2037-05-30
PT 8027	JAR2488	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176372	2017-05-30	2037-05-30
PT 8020	JC 3240 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176373	2017-05-30	2037-05-30
PT 8021	JC 3340 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176374	2017-05-30	2037-05-30
PT 8023	JC 4138 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176375	2017-05-30	2037-05-30
PT 8022	JC 4236 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176376	2017-05-30	2037-05-30
PT 8018	JC 43A34 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176377	2017-05-30	2037-05-30
PT 8019	JC 43B34 R	Agriocare [1076]	ZA	Agriocare [1076]	ZA 20176378	2017-05-30	2037-05-30
PT 8028	JDR2453	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176379	2017-05-30	2037-05-30
PT 8029	JDR2466	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176380	2017-05-30	2037-05-30
PT 8030	JEM2513	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176381	2017-05-30	2037-05-30
PT 8036	JHB2507	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176382	2017-05-30	2037-05-30
PT 8037	JR2496	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176383	2017-05-30	2037-05-30
PT 8038	JSS2459	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176384	2017-05-30	2037-05-30
PT 8039	JSS2517	Pioneer [133]	US	Pioneer Hi-Bred [411]	ZA 20176385	2017-05-30	2037-05-30
PT 7997	LS 6862 R	Link Seed [484]	ZA	Link Seed [484]	ZA 20176386	2017-05-30	2037-05-30

Kind of plant: *Gossypium hirsutum* L. [GMO Cotton]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7756	DP 1652 B2RF	Monsanto [1338]	US	Monsanto SA [80]	ZA 20176440	2017-06-26	2037-06-26



Kind of plant: *Phaseolus vulgaris* L. [Dry bean]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 8015	Bwindi	Pro-Seed [366]	ZA	Pro-Seed [366]	ZA 20176353	2017-05-02	2037-05-02
PT 8016	Mbomvu	Pro-Seed [366]	ZA	Pro-Seed [366]	ZA 20176354	2017-05-02	2037-05-02
PT 8011	PAN 9261	Pioneer Overseas [133]	US	Pioneer Hi-Bred [411]	ZA 20176355	2017-05-02	2037-05-02
PT 8010	PAN 9265	Pioneer Overseas [133]	US	Pioneer Hi-Bred [411]	ZA 20176356	2017-05-02	2037-05-02
PT 8146	Roodeberg	ARC-GCI [254]	ZA	ARC-GCI [254]	ZA 20176357	2017-05-02	2037-05-02

Kind of plant: *Solanum tuberosum* L. [Potato]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7992	Crop34	NZIPFRL [1107]	NZ	Hahn & Hahn [629]	ZA 20176391	2016-06-06	2037-06-06
PT 5895	Electra	IPM [517]	IE	Rascal Seed [1434]	ZA 20176390	2017-06-05	2037-06-05
PT 8102	Joly	HZPC [1360], Biemond [1783]	NL	Wesgrow [235]	ZA 20176350	2017-04-10	2037-04-10
PT 7521	Mondeo	KWS Potato [1593]	NL	Zylem CC [312]	ZA 20176387	2017-05-30	2037-05-30

Kind of plant: *Vigna unguiculata* (L.) Walp. [Cowpea]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7749	Black Stallion	Algate, Blue Ribbon, Champion Seeds [1737, 1738 & 1739]	AU	Univ S/Bosch [349]	ZA 20176352	2017-05-02	2037-05-02

**VEGETABLE CROPS**Kind of plant: *Cucumis* L. [Sweet melon]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7361	Majestic	Sakata [1111]	US	Sakata [1356]	ZA 20176368	2017-04-28	2037-04-28
PT 7386	Western Treat	Nunhems [101]	NL	DM Kisch [124]	ZA 20176369	2017-04-28	2037-04-28

Kind of plant: *Ipomoea batatas* (L.) Lam. [Sweet potato]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7583	Bonita	La Bonte [1719]	US	ARC [254]	ZA 20176388	2017-05-30	2037-05-30
PT 7582	Murasaki-29	La Bonte [1719]	US	ARC [254]	ZA 20176389	2017-05-30	2037-05-30

Kind of plant: *Lycopersicon esculentum* Mill. [Tomato]

Application No.	Variety Denomination	Grantee	Country	Agent	Grant No.	Date of Grant	Expiry Date
PT 7623	Amy	Plennegy [1540]	ZA	Plennegy [1540]	ZA 20176358	2017-05-02	2037-05-02
PT 8215	Florantino	Rijk Zwaan [382]	NL	Rijk Zwaan [1056]	ZA 20176359	2017-05-02	2037-05-02
PT 7682	Heidi	Sakata [1135]	BR	Sakata SA [1356]	ZA 20176360	2017-05-02	2037-05-02
PT 7686	Inga	Sakata SA [1356]	ZA	Sakata SA [1356]	ZA 20176361	2017-05-02	2037-05-02
PT 7685	Jasmine	Sakata SA [1356]	ZA	Sakata SA [1356]	ZA 20176362	2017-05-02	2037-05-02
PT 7680	Kimi	Sakata [44]	JP	Sakata SA [1356]	ZA 20176363	2017-05-02	2037-05-02
PT 7681	Lyric	Sakata [44]	JP	Sakata SA [1356]	ZA 20176364	2017-05-02	2037-05-02
PT 7622	Trinity	Plennegy [1540]	ZA	Plennegy [1540]	ZA 20176365	2017-05-02	2037-05-02

**FRUIT CROPS**Kind of plant: Kind of plant: *Prunus avium* (L.) L. [Sweet cherry]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 7625	Royal Alida	Zaiger's Inc [605]	Zaiger SA [1272]	ZA 20176339	2017-05-05	2042-05-05

PT 6562	Royal Helen	Zaiger's Inc [605]	Zaiger SA [1272]	ZA 20176341	2017-05-05	2042-05-05
PT 7626	Royal Letty	Zaiger's Inc [605]	Zaiger SA [1272]	ZA 20176340	2017-05-05	2042-05-05

Kind of plant: Kind of plant: *Prunus persica* (L.) Batsch. [Peach]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 6941	Alpine Delight	Oz Peach [1383]	SAPO Trust [59]	ZA 20176410	2017-05-15	2042-05-15
PT 7457	Cameo Delight	Oz Peach [1383]	SAPO Trust [59]	ZA 20176411	2017-05-15	2042-05-15
PT 7612	PRO-C-152	Viveros Provedo [1721]	Topfruit [229]	ZA 20176405	2017-05-15	2042-05-15
PT 7614	PRO-C-342	Viveros Provedo [1721]	Topfruit [229]	ZA 20176406	2017-05-15	2042-05-15
PT 7479	STN 18-127	Marvin Nies [1701]	Stargrow [731]	ZA 20176407	2017-05-15	2042-05-15
PT 7480	STS 4-94	Marvin Nies [1701]	Stargrow [731]	ZA 20176408	2017-05-15	2042-05-15
PT 6987	Supechseventeen	Sun World Int. LLC [652]	Von Seidels [1308]	ZA 20176409	2017-05-15	2042-05-15

Kind of plant: *Prunus persica* (L.) Batsch var *nucipersica* Schneid. [Nectarine]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 5595	Candy Pearl	Bradford LG [1389]	Topfruit [229]	ZA 20176366	2017-04-03	2042-04-03
PT 7570	December Bright	Bradford LG [1389]	Topfruit [229]	ZA 20176346	2017-04-03	2042-04-03
PT 7459	Ivory Desire	OZ Peach [1383]	SAPO [59]	ZA 20176345	2017-04-03	2042-04-03
PT 6712	Nectarreve	Agro Selections [1320]	SAPO [59]	ZA 20176344	2017-04-03	2042-04-03
PT 7517	Nectavanpi	Agro Selections [1320]	SAPO [59]	ZA 20176343	2017-04-03	2042-04-03
PT 7571	Pearlicious I	Bradford LG [1389]	Topfruit [229]	ZA 20176348	2017-04-03	2042-04-03
PT 8095	Polar Blaze	Zaiger's Inc. [605]	Topfruit [229]	ZA 20176349	2017-04-03	2042-04-03
PT 7613	PRO-C-329	Viveros Provedo [1721]	Topfruit [229]	ZA 20176347	2017-04-03	2042-04-03
PT 7568	Tiffany	PSB Produccion [1437]	Lushof Farm [1438]	ZA 20176342	2017-04-03	2042-04-03

Kind of plant: *Prunus salicina* Lindl. [Japanese plum]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 7573	Black Knight	Bradford LG [1389]	Topfruit [229]	ZA 20176412	2017-06-05	2042-06-05
PT 7575	Flavor Majesty	Bradford LG [1389]	Topfruit [229]	ZA 20176413	2017-06-05	2042-06-05
PT 7532	Plumagranate	Seffi Ben-Dor [1339]	Green Marketing [1714]	ZA 20176414	2017-06-05	2042-06-05
PT 7757	Sweet Pixzee 2	Zaigers Inc. [605]	Zaiger SA [1272]	ZA 20176415	2017-06-05	2042-06-05

Kind of plant: *Pyrus* L. [Pear]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 6094	Fm324a135	Wolfgang Müller [1392]	Adams & Adams [65]	ZA 20176430	2017-06-27	2042-06-27
PT 4759	Uta	Sächsische Landesanstalt [1277]	Adams & Adams [65]	ZA 20176431	2017-06-27	2042-06-27

Kind of plant: *Rubus* L. [Raspberry/Bramble]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 6241	Aworoa	NZ Inst for Plant & Food [1065]	Hahn & Hahn [629]	ZA 20176338	2017-04-03	2042-04-03
PT 6247	Korere	NZ Inst for Plant & Food [1065]	Hahn & Hahn [629]	ZA 20176337	2017-04-03	2042-04-03
PT 6242	Korpiko	NZ Inst for Plant & Food [1065]	Hahn & Hahn [629]	ZA 20176336	2017-04-03	2042-04-03
PT 5945	Moutere	NZ Inst for Plant & Food [1065]	Hahn & Hahn [629]	ZA 20176335	2017-04-03	2042-04-03



Kind of plant: *Vitis* L. [Grape]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 7385	Arrathirty	ARD, LLC [1453]	Topfruit [229]	ZA 20176428	2017-06-16	2042-06-16
PT 7383	Arratwentyeight	ARD, LLC [1453]	Topfruit [229]	ZA 20176426	2017-06-16	2042-06-16
PT 7384	Arratwenty-nine	ARD, LLC [1453]	Topfruit [229]	ZA 20176427	2017-06-16	2042-06-16
PT 7601	IFG Fourteen	IFG, LLC [1399]	Voor-Groenberg [1603]	ZA 20176417	2017-06-16	2042-06-16
PT 7485	IFG Twenty	IFG, LLC [1399]	Voor-Groenberg [1603]	ZA 20176416	2017-06-16	2042-06-16
PT 7253	Lombardi 140	Lombardi Gen. [1663]	Anlo Farming [958]	ZA 20176424	2017-06-16	2042-06-16
PT 7254	Lombardi 142	Lombardi Gen. [1663]	Anlo Farming [958]	ZA 20176422	2017-06-16	2042-06-16
PT 7252	Lombardi 79	Lombardi Gen. [1663]	Anlo Farming [958]	ZA 20176419	2017-06-16	2042-06-16
PT 7562	Lombardi 101	Lombardi Gen. [1663]	Lombardi Gen. [1663]	ZA 20176423	2017-06-16	2042-06-16
PT 7036	Lombardi 164	Lombardi Gen. [1663]	Lombardi Gen. [1663]	ZA 20176425	2017-06-16	2042-06-16
PT 7028	Lombardi 51	Lombardi Gen. [1663]	Lombardi Gen. [1663]	ZA 20176418	2017-06-16	2042-06-16
PT 7032	Lombardi 93	Lombardi Gen. [1663]	Lombardi Gen. [1663]	ZA 20176420	2017-06-16	2042-06-16
PT 7033	Lombardi 95	Lombardi Gen. [1663]	Lombardi Gen. [1663]	ZA 20176421	2017-06-16	2042-06-16
PT 7047	Lunabell	ARC [254]	ARC Infruitec-Nietvoorbij [254]	ZA 20176429	2017-06-16	2042-06-16

**ORNAMENTAL PLANTS**Kind of plant: *Chrysanthemum* L. [Chrysanthemum]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 7959	Dekcato	Dekker CW [773]	Knol-Korevaar [770]	ZA 20176394	2017-06-19	2037-06-19
PT 7960	Dekkishu	Dekker CW [773]	Knol-Korevaar [770]	ZA 20176395	2017-06-19	2037-06-19
PT 7961	Dekmemphis	Dekker CW [773]	Knol-Korevaar [770]	ZA 20176396	2017-06-19	2037-06-19

Kind of plant: *Leucadendron* R. Br. [Conebush]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 6912	FYNLCDAFSK	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176432	2017-06-28	2042-06-28
PT 6911	FYNLCDAFSU	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176433	2017-06-28	2042-06-28

Kind of plant: *Leucospermum* R. Br. [Pincushion]

Application No.	Variety Denomination	Grantee	Agent	Grant No.	Date of Grant	Expiry Date
PT 7360	FYNLSPPE	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176437	2017-06-28	2042-06-28
PT 7163	FYNLSPRE	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176438	2017-06-28	2042-06-28
PT 7164	FYNLSPSU	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176439	2017-06-28	2042-06-28
PT 6913	FYNLSPOR	Future Fynbos [1306]	Future Fynbos [1306]	ZA 20176436	2017-06-28	2042-06-28
PT 6567	LS005A01	Proteaflora [379]	Amelia Farms [1337]	ZA 20176435	2017-06-28	2042-06-28

**SECTION 9****REFUSAL OF GRANTS FOR PLANT BREEDERS' RIGHTS**

Application No.	Genus	Species	Common Name	Variety Denomination	Date of Rejection

## SECTION 10

## PLANT BREEDERS' RIGHTS EXPIRED

Application No.	Genus	Species	Common Name	Variety Denomination	Date Expired
ZA 971689	<i>Allium</i>	<i>cepa</i> L.	Onion	Orlando	2017-05-09
ZA 971688	<i>Arachis</i>	<i>hypogaea</i> L.	Groundnut	Kangwane Red	2017-05-09
ZA 971695	<i>Lycopersicon</i>	<i>esculentum</i> Mill.	Tomato	Legato	2017-05-09
ZA 971693	<i>Phaseolus</i>	<i>vulgaris</i> L.	Garden bean	Paulista	2017-05-09

## SECTION 11

## PLANT BREEDERS' RIGHTS SURRENDERED

Application No.	Genus	Species	Common Name	Variety Denomination	Expiry Date	Date Surrendered
ZA 20135420	<i>Impatiens</i>	spp. L.	Snapweed	Visinfbla	2033-10-04	2017-05-10
ZA 20135419	<i>Impatiens</i>	spp. L.	Snapweed	Visinfchr	2033-10-04	2017-05-10
ZA 20135421	<i>Impatiens</i>	spp. L.	Snapweed	Visinfdkp	2033-10-04	2017-05-10
ZA 20135423	<i>Impatiens</i>	spp. L.	Snapweed	Visinforan	2033-10-04	2017-05-10
ZA 20135424	<i>Impatiens</i>	spp. L.	Snapweed	Visinforfr	2033-10-04	2017-05-10
ZA 20135425	<i>Impatiens</i>	spp. L.	Snapweed	Visinfplfr	2033-10-04	2017-05-10
ZA 20135422	<i>Impatiens</i>	spp. L.	Snapweed	Visinfpink	2033-10-04	2017-05-10
ZA 20135418	<i>Impatiens</i>	spp. L.	Snapweed	Visinfsal	2033-10-04	2017-05-10
ZA 20145614	<i>Impatiens</i>	spp. L.	Snapweed	Visinfwhi	2034-07-10	2017-05-10

## DEPARTMENT OF BASIC EDUCATION

NO. 911

01 SEPTEMBER 2017

**NATIONAL EDUCATION POLICY ACT, 1996 (ACT 27 1996)****CALL FOR WRITTEN SUBMISSIONS FROM STAKEHOLDER BODIES AND MEMBERS OF THE PUBLIC ON THE DRAFT POLICY ON THE QUALITY ASSURANCE OF SCHOOL BASED ASSESSMENT (SBA) FOR GRADE 10 -12**

1. I, Angelina Matsie Motshekga, Minister of Basic Education, hereby, in terms of section 6 (A) of the *South African Schools Act, 1996 (Act No. 84 of 1996)* call for written submissions from stakeholder bodies and members of the public on the draft policy on the Quality Assurance of School Based Assessment (SBA) For Grade 10 -12
2. The draft policy listed in paragraph 1 above is set out in the attached **Schedule**.

**AVAILABILITY OF THE POLICY DOCUMENT**

3. The **Schedule** referred to in paragraph 2 is available on the Departmental website: [www.education.gov.za](http://www.education.gov.za), under Resources, Policy and Call for comments.

**SUBMISSIONS**

4. It would greatly assist the Department of Basic Education if all submissions could be prepared under the headings listed in the **Schedule**. If you do not wish to comment under a particular Paragraph, please indicate "No comment".

**CLOSING DATE**

5. The closing date for the receipt of comments is set as **21 days** after publication of this Notice.

**ADDRESS FOR SUBMISSIONS**

6. Please send your submission to:

**Dr RR Poliah  
Chief Director**

**For Attention:**

**Ms K Sechoaro  
Private Bag X895  
PRETORIA, 0001**

Or

**Fax: 012 328 9828**

**E-mail: [sechoaro.k@dbe.gov.za](mailto:sechoaro.k@dbe.gov.za)**

7. The name, address, telephone number and fax number of the person or organisation responsible for submitting comments must be provided.



**MRS AM MOTSHEKGA, MP**

**MINISTER OF BASIC EDUCATION**

**DATE: 29. 06. 2017**





**basic education**

Department:  
Basic Education  
REPUBLIC OF SOUTH AFRICA

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## **NATIONAL SENIOR CERTIFICATE**

# **POLICY ON THE QUALITY ASSURANCE OF SCHOOL BASED ASSESSMENT (SBA) FOR GRADE 10 -12**

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**JUNE 2016**

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**DEFINITION OF TERMS**

<b>Act of misconduct</b>	Means misbehaving, creating a disturbance or willfully disobeying legitimate instructions, which may have an adverse effect on the assessment process or the outcome of the assessment
<b>Assessment Task</b>	This is an assessment activity which is designed to assess a range of skills and competencies.
<b>Audit</b>	An audit is an inspection of the documents relating to a particular component of assessment that is conducted by an official to ascertain compliance with the policy prescriptions.
<b>Comparable standards</b>	Means assessment standards those are similar in all the schools, clusters and districts in the province.
<b>Department of Basic Education</b>	Means the national department of basic education responsible for education
<b>External Assessment</b>	Any assessment activity, instrument or programme where the design, development and implementation is initiated, directed and coordinated by Provincial Education Department and the Department of Basic Education either collectively or individually.
<b>Irregularities committee</b>	Means the body established by the school/district/province/national to deal with all irregularities identified during the administration of examination and assessment activities.

<b>Moderation</b>	The quality assurance and control processes by which officials verify the School Based Assessment and the external assessment results, to ensure that assessment procedures and practices are valid, fair and aligned to the stated standards, principles and guidelines.
<b>Performance Standard</b>	Explicit definitions of what learners must do to demonstrate proficiency at a specific level on the content standards.
<b>Provincial Education Department</b>	Means the provincial department of education that is responsible for administering education at provincial level.
<b>School Based Assessment</b>	Any assessment activity, instrument or programme where the design, development, administration, marking, recording and reporting has been initiated, directed, planned, organized, controlled and managed by the school.
<b>Umalusi</b>	Means the Council, contemplated in section 1 of the <i>General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)</i>

**ACRONYMS**

<b>DAIC</b>	:	District Assessment Irregularity Committee
<b>DSC</b>	:	District Subject Committee
<b>HEDCOM</b>	:	Heads of Education Committee
<b>HoDs</b>	:	Heads of Departments
<b>CAPS</b>	:	Curriculum and Assessment Policy Statements
<b>NPRR</b>	:	National Protocol on Assessment for Learning and Reporting
<b>NQF</b>	:	National Qualifications Framework
<b>NSC</b>	:	National Senior Certificate
<b>PATs</b>	:	Practical Assessment Tasks
<b>SBA</b>	:	School Based Assessment
<b>PEDs</b>	:	Provincial Education Departments
<b>SAIC</b>	:	School Assessment Irregularity Committee
<b>PEIC</b>	:	Provincial Examinations Irregularities Committee
<b>SMT</b>	:	School Management Team



## INTRODUCTION

1. School Based Assessment (SBA) comprises all forms of assessment which are conducted by the teacher at the school level. This includes assignments, projects, simulations, research, demonstrations, role plays, listening exercises, tests and examinations. In subjects with a practical component and in the case of languages with an oral component, SBA includes assessment of the practical skills and in the case of languages, assessment of the oral skills.
2. SBA constitutes a minimum of 25% of the final promotion mark in all the subjects offered as part of the National Senior Certificate (NSC). The weighting of SBA may be higher than 25% in certain subjects, particularly in subjects with a practical component and in the case of the Languages. In the case of Life Orientation the larger component of the final promotion mark is school based and external assessment which is referred to as a Common Assessment Task (CAT), constitutes 20%.
3. Quality assurance of SBA, is the planned and systematic process of ensuring the reliability and validity of SBA and thus increasing public confidence in SBA. This would include all the activities that take place before, during and after the actual assessment, that contributes to an improved quality of SBA.

## PURPOSE AND SCOPE

4. This policy seeks to establish a national system of quality assurance of SBA in which the standard and quality of SBA is comparable across all schools, districts and provincial education departments.
5. This policy provides directives to officials of the Department of Basic Education (DBE), Provincial Education Departments (PEDs), subject specialists, principals of schools, teachers, learners and parents on the quality assurance of school based assessment which must be complied with at all levels of the system.
6. This policy will focus on formal assessments implemented at school level, at grades 10, 11 and 12, which contributes to the final assessment of the learner (i.e. the summative assessment tasks

which are listed as compulsory SBA tasks in the National Protocol for Assessment for Schools in the General and Further Education and Training Band).

7. This policy will ensure that an appropriate quality assurance mechanism will be utilised to promote a uniform interpretation and application of the assessment standard, thus ensuring consistency of assessment at the school, district and provincial level.
8. The formal assessments which will be the focus of this quality assurance approach will include the following:
  - 8.1. SBA tasks that lead to the final promotion mark (for all subjects)
  - 8.2. Practical Assessment Tasks (PATs) (for subjects with a practical component)
  - 8.3. Oral Assessment (for Languages)
  - 8.4. SBA tasks that constitute the internal assessment programme (for Life Orientation)

## LEGISLATIVE CONTEXT

9. This policy must be read in conjunction with the *Curriculum and Assessment Policy Statements (CAPS)*, *Regulations for the Conduct, Administration and Management of Assessment for the National Senior Certificate, 2005*, the *National Protocol on Assessment for Schools in the General and Further Education and Training Band, (Grade R-12), 2006*, *National Protocol for Reporting and Recording and other relevant CAPS documents*.

## QUALITY ASSURANCE APPROACH

10. The quality assurance approach adopted in this policy is based on the principle that the quality of assessment is determined by the inputs to assessment, the process of assessment and the assessment output. Therefore, in ensuring the quality of the assessment outcome the following five key components of the assessment regime must be evaluated:
  - 10.1. The school based assessment system
  - 10.2. The assessment task
  - 10.3. The administration of the assessment task.

- 10.4. The learner evidence
- 10.5. The assessment feedback
- 11. The quality assurance approach will also adopt a four tier model which focuses on all aspects of school based assessment at the following levels of the system:
  - 11.1. School
  - 11.2. District
  - 11.3. Provincial
  - 11.4. National
- 12. Quality assurance will be conducted at each level of the system to:
  - 12.1. Ensure that a functional SBA system is in place to support effective SBA implementation.
  - 12.2. Confirm the validity, fairness, standard and practicability of the assessment task.
  - 12.3. Establish whether the assessment was conducted in a fair and consistent manner.
  - 12.4. Establish the reliability and fairness of the assessment scores.
  - 12.5. Provide feedback on the quality assurance findings with a view to improving the quality of SBA.
- 13. The quality assurance modality that will be adopted for each of the four tiers of the system will be as follows:
  - 13.1. **Audit of the system:** to establish functionality of the SBA system
  - 13.2. **Moderation:** to evaluate the quality, validity, fairness, standard of the assessment task.
  - 13.3. **Monitoring:** to ensure that the assessment was conducted in fair and consistent manner
  - 13.4. **Moderation:** to evaluate the reliability and fairness of assessment scores.
  - 13.5. **Monitoring:** to ensure effective and timeous feedback which is appropriately utilised.
- 14. The feedback emanating from the quality assurance of the four tiers stated in paragraph (13), must be provided at each level of the system and must be monitored to ensure that constructive feedback from the quality assurance process is implemented to ensure improvement in the quality of the assessment.

## QUALITY ASSURANCE IN PRACTICE

Based on the quality assurance approach articulated in paragraphs 10 to paragraphs 14, the following are the key quality assurance measures that must be implemented:

### The School Based Assessment System

15. The following components that constitute the school based assessment system must be audited as the initial step in the quality assurance process:
  - (a) Policy directives (this includes Regulations, Policies, Guidelines, Circulars)
  - (b) SBA Management Plan (a plan that covers the implementation of SBA across the specific level)
  - (c) Staff Capacity (includes teachers, subject advisors, monitors, moderators to ensure effective implementation of SBA)
  - (d) Assessment Material (includes assessment tasks, assessment support material, assessment instruments for the purpose of moderation and monitoring)
  - (e) Support and Monitoring System (includes the monitoring tools used, subject advisory support available and the monitoring that takes place to ensure policy compliance)
  - (f) Moderation system (includes evaluation of the assessment tasks and the learner evidence)
16. The school based assessment system must be audited at the following levels of the system:
  - a) School
  - b) District
  - c) Province
  - d) National
17. The oversight structure in the hierarchy, will take responsibility for the audit of the SBA systems of the structure under its jurisdiction, e.g. the district must conduct an audit of the SBA systems of the school and the provincial head office must conduct an audit of the SBA systems of the district.

**Moderation of assessment tasks**

18. All assessment tasks for all subjects must be moderated by the head of department or specialist senior teacher at the school, prior to the administration of the assessment tasks.
19. Moderation of the assessment task should be done using the following evaluation criteria:
  - (a) the assessment tasks are aligned to the CAPS;
  - (b) assessments tasks and tools are valid, fair, and practicable;
  - (c) the instructions relating to the assessment tasks are clearly stated;
  - (d) the content must be in keeping with what the learner has been exposed to;
  - (e) the assessment task must be free of any bias;
  - (f) the language of the assessment task is in keeping with the language level of the learners for which it is designed; and
  - (g) the cognitive levels at which the assessment tasks are pitched are consistent with the requirements as stipulated in the CAPS.
20. The moderator must also ensure that every assessment task is accompanied by a detailed marking guideline and an assessment grid. The marking guideline must be accurately formulated and must make provision for the various alternative responses that may be provided to the assessment task. The assessment grid must indicate the content area/s covered by the assessment task and the cognitive levels addressed by the assessment task.
21. The comments from the moderation process must be incorporated into the assessment task before it is implemented and this must be verified by the head of department or senior teacher.
22. The assessment task may be moderated at the district level, provincial or national level, as part of the external moderation process conducted at these levels. This external moderation will be normally conducted after the assessment task is administered, except in cases where the assessment task is designed at the district or provincial level.



**Monitoring of the administration of School Based Assessment**

23. The administration of the SBA must be monitored at school, district and provincial level and the focus must be on confirming compliance to the policy requirement. At each of these levels of the system, the monitoring will be directed at aspects that are relevant to that level of the system.
24. Monitoring at school level by the district will focus on the following:
- a) Implementation of an assessment programme by teachers.
  - b) Pre-moderation of assessment tasks.
  - c) Administration of the assessment task in a fair and consistent manner.
  - d) Marking of the learner evidence is moderated by the senior teacher or Head of Department.
  - e) Learner evidence is marked and learner scores are accurately recorded.
  - f) Feedback is provided to learners timeously.
25. Monitoring by the provincial head office, of the district will provide confirmation of the following:
- (a) The functionality of the SBA, PAT, Oral systems at district level i.e. SBA, PAT and Orals are implemented in accordance with CAPS.
  - (b) The district has conducted an audit of the school's SBA, PAT and Oral systems.
  - (b) All schools within the district are moderated by the district subject specialist or through the use of a cluster, teacher moderator, or any other model approved by the province.
  - (c) The moderation conducted by the district must be inclusive of assessment tasks and learner evidence.
  - (d) Learner evidence sampling within a school is representative of the spectrum of achievement levels i.e. high, moderate, low.
  - (e) Learner scores are accurately recorded.
  - (f) Computerised SBA, PAT and Orals mark sheets are completed by all schools.
26. Monitoring by the DBE will verify the following about SBA, PAT and Oral implementation at provincial level:
- a) The functionality of the SBA, PAT and Oral moderation systems at a provincial level.

- b) The Provincial office has conducted an audit of the SBA, PAT and Oral systems at the districts under its control.
- c) Each district has a model of moderation that is approved by the PED.
- d) Evidence to confirm that moderation of the assessment tasks and learner evidence has been conducted by the Province.
- e) Evidence to confirm that monitoring is being conducted by the provincial office and the district office.

### **Moderation of Learner Evidence**

- 27. Moderation of the marking of the learner evidence is done to ensure that the marking guidelines are consistently applied by the teacher in the marking of the learner evidence presented by the learner.
- 28. The marking of learner evidence for each formal assessment task must be moderated at the school, district and provincial levels.
- 29. The following criteria must be applied during the moderation of the marking of the learner evidence:
  - (a) Confirmation of the accuracy and completeness of the marking guideline.
  - (b) Verification that the learner evidence has been marked in accordance with the Marking Guideline.
  - (c) Check that the marks have been totaled accurately.
  - (d) Verification of the recording of marks.

### **Feedback on Quality Assurance Findings**

- 30. During each of the quality assurance processes, immediate feedback must be provided in writing and also mediated where necessary.
- 31. It is the responsibility of the official providing the feedback to ensure that the feedback is utilized and applied where necessary.

**CONDUCTING THE QUALITY ASSURANCE AT THE DIFFERENT LEVELS IN THE SYSTEM**

32. The SBA systems at all schools must be audited by the district. SBA systems in the district must be audited by the provincial office and SBA system at the provincial office must be audited by the DBE.
33. The assessment task, the marked learner evidence of performance together with the teacher record of assessment must be moderated at different levels which includes the school, district, province, national and by the external quality assurance body, Umalusi.
34. Samples of learner evidence and teacher record of assessment must be presented for moderation. Different models of sampling may be used at all levels. The district/region province/national will decide which sampling model should be used. Sampling should be representative of various performance levels by learners (low, moderate and high)
35. The moderation sample that could be used at the different levels of the system is as follows:
- 35.1. **School**
- (a) The senior teacher must moderate all assessment tasks set by the teacher at the school level.
  - (b) The senior teacher must moderate 10% of the learner evidence for each assessment task administered.
- 35.2. **District**
- (a) The district must, based, on its moderation model moderate every subject at every school under its jurisdiction.
  - (b) The district should moderate a minimum of 10% of the assessment tasks at every school and 10% of the learner evidence, for the assessment tasks moderated.
- 35.3. **Province**
- (a) The province must moderate a sample of the learner assessment tasks and a sample of the learner evidence from each of the districts.

- (b) A minimum sample of 5 - 10% of the schools within each of the districts must be moderated by the provincial office.
- (c) In the selected schools, in the districts, a sample of 10% relating to assessment tasks and learner evidence will apply.

#### 35.4 National

- (a) The DBE must moderate the SBA at all PEDs and in a sample of the districts within each PED.
- (b) A minimum sample of between 2 – 5% of the schools within each of the selected districts must be moderated by the DBE.
- (c) In the selected schools, in the districts, a sample of 10% relating to assessment tasks and learner evidence will apply.

#### School Moderation

36. Moderation of SBA at the school level will be undertaken in the following manner:

- a) The school must take full responsibility for the moderation and monitoring of SBA.
- b) The principal must appoint the head of department or a senior teacher to take responsibility for the moderation of SBA in each subject, in each grade.
- c) The principal must ensure that all senior teachers/heads of department develop a school moderation plan which must be consolidated into a formal school assessment plan. This assessment plan must be communicated to learners and parents.
- d) The principal in collaboration with the School Management Team (SMT) must monitor on a quarterly basis, the setting, marking and moderation of school based assessment.
- e) The principal must ensure that all irregularities discovered during moderation are resolved by the School Assessment Irregularities Committee (SAIC) and reported to the District Assessment Irregularities Committee (DAIC).

#### District/Regional Moderation

37. The district/region must take full responsibility and accountability for moderation at school level. The district director is responsible for ensuring that all assessment conducted at the school level is of the required standard and quality.

38. The district Director must submit to the provincial office a clear district moderation plan for each subject offered in his/her district. The district moderation plan must be approved by the head of examinations and assessment, at the provincial level.
39. Each district should recommend the appointment of teacher/cluster moderator/who will be assigned the responsibility to moderate School Based Assessment from a cluster of schools within the district.
40. The teacher/cluster moderators must be supervised by the subject advisors who must ensure that these moderators are provided with the necessary support in the moderation of School Based Assessment.
41. The teacher moderator/cluster moderator should:
- (a) take responsibility for the moderation of SBA for selected schools allocated to him/her at least once a quarter. This will include remarking the learner evidence to establish whether the marking is accurate, precise and fair.
  - (b) organize a standard setting meeting to establish a common understanding and interpretation of assessment criteria in designing the assessment instruments, with the teacher at the school/s he/she is allocated to moderate.
  - (c) provide a report with recommendations to the subject advisor and the school principal on the outcome of the moderation process. The subject report must describe the standard of the assessment instruments constructed, standard of marking, standard of learners' performance and any adjustment of marks. The report should identify schools that are struggling in the implementation of SBA and recommend on-site visit by the subject advisor to conduct moderation.
42. The Subject Advisor should:
- a) take responsibility for the moderation of SBA across all schools in the district.
  - b) ensure that the standard of moderation across all schools is comparable.



- c) follow up on the teacher moderator's/cluster leader's report regarding schools that are experiencing problems with the implementation of SBA. This will include acting on the recommendation made by the teacher moderator/cluster leader by visiting the school and conducting moderation, where necessary.

### **Provincial Moderation**

- 43. Provinces should conduct sample moderation of a minimum of ten percent (10%) at selected schools.
- 44. The focus of the moderation must be to ensure the comparability of standards across the districts.
- 45. The province should be responsible for compilation of the composite SBA district and provincial report.
- 46. Provincial moderation should be conducted at least twice a year.

### **National Moderation**

- 47. The Department of Basic Education will appoint a panel of moderators to conduct moderation of the learner evidence and teacher record. The purpose of the national moderation is to ensure that a comparable standard is maintained across all nine provinces.
- 48. The DBE will determine the sample to be moderated per province and the sample will cover selected districts and within these districts, selected schools, covering the range of contexts and performance levels. Moderation at national level will be conducted twice a year.
- 49. The national moderator will provide a report to the PED on each subject moderated, highlighting the standard and quality of the assessment tasks and the reliability of the final assessment scores.

## ADJUSTMENT OF MARKS

50. SBA marks of learners from individual schools may only be adjusted by the subject advisor based at the district level, provided all schools in the district, in that subject have been moderated.
51. The subject advisor may adjust marks after having considered the following inputs:
- (a) the outcome of the sample moderation of the assessment tasks and the learner evidence.
  - (b) the performance of the school in the final NSC examination in that subject in the previous two years.
  - (c) the performance of the school in the June examination and/or the Preparatory examination of that year.
  - (c) the SBA Analytical report of the previous two years, which shows the comparison of the school's raw SBA marks to the examination marks, and how the marks were adjusted.
52. The moderation of SBA and the subsequent adjustment of marks by the subject advisor must be preceded by a standard setting meeting convened, per subject, at the provincial level. The standard setting meeting will ensure the following:
- (a) common criteria are formulated for the moderation and adjustment of marks at district level.
  - (b) common instruments used for moderation of SBA at the district level.
  - (c) all mark adjustments are recorded and reported to the District Director.
  - (d) moderation findings are discussed and the feedback should enhance the moderation process.
53. The subject advisor may adjust marks, twice a year, which includes the June moderation process and the October moderation process.
54. Under exceptional circumstances, the school principal may adjust the SBA marks. This must be done after approval has been obtained by the District Director, and this will be based on a clear motivation provided by the school principal.

## RE-ASSESSMENT OF SPECIFIC SBA TASKS

55. Learners will not be allowed a second opportunity with regard to an assessment task that has been administered, if that task constitutes the final SBA summative assessment.
56. Learners may be granted a second opportunity with regard to the same assessment task, for remedial purpose, but the mark that must be recorded is the mark obtained in the first attempt.
57. In exceptional circumstances, learners may be granted a second opportunity with regard to an assessment task, if the first assessment task was found to be faulty or erroneous in certain questions or all the questions, and this would have affected the performance of the learners. In such a case the assessment task must be declared as invalid, and a new assessment task must be set and moderated and such a re-assessment must be reported to the District Director and the scores of the re-assessed task must be recorded.
58. The granting of repeated opportunities using the same assessment task or similar tasks, to improve the marks of the learners in the specific task, constitutes an assessment irregularity and will be dealt with accordingly.

## INCREMENTAL IMPLEMENTATION OF MODERATION POLICY

59. The PEDs must evaluate their current moderation systems against the prescripts of this policy and establish their deficiencies and strengths.
60. Each PED must develop an implementation plan indicating how their deficiencies will be addressed over a period of 2 – 3 years.
61. The DBE will monitor the incremental implementation of this quality assurance policy to ensure that all PEDs attain the standards prescribed in this policy.

## BOARD / RAAD

NO. 912

01 SEPTEMBER 2017

**SOCIAL SERVICE PROFESSIONS ACT, 1978  
(ACT NO. 110 OF 1978)****REGULATIONS RELATING TO THE REGISTRATION OF A  
SPECIALISATION IN FORENSIC SOCIAL WORK**

I, Bathabile Olive Dlamini, Minister of Social Development, has in terms of sections 17C (2) (a) (ii); 28(1) (ii) and 28(1) (gA) of the Social Service Professions Act, 1978, made the Regulations as set out in the Schedule.

**Ms BO DLAMINI, MP****MINISTER OF SOCIAL DEVELOPMENT****DATE:** 03.07.17.

## SCHEDULE

### Definitions

1. In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act has the same meaning in these Regulations, and in addition—

**"Act"** means the Social Service Professions Act, 1978 (Act No.110 of 1978);

**"expert testimony"** means a written report or oral evidence provided by a witness with specialised knowledge, training, skills and expertise;

**"forensic social work assessment"** means an investigation of a specific matter by application of scientific assessment methods or processes designed to answer a question or a set of questions to establish the facts of the matter within the court of law;

**"forensic social work"** is a specialised field of social work that focuses on the interface between the legal system and the secondary client (the individual, family, organisation or institution being assessed) and is characterised by the primary function of providing expert testimonies in courts of law;

**"forensic social worker"** means a social worker with scientific and specialised knowledge, skills, training and education and experience in forensic social work, who provides the court with written or oral impartial and factual expert testimony;

**"forensic social work investigation"** means conducting a process of forensic assessments using forensic social work knowledge, techniques and tools in order to compile a forensic social work report with accurate information to establish facts or evidence that can be used in courts of law;

**"forensic social work report"** means written evidence based literature on the facts, assessment, findings and recommendations;



**"forensic social work techniques"** means the application of evidence based social work assessment methods and tools used to analyse and interpret information;

**"primary client"** means a court of law or a body that commissions a forensic social work investigation;

**"SACCSP"** means the South African Council for Social Service Professions established by Section 2 of the Social Service Professions Act, 1978 (Act No.110 of 1978);

**"secondary client"** means the individual/ family /organisation / institution being assessed; and

**"social work"** means a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people with the principles of social justice, human rights, collective responsibility and respect for diversities being central to social work and underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.

### **Forensic social work scope of practice**

#### **2.(1) Forensic social work practice includes –**

- (a) conducting forensic social work investigations of all cases that require forensic assessment using scientifically validated protocols and techniques in relation to forensic social work;
- (b) applying relevant legislation;
- (c) applying forensic social work techniques to interpret data used in the compilation of the forensic social work report;

- (d) compiling and submitting evidence based forensic social work reports to primary clients;
- (e) providing expert testimony on relevant matters in a court of law; and
- (f) engaging in research and developing the field of forensic social work.

(2) Forensic social work scope of practice excludes –

- (a) generic social work assessments;
- (b) clinical assessments;
- (c) therapeutic interventions;
- (d) pre-sentencing reports in terms of the Probation Services Act, 1991(Act No. 116 of 1991);
- (e) research victim impact report;
- (f) child protection assessment and related investigation in terms of the Children's Act, 2005 (Act No. 38 of 2005); and
- (g) community and group work.

**Requirements for registration of specialisation in forensic social work**

**3. (1)** The SACSSP shall on application, register a specialisation in forensic social work where a social worker has a recognised qualification in social work and is registered as a social worker with the SACSSP and has any one or more of the following-

- (a) has an appropriate Master's degree approved by the SACSSP in forensic social work, plus at least two years appropriate and evidence based practical experience within the scope of forensic social work services; or
- (b) has five years appropriate and evidence based practical experience within the scope of forensic social work services; and
- (c) demonstrates expertise in forensic social work by meeting the forensic social work assessment criteria of the SACSSP for the purpose of determining whether the social worker concerned is competent to practise forensic social work.

(2) A social worker who has complied with the requirements referred to in 3 (1) (b) and (c) will need to register for the specialisation in forensic social work within a period of four years of this regulations being published in the Government Gazette. Failure to register within the prescribed period will require the applicant to comply with 3(1) (b) above.

(3) The Registrar must keep a separate register for forensic social workers in line with section 19 read with section 28(1)(gA) of the Act.

### **Conditions for practising as a forensic social worker**

- 4. (1)** A social worker who has complied with the requirements

referred to in regulation 3 may register as a forensic social worker with the SACSSP.

(2) The forensic social worker must pay the prescribed registration and annual fees relating to the specialisation.

(3) A social worker who has registered as a forensic social worker is not excluded from practising social work within a generic context.

### **Application for registering a speciality in forensic social work**

**5. (1)** Application for the registration of a specialisation in forensic social work shall be made on a form obtainable from the SACSSP.

(2) Such application form shall be accompanied by —

- (a) proof of registration as a social worker with the SACSSP;
- (b) a certified copy of documentary proof of the experience referred to in regulation 3(1);
- (c) certified copies of documentary proof of qualifications obtained referred to in regulation 3(1); and
- (d) the registration and annual fee referred to in regulation 4(2).

### **General provisions**

**6. (1)** A social worker who has registered for specialisation in forensic social work may affix the designation "specialist in forensic social work" after his or her name.

**(2)** A person may not call himself or herself a forensic social worker without having registered as a specialist in forensic social work with the SACSSP.

**(3)** A social worker who has registered for specialisation in forensic social work shall display conspicuously in his or her office the registration certificate issued to him or her in terms of the Act.

**(4)** A social worker who has registered as a specialist should adhere to the Continuing Professional Development policy of the SACSSP and should ensure that the Continuing Professional Development activities that they attend include specific development related to the specialisation in forensic social work that is being practised.

### **Short title and commencement**

**7.** These Regulations are called the Regulations Relating to the Registration of Specialisation in Forensic Social Work, 2017, and comes into operation on the date of publication in the Government Gazette.

## BOARD / RAAD

NO. 913

01 SEPTEMBER 2017

**SOCIAL SERVICE PROFESSIONS ACT, 1978**  
**(ACT NO. 110 OF 1978)**

**REGULATIONS RELATING TO THE REGISTRATION OF A  
SPECIALISATION IN CLINICAL SOCIAL WORK**

I, Bathabile Olive Dlamini, Minister of Social Development, has in terms of sections 17C (2) (a) (ii); 28(1) (ii) and 28(1) (gA) of the Social Service Professions Act, 1978, made the Regulations as set out in the Schedule.



**Ms BO DLAMINI, MP**

**MINISTER OF SOCIAL DEVELOPMENT**

**DATE:** 03.07.17



## SCHEDULE

### Definitions

**1.** In these Regulations any word or expression to which the meaning has been assigned in the Act, shall have such meaning, unless the context indicates otherwise –

**"Act"** means the Social Service Professions Act, 1978 (Act No. 110 of 1978);

**"clinical social worker"** means a registered social work specialist with advanced therapeutic competence to intervene in the mental health and other psychosocial consequences of psychiatric, health and other life challenges;

**"clinical social work"** means an area of specialisation, practiced in various settings, which requires advanced therapeutic competence to intervene in the mental health and other psychosocial consequences of psychiatric, health and other life challenges;

**"professional board"** means the professional board for social work;

**"SACSSP"** means the South African Council for Social Service Professions established by Section 2 of the Social Service Professions Act, 1978 (Act No.110 of 1978); and

**"social work"** means a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people with the principles of social justice, human rights, collective responsibility and respect for diversities being central to social work and underpinned by theories of social work, social sciences, humanities and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing.

## **Requirements for the registration of specialisation in clinical social work**

**2. (1)** The Professional Board shall on application register a specialisation in clinical social work, where a social worker has a recognised qualification in social work and is registered as a social worker with the SACSSP and has any one or more of the following-

- (a) an appropriate Master's degree approved by the SACSSP related to clinical social work, plus at least two years appropriate and evidence based practical experience within the scope of clinical social work services; or
- (b) five years appropriate and evidence based practical experience within the scope of clinical social work services; provided that the applicant demonstrates expertise in clinical social work by meeting the assessment criteria of the SACSSP for the purpose of determining whether the social worker concerned is competent to practice clinical social work.

(2) A social worker who has complied with the requirements referred to in 2(1)(a) and (b) will need to register for the specialisation in clinical social work within a period of four years of this regulations being published in the Government Gazette. Failure to register within the prescribed period will require the applicant to comply with 2(1) (a).

(3) A social worker who has registered as a specialist should adhere to the Continuing Professional Development Policy of the SACSSP and should ensure that the continuing professional development activities that

they attend include specific development related to the specialisation in clinical social work that is being practised.

(3) The competencies which a clinical social worker must have include-

- (a) assessment: assessing the mental health and other psychosocial consequences of psychiatric, health and other life challenges undertaken in an ecological framework;
- (b) therapeutic intervention: development and implementation of systematic, assessment-based and theoretically grounded services and treatment plans. These may include providing counselling and psychotherapy to individuals, couples, families and small groups drawing on the full range of evolving therapeutic techniques and modalities;
- (c) rigorous systematic documentation and review of the treatment outcomes; and
- (d) intra-disciplinary and inter-disciplinary consultative and collaborative practice and appropriate referrals.

### **Conditions for practising as a clinical social worker**

**3.(1)** A social worker who has complied with the requirements referred to in regulation 2, may practise the profession of social work as a specialist in clinical social work subject to paying the prescribed registration fee relating to the registration of the specialisation.

(2) In the case of a social worker applying for registration of a specialisation in terms of regulation 2(1) (b), the prescribed assessment fee must be paid.

(3) A social worker who has registered a specialisation in clinical social work is not excluded from practising social work within a generic context.

(4) A social worker who does not have the required experience in clinical social work and wishes to obtain registration as a specialist in clinical social work, may obtain such experience under the supervision of a specialist clinical social worker or clinical psychologist registered as such with the SACSSP.

#### **Application for registering a specialisation in clinical social work**

4. (1) Application for the registration of a specialisation in clinical social work shall be made on a form obtainable from the SACSSP.

(2) Such application form shall be accompanied by –

- (a) proof of registration as a social worker with the SACSSP;
- (b) certified copies of documentary proof of the experience referred to in regulation 2 (1)(a) and (b);
- (c) certified copies of documentary proof of the qualifications obtained which are referred to in regulation 2; and

- (d) the registration fee referred to in regulation 3(1).

(3) The Registrar must keep a separate register for clinical social workers in line with section 19 read with section 28(1)(gA) of the Act.

### **General provisions**

5. (1) A social worker who has registered for specialisation in clinical social work may affix the designation "specialist in clinical social work" after his or her name.

(2) No person may call himself or herself a clinical social worker without having registered for a specialisation in clinical social work with the SACSSP.

(3) A social worker who has registered a specialisation in clinical social work shall display conspicuously in his or her office the registration certificate issued to him or her in terms of the Act.

### **Short title and commencement**

6. These regulations are called the Regulations Relating to the Registration of a Specialisation in Clinical Social Work, 2017 and comes into operation on the date of publication in the Government Gazette.

## CIVILIAN SECRETARIAT FOR POLICE SERVICE

NO. 914

01 SEPTEMBER 2017

**FOREWORD: WHITE PAPER ON POLICING**

In April 2016 Cabinet adopted the White Paper on Policing as the overarching policy that will guide the development of a professional, well-resourced and highly skilled police service over the medium term. The 2016 White Paper on Policing stems from a review of the 1998 White Paper on Safety and Security; who's vision was to drive the *"transformation of the police so that they are able to function effectively within a new democracy ... and enhance social crime prevention activities to reduce the occurrence of crime"*. Transformation of the police would see the newly established South African Police Service (SAPS) being restructured in line with the requirements of a constitutional democracy, underpinned by building legitimacy and trust, and ensuring the equitable delivery of policing services. Enhancing social crime prevention was premised on ensuring policy coherence through inculcating a culture of joined up planning and implementation across government and other key sectors. This was fundamentally aimed at ensuring long-term, developmental approaches to dealing with the underlying causes of crime and violence.

In the main, the review process was informed by the need to revisit critical safety and security policy issues – particularly in the context of a developing democracy – while identifying blockages to the implementation of a holistic approach aimed at ensuring that *"all people are and feel safe"*. It also sought to explore the development, understanding and practice of crime prevention in South Africa, with a focus on providing greater clarity regarding the roles and responsibilities of different stakeholders in safety and violence prevention. Dealing with these questions, and setting the policy direction for the Department of Police over the medium term was best served through the development of two separate, yet interrelated policy frameworks.

For the first time since the transition to democracy, the country has a policy that focuses solely on dealing with the core aspects of the police and policing. As the adopted policy framework for enhancing the quality of essential policing services over the medium term, the 2016 White Paper on Policing will continue to drive the transformation of police, guided by the values and principles of democratic policing. The key thrust of the policy is thus the need to build a *'police service [that] is well-resourced and professional, staffed by highly skilled officers'*. Such a police service must play a central role in safeguarding human rights and freedoms, and contribute to creating an environment where communities *"are and feel safe"*. Fundamentally, a professional and innovative police service must improve the ability of the service to respond to complex crimes such sexual abuse and domestic violence, while remaining steadfast in its commitment to executing its mandate within a rights-based and victim-centered context.

The orientation of the police must continue to be one that embraces a community-centered approach policing, underpinned by integrity and accountability. Building safer communities will depend on developing the kind of active citizenry needed for the development of long term, sustainable solutions to the crime and policing challenges of individual communities. Community Police Forums (CPFs) must, in partnership with the police, play a central role in driving change in their communities and hold the police accountable for improved service delivery. In strengthening community-police relations, it is incumbent on all police officers to demonstrate a commitment to carrying out policing that is fair, transparent, just and equitable. Through this



White Paper, specific emphasis is placed on supporting the proper establishment and optimal functioning of CPFs through locating these structures within the Department of Police. This will allow for more operational independence while strengthening the oversight role played by these structures.

Driving the attainment of the vision for policing requires a police service that is properly trained and capacitated – underpinned by an unwavering adherence to the code of conduct and a code of ethics. The departure point for building a professional service is ensuring transparent processes and minimum standards for recruitment, selection, appointment and promotion across all levels of the organisation. This policy thus supports the recommendations of the National Development Plan (NDP) in this regard. Ensuring that officers are appropriately trained and skilled for professionalism will require inculcating a culture of continuous training and learning within the organisation. Added focus must be placed on providing dedicated training and capacity for specialised policing so as to achieve meaningful reductions in crime and minimise repeat offending.

Embedding police professionalism in South Africa will be supported by strong institutional mechanisms that will allow for the determination of high level policy and the execution of operational management and command for effective service delivery. The 2016 White Paper provides the blueprint for reorganising the role and function of the Department of Police to strengthen independent oversight through the constant review of police actions and conduct. The White Paper also provides the basis for conducting a comprehensive review of the South African Police Service Act of 1995. This review is geared toward strengthening the legislative framework in support of developing and sustaining professional policing in the country.

It is accepted that dealing effectively with crime and violence extends beyond the role of the police. It is for this reason that chapter 12 of the NDP, 'Building safer communities' calls for integrated approaches to crime and violence reduction. Thus, in executing its constitutional mandate, the South African Police Service must continue to play an active role in supporting the initiatives of other key role-players aimed at undercutting the root causes of crime and violence. All efforts by the police must therefore form part of an integrated Criminal Justice System (CJS). In particular, all systems and processes must link seamlessly with the criminal justice value chain so as to support the effective functioning of the Integrated Justice System (IJS).

The 2016 White Paper on Policing contains a number of proposals that collectively, are all geared toward achieving the vision of professional and highly skilled service. Effective implementation of this White Paper will require dedicated and consistent leadership and management underpinned by sound governance of the police.

Approved/Not Approved



MS. MM SOTYU, MP  
DEPUTY MINISTER OF POLICE  
Date: 23/11/2016

✓  
Approved/Not Approved



MR. NBT NHLEKO, MP  
MINISTER OF POLICE  
Date: 23/11/2016

# **CIVILIAN SECRETARIAT FOR POLICE SERVICE**



## **2016 WHITE PAPER ON POLICING**

**Dedicated to the serving police officers of the  
South African Police Service**

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**ACRONYMS**

CPF	Community Police Forum
CSF	Community Safety Forum
CJS	Criminal Justice System
DPCI	Directorate for Priority Crime Investigation
ICT	Information Communication Technology
HoD	Head of Department
IDP	Integrated Development Plan
IGR	Intergovernmental Relations Framework
IPID	Independent Police Investigative Directorate
JCPS	Justice, Crime Prevention and Security Cluster
LGBTI	Lesbian, Gay, Bisexual, Transgendered and Intersex
MEC	Member of the Executive Council
MINMEC	Ministers and Members of Executive Council
MPS	Metropolitan Police Service
NCPS	National Crime Prevention Strategy
NDP	National Development Plan
NI	National Instruction
SAPS	South African Police Service
SOP	Standard Operating Procedure

## PREAMBLE

In the lead up to the first democratic elections in South Africa, the inappropriateness of Apartheid policing methods in a democratic society led to the introduction of a process of wide ranging reform. The Interim Constitution of 1993, the Constitution of the Republic of South Africa of 1996 and the South African Police Service Act of 1995, consolidated these reforms into law.

The National Crime Prevention Strategy of 1996 (NCPS) and the 1998 White Paper on Safety and Security, further articulated Government's response to the changing nature of policing in the country and was indicative of an on-going commitment to creating a 'safe and secure' living environment, where "all people are and feel safe".

Policing and approaches to policing remain dynamic. Developments over the past twenty (20) years, including the changing nature of crime, the increased shift towards community partnerships in policing, the introduction of new statutes such as the Child Justice Act of 2008 and the Sexual Offences and Related Matters Amendment Act of 2007, and developing technology, along with a deepening understanding of the challenges of police transformation, require that the existing policy environment be reviewed.

In September 2012 Cabinet adopted the National Development Plan (NDP) as the strategic framework for government planning towards attaining Vision 2030. The NDP also impacted upon the landscape of policing, in that it reaffirmed the need for a police service that forms part of an integrated criminal justice system that is demilitarised, professional and community-centric. These new developments necessitated that the 1998 White Paper on Safety and Security be reviewed and that a policy be developed that specifically speaks to the policing environment within a democratic dispensation.

The policy realignment due to changing material conditions does not, however, negate the necessity for the White Paper on Policing to affirm the imperative that the police uphold, protect and champion the rights enshrined in the Constitution and the Bill of Rights. This includes entrenching the values of democratic policing, and in doing so; constantly striving for a police service that is efficient, effective, accountable, trusted and respected by all, while contributing towards conducive conditions for growth and prosperity for the country.

The White Paper on Policing has two fundamental shifts from its predecessor, the 1998 White Paper on Safety and Security. The first is to separate the police-focused policy from that of the broader policy on safety and security, contained in the amended White Paper on Safety and Security. The second is to provide an enabling legislative framework for civilian oversight and to align the police service to the rest of the public service. The focus of the White Paper on Policing is on the core areas of policing and law enforcement that are aimed at reducing crime and building safer communities, as called for by the NDP. As such, emphasis is placed on the role of the South African Police Service and the Metropolitan Police Departments in achieving this goal. The White Paper will further guide the policy direction of the Department over the medium term; providing the framework for the development of further policy.

The challenges inherent in implementing a multi-agency approach to policing, where the police serve as partners in broader state and non-state efforts to promote a developmental approach to safety, has compelled government to rethink and clearly and unambiguously define the role and accountability of the police and policing in crime prevention. Whilst doing so, Government has remained sensitive to the on-going need for cooperation and collaboration across government to promote safety.

Developing an accountable, professional, competent and highly skilled police service as defined in the NDP, forms the key thrust of the White Paper on Policing (hereinafter referred to as the White Paper). South Africa is entitled to a police service that delivers

high quality services and exhibits exemplary leadership and management, while maintaining high standards of professional conduct and discipline..

The White Paper contains specific policy proposals that must contribute toward building a police service that embraces civic accountability and plays a meaningful role in creating safe and secure communities and as such, provides a broad overarching policy framework in this regard. Implementing these policy objectives will require a comprehensive review of existing legislation, regulations and other supporting policies.

## CHAPTER: 1 INTRODUCTION

The current legislation governing the South African Police Service (SAPS) is the South African Police Service Act of 1995, a piece of legislation which was crafted before the adoption of the Constitution of the Republic of South Africa, 1996. Although this Act has since been amended, an overarching policy framework that captures a democratic approach to policing, that is aligned to the norms and values expressed in the Constitution, has been wanting. The White Paper seeks to address that gap.

After two decades of democratic policing in South Africa, there have been many shifts in both the internal and external environments that have influenced our understanding of, and approach to safety and security. Internally, the advent of democracy resulted in the increased permeability of our borders, resulting in an emergence of drug and human trafficking and xenophobic-based violence. Child, gender-based and domestic violence in South Africa also remains pervasive, and the continuation of these forms of violence negatively affects growth and development in the country.

At an external level, globalisation in particular, has led to the introduction of new cyber-based crimes, increased difficulty in determining crime sources, and more sophisticated methodologies of communication amongst criminals. The complex demands placed on modern policing have resulted in law enforcement agencies globally seeking out new and innovative ways of combating crime. The growing sophistication of international criminal networks and high rates of violent crime in South Africa in particular, are some of the factors that continue to place new challenges on the SAPS.

Strategic shifts within South African policing philosophy post 1994 have also been informed by experiences and best practices that demonstrated the value of partnering with citizens and civil society and enhanced collaboration within government. The current philosophy that informs policing is, however, under threat. As our fledgling democracy experiences challenges based on both genuine frustrations related to

service delivery, as well as more orchestrated efforts to create domestic instability, policing in a democracy has become more sophisticated and challenging.

Furthermore, a range of problems persist in the internal functioning of the SAPS. These problems are associated with poor discipline, criminality and corruption. The methodology of recruitment, selection and appointment of police personnel continue to hamper effective crime combating and service delivery efforts. Discipline and integrity are the cornerstones of democratic policing and it is thus incumbent on police leadership and management and oversight organs to ensure that the organisational factors that give rise to persistent problems are addressed through sound governance. The continuous process of transformation must position the SAPS to adapt to a constantly evolving environment, while also responding appropriately to the ever-changing needs of a democratic society.

The departure point for creating a service that inspires confidence and trust must remain a resolute commitment to realising the objects of the police as set out in the Constitution. Section 205 (3) states that:

*“The objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law”.*

The police must remain mindful of its role in the prevention of crime and the promotion of safer communities. In this regard, the White Paper continues this emphasis on the need for integrated cross-cutting policing, recognising that crime is a convergence of many factors including historical, social and economic. Essentially, the development of targeted strategies must take cognisance of the interrelated, causal relationship between the range of factors that impact on safety and security broadly. The South African Police Service must, as a result, continue to work collaboratively and in support of the initiatives of others within the criminal justice, intergovernmental sectors and civil society in the prevention of crime and the provision of community safety.



The White Paper supports the NDP's vision of a modernised, transformed and efficient criminal justice system, and a professional and highly skilled police service. The NDP complements the Constitution by re-emphasising the form of policing that is required in a democratic South Africa. The NDP denotes "building safer communities" as a key objective, and establishes the following as the vision for the country by 2030:

*"In 2030, people living in South Africa feel safe at home, at school and at work, and they enjoy a community life free of fear. Women walk freely in the streets and children play safely outside. The police service is well-resourced and professional, staffed by highly skilled officers who value their work, serve the community, safeguard lives and property without discrimination, protect the peaceful against violence, and respect the rights to equality and justice."*

The NDP sets five priorities for the achievement of this vision:

- Strengthen the criminal justice system;
- Make the police service professional;
- Demilitarise the police;
- Build safety using an integrated approach; and
- Build community participation in safety.

The White Paper also gives expression to the NDP's emphasis on civic participation in the creation of safer communities and the need for strong leadership and ownership by all in society in championing the attainment of Vision 2030. It highlights the need for the SAPS to commit to principles of good governance and embedded professionalism as set out in the NDP, and in accordance with the general public service.

Chapter two sets out an approach to policing and emphasises the need for a skilled police service that is demilitarised, accountable, has integrity, accommodates diversity, adheres to human rights, encourages volunteerism and is community-centered. In outlining how to build a professional police service, chapter three sets out the qualities

needed in a police officer, the importance of specialised policing, and the value of information and information and communication technology in ensuring that crime management is modernised and intelligence-based. Core in this regard is the need for a single police service aimed at maximising effective policing, primarily through uniform standards and regulations.

The delivery of the vision of the White Paper also requires strong and independent oversight structures that ensure that the police are held accountable in a clear and transparent manner. Chapter five indicates the various direct role-players in the sphere of policing, including the key institutions involved in ensuring regular and transparent oversight of the police.

In chapter six, the implementation of the White Paper is discussed broadly. A phased approach to implementation is considered, which will include a review and amendment of legislation and regulations. The need for regular monitoring and periodic evaluation of such implementation is also recognised.

## **CHAPTER: 2      AN APPROACH TO POLICING**

Our vision is that by 2030 South Africa enjoys a police service that commands respect, and that is committed to ensuring that all people feel safe and secure. The SAPS of the 21<sup>st</sup> century will be a professional, well-resourced and highly skilled service that has a firm understanding of the challenges, both internally and externally, that impact on the organisation and is able to operate in a digital era.

Grounded on building legitimacy and trust, this modernized police service will play an effective role in protecting and facilitating the full participation of all people including vulnerable groups in all areas of social, economic, cultural and political life. It will be underpinned by an approach which is demilitarised, community-centered, rights-based and accountable.

### **2.1      A Demilitarised Police**

In the two decades since the establishment of a democratic police service, the police continue to face considerable challenges in curbing high levels of violent crime. The complex, ever-changing nature of crime has required the police to constantly review and assess its approaches to combating crime, as required by the Constitution. As a country, South Africa continues to experience high levels of violence in society; often regarded as part of the legacy of apartheid. The SAPS is a central social institution charged with meeting clear and urgent social needs; and key amongst these is ensuring that all people live in safety, free from crime and violence.

In responding to these crime challenges, the SAPS has often been criticised for using excessive force. This is seen partly in the establishment of para-military police units that are often called upon to respond to every-day policing situations. The deployment of these specialised structures, along with regular policing to deal with public order policing incidents for example, has been seen as instilling a militarised culture within the police. Moreover, rhetoric such as “zero tolerance” and a “war against crime” seems to

encourage and support a tougher stance on crime, devoid of any considerations for human rights and human dignity. The latter is especially relevant when seen against the backdrop of growing allegations of police brutality and the excessive use of force.

Training of police officers must be geared toward ensuring that they are sufficiently skilled with the necessary confidence to respond to the complexities of every-day policing. When necessary, they need to be able to use force – to defend themselves, defend other people, carry out arrests, and bring violent situations under control. They also need to ensure that the relevant use of force is proportionate to the circumstances at hand, and is in line with legislation and prescripts.

An immediate leadership imperative is thus to ensure that policing returns to the ideals championed in the Constitution and emphasised in the NDP. Section 206 of the Constitution states that:

*“A member of the Cabinet must be responsible for policing and must determine national policing policy” ... and furthermore in Section 207 (2) states that: “The National Commissioner must exercise control over and manage the police service in accordance with the national policy and the directions of the Cabinet member responsible for policing”.*

The Constitution thus places the SAPS, which is part of the institutions established by democracy, firmly under civilian control. It advocates a philosophy in which security institutions do not act on their own authority, but under the guidance of Parliament and the Executive.

The discourse on demilitarisation is thus about conduct, and also about the police service displaying an unwavering commitment to its constitutional mandate as a civilian police that embraces a human rights culture. At the heart of a civilian-centered police must be a police service that is responsive to the needs of diverse communities and that

continually demonstrates an approach to policing that is fair and professional, and whose actions and conduct are subjected to regular review and oversight.

Increasing interaction between the police and communities through routine police work dictates that the organisational culture of the police instill the type of mindset among officers required for delivering citizen-centered policing. The continuous improvement in training and the professionalisation of the police service in this rights-based philosophy, together with clear Standing Orders and Standard Operating Procedures must allow for enhanced levels of tactical and situational awareness by officers. Added emphasis must be placed on ensuring high standards of discipline and proper management.

Another central feature of policing within a democracy is the constant review of police actions, such as in the use of force, as well as ways in which police conduct their work and adopt innovative technologies. Furthermore, it is important that South Africa invest in a comprehensive initiative to combat the culture of violence in the country; often fueled by the presence and proliferation of illegal firearms. In reviewing the problem of the proliferation of firearms, a holistic approach must be adopted, aimed at dealing with illegal firearms, while being cognizant of the issue of legal firearms becoming a source for criminals.

An essential element of life in a democratic society is the right to protest. Over the last two decades South Africa has witnessed a steady increase in the rate of public protests – the root causes of which fall outside of the mandate of the police. The police are thus increasingly being called upon to respond to large numbers of protest incidents, many of which turn violent. It is most often during these incidents where police action is subjected to increased levels of scrutiny. The ability of the SAPS to effectively maintain public order thus necessitates a shift in approach to maintaining and restoring public order. Delivering on this mandate will be dependent on the police being properly structured, trained and capacitated.

This new approach should nonetheless not detract from the police remaining citizen-centered in its approach to dealing with incidents of public violence. The responsibility to participate in and maintain peaceful protest is a precondition of communities as well. Community Police Forums and other community structures should educate and empower communities to appreciate the value of peaceful protests to maintain public order.

## **2.2 Community-Centered Policing**

The orientation of the police in South Africa must be underpinned by a firm commitment to the values and principles of democratic policing. Central to this is the creation of an environment that facilitates sustained community support and participation.

The posture of a service-oriented SAPS is one that embraces a community-centered approach to policing, underpinned by integrity and accountability. Thus, the approach to policing for today and for the future must ensure effective service delivery while maintaining high standards of professional conduct. A central pillar in the community-centered approach is a police service that is responsive, and at local level, the SAPS must be equipped to respond to the risks, vulnerabilities and policing needs of the disparate communities it serves.

Special efforts have to be directed towards supporting women, children, persons with disabilities, older persons and the lesbian, gay, bi-sexual, transgendered and intersex (LGBTI) communities. Policing must encourage victims of sexual offences and domestic violence to report incidents of crime while ensuring adequate support services to deal with immediate trauma and the minimization of secondary victimisation. In addition, particular and urgent emphasis must be placed on all serving officers acquiring the necessary skills, insights and sensitivities to respond to crimes against vulnerable and marginalised communities. Key to this is the implementation of community education and outreach programmes to enhance community safety.

The focus must shift to identifying and eradicating factors that serve as an impediment to reporting cases of sexual abuse and domestic violence. As an example, the design and implementation of policing services can provide significant (dis)incentives to reporting. Other factors that may serve as barriers include the location of services and their distance relative to major public transport routes. The times at which the service is offered also determines the level of access to that service. This barrier is particularly relevant to victims living in rural areas and informal settlements. In addition, the availability and accessibility of information in a variety of languages and mediums, as well as alternative formats may serve as further impediments to reporting. The collective effort of police leadership must, as a result, ensure that these barriers are systematically addressed to enable a complete response to all victims of sexual abuse and domestic violence. This will also go a long way in restoring public trust and confidence in the police.

Building an active citizenry that is engaged in long-term coordinated partnerships with the police is an integral part of sustainable safety delivery. Hence, community-oriented policing remains the operating paradigm of the SAPS. Delivering on this requires the SAPS and Community Policing Forums (CPFs) to forge cooperative partnerships to facilitate regular communication and information-sharing. Issues relating to the operational effectiveness of CPFs and their ability to properly execute their mandate in terms of oversight over the police will be resolved by locating these structures within the Civilian Secretariat for Police Service. In pursuing the ideal of a safe and secure environment and developing long-term solutions that are tailored to the unique safety needs and challenges of disparate communities, the police must continue to build strong working relations with other key sectors such as organised business, civil society organisations and academia.

In addition to structures such as CPFs, other forms of volunteerism, such as the establishment of street committees, should be widely encouraged in the various localities as part of a crime fighting strategy, as well as efforts to build safe and healthy communities. In order to avoid potential conflictual relations with CPFs, street



committees must be located within CPFs and should not be seen as a parallel or substitute structure to CPFs.

The involvement of youth in community policing is consistent with the approach outlined in the White Paper, and is beneficial in many ways. It ensures enhanced delivery of crime prevention initiatives and improved community police relations. It also provides a mechanism for the youth to deal with possible adversity that would make them more vulnerable to crime. The private sector must also be encouraged to introduce policies that facilitate an environment of volunteerism to reform policing duties among its employees.

Community involvement in policing through reservists plays an important part in the delivery of policing services at a local level. The effective use of reservists contributes to strengthening policing at station level and to the implementation of crime prevention initiatives. The behaviour and conduct of reservists, both on and off duty, is judged in the same way as those of permanent members of the SAPS. It is incumbent on police leadership to ensure that the recruitment and vetting of reservists is both rigorous and regular.

The training of reservists must be deliberate and on-going, while police leadership and management should ensure that reservists are adequately resourced to effectively carry out their functions. While reservists can never replace police, their training should be of such a nature that those who wish to join the police service through proper processes are positioned for primary consideration. The use of volunteers within the SAPS must always be used as a force multiplier, in line with the ethos and culture of the organisation, and should not be seen as a way of replacing existing resources.

### **2.3 Adherence to Human Rights Principles**

Policing that aims to maintain the dignity of those being policed must translate into a service that upholds and protects the fundamental rights of all people and executes its

mandate in accordance with the Constitution, supporting legislation and the needs of the communities it serves. A key element of this process towards creating a democratic, localised and community-centered approach to policing implies a police service that is committed to the principles of fairness, transparency, justice and equity.

Where police officers interact with citizens on a daily basis, they have a unique opportunity to demonstrate the importance of citizen involvement in policing challenges in the community. In turn, the police officer gets to realise that his or her authority and effectiveness is linked directly to the support that he / she receives from citizens.

## **2.4 Accountability**

Policing in a democracy implies the provision of services to the public that is justified in terms of the law and as such, is subject to regular review and oversight. The state institutions involved in the sound governance and oversight of policing include Parliament, the Civilian Secretariat for Police Service (CSPS), Provincial Secretariats, Independent Police Investigative Directorate (IPID), the DPCI Judge and the relevant Chapter Nine institutions. The principles of democratic policing also allow for civilian oversight that extends beyond formal government institutions. Community-based formations such as CPFs must therefore play a central role in carrying out localised oversight of the police.

Policing in the 21<sup>st</sup> century requires astute leadership and management that strives to enhance and build legitimacy and trust in the eyes of those whom they serve. Legitimate policing is determined by the consent, cooperation and support of the people and communities being policed. Police leadership and management must ensure a clear normative standard of the highest quality.

The National Inspectorate Division of the SAPS reviews, assesses and seeks to correct performance against this standard. The effectiveness of the Inspectorate rests on its institutional strength and the appreciation of its role by police leadership. It is incumbent

on the Inspectorate to undertake systematic and regular administrative reviews to ensure adherence to departmental policies and procedures, and where necessary propose corrective action.

The ability to attain the vision for the SAPS as set out in the NDP and the White Paper, will be predicated on entrenching the type of culture and ethos that supports the delivery of high levels of service while maintaining high standards of conduct. The police must continue to place communities at the centre of policing; drawing all citizens in through sustained, coordinated partnerships aimed at developing shared solutions to crime problems. A citizen-centered police service must thus give top operational priority to servicing the needs of all people, whilst doing, so displaying an unwavering commitment to protecting human rights. Ensuring the good governance of policing will be dependent on maintaining high levels of accountability through regular, independent scrutiny of police performance and conduct.

## **CHAPTER: 3            BUILDING A PROFESSIONAL POLICE SERVICE**

Realising the vision for policing in South Africa is dependent on having a police officer with the necessary qualities for the position. The police officer of the 21<sup>st</sup> century is a career professional and a loyal public servant, respectful and accepting of public service values, accountability mechanisms and policing systems.

It is incumbent upon police officers of all ranks and function to uphold public respect, both for themselves as professionals and for the institution. The general public expects and needs to experience a police officer who is articulate and knowledgeable, committed to serve, and displays the necessary attitude, respect and level of maturity befitting a confident professional. The confidence and trust that a police officer enjoys is equally impacted by his or her overall physical demeanour and presence, sturdy posture, smart dress and appearance, and approachable interpersonal skills.

The type of policing rendered is dependent on the SAPS being an employer of choice. This would allow for the careful and deliberate selection, training and deployment of enthusiastic individuals in accordance with the personnel and capacity needs of the institution and their individual willingness to serve. The establishment of a National Policing Board, as per the NDP, with the responsibility for setting objective criteria for recruitment, selection and appointment must be explored, and the development of a two-stream system of recruitment must also be considered. These initiatives are essential to support the enlistment of high calibre officers needed for professional policing.

Delivering on the constitutional mandate of the police hinges on the presence of competent leadership and management at all levels of the organisation. In particular, the NDP holds that the selection and recruitment of the National Commissioner and Deputies must take place against objective criteria to be determined through presidential appointment process. This recommendation aims to contribute to the goal

of building a professional police service and also instil much needed confidence and trust by communities in the organisation.

### **3.1 Qualities needed in a Police Officer**

Much of a police officer's daily tasks involve dealing with issues other than those related to formal policing. Policing in the 21<sup>st</sup> century thus requires a police officer who is able to use his or her discretion in providing an appropriate service response, who is conversant and familiar with his or her local policing precinct, who is able to proficiently use technology and has more than rudimentary conflict resolution and community engagement skills. In the absence of the above, a resourceful officer is expected to cultivate the skills and to develop the tools needed to do the job. Such resourcefulness is particularly necessary as certain police functions and roles require specialised knowledge, skills, competencies and resourcing.

#### **3.1.1 Integrity and Corruption**

Professional police uphold institutional integrity, are knowledgeable about the law and about their roles, carry out their functions effectively, and understand their responsibility to serve communities. The professional and personal integrity and the individual and collective conduct of appointed members of the SAPS should be above reproach. The overarching policing philosophy must be geared towards entrenching the essential features of democratic policing in the every-day approach to crime prevention and community safety. The demand is for honest, efficient and professional policing.

A further element of building a professional police service is dealing with and rooting out corruption. The Police Advisory Council that operated between 2006 and 2008 found that SAPS had insufficient capacity to investigate corruption, that codes of conduct and ethics were not adhered to, and that disciplinary issues were not dealt with timeously. This has been compounded by the inability to effectively implement the various anti-corruption strategies that have been developed over the years. Addressing these

challenges requires a coherent organisational response through, amongst others, ensuring that general disciplinary hearings occur fairly and regularly. Police leadership must thus implement a multi-faceted approach to integrity management, in support of building a professional police service.

### **3.1.2 Diversity**

South Africa is a dynamic, vibrant society of diverse communities, each with their unique safety and security challenges and needs. This demands a police service that not only reflects this diversity, but has the skill set, knowledge and appreciation for policing different communities along with their unique safety challenges. A community-centered approach that focuses on the vulnerabilities, risks and safety needs of these diverse communities can reduce crime and the fear of crime, while restoring a sense of order. It can also rebuild the bond between citizens and government. This demands a police service which is predicated on credible community police relations, agreed lines of communication, and clearly articulated relationships between communities and the police.

## **3.2 Specialised Policing**

Specialised police functions such as managing public disorder, dealing with organised, violent crimes, commercial crimes, responding to gender-based violence and dealing with dire risk incidences demand targeted and continuous training, specialised skills, appropriate resourcing, considered leadership and planning, and unambiguous and transparent management and control.

The right to peaceful assembly forms a cornerstone of our democracy – built on the principle of collective expression of rights and freedoms, as enshrined in our Constitution. It is important to note that the police are required to respond to and manage crowd-related incidents which are most often a manifestation of dissatisfaction with government-wide administration challenges and labour practices, whether public or

private. Operating in this context will require front-line officers who possess the necessary interpersonal and conflict management skills to effectively manage these incidents. Given the risk profile and propensity for the use of force, the performance of these critical and specialised functions should be subject to a higher level of scrutiny.

### **3.3 Access to Information**

It is the duty of police leadership to ensure a complete and adequate response to local policing demands, while balancing agreed national and local policing priorities. This is a task undertaken in partnership with local communities. An exchange of quality and timely information is at the core of joint problem identification and problem solving, and collective planning for sustainable safety delivery. Communities are entitled to the release of comprehensive and timely information by local police station management. Access to such information serves to reassure and allay community fears and concerns, and allows communities to play a more active role in helping to resolve local policing challenges, and to work jointly at developing strategies aimed at creating safe and secure communities.

Successful strategies for reducing interpersonal violence for example tend to rely on the participation of various government departments, civil society, community-based and private organisations working collectively to identify and address the social causes that increase the risk of these crimes. This is in line with the understanding that crime prevention is not the responsibility of the police alone. It is incumbent on the police to regularly communicate its outreach programmes as this further serves to build stronger relations with communities and provides the basis for the establishment of sustainable collaborative partnerships.



### 3.4 Modernising the Police

The SAPS of the 21<sup>st</sup> century is information driven, analytically sound, and evidence and intelligence-led. Generating and sharing the kind of information needed to achieve meaningful reductions in crime must be underpinned by dedicated systems and processes that integrate seamlessly with other role players within the criminal justice value chain.

Technology solutions must enhance the optimal functioning of the police and also integrate seamlessly with the CJS systems, particularly the e-docket and case management systems. Technology must support proactive policing and allow for improved efficiency in terms of crime investigation and the analysis of current and future trends. The optimal use of technology is dependent on the regular maintenance thereof and ensuring interoperability across departments and functions. In addition, it is required of officers to be aware of resource deficits and then have the ability to find lawful, innovative and resourceful ways of overcoming obstacles and providing meaningful services.

Effectively reducing and combating crime in the context of 21<sup>st</sup> century policing will require constant innovation and adaptation of technologies and approaches. The rapid pace of technological development is constantly shifting the operational landscape and as an organisation, the SAPS must remain current in its approach to crime prevention. The use of social media platforms, for example, provides new ways of sourcing and disseminating information and also building relations with communities, in line with the community-oriented approach to policing.

### 3.5 Capacity Development

The SAPS should be highly skilled, innovative and able to understand and respond to intricately linked and complex crimes while displaying a strong commitment to ensuring a citizen-centered approach to policing. This necessitates a curriculum and training

methodology that speaks to the democratic philosophy of policing. It also necessitates a culture of continuous training and learning, and the deliberate acquisition of pre-requisite skills and expertise within the organisation in order to build the desired capability to deliver essential policing services.

### **3.6 Regulatory Enablers for Professionalism**

Discipline and effective management are essential in an accountable and democratic police service, in which institutional support for professionalism is paramount. Effective management and control is predicated on clear and commonly understood command protocols which delineate command lines of responsibility; set clear lines of communication and responsibility with mechanisms to ensure that officials are held accountable for their designated duties. Such command protocols must also provide for adequate controls and supervision to ensure compliance to instructions, a process for administrative review for non-compliance, and a system of institutionalising and reviewing disciplinary procedures.

Furthermore, supervisors and managers are responsible for clearly and regularly communicating Standard Operating Procedures (SOPs), National Instructions (NIs) and Operational Policies and Protocols across all levels of their command, and where appropriate, to the public at large. Non-compliance with and/or failure to heed set policies and procedures will result in routine administrative review and if necessary, measures to correct, review and if appropriate, enforce discipline.

It is accepted that poor leadership and management leads to low morale amongst officers, has a detrimental effect on police institutional culture and subcultures, and has the potential to undermine public confidence in the organisation and in police-community relations.

Effective police management understands that the culture of the police and a professional ethos are interlinked. Ethos relates to the disposition, character or

fundamental values of the organisation, while culture refers to the shared assumptions, values and beliefs that govern how officers behave. It is thus incumbent on leadership and management to put measures in place to ensure that morale amongst officers remains healthy, that discipline is maintained and that respect for leadership and subordinates alike permeates the institution. Such measures would include consideration for the conditions of service of officers and for the quality of care for officers.

An uncompromised adherence to a professional Code of Conduct and ethics is crucial in police officers gaining the confidence of the public they serve. Police officers have a responsibility to enforce the law, and as such, routinely face a number of controversial issues because of the nature of their work. The SAPS have formally adopted a code of ethics, and have acknowledged the need to entrench an occupational culture aimed at giving transparency to their conduct, and that can control their discretionary powers.

Support services are designated divisions that work to support and make professional policing possible; provide information and evidence based operations, and facilitate the caring for, retaining and reward of skilled policing personnel. Support services such as Employee Assistance Programmes (EAPs) offered by SAPS play a vital role in ensuring the physical and mental well-being of police officers in the delivery of professional services. The well-being of officers is therefore of utmost importance to ensure the police are able to discharge their duties effectively. Constant exposure to stressful incidents can have negative consequences for police performance. Post-Traumatic Stress Disorder (PTSD), depression and substance abuse are all causally linked to the stressful working environment faced by police officers.

Police management, particularly at station level, must encourage the immediate uptake and utilisation of EAPs as a way of mitigating the negative impact on work performance. More must be done to address organisational sub-cultures and stigma that exist around making effective use of counselling services.

Professional policing and the delivery of quality policing services requires a dedicated budget and sufficient resources. Supporting fiscal spend and operational resourcing are directly informed by and subject to operational imperatives, goals and planning. There is a direct correlation between the quality of essential services provided by the police, the nature of the relationship between operations and support services, and the unequivocal support given to operations by the support services.

## CHAPTER: 4      A FRAMEWORK FOR A PROFESSIONAL POLICE SERVICE

The attainment of Vision 2030 requires policy coherence and programmatic alignment across the three spheres of government. Optimal coordination, while respecting the powers and responsibilities assigned to each sphere, is thus imperative. This can best be achieved through a single police service. The strife for unity in purpose occurs within the recognition of specificities, both in respect of geographic areas, as well as within the nature of crime.

A single police service plays a central role in the design of interventions that speak to local conditions, while allowing for the formation of dedicated specialised units to ensure the delivery of essential policing services. In this regard, it will be incumbent upon provincial and local spheres of government to maximise support for an effective single police service to facilitate the progressive mobilisation of all citizens in ensuring a safe and secure environment.

### 4.1      **Single Police Service**

A framework for professional and democratic policing in South Africa should be supported by strong political will. The adopted policy on community-oriented policing continues to be the bedrock on which fundamental policing practices are built, with a particular emphasis on the prevention of crime and lasting solutions to public safety challenges. This requires a renewed resolve from citizens and renewed thinking from the police.

In order to effectively lead on the governance of policing and the delivery of essential policing services, Section 199 (1) of the Constitution calls for the establishment of a single police service; and Section 206 (7) states that “*National legislation must provide a framework for the establishment, powers, functions and control of municipal police services*”. Giving effect to this Constitutional mandate is imperative given that:

- The available resources in South Africa do not permit the huge duplication of functions;
- Where policing forces are fragmented, the standard of training and other support services are likely to diminish; and
- Artificial boundaries and barriers (geographical or legal) between police forces makes the task of policing more difficult and raises serious problems with regard to the jurisdiction of one police force over crimes committed in one area and where the suspects have crossed the border into another area.

The SAPS is structured to function at the national, provincial and, where appropriate, local spheres of government, in order to maximise its capacity for effective, accountable and efficient democratic policing. It is at a local level that citizens interact and engage with the criminal justice system and thus the aim is to ensure effective policing at a local level through strengthening, and where appropriate, establishing local police stations.

At a national level, SAPS should ensure the implementation of general training and the development of operational and discipline standards in relation to policing to foster synergy, uniformity and consistency of policing throughout the Republic. It remains the responsibility of designated police leadership and management to ensure management and control, and to enforce uniform professional standards, resourcing and training across the organisation. Furthermore, ensuring uniform standards with respect to other service agencies such as the Metropolitan Police Services (MPS) is the responsibility of the national sphere.

Streamlining the delivery of essential policing services, particularly at a local level, hinges on the establishment of an institutionalised structure at a national level that will facilitate collaboration and ensure implementation and compliance with agreed uniform national standards for discipline and training, amongst others.

This model of integrated policing does not advocate usurping the powers and functions of municipalities through the wholesale integration of MPS into the SAPS. Rather, it is

geared toward ensuring the overall operational command of the service, deepening effective oversight of the MPS and enabling the optimal utilisation of public resources. Ultimately, greater emphasis must be placed on maximising the utilisation of law enforcement resources for effective and efficient policing.

This model will further clarify the ambiguity surrounding the crime prevention mandate of the MPS. MPS are well placed at municipal level to proactively address crimes through the rigorous enforcement of their other two mandates - traffic enforcement and by-law enforcement. By ensuring that traffic laws and by-laws are observed, MPS will contribute to instilling a culture of lawfulness. In this way MPS can effectively contribute to visible policing and are in a position to observe violations of by-laws and other petty crimes.

Moreover, a regulatory framework must be established for conferring limited investigative competencies for Metropolitan Police to conduct investigations in preparation for submission to court. This is to include particular categories such as traffic related matters, municipal by-laws, as well as crimes committed on and related to municipal assets or environment, such as theft and tender irregularities, amongst others. Currently, MPS may only detain suspects until the SAPS are able to take custody.

The partnership and coordination approach of the MPS and the SAPS will ensure a greater impact on the prevention of criminality. The limited human capacity of the MPS and the limitation on the crime prevention role will allow a greater focus on by law enforcement and traffic enforcement, particularly given the legislative requirement which states that traffic law enforcement may not be compromised in favour of the other two mandates.



## 4.2 Delivering Essential Policing Services

The ability to deliver essential policing services must be underpinned by a commitment to problem-oriented policing, which includes the provision of community service centres; the capacity to respond to calls for service; a visible police presence and targeted police operations based on, amongst others, accurate crime information and analysis, joint planning with communities, and feedback and insights of patrol officers.

The ability to detect risks, threats and vulnerabilities, and a dedicated crime detection capacity to deal with criminal incidences, must be supported by a dedicated crime and intelligence analysis capability at station level. Coupled to this is the need for dedicated capacity to investigate criminal incidents and to collect, collate and present evidence in order to secure the prosecution of criminals. The NDP calls for a renewed focus on strengthening the capacity and training of detectives and specialised investigators, particularly in the field of forensics, ballistics and crime scene investigations. Detection training forms an integral part of the detection of crime and as such, must not be reactive or a quick solution to deal with immediate crises.

The 1998 White Paper identified organised crime and corruption as emerging threats that warranted a more dedicated focus by the police. Over the past 20 years crimes such as cybercrime have become more prevalent. The impact of globalisation and rapid advances in the development of information and communication technology (ICT) together have created the space for the establishment of intricate networks of criminal activity. The costs of these crimes to business, economic growth and stability are far-reaching and the SAPS must remain current in its approach to respond appropriately to a constantly shifting criminal landscape.

This White Paper thus endorses the recommendation of the NDP to enhance the focus on equipping detectives with the necessary skills, protection and resources to disrupt organised criminal enterprises. The SAPS must continue to forge sustained partnerships with organised business; leveraging the skill and expertise of these

organisations as part of long-term efforts to deal with this growing crime. Similarly, dealing with other forms of organised criminal activity such as human trafficking, must be based on sound working relations between the police and civil society in order to better understand and put in place appropriate interventions to deal with this phenomenon.

A dedicated capacity to identify, counter and deal with selected organised and transnational crime, corruption and serious national priority crimes is required, based on sound analysis of crime threats, patterns and trends, intelligence forecasting, information-sharing, and integrated transversal planning. The Directorate for Priority Crime Investigation (DPCI), the Hawks, provides this duly institutionalised capacity and needs to enjoy a protected and adequate budget, a dedicated competent staff component across all divisions of the directorate, structured and institutionalised relationships both within and across jurisdictional and state boundaries, and adequate operational independence (but with sufficient accountability mechanisms) that allow for it to fulfil its mandate without fear or favour.

The establishment of the Office of the DPCI Judge is seen as an additional mechanism to support and guarantee the operational independence of the unit. In executing his / her mandate, the Judge is obliged to investigate, among others, any complaints by members of the Hawks relating to allegations of any improper or undue influence, political or otherwise, in the course of their investigations.

Making the necessary inroads into dealing with the complex nature of crime and criminality in South Africa must be supported by policing that is guided by a detailed analysis of intelligence, crime risk and information on vulnerabilities. To this end the police service of the 21<sup>st</sup> century needs a dedicated capability to provide the type of crime analysis and analytical products that would allow the service to respond both tactically and strategically to a range of crime challenges in the most effective and efficient manner.

An intelligence driven approach forms the backbone of the duty of police to detect and deter crime. Collated and verified crime information informs targeted police patrols, local operational planning and efforts to improve and strengthen crime investigation, reduction and prevention. Generating the kind of information needed to better understand the type of crime, violence, threats and vulnerabilities that disparate communities face, must be supported by a community-centered approach to policing.

## **CHAPTER: 5        INSTITUTIONAL ARRANGEMENTS**

Democratic policing demands that all spheres of government cooperate in the spirit and principles of cooperative governance and intergovernmental relations. Government in South Africa, while distinctively structured nationally, provincially and locally, is interdependent and interrelated as part of efforts to facilitate the delivery of essential services, including that of policing and safety for all. The institutional architecture created after 1994 must therefore continue to provide the necessary means for determining high level policing policy while providing for critical checks and balances. These institutional arrangements must therefore ensure effective service delivery to all through the appropriate demarcation of political decision making and operational command.

### **5.1        Minister of Police**

The Minister of Police is responsible for policing in the Republic. In fulfilling this mandate, the Minister determines plans and sets national policing policy, priorities and budget. In doing so, the Minister takes into account the policing needs and priorities of the provinces as determined by the provincial executives, and also directs the National Commissioner of Police accordingly. The Minister is supported by the Secretariat for Police, in giving effect to his/her responsibilities and obligations.

### **5.2        South African Police Service**

The National Commissioner is constitutionally mandated to oversee the operational management and control of the police service, in line with national policing policy and directives as determined by the Minister of Police. The focus of accountability of the National Commissioner is primarily to ensure effective service delivery to the public and to ensure that the police are seen as a trusted public institution. This requires prudent budgeting, financial management, and the proper control of police resources, including

human resources to meet pre-determined goals and objectives, as determined by the Minister of Police in consultation with the provinces.

### **5.3 Civilian Secretariat for Police Service**

The Constitution established a Civilian Secretariat to assist the Minister with the management of the SAPS. The Civilian Secretariat for Police Service (CSPS) is headed by the Secretary for Police Service who is a public servant directed by the Minister to function as Head of Department and accounting officer. The Secretary must be a civilian who comes from outside the ranks of the SAPS. The objects of the Secretariat are to:

- Give strategic advice to the Minister in respect of the development and implementation of policing policies;
- Exercise civilian oversight over the police service;
- Develop legislation to give effect to policing policies and approaches;
- Implement, promote and align the operations of the Secretariat at national and provincial spheres of government;
- Coordinate the functions and powers of the Secretariat at national and provincial spheres of government; and
- Implement a partnership strategy aimed at the mobilisation of role-players and stakeholders, including CPFs and Community Safety Forums, to strengthen service delivery by the police service, and the safety and security of communities.

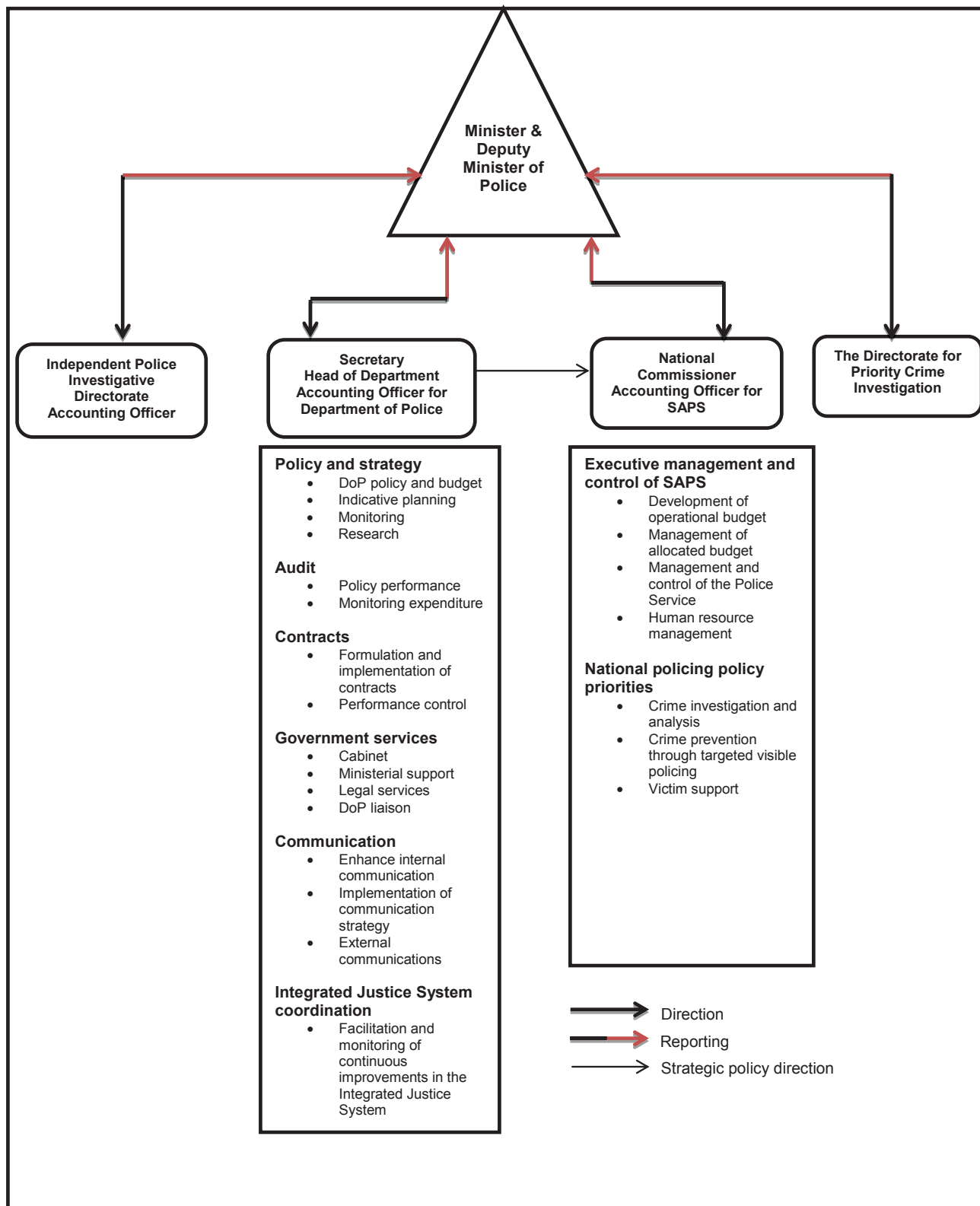
### **5.4 Independent Police Investigative Directorate**

Democratic policing requires strong checks and balances that must provide the framework for delivering on a competent and accountable single police service. Civilian oversight has been institutionalised through the presence of oversight structures such as the Independent Police Investigative Directorate (IPID), charged with monitoring the

conduct and actions of both the SAPS and the MPS. Building the necessary skill and capabilities and maintaining the functional independence of the Directorate is critical to enable proper investigation of all cases of misconduct and corruption within the police service.

These control measures are not aimed at usurping or interfering with the police chain of command or the police disciplinary code. They are aimed at the integration of the police into a democratic society, strengthening mutual trust between the public and the police and promoting a sense of honor and duty within the police in serving a democratic, constitutional state.

It is the National Commissioner who is accountable for the performance, management and expenditure of the SAPS operational budget; reporting directly to the Minister on police operations. The CSPS will, through the Secretary for Police Service provide support to the Minister of Police in terms of the proper management of the budget for the Department of Police. Furthermore, the CSPS is responsible for monitoring the allocation and expenditure of the budget in support of the Minister of Police and his / her policy priorities. These roles and responsibilities are outlined in the diagram below:





## **5.5 Role of Provincial and Local Government**

### **5.5.1 Provincial Government**

Provincial government plays a critical role in the monitoring of police conduct and the quality and focus of police service delivery, as well as in the promotion of good relations between the police and communities. In particular, the Member of the Executive Council (MEC) for Community Safety plays a pivotal role in exercising accountability over the Police Service by ensuring that SAPS adheres to government policy, achieves the objectives and targets set out in the national policing plan, and aligns policing practice to the concept of “community- oriented policing”.

This oversight function is carried out in conjunction with the Minister for Police who is responsible for giving direction in line with the objects of the Constitution and relevant national policing prescripts. Equally, the monitoring and oversight role played by the Provincial Secretariats is considered an important generator of information that informs the inputs of Provincial Governments, through the MECs for Community Safety (and Liaison), into the process of determining national policing policy, strategy and objectives. It is required of provinces to align with the national planning process in order to strengthen and facilitate cooperation and intergovernmental relations.

### **5.5.2 Implementation Forum: MINMEC**

The MINMEC forum constituted by the Minister, MECs of the respective provinces and their Heads of Department (HoDs) provides the platform to ensure effective coordination and problem solving geared towards securing a Delivery Agreement.

The MINMEC forum plays a pivotal role in ensuring policing oversight through regular monitoring and reporting on progress regarding the implementation of the delivery agreement, identifying potential blockages and instituting corrective measures that

result in interventions to improve implementation. This is further facilitated through regular needs analyses to determine whether existing policies need to be reviewed or if new ones need to be developed.

The CSPA has the responsibility for the alignment of provincial strategic and annual performance plans with that of the National Secretariat, and the integration of strategies and systems of the various spheres of government. Furthermore, there needs to be a strong emphasis on collaboration between the Provincial and National Secretariats in the areas of research, monitoring and evaluation, as well as partnerships to direct and guide anticipated and specific outcomes.

### **5.5.3 Local Government**

Each municipality is responsible for promoting a safe and healthy environment within its financial and administrative capacity, and in line with national and provincial priorities. The democratisation of policing in South Africa has created the opportunity for safety and security reform and integrated policy, aimed at transforming local policing and introducing improved safety and crime prevention thinking in all spheres of government. Through the single police service, national government will provide frameworks to encourage and support crime prevention, however, implementation must take place at local level. Safety programmes must be put firmly on the agenda at local level. The introduction of the Community Safety Forum (CSF) approach aims to facilitate the establishment of appropriate capacity at local level, and also aims to serve as a coordinating structure for government and civil society (as represented by CPFs) to deliberate on issues of local safety and security, and develop a local crime prevention strategy to guide joint planning and deployment of resources.

## **CHAPTER: 6            MAINTAINING THE MOMENTUM FOR DELIVERY**

The Minister of Police is the custodian of this White Paper and tasks the National Commissioner of Police with its implementation and the Secretary for Police Service with oversight over its implementation, impact and review.

It is the duty of every single manager within the SAPS to provide leadership in terms of the realisation of the vision of the White Paper, and of every single police officer from Constable and above to implement and support the White Paper in both spirit and letter.

Accepting responsibility for the implementation of the White Paper would necessitate the drafting of a plan of action that clearly articulates key deliverables against a given time-frame. Such a plan of action requires quality information and clearly articulated steps and outlined below are details in this regard.

### **6.1    An Approach to Phased Implementation**

It is imperative that a state of the police report be compiled with immediate effect. Such a report would make reference to the impact of transformation on the police including issues of operational doctrine and posture; personnel readiness and training; staff morale and wellness; staff retention and attrition, and operational readiness and resourcing. In addition, the report would include an understanding and a response to the following:

- A thorough understanding of the nature and extent of crime challenges the organisation has to deal with and its ability to effectively respond to ever changing crime threats.
- A clear articulation of the underlying reasons and drivers of the range of persistent problems relating to internal governance in the police service.

- Give an understanding of the reasons for poor community-police relations and suggested remedies to improve it.
- Clearly identify any systemic factors and the existence of an operational subculture that may give rise to police personnel acting with impunity, abusing their authority, not complying with stated provisions of the law, and violating the rights of others.
- The report should reflect key areas for reform in the police to give expression to constitutional values and other policy and regulatory prescripts.

Further to acquiring an understanding of the state of the police today and identifying remedial action, it is incumbent on the police leadership to undertake an internal audit of the SAPS to include:

- A personnel audit including the number of serving and non-serving officers employed in functional and administrative posts. These are to include areas of deployment and the capacity in which officers are employed. Issues such as sick leave, incapacity leave, and years to retirement, should also be factored;
- An officer audit to establish if each officer is fully equipped with the prescribed resources to undertake his/her job;
- Competency audit of officer qualification, knowledge, attitude and training against role and function, to determine the skills needs analysis of each officer;
- Specialised field audit to determine extra special skills and training of specialised officers, the relevance of the training to the job, and the need for further training;
- Integrity audit to ascertain the nature of offences and the number of officers under investigation, the stations at which they are deployed and the impact of this on the total human resource capacity. Such an integrity audit should also include random life style audits. The audit would also determine any needed administrative and/or disciplinary action, which may include officers to be criminally boarded;
- An institutional audit of the current state of training colleges and academies, of training and training staff and equipment;
- A structural audit of all resources including location and use;

- An assessment of decisional bottlenecks preventing operational and administrative functioning; and
- An audit of leadership and management including the number of managers, their functions, qualifications, experience, support, relevance and current performance ratings.

The NDP proposes that the organisational culture and subcultures of the police be reviewed to assess the effects of militarisation, demilitarisation and remilitarisation and its impact on the community and sector policing. In this regard, the Secretariat will conduct a study to determine whether there is any correlation between the use of military ranks and the attitudinal approach of police officers in their everyday policing activities. Flowing from this, the research will assess the possible impact of ranks on the ability of the SAPS to respond effectively to crime challenges and sound community-police relations.

## **6.2 Reviewing and Amending Legislation and Regulations**

Policy finds expression in legal tools and regulations that guide and inform the normative practice of policing. Giving effect to the White Paper would necessitate a review of existing legislation, including the South African Police Service Act of 1995, as well as regulations and prescripts such as Standard Operating Procedures and National Instructions.

Supporting policies and regulations need to be based on quality information and sound analysis that together provides the basis for evidence to inform these policies and regulations. Consequently, there is a need to undertake targeted research and to review existing policy, regulations, National Instructions and Standing Orders.

Specific areas for research in the immediate term would include research into new technologies, response and calls for services and efficiency of internal and external

communications including public education, intergovernmental relations and police-community engagements.

### **6.3 A Roadmap towards establishing a Single Police Service**

Maximising effective policing in South Africa over the medium and long-term will be best supported through the establishment of a single police service. In order to achieve the objective of strengthened management of all relevant law enforcement agencies, a process must be mapped out that will outline the institutional mechanism needed to ensure compliance and implementation of agreed uniform national standards.

A Division for Municipal and Traffic Police must be established within the SAPS that will institutionally implement the single police service. Providing the necessary regulatory framework to support the delivery of uniform policing throughout the Republic will be supported by legislative amendments.

The South African Police Service Act of 1995 will be reviewed to, amongst others, strengthen monitoring and enforce compliance with agreed uniform national standards for discipline and training among others; as well as to allow for a model of integrated policing that contributes to the country realising its objective of ensuring that “all people are and feel safe”.

A National Standards and Legislative Compliance Board (in place of the current National Municipal Police Forum), which comprises amongst others, the National Commissioner of Police, the SAPS Divisional Commissioner for Municipal and Traffic Police, the Secretary for Police Service, Municipal Police Services’ Chiefs, Executive Director of IPID and the South African Local Government Association must be institutionalised through legislation in order to:

- Review, assess, amend and generate national standards in concurrence with the Secretary for Police Service

- Establish uniform criteria for the approval of the establishment of Municipal Police
- Provide for a generic organisational structure to be implemented by all MPs
- Establish uniform training standards
- Establish a uniform disciplinary framework
- Standardised uniform and ranking insignia
- Ensure compliance and review the performance of MPS in National policing priorities and efforts.

#### **6.4 A Process of Monitoring and Evaluation**

The level of professionalism within an institution can be benchmarked and measured, and as such, police leadership needs to establish the benchmark for professionalism within the SAPS. Professional and democratic policing in the 21<sup>st</sup> century forms the cornerstones of the White Paper on Policing and it is the duty and function of the leadership of the police to implement the White Paper against a clearly articulated and unambiguous plan, and to monitor adherence to said implementation plan at all levels of the organisation. Oversight over the implementation of and compliance to said plan is to be provided by the Civilian Secretariat for Police Service.

#### **6.5 The White Paper on Safety and Security**

Lesson learnt post 1994 have shown that the police cannot be held solely responsible for ensuring the safety of all people. There are a myriad of factors that determine where and when crimes are committed and also who the victims and perpetrators are. Dealing with issues of safety and security from this perspective thus illustrates the importance of sustained efforts to address these wide-ranging issues. Putting in place measures and interventions to deal with complex socio-economic factors thus fall outside of the scope and ambit of the police and policing. Notwithstanding, when crimes are committed the police are called upon to restore order and to maintain safety.



Building on the recommendations of the NDP, the White Paper on Safety and Security provides the framework for effectively addressing the cross-cutting roles and responsibilities of all departments across the cluster and ensuring an intergovernmental approach. Essentially, the development of targeted strategies must take cognisance of the interrelated, causal relationship among the range of factors (e.g. social and environmental), that impact on safety and security broadly.

It builds on the understanding that dealing with crime is a shared responsibility and that achieving long-term, sustainable safety in our communities hinges on the deliberate integration of both short and long term interventions. Efforts to enhance effective crime prevention, detection and combatting must create the necessary conditions and support a developmental approach to safety and security. Law enforcement resources must be used more effectively and efficiently to allow for more strategic deployment of the police. Attaining sustainable community safety must be further be underpinned by a firm commitment by the police to forge and sustain collaborative partnerships with role players across government, business, civil society and academia in the context of an integrated justice system.

## CIVILIAN SECRETARIAT FOR POLICE SERVICE

NO. 915

01 SEPTEMBER 2017

**FOREWORD: WHITE PAPER ON SAFETY AND SECURITY**

It gives us pleasure to present the 2016 White Paper on Safety and Security. The White Paper provides the policy architecture for dealing with crime and violence in South Africa over the medium term. Emanating from a review of the 1998 White Paper on Safety and Security, the 2016 White Paper provides a blueprint for pursuing holistic and integrated approaches to planning and implementing safety, crime and violence prevention interventions. Drawing on the experiences and lessons learnt since 1998, the White Paper outlines the need to address decisional and implementation bottlenecks through the institutionalisation of implementation and oversight structures and mechanisms across the three spheres of government.

This institutional architecture must support policy coherence, vertically and horizontally, to enhance the delivery of high quality services at local level. More than two decades into democracy the country remains confronted by complex and interwoven crime risks and challenges – factors that limit the growth potential of this country. The 2016 White Paper provides the opportunity and framework for building safe and resilient communities through embedding systems and processes that will advance the goal of ensuring the safety of all as the basis for 'human development, improved quality of life and enhanced productivity'.

The White Paper thus seeks to realise the vision espoused in the National Development Plan (NDP). It reaffirms that building safer communities is a collective responsibility of both the state and its citizens, and is located within the broader developmental agenda of government. The focus of the White Paper is crime and violence prevention, which is a necessary precondition for increasing people's feelings of safety, and building safer communities. Interventions targeted at the three levels of prevention – primary, secondary and tertiary – must be complemented by dedicated programmes that seek to address the macro-structural factors that contribute to growing levels of poverty, inequality and joblessness.

The White Paper recognises that the delivery of essential services takes place at local level and as such highlights the critical role that cities must play in building safe and resilient communities. In creating livable cities, it is important that people on the ground are actively involved in identifying safety challenges, and developing appropriate solutions. Developing an active citizenry for sustainable safety is therefore underpinned by the co-creation of solutions from the ground up, with a particular focus on ensuring the inclusion of marginalised communities. Community Safety Forums (CSFs) are expected to play a leading role in this regard; creating a platform for dynamic and permanent processes for discussion and engagement that supports the co-production of ideas and solutions.

The localisation of ideas and interventions is thus a central focus of this White Paper. Ensuring the coherent and seamless planning and implementation of programmes and projects will require capacitation and dedicated resourcing of local governments. Unlocking the transformative potential of local government to create safe and socially cohesive cities will be made possible through active support from national and provincial government in terms of technical support, budgets and resources. In this regard, the White Paper draws attention to the need to enhance the capacities of local government to strengthen urban governance for effective, coordinated service delivery. While it is incumbent on national and provincial

government to provide the necessary budget and resources, local government must, where relevant, develop creative solutions around budgetary and other resource constraints.

Measuring progress and assessing impact over the medium term will be supported through the establishment of sustainable, well-resourced implementation and oversight mechanisms which will coordinate, monitor, evaluate and report on the implementation of crime prevention priorities across the three spheres of government. These systems and processes are designed to ensure better alignment of policy priorities across government, and strengthen accountability of departments. Assessing impact requires institutionalising a knowledge-based approach. As such, the White Paper places special emphasis on the importance of generating credible data as a basis for proper analysis. Attention is therefore placed on building the capacity of local governments to generate, collate, analyse and disseminate data that will support the development and implementation of evidence-based interventions. Importantly, these data systems and processes must integrate seamlessly across the three spheres of government.

Achieving measurable reductions in crime and violence will require the commitment of a myriad of role-players, all coming together to advance shared goals and objectives. We appreciate the enormity of the task at hand, but believe strongly that "together we can do more". We thus call on all role-players in the criminal justice and other sectors to commit to ensuring the full implementation of this White Paper. By transforming the relationship and interface between the three spheres of government, coordinated and collaborative planning can become a reality.

It is our vision and belief that the provision of services in this manner will contribute positively to creating safe and resilient cities, and we believe that this White Paper provides that necessary policy interventions to achieve this.

**Approved/Not Approved**



**MS. MM SOTYU, MP**  
**DEPUTY MINISTER OF POLICE**

Date: 23/11/2016

**Approved/Not Approved**



**MR. NPT NHLEKO, MP**  
**MINISTER OF POLICE**

Date: 23/11/2016

# **CIVILIAN SECRETARIAT FOR POLICE SERVICE**



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**ACRONYMS**

<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CFR</b>	Central Firearms Registry
<b>CJS</b>	Criminal Justice System
<b>COGTA</b>	Department of Co-operative Governance and Traditional Affairs
<b>CPFs</b>	Community Police Forums
<b>CRC</b>	Convention on the Right of the Child
<b>CRPW</b>	Convention on the Right of Persons with Disabilities
<b>CSFs</b>	Community Safety Forums
<b>CYCCs</b>	Children and youth care centres
<b>ECD</b>	Early Childhood Development
<b>FAS</b>	Foetal Alcohol Syndrome
<b>FASD</b>	Foetal Alcohol Spectrum Disorders
<b>FCA</b>	Firearms Control Act
<b>GBV</b>	Gender based violence
<b>GHS</b>	General Household Survey
<b>IDPs</b>	Integrated Development Plans
<b>IGR</b>	Inter-Governmental Relations
<b>IGRFA</b>	Intergovernmental Relations Framework Act
<b>ILO</b>	International Labour Organisation
<b>IMAGE</b>	Intervention with Microfinance for AIDS and Gender Equity
<b>IPV</b>	Intimate personal violence
<b>ISCPS</b>	Integrated Social Crime Prevention Strategy
<b>IUDF</b>	Integrated Urban Development Framework
<b>JCPS</b>	Justice Crime Prevention Security Cluster
<b>KPIs</b>	Key Performance Indicators
<b>LGBTI</b>	Lesbian, gay, bisexual, trans-gender and intersex
<b>MSA</b>	Municipal Systems Act
<b>MECs</b>	Member of the Executive Council
<b>MTSF</b>	Medium Term Strategic Framework



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<b>NCPS</b>	National Crime Prevention Strategy
<b>NDP</b>	National Development Plan
<b>NSS</b>	National Security Strategy
<b>OHCHR</b>	High Commissioner for Human Rights
<b>RDP</b>	Reconstruction and Development Programme
<b>SAHRC</b>	South African Human Rights Commission
<b>SAMJ</b>	South African Medical Journal
<b>SAPS</b>	South African Police Services
<b>UK</b>	United Kingdom
<b>UN</b>	United Nations
<b>UNHCR</b>	UN High Commission on Refugees
<b>UNICEF</b>	UN Children's Fund
<b>UNODC</b>	UN Office on Drugs and Crime
<b>US</b>	United States
<b>VAW</b>	Violence against women
<b>VAWC</b>	Violence against women and children
<b>Victims Charter</b>	Service Charter for Victims of Crime and Violence
<b>VPUU</b>	Violence Prevention through Urban Upgrading Project
<b>WHO</b>	World Health Organisation

## **Foreword by Minister of Police**

### **1. VISION**

By 2030, South Africa will be a society in which all people:

- Live in safe environments;
- Play a role in creating and maintaining a safe environment;
- Feel and are safe from crime and violence and conditions that contribute to it; and
- Have equal access and recourse to high quality services when affected by crime and violence.

The vision of the White Paper is aligned to the National Development Plan (NDP) and the rights and values enshrined in the Constitution of the Republic of South Africa (Act 108 of 1996).

### **2. POLICY STATEMENT**

The purpose of developing a new policy on safety, crime and violence prevention is to promote an integrated and holistic approach to safety and security, and to provide substance and direction to achieving the NDP's objective of 'Building Safer Communities'. The White Paper will facilitate, where necessary, new legislative and institutional arrangements necessary for the operationalisation of its objectives, including:

- Clarification of the roles and responsibilities of individual government departments and different spheres of government;
- Mechanisms for co-operation between government departments and different spheres of the state for integrated planning and service delivery;
- Monitoring and evaluation systems;
- Resources; and

- Accountability.

The White Paper will provide direction to government departments in the development and alignment of their respective policies, strategies and operational plans to the goal of achieving safer communities. In addition, the White Paper will provide governance and oversight tools against which departments can be measured and held accountable.

### **3. OBJECTIVES**

The objectives of the White Paper on Safety and Security are to:

- Provide an overarching policy for safety, crime and violence prevention that will be articulated in a clear legislative and administrative framework in order to facilitate synergy and alignment of policies on safety and security; and
- Facilitate the creation of a sustainable, well-resourced implementation and oversight mechanism, which will co-ordinate, monitor, evaluate and report on implementation of crime prevention priorities across all sectors.

### **4. MOTIVATION**

Since 1994, government policy in relation to safety and security has been articulated in two key documents, the National Crime Prevention Strategy (NCPS), adopted in 1996, and the 1998 White Paper on Safety and Security. In addition to these key policy frameworks, Government has responded with a series of initiatives to address challenges within the criminal justice cluster.

A review of the 1998 White Paper on Safety and Security in 2010 identified the need for two distinct policy interventions; that is, a White Paper that would focus on the policing environment, and a White Paper that would focus on an

integrated and developmental approach to crime and violence prevention, recognising the fact that safety extends far beyond the purview of the police.<sup>1</sup>

Direct responses from the criminal justice system and broader security apparatus are necessary to deal with crime and state security, (including global threats of 'terrorism', transnational, organised crime, as well as cyber-crime), and should form part of the Government's state and security agenda,<sup>2</sup> as well as its policing strategies. However, reactive policing approaches to crime are only partially effective in the prevention of crime and violence. As demonstrated by research, an over-reliance on criminal justice approaches risks the prioritisation of increasingly repressive and punitive responses to crime that are ultimately reactive and limited in their ability to achieve longer term results. The reactive nature of the criminal justice system needs to be complemented by long-term developmental strategies to reduce incidents of people in conflict with the law and to increase levels of safety in communities, such as those espoused in this White Paper.

Safety and security is not only a fundamental responsibility of the state,<sup>3</sup> as provided in Chapter 11 of the Constitution, but also a fundamental human right in terms of Chapter 2 of the Constitution<sup>4</sup> and 'a necessary condition for human development, improved quality of life and enhanced productivity'.<sup>5</sup> The Bill of Rights affirms the democratic values of human dignity and equality,<sup>6</sup> and recognises the right of every person to freedom and security of the person,<sup>7</sup> and the right of every child to be protected from neglect, abuse, degradation and exploitation.<sup>8</sup> Furthermore, the right to safety is also articulated in Section 24 of the Constitution in the right to a safe environment that is not harmful to health or well-being.

## **5. FOCUS OF THE WHITE PAPER**

The focus of this White Paper is crime and violence prevention, which a necessary precondition for increasing people's feelings of safety and building safer communities. The White Paper recognises the importance of initiatives that aim to reduce poverty, inequality, and unemployment, as well as those

that aim to enhance the effectiveness of the state. These interventions are integral to addressing risk factors identified in this White Paper.

The White Paper seeks to realise the vision espoused in the NDP. The adoption of the NDP by Cabinet in 2012 provides a blue print for South Africa to eliminate poverty and reduce inequality by 2030.<sup>9</sup> The NDP articulates a vision for a safe and secure South Africa, and identifies building safer communities as central to achieving an integrated and developmental approach to safety and security, which involves all government departments and tiers of government. These departments will, in executing their respective legal mandates, collectively and individually contribute to a safe and secure environment for all South Africans.

The White Paper reaffirms that building safer communities is a collective responsibility of both the state and its citizens, and is located within the broader developmental agenda of government, as set out in the NDP and the Medium Term Strategic Framework (MTSF 2014-2019). In this regard, the White Paper affirms the need for an active citizenry, civil society, and private sector to contribute to the on-going efforts of government in safety, crime and violence prevention.

## **6. APPROACH OF THE WHITE PAPER**

This approach advocated in the White Paper is premised on addressing the risk factors discussed herein ; intervening in the individual, familial, community and structural domains in order to build resilience; putting in place protective measures; supported by broader structural and environmental change, to promote safer communities. The approach requires effective and integrated planning and implementation by government, informed by a sound knowledge base and active community participation.

## **6.1 Developmental approach**

### **6.1.1 Socio-ecological model**

The White Paper advocates a developmental approach to safety to crime and violence prevention, as articulated in the socio-ecological model. The socio-ecological model recognises that violence results from a combination of multiple influences that interact with each other in different ways. Individuals are located in relation to their family, community, and the broader environment. Accordingly, this model considers the multiplicity of factors that put people at risk and that need to be addressed, in order to protect individuals from experiencing or perpetrating violence, which are otherwise referred to as 'protective factors'. Prevention strategies must therefore address risk and protection factors at different stages of a person's life and development, in order to increase safety, as each level of human development is associated with different, and often overlapping, sets of risk factors.

Interventions also need to be embedded within broader and complementary initiatives that are aimed at reducing crime and violence.

When addressing the risk factors for crime by enhancing parenting practices, improving access and investment in education, reducing access to alcohol, illegal substances and weapons, and increasing employment opportunities – it is important to simultaneously build the resilience of individuals, families and communities to crime and violence. Resilience is the 'process of, capacity for, or outcome of, successful adaptation, despite challenging or threatening circumstances'.<sup>10</sup> It is important therefore, that safety strategies, particularly those aimed at addressing crime and violence, must include mechanisms which build the capacity of individuals and institutions to deal with the adversity that may make them more vulnerable to crime.

In developing strategies to deal with crime and violence, risk and protective factors must be disaggregated by target groups. Risk factors for crime and violence include those set out in the table below.

**Table 1: Risk factors for crime and violence**

<b>Individual</b>	<b>Risk Factors</b>
	Gender and gender non-conformity
	Age
	Low social status related to class, race, ethnicity
	Poor nutritional, pre-natal and health care
	Disability
	Low self-esteem/ lack of empathy
	Substance abuse (eg alcohol and drugs)
	Lack of access to education/ poor quality education
	Early onset of conduct /behavioural problems
	Affiliation to anti-social peer groups (eg gangs)
	Unemployment
	Social exclusion (eg school drop outs, homelessness)
	Sexual orientation
	Masculinity norms and ideas that legitimise dominance and control over women
	Violence, abuse, mistreatment, neglect
	Dysfunctional families
<b>Relationship</b>	<b>Risk factors</b>
	Family violence and conflict
	Harsh, authoritarian parenting
	Absent/low levels of parental involvement
	Neglect, abuse and mistreatment
	Caregivers or siblings in trouble with the law
	Teenage parenthood
	Violence, abuse, mistreatment, neglect in the home
	Affiliation to anti-social male peer groups/gangs
	Gender inequalities
<b>Community</b>	<b>Risk factors</b>
	Family/community attitudes condoning violence
	High levels of neighbourhood crime and violence (eg



	presence of organised crime and gangs)
	Lack or poor access to quality education, training opportunities, employment
	Easy availability of drugs, alcohol, firearms
<b>Macro/structural</b>	<b>Risk factors</b>
	Structural inequalities (social, economic, political)
	Demographic factors (youth bulge)
	Social norms condoning inequality and violence
	Institutional fragility (e.g. poor, discriminatory or uneven provision of services, weak criminal justice system, weak governance, weak or absent control of arms and drug trade)
	Poor delivery of public services (e.g. health, education, policing and social services)
	Poor social and living conditions (food insecurity, informal settlements, overcrowding, poor infrastructure and poor public transport)
	Lack of access to /poor delivery of basic services (e.g. housing, water and sanitation)
	Unemployment
	Poor planning for urbanisation

**(See Annexure A for more detail)**

#### 6.1.2 Primary, secondary and tertiary prevention

The White Paper advocates interventions at primary, secondary and tertiary prevention levels. '[T]he site of primary prevention [is] the general public or environment, the site of secondary prevention are those regarded as being 'at risk' of offending or criminal victimisation; and the site of tertiary prevention are those who have already succumbed to either criminality or victimisation.'<sup>11</sup> It is only through a combination of all three prevention areas – primary, secondary and tertiary – that safer communities can be achieved.

## **6.2 Intersectoral co-operation and collaboration towards effective integrated planning and service delivery**

The approach advocated by the White Paper recognises the importance of inter-sectoral consultation, co-operation and collaboration, effective and integrated service delivery, and community engagement and accountability; at a local, provincial and national level - as an imperative for building safer communities. In addition to the criminal justice system, the roles of the health, social development and education systems are important in addressing risk factors that contribute to crime and violence. Short-term measures, such as those undertaken by the South African Police Services (SAPS) and the broader criminal justice system, need to be augmented with long-term prevention approaches that generate positive social change, in order to reduce levels of crime and violence.<sup>12</sup>

## **6.3 Knowledge-based approach**

The White Paper advocates a knowledge-based approach, implying that interventions and programmes employed must be based on demonstrated and proven results. The availability of data is a critical component of planning and evaluating strategies and interventions. The collection of reliable data to inform evidence-based interventions is an essential component of the crime and violence prevention approach advocated in this White Paper.

### **6.3.1 Evidence-based interventions**

Strategies and interventions must be evidenced-based and informed *'by a broad, multidisciplinary foundation of knowledge about crime problems, their multiple causes and promising and proven practices'*.<sup>13</sup> A comprehensive strategy must draw on approaches and interventions that have been rigorously evaluated and shown to be effective in achieving specific crime, violence prevention, or safety outcomes.

Evidence of what works in social crime and violence prevention demonstrates the importance of addressing the risk factors for crime and violence as highlighted in the key themes of this White Paper. This includes early childhood interventions, school-based programmes, youth and family level interventions, strategies to deal with violence against women, community level interventions, improving the efficiency, effectiveness and accountability of the criminal justice system, controlling the availability of firearms, and safety through environmental design.

***(See Annexure A for more detailed information of interventions with demonstrated results)***

#### 6.3.2 Information and data management systems

The ability to effectively plan and monitor implementation of the White Paper and assess delivery is predicated on reliable data.<sup>14</sup>

- Reliable and up-to-date data must be collected across the range of departments and sectors to:
  - Identify and define the incidence and prevalence of crime and violence that is reported and unreported;
  - Identify the scale, scope and location of safety problems;
  - Identify specific risk and protective factors (when and where problems occur, who is involved to assist in understanding patterns and trends, and likely causal factors);
  - Identify availability and gaps in services;
  - Assess effectiveness of allocation of resources;
  - Identify, develop and test interventions, which can then be implemented; and
  - Evaluate what works and develop a repository of evidence-based knowledge for future use.

- Data must be disaggregated to facilitate analysis and identification of drivers and risk factors.

On-going data that can be disaggregated by age, gender, relationship, geography, and a range of other measures, is essential to accurately develop and adapt relevant local, provincial and national policies, strategies and plans.<sup>15</sup> Official data collected from other sources (i.e. public health information from hospitals, clinics, mortuaries and emergency and trauma units on injuries, accidents and deaths, drug and alcohol use and mortality) provide important data to inform the analysis of crime and violence. This data should reflect not only direct safety indicators, but also include progress on addressing risk and protective factors, as indicated above.

- Data collection must be on-going and institutionalised into current reporting arrangements.

Safety is not static, and social and structural factors that contribute to crime and violence may change over time. Where required, the capacity of departments should be increased, to ensure the on-going collection and utilisation of accurate data.

- Data systems must be integrated and accessible.

Data systems must allow for integrated analysis and effective monitoring. This is critical in identifying blockages and gaps in service delivery, and ensuring integrated service provision. Such systems will allow for the flow of data across departments and spheres of government, facilitating and supporting reporting arrangements.

Data should be accessible to bona fide research and civil society and community organisations. Protocols must be established to facilitate the integration, management, distribution, analysis and sharing of data.

***(See Annexure A for more detailed information)***

#### **6.4 Active, public and community participation**

The NDP recognises active citizenry and co-ordinated partnerships as key components to a sustainable strategy for citizen safety.<sup>16</sup>

The White Paper recognises the importance of state parties working with non-state bodies to establish safety needs and develop strategies to address them. It proposes the development of sustainable forums for coordinated and collaborative community participation; public participation in the development, planning and implementation of interventions; and public and private partnerships to support safety, crime and violence prevention.<sup>17</sup>

Civic structures that are inclusive of all sectors of society including different faiths, youth, business sector, elderly persons, women and other marginalised or disadvantaged groups, are an important mechanism to facilitate citizen involvement.<sup>18</sup> The core mandate of Community Safety Forums (CSFs) is to facilitate community participation in safety, crime and violence interventions, as envisaged in the Community Safety Forum Policy. The core objectives of Community Police Forums (CPFs) are to facilitate community participation, including reciprocal responsibilities in respect of crime fighting programmes; ensuring police accountability to the community; joint identification and co-ownership of policing programmes and identifying policing projects with the police.<sup>19</sup> In addition to these structures, there is a range of mechanisms such as the Integrated Development Plan (IDP) forums, ward committees, school governing bodies, health committees, amongst others, that are important mechanisms to facilitate engagement by the state with communities.

Active citizen involvement should be meaningful and extend to active participation in crime and violence prevention through needs assessments and safety audits, development of strategies and implementation of plans, and monitoring and evaluation of impact.

Co-operation and partnerships with private sector institutions are another important feature of public participation and active citizenry. Businesses have a dual responsibility; that is, firstly to ensure effective crime and violence prevention practices within the work environment and uphold legal and ethical business practices; and secondly, to support crime prevention efforts in the broader community.

## **7. KEY COMPONENTS OF THE WHITE PAPER**

### **7.1 Themes**

The White Paper recognises the centrality of crime and violence prevention, and is informed by six key themes.

#### **7.1.1 Effective criminal justice system:**

- Efficient, responsive and professional criminal justice sector.
- Effective diversion, rehabilitation and reintegration programmes.
- Effective restorative justice programmes and interventions.

#### **7.1.2 Early intervention to prevent crime and violence, and promote safety:**

- A healthy start for infants and children, including the first 1 000 days of life, pre-school and school children, and their parents, caregivers and guardians.
- A safe and supportive home, school and community environment for children and youth.
- Context-appropriate child and youth resilience programmes.
- Substance abuse treatment and prevention.

**CONTINUES ON PAGE 130 - PART 2**





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

- Context-appropriate interventions for '*vulnerable*' / at risk groups.

#### 7.1.3 Victim support:

- Comprehensive framework for promoting and upholding the rights of victims of crime and violence.
- Delivery of high quality services for victims of crime and violence.

#### 7.1.4 Effective and integrated service delivery for safety, security and violence and crime prevention:

- Access to essential crime and violence prevention and safety and security services.
- Professional and responsive service provision.

#### 7.1.5 Safety through environmental design:

- The integration of safety, crime and violence prevention principles into urban and rural planning and design, that promotes safety and facilitates feelings of safety.

#### 7.1.6 Active public and community participation:

- Sustainable forums for co-ordinated and collaborative action on community safety.
- Public and community participation in the development, planning and implementation of crime and violence prevention programmes and interventions.
- Public and private partnerships to support safety, crime and violence prevention programmes and interventions.

## 7.2 Core principles

Underpinning the themes are the general principles of:

- Equality, in access, protection, and service.

- Commitment to high quality service.
- Integrated planning and implementation.
- Evidence-based planning and implementation.

### **7.3 System level requirements**

The themes of the White Paper are dependent upon certain system level requirements, which are necessary to facilitate implementation of the White Paper and delivery of programmes and interventions. These include:

- Allocation of sufficient budgets and resources to safety, crime and violence prevention;
- Alignment of legislation and policies to the White Paper;
- Development and alignment of strategies to the White Paper by all government department and spheres of government, and incorporation of these into strategic plans, annual performance plans, norms and standards;
- Establishment and resourcing of permanent implementation structures;
- Institutionalisation of inter-governmental co-operation systems and mechanisms (horizontal and vertical);
- Evidence-based planning and implementation;
- Alignment of programmes and interventions to the approach and themes advocated in the White Paper; and
- Active public and community participation.

## **8. UNDERSTANDING SAFETY, CRIME AND VIOLENCE PREVENTION IN SOUTH AFRICA**

The nature of crime and violence in South Africa is complex. Available demographic data provides some insight into the profile of the population and macro-structural and socio-economic conditions which impact on risk.

Available crime statistics and research also provide indicators of the nature and trends in reported crime and violence. This data provides useful insight into the scope of the challenges facing communities.

*(More detailed information is contained in Annexure B)*

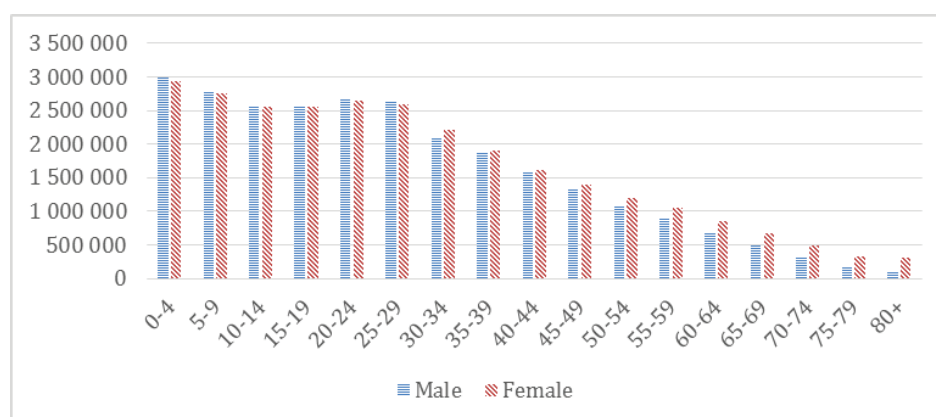
## 8.1 Country profile

### - Population

The 2015 mid-year population estimates reported the population size of South Africa at 54 956 900 people, with most populous provinces being Gauteng at 24%, Kwa Zulu Natal at 19,9%, Eastern Cape at 12,6%, and Western Cape at 11,3% of the total population.

South Africa has a young population, with the largest group being between the ages of 0 to 4 with over 58% of the population below the age of 30.<sup>20</sup> The proportional representation of children is consistent in all areas, with the exception of Kwa-Zulu Natal and Gauteng, where there are significantly fewer children (see figure 9 in Annexure B).

**Figure 1: Population size by age and gender**

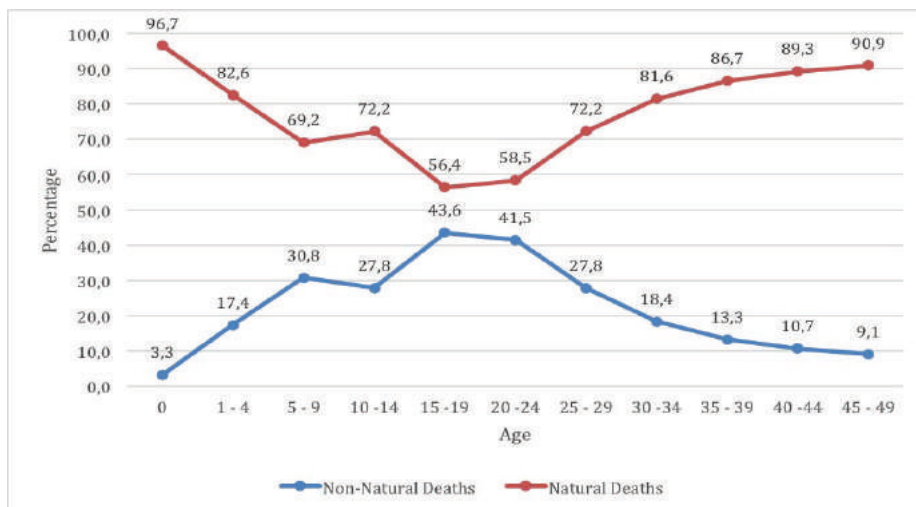


Source: Statistics South Africa 'Mid-Year Population Estimates' (2015) Table 15 p 16.

Young people are the most at risk of victimisation, as well as of offending. In 2014, over 24 per cent of the sentenced proportion of inmates, and over 40 per cent of those in remand, fell within the defined age range for juveniles (between the ages of 18 and 21 years).<sup>21</sup> The rate of 'non-natural' deaths of young people provides a good indication of the degree to which they are disproportionately affected by violence (see figure 2 below).

As figure 2 (below) indicates, for both sexes the 15–19 age group are most affected by non-natural causes of death (34.5 per cent of all deaths due to non-natural causes).<sup>22</sup> Assault is the most common cause of death, accounting for 11.2 per cent of non-natural deaths in this age group. In all age groups males are seen to have an overall higher proportion of deaths due to non-natural causes (14.9 per cent male deaths due to non-natural causes, compared to 5.1 per cent for females).<sup>23</sup>

**Figure 2: Rates of natural and non-natural death by age**



Source: Statistics South Africa 'Mortality and causes of death in South Africa' (2013).

This demographic profile on age resonates with the importance and ability of early intervention, multi-systemic and cognitive therapy, ECD interventions and school-based programmes, to reach a significant percentage of the population at risk.

- **Urban / rural expansion**

South Africa has a proportionately higher urban population compared to general global figures.<sup>24</sup> Read with crime statistics, discussed later in this section, this is an important variable when designing appropriate interventions.

- **Economic and employment indicators**

Unemployment rates remain significantly high, at 24.3 per cent (2015) demonstrating an increase since 2011 (with a slight decrease in the 1<sup>st</sup> quarter of 2014).<sup>25</sup> Across the board, women experience higher rates of unemployment than men regardless of race and level of education, with black African women experiencing the highest rates of unemployment, irrespective of their levels of education (ranging from 16.1 per cent for women who have tertiary degrees up to 32.0 per cent for women who have earned less than matric).<sup>26</sup> The gender gap in unemployment is largest amongst black Africans and Indians/Asians with tertiary education.<sup>27</sup>

- **Access to housing and basic services**

12.9 per cent of the South African population live in informal dwellings, with the highest proportion being in the North West (21 per cent of the province's population), then Gauteng (19.2 per cent of the province's population), and Western Cape (14.8 per cent of the province's population).<sup>28</sup>

4.9 per cent of households in South Africa have no access to toilets / use bucket toilets with the highest proportion located in the Northern Cape (9.1 per cent of province's households), then Eastern Cape (8.5 per cent of province's households) and then Free State (7.9 per cent of province's households).

## - Social protection

The more rural provinces of Limpopo (59.2 per cent of the province's population), Eastern Cape (58.4 per cent of the province's population) and Free State (54.4 per cent of the province's population) have a much higher proportion of households benefiting from social grants than the more urban provinces such as Western Cape (36.9 per cent of the province's population) and Gauteng (28.5 per cent of the province's population).<sup>29</sup> The Care Dependency Grant (CDG) is the social grant most widely received across the whole country.<sup>30</sup>

More children live with single mothers (38.8 per cent) than with both parents (34.8 per cent) and only 3.4 per cent live with single fathers.<sup>31</sup> The Western Cape has a significantly larger proportion of children living with both parents than any other province (55.6 per cent of province population), and Limpopo has the highest proportion of children living in child-headed homes (1.3 per cent of province's population).<sup>32</sup>

A large proportion (64.5 per cent) of children in South Africa live in low-income households.<sup>33</sup> This figure tends to be higher in more rural provinces, such as Eastern Cape, Limpopo and Kwa-Zulu Natal; and there is a definite correlation between the percentage of children living in a household without an employed adult and those living in low-income households.<sup>34</sup>

***(See Annexure B for more detailed information on macro structural and socio economic indicators)***

## 8.2 Relationship between poverty, inequality and crime

The impact of structural violence<sup>35</sup> must be acknowledged in a discussion of crime and violence.

Historically, South Africa has experienced high levels of structural violence under colonial and apartheid rule. Inferior education and health systems,



limited career prospects, and migrant labour systems have inflicted family stress and social health problems.<sup>36</sup> Structural violence has continued post Apartheid due to persistent inequality in which structural inequalities remain embedded.

The relationship between poverty, inequality and crime and its impact on safety outcomes is acknowledged in the NDP, noting that safety and security are *'directly related to socio-economic development and equality'*, and requires an environment *'conducive to employment creation, improved educational and health outcomes, and strengthened social cohesion'*.<sup>37</sup>

Drawing a simple causal relationship between crime, violence and poverty, however, is misleading, as the relationship between crime, violence, poverty, deprivation and inequality, is more complex. Although there is little evidence demonstrating that poverty causes crime, there is substantial evidence demonstrating that those who live in poverty are more vulnerable to, and affected by, crime and violence.<sup>38</sup> This is evident in the risk factors for crime and violence. People living in communities characterised by a lack of services, with little or poor access to water and sanitation, child-care and health facilities, educational and employment opportunities, or who are marginalised or excluded, are at the most vulnerable to falling victim to crime and violence and most at risk in engaging in crime. They are also the least able to access the criminal justice system or victim support services, and are therefore, most at-risk, most vulnerable to, and most affected by high levels of crime and violence.

The developmental approach to crime and violence prevention espoused herein, that addresses risk at an individual, relationship, community and macro/structural level, allows for a better understanding of both the levels of crime and violence (detailed above), and identifies the most appropriate interventions for preventing both crime and violence.

### 8.3 Crime trends and analysis of risk groups and risk factors

According to recent crime statistics released by SAPS in September 2015, South Africa has experienced an increase in the number of violent crimes since 2013/2014. The number of reported murders, attempted murders, assaults, GBH (grievous bodily harm), and aggravated robberies are on the rise, while the number of reported sexual offences and common assaults appear to be on the decrease. Although statistics are important for analysing crime trends, as well as vulnerabilities of particular groups and risk factors, it is imperative to mention that a decrease in the number of reported crimes does not necessarily reflect a decrease in the number of incidents of crime. This is especially important to keep in mind when it comes to assessing the prevalence and extent of common assault and sexual offences in South Africa, which are two categories of crime that have notoriously low levels of reporting.<sup>39</sup>

Furthermore, even though statistics are important for purposes of measuring the prevalence of crime and violence, the lack of available disaggregated statistics (i.e. information relating to gender, race, age, nationality, relationship etc. of victims and perpetrators), makes it difficult to understand trends in crime, specifically the impact of certain crimes on different risk groups and the influence of certain factors on incidents of crime and violence.

That said, empirical research, supported by available statistics, suggests that certain groups of people are more vulnerable to certain types of crime and violence than others, and that certain factors (see specific risk groups and risk factors in Annexure C), make people more susceptible to becoming both victims and perpetrators of crime and violence. The identified at-risk groups include young men, women, children, people with disabilities, older persons and LGBTI persons; while key risk factors include the relationship between guns and violence, substance abuse and crime, exposure to anti-social peer groups and lacking community social cohesion.

### 8.3.1 RISK GROUPS

- **Young Men**

Young men are the primary perpetrators of violence and victims of homicide.<sup>40</sup> The highest homicide rates in South Africa (184 per 100 000; nine times the global average) are seen in men between the ages of 15 and 29 years.<sup>41</sup> The homicide rate for South African males is six times higher than for South African females.<sup>42</sup> Research has confirmed that masculine norms, confrontational and aggressive attitudes amongst young men are leading factors in the perpetration of crime and violence.<sup>43</sup> Furthermore, identities and aspirational views to be '*ready for a fight*', '*show no fear or pain*' and '*play it cool*'<sup>44</sup> reinforce the view that violence is a legitimate response to conflict.<sup>45</sup>

- **Violence against Women**

Violence against women includes, but is not limited to domestic violence, sexual violence by non-partners, marital rape, date rape, stalking, sexual harassment, sexual exploitation, domestic homicides and harmful traditional practices.<sup>46</sup> While it is difficult to provide accurate data of violence against women in South Africa, a study conducted in 2012 found that 77 per cent of women in Limpopo, 51 per cent in Gauteng, 45 per cent in the Western Cape and 36 per cent of women in KwaZulu-Natal, had experienced some form of violence (intimate and non-intimate) in their lifetimes.<sup>47</sup> Despite legislative enactments aimed at eradicating GBV and enhancing the protections afforded to women, violence against women in South Africa has been described as '*socially normalised, legitimised, and accompanied by a culture of silence and impunity*'.<sup>48</sup> Moreover, more women are killed by their current or ex-intimate male partner in South Africa than in any other country with a rate of 8.8 per 100 000 women.<sup>49</sup>

- **Violence against Children**

Violence against children is defined as: *'all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child'*.<sup>50</sup> A study conducted in 2015 found that, of 4 095 young people, one in five (19.8 per cent) have experienced sexual abuse in their lifetime, and 7.9 per cent reported some form of neglect at some point in their lives.<sup>51</sup> Violence against children has significant long-term effects.<sup>52</sup> Evidence suggests child maltreatment leads to a cycle of violence with children exposed to violence at a young age more likely to become a perpetrator or a victim to violence in later life.<sup>53</sup>

- **Persons with Disabilities**

Persons with disabilities are at a higher risk of experiencing violence than their non-disabled peers, often because their physical and mental conditions limit their personal autonomy and make it difficult for them to defend themselves against harm or communicate incidents of violence or abuse.<sup>54</sup> The forms of violence people with disabilities experience varies according to age, context, and socio-economic factors, with disabled children and women being most prone to sexual and physical abuse, as well as extensive forms of neglect.<sup>55</sup> Furthermore, the under-reporting of abuse of persons with disabilities makes it extremely difficult to gauge the extent and prevalence of the problem.<sup>56</sup>

- **Elderly Persons**

Older persons are particularly vulnerable to a number of crimes due to age, infirmity, personal, and socio-economic circumstances, including the intentional or reckless infliction of pain or injury; the use of violence or force for participation in sexual conduct or conduct contrary to their wishes; the

intentional imposition of unreasonable confinement; or the intentional or deliberate deprivation of food, shelter, or health care; and theft and extortion.<sup>57</sup> Comprehensive interventions that provide increased support and oversight, public education, and that address the systemic issues that make older persons vulnerable, are central to structural, individual, relationship and community to reduce the risk of abuse.<sup>58</sup>

- **Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons**

LGBTI people are particularly prone to discrimination, persecution and violence due to harmful socially constructed norms on masculinity and femininity, and discriminatory religious and cultural beliefs about gender and sexual orientation.<sup>59</sup> For many LGBTI persons, violence begins at home and in schools, and then progresses into the community, workplace and society as a whole.<sup>60</sup> Lesbian women are particularly affected by the general populations' overall conservative values and views towards homosexuality, with many lesbian women being subject to corrective rape and other forms of physical and sexual violence.<sup>61</sup> In addition, gay men, as well as transgender and intersex persons are often ostracised and subject to various forms of crime and violence by their families, communities and the society at large, with very little support and intervention from the state, particularly law enforcement.<sup>62</sup>

### **8.3.2 RISK FACTORS**

- **Firearm Violence**

A WHO report on violence prevention states that around one in every two homicides is committed with a firearm, with firearm homicides accounting for 33 per cent of all homicides in South Africa.<sup>63</sup> This report draws strong links between the ease of access to firearms as well as excessive alcohol use and multiple types of violence.<sup>64</sup> Such links are especially apparent in South

Africa. According to the United Nations Office on Drugs and Crime (UNODC) 2013 report, 35 per cent of murders in South Africa were committed with a firearm.<sup>65</sup> South Africa's rate of firearm deaths is one of the highest in the world and a third of all homicides are a result of the use of firearms.<sup>66</sup>

- **Alcohol and Substance Abuse**

South Africa's overall alcohol consumption is consistent with global averages.<sup>67</sup> However, South Africa has among the highest consumption levels in Africa, with a clear correlation between violence, specifically intimate partner violence (IPV), and alcohol consumption.<sup>68</sup> Foetal alcohol syndrome (FAS) is also a growing concern in South Africa, with the World Health Organisation (WHO) citing the Western Cape to have the highest reported rate of FAS in the world.<sup>69</sup>

- **Anti-Social Peer Groups**

Although gangsterism is a significant problem in South Africa, violence that is perpetrated by anti-social peer groups is not limited to named gangs.<sup>70</sup> Anecdotal evidence suggests that the youth in particular are highly involved in anti-social peer groups and gangsterism, and there is frequently an overlap between gang activity and delinquency in general.<sup>71</sup> For many people, involvement in gangs and anti-social peer groups is a family norm, and children join to become career criminals as a way of meeting their economic needs.<sup>72</sup> Gang activity is particularly destructive because it threatens the wellbeing of whole communities by decreasing freedom of movement and association and is usually the most destructive for the poor and vulnerable.<sup>73</sup>

- **Lack of Social Cohesion**

Despite significant progress since 1994, South African society remains extremely divided.<sup>74</sup> There are strong links between the absence of social cohesion and heightened levels of interpersonal violence within

communities.<sup>75</sup> Community dynamics may foster or impede a series of protective factors, especially in relation to interpersonal violence, such as the healthy attitudes of parents towards child-bearing and child-rearing;<sup>76</sup> stimulating learning and social environments; as well as the availability of adult role models, adult monitoring and supervision of children.<sup>77</sup> Social cohesion is an important part of not only dealing with the challenges of unemployment, poverty and inequality, but also of addressing issues of safety and security.<sup>78</sup>

***(See Annexure C for a more detailed analysis on crime trends, risk groups and factors for crime)***

## **9. POLICY ARCHITECTURE IMPACTING ON THE WHITE PAPER ON SAFETY AND SECURITY**

In the development of this White Paper, a range of legal and policy instruments were consulted, including the NDP, National Security Strategy (NSS), Rural Safety Strategy, Integrated Social Crime Prevention Strategy, the White Paper on Families, Criminal Justice System (CJS) Revamp, CSF Policy, ECD Policy, NCPS, 1998 White Paper on Safety and Security, National Service Charter for Victims of Crime and Violence and the Draft Integrated Urban Development Framework (IUDF).

A significant number of policy and strategy interventions address issues of safety and security, and crime and violence prevention. This White Paper on Safety and Security provides for the opportunity to locate these initiatives in an overarching, comprehensive framework for safety, security, crime and violence prevention, providing for greater synergy, co-operation and integration of planning and service delivery.

***(See Annexure D for a full list)***

## 9.1 National Development Plan 2030

The NDP proposes an integrated approach to resolving the root causes of crime that involves an active citizenry and inter-related responsibilities and co-ordinated service delivery from state and non-state actors.<sup>79</sup> Chapter 12 of the NDP identifies '*building safer communities*' as a key objective.

In order to achieve this vision, the NDP recognises the need to have a well-functioning criminal justice system involving key role-players, including the police, prosecuting authority, the judiciary, as well as the correctional services system.<sup>80</sup> Accordingly, the NDP identifies the following six key priorities to achieving a crime-free South Africa:

- Strengthening the criminal justice system.
- Professionalising the police service.
- Demilitarising the police service.
- Increasing the rehabilitation of prisoners and reducing recidivism.
- Building safety using an integrated approach.
- Increasing community participation in safety.<sup>81</sup>

In addition to creating an effective, responsive and professional criminal justice system, the NDP motivates for an integrated approach to building safer communities that recognises the root causes of crime and responds to its social and economic factors.<sup>82</sup> In this regard, the NDP places significant emphasis on the role of local government in understanding the safety needs of individual communities, and integrating safety and security priorities into their development plans.<sup>83</sup> The NDP pays particular attention to the safety needs of women, children, the girl-child and youth, and makes specific recommendations relating to the conducting of community safety audits, introducing learner safety programmes in schools, implementing the Rural Safety Strategy, expediting the re-establishment of the Sexual Offences courts, reporting on the status of environmental designs aimed at addressing



the safety of those who are most vulnerable, mobilising urban youth to secure safety areas, increasing support to non-governmental organisations and community-based organisations, enhancing efforts to reduce alcohol and substance abuse, and improving rehabilitation of offenders and reduction of recidivism.<sup>84</sup>

## **9.2 Criminal Justice System Revamp (2007)**

The 2007 CJS Revamp proposed a seven-point plan to transform the criminal justice system. The seven-point plan, which was adopted by Cabinet and endorsed by the NDP, calls on all players in the criminal justice sector to execute the following:

- Adopt a single vision and mission, and create a single set of objectives, priorities and performance-measurement targets leading to the Justice Crime Prevention Security Cluster (JCPS).
- Establish, through legislation or by protocol, a new and realigned single coordinating and management structure for the system.
- Make substantial changes to the present court process in criminal matters through practical, short-term and medium-term proposals.
- Put into operation priorities identified for the component parts of the system, which are part of, or affect, the new court process.
- Establish an integrated information and technology database or system for the national criminal justice system. Review and harmonise the template for gathering information relating to the criminal justice system.
- Modernise all aspects of systems and equipment, which includes fast tracking the implementation of current projects, modernisation initiatives, investigation-docket management systems, and parole management systems.

- Involve the public in the fight against crime and violence by introducing changes to community policing forums, such as policing outcomes, support to correctional supervision of out-of-court sentences and parole boards.<sup>85</sup>

The NDP endorses the seven-point plan and recommends that departments in the JCPS cluster align their strategic plans with the seven-point plan; and that regular reporting to Cabinet on the implementation thereof is institutionalised.<sup>86</sup>

### **9.3 National Security Strategy (2012)**

The NSS recognises that crime and violence reduction cannot depend on effective policing alone, but must consider a comprehensive, and co-ordinated national response that addresses its root causes. The objective of the NSS is to address violent and organised crime, specifically in relation to its impact on people's sense of safety and security, social cohesion, as well as to the economy of the country. Furthermore, the NSS recognises connections between crime combating and border and air security, the activities of the private security industry, domestic stability challenges, counter-corruption work, managing illegal migration and efforts to eradicate the illicit economy.

### **9.4 Rural Safety Strategy (2010)**

The 2010 Rural Safety Strategy addresses challenges to reducing high levels of crime and violence in rural areas.<sup>87</sup>

### **9.5 Integrated Social Crime Prevention Strategy (2011)**

The Integrated Social Crime Prevention Strategy (ISCPS) focuses on the needs of those who are most vulnerable, including women, children, youth, people in rural areas, people with disabilities and older persons.<sup>88</sup> The ISCPS identifies the following areas for intervention: families; early childhood development; social assistance and support for pregnant women and girls;

child abuse, neglect and exploitation; domestic violence and victim empowerment programmes; victim support and dealing with trauma; community mobilisation and development; alcohol and substance abuse; HIV & AIDS and feeding and health programmes; social crime prevention programmes; extended public works programmes; schooling; and prevention, reduction and law enforcement with regard to gun violence.<sup>89</sup>

## **9.6 National Crime Prevention Strategy (1996)**

The NCPS is founded upon four pillars within which co-ordination and integration activities relating to crime prevention must take place: (i) criminal justice process; (ii) reduction of crime through environmental design; (iii) public values and education; and (iv) trans-national crime.<sup>90</sup>

## **9.7 Community Safety Forums Policy (2011)**

The CSF Policy focuses on the role of CSFs within the sphere of local government in facilitating enhanced co-operation, integrated planning, and co-ordinated implementation of safety programmes and projects at the community level.<sup>91</sup> CSFs aim to deliver programmes with a national agenda at a local level to enhance the delivery of crime prevention projects and to improve the functioning of the criminal justice system.<sup>92</sup> CSFs operate by facilitating regular safety audits in partnership with civil society, developing safety strategies and plans aligned with national, provincial and local priorities, and monitoring and evaluating the implementation of safety programmes or projects.

## **9.8 White Paper on Safety and Security (1998)**

The 1998 White Paper on Safety and Security set out a policy framework for safety and security for the period from 1999 to 2014. Developed in the context of the need to respond to 'the challenge of enhancing the transformation of the police',<sup>93</sup> the 1998 White Paper on Safety and Security sought to equip law enforcement officials with the tools to increase the

effectiveness of social crime prevention activities and to reduce the occurrence of crime. The objectives of the 1998 White Paper were to: (i) define the strategic priorities to deal with crime; (ii) articulate the roles and responsibilities of various role-players in the safety and security sphere and (iii) clarify the role of the Department of Safety and Security within a constitutional framework.<sup>94</sup>

### **9.9 Early Childhood Development Policy (2015)**

The 2015 ECD Policy prioritises the needs of children through a comprehensive and equally accessible ECD system.<sup>95</sup> Of particular relevance is the acknowledgment of risks at the individual, relationship, community and microstructural levels, and the need to support early interventions to prevent the cyclical nature of crime and violence.<sup>96</sup>

### **9.10 White Paper on Families (2012)**

The focus of the 2012 White Paper on Families is on: (i) enhancing the socialising, caring, nurturing and supporting capabilities of families to enable members to contribute effectively to the overall development of the country; (ii) empowering families by enabling them to identify, negotiate, and maximize economic opportunities in the country and (iii) improving the capacities of families to establish social interactions, and make a meaningful contribution towards a sense of community, social cohesion and national solidarity.<sup>97</sup>

### **9.11 Service Charter for Victims of Crime and Violence (2004)**

The Victims Charter provides a policy framework that aims to prevent secondary victimisation of victims of crime and to ensure consistently high levels of service to victims by all criminal justice agencies in all parts of South Africa.<sup>98</sup> The Victims Charter proposes a victim-centred approach to the criminal justice system's response to crime and violence and aims to provide an integrated and comprehensive set of services to victims of crime and

violence, including access to psycho-social support services and accurate information.<sup>99</sup>

### **9.12 Draft Integrated Urban Development Framework (2015)**

Although the IUDF was still in draft form at the time of the White Paper review, the White Paper acknowledges its recognition of the impact of urban crime on development and endorses its motivation for municipalities to take an integrated approach to development.<sup>100</sup> Of particular relevance is the IUDF's declaration that national departments have the responsibility to take the lead in creating a proactive and integrated system of spatial planning to facilitate more sustainable development.<sup>101</sup>

### **9.13 White Paper on Policing**

The White Paper on Policing focuses on the internal policing environment and role of the police. The White Paper on Policing complements the White Paper on Safety and Security by articulating a clear role for the police in crime prevention.

## **10. ROLE OF NATIONAL, PROVINCIAL AND LOCAL GOVERNMENT**

Achieving safer communities as envisaged in the NDP requires that different spheres of government and organs of state co-ordinate and align their actions in order to deliver comprehensive and high quality services. Chapter 3 of the Constitution speaks directly to this point, requiring that national, provincial and local government adhere to principles of co-operative government and intergovernmental relations.

### **10.1 Legal framework**

***(See Annexure E for detailed information)***

The scope of responsibility for the provision of safety and security is articulated in the competencies of national, provincial and local government and subordinate legislation and addresses issue of competencies, imperatives for co-operative governance, institutional mechanisms to facilitate intergovernmental relations, obligations and responsibilities of national government, provincial government and local government.

The White Paper proposes a '*whole of government*' approach, which calls for institutional arrangements to facilitate integrated and multi-sectoral provision of crime and violence prevention services through intergovernmental structures and mechanisms. In particular, the White Paper requires that national and provincial government fulfil their Constitutional mandate to ensure that local government has the capacity and resources to perform its functions, specifically in creating an enabling environment for safer communities.

## **10.2 Role of national government**

The role of national government in respect of the implementation of the White Paper on Safety and Security includes:

### **Budgets and resources**

- Allocate budgets for strategy, plans, roles, programmes and interventions for safety, crime and violence prevention.
- Ensure allocation of funding and resources at national, provincial and local level safety.
- Provide guidance, technical support and capacity building on safety, crime and violence prevention strategies and implementation to provincial and local government through the National Crime Prevention Centre.
- Resource and capacitate implementation structures at national level.
- Account to Parliament for the spending of budgets and outputs for safety, crime and violence prevention.

- Provide clear and sufficient guidance on budgetary and planning processes to line function departments.

### **Legislation and policy**

- Align national legislation and policies with the White Paper on Safety and Security.

### **Strategies**

- Ensure the integration of safety and security outcomes within the strategic frameworks of national government.
- Ensure that strategies, plans, key performance indicators (KPIs), norms and standards are aligned with the safety, crime and violence prevention outcomes of the White Paper.
- Ensure integration of local and provincial needs into national strategies and plans.

### **Implementation structures**

- Establish implementation structures (see implementation mechanisms section 11.2).

### **Intergovernmental co-operation systems**

- Facilitate intergovernmental relations between national, provincial and local government.
- Participate in intergovernmental forums on a national, provincial and local level and ensure that issues relating to the implementation of the White Paper on Safety and Security are discussed, consulted and acted upon.

### **Evidence-based assessments and Monitoring and Evaluation**

- Conduct needs assessment at national level;
- Monitoring and Evaluation Framework:
  - Develop and implement the Monitoring and Evaluation Framework at national level.

- Ensure implementation and reporting by provincial and local government on the Monitoring and Evaluation Framework.
- Conduct a baseline
- Co-ordinate the reporting of national, provincial and local government against the Monitoring and Evaluation Framework
- Account to Parliament on implementation and the outcomes of the White Paper.

### **Programmes and interventions**

- Implement programmes and interventions aligned to the White Paper.
- Initiate and co-ordinate national safety, crime and violence programmes and interventions with provincial and local government.
- Ensure integration of provincial and local needs in programmes and interventions.

### **Active public and community participation**

- Ensure active public and community participation in the development, planning and implementation of national strategies and policies.
- Ensure the establishment of sustainable forums for co-ordinated, collaborative and on-going community participation.
- Facilitate public and private partnerships to support safety, crime and violence prevention programmes and interventions.

## **10.3 Role of provinces**

The role of provinces in the implementation of the White Paper on Safety and Security includes:



**Budgets and resources**

- Allocate budgets for strategy, plans, roles, programmes and interventions for safety, crime and violence prevention at provincial level.
- Mobilise funding and resources for safety, crime and violence prevention programmes at local level.
- Provide capacity and support to local government to implement the White Paper.
- Capacitate and resource the Provincial Crime Prevention Centres.
- Account to the provincial legislature for the spending of budgets and outputs for safety, crime and violence prevention.

**Legislation and policy**

- Align provincial legislation and provincial policies with the White Paper.

**Strategies**

- Ensure the integration of safety and security outcomes within provincial government and the strategic frameworks of provincial departments.
- Develop provincial strategies and plans in alignment with the White Paper and national strategies.
- Ensure strategies, plans, KPIs, norms and standards are aligned with the safety, crime and violence prevention outcomes of the White Paper.
- Ensure alignment of Integrated Development Plans (IDPs) planning and reporting to the White Paper.
- Integrate local needs and priorities into provincial strategies, plans and interventions.

**Implementation structures**

- Establish implementation structures (see implementation mechanisms section 11.2).

**Intergovernmental co-operation systems**

- Development of implementation plans and protocols for implementation of the White Paper.
- Co-ordinate the range of provincial competencies including health, education, social development, and local government, in implementing the White Paper.
- Participate in intergovernmental forums on a national, provincial and local level and ensure that issues relating to the implementation of the White Paper on Safety and Security are discussed, consulted and consulted.
- Co-ordinate between provincial and local government (together with the provincial department responsible for co-operative government) to ensure implementation of the White Paper at local government level.

**Evidence-based assessments and Monitoring and Evaluation**

- Conduct needs assessments at a provincial level.
- Monitoring and Evaluation Framework:
  - Implement the Monitoring and Evaluation Framework at provincial level.
  - Ensure implementation and reporting by local government on the Monitoring and Evaluation Framework.
  - Conduct provincial baselines.
- Co-ordinate the reporting of provincial and local government against the Monitoring and Evaluation Framework.
- Report to the provincial legislature on implementation and outcomes of the White Paper.

**Programmes and interventions**

- Initiate and co-ordinate safety, crime and violence programmes and interventions in the province.

- Initiate and co-ordinate safety, crime and violence programmes and interventions with local government.
- Participate in national programmes on safety, crime and violence prevention.
- Implement programmes and interventions aligned to safety, crime and violence prevention outcomes.
- Ensure integration of provincial and local needs in programmes and interventions.

#### **Active public and community participation**

- Ensure active public and community participation in the development, planning and implementation of national strategies and policies.
- Facilitate the establishment of sustainable forums for co-ordinated, collaborative and on-going community participation.
- Facilitate public and private partnerships to support safety, crime and violence prevention programmes and interventions.

#### **10.4 Role of local government**

Local government is a key role player in the delivery of safety and security to communities.<sup>102</sup> The location of municipalities, (as the most direct interface of government with communities), and the mandate of municipalities, represents the most inclusive range of interventions required to create an enabling environment for delivery of services which impact on the safety and wellbeing of communities.

The role of local government with respect to the implementation of the White Paper includes:

**Budgets and resources**

- Allocate budgets for strategy, plans, roles, programmes and interventions for safety, crime and violence prevention at local and district municipality levels.
- Align resources to objectives of safety, crime and violence prevention outcomes.
- Secure funding for programmes and interventions to achieve safety, crime and violence prevention outcomes.
- Capacitate and resource the Municipal Crime Prevention Centres.
- Account to the municipal council for the spending of budgets and outputs for safety, crime and violence prevention.

**Legislation and Policy**

- Align legislation (by-law) and policy to safety, crime and violence prevention outcomes.

**Strategies**

- Develop a local strategy and community safety plans for implementing the White Paper.
- Develop strategies and integrate safety, crime and violence prevention outcomes into strategic plans, performance plans, norms and standards, etc.
- Integrate safety, crime and violence prevention outcomes into the IDP.
- Align and complement planning of IDPs with other municipalities and organs of state to ensure that safety, crime and violence prevention is prioritised and that best practices are integrated across municipalities.
- Ensure alignment of KPIs in strategies, plans, norms and standards with the White Paper.

**Implementation Structures**

- Establish an implementation structure to ensure effective implementation of the White Paper (see implementation mechanisms section 11.2).

**Intergovernmental co-operation systems**

- Develop implementation protocols with other spheres of government and organs of state to facilitate implementation of the White Paper at local level.
- Contribute to setting joint safety, crime and violence priorities and interventions with other tiers of government, departments, and municipalities.
- Participate in intergovernmental forums on a national, provincial and local level and ensure that issues relating to the implementation of the White Paper on Safety and Security are discussed, consulted and put into action.

**Evidence-based assessments and Monitoring and Evaluation**

- Conduct needs assessments at local level.
- Monitoring and Evaluation Framework:
  - Implement the Monitoring and Evaluation Framework at local level
  - Conduct a baseline
  - Ensure alignment of KPIs in the IDP
- Conduct community safety audits on an annual basis.
- Report to municipal council on the implementation and outcomes of the White Paper.

**Programmes and interventions**

- Co-ordinate safety, crime and violence interventions within the municipal area.
- Ensure effective enforcement of by-laws on safety, crime and violence prevention.

- Implement programmes and interventions aligned to safety, crime and violence prevention outcomes.

### **Active public and community participation**

- Establish sustainable forums for co-ordinated, collaborative and on-going community participation.
- Facilitate public and private partnerships to support safety, crime and violence prevention programmes and interventions.

## **11. INSTITUTIONAL ARRANGEMENTS**

Institutional arrangements are required to operationalise the White Paper. Specifically, institutional mechanisms must be put in place which are representative of all implementing departments and spheres of government, and which recognise the separate, yet inter-related roles and responsibilities of national, provincial and local government.

These arrangements should be informed by legislative prescripts.<sup>103</sup>

Institutional mechanisms need to be equipped and resourced, and supported with permanent dedicated staff capacity.

### **11.1 Location and Ownership of the White Paper**

In order to muster the appropriate level of political leadership, support and the authority to drive the White Paper (and further noting the multiplicity of departments and spheres of government responsible for implementation), the overall authority and ownership of the White Paper is located within the Presidency.<sup>104</sup>

## **11.2 Implementation Mechanisms**

The implementation, monitoring and evaluation of the White Paper are indispensable to operationalise and institutionalise the White Paper.<sup>105</sup> A range of mechanisms is required to ensure that this occurs.

The Civilian Secretariat for Police Service will provide a coordinating role in support of the implementation of the White Paper, and will facilitate engagements with civil society and government on community safety.

### **11.2.1 National Government**

#### **- Line Function National Departments**

Relevant government departments will be responsible for the development of institutional arrangements to facilitate the roles and responsibilities discussed above.

#### **Department of Planning, Monitoring and Evaluation (DPME)**

The DPME will establish a National Crime Prevention Centre, with the following functions:

- Develop a holistic Monitoring and Evaluation Framework which will include specific indicators and measures to track progress against system and thematic outcomes;
- Co-ordinate reporting of national, provincial and local government against the Monitoring and Evaluation Framework;
- Ensure integration of safety, crime and violence prevention outcomes within government's strategic framework;
- Establish and capacitate the National Crime Prevention Centre; and

- Facilitate the development of an integrated data and information management system and protocols for information sharing between different spheres of government.

The National Crime Prevention Centre will be replicated at provincial level.

Specifically, the objectives of a National Crime Prevention Centre are to:

- Provide expertise and support in the development of the policies and strategies of and plans.
- Mobilise resources needed to sustain safety, security and crime and violence prevention activities.
- Facilitate shared learning and development of partnerships.
- Monitor implementation and conduct evaluations;
- Collate and analyse data;
- Provide a repository of knowledge and information.

The National Crime Prevention Centre will be composed of full-time dedicated staff, and will be capacitated and resourced with strong research analytical capacity and systems to identify trends and best practices, analyse the effects of interventions on policy, evaluate projects, disseminate results, and provide training and technical assistance.

### **11.2.2 Provincial Government**

A Crime Prevention Centre will be established in the Office of the Premier, which will be responsible for the implementation of the White Paper of Safety and Security at provincial level.

### **11.2.3 Local Government**

A Crime Prevention Centre will be established at district/municipal level which will be responsible for the implementation of the White Paper of Safety and Security at municipal level.



## **12. MONITORING AND EVALUATION**

Effective implementation must be informed by a knowledge-based approach. Evidence-based assessments on what works are dependent on a robust system of monitoring and evaluation, informed by integrated information and data management systems.

The White Paper will be supported by a Monitoring and Evaluation Framework.

The National Department of Planning, Monitoring and Evaluation will be responsible for oversight and monitoring of the implementation of the White Paper.

## **13. RESOURCING AND CAPACITY**

Resources for driving and implementing the White Paper will be allocated from line function department budgets.<sup>106</sup> Treasury at national and provincial spheres must ensure that such funding is ring-fenced and subject to compliance monitoring and auditing.

Funding for interventions and programmes must be allocated from respective sector departments as part of their normal budgeting processes. Relevant departments must incorporate safety and security, crime and violence prevention interventions and programmes into their strategic and annual plans. At local level, these should be captured in municipal IDPs.

The facilitation of public and community participation must be provided for in these processes.

## GLOSSARY/DEFINITIONS

### 'Safety'

The NDP states 'safety should be measured by the extent to which the most vulnerable in society feel and are safe from crime [and violence] and the conditions that breed it'.

Safety refers principally to the state of an area and is determined based on the real and perceived risk of victimisation. 'Unsafety' therefore refers to areas characterised by the significant prevalence of violence and crime.

### Security

Security as defined in the NSS of South Africa 2013 refers to the 'maintenance and promotion of peace, stability, development and prosperity using state power. It also involves the protection of our people and their being free from fear and want; and the preservation of the authority and territorial integrity of the state'.

The definition for security has been extended to encompass not only physical, but 'human' security which includes social, economic and political aspects of security. This refers to: 'the protection vital freedoms, which relate to the freedom from critical and pervasive threats and situations, building on their strengths and aspirations. It also means creating systems that give people the building blocks of survival, dignity and livelihood. Human security connects different types of freedoms – freedom from want, freedom from fear and freedom to take action on one's own behalf.'<sup>107</sup>

### Crime and Violence

Crime and violence are often used interchangeably, but are in fact somewhat different. Not all violence is crime – bullying, for example, by children, may constitute a form of non-physical violence, but may

not be a crime. Conversely, not all crime is necessarily physical or violent.

While crime and what constitutes a crime, is defined in the South African common and statutory law, violence is defined in broader developmental terms as ‘the intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development, or deprivation’.<sup>108</sup>

### **Crime Prevention and Violence Prevention**

The concept of 'prevention' derives from the notion that crime and victimisation are driven by many causal and/or underlying factors that are the result of a wide range of circumstances and factors that influence individuals, families local environments and the situations and opportunities that facilitate victimisation and perpetration of crime.<sup>109</sup>

Crime Prevention is defined by the UN Guidelines for the Prevention of Crime (2002): as '[comprising] strategies and measures that seek to **reduce the risk** of crimes occurring and their potential harmful effects on individuals and societies, **including fear of crime**, by intervening to influence their **multiple** causes.'

The WHO defines violence prevention to include: strategies addressing underlying causes, individual enrichment programmes during childhood, training for parents on child development, strategies within the community such as increasing the availability of childcare facilities and strategies addressing societal factors such as the availability of alcohol.<sup>110</sup>

**Violence Against Women (VAW)**

VAW is defined by the United Nations (UN) as: 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'.<sup>111</sup>

**Vulnerable Groups**

Vulnerable groups are those at greater risk of exposure to crime and violence due to structural, cultural, identity or status factors; and, lack of/or limited access to knowledge, resources, services or remedies.

There is no closed list of vulnerable groups.

A determination of vulnerability will vary from context to context, and community to community. It is influenced by fluctuating social, political and economic considerations. An analysis of vulnerability must take into consideration both, those at risk of being victims, and/ or perpetrators and recognise the intersectionality of conditions, which render some people more vulnerable than others, even, within an identified group.

The purpose of determining vulnerability is to inform the nature and focus of interventions required to reduce crime and violence. Persons with disabilities, the elderly, women and children, and members of the lesbian, gay, bisexual, trans-gender and intersex (LGBTI) community, foreign nationals, sex workers, the homeless and young men, are some of the groups that are particularly vulnerable to crime and violence, and discrimination.

The NDP makes explicit reference to, and underscores the need to address, the safety of both women and children in South Africa. Women in South Africa suffer some of the highest rates of violence in

the world; the UN in 2011 reported that a woman is killed every six hours by an intimate partner.<sup>112</sup>

Because of the nature of sexual and GBV, and violence against children, these acts are often hidden and go unreported. The hidden nature of these acts of violence also often preclude victims from accessing adequate, or any, health or criminal justice services. At the same time, such experiences can further marginalise victims, and exponentially increase related negative health and educational outcomes, both for the individuals, and their families.<sup>113</sup>

The way that women and children 'experience' safety must also be understood within the context of the spaces, social, physical and economic, that they occupy. It is therefore essential, that when examining and assessing safety at a community level, the voices of both women and children, are heard, and that policies and strategies are informed by these voices.

Children and adults with disabilities face a double burden and are at much higher risk of violence than their non-disabled peers. Research indicates that children with disabilities are two to five times more likely to be abused than their non-disabled peers; and studies show that their vulnerability to sexual assault is higher when living in institutions.<sup>114</sup> Children with mental or intellectual impairments appear to be among the most vulnerable, with 4.6 times the risk of sexual violence, than their non-disabled peers. In respect of adults, overall, persons living with disabilities are 1.5 times more likely to be a victim of violence, while those with mental health, conditions are at nearly four times the risk of experiencing violence.<sup>115</sup>

Older persons are particularly vulnerable to a number of crimes, due to age, infirmity, personal, and socio economic circumstances, including the intentional or reckless infliction of pain or injury; the use of violence or force for participation in sexual conduct or conduct contrary to their

wishes; the intentional imposition of unreasonable confinement; or the intentional or deliberate deprivation of food, shelter, or health care; and theft and extortion.

LGBTI people are particularly prone to discrimination, persecution and violence. Safety strategies need to acknowledge and address societal attitudes and recognise that different factors impact on LGBTI person's vulnerability based on individual context and circumstance. For many, violence begins at home, in schools, the workplace and in the streets.

Foreign nationals are a highly vulnerable group, and vigilante and xenophobic violence has been prevalent in South Africa for decades. The largest scale of xenophobic attacks took place in 2008 where 62 people were killed, 670 wounded and more than 100 000 people displaced.<sup>116</sup> Researchers conclude that much of this violence stems from economic and social challenges within South Africa.<sup>117</sup> Due to lacking local support structures and family protection, migrant and refugee women and children are disproportionately exposed to violence.<sup>118</sup> The UN Committee on the Elimination of Discrimination against women (42 Session) correspondingly recognises the vulnerability faced by such migrant and refugee women, stating that: 'migration is not a gender-neutral phenomenon', with women being more susceptible to human rights violations than men.<sup>119</sup>

The United Nations High Commission on Refugees (UNHCR) highlights key challenges and vulnerabilities facing refugees in South Africa: high incidents of crime in the informal settlements where most reside; high rates of domestic violence among refugee communities; unreported cases of sexual assault when entering the country via unofficial border points and restoring to survival sex.<sup>120</sup>

The Constitution of the Republic of South Africa and subordinate legislation, specifically the Promotion of Equality and Prevention of Unfair Discrimination Act (52 of 2002), prohibits unjust discrimination

and hate speech. Interventions that build a culture of tolerance and human rights and address discrimination are a responsibility of all state departments and are key to addressing discrimination experienced including marginalised groups such as the LGBTI community, sex workers and foreign nationals.

**ANNEXURES**

A – Crime and Violence Prevention Approaches

B – Demographic Statistics on South Africa

C – Crime Trends and Analysis of Risk Groups and Factors in South Africa

D – Legislative and Policy Framework Impacting on the White Paper on Safety and Security

E – Legal Framework for the Role of National, Provincial and Local Government

**RESEARCH DOCUMENTS****DPME Landscape**

Department of Planning, Monitoring and Evaluation (DPME) Roles and Responsibilities

**Provincial Government Landscape**

Provisional Government Roles and Responsibilities

**Local Government Landscape**

Local Government Roles and Responsibilities

**National Government Audits**

Department of Arts and Culture (DAC) Roles and Functions of National Government

Department of Basic Education (DBE) Roles and Functions of National Government

Department of Cooperative Governance and Traditional Affairs (COGTA) Roles and Functions of National Government

Department of Correctional Services Roles and Functions of National Government

Department of Economic Development Roles and Functions of National Government

Department of Home Affairs (DHA) Roles and Functions of National Government



Department of Human Settlement (DHS) Roles and Functions of National Government

Department of Health (DOH) Roles and Functions of National Government

Department of Justice and Constitutional Development (DJCOD) Roles and Functions of National Government

Department of Transport (DOT) Roles and Functions of National Government

Department of Public Works (DPW) Roles and Functions of National Government

Department of Rural Development and Land Reform (DRD) Roles and Functions of National Government

Department of Social Development (DSD) Roles and Functions of National Government

Department of Sports and Recreation (SRSA) Roles and Functions of National Government

Department of Trade and Industry (DTI) Roles and Functions of National Government

National Prosecuting Authority (NPA) Roles and Functions of National Government

South African Police Service (SAPS) Roles and Functions of National Government

<sup>1</sup> 'The dichotomy of balancing a vision of core policing against a multi-disciplinary approach to safety is resolved by developing two separate yet inter related policies, the 2014 White Paper on the Police and the envisaged White Paper on Safety and Security, which among others, will elaborate on Government's on-going efforts to promote a developmental approach to citizen safety and promote alignment with other policy such as the Rural Safety Strategy, Community Safety Forum (CSF) Policy, the Municipal Systems Act, The Inter-Governmental Relations (IGR) Framework Act, the Department of Social Development's Integrated Social Crime Prevention Strategy and the Integrated Rural and Urban Development Frameworks.' Draft White Paper on Policing

<sup>2</sup> National Security Strategy, 2012.

<sup>3</sup> Constitution of the Republic of South Africa, [No. 108 of 1996], at Chapter 11.

<sup>4</sup> Constitution of the Republic of South Africa (No 108 of 1996) Available at: <http://www.acts.co.za/constitution-of-the-republic-of-south-africa-act-1996/> (Accessed: 28 September 2015).

<sup>5</sup> National Planning Commission 'National Development Plan 2030: Our Future – Make it Work' (2012) Pretoria: National Planning Commission 386 Available at: <http://www.poa.gov.za/news/Documents/NPC%20National%20Development%20Plan%20Vision%202030%20-Lo-res.pdf> (Accessed: 28 September 2015).

<sup>6</sup> Constitution of the Republic of South Africa (No 108 of 1996) sections 9 and 10 Available at: <http://www.acts.co.za/constitution-of-the-republic-of-south-africa-act-1996/> (Accessed: 28 September 2015).

<sup>7</sup> Constitution of the Republic of South Africa (No 108 of 1996) section 12 Available at: <http://www.acts.co.za/constitution-of-the-republic-of-south-africa-act-1996/> (Accessed: 28 September 2015).

<sup>8</sup> Constitution of the Republic of South Africa (No 108 of 1996) section 28 Available at: <http://www.acts.co.za/constitution-of-the-republic-of-south-africa-act-1996/> (Accessed: 28 September 2015).

<sup>9</sup> National Planning Commission 'National Development Plan 2030: Our Future – Make it Work' (2012) Pretoria: National Planning Commission 24 Available at: <http://www.poa.gov.za/news/Documents/NPC%20National%20Development%20Plan%20Vision%202030%20-Lo-res.pdf> (Accessed: 28 September 2015).

<sup>10</sup> Ann Masten, Karin Best and Norman Garnezy 'Resilience and development: Contributions from the study of children who overcome adversity' (1990) *Development and Psychopathology* 2(4) 425 Available at: <http://journals.cambridge.org/action/displayAbstract?fromPage=online&aid=2490828&fileId=S0954579400005812> (Accessed: 28 September 2015).

<sup>11</sup> Daniel Gilling *Crime Prevention: Theory, Policy and Practise* (1997) London: UCL Press 3.

<sup>12</sup> Louise Ehlers and Sean Tait 'Finding the Right Balance: Immediate safety versus long-term social change' (2009) *SA Crime Quarterly* Available at: [https://www.issafrica.org/uploads/CQ27\\_Ehlers-Tait.pdf](https://www.issafrica.org/uploads/CQ27_Ehlers-Tait.pdf) (Accessed: 29 September 2015).

<sup>13</sup> UNDOC 'Handbook on the crime prevention guidelines: Making them work' (2010) *International Centre for the Prevention of Crime* 47 citing United Nations Guidelines for the Prevention of Crime, Para 11 (Economic and Social Council Resolution 2002/13, Annex ) Available at: [https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf) (Accessed: 28 September 2015).

<sup>14</sup> The Importance of knowledge based methods is articulated in the 'United nations Guidelines for the Prevention of Crime' see B.Methods Knowledge base Para 21 pg7. Available at [https://www.unodc.org/pdf/criminal\\_justice/UN\\_standards\\_and\\_norms\\_in\\_crime\\_prevention\\_at\\_your\\_fingertips.pdf](https://www.unodc.org/pdf/criminal_justice/UN_standards_and_norms_in_crime_prevention_at_your_fingertips.pdf) (Accessed 26 October 2015)

<sup>15</sup> Public Safety Canada 'Supporting the Successful Implementation of the National Crime Prevention Strategy' (2009) Available at: <http://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/spprtng-mplmtn/spprtng-mplmtn-eng.pdf> (Accessed: 18 September 2015). This approach builds on the public health approach espoused by the WHO, and has been identified as critical to the successful outcomes of several successful evidence-based interventions

<sup>16</sup> National Planning Commission 'National Development Plan 2030: Our Future – Make it Work' (2012) Pretoria: National Planning Commission 386 Available at: <http://www.poa.gov.za/news/Documents/NPC%20National%20Development%20Plan%20Vision%202030%20-Lo-res.pdf> (Accessed: 28 September 2015).

<sup>17</sup> 'United Nations Guidelines for the Prevention of Crime' affirm the importance of cooperation and partnerships '9.Cooperation/partnerships should be an integral part of effective crime prevention, given the wideranging nature of the causes of crime and the skills and responsibilities required to address them. This includes partnerships working across ministries and between authorirites, community organizations, non-governmental organisations, the business sector and private citizens." See also para 16 on iportance of active participation of communities and civil society

[https://www.unodc.org/pdf/criminal\\_justice/UN\\_standards\\_and\\_norms\\_in\\_crime\\_prevention\\_at\\_your\\_fingertips.pdf](https://www.unodc.org/pdf/criminal_justice/UN_standards_and_norms_in_crime_prevention_at_your_fingertips.pdf) (Accessed 26 October 2015)

<sup>18</sup> These include Community Safety Forums (CSFs), Community Police Forums (CPF) and Ward Committees

<sup>19</sup> Civilian Secretariat for Police 'Community Safety Forum Policy' (2011) 19 Available at:

<http://www.policesecretariat.gov.za/publications/policies.php> (Accessed: 28 September 2015).

<sup>20</sup> Statistics South Africa 'Mid-year population estimate 2015' (2015) Available at:

<http://www.statssa.gov.za/publications/P0302/P03022015.pdf> (Accessed: 12 October 2015).

<sup>21</sup> Judicial Inspectorate for Correctional Services 'Annual Report 2013/2014' (2014) Available at:

[http://judicialinsp.dcs.gov.za/Annualreports/Annual%20Report%202013%20-%202014%20\(2\).pdf](http://judicialinsp.dcs.gov.za/Annualreports/Annual%20Report%202013%20-%202014%20(2).pdf) (Accessed: 12 October 2015).

<sup>22</sup> Statistics South Africa 'Morality and causes of death in South Africa. 2013: Findings from death notifications'

(2014) 41 Available at: <http://www.statssa.gov.za/publications/P03093/P030932013.pdf> (Accessed: 28 September 2015).

<sup>23</sup> Statistics South Africa 'Morality and causes of death in South Africa. 2013: Findings from death notifications'

(2014) 41 Available at: <http://www.statssa.gov.za/publications/P03093/P030932013.pdf> (Accessed: 28 September 2015).

<sup>24</sup> World Bank 'World Development Indicators' (2014) *World DataBank* Available at:

<http://databank.worldbank.org/data/reports.aspx?source=World-Development-Indicators> (Accessed: 12 October 2015).

<sup>25</sup> Statistics South Africa 'Quarterly Labour Force Survey 2015 Quarter 1' (2015) and 'Quarterly Labour Force

Survey' (2013) Available at: <http://www.statssa.gov.za> (Accessed: 12 October 2015).

<sup>26</sup> Statistics South Africa 'Quarterly Labour Force Survey 2014 Quarter 4' (2015) xiii Available at:

<http://www.statssa.gov.za/publications/P0211/P02114thQuarter2014.pdf> (Accessed: 12 October 2015).

<sup>27</sup> Statistics South Africa 'Quarterly Labour Force Survey 2014 Quarter 4' (2015) xiii Available at:

<http://www.statssa.gov.za/publications/P0211/P02114thQuarter2014.pdf> (Accessed: 12 October 2015).

<sup>28</sup> Statistics South Africa 'General Household Survey' (2014) Available at:

<http://www.statssa.gov.za/publications/P0318/P03182014.pdf> (Accessed: 12 October 2015).

<sup>29</sup> Statistics South Africa 'General Household Survey' (2014) Available at:

<http://www.statssa.gov.za/publications/P0318/P03182014.pdf> (Accessed: 12 October 2015).

<sup>30</sup> Statistics South Africa 'Statistical Report no 6' (2015) Available at: <http://www.statssa.gov.za> (Accessed: 12 October 2015).

<sup>31</sup> Statistics South Africa 'Social Profile of Vulnerable Groups' (2012) Available at:

<http://www.statssa.gov.za/publications/Report-03-19-00/Report-03-19-002012.pdf> (Accessed: 12 October 2015).

<sup>32</sup> Statistics South Africa 'Social Profile of Vulnerable Groups' (2012) Available at:

<http://www.statssa.gov.za/publications/Report-03-19-00/Report-03-19-002012.pdf> (Accessed: 12 October 2015).

<sup>33</sup> Statistics South Africa 'Social Profile of Vulnerable Groups' (2012) 13 Available at:

<http://www.statssa.gov.za/publications/Report-03-19-00/Report-03-19-002012.pdf> (Accessed: 12 October 2015).

<sup>34</sup> Statistics South Africa 'Social Profile of Vulnerable Groups' (2012) Available at:

<http://www.statssa.gov.za/publications/Report-03-19-00/Report-03-19-002012.pdf> (Accessed: 12 October 2015).

<sup>35</sup> The result of unjust, marginalised systems entrenched in social institutions and structures.

<sup>36</sup> SAVI submission (2015) citing: Willson and Rempahere (1989), Wollpe (1972) 5.

<sup>37</sup> National Planning Commission 'National Development Plan 2030: Our Future – Make it Work' (2012) Pretoria: National Planning Commission 386 Available at:

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<sup>38</sup> UNODC 'Crime and Development in Africa' (2005) Available at: [https://www.unodc.org/pdf/African\\_report.pdf](https://www.unodc.org/pdf/African_report.pdf) (Accessed: 28 September 2015).

<sup>39</sup> South African Police Service 'An Analysis of the National Crime Statistics' (2015) Available at:

[http://www.saps.gov.za/resource\\_centre/publications/statistics/crimestats/2015/crime\\_stats.php](http://www.saps.gov.za/resource_centre/publications/statistics/crimestats/2015/crime_stats.php) (Accessed: 6 October 2015).

<sup>40</sup> SAVI submission on White Paper on Safety and Security (April 2015) citing: Seedat, Van Niekerk, Jewkes, Suffla and Ratele (2009) 4.

<sup>41</sup> Rosana Norman, Richard Matzopoulos, Pam Groenewald and Debbie Bradshaw 'The high burden of injuries in South Africa' (2007) *Bull World Health Organ* Available at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2636399/> (Accessed: 8 September 2015).

<sup>42</sup> Kopano Ratele 'Watch your man: Young black males at risk of homicidal violence' (2010) 33 *SA Crime Quarterly* 19.

<sup>43</sup> SAVI submission (2015) citing: Redpath, Morrell, Jewkes and Peacock (2008), Ratele, Suffla, Lazarus and van Niekerk (2010) 4.

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<sup>97</sup> White Paper on Families (2013).

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<sup>100</sup> COGTA 'Draft IUDF' (2015) 37 Available at: <http://www.cogta.gov.za/index.php/iudf/1212-integrated-urban-development-framework-iudf-2014-15?path=> (Accessed: 28 September 2015).

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[https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf) (Accessed: 28 September 2015)).

<sup>103</sup> Including Intergovernmental Relations Framework Act 2005; Local Government Municipal Systems Act 2000; Local Government Municipal Structures Act 1998.

<sup>104</sup> A central facility to drive the strategy must be established to ameliorate many of the challenges experienced by the NCPS, as initially advocated in the 1998 White Paper on Safety and Security and supported by international best practice. (A 2008 review of national crime prevention centres by Louw reveals among others that a successful centre must comprise a coalition of relevant actors from among others police, justice, education, social services, local government, CSOs and community, display strong leadership, have the support of national and provincial government and be underpinned with a good communication strategy and a well researched plan of action that is regularly monitored and evaluated. see Antoinette Louw, 2008 developed form the *Crime Prevention Digest II: Comparative analysis of successful community safety*, International Centre for the Prevention of Crime, Montreal, 1999)

<sup>105</sup> UN Guidelines for Prevention of Crime emphasise the responsibility of government to create and maintain institutions including permanent structures and programmes which are adequately funded and resourced. (UNDOC 'Handbook on the crime prevention guidelines: Making them work' (2010) *International Centre for the Prevention of Crime* 29 Available at:

[https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf) (Accessed: 28 September 2015)).

<sup>106</sup> The 2014 -19 Medium Term Strategic Framework provides financial resourcing for the NDP. The MTSF is structured against 14 priorities being quality basic education, improving health outcomes, reducing crime, creating employment, developing skills, and infrastructure sustainable human settlements and effective services. Each of these priority areas has an intrinsic safety utility. The aim of the MTSF is to ensure co-ordination across government plans as well as alignment with budgeting.

<sup>107</sup> United Nations General Assembly Resolution 60/1 paragraph 143 Available at:

<http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf> (Accessed: 28 September 2015).

<sup>108</sup> Etienne Krug 'World Report on Violence and Health' (2002) *World Health Organisation* 5 Available at:

[http://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/en/introduction.pdf](http://www.who.int/violence_injury_prevention/violence/world_report/en/introduction.pdf) (Accessed: 13 October 2015).

<sup>109</sup> UNDOC 'Handbook on the crime prevention guidelines: Making them work' (2010) *International Centre for the Prevention of Crime* 9 Available at:

[https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf) (Accessed: 28 September 2015).

<sup>110</sup> World Health Organisation '10 Facts about Violence Prevention' (2014) Available at:

<http://www.who.int/features/factfiles/violence/en/> (Accessed: 15 September 2015).

<sup>111</sup> UN General Assembly 'Declaration on the Elimination of Violence Against Women' (1993) 1 Available at:

<http://www.un.org/documents/ga/res/48/a48r104.htm> (Accessed: 16 September 2015).

<sup>112</sup> UNiTE 'Violence Against Women' (2011) *United Nations Secretar-General's Campaign to end violence against women* Available at: [http://www.un.org/en/women/endviolence/pdf/pressmaterials/unite\\_the\\_situation\\_en.pdf](http://www.un.org/en/women/endviolence/pdf/pressmaterials/unite_the_situation_en.pdf) (Accessed: 15 September 2015).

<sup>113</sup> See for example: WHO 'Preventing intimate partner and sexual violence against women' (2010) Available at:

[http://www.who.int/violence\\_injury\\_prevention/publications/violence/9789241564007\\_eng.pdf](http://www.who.int/violence_injury_prevention/publications/violence/9789241564007_eng.pdf) (Accessed: 28 September 2015).

<sup>114</sup> Department of Social Development/Department of Women, Children and People with Disabilities/UNICEF 'Children with Disabilities in South Africa: A Situational Analysis: 2001-2011' (2012) Available at:

[http://www.unicef.org/southafrica/SAF\\_resources\\_sitandisabilities.pdf](http://www.unicef.org/southafrica/SAF_resources_sitandisabilities.pdf) (Accessed: 15 September 2015).

<sup>115</sup> Karen Hughes, Mark Bellis, Lisa Jones et al 'Prevalence and risk of violence against adults with disabilities: a systematic review and meta-analysis of observational studies' (2012) *WHO* Available at:

[http://www.who.int/disabilities/publications/violence\\_children\\_lancet.pdf](http://www.who.int/disabilities/publications/violence_children_lancet.pdf) (Accessed: 15 September 2015).

<sup>116</sup> Legal Resources Center submission on White Paper on Safety and Security (April 2015) citing Iggesdon (2008).

<sup>117</sup> David Everatt 'Xenophobia, State and Society in South Africa, 2008-2010' (2011) *Politikon* Available at:

<http://www.tandfonline.com/doi/abs/10.1080/02589346.2011.548662#.VffopLR9m-8> (Accessed: 15 September 2015).

<sup>118</sup> UNDOC 'Handbook on the crime prevention guidelines: Making them work' (2010) *International Centre for the Prevention of Crime* 25 citing General Recommendation No. 26 Committee on the Elimination of Discrimination against Women 42 Session, 2008 and Department of Social Development 'South African Integrated Programme of Action Addressing Violence Against Women and Children (2014-2018)' (2014) 14 Available at:

[https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_on\\_Crime\\_Prevention\\_Guidelines\\_-\\_Making\\_them\\_work.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_on_Crime_Prevention_Guidelines_-_Making_them_work.pdf) (Accessed: 28 September 2015).

<sup>119</sup> UN Committee on the Elimination of Discrimination against Women 'General Recommendation no. 26: On Women Migrant Workers' (2008) 4 Available at: <https://www1.umn.edu/humanrts/gencomm/onwomen.htm> (Accessed: 29 September 2015).

<sup>120</sup> UNHCR 'South Africa Global Appeal' (2015) Available at: <http://www.unhcr.org/5461e604b.html> (Accessed: 15 September 2015).

## DEPARTMENT OF HEALTH

NO. 916

01 SEPTEMBER 2017

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

## REGULATIONS REGARDING THE RENDERING OF FORENSIC PATHOLOGY SERVICE

The Minister of Health intends to make the Regulations in the Schedule, in terms of section 90(1) of the National Health Act, 2003 (Act No. 61 of 2003), after consultation with the National Health Council.

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

## SCHEDULE

## Definitions

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

***“authorised medical practitioner”*** means a medical practitioner registered as a forensic pathologist or medical practitioner in terms of the Health Professions Act, 1974 (Act No. 56 of 1974), and who has been authorised in terms of Regulation 11(1) of these Regulations to perform post mortem examinations or autopsies;



**“authorised person”** means a person employed by the Forensic Pathology Service of the Provincial Department of Health to perform functions within their scope of practice which includes, but is not limited to, forensic pathology officers, forensic pathology specialist investigators, scientists and or any other person appointed in the Forensic Pathology Service to work in a support capacity in a medico-legal mortuary or designated Forensic Pathology Service facility;

**“autopsy”** means the post mortem dissection of a body so as to determine the cause of death and the nature of injuries and disease processes which may be present;

**“body”** means a dead human body or the remains thereof and **“corpse”** has a corresponding meaning;

**“Correctional Services Act”** means the Correctional Services Act, 1998 (Act No. 111 of 1998);

**“department”** means the Provincial Department of Health;

**“designated facility”** means a medico-legal mortuary or laboratory specially designed for the medico-legal death investigation processes under the auspices of the department;

**“designated vehicle”** means a forensic pathology service vehicle, specially adapted in terms of applicable specifications to transport bodies;

**“Forensic Pathology Officer”** means a person appointed by the department to provide a medico-legal investigation of death service within their scope of practice;

**“Head of Department”** means the person appointed as the head of the provincial department responsible for health in a particular province;

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

***“IPID”*** means the Independent Police Investigative Directorate, established in terms of the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011);

***“Inquests Act”*** means the Inquests Act, 1959 (Act No. 58 of 1959);

***“Investigating Officer”*** means a member of the South African Police Service appointed in terms of the South African Police Service Act, 1995, (Act No. 68 of 1995), or an employee of the Independent Police Investigative Directorate appointed in terms of the Independent Police Investigative Directorate Act, 2011 (Act No. 1 of 2011), designated as an investigating officer to investigate the cause and circumstance of death of a particular person;

***“medical practitioner”*** means a person registered as a medical practitioner in terms of the Health Professions Act, 1974 (Act No. 56 of 1974);

***“medico-legal investigation of death”*** means the investigation into the circumstances, manner and possible causes of death which are or may have been due to unnatural causes as defined;

***“post mortem examination”*** means an examination of a body, with the purpose of establishing the cause and circumstance of death and factors associated with the death, and in the context of these Regulations, for medico-legal purposes;

***“the Act”*** means the National Health Act, 2003 (Act No. 61 of 2003);

***“the Service”*** means the Forensic Pathology Service in a province, providing medico-legal investigation of death services as defined;

***“the South African Police Service”*** means the police service established in terms of the South African Police Service Act, 1995 (Act No. 68 of 1995); and

**“unnatural death”** for the purposes of the medico-legal investigation of death, the following shall be deemed to be deaths due to unnatural causes, as contemplated in the Inquests Act 1959 (Act No. 58 of 1959)-

- (a) any death due to physical or chemical influence, direct or indirect, or related complications;
- (b) any death, including those deaths which would normally be considered to be a death due to natural causes, which may have been the result of an act of commission or omission which may be criminal in nature;
- (c) any death as contemplated in section 56 of the Health Professions Act, 1974 (Act No. 56 of 1974); and
- (d) any death which is sudden and unexpected, or unexplained, or where the cause of death is not apparent.

## **2. Application**

These Regulations are only applicable to deaths that are, or appear to be, due to unnatural causes.

## **3. Forensic Pathology Service**

(1) The relevant Member of the Executive Council of a province must, within national policy and in terms of these Regulations, ensure that a Forensic Pathology Service is established and managed within the Department.

(2) The Service contemplated in sub-regulation (1) includes, but is not limited to -

- (a) where appropriate, commencing with a scene of death investigation in consultation with the investigating officer and or appropriate South African Police Service member who is on the scene, which includes but is not limited to, taking notes, questioning family and other witnesses, examining the death scene and photographing the deceased or any exhibit or specimens;

- (b) obtaining any information that is relevant to the medico-legal investigation of a death, including medical and social history, records, as well as taking witness statements;
- (c) taking responsibility for the collection of a body and its removal from the scene;
- (d) taking responsibility for the custody of a body from the scene of death until released for burial or cremation, and the processes attached thereto;
- (e) taking into custody, thoroughly documenting and maintaining evidence and specimens relating to a body and any associated items or articles at all times;
- (f) assisting, as far as is possible, with the process of identification of the deceased;
- (g) conducting a post mortem investigation, including external and internal examination of a body and retaining of material, tissue or fluids for evidentiary or diagnostic purposes;
- (h) requesting and conducting appropriate special investigations;
- (i) providing medico-legal reports, chain of custody statements, expert testimony and opinions;
- (j) archiving documents, specimens and related materials;
- (k) collecting, reviewing and analysing related data; and
- (l) providing information and advice to health or other government authorities or departments.

#### **4. Referral of unnatural cases**

All cases of unnatural death as defined in these Regulations must be referred to the Service.

#### **5. Attending to Death Scene**

The Service is responsible for attending and participating in the death scene investigation, which may include, but is not limited to:

- (a) Managing a request for forensic pathology service response.
- (b) Assessing the scene of death in a given situation, this may include any private, public or business premises, vessel, train, motor vehicle or aircraft, where death has occurred for the purposes of conducting a comprehensive death scene investigation.
- (c) Performing forensic pathology activities associated with the scene of death in terms of the relevant scope of practice including:
  - (i) Declaring death in the following obviously dead cases - decapitation, gross mutilation, putrefaction, and charring;
  - (ii) Examining the body on scene and recording of the incident for the purposes of forensic investigation which includes but may not be limited to photography, sketching, and documentation;
  - (iii) Interviewing any relevant party, including the next of kin and recording the medical history and relevant information pertaining to the deceased;
  - (iv) Obtaining medical records of the deceased from any party or source where relevant; and
  - (v) Assess, handle, collect, preserve and record evidence in line with forensic pathology service procedural requirements.

## **6. Unnatural Deaths in Health Establishments**

(1) A person in charge of a health establishment, where a person has been declared dead and the cause of death appears to be due to unnatural causes must:

- (a) immediately notify the South African Police Service and the Service of such death;
- (b) preserve, provide access to and or make available of all the relevant medical paraphernalia, exhibits and applicable specimens, especially biological fluid specimens in the case of suspected toxicology cases;
- (c) ensure access to and availability of all the deceased's full medical records including laboratory and investigative reports;

- (d) not hand over the body or items referred to in paragraphs (b) and (c) to an undertaker.

(2) The medical records and or relevant completed clinical Forms must accompany the deceased to the designated facility.

#### **7. Removal and transportation of body**

(1) The Service may only remove a body from the scene of death or health establishment after the South African Police Service has given written authority for removal of such body by the Service by means of a completed and prescribed SAPS 180 Form.

(2) A body may only be removed from one designated facility to another, after the written approval of the person in charge of the facility from where a body is being removed.

#### **8. Admission of body**

(1) The Service may not admit a body to a designated facility unless-

- (a) such body is certified dead or it is in such a state that it is accepted with certainty that the person is dead;
- (b) a SAPS CAS number is assigned to the case;
- (c) an individual facility case file is opened for such body and a register number assigned; and
- (d) such a body is provisionally identified either by name or register number contemplated in paragraph (c).

(2) The person in charge of a designated facility to which a body has been admitted in accordance with sub-regulation (1), must ensure that-

- (a) a clear photograph of the face of the deceased, or remains as may be appropriate, is taken; and

- (b) all fingerprints (where it is possible) of unidentified deceased are taken within seven days.

#### **9. Storage of body**

- (1) The person in charge of a designated facility must ensure that a refrigerated facility, maintained at a set temperature, is used to store all bodies.
- (2) A body must at the time of collection by the Service be in a closed sealable bag made for that purpose.
- (3) The body must, upon admission to the Service Facility be labelled with a registration number.
- (4) The person in charge of a designated facility must ensure that there is efficient refrigeration of bodies at all times.
- (5) The person in charge of a designated facility must set up control measures to ensure that only authorized persons have access to bodies, to documents related to bodies, to areas where post mortem examinations are performed and to the storage unit in which bodies are kept.
- (6) The official authorised to admit or remove a body to a facility must record any removal of a body in an incident log, including date, time and purpose of such removal and where available, its identity.

#### **10. Medico-legal post mortem examination**

A post mortem examination must only be conducted at a designated facility or at an institution to which the Service has referred the body.

**11. Practitioners authorised to conduct or assist with post mortem examination**

(1) A post mortem examination must only be performed by an authorised medical practitioner who has been appointed in the Service for such purposes.

(2) Assistance at a post mortem examination may only be rendered by authorised forensic pathology officers who have been appointed in the Service for such purposes, within their scope of practice.

(3) An authorised medical practitioner may consult with other qualified professionals and request such professionals to participate in the post mortem examination and contribute to the further examination of such a body.

(4) A student or trainee personnel in the Service may participate in a post mortem examination, but only under the direct guidance and supervision of an authorised person.

(5) A forensic pathology officer may remove a specimen or exhibit from the deceased under the instruction and supervision of an authorised medical practitioner.

(6) Where necessary, an authorised medical practitioner may authorise the removal of a fluid or tissue specimen by a forensic pathology officer or by a member of the SAPS Victim Identification Centre, prior to such removal.

(7) During the performance of post mortem examinations, the forensic pathology officer may perform eviscerations and organ removals under the supervision of an authorised medical practitioner and assist him or her with such post mortem examination and perform certain functions connected therewith, as contained within their scope of practice and job descriptions.

**12. Additional evidence at post mortem examination**

(1) Subject to any other law, an authorised medical practitioner may submit for examination, or cause to be submitted for examination, any tissue, fluid, object, or thing



related to a body, to an appropriate institution, for purposes of establishing the cause and circumstance of a death of a person or for furthering the processes and administration of justice.

(2) Any party must, when requested by an authorised medical practitioner, provide full and appropriate information without delay pertaining to circumstances of death, including relevant medical records and or history.

(3) The authorised medical practitioner has the authority to decide to dissect a body, remove or cause to be removed, any part, organ or contents of a body for the purpose of determining the cause, manner and circumstance of death.

(4) The forensic pathologist in charge of the Service in that area may direct the attending authorised medical practitioner, to perform the post mortem examination in a manner which is appropriate to the case.

### **13. Practitioners authorised to observe post mortem examinations other than those contemplated in these Regulations**

(1) Any person who demonstrates a material interest in the outcome of a particular post mortem examination, may apply to the magistrate within whose jurisdiction the case is being investigated or to the authorised medical practitioner, to allow an independent forensic pathologist or medical practitioner to attend and observe, that post mortem examination on behalf of the interested party.

(2) The consideration of the application referred to in sub-regulation (1), may not unduly delay the post mortem examination.

### **14. Protection of Records**

(1) The person in charge of a designated facility must set up control measures in order to ensure that only authorised persons have access to records relating to post mortem examinations and to the storage facility in which records are kept.

(2) A person shall be guilty of an offence if he or she:-

- (a) fails to perform a duty imposed on them in terms of sub-regulation(1);
- (b) falsifies any record by adding to or deleting or changing any information contained in that record;
- (c) creates, changes or destroys a record without the authority to do so;
- (d) fails to create or change a record when properly required to do so;
- (e) provides false information with the intent that it be included in a record;
- (f) without authority, copies any part of the record;
- (g) without authority, connects the personal identification elements of a body's record with any element of that record that concerns the body's history;
- (h) gains unauthorised access to a record or record-keeping system, including intercepting information being transmitted from one person or one part of a record-keeping system, to another;
- (i) without authority, connects any part of a computer or other electronic system on which records are kept; or any other computer or electronic system;
- (j) without authority, connects any part of a computer or any terminal or other installation connected to or forming part of any other computer or electronic system; or
- (k) without authority, modifies or impairs the operation of any part of the operating system of a computer or other electronic system on which a body's records are kept; or
- (l) without authority, connects any part of the programme used to record, store, retrieve or display information on a computer or other electronic system on which a body's records are kept;
- (n) without authority, divulges or supply any type information about the death investigation processes and decedents to unauthorised parties including the media.

(3) The person in charge of a designated facility must keep a register in which any file or any part thereof, that is removed from the storage facility is recorded, and in which he or she must enter all particulars of the person authorised to remove such a file or any part thereof, purpose, date and time he or she removed and returned it.

**15. Identification of body**

(1) A body must, where visual identification is possible, only be identified by a spouse, partner, major child, parent, guardian, major brother, major sister, care-giver or any person with personal knowledge of the deceased and is in possession of his or her own authentic identification document and that of the deceased, validated by the Department of Home Affairs or the deceased person's consulate or embassy or country of origin.

(2) Where visual identification is not possible, scientific means of identification must be instituted by the authorised medical practitioner, supported by the South African Police Service.

(3) If the person identifying the body is not a relative as listed per sub-regulation (1), the appointed person must either have a letter from such a relative authorising them to proceed with the identification or must be accompanied by the family member(s). The correct contact details and address of that family member must be contained in the authorisation letter.

(4) Persons may not identify a deceased if:-

- (a) The informant appears to be under the influence of alcohol or an intoxicating substance;
- (b) The informant is a minor; or
- (c) A dispute arises between parties with regard to the custody of the body.

(5) The personal effects of the deceased may be handed to the person contemplated in sub-regulation (1), if the authorised person who conducted the post mortem examination is satisfied that such personal effects are not required as evidence or pose a health risk.

**16. Release of body**

(1) A body may only be released from the Service after -

- (a) the medico-legal investigation of death has been concluded;
- (b) where necessary, an appropriate tissue or blood sample has been harvested or other investigations done, in order to assist with the medico-legal investigation and to facilitate the scientific identification of the deceased;
- (c) the authorised medical practitioner has given approval for such release of the body; or
- (d) the spouse, partner, major child, parent, guardian, major brother, major sister, care-giver or duly authorised party has given a written consent for release of a body to a third party, or by an order of the Court.

(2) Where the person giving consent, as contemplated in sub-regulation(1), is unable to pay for the burial of the body, the local authority having jurisdiction of the area where the body was found, must provide for a pauper burial or cremation of such a body.

#### **17. Unidentified body**

(1) A body that has not been identified must be moved to a freezer within seven days of admission (after a set of fingerprints have been taken), and if such a body remains unidentified for 30 days and all prescribed steps to identify it have been followed, the local authority in which the body was found, must provide for a pauper burial of such a body.

(2) The Director-General may donate a body referred to in sub-regulation (1) or any part of that body, to any authorised institution for any purpose contemplated in section 62(3) of the Act.

#### **18. Medico legal investigation of specific categories of unnatural deaths**

(1) The South African Police Service must immediately notify the Head of the Clinical Department or Unit: Forensic Pathology of the region or province, of the following fatalities:-

- (a) fatalities associated with aircraft accidents, mass disasters, scuba- or other diving-related incidents;

- (b) the deaths of persons who die whilst detained by the South African Police Service or who died as a result of police action; and
- (c) the deaths of persons who die of unnatural causes whilst in the custody of the Department of Correctional Services.

(2) The post mortem examination of the deaths contemplated in sub-regulation(1), may only be performed by a registered forensic pathologist, as designated by the Head of Clinical Department or Unit: Forensic Pathology.

(3) The post mortem examination of persons contemplated in sub-regulation (1)(ii), may only be performed after the Independent Police Investigative Directorate have been informed of that death.

(4) The investigation of the following specific categories of unnatural deaths must be managed in consultation with a regional specialist forensic pathologist:-

- (a) acts of terrorism;
- (b) suspected Sudden Unexpected Death in Infants (SUDI);
- (c) the death of a child due to suspected non-accidental injury or neglect;
- (d) the presumed homicidal death of any member of the South African National Defence Force and South African Police Service;
- (e) fatalities where sexual assault is suspected;
- (f) the death of a person while attending a traditional initiation school;
- (g) the unnatural death of any resident in public or private institution, which includes but is not limited to: psychiatric facilities; places of safety; drug and addiction rehabilitation facilities; refugee facilities; older persons care facilities; facilities for the physically and mentally challenged.

#### **19. National forensic pathology service committee**

(1) The Minister must, in terms of section 91(1) of the Act, establish an advisory committee known as the National Forensic Pathology Service Committee to advise the Minister on:

- (a) policy concerning any matter that will ensure, promote, improve or maintain forensic pathology services;
- (b) norms, standards and guidelines for the rendering of forensic pathology services, including health and safety standards and the minimum standards for accreditation of forensic mortuaries;
- (c) any technical matter related to forensic pathology services that may have an impact on health policies and strategies; and
- (d) any other aspect impacting on the rendering of a forensic pathology service.

## **20. Accounting and reporting requirements**

The Provincial Head of Department must submit annual returns of statistics and reports related to the Service to the National Director-General in a format determined by the National Director-General from time to time.

## **21. Offences**

(1) Any person who fails to comply with any of the provisions of these Regulations is guilty of an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding five years or to both a fine and such imprisonment.

(2) Any person that interferes with an authorised person in the execution of his or her duties is guilty of an offence and is liable on conviction to a fine or to imprisonment for a period not exceeding five years or to both a fine and such imprisonment.

## **22. Delegation**

(1) The Head of Department or the Provincial Head of the Service may, in writing, and on such conditions as he or she may determine, delegate or assign any power or duty to an official of the provincial department or staff of the designated facility, as the case may be, unless there is a specific prohibition of such delegation or assignment.

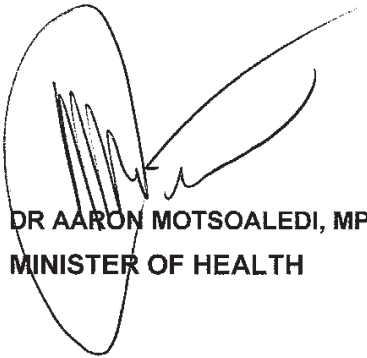
(2) A delegation or assignment made under sub-regulation (1) does not-

- (a) divest the Head of Department or the provincial head of the Service of the responsibility or accountability concerning the performance of the function involved; or
- (b) prohibit the performance of the function Involved by the Head of Department or the provincial Head of the Service.

(3) The Head of Department or the Provincial Head of the Service may amend or set aside any decision taken by a person in the exercise of any such power delegated to that person.

**23. Short title**

These Regulations are called the Regulations Regarding the Rendering of Forensic Pathology Service, 2017.



**DR AARON MOTSOLEDI, MP**  
**MINISTER OF HEALTH**

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 917

01 SEPTEMBER 2017

**CONTINUING EDUCATION AND TRAINING ACT, 2006 (ACT NO. 16 OF 2006)****CALL FOR COMMENTS ON THE REPORT OF THE MINISTERIAL COMMITTEE TO DEVELOP A FUNDING FRAMEWORK FOR COMMUNITY EDUCATION AND TRAINING AS WELL AS TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING COLLEGES**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, in terms of section 23 of the Continuing Education and Training (CET) Act, 2006 (Act No 16 of 2006) hereby publish a report of the Ministerial Committee to develop a Funding Framework for Community Education and Training (CET) as well as Technical and Vocational Education and Training (TVET) Colleges as contained in the Schedule for public comments. The Executive Summary of the report is attached in the Schedule.

The full report is available on the website of the Department, [www.dhet.gov.za](http://www.dhet.gov.za).

All interested persons and organisations are invited to comment on the Report in writing, and to direct their comments to –

The Director-General, Private Bag X174, Pretoria, 0001. For attention, Ms MD Masipa, Email, [Masipa.D@dhet.gov.za](mailto:Masipa.D@dhet.gov.za). Fax: 012 323 9091.

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

**The comments on the report of the Ministerial Committee must be submitted not later than 21 working days from date of publication of this notice.**



**Dr BE Nzimande, MP**

**Minister of Higher Education and Training**

Date: 24/07/2017



# Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges

## *Report*

for presentation to

Minister B.E. Nzimande, M.P.  
Minister of Higher Education and Training

July 2017

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# Foreword

On behalf of the Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges, I wish to take this opportunity to express our gratitude to the Minister of Higher Education and Training, Dr Blade Nzimande, M.P., for affording us an opportunity to make contributions that will hopefully contribute to the strengthening of the TVET and CET Colleges. Since being appointed as Minister of Higher Education and Training in 2009, Dr Nzimande has brought the importance of these institutions for the development of our economy to the forefront and has contributed in meaningful and notable ways to the strengthening of the TVET College sector and the establishment of CET Colleges. These institutions were often neglected in budget allocations and development initiatives in various provinces. It is of utmost importance to ensure that these colleges are appropriately resourced and developed to enable them to fast-track the delivery of middle-level skilled individuals and fulfil their role in strengthening the economy and to enhance social mobility.

As cited in this report, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped, given the country's level of development. The Community Education and Training Colleges will provide access to many marginalised South Africans who need skills to improve their quality of life. These Colleges will play a crucial role in addressing the approximately current three million NEETs which are the youth between the ages of 18 to 24 who are not in employment, education or training.

The poor outputs from these Colleges have been attributed to inadequate resourcing, a dire need for capacity development, lack of appropriate learning support materials, absence of appropriate student support services, inappropriate programmes and poor coordination of efforts. It is imperative that the Government's efforts will have to be supplemented with investments from local government as well as the private sector, the NSF and the SETAs.

Funding allocations did not keep pace with the huge increases in enrolments aimed at widening access, which led to a situation which is not sustainable in the long run. It is imperative that a balance be achieved in resource allocations and development initiatives for the various sectors of the post-school education and training system. More resources have to be mobilised from more sectors of society to put these Colleges on a healthy growth trajectory offering relevant and high-quality programmes with much higher levels of student success rates.

It is believed that this report will be a valuable input for the National Plan for Post-Secondary Education and Training which is currently being developed by various task teams appointed by the Minister of Higher Education and Training, Dr Blade Nzimande, M.P.

**Dr Charles Sheppard**

Chairperson: Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges

## Executive summary

1. This is the **Final report** of the Minister of Education's Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET Colleges set up in the *Government Gazette* of 3 October 2014.
2. An additional substantial *Information report and appendices* of background papers provides the detailed evidence on which this report is based. The background papers include two on funding formulae for TVET and CET Colleges.
3. **Part 1** lays out the details of the two briefs given to the Committee.
4. **Part 2** on the **Economy and Education** looks at the interaction between the economy and education and argues that though the education provides a foundation for development, its contribution to economic and social well being depends on its quality (i.e. its ability to transmit skills and knowledge) and the responsiveness of the economy in ensuring a demand for educated labour. In the economic development context in South Africa, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped given the country's level of development.
5. **Part 3** examines **Post-school education and training as a public good** and proposes that there are social justice imperatives that drive the agenda for continuing to provide education even to those who have left the formal schooling system in any given society. In the context of South Africa, it means that the greater the proportion of the population that has completed secondary education and has acquired some skill to bargain with at the labour market, the better opportunity will be distributed in the population in general. South Africa currently lacks having a majority of working people have acquired a post-secondary school qualification. Attempts to address this lack in the post-school education system have until recently put the focus on TVET colleges only, but even these institutions do not yet function optimally. Adult education of a more basic type remains lacklustre in spite of the Community College policy proposals. Five principles that should inform the funding of post-school education are access, diversification of programmes, articulation, differentiation of institutions, and capacity building.
6. **Part 4** describes the **Technical and Vocational Education and Training Colleges**, their history, institutional form and the transfer from provincial to national oversight, programmes and current low throughput rates, inadequately qualified lecturers, insufficient industry-linked experience, and a limited programme qualification mix, with a lack of programmes relevant to local communities and industry. Their current funding insufficient (and growingly so) and inequitable (because grants are based on historical provincial allocations).

7. **Part 5, on Community Colleges and Community Learning Centres** (what were previously provincially run Public Adult Learning Centres, now nominally part of nine virtual Community Colleges) examines their programmes, chronic under funding and staffing with underqualified temporary educators. New policy on the new institutional form of “Community Colleges” is still at a largely vision stage with as yet no actual pilots of what would be district based Community Colleges with a number of attached Community Learning Centres and in turn satellites of these.
8. **Part 6** notes the findings of the literature study on **International post-school systems** that looks at the shape, functioning and funding of these systems. It examines, in particular, various funding mechanisms.
9. Part 7 has the Committee’s 58 recommendations on **A proposed funding framework for colleges.**

# Acknowledgements

To:

The Minister of Higher Education and Training, Dr Bonginkosi Nzimande, M.P.

The Chair of the Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges, Dr Charles Sheppard, of Nelson Mandela Metropolitan University

The members of the Ministerial Committee and in particular the writing team, headed by Professor John Aitchison. A special word of thanks to Prof. John Aitchison who compiled the full Information Report and to Prof. Pundy Pillay who compiled this Concise Report from the various valuable written contributions made by the members of the Ministerial Committee.

The officials of the Department of Higher Education and Training, Ms Dorothy Masipa, Mr Zweli Nonkwelo, Ms Seba Swarathle, Mr Izak Joubert and Mr Firoz Patel played an invaluable role in the success of this review and to them the Committee members are grateful. A special word of gratitude to Ms Akose Maaka for her efficiency and enthusiasm who made sure that the Committee got all the logistical support that was needed.

The members of the TVET and CET reference groups, the Technical and Vocational Education Training Colleges Governors' Council (TVETCGC) as well as South African Further Education and Training Student Association (SAFETSA) who provided inputs to the work of the Ministerial Committee.

The various universities that released members of the committee to devote periods of intensive work time on the Committee

All the many gracious people the committee met who did presentations to the Committee and whom members of the Committee interacted with on site visits to institutions and centres in the nine provinces.



# 1. The brief of the Committee

The *Government Gazette* of 3 October 2014 gazetted the establishment by the Minister of Higher Education and Training of a Ministerial Committee to review the funding frameworks for Further Education and Training (now TVET) Colleges and Adult Learning Centres.

The purpose of the committee included:

- a) Proceeding with the review process of the current funding framework for Technical and Vocational Education and Training Colleges (TVET Colleges), assessing the funding framework's relevance and effectiveness in enabling TVET Colleges to play a key role in producing a skilled and capable workforce for the country, and finalising draft amendments to the national Norms and Standards for Funding TVET Colleges;
- b) Aligning the national Norms and Standards for Funding Adult Learning Centres to the proposed new institutional type of Community Colleges.

The main tasks of the committee were identified as being to:

- a) Analyse the current funding frameworks to determine whether they are effective in achieving the goals of attaining a skilled and capable workforce to support an inclusive growth path;
- b) Investigate other funding modalities of Vocational and Continuing Education and Training (VCET) institutions (i.e. the Community Learning Centres, Community Colleges, and TVET Colleges or other institutions similar to them) in other countries; make comparative analysis; and advise on the most suitable and preferable funding framework;
- c) Diagnose the relevance of the current funding approach in the light of funding modalities in other countries as well as all developments that have taken place especially at TVET Colleges e.g. diversification in terms of offering different types of programmes (NC(V) and NATED Report 191), development of artisans, technicians, etc. and propose the most appropriate funding framework;
- d) Draft amendments to the current TVET Colleges legislation after taking into account the review process; and
- e) Draft amendments to the current ALC legislation to ensure alignment to the new institutional type, the Community Colleges.

The Committee was advised that, although the review processes to revise the funding frameworks for TVET Colleges and Community Colleges would be kept separate (as these institutions in their current state vary in terms of programme mix; number of learners and sites; determination of enrolments; ownership of facilities used etc.), it was the prerogative of the Ministerial Committee to propose whether to continue to keep the two processes separate or to merge them.

There were therefore two terms of reference, the one related to TVET Colleges and the other to Community Colleges (and Community Learning Centres).



## TVET Colleges

The Terms of Reference for the Ministerial Committee on the review of national norms and standards for funding technical and vocational education and training colleges provided background information and noted that the review process could include other aspects which were not catered for in the 2009 National Norms and Standards for Funding Further Education and Training Colleges, namely:

- \$ the funding for NATED Report 191 programmes and other skills programmes;
- \$ the introduction of a standard date for informing TVET Colleges about enrolments determined by Provincial Education Departments (PED) and the Department of Higher Education and Training (DHET) and indicative budgets for the following year;
- \$ the introduction of measures to deal with poor performance by TVET Colleges rather than decreasing enrolments as it is currently stipulated in the funding norms;
- \$ the funding of hostels;
- \$ the funding for bridging programmes e.g. Literacy, Mathematics, Science, etc.;
- \$ the consideration of the geographic location of colleges and poverty as rural colleges at times face challenges in sourcing funds from nearby private sector industries;
- \$ provision for access to and distribution of alternative funding sources (such as the National Skills Fund (NSF), Sector Education and Training Authorities (SETAs), etc.); and
- \$ the review of funding for special needs with different disabilities.

Included in the scope of work were the (additional) tasks of:

- (a) making recommendations on changes to the current funding framework in relation to:
  - \$ whether the current funding framework and approach will be able to make it possible to achieve the enrolment target of 1 million students in TVET Colleges by 2014 and 4 million by 2030;
  - \$ the funding of all Ministerial approved programmes and other skills programmes;
  - \$ how to deal with the under-funding of TVET Colleges as a result of over-enrolment (the current funding norms deal with over-funding and application of a claw back mechanism);
  - \$ whether the funding norms should continue using least cost of delivery and apply funding formulas, or use average cost to avoid administrative burden of applying and revising formulas (if needs be) at certain intervals;
  - \$ whether the current rate of college fee applied is appropriate (currently 20% of the total programme cost);
  - \$ what measures should be considered for adjusting the funding requirements for distance education and for experiential learning;
  - \$ how the earmarked recurrent funding should be applied in terms of its varied cost inputs per college;
  - \$ the relevance of the Basic Minimum Package;
  - \$ dealing with poor performance by TVET Colleges directly rather than indirectly by decreasing enrolments as it is currently stipulated in the funding norms;
  - \$ bridging programmes e.g. Literacy, Mathematics, Science, etc.;
  - \$ efficiency rates such as pass rate, throughput rate, certification rate, etc. taking into cognisance that some colleges have been put under administration; and
  - \$ a mechanism to subsidise private TVET Colleges.

- (b) advising how TVET Colleges can administer the recovery of college fees that in some cases culminate in bad debts.
- (c) making the funding framework to respond to the needs of historically disadvantaged TVET Colleges and of rural colleges with small campuses that are far apart from the central offices.
- (d) review the funding of students with disabilities.
- (e) propose the funding mechanism for compensation of TVET College Council members
- (f) determining the minimum size of a college and a campus which would be economically viable whilst delivering optimum outcomes.
- (g) determining a separate funding framework for hostel accommodation;
- (h) developing guidelines on how other sources of funding such as Sector Education and Training Authorities (SETAs) and National Skills Fund (NSF) could contribute towards TVET college expansion and the funding other skills programmes which are not part of the Ministerial approved programmes.

### Community Education and Training colleges

The Committee was also empowered to include other areas of focus that were pertinent.

The Terms of Reference for the Ministerial Committee on aligning the National Norms and Standards for Funding Adult Learning Centres (NSF-ALCs) of Adult Education and Training (AET) to the proposed institutional model for Post School Education and Training (PSET) [i.e. Community Education and Training Colleges (CET Colleges)] provided background information, noted the Discussion document *Adapting the NSF-ALCs to envisaged CET Colleges*, and outlined the scope of work, namely to:

- (a) analyse the current funding framework to determine whether it is effective in achieving the goals of attaining a skilled and capable workforce to support inclusive growth path;
- (b) consider and compare the advantages of other funding modalities of Community Colleges in other countries;
- (c) diagnose the relevance of the current funding approach in the light of all developments that have taken place, e.g. the new proposed Community Colleges taking into consideration other funding modalities globally, formula funding programme and funding of ABET level 1 to 4 learning areas and propose the most suitable preferable funding model;
- (d) align the NSF-ALCs to cater for funding of qualifications from National Qualifications Framework (NQF) levels 1 to 4 as proposed in the Further Education and Training (FET) Colleges Amendment Bill of 2012 (which implies that some TVET College programmes such as the National Certificate (Vocational) (NC(V)) and NATED Report 191 may be offered in Community Colleges);
- (e) examine the funding of other skills programmes from such as the National Skills Fund (NSF) or Sector Education and Training Authorities (SETAs);

- (f) determine the typical characteristics of Community Colleges with regard to performance, accountability, staff development, use of posts, payment of Community Learning Centres personnel, compensation of Council members, growth potential, etc.;
- (g) examine the funding of the different models of institutions as proposed by the Ministerial Task Team on Community Education and Training Centres;
- (h) investigate the offering of other types of vocational qualifications proposed in the report and determine cost implications thereof;
- (i) determine a measure on how to deal with poor performance by Community Colleges to avoid reducing enrolments which might have a negative effect on students who might already be from disadvantaged communities and may not have any recourse; and
- (j) conduct a study of the demographics of target groups (including particular age cohorts) and identify where new Community Colleges should be established and where dwindling enrolments suggest mergers.

The Committee was specifically asked to make recommendations on:

- (a) funding for distance education in Community Colleges (taking into account the low success rates for distance education and that therefore models of distance student support and high level contact technologies would need to be developed and funded (including, for example distance students with laptops and funding for connectivity);
- (b) the size of a Community College which would be economically viable whilst delivering optimum outcomes and consider the possibility of having Central/ Main colleges with satellites (that might require the rationalizing of centres and the provision of hostel accommodation (with its funding implications).
- (c) funding of special education needs (and the consideration of the different types of Community Colleges (and different funding models) to cater for this);
- (d) a funding mechanism for National Senior Certificate for Adults (NASCA) taking into account the challenges and cost implications of offering the NASCA at Community Colleges (including additional infrastructure costs such as laboratories as NASCA proposes physical science, computer science, life science, etc.);
- (e) conditions for granting subsidies or grants to Private Centres considering the draft conditions attached as Annexure F;
- (f) a different funding model for rural Community Colleges to be able to make such centres more economically viable as they are not likely to receive other forms of private funding; and
- (f) conduct research to better understand the cost implications regarding the expenses of Community College Council members incurred as part of their duties before making recommendations on how to regulate the remuneration of Community College council members via the funding norms, if their constitution or structure might differ from that of TVET Colleges.

## **The ministerial committee**

**The Committee comprised:**

**Dr Charles Sheppard (Chairperson) (Nelson Mandela Metropolitan University)**

**Professor John Aitchison (University of KwaZulu-Natal)**

**Professor Ahmed Bawa (Durban University of Technology)**

**Professor Peliwe Lolwana (University of the Witwatersrand)**

**Professor Kehla Ndlovu (Mangosuthu University of Technology)**

**Dr Gerald Ouma (University of Pretoria)**

**Professor Pundy Pillay (University of the Witwatersrand)**

**Professor Divya Singh (University of South Africa) (until 19 August 2015).**

To fulfil the brief the Committee met on a regular basis and commissioned a number of pieces of research and writing from members of the Committee as well as field visits by them (and analysis of the results thereof) to a number of TVET Colleges and the former Public Adult Learning Centres.

## **Information Report and Appendixes**

A full Information Report and Appendixes was also compiled with fuller details of the information and evidence presented in this report.

## 2. Economy and Education

It is well known that education in every sense is one of the fundamental factors of development. Education impacts on economic development through its effects on labour productivity, poverty, trade, technology, health, income distribution and family structure. Education provides a foundation for development, the groundwork on which much of our economic and social well-being is built.

Education's contribution to development depends, however, on its quality (i.e. its ability to transmit skills and knowledge) and the responsiveness of the economy in ensuring a demand for educated labour.

Post-School Education and Training (PSET) raises some important challenges for policy makers. Access and equity are at the top of these challenges. Second, there is a trade-off between quantity and quality. Third, there is the challenge of reaching a graduate mix that is compatible with labour market needs and national development.

Moreover, the challenge of changing the composition of outputs from the PSET system entails mobilising additional resources to PSET especially but not only in science and technology disciplines. Finally, there is another important challenge that calls for a balance between transmitting the information and skills needed for the labour market, fostering innovative and creative talents, and developing broad intellectual capacities among higher education students and graduates.

In the economic development context in South Africa, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped given the country's level of development. Moreover, one of the major constraints to the development of a manufacturing sector and a productive export strategy is the lack of "middle level" skills in terms of technicians of various kinds, welders, plumbers, etc.

### Education and Economic Growth

The relationship between education and economic growth is a mutually reinforcing one. Education of the appropriate quality and quantity increases the productivity of labour because of its skills and knowledge enhancing roles. High and sustainable levels of economic growth, on the other hand, make possible greater investment in education and other social sectors because of the increased tax revenues that accrue to governments because of growth.

It is generally agreed that economic growth is a necessary (but not necessarily sufficient) condition for improvements in living standards and for enabling higher levels of investment inter alia, in education, health and innovation.

Researchers (see the *Information report* for details of research and researchers used here) have examined the relationship between education and economic growth in South Africa. By differentiating between 'tertiary education' (universities) and vocational education and training, they find that TVET graduates are "almost as likely to be employed as school leavers without post-school education. However, the conclusion from their analysis is that university education contributes to economic growth whilst other post-secondary education including TVET colleges "do not productively contribute to economic growth".



The research also shows that workers with formal education are replacing those with no education in occupations that are generally regarded as low skilled. However, this issue of “education inflation” has been frequently understated, and may even be happening at the higher end of the occupational spectrum. In a labour market with ever increasing numbers of young people with educational qualifications (not necessarily with skills and knowledge at a commensurate level), employers choose individuals with the highest levels of education available. So it is may not necessarily be a situation where university graduates are necessarily more skilled and productive than certificate holders but one in which a high degree of “filtering” or screening is taking place whereby employers are choosing those individuals whom they see as less costly in terms of ‘on-the-job’ training.

## Inequality in Schooling, Higher Education and the Labour Market

Using cohorts of graduates from Rhodes and Fort Hare universities, recent research shows that the unemployment rate of 7% among Rhodes graduates corresponds with the national average for university graduates while the rate (20%) among Fort Hare graduates is almost three times higher.

Among graduates who are employed, there are some important differences in job search strategies which may explain some of the differences in labour market outcomes. The single most common way that Rhodes graduates found their current job was through personal contacts or networks (30%). Moreover, if the categories of ‘relatives’, ‘social media’ and ‘personal contacts’ are combined, then just under half of Rhodes graduates found their current employment through a social network. Fort Hare graduates, on the other hand, relied more on newspaper advertisements (36%) than on any other specific search strategy.

According to the authors, the results of this study are important for at least two reasons. First, the findings extend the existing work on degree or programme choice by suggesting that the completion of a first-choice degree is further conditioned by ‘pre-higher education’ factors such as school quality, race, gender and intended field of study. The analysis suggests that at least part of the preference gap is explained by poor schooling backgrounds and, by extension, a lack of adequate preparation for university study.

The implication is that schooling quality and low socio-economic status do not only have the expected impact on higher education access or performance but they are also clearly linked with study choices and employment. This suggests that poor quality of support interventions (e.g. career guidance) in the run-up to Grade 9 in under-resourced schools could have long-term negative effects, as can poor support for learners as they approach matric.

Second, the findings suggest that, while unemployment is far higher among Fort Hare graduates, at least some of the disadvantage is actually carried over from the type of schooling. The implication is therefore that interventions aimed at improving the employment prospects of graduates from Historically Black Universities (HBUs) should be targeted at university students from the low-quintile schools or, as already suggested, pupils from those schools who might qualify to attend university.

The analysis does not support the view that black African students (including those who are enrolled in HBUs) are more likely to enrol in subjects with poorer prospects for immediate employment. Moreover, the evidence from the eastern Cape universities does not suggest that

Humanities graduates are significantly more likely to be unemployed after controlling for other factors.

The final question the authors raise is whether the far higher rate of unemployment among Fort Hare graduates is really the result of the oversupply of certain skills or whether factors such as poor matching, poor signalling – including the effects of perceptions and preferences of prospective employers about graduates from HBUs such as Fort Hare or a lack of appropriate social networks in the labour market are much more relevant.

### 3. Post-school education and training as a Public Good

The benefits of providing education at higher levels and to all citizens are numerous. Besides the objective of developing mental and vocational capacities of individuals, a highly educated society also has many other benefits. Research has, for example, shown that educated societies are generally healthier and more tolerant. An educated society has more capacity for reasoned thought, and the nurturing of culture and scholarship.

There are social justice imperatives that drive the agenda for continuing to provide education even to those who have left the formal schooling system in any given society. In the context of South Africa, it means that the greater the proportion of the population that has completed secondary education and has acquired some skills to bargain with in the labour market, the better opportunities will be distributed in the population in general.

Concentrating all energies and resources on the trickling effects of a growing primary education system, does not seem to be getting us to a point where educational opportunities are being distributed fairly in our society. Also, putting most of our post-school education resources into the university system still means by-passing of millions of citizens who are not able to access universities. In order to equalise the opportunities given through educational access, much more effort must be put into the promotion of a completed senior secondary schooling with appropriate skilling and knowledge, and access to tertiary education. This is the 'missing middle' in our education and training system.

The recent Organisation for Economic Co-operation and Development (OECD) (2014) review of vocational education and training in South Africa also states that in most developed countries the majority of working people have acquired a post-secondary qualification, which might be one or two-year qualification after the completion of secondary school. Equality of opportunity is about levelling the playing field for everyone during key stages of life, and the last three years of schooling and beyond are vital to this exercise. A shift in the debate towards equality of opportunity in this area promises to be a better guide for public policy so that similar chances are given to all citizens. Education must be seen to be a public good for all.

#### The Five Principles of Action for PSET

The apartheid struggle in South Africa was not only an attempt to stop a crime against humanity but should be regarded as a war from which there are many casualties and veterans. As the years progress, these casualties are not being eliminated from the system. Instead the lack of attention to them has created a situation where there are parallel economies; the first and third world economies. Attempts to address adult education in the post-school education system have until recently put the focus on TVET colleges only, but even these institutions do not yet function optimally. Adult education of a more basic type remains lacklustre in spite of the Community College policy proposals.

It is no longer useful to view adult education in terms of literacy and adult basic education only. The debate about post-school education is synonymous with adult education in a broader sense in the country. It is synonymous because we know that the country has been providing universal education up to the 9th grade. This means that for a while, we have not



been having the problem of complete illiteracy with the new generation (however weak the actual reading, writing and numeracy competencies are). This means that we have a population in South Africa of up to the mid-forties in age who have gone to school, and at least completed between 8 and 9 years of education. The problem of complete illiteracy, where it exists, must be confined to a much older generation, and this issue has been largely addressed through the *Kha Ri Gude* adult literacy campaign. If this assumption is correct, it provides a guide for DHET on the population that requires the most education, and this profile can be described as being: between 16 and 45 and having between 8 and 9 years of basic education.

We believe that there are five principles that should inform the funding of a post-school system that would address the country's needs: access, diversification of programmes, articulation, differentiation of institutions, and capacity building.

### Access

Whilst the major debate about TVET and Adult Education in industrialised countries tend to be about parity of esteem with general academic education acquired in schools, in South Africa it can be said that there is a distinct lack of visibility of the TVET system. Many people either do not know where to go to in order to develop the skills needed for the labour market or cannot afford to. Yet, lack of opportunity to develop one's skills presents a barrier in leveraging social mobility in any society as well as inability to exploit the gains already made through basic education. Access in the system will accelerate when the issues of spatial inequalities; expanded provisioning and financial constraints are removed.

Funding must be provided to increase access to the post-school system and make it available to all who want to participate by:

Increasing the infrastructure available in all communities by either putting up new buildings; auditing all public spaces that can accommodate learning and making use of or doubling the learning sessions in other institutions such as schools, TVET colleges and even universities; Ensuring that all communities can access the kind of programmes they need where they are, without having to move to urban areas; and ensuring that learners are not constrained by a lack of finance from accessing programmes of their choice.

### Diversification of programmes

Appropriate programmes are needed in both the TVET and adult education and training (AET) sectors. The usefulness of such programmes will be decided by user demand, the currency of such programmes, and the credentialing system. The following seem to be the characteristics of an appropriate PSET for the country:

- § Completion of a high school qualification should be prioritized. Basic education is also synonymous with the completion of 12 years of schooling (not just nine). In addition, this is the most effective way of catching up on general education and learning skills for those who have been out of school for some time.
- § A vocational education qualification that has value in the labour market is important for this group. But, it is important to note that many in this group are unable to access this kind of education because of (i) the way it is packaged, (ii) the way it is delivered, (iii) the cost, and (iv) the geographical location of provision.

- \$ Many in this group require short courses in: (i) general education; (ii) vocational or skills development or upgrading; (iii) and personal development, rather than full qualifications that take too long to acquire.
- \$ Non-formal education which does not have to be examined should still be an important aspect of post-school education, and in particular in the community education and training institutions.
- \$ There is a strong case for expanding participation in PSET by what can be considered to be 'non-traditional' students. The only way this can be achieved is through an increase in the number of institutions that provide PSET. In practice this means increasing participation in colleges.
- \$ More post-high school qualification, e.g. short-cycle qualifications like Higher Certificates and Diplomas, which used to be offered by Technikons have largely disappeared from the system.
- \$ A funding model that stimulates the diversification of programmes in the system is sorely needed for both TVET and AET.

## Articulation

When there are either no progression routes from one PSET sector to another or where they do exist but are extremely weak, no matter what goodwill there is in the system, both massification and differentiation will be rendered futile unless the key issue of articulation is appropriately addressed. The college system (TVET and CET) is currently structurally outside the "conventional" education system comprising schools and universities. As a result, participating in government sponsored programmes in TVET colleges, like the NC(V), is seen as a regressive move by many students. Attempts to align the TVET College system through the NQF have not really worked as this exercise did not really look inside what is being provided but merely created a framework within which the new qualifications were to be pegged. The weakness of this whole process is now felt through the illogical sequencing of courses that have no relationship to and do not take account of the knowledge requirements at different levels.

Articulation is an important concept in opening up access and ought to be an important lever in steering education, instead of being left to individual institutions and students. Programmes and institutional relations between TVET and CET institutions, as well as TVET and HE institutions must be funded. The most important key to articulation is about institutional relationships, and the following may help:

- \$ Funding a relationship between the TVET and CET institutions through space sharing; satellite campuses; and even merging some of these institutions;
- \$ Funding a relationship between the TVET colleges and the Universities of Technology through franchising and other means that would promote higher education in colleges; and
- \$ Allocating all funding for HE-TVET education partnerships to the TVET college budgets so as to incentivise the higher education institutions.

In summary, TVET colleges should be used as anchor institutions to foster these relationships and make it possible for programmes to overlap. Funding incentives will go a long way to make this happen.

## Differentiation of institutions

One of the most common problems that occur when different institutions are expected to act within the same space is that they all adopt a single set of institutional characteristics within that system. Isomorphism is inevitable when a new type of institution enters the terrain as they will want to fashion themselves after the older ones. So, in this case it can be expected that the TVET colleges may want to fashion themselves on the university sector, and the Community Colleges on the TVET college system (a development unfortunately encouraged by the legislation which mechanically models them on TVET colleges). It is desirable that even though the two types of institutions co-exist within a single system, they must still maintain functional and organisational boundaries. Largely, the choices to be made here revolve around maximising the resources available in each sector for each institution, as well as being able to influence the direction and growth of each sector. Funding that incentivises differentiation will go a long way toward steering the system in the right direction.

## Capacity building

The effectiveness of the whole system will hinge on the capacity that has been built over time to deliver what is needed for the population of South Africa. This means training of educators in both sectors as a starting point. The strength of the sector is as strong as its educators. Also, training funds must be available for all personnel in the system, whether it is for teaching, administration, or leadership, in order to have an effective system. The sector is sorely in need of research capability so that interventions are evidence-based. This capacity must be developed in the sector itself instead of relying solely on external capacity.

## 4. The Technical and Vocational Education and Training (TVET) Colleges

Prior to the 1980s, South Africa had a state system of technical schools and technical colleges. The technical colleges provided post-school vocational and occupational courses (the theory aspects of apprenticeship education and training). Some were also legally empowered to provide higher education. Over time some technical colleges also began to offer community courses. In 1967 an intermediate institutional type was legislated for, which changed some technical colleges into Colleges for Advanced Technical Education (CATE) that could provide higher education sector training and help lessen the shortage of skilled high level employees.

In 1979 the CATEs were renamed technikons and firmly placed within the higher education sector. It was recognised that there was a set of higher education qualifications provided by them that differed from those of universities and were more practically orientated. The development of polytechnics in the United Kingdom also influenced these changes.

The post-apartheid 1997 Higher Education Act recognised three types of institutions: universities, technikons and colleges as part of a differentiated higher education system. All qualifications would be aligned to a new National Qualifications Framework (NQF) and the Ministry of Education would approve the specific qualification programme mix at particular institutions. Although the Ministry of Education regarded the technikons as providing career-orientated diploma qualifications they were subsequently renamed Universities of Technology and they edged towards being “comprehensive universities”.

The *Further Education and Training White Paper* of 1998 heralded a nationally driven merger that by 2002 saw 150 colleges merge into 50 larger, multi-campus TVET colleges which had greater autonomy and delegated budgetary authority. The merger certainly addressed the historical legacy of the same districts having four or more parallel institutions that previously served the apartheid era “race” groups, and of the distinction between state and state-aided institutions, but it also led to the closure of smaller institutions that had operated (though sometimes not very well) in rural areas. The capacity to manage these larger merged colleges was, however, often lacking.

Subsequent reforms included the following:

- § recapitalisation of the Further Education and Training college sector between 2005 and 2008 that sought to address infrastructural, resource and capacity challenges;
- § legislation in 2006 that transferred the staff of FET colleges to employment by college councils; and
- § the provision of bursaries for college students through the National Student Financial Aid Scheme (NSFAS), and a new National Certificate (Vocational) NC(V).

Enrolments in the colleges expanded significantly and there were gradual signs of improved academic performance (though from a very low base).

Most recently control of these colleges has been transferred from being a provincial competence to a national one, with the process completed in the first quarter of 2015.



As part of the DHET's attempts to create a more coordinated post-school sector, the FET colleges were renamed Technical and Vocational Education and Training Colleges in 2014.

In 2011 the colleges were considered to be operating at only 75% of their student capacity with 300 000 students. In 2014 there were 349 580 FTEs (based on 702 000 enrolments). The TVET colleges are generally considered to be underperforming and to be burdened by under-prepared students, though current policy envisages their massive expansion to serve 1 250 000 students by 2030 or even more, according to DHET targets for 2030.

The TVET colleges currently focus on three types of programme offerings:

- § The National Certificate: (Vocational) NC(V) introduced in 2007 with a wide range of variants to choose from. Grade 9 is a minimum qualification to enter into the NC(V), although a growing proportion of students have Grade 12. A certificate can be obtained for each year of three years of technical/vocation orientated study – at NQF levels 2, 3 and 4. The National Certificate: Vocational is offered in parallel to the school-based National Senior Certificate (NSC) which has a more “academic” focus. NC(V) 2 to 4 are equivalent to grades 10 to 12 respectively and correspond to NQF levels 2, 3 and 4. The NC(V) curriculum is structured to include 60% theory and 40% practical components in a particular vocational field. The practical experience may be offered in the workplace or in a simulated workplace environment. This feature has the advantage of giving students the opportunity to gain experience in the workplace during their studies. However, this qualification does not prepare students for immediate entry into the work place. After completing the NC(V), students are required to do approximately two years of work experience. They may then sit the national trade test skills in their field of specialisation.
- § The NATED Report 191 lists national programmes N1 - N6 which are largely theoretical in nature and require candidates to complete an extended apprenticeship before sitting the national trade test to become a qualified artisan. Artisan qualifications include plumbing, welding, carpentry, boiler-making and many others. Grade 9 is a minimum qualification to enter into the NC(V) or N1-N6 programmes, although a growing proportion of students have Grade 12. The N1 – N3 programmes have never been directly aligned with the NQF, but N3 broadly equates to grade 12. N4 – N6 programmes correspond to three years of study post-grade 12, culminating in a National Diploma at NQF level 6.
- § Occupational programmes offered by the Sector Education and Training Authorities (SETAs). These are typically skills based programmes with structured work integration.

The 2012 DHET Statistics show that the majority of College students (about 60%) are registered on the N1-N6 programmes and 40% on the NC(V) programmes.

As stated earlier, one of the key challenges of the South African TVET sub-system is the fact that currently there is no articulation between the TVET and any other education sector.

Historically, FET colleges had low throughput rates, inadequately qualified lecturers, insufficient industry-linked experience, and a limited programme qualification mix, with a lack of programmes relevant to local communities and industry. In many instances, examinations, assessment and financial management were also below average in quality. The

public TVET colleges system's target is an average student pass rate of 60 to 80%. Overall, of the 404 679 who wrote examinations in 2010, only 90 252 (or 22.3%) successfully completed a full qualification. In 2011, of the 126 491 who wrote examinations, only 51 790 (or 40.9%) successfully completed a full qualification. Despite increased overall participation at TVET colleges, the student completion rates are low and below the targeted range.

Prior to 1994, the bulk of government funding of colleges occurred through the post-provisioning model, which distributed educator posts from a central pool in each province to individual colleges on the basis of the number of full-time equivalent (FTE) students.

In the period 1994 to 2010, provinces, which receive the bulk of their revenue through an 'unconditional grant' or an "equitable" share of nationally-collected tax revenue, have complete autonomy in the use of these funds. Thus, there was some flexibility in how they allocated budgets to TVET colleges. However, this flexibility was lost following the move of TVET to the DHET. Funding for TVET colleges is now allocated in the form of programme subsidies and conditional grants, which during the period of the function shift to national control, was still channelled through provinces. This function shift was finalised in 2015.

Funding shortfalls need to be analysed both in terms of their general impact and in terms of their impact on certain provinces (already disadvantaged because of the previous funding allocation baselines per province being retained by DHET).

For 2012/2013, according to the DHET's enrolment plan, the total MTEF budget for FET college education should have been R5.989 billion. However, the actual allocation budget was R4.845 billion, made available through conditional grants, which is based on historical provincial allocations for FET college education, plus annual CPI adjustments. The projections for subsequent years show a declining trend in total allocations for the sector.

Clearly, funding of TVET colleges has been inequitable and insufficient. A fair distribution of funding would mean colleges receive equal rand values per weighted FTEs. Currently, the baseline used for the conditional grant reflects historical allocations to TVET college education, which were clearly too low in the Northern Cape, KwaZulu-Natal, Limpopo, Free State and North West provinces. However, redistributing the pool of available funding equitably to all provinces would disadvantage colleges in provinces where in the past more appropriate budgets were allocated to TVET colleges. A more acceptable way to rectify these imbalances would be to secure additional top-up funding, which could be channelled to the colleges in the provinces that were severely underfunded. When channelling additional funding to the sector, it is critical to ensure that the funds are spent effectively and efficiently. To this end, the fiscal governance and financial health of individual TVET colleges are absolutely essential.

Another issue that suggests changes to the funding formulae is that no allowance is made for whether colleges are urban or rural, large or small, or for the effectiveness of their throughput.

## 5. The Community Colleges and Community Learning Centres

The major development in the immediate post-apartheid dispensation was the creation of an Adult Basic Education and Training (ABET) system solidly wedded to new standards and outcomes-based educational policies and systems.

The introduction of Curriculum 2005 for school-going learners and the growing status of the National Qualifications Framework (NQF) led to a period of confusion, uncertainty, lack of direction, underfunding, low motivation and poor quality in many Public Adult Learning Centres (PALCs). Since 1994 numbers did not significantly increase in the formal state ABET system, and adults and out-of-school youth had been losing ground in obtaining Senior Certificate qualifications. It is unlikely that the number of attendees (including both genuine ABET learners and those studying at a grade 12 (Senior Certificate level)) have ever reached much more than 400,000 per annum and output has generally been poor.

Overall, it is the failure of the public adult education system that led to the recent policy decision to reorganise the Public Adult Learning Centres into clusters, as satellites of new community colleges.

In 2012, a Ministerial Task Team proposed a new institutional model including Community Colleges as district hubs for Community Learning Centres.

The actual proposals were as follows:

- \$ A network rather than a single 'new' institution
- \$ The network would be an integral part of the post school system
- \$ It would have two major components:
- \$ **Community Learning Centres (and their smaller satellites):**  
(with the *Kha Ri Gude* literacy campaign infrastructure, matured into a national learning network (with some similarities to the Scandinavian study circles), linked to them
- \$ **Community Colleges** (within a differentiated college sector) as support hubs for the Community Learning Centres clustered around them)
- \$ Support from an Institute for Adult, Youth and Community Learning (not merely a sub-section of a TVET Institute)
- \$ Open, distance and e-learning components in all of these institutions.
- \$ There would be strong links to the TVET college system.
- \$ There might be a pilot phase in which the model was tested but the aim was for a community college in every district of the country.

The Task team saw the work of these Community College/Community Learning Centres as focusing on the following:

NQF level	Institution	Mission	Programmes
1 to 3	Community Learning Centres	First and second chance literacy and vocational	ABET, soft vocational skills, GETC, NASCA, some CLCs focus on hard vocational skills and NC(V), community and non-formal education, <i>Kha Ri Gude</i> learning network programmes
1 to 5	<i>Kha Ri Gude</i> Learning Network	Literacy and public education	Literacy, public and community education [Multi-ministry delivery]
4 to 5	Community colleges	First, second chance Senior Certificate. Vocational and occupational programmes	NASCA, NC(V), soft vocational skills, social learnerships, para-professional programmes, university bridging

The decision by this Committee to not recommend having “community colleges” as sub-sections of existing TVET colleges was based on the rationale that when adult education is tagged onto another system it is invariably neglected. Moreover, expecting weak and overloaded TVET colleges to take on the task of mothering a weak, understaffed and dysfunctional PALC system that served thoroughly under-prepared learners is an unrealistic and possibly unfair expectation. However, they would be expected to articulate with the TVET colleges.

In 2012 the *Green Paper for Post-School Education and Training* proposed Community Education and Training Centres as a replacement for the Public Adult Learning Centres.

Before the Task Team report was finalised or the White Paper published, the DHET legal advisor appraised the Task Team of a plan to rename all 3 000 or so PALCs as Community Colleges, and then immediately merge them into 9 (provincial/regional) ones. This was to give effect to the “function shift” of the PALCs from provincial to national control.

This function shift took place on 1 April 2015. Predictably there were administrative problems, particularly with payments to PALC staff, and it generally seemed that there was a great lack of clarity as to who was actually responsible for ongoing support to the PALCs, given that there were in fact no new community colleges (only nine nominal community colleges to act as “Community College Administrative Centres”).

Funding of adult education remains abysmal in both absolute and relative terms. Recent data on expenditure on adult education (in the form of funds transferred from provincial education departments to the PALCs) was R1.2 billion in 2010/11; R1.4 billion in 2011/12; R1.5 billion in 2012/13; and R1.7 billion for 2014/15 (about 4% of the entire state education budget). Despite some increase in total funding, the direct government transfer per learner decreased by 10% between 2010 and 2015.



It is clear that in terms of current policy and the realities of the function shift of state adult education provision from provinces to the national Department of Higher Education and Training that for the foreseeable future there will be no major development of new community colleges that could replace the existing PALCs spread around the country. There is therefore a need for funding that will in the interim enable them to continue their provision (and improve their quality).

Given the realities of the current inadequacies of the system it would seem to be necessary to gain for the CLCs an increased share of the national education budget. However, an increased budget would not be enough – the system demands new, visionary and effective management of provision – for without this there can be little hope of progress. Effective management teams are needed at both national and regional hubs with the capacity to ensure that the budget is deployed effectively.

An enhanced budget would need to cover the following components:

- < Salaries for educators and administrators (that would also take into account the need for more permanent, dedicated, adult education staff). There would have to be some allowance for considerable expansion of the FET component (Senior Certificate);
- < Salaries for the coordinating and support staff based at both central (Community College Administrative Centres) as well as in the proto community college nodes at district level (possibly linked with local TVET colleges) that would each deal with a cluster of nearby Community Learning Centres;
- < Serious curriculum and materials development (for at least a number of start-up years);
- < Materials production and distribution;
- < The GETCA and Amended Senior certificate/NASCA examination costs;
- < The setting up of an effective HETIS system and the procedures and regulations that would enable it to work;
- < Support for the existing providers of adult educator training (currently a few universities) to gear up for larger output and various forms of continuing in-service education and support for educators and administrators; and the piloting of new ideas.

## 6. Funding frameworks for TVET and Community Colleges: International review and South African system

The funding of education and training is underpinned by several important considerations, including the economic and social relevance of education and training; the inevitable budget constraints of government; and the division of the burden of payment between government on the one hand, and private households and business, on the other.

### Funding frameworks and mechanisms for TVET

The financing of Technical and Vocational Education and Training (TVET) Colleges comes in various forms, namely, from public funding through, for example, the provision of grants to institutions and payment of teacher salaries, from students through the payment of tuition fees, from sectoral training funds, from private entities and donations, and from the so-called third stream income.

Funding mechanisms for TVET Colleges could be described as input-driven (based on enrolments and duration and nature of programmes), output-driven or performance-based (based on the outputs produced) or could encompass elements of both input and performance-based funding. Many countries use a mix of funding options as a result of historical and political developments.

UNESCO has advocated for financing mechanisms that can increase efficiency, stimulate the demand for TVET, and promote better outcomes by 'shifting the traditional input-based models to more performance-based financing ones. Overall, a key consideration for any funding system should be the efficiency of funding in terms of the ability to meet policy goals in a cost-effective manner.

#### Formula funding

Formula funding has several advantages, namely, fairness (the same set of rules applies to all institutions) and transparency. They are also administratively easier to apply. Once established, the application of the formula is straightforward.

Overall, funding mechanisms and models are not just instruments for allocating resources for given ends; more importantly, they are used as governance tools to steer the realization of important policy imperatives, for example, the production of skills that address the needs of the economy and that address the challenge of youth employability.

#### Training funds

These also constitute an important source of income for TVET colleges. Payroll training levies are the principal sources of financing for training funds. Levies can provide a steady and protected source of funding for training, particularly in the context of unstable public budgets. Sectoral, or industry-specific, training funds are an alternative to national (centralized) funding models. Sectoral levies are limited to a defined sector of the economy, such as industry or transport. A national system of sectoral funds offers the advantages of flexibility and the ability to focus more directly on sectoral training needs. They may be more

palatable to employers because of a sense of greater industry-specific orientation, less bureaucracy and greater sense of ownership. However, they do not facilitate redistributing funds across sectors or financing non-sector related skill priorities. Sectoral funds may duplicate efforts and fail to develop common core skills, transferable across industries.

### **Funding mechanisms of TVET Colleges in South Africa**

Prior to 2010, provinces allocated budgets to TVET colleges through the provincial equitable share. In this system, the DHET allocated funds to the provinces and FET colleges based on the reported student enrolment and the related programme cost. Provinces then determined allocations to TVET colleges, and these allocations were adjusted annually by the consumer price index (CPIX). The main challenge with this system is that it was inequitable. The funding of TVET colleges depended on provincial allocations as opposed to standard criteria applied to all the colleges. In addition, provinces did not prioritise TVET equally in their budget allocations, which led to unequal participation rates in TVET colleges and in provinces.

According to the National Norms and Standards for Funding Further Education and Training Colleges, the current public funding mechanisms of TVET colleges consist of formula funding of programmes, earmarked capital funding and earmarked recurrent funding. Overall, it is estimated that the state funds 80% of the costs of college programmes, while learners are liable for the remaining 20% for which they can apply for financial aid (bursaries) from the National Student Financial Aid Scheme (NSFAS).

Formula funding is used to fund ministerial-approved programmes and is designed to promote transparency and comparability between provinces, predictability, equity through the provision of bursary funding to colleges for students who are academically capable but cannot afford to pay college fees, and quality and efficiency.

Formula funding of programmes is intended to cover the recurrent costs of delivering FET programmes, but also certain capital costs associated with those programmes, such as costs related to the replacement of the facilities and equipment used.

The National Norms and Standards for TVET Colleges envisage a programme-level costing formula to allocate funds to TVET colleges. Funding is supposed to be allocated by multiplying the assumed costs in the funding model per programme by the number of FTE enrolments in that programme.

Earmarked capital funding is designed to cover items not covered by the capital infrastructure portion of the funding base rate, mainly expansion of existing infrastructure or development of new infrastructure (new campuses) and infrastructure backlogs. This funding may take a variety of forms, for example, conditional grants in terms of the Division of Revenue Act, or matching grants involving joint investment with private sector. Earmarked recurrent funding is targeted at projects of a developmental nature such as staff development and development and implementation of computerised systems. The earmarked recurrent funding stream also covers inputs that are considered part of a basic minimum package of recurrent inputs required more or less equally by all colleges.

### **Sources of income for TVET colleges**

TVET colleges in 2013 received a total of R9.1 billion in funding, with the largest portion of their funding from government sources (excluding some SETA funding).

A key change in college funding in recent times, is the substantial increase in the amount of student bursaries and loans provided by NSFAS, increasing from R0.3 billion in 2009 to R1.83 billion in 2013 in an attempt to increase access to the TVET sector. This has made TVET colleges even more reliant on public funding by reducing the proportion of funds received from privately-funded students for tuition, transport and accommodation.

## Funding for Adult Learning

Subsidies, vouchers, individual learning accounts and tax instruments are the main mechanisms used to fund adult learning across various countries.

### Subsidies

Several countries use direct subsidies to stimulate participation in adult learning by reducing the private costs of such training. In countries such as England, the subsidies are targeted at low skilled workers and consist of four elements:

- < Free or subsidised training to a basic skill or NVQ (National Vocational Qualification) level 2 qualification
- < Paid time off for training (funded for either 35 or 70 hours in total);
- < Wage compensation (paid to the employers for a total of 35 or 70 hours time off); and
- < Information, advice, and guidance to employers and employees.

### Vouchers


In voucher funding systems, participants receive the entitlements and funding follows their choices. The most well-known voucher system is perhaps the GI Bill voucher delivery system of the United States of America (USA). Under the GI Bill, veterans of war are entitled to attend up to 45 months of education during a 10-year period after their active duty. They are entitled to receive an allowance if they attend an accredited schooling or training program. The allowance may be used either to meet the direct schooling costs or to cover costs of living.

### Individual learning accounts

An individual learning account is an instrument that provides individual workers with an amount of money, to which the worker (employee), employer and third parties (for example, government) can pay a contribution in either time or money. It is a base amount of resources set aside for an individual to use for his or her learning. The main objective of ILAs is to give individuals more personal choice and ownership of their learning, and to stimulate individual motivation to engage in learning activities that would enhance workers' knowledge, skills and abilities that increase their human capital and employability. They can also be used to implement worker-centred methods to connect company needs to individual development needs and are an instrument of shifting choice and responsibility of institutions to the potential learner (from a supply to a demand approach). This funding mechanism has been applied in the Netherlands, England, Canada and Switzerland.

### Tax instruments

Some countries subsidise training participation through tax instruments. This can be done either by allowing firms to deduct training expenditures from the tax bill, or to allow individuals (workers) to deduct their training expenditures from their income tax. As firms' training expenditures are part of their normal operation costs, firms will normally be allowed to deduct such costs from their tax bill. Countries such as the Netherlands, Japan, Chile and Canada have utilised this funding system.





## 5. Recommendations

### A Proposed Funding Framework for Colleges

The Committee's recommendations arise out of its members' common judgement that the current funding frameworks are not optimum and are in many respects an obstacle to the implementation of constitutional and current government post school education and training policy imperatives.

For effective implementation a much more appropriate, diversified funding framework is required for Post-School Education and Training (PSET) including legislative, regulatory, policy and administrative changes. Our general and specific recommendations on these are outlined below.

The funding framework for PSET must encompass a broad range of provision including technical and vocational education, adult literacy, adult basic education, adult secondary education, and continuing education as well as various forms of non-formal education and training for youth and adults.

The purpose of the funding framework must be to increase access to an articulated, diverse and differentiated system of post-school education and training, quantitatively, qualitatively and geographically. It is a system that must be efficient, effective and accountable, taking into account the need for equity and development – that is, for social justice redress in society as well as to meet the skills needs and shortages. The growth of PSET must be related to the kind of society we desire and the associated institutions for such a society.

The funding framework must be such that funding is provided via a transparent process and with predictable outcomes.

The Committee recognises that its proposals and recommendations will require future work by technical task teams with much modelling and piloting for them to be successfully implemented (or where compelled by the evidence, discarded).

### Increasing the national allocation for TVET and Community Colleges

It is evident that, in terms of both a proportion of the national education budget and as a percentage of GDP, that TVET and Community Colleges are grossly underfunded, especially in the light of the proposals in the *White Paper on Post-School Education and Training* and the *National Development Plan 2030*. At the present time the education budget is divided as follows: Schooling – 84%; Universities – 11%; TVET colleges – 4%; and Adult Education – 1%. Adult Basic Education is a constitutional right and demands urgent attention. The correct balance between TVET College and University funding needs to be addressed incrementally over an agreed upon time frame.

**Recommendation 1:** We propose that urgent attention be given to substantially increasing the funding for TVET and Community Colleges in the light of the serious underfunding at the present time and current shortfalls, given the value of these sub-sectors for economic and social development. The Committee does not want to prescribe a specific numerical increase in funding in either absolute or percentage terms but would like to stress the importance of paying urgent attention to the overall funding issue. Investment in the PSET sector needs to improve.

Whilst we understand that overall this might mean a major escalation in the size of the PSET budget, we hold strongly to the view that unless such a review is undertaken, most of other recommendations are largely pointless. We do recognise, however, that the increases would need to be phased in over several years. However, it is imperative that a start be made in this direction as a matter of urgency.

The Committee notes that the urgent response to the current *#Fees must fall* campaign is an indication of the extent to which university funding is prioritised politically at the expense of other sub-sectors such as TVET and Community Colleges because of the powerful lobbying power and interests in the university sector.

## Funding components

Budgeting of necessity should provide for all the necessary components in an effective education and training systems such as academic and support (including academic support) staffing, educational materials, examination costs, information systems, career guidance, evaluation and research as well as capital equipment and broader infrastructure.

**Recommendation 2:** We would therefore argue for benchmarks for both TVET and Community College ministerial-approved programme-based budgets, such that staff costs should not exceed approximately 65% to 70% of the total budget, and that within the staffing budget, the ratio between teaching and support staff should generally not exceed 3:1.

## TVET College specific recommendations

### Quantity or quality – rewarding outputs

All education and training institutions have to find a happy medium between quantitative growth (students enrolment) and quality (low repetition and drop-out rates, and the output of competent graduates). Because of the immense pressure to massify the TVET college sector there is a danger that quantity will be valued above quality.

The Committee is of the opinion that in recent years TVET college quality has been compromised because of the pressure to increase enrolments without compensatory increases in staff and other resources. Provision must therefore be made to ensure qualitative improvements to meet labour market needs, even if it has to be at the expense of further increasing quantitative growth in enrolment. Indeed, as the reviewed literature indicates, current certification rates are abysmal. Currently learners in the TVET system graduate at an exorbitant per capita cost which is unsustainable. Moreover, the absorption rate of TVET graduates in the economy is also a cause of serious concern.

The performance-based funding framework works well in the university sector in South Africa and elsewhere. In the South African university sector there has been a significant improvement in success rates, throughputs and research outputs.

**Recommendation 3:** We recommend changing the funding mechanism for TVET colleges from the current system of “input-funding” to one based on both inputs and outputs. Initially we would argue for an 80:20 input-output mix. We suggest that up to 20% of the programme subsidy for year  $n + 1$  be based on the throughput of year  $n - 1$  (to allow for data collection).

**Recommendation 4:** The existing costing formulae needs updating both for programmes, courses and staff post provision. The current model based on the original KPMG report and



later PWC remodelling needs substantial revision, particularly with respect to the weighting for the NC(V) as compared to the occupational programmes. Programme costs should include the cost of examinations.

**Recommendation 5:** A technical team should be appointed to determine the details of future funding formulae that take into account all the possible variables, including: Funding based on FTE enrolment, funding based on differential programme costs, performance-based funding for student success, weighting for rural and disadvantaged areas, weighting for disability, infrastructure development and maintenance (including residences), staff development and academic support.

**Recommendation 6:** An enrolment plan for TVET colleges needs to be developed and linked to available funding provided in the Medium Term Expenditure Framework (MTEF). Such a plan would have to be in line with the new landscape for TVET and Community Colleges.

**Recommendation 7:** The DHET should also develop a long term plan for the college (say 5-7 years) to ensure the financial sustainability of colleges informed by agreed-upon enrolment plans.

**Recommendation 8:** Enrolments should be based on a five-year rolling plan and should include the projected growth in the number of graduates. The DHET should agree on the funded enrolments with each college for a period of at least three years should a college deviate significantly (say 5% or more) from the agreed-upon enrolment targets, the funded enrolments for the outer years of the rolling plan should be adjusted. The claw-back procedure should be abolished.

**Recommendation 9:** SETAs should develop a three year plan of programmes that they want the colleges to offer and this should inform the enrolment planning process of the colleges. This needs to form the basis of guaranteed funding from the SETAs to the colleges. The cost of repeating students that take longer than the normal time to complete, should be taken into account.

**Recommendation 10:** The National Skills Fund was established to provide training for the unemployed. The NSF should be used to fund such programmes in a set of colleges (say one or two per province) for a three year trial period.

#### **Variable course costs**

**Recommendation 11:** As in many other countries, funding formulae should take into account the variable costs of programmes and courses and the factors that disadvantage certain institutions and the students that populate them. A good example is the formulae used in the United Kingdom by the Education Funding Agency for Further Education Colleges, that takes these into account, as well as the variable cost factor scales used by the Skills Funding Agency. Rural colleges clearly need a funding adjustment through an additional weighting on the formula.

#### **Capital expenditure, infrastructure refurbishment and ongoing maintenance**

**Recommendation 12:** Given the expansion in the college system, serious attention needs to be given to new capital expenditure and refurbishment as student numbers rise, as well as the increased maintenance costs consequent on rising numbers. The maintenance situation (including the repair and updating of equipment) needs to be carefully monitored and funds for it specifically earmarked.

### **Inequality of funding between provinces**

Currently TVET colleges in the different provinces are not funded equally according to the funding formulae. This is a historical anomaly carried over from the differential support given to the TVET colleges in each province in the past. This inequity must end but not at the cost of those provinces where the funding allocated is close to that predicted by the funding norms. The colleges that are underfunded must be brought up to the norm, without lowering the norm for all.

**Recommendation 13:** The post-function shift funding model for the TVET sector must ensure that baseline funding does not perpetuate past under funding of the colleges in certain provinces. Additional allocations must be used to achieve a more equitable funding regime across the provinces.

### **Bridging and foundation programmes for under-prepared students**

In a perfect system no underprepared students enter TVET colleges. As South Africa is nowhere near such a state it is still necessary to remediate some of the failures of the school system. However unfortunate this cost is (and taxpayers will eventually balk at having to pay twice for the same service) it is a cost that must be carried for the foreseeable future

The task teams involved in the development of the national plan for post-school education is considering recommending the offering of foundation programmes with compulsory elements on work readiness, ICT skills, life orientation as well as fundamental foundations for mathematics, science and language. These programmes should be coordinated across the colleges.

**Recommendation 14:** Bridging and Foundation programmes must be developed to assist underprepared students who enter TVET colleges. These programmes must be fully government-funded. The cost of these offerings will be offset by the savings made through improved efficiency as a result of better throughput rates and fewer repeaters in the system.

### **Student support services**

Student support, including career guidance, services are weak at TVET Colleges and the function is performed by the lecturers. There is a big need to strengthen the student support services to improve the quality of education and training. The functions that can be expected to be performed by student support units must be determined. The DHET Youth Development Support Directorate is currently looking at transforming the whole of student support services. There is a need to attend to both the academic and social needs of students.

**Recommendation 15:** Adequate student support services must be established in the colleges and earmarked recurrent funding needs to be allocated for this function.

### **Ensuring alignment between enrolment planning and funded workplace learning places**

Currently the two TVET College programmes, NATED and NC(V), and Learnerships continue to be seen as alternatives to one another and not complementary components of a single learning pathway from school to work (as had been the case historically). The connection between “theory” and “workplace” remains disconnected. TVET funding is only allocated to the ministerial-approved programmes (NATED and NC(V)) without any funds allocated to the theory component of learnerships. Levy flows via the SETAs (for learnerships, internships, etc.) take the form of grants to an employer who is then required to secure the theoretical

learning from a provider of their choice (which may be a private provider or done in-house in the case of large employers).

The fact that the “theory” and “workplace” were not connected often led to the practical consequence for learners wanting to acquire trade qualifications of having to undergo nine years of publicly funded learning to train as an artisan (which used to take only three years) if the full route of Senior Certificate (3 years), NC(V) (three years) and an apprenticeship (3 years). This is a highly expensive route to a trade and is clearly sub-optimal for a system that wants to massify.

In order to bring ‘theory’ and ‘workplace’ back together again, it is necessary to look for ways to get the fiscus (which funds the theory) and the levy (which funds the workplace training) to work together. To do this the disbursement of the one should be conditional on the disbursement of the other for those programmes that require a workplace learning component for completion. This includes all the QCTO qualifications (and hence all the trades) but can also equally apply to shorter programmes or even skills programmes that require workplace learning. The key constraint for most learners and colleges is the access to workplaces.

**Recommendation 16:** “Theory” and “workplace” need to be linked again. The long-term (5 years) and short term (1 year) planning cycles of SETAs must be sequenced. SETAs should start the initiative by inviting employers to apply for grants and these applications must be approved before college enrolment planning begins. The employer responses must be based on occupational categories (trades) that permit aggregation across sectors. Aggregated data of all employers in a geographical area willing to take learners for workplace learning for a given trade(s) must be provided to the colleges in that area. This will set the broad quantum of learners that can be enrolled by that college in that programme. In time employers should enter into contracts with learners before they enrol.

**Recommendation 17:** Enrolments at colleges for those programmes that require workplace learning should be premised on the colleges having access to workplaces for the learners based on the consolidated information provided by the SETAs for that area. The SETA offices in colleges should therefore be primarily centres of data management derived from data consolidated centrally.

**Recommendation 18:** The allocation of the levy grant is a condition for the allocation of the fiscal allocation to the college.

## Community College specific recommendations

Historically, the state adult education and training system has been of very low quality with very weak output. This is unacceptable and it is pointless expanding such a system. Given the current mode of operation and with the available funding, it is simply not amenable to performance improvement. Whatever the political imperative for the expansion of provision, rapid expansion should be curtailed until overall quality has improved, and such expansion is capable of sustaining quality. That said, it is also recognised that adult education and training provision is less capable of a linear massive expansion and improvement in qualitative excellence compared to schooling because of the vagaries of voluntary adult participation. What is required is a steady process of reform and incremental growth. Because of inadequate planning for the function shift of the PALCs to the national government and the absence of actual community colleges, a proper holding operation and a new community college implementation plan is in any case needed before significant expansion can take place.

## Legislation

It is clear from the international literature and from the current problems of applying essentially TVET college legislation to a different type of institutional model – namely, the community college and community learning centres – that separate and comprehensive legislation is necessary for adult and community education and training.

The drafting of such legislation would only be possible if effective conceptualisation has taken place on the nature and characteristics of Community Colleges and their governance, functions, and potential activities (including performance, accountability, staff development, use of posts, payment of Community Learning Centre personnel, compensation of Council members, growth potential and viable size(s)).

**Recommendation 19:** Once a sound conceptual model of the Community College is developed it should be piloted and then a comprehensive Adult and Community Education and Training Act developed (which is not simply a clone of the legislation relating to Technical and Vocational Education and Training Colleges.)

## Structural reform and funding

The Committee is of the view that the transition from the Public Adult Learning Centres run by provincial education departments to being clustered into groups of satellite Community Learning Centres around a Community College support hub in each district of the country has not happened, was poorly planned, and is actually incapable of implementation in the short term, mainly, but not only, because of the low level of funding.

The Committee believes that the funding of the Community College system needs to be disaggregated into first, a holding operation with some modest reforms for the ex-PALCs linked to the regional Community College Administrative Hubs, and second, the realistic costing and funding of a set of community college pilot projects (also making use of private sector and not-for-profit facilities and support as well as donor funding) in specially targeted districts with appropriate demographics, with targeting to be done along similar lines to the 2013 Gauteng Department of Education audit of PALCs.

Establishing “a new institutional form”, the community college, requires a dedicated high level support team which can develop and monitor an implementation plan and simultaneously undertake the necessary demographic and demand analyses to justify investment in community colleges, which are expected to serve two distinct groups, namely adult learners and youth.

Current state provision invests almost exclusively on two formal qualifications, the GETC and the Grade 12 “Amended” Senior Certificate. It is not clear that this focus is of much use to older learners. There is also as yet no investment in high quality English and Mathematics foundation or bridging courses.

**Recommendation 20:** Community Colleges should move towards a much more community oriented rather than school-based approach. There should be no admission criteria ensuring access to all who want to attend.

**Recommendation 21:** There needs to be a framework for institutional growth with due attention being paid to the need for considerable funding for the effective development of this sector, as well as attention being paid to more effective use of existing infrastructure and to its expansion.



**Recommendation 22:** Communities, local government bodies, and local civil society bodies must be involved in the conceptualization and development of the local colleges, including enrolment planning and the qualifications and programmes that should be offered, all within the context of the development of the regions where the college is based.

**Recommendation 23:** A dedicated high-level Community College development support team should be set up to develop and monitor the implementation plans for each new Community College and simultaneously undertake the necessary demographic and demand analyses to justify investment in community colleges in those particular localities.

### Setting the level of funding

**Recommendation 24:** It is recommended that the overall budget be increased as fast as possible to at least 3% of the national education budget as an interim measure and that certain percentages of the budget be ring fenced for a minimum set of resources: personnel costs (including coordination), curriculum and materials, maintenance and monitoring and evaluation. Given the dearth of materials, materials development should be a priority in the initial year or two. Building the capacity of the institutions to handle an increase in funding needs to be factored in.

### Use of public and private facilities

**Recommendation 25:** Given the low likelihood of massive funding for new infrastructure in the near future, it should be incumbent on the state to encourage optimum use of spare capacity in all public college and university facilities that can be made available for reasonable regulated use by the adult and community education system and that private non-profit facilities also be used on fair contractual terms. In addition, DHET should commence a process of negotiations with municipalities across the country to identify available facilities for this purpose. The South African Local Government Association could be a useful ally in this regard. There is also considerable scope for the use of schools that have closed down.

### Linkage to and incorporation of the *Kha Ri Gude* adult literacy network

The *Kha Ri Gude* adult literacy campaign's network was a clear success and its simple but elegant structure was a most cost-effective means of delivery. Whilst it is understandable that the campaign would necessarily have an end point, it would be sensible to make use of this structure and system and database as part of the community college/community learning centre system.

**Recommendation 26:** The *Kha Ri Gude* structure should be incorporated into the Community College system and a plan for this should be developed.

## Common recommendations for both TVET and Community College

### Funding predictability

It is clear that a major source of instability in the TVET and Community College sectors is the unpredictability of funding. Such unpredictability was emphasised in much of the evidence presented to the Committee that TVET colleges were not receiving the full quantum of what they calculated were supposed to receive in terms of the current funding norms. The result was

that Colleges were forced to have in effect two budget processes, the one based on the existing programme funding norms and the other based on the approved budgets which over the period 2013 to 2017 had shortfalls that rose from 19% to 47% per annum.

With regard to the PALCs, it is also evident from the recent past that provinces arbitrarily changed annual budgets, and in some cases, prior to the function shift, put operational budgets on hold.

**Recommendation 27:** Whilst we recognise that the national education and training budget, like other departmental or provincial budgets, is subject to a number of factors, such as economic growth and tax revenues, it is nevertheless critical for spending agencies to have a degree of certainty or predictability with respect to their budgets based on a long-term enrolment plan (and the associated staff compensation budget).

### Increased funding for programme differentiation and diversity

More differentiation and diversity of provision and institutions is needed both within and between TVET colleges and Community colleges (with their Community Learning Centres and satellites). This would require more legislative and governance adjustments. However, to be avoided, in multi-campus colleges, is unwarranted over-specialisation by campus that has the effect of raising travelling obstacles for students. This is needed to forge a more diverse college system including TVET colleges, community colleges, and other institutional forms. Such a framework must enhance the possibility of genuine and easy articulation and transfer of students between colleges and higher education institutions.

For Community colleges there is the laudable idea of “curriculum development from below”, encouragement of non-formal courses responding to local community needs, and entrepreneurial building partnerships at the local level. This will however, be impossible unless there is some budgetary allowance to support these at the college level.

**Recommendation 28:** Funding for programme diversification is necessary, both for the so-called ministerial-approved programmes (currently two in TVET and the two (or potentially three) in Community colleges) and via a generic “other vocational, occupational and non-formal programmes” funding category.

### A better overall institutional framework of coordination and articulation

There is a clear need for a more diverse college system including TVET colleges, community colleges and other institutional forms. Such a framework must enhance the possibility of genuine and easy articulation and transfer of students between colleges and higher education institutions.

**Recommendation 29:** A better overall institutional framework for coordination and for the easy articulation and transfer of students between TVET and Community Colleges and higher education institutions should be developed.

### Programme offerings at TVET and Community Colleges

There are several types of programme differentiation that will need to be looked at.

**Recommendation 30:** Although a genuine diversity of programmes is needed, only a manageable set of key qualifications should receive major state funding. Programmes need to be manageable both in terms of funding and conceptually so that student understanding and choice of the appropriate qualification for a particular career path is made easy.

**Recommendation 31:** The extent to which Colleges may cross-subsidise so-called “non-ministerial” programmes needs to be regulated. The crucial factor here is whether the cross-subsidised programmes complement the subsidised programmes.

**Recommendation 32:** There is a need over time to differentiate between TVET college programmes and Community College programmes. It would be pointless to duplicate programmes when they are likely to be better delivered in one of the institutions, although there is no obvious way, at this stage, to determine what would be better dealt with where. It may also well be the case that a process of organic growth will be best for the Community colleges as they develop.

**Recommendation 33:** There needs to be a more rational system of funding fully state funded and endorsed programmes that are fit for purpose. It is clear from our investigations that decisions in TVET colleges regarding the NC(V) and NATED programmes are often made, not in terms of their fitness for labour market purpose (whether national, regional or local) but on the basis of cost, enrolment increases, available staff, etc. It is also clear that good professional and skills courses that deliver also need funding as appropriate.

Both the TVET and Community colleges need the ability to change their institutional trajectory and, where appropriate, also offer NQF level 5 programmes (Higher Certificates) and level 6 programmes (Diplomas). We note the policy change that will see the re-entry of technical training at schools which will have the effect of moving provision in TVET Colleges up the NQF levels. In due course, the concept of two year (Associate) degrees (as in the North American community college system) should be explored. At the same time, issues of developing a really workable credit transfer system to universities would need to be expeditiously resolved.

**Recommendation 34:** The issue of Higher Education qualifications being taught at TVET and Community Colleges needs to be more carefully looked at (particularly in relation to Higher Certificates and Diplomas) and most important, ensuring that Higher Certificates do articulate with further qualifications in Higher Education institutions and fair credit transfer is allowed for. A workable credit system to universities needs to be expeditiously resolved.

**Recommendation 35:** The real costs of remediating the failures in the school system and not having the TVET colleges clogged with unprepared students, have to be faced up to. If the Community Colleges are expected to do this their funding (and general capacity) will have to reach a much higher dimension. [See also Recommendations 14 and 15.]

**Recommendation 36:** The possibility of having some specialised TVET colleges (as shaped by the South African national and regional contexts) as a way of rationalising scarce resources also needs to be examined (as will the cost of providing residential accommodation for students).

**Recommendation 37:** The National Senior Certificate for Adults (NASCA) is registered as a qualification and will be implemented in 2018/2019. NASCA should be delivered in flexible modes to ensure that adults can participate in them, including those already working. Subject to the necessary constraints of costs and the integrity of the examinations, flexible assessment should be made available so that an individual can enter and write these examinations throughout the year to ensure that the system becomes much more efficient and effective.



## Course materials development

For both the TVET and ACET sectors, it is clear that there is a dire lack of well-designed instructional materials for learners and manuals for staff (whether in print, delivered via in-house ICT services or online). In the PALCs this lack was catastrophic. In the case of the Kha Ri Gude literacy campaign, the excellent materials were crucial to its success. Without appropriate study materials much of the other investment is simply wasted.

**Recommendation 38:** For the next five years there should be a substantial budget for the research and development of first class study materials, including those delivered via ICT means, especially for the community colleges.

## Distance Education

Distance education in its traditional form is not an ideal mode for underprepared students. Nor is it an ideal mode for TVET College students because of the large practical component in their studies. However modern distance education and in particular that supported by advanced eLearning technology and open access materials should be explored cautiously. It must never be considered as a cheap quick fix option. Distance education needs heightened student support. These cautions do not mean that there is not a need for very carefully designed self-study materials, both print and electronic. Courses delivered by distance education and flexible modes of study should be funded according to an appropriately adjusted but fair formula. Subsidy of distance education students is normally between 40% and 50% of that for contact mode students.

**Recommendation 39:** The Committee is of the opinion that open and distance education for the TVET and ACET sectors should only be explored with some caution at this time due to the under-preparedness of the majority of students and the current poor levels of performance in the sector.

## Tuition fees

The portion of what can be expected to be paid by tuition fees has tended to increase in recent times (an example from England it was now 12% of revenue, for United States of America community colleges overall it is 30%). Recommending a benchmark figure on what percentage of revenue should come from fees is legitimate. Currently in South Africa it is about 20%. Some central and state governments regulate the fee structures (taking into account the funding, budgets and track records of the institutions). For public literacy and adult basic education programmes in many countries there are no fees (such as in Brazil where there are no fees for any public education). In the United States of America though in 1998 a previous restriction on states charging fees for adult education services was abolished, most programmes remain free. In South Africa the correlation between poverty and illiteracy and under education is so clear that charging fees should be discouraged. At the same time it must be recognised that better qualifications are a powerful engine for social mobility (and particularly in the case of university degrees, give a tremendous 'cash value' return to the holder).

in our consultations with institutions and students it became clear that there are major dysfunctionalities in the disbursement of both tuition and accommodation, travel and subsistence grants. Unless this situation is rectified, the expected efficiency and equity gains envisaged will not come to fruition.

**Recommendation 40:** The Committee considers that fees are an important income stream for TVET Colleges. Students that can afford tuition should pay fees. Students with academic potential should not be excluded because they cannot afford fees (therefore there is a need for an ongoing student fees support mechanism).

**Recommendation 41:** The Committee is of the opinion that the Community Colleges which will serve the poor and disadvantaged should not charge fees for formal programmes. These should be fully funded by the state with possible contributions by local authorities and the private sector.

**Recommendation 42:** In the event in a national move to a fees free situation, as the NSFAS allocations to TVET colleges are grants and not loans, it is recommended that the share of NSFAS earmarked for these colleges should become part of the baseline funding of TVET colleges with provisioning made in the subsidy for transport and accommodation allowances under the same conditions currently in the regulations for the bursaries. The funding for transport and accommodation allowances should be earmarked and the size of the allocation should be based on the criteria for eligibility and the availability of funds.

### Special needs

**Recommendation 43:** Special education needs in TVET and Community Colleges should be catered for and funded by adding an additional weight to the FTE calculations. The current weightings for special needs students are regarded as acceptable although the criteria for what counts as "special needs" requires refining and rigorous application.

### Addressing the needs of indigent students

**Recommendation 44:** The provision of living allowances for indigent students should be introduced with a sense of urgency, but be linked to performance. Poor students need more financial support particularly in the case of those from rural areas.

### Student hostels

In principle, TVET and Community Colleges should enable access to students within reasonable travel distances, though in some cases, local travel support may be needed. Expenditure on residences would therefore not be a priority. However, there may be a need for hostels in rural areas, especially where transport services cannot be provided. Hostels may be needed for centres of specialisation or where various forms of artisan training attracts students from a wider geographical area. This may therefore require some TVET Colleges to consider making available hostel accommodation for their students to ensure that their success and graduation rates improves substantially.

**Recommendation 45:** Student residences may not be a high priority at this stage but, if deemed essential, should be funded through separate earmarked capital grant (as is the case currently with universities) on a project basis. Development finance institutions and the banking sector should be encouraged to partner with institutions to provide loans matching the funding from the Ministry. Local government sponsorship may be needed here also.

### Accurate data for a functional HETIS

Accurate data in a functional HETIS (that addresses planning, funding, monitoring and research needs) is an essential requirement for an effective system. The fair and accurate division of funding needs to be based on accurate, reliable and timeous data. The inadequate as well as

unreliable data for the existing Public Adult Learning Centre system are a huge problem both for the review as well as the future planning of the new Community College system and need to be addressed as a matter of urgency. Although there are data available for TVET colleges, there are a number of shortcomings. It is also important that SETA databases be linked to TVET College ones. This EMIS development work needs to involve all the necessary stakeholders to ensure the real functionality of the developed system.

It would be useful to have a learner record database available at national level.

**Recommendation 46:** An improved EMIS needs to be developed and maintained for both the TVET and Community Colleges which should preferably be unit record databases with the functionality of calculating accurate full-time equivalent enrolments. Funding will have to be allocated for the development of proper management information systems.

### Subsidizing private colleges

**Recommendation 47:** A set of strict criteria should be set for the granting of student grants for study in private colleges where, in cases of national needs and priorities, particularly in specialised areas and to address the provision of scarce skills, the public TVET or Community colleges lack the capacity to enable potential learners to access these forms of PSET.

### Staffing and conditions of service

The staffing conditions in TVET and Community Colleges are characterised by inconsistencies in the conditions of service, lack of policy on the appointment of educators and a large proportion of contract appointments, a limited pool of qualified candidates, and few incentives for working in isolated areas (including a lack of staff accommodation in rural Colleges).

**Recommendation 48:** A staff provisioning model and policy must be developed based on full-time equivalent enrolments and ensures a hybrid of permanent and contract employees for both sectors. This model must take into account incentives to attract and retain qualified personnel, particularly in rural areas, and the need for ongoing staff capacity development.

### Compensation of college council members

**Recommendation 49:** The payments to Council members, apart from those who are already in state employ, for meeting attendance, should be set at the standard hourly or daily rates and should be capped at an annual maximum amount (to prevent an unnecessary proliferation of Council meetings and site visits as a way of gaining income). The rates set by DHET for TVET colleges on the basis of Treasury regulations on an annual basis are reasonable and appropriate.

### Educator, trainer and researcher development

It is common knowledge that the development of adult educators, trainers and researchers has been sorely neglected, particularly since the closure of many previously excellent university centres and non-governmental organisations that had specialised in this field.

**Recommendation 50:** Universities and other roleplayers need to be encouraged to restore the capacity for the training of adult educators and the updating of curriculums as well to increase their capacity to develop TVET college lecturers and researchers.

## Management and staff development needs

The development of strong management capacity in both TVET and Community Colleges is a necessity. Currently it is common cause that management is weak in the Community College/Community Learning Centres system and many TVET colleges have been hampered by management failures and in matters of fiscal governance, so much so that several have been put under administration or threatened so. Colleges also need to budget for internal staff development, given its known positive effects, and to plan for lecturer replacement while they are attending training.

**Recommendation 51:** A plan for developing management capacity both in the short term and in longer term training programmes will need to be costed and linked to a much clearer specification of the funding principles for the adequate staffing of these institutions.

**Recommendation 52:** Intervention should be made to improve fiscal governance in TVET Colleges and to prepare for it in Community Colleges, including recruitment of appropriate skills, ongoing training, and credible financial systems and processes.

## College reserves and surpluses

**Recommendation 53:** Colleges should retain surpluses generated from programmes for use by the institution. Surrendering such funds to the DHET would represent a disincentive to efficiency and effectiveness and for developing and implementing new programmes and courses. College reserves should therefore not be tampered with. Large educational institutions need reserves – however, they should be accountable to the DHET to how they use such funds.

## Monitoring the financial health of colleges

**Recommendation 54:** Sound funding systems and uniform templates for financial reporting, designed in a manner that ensures that the DHET can proactively monitor the financial health of TVET and CET colleges, must be developed in the interests of the institutions themselves.

## Monitoring, evaluation and research

It is common cause that monitoring, evaluation and research have not been prioritised or capacitated within the TVET college or state adult education system. All colleges need to have a “knowledge project” related to the regional, district and municipal situational demands. Clearly the lack of research capacity has to change, without diminishing the role that universities have to play in researching the sector.

**Recommendation 55:** There should be a relatively autonomous monitoring, evaluation and research component at both college and national levels that, separated in function and control, would ensure the collection, analysis and interpretation of accurate data on the implementation, learning outputs and impacts of the TVET colleges, SETAs and the Community colleges.

## Role of universities in training and research

Historically it has been South African universities that have played a role in researching TVET and adult and community education and providing for the training of practitioners in recognised teaching qualifications. Universities should assist in the setting up of Community Colleges and co-operate with TVET Colleges to strengthen them too.

In the case of adult education virtually all research and practitioners development has been done by universities. What capacity remains needs to be revitalised and rebuilt, particularly in certain provinces, after decades of decline.

The rapid development and expansion of the TVET and the Adult and Community Education and Training sectors is both an opportunity for research and a demand for it. To maintain the integrity of what is intended to be a massive education and training intervention it is important that its processes and output are subjected to rigorous research.

**Recommendation 56:** The Committee believes that those universities in South Africa that still have some adult education research capacity should play a significant role in researching adult and community education and training, in materials development and in the preparation of educators (in collaboration with the South African Institute for Vocational and Continuing Education and Training (SAIVCET)). (See also Recommendation 50)

**Recommendation 57:** A programme of recruitment (of both full-time and part-time researchers) should be undertaken in both the TVET and CET sectors. Universities collaborating in support of these sectors will also be asked to steer promising research students into undertaking research studies on TVET and ACET. It is also assumed that the SAIVCET will play a pivotal role here.

**Recommendation 58:** In both TVET colleges and Community colleges, internal research capacity needs to be built in the long term, and this needs to be provided for by a way of a percentage of the overall funding.



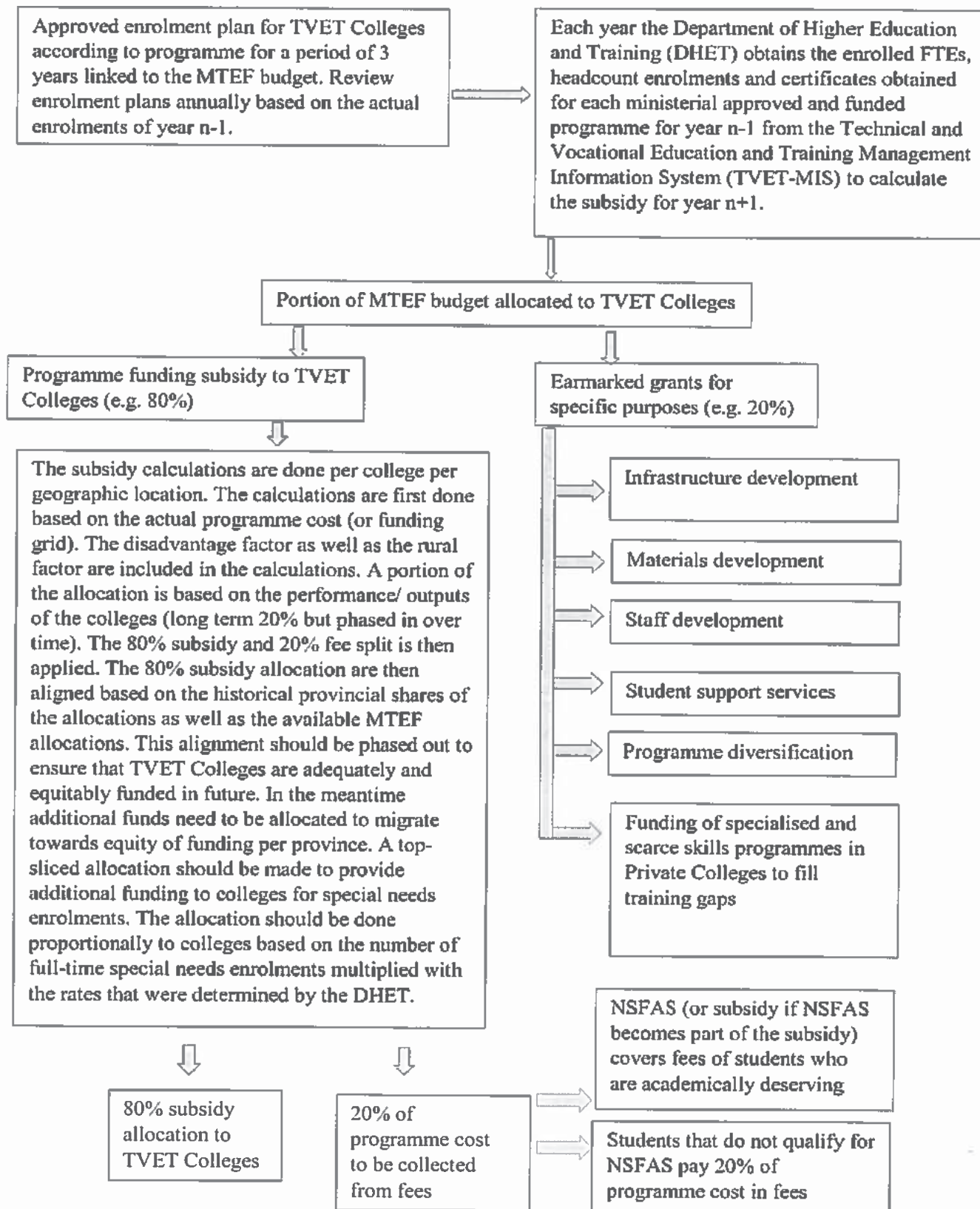
## Appendix 1: Towards a funding formula for the TVET Colleges

### Introductory note

It is important to note that it is not feasible to develop a formula for allocation to TVET Colleges that will encompass all the components and principles embedded in the Ministerial Committee's recommendations. Certain components such as the programme subsidy can be allocated based on a formula, which has been illustrated in the following section by the principle of weighted FTEs. The funding allocations are rather presented as a framework in a flow diagramme format with an indication of principles for allocation. Decisions need to be made with regard to amounts allocated for performance/ outputs as well as amounts set aside for earmarked grants for specific purposes. It is advisable that a model of allocation be developed that will over time introduce those recommendations accepted by the Minister.

The introduction of each component must be modelled to establish the impact on each TVET College and should be introduced stepwise to ensure that the system is not destabilised. It is important that additional funding will have to be allocated for the introduction of earmarked grants and the eradication of differences in provincial allocations per weighted full-time equivalents. Some of the recommendations such as the shift in provincial allocations based on the differences in growth in full-time equivalents as demonstrated below should however be introduced as a matter of urgency.

## Funding for TVET Colleges





## Enrolment planning

The colleges should stay within 5% of the enrolment plan targets to avoid the deflation of the rand value of the full-time equivalents (FTEs) per programme and or to avoid over-funding (under-enrolment) for a particular college. These enrolment targets could provide indicative subsidy allocations for colleges.

## TVET Management Information System (TVET-MIS)

- a) It is vital that the DHET develop an appropriate EMIS to ensure that the DHET can make improved and enhanced subsidy calculations and that the DHET can monitor the efficiency and performance of the system.
- b) DHET must involve a wide range of role players in the design and development of a **unit record database system**. The design and development must include the strategic and enrolment planners, financial staff, curriculum developers, physical planners, internal and external researchers, TVET college staff as well as representative bodies to ensure that the DHET develop a comprehensive database that will serve the needs of all the role players in the sector. DHET must establish a process/ structure that revisit the database design on a regular basis to ensure that it remains relevant and serve the needs of the various role players.
- c) One of the recommendations is that performance/outputs must become the basis for a portion of the programme funding allocation and it is thus vital that the certification numbers and rates of colleges must be available.

## Subsidy Calculations

- a) If a college did not deviate more than 5% from the planned **enrolment targets**, the DHET should fund the college based on all the enrolled FTEs.
- b) The **FTE calculations are based on subject enrolments**. Take the example of a student who must enrol in 7 subjects for the NC(V). If the student enrolls for only 4 of the 7 subjects the student enrolment is equal to 4/7 FTEs or 0.57 FTEs. It would be preferable if the TVET Colleges implement a credit system for programmes where each subject has a credit value depending on its weight in the curriculum. This would create a system for much more accurate calculations of FTE values and subsidy.
- c) If the **enrolments deviate** more than 5% from the target, the DHET must adjust the enrolment targets for year  $n+1$ .
- d) If the college's enrolments were more than 5% under the enrolment targets for the year  $n-1$  the targets for year  $n+1$  must be adjusted down. It does mean that a college could have received subsidy for a year for enrolments it did not achieve but this is rectified by adjusting the enrolment targets for the outer year on a continuous basis. The clawback mechanism should be abolished to provide more budget predictability for colleges.
- e) Depending on the totals for the system, as well as available funding, if a college enrolled more than a 5% deviation from the target the target could be increased for year  $n+1$ .
- f) If the system totals and funding do not allow it, the DHET must leave the target for year  $n+1$  as is and the college must manage their enrolments for year  $n+1$  within this target range.
- g) If there is not adequate additional funding, over enrolments should not be funded, since it affects the subsidy allocations of other Colleges that have managed their enrolments within the targets. This implies that the college will have to fund the over enrolment itself from its own coffers.
- h) The **subsidy allocation** for year  $n+1$  is thus based on the enrolment target for year  $n+1$ , but the achievement of the enrolment target for year  $n-1$  might affect the **enrolment target** for year  $n+1$ .
- i) The current (2017) relative **funding weights** of the NC(V) and NATED programmes are given in Tables 1 and 2 below.

**Table 1 – Current funding weights of the NC(V) programmes based on the lowest cost NC(V) programme (Office Administration)**

<b>NC(V) Programme Name</b>	<b>Cost according to the TVET funding norms and standards</b>	<b>Funding Weight</b>
Civil Engineering and Building Construction L2 - L4	60 833	1.5678
Drawing Office Practice L2 - L4	44 561	1.1484
Electrical Infrastructure Construction L2 - L4	60 025	1.5470
Engineering and Related Design L2 - L4	78 392	2.0204
Mechatronics L2 - L4	79 434	2.0472
Process Instrumentation L2 - L4	59 636	1.5370
Process Plant Operations L2 - L4	60 869	1.5687
Finance Economics and Accounting L2 - L4	43 417	1.1190
Management L2 - L4	45 454	1.1715
Hospitality L2 - L4	73 739	1.9004
IT and Computer Science L2 - L4	59 469	1.5327
Education and Development L2 - L4	42 179	1.0871
Marketing L2 - L4	38 926	1.0032
Office Administration L2 - L4	38 801	1.0000
Primary Agriculture L2 - L4	104 249	2.6868
Tourism L2 - L4	56 405	1.4537
Safety in Society L2 - L4	39 772	1.0250
Transport and Logistics L2 - L4	40 688	1.0486
Primary Health L2 - L4	48 987	1.2625

**Table 2 – Current funding weights of the Report 191 (NATED) programmes based on the lowest cost NC(V) programme (Office Administration)**

<b>Report 191 (NATED) Programme Name</b>	<b>Cost according to the TVET funding norms and standards</b>	<b>Funding Weight</b>
Engineering Studies N1 - N3	23 896	0.6159
Engineering Studies N4 - N6	27 877	0.7185
Business Management N4 - N6	23 603	0.6083
Financial Management N4 - N6	23 603	0.6083
Human Resource Management N4 - N6	23 603	0.6083
Introductory Business Studies N4	23 603	0.6083
Introductory Clothing Production N4	32 768	0.8445
Management Assistant N4 - N6	23 603	0.6083
Marketing Management N4 - N6	23 603	0.6083
Public Management N4 - N6	23 603	0.6083
Public Relations N4 - N6	23 603	0.6083
Popular Music: Performance N4 - N6	38 231	0.9853
Art and Design N4 - N6	38 231	0.9853
Clothing Production N4 - N6	32 768	0.8445
Educare N4 - N6	28 673	0.7390
Farming Management N4 - N6	38 231	0.9853
Hospitality and Catering Services N4 - N6	53 249	1.3724
Interior Decorating N4 - N6	38 231	0.9853
Introductory Art and Design N4	38 231	0.9853
Introductory Food Services N4	53 249	1.3724
Legal Secretary N4 - N6	32 768	0.8445
Medical Secretary N4	38 231	0.9853
Tourism N4 - N6	51 884	1.3372
<b>Note:</b> The NATED programmes are weighted against the lowest NC(V) programme cost (which is currently Office Administration) to be able to calculate comparable weighted full-time equivalents for each College independent of the mix of NC(V) and NATED enrolments.		

- j) The DHET should allocate a portion of the programme funding based on the **performance/outputs** of the colleges. In the longer term this should constitute approximately 20% of the allocation but to ensure financial stability it could be phased in over a period of time (perhaps ten years).
- k) A simple way of implementing such an output subsidy is to allocate output weights to various types of certificates and diplomas awarded by Colleges based on either the duration or credits of the programmes. One could for example allocate an output credit of 1 to one full year of study (1 full-time equivalent) and then allocate credits to other programmes in relation to a full year of study. This approach would allow for the determination of output weights for a variety of programmes as new programmes are introduced in TVET Colleges. Only certificates awarded for ministerial funded programmes should qualify for output subsidy. All certificates and diplomas obtained in year n-1 then gets an output credit weight. The total for the system is calculated and the portion obtained by each college is calculated. The total amount set aside for output funding is then allocated to each college based on their share of the total weighted outputs. As noted, the percentage of the programme funding set aside for this could be a small percentage in the beginning of implementation but it should be increased over time.
- l) The DHET should introduce an additional funding weight for **rural colleges**, e.g. a 10% additional weight or multiplying their unweighted full-time equivalents with 1.1. There is a need to identify the cost drivers and distance appear to be the most important factor. Rurality contributes to additional delivery and travel costs, accommodation costs, and need for rural allowances for travel and accommodation costs for staff, etc. The classification of colleges/campuses of colleges as urban and rural is needed to identify those that qualify for a rural funding weight. If only certain campuses of a TVET College are rural then the weighting should only be applied to the FTEs of those campuses. Rural costs need to be benchmark against urban cost. Rural colleges will also attract more disadvantaged students that will require more student support to be successful. The DHET has made the following classifications of the TVET Colleges based on the population density. There would probably have to be a weight for semi-rural (e.g. 5% additional unweighted FTEs) well as rural (e.g. 10% additional unweighted FTEs). The exact additional FTEs need to be determined by a technical exercise that will focus on determining the cost differentials for the three groupings of colleges.

Table 3 – Urban/Rural classification of TVET Colleges

Province	College Name	Classification
Eastern Cape	Buffalo City TVET College	Urban
	East Cape Midlands TVET College	Urban
	Ikhala TVET College	Rural
	Ingwe TVET College	Rural
	King Hintsa TVET College	Rural
	King Sabata Dalindyebo TVET College	Rural
	Lovedale TVET College	Rural
	Port Elizabeth TVET College	Urban
Free State	Flavius Mareka	Urban
	Goldfields TVET College	Urban
	Maluti TVET College	Semi-rural
	Motheo TVET College	Semi-rural
Gauteng	Central Johannesburg TVET College	Urban
	Ekurhuleni East TVET College	Urban
	Ekurhuleni West College	Urban
	Sedibeng TVET College	Urban
	South West TVET College	Urban
	Tshwane North TVET College	Urban
	Tshwane South TVET College	Urban
	Western College TVET	Semi-rural
KwaZulu-Natal	Coastal TVET College (Mobeni)	Urban
	Elangeni TVET College	Urban
	Esayidi TVET College	Rural
	Majuba TVET College	Urban
	Mnambithi TVET College	Semi-rural
	Mthashana TVET College	Rural
	Thekwini TVET College	Urban
	Umfolozo TVET College	Rural
	Umgungundlovu TVET College	Urban
Limpopo	Capricorn TVET College	Urban
	Lephalale TVET College	Rural
	Letaba TVET College	Rural
	Mopani South East TVET College	Rural
	Sekhukhune TVET College	Rural
	Vhembe TVET College	Rural
	Waterberg TVET College	Rural

Mpumalanga	Ehlanzeni TVET College	Rural
	Gert Sibande TVET College	Semi-rural
	Nkangala TVET College	Urban
Northern Cape	Northern Cape Rural TVET College	Rural
	Northern Cape Urban TVET College	Urban
North West	Orbit TVET College	Semi-rural
	Taletso TVET College	Rural
	Vuselela TVET College	Urban
Western Cape	Boland TVET College	Semi-rural
	College of Cape Town TVET College	Urban
	False Bay TVET College	Urban
	Northlink TVET College	Urban
	South Cape TVET College	Semi-rural
	West Coast TVET College	Rural

- m) A top slice grant should be allocated for additional funding for students with **special needs**. The amount needed could be calculated on the basis of the indicative additional cost per special needs education student for NC(V) and Report 191 programmes for the 2017 to 2019 MTEF period as given in Table 4. Once such a grant has been established it should be distributed to Colleges based on the number and mix of students with special education needs.



**Table 4 – Indicative cost per year for Special Needs Education for NC(V) and Report 191 (NATED) programmes for the 2017 to 2019 MTEF**

Category Code	Category of Special Needs Education (SNE)	Rating	MTEF SNE Cost per year additional to the Programme Cost		
			2 017	2 018	2 019
CPIX				1.059	1.056
NC(V) programmes					
3	Physical Disability	2.5	22 690	24 029	25 375
	Behavioural/conduct disorder (including severe behavioural problems)	2.5			
	Mild to moderate intellectual disability	2.5			
	Specific learning disability	2.5			
	Attention deficit disorder with/without	2.5			
2	Cerebral Palsy	4	36 305	38 447	40 600
	Autistic spectrum disorders	4			
	Psychiatric disorder	4			
	Epilepsy	4			
1	Blindness	5	45 381	48 058	50 750
	Deafness	5			
	Deaf-blindness	5			
	Partial sightedness/Low Vision	5			
	Hard of hearing	5			
Report 191 (NATED) programmes					
3	Physical Disability	2.5	15 993	16 937	17 886
	Behavioural/conduct disorder (including severe behavioural problems)	2.5			
	Mild to moderate intellectual disability	2.5			
	Specific learning disability	2.5			
	Attention deficit disorder with/without	2.5			
2	Cerebral Palsy	4	25 589	27 099	28 617
	Autistic spectrum disorders	4			
	Psychiatric disorder	4			
	Epilepsy	4			
1	Blindness	5	31 987	33 874	35 771
	Deafness	5			
	Deaf-blindness	5			
	Partial sightedness/Low Vision	5			
	Hard of hearing	5			
Note: Rating 5 is 80% of average programme cost as handicap is severe and requires an additional staff member.					

Table 5 – Total number of learners with special education needs - 2017

Disability	Headcounts	As % of total Special Needs learners
Communication(talk/listen)	5	0.1%
Disabled but unspecified	3 087	74.5%
Emotional (behavioural/psychological)	84	2.0%
Hearing (even with hearing aid)	127	3.1%
Intellectual (learn, etc.)	85	2.1%
Multiple	61	1.5%
None now - was Sight	2	0.0%
Physical (move/stand, etc.)	192	4.6%
Sight (even with glasses)	505	12.2%
<b>Total reported SNE Students</b>	<b>4 148</b>	<b>100.0%</b>
<i>Total reported SNE Students</i>	<i>4 148</i>	<i>1.3%</i>
<i>None</i>	<i>325 065</i>	<i>98.7%</i>
<b>Grand Total</b>	<b>329 211</b>	<b>100.0%</b>

- n) The practice for 2017/18 was that a calculation was made of the amount from the subsidy allocated should be earmarked for SNE students based on the total number of special needs students based on the maximum amount of R45,389.00. It was not an additional allocation but a guideline of how much money should be spent on SNE students from their budget based on the numbers provided. This is problematic since it is not additional funds (which is a result of the high levels of under funding currently) and it also does not distinguish between categories of special needs. Furthermore 74% of the special needs was unspecified which makes the exercise basically futile. Some of the variables are also to open for interpretation such as "Sight (even with glasses)". This could not have meant all students wearing glasses but rather students that have severe problems with sight that impact on their ability to gain adequately from mainstream education. The statistics for some of the Colleges appear to have been any student wearing glasses. Before any additional grant for SNE students can be implemented these definitions will have to be sharpened and a data verification mechanism will have to be put in place.

- o) The need for addressing the **unequal funding of TVET Colleges in the provinces** is demonstrated in the analysis done in Tables 6.1 to 6.5. In order to arrive at comparable data there is a need to first ensure that the varying cost in offering the various Programme Qualification Mixes (PQMs) are taken into consideration. The specific government funded programmes a particular FET College offer as well as the full-time equivalent enrolments in each programme determine the cost to the College. This is done by calculating a funding weight for each programme in relation to the lowest cost NC(V) which is the NC(V) in Office Administration. The funding weight of this programme is taken as the base with a funding weight of 1.000. The funding weights of all the other NC(V) as well as Report 191 (NATED) programmes is determined in relation to the cost of this programme by dividing their cost by the cost of the NC(V) in Office Administration (See Tables 6.1 and 6.2). The full-time equivalent enrolments in each programme is then multiplied by this funding weight to calculate the weighted full-time equivalent (WFTE) enrolments (known as teaching input units in the university system) (See Tables 6.3 and 6.4). This weighting ensures that the PQM mix as well as the full-time equivalent enrolments in each programme with its different cost structure is taken into account.

Dividing the total provincial allocation by the total weighted FTEs for NC(V) and Report 191 (NATED) gives the allocation per weighted FTE for each province which then provides a comparison of the level of funding per province. Dividing the total allocation for all provinces by the total weighted FTEs for all provinces give the average allocation for the TVET sector per weighted FTE. The deviations from the average for both the financial years 2017/18 and 2013/14 are shown in Table 6.5.

The following trends can be observed:

- In 2013/14 the Eastern Cape had the highest allocation per WFTE (R6,073.76 above the average), but this has changed to the Western Cape in 2017/18 (R7,647.69 above the average).
- The Free State remained above the average for both years although the amount above the average became smaller (R1,585.90 above the average in 2017/18 compared to R3,174.17 in 2013/14).
- Allocations in Gauteng deteriorated from R2,400.94 above the average per weighted FTE in 2013/14 to -R199.33 below the average in 2017/18.
- The KwaZulu-Natal allocations improved considerably over this period. In 2013/14 the allocation per WFTE was -R3,826.69 below the average, which increased to R1,629.22 above the average in 2017/18.
- The Limpopo allocations remained the lowest in both these financial years (-R4,733.75 below average in 2013/14 and -R7,905.10 below the average in 2017/18). The Mpumalanga allocations deteriorated from R2,093.53 above the average in 2013/14 to -R1,619.28 below the average in 2017/18.
- Allocations per WFTE in the Northern Cape improved considerably from -R4,036.12 below the average in 2013/14 to R1,854.57 above the average in 2017/18.

- In North West the allocations stayed below the average but improved from (– R3,047.28 in 2013/14 to –R665.40 in 2017/18).
- The Western Cape allocations improved considerably from R2,729.60 above the average in 2013/14 to R7,647.69 above the average in 2017/18.

These variations reflect the historical levels of resourcing in provinces. Because the current allocations are based on historical allocations by provinces, the changes in the patterns shown over the period 2013/14 to 2017/18 must also be a reflection of variance in enrolment growth in the various programmes with different funding weights between provinces. This is shown in the changes in percentage shares of the total weighted FTEs over the period 2013/14 to 2017/18 by province in Table 6.6. Over time these differences need to be eradicated from additional funding allocations. When this has been achieved, colleges should be treated individually and not grouped per province. An immediate improvement in the fairness of allocations would be to start adjusting for the differences in growth in weighted FTEs per province per annum.

Table 6.1 – Full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: NC(V) programmes

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Civil Engineering and Building Construction L2 - L4	60 833	1.5678	1 580	473	1 637	2 213	2 322	667	96	571	295	9 854
Drawing Office Practice L2 - L4	44 561	1.1484	0	23	42	0	130	0	0	0	0	225
Electrical Infrastructure Construction L2 - L4	60 025	1.5470	1 989	625	3 655	2 815	2 744	1 785	185	1 368	1 427	16 593
Engineering and Related Design L2 - L4	78 392	2.0204	1 610	639	4 574	2 770	3 371	1 505	414	797	1 378	17 058
Mechatronics L2 - L4	79 434	2.0472	235	0	474	0	160	84	0	0	41	994
Process Instrumentation L2 - L4	59 636	1.5370	0	0	0	0	0	0	0	0	0	0
Process Plant Operations L2 - L4	60 869	1.5687	0	0	102	200	200	0	0	0	0	502
Finance Economics and Accounting L2 - L4	43 417	1.1190	1 831	469	1 797	1 099	1 594	917	130	562	524	8 923
Management L2 - L4	45 454	1.1715	782	260	1 686	150	1 284	1 004	69	758	533	6 526
Hospitality L2 - L4	73 739	1.9404	1 079	489	1 789	2 135	1 321	481	65	496	867	8 722
IT and Computer Science L2 - L4	59 469	1.5327	1 158	343	1 801	1 085	1 420	158	10	597	714	7 286
Education and Development L2 - L4	42 179	1.0871	512	295	276	879	430	90	1	0	377	2 860
Marketing L2 - L4	38 926	1.0032	1 222	463	2 184	209	1 479	527	0	35	321	6 440
Office Administration L2 - L4	38 801	1.0000	3 898	1 768	4 487	5 148	3 537	2 593	735	2 238	2 964	27 368
Primary Agriculture L2 - L4	104 249	2.6868	380	280	167	1 364	1 015	713	0	281	19	4 219
Tourism L2 - L4	56 405	1.4537	1 632	381	1 776	1 963	1 560	90	90	345	1 080	8 917
Safety in Society L2 - L4	39 772	1.0250	1 092	99	885	831	372	0	95	0	1 344	4 718
Transport and Logistics L2 - L4	40 688	1.0486	74	90	708	622	561	184	0	210	214	2 663
Primary Health L2 - L4	48 987	1.2625	120	245	589	85	452	225	90	249	431	2 586
<b>Total NC(V)</b>			19 194	6 942	28 759	23 569	23 952	11 023	1 980	8 507	12 529	136 455

Source: Calculations based on 2017 subsidy information for TVET Colleges provided by the DHET

Table 6.2 – Full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: Report 191 (NATED)

Programmes	Cost according to the TVET funding norms standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Engineering Studies N1 - N3	23 896	0.6159	3 818	1 042	13 397	5 881	6 587	3 478	979	2 059	4 104	43 345
Engineering Studies N4 - N6	27 877	0.7185	1 532	1 628	7 006	3 075	3 701	1 521	49	1 134	1 132	20 776
Business Management N4 - N6	23 603	0.6083	1 732	1 847	2 362	2 938	1 529	470	0	799	2 193	13 809
Financial Management N4 - N6	23 603	0.6083	1 052	895	2 979	2 611	1 154	930	205	418	764	10 805
Human Resource Management N4 - N6	23 603	0.6083	2 238	1 829	2 879	2 460	2 297	530	580	993	1 306	15 110
Introductory Business Studies N4	23 603	0.6083	176	275	1 268	65	270	249	35	0	90	2 428
Introductory Clothing Production N4	32 768	0.8445	0	8	94	18	0	0	0	0	92	212
Management Assistant N4 - N6	23 603	0.6083	1 357	1 734	4 359	1 563	1 690	1 128	802	2 001	2 004	16 637
Marketing Management N4 - N6	23 603	0.6083	776	881	2 351	338	1 162	123	158	329	705	6 820
Public Management N4 - N6	23 603	0.6083	1 820	188	1 524	2 223	1 143	516	597	0	688	8 697
Public Relations N4 - N6	23 603	0.6083	417	0	156	210	0	0	0	0	169	952
Popular Music: Performance N4 - N6	38 231	0.9853	0	0	45	0	0	0	0	18	0	63
Art and Design N4 - N6	38 231	0.9853	102	51	306	80	0	0	0	15	181	734
Clothing Production N4 - N6	32 768	0.8445	0	24	181	39	110	0	0	0	184	537
Educare N4 - N6	28 673	0.7390	232	1 750	1 465	783	355	0	0	123	1 324	6 030
Farming Management N4 - N6	38 231	0.9853	408	0	0	561	550	0	0	0	172	1 791
Hospitality and Catering Services N4 - N6	53 249	1.3724	198	196	1 252	607	233	120	0	70	710	3 385
Interior Decorating N4 - N6	38 231	0.9853	38	0	0	0	0	0	0	0	0	38
Introductory Art and Design N4	38 231	0.9853	45	36	32	85	0	0	0	0	75	273
Introductory Food Services N4	53 249	1.3724	0	0	20	0	0	0	0	0	0	20
Legal Secretary N4 - N6	32 768	0.8445	45	0	182	354	0	0	0	0	0	581
Medical Secretary N4	38 231	0.9853	0	0	0	24	0	24	24	0	0	72
Tourism N4 - N6	51 884	1.3372	255	209	1 184	1 199	278	200	0	213	757	4 294
<b>Total Report 191 (NATED)</b>			16 237	14 390	43 039	25 211	21 056	9 289	3 427	8 170	16 647	157 464

Source: Calculations based on 2017 subsidy information for TVET Colleges provided by the DHET.

Table 6.3 – Weighted full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: NC(V) programmes

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Civil Engineering and Building Construction L2 - L4	60 833	1.5678	2 477	742	2 567	3 469	3 640	1 046	151	895	463	15 449
Drawing Office Practice L2 - L4	44 561	1.1484	0	26	83	0	149	0	0	0	0	258
Electrical Infrastructure Construction L2 - L4	60 025	1.5470	3 077	967	5 654	4 355	4 245	2 761	286	2 116	2 208	25 670
Engineering and Related Design L2 - L4	78 392	2.0204	3 253	1 291	9 241	5 596	6 811	3 041	836	1 610	2 784	34 462
Mechatronics L2 - L4	79 434	2.0472	481	0	970	0	328	172	0	0	84	2 035
Process Instrumentation L2 - L4	59 636	1.5370	0	0	0	0	0	0	0	0	0	0
Process Plant Operations L2 - L4	60 869	1.5687	0	0	160	314	314	0	0	0	0	788
Finance Economics and Accounting L2 - L4	43 417	1.1190	2 049	525	2 011	1 230	1 784	1 026	145	629	586	9 985
Management L2 - L4	45 454	1.1715	916	305	1 975	176	1 504	1 176	81	888	624	7 645
Hospitality L2 - L4	73 739	1.9004	2 051	929	3 400	4 058	2 510	914	124	943	1 648	16 576
IT and Computer Science L2 - L4	59 469	1.5327	1 775	526	2 760	1 663	2 176	242	15	915	1 094	11 167
Education and Development L2 - L4	42 179	1.0871	557	321	300	956	467	98	1	0	410	3 109
Marketing L2 - L4	38 926	1.0032	1 226	464	2 191	210	1 484	529	0	35	322	6 461
Office Administration L2 - L4	38 801	1.0000	3 898	1 768	4 487	5 148	3 537	2 593	735	2 238	2 964	27 368
Primary Agriculture L2 - L4	104 249	2.6868	1 021	752	449	3 664	2 727	1 916	0	755	51	11 335
Tourism L2 - L4	56 405	1.4537	2 372	654	2 582	2 854	2 268	131	131	502	1 570	12 963
Safety in Society L2 - L4	39 772	1.0250	1 119	101	907	852	381	0	97	0	1 378	4 836
Transport and Logistics L2 - L4	40 688	1.0486	78	94	742	652	588	193	0	220	224	2 793
Primary Health L2 - L4	48 987	1.2625	152	309	870	107	571	284	114	314	544	3 265
<b>Total NC(V)</b>			26 501	9 675	41 349	35 303	35 485	16 121	2 716	12 060	16 954	196 164

Source: Calculations based on Table 6.1



Table 6.4 – Weighted full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: Report 191 (NATED)

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Engineering Studies N1 - N3	23 896	0.6159	2 352	1 873	8 251	3 622	4 057	2 142	603	1 268	2 527	26 695
Engineering Studies N4 - N6	27 877	0.7185	1 100	1 169	5 033	2 209	2 639	1 093	35	814	814	14 927
Business Management N4 - N6	23 603	0.6083	1 054	1 123	1 437	1 787	930	286	0	486	1 334	8 436
Financial Management N4 - N6	23 603	0.6083	640	422	1 812	1 588	702	566	124	254	465	6 573
Human Resource Management N4 - N6	23 603	0.6083	1 361	1 113	1 751	1 496	1 397	322	333	604	794	9 192
Introductory Business Studies N4	23 603	0.6083	1 07	167	771	40	164	151	21	0	55	1 477
Introductory Clothing Production N4	32 768	0.8445	0	7	79	15	0	0	0	0	78	179
Management Assistant N4 - N6	23 603	0.6083	825	1 055	2 652	951	1 038	686	488	1 217	1 219	10 120
Marketing Management N4 - N6	23 603	0.6083	472	536	1 430	205	707	75	96	200	429	4 149
Public Management N4 - N6	23 603	0.6083	1 107	1 114	927	1 352	695	314	363	0	418	5 290
Public Relations N4 - N6	23 603	0.6083	254	0	95	128	0	0	0	0	103	579
Popular Music: Performance N4 - N6	38 231	0.9853	0	0	44	0	0	0	0	17	0	62
Art and Design N4 - N6	38 231	0.9853	100	50	302	78	0	0	0	15	178	723
Clothing Production N4 - N6	32 768	0.8445	0	20	153	33	92	0	0	0	155	454
Educare N4 - N6	28 673	0.7390	171	1 293	1 082	579	262	0	0	91	978	4 456
Farming Management N4 - N6	38 231	0.9853	402	0	0	651	542	0	0	0	169	1 765
Hospitality and Catering Services N4 - N6	53 249	1.3724	271	269	1 718	832	319	165	0	96	974	4 645
Interior Decorating N4 - N6	38 231	0.9853	37	0	0	0	0	0	0	0	0	37
Introductory Art and Design N4	38 231	0.9853	44	35	32	84	0	0	0	0	74	269
Introductory Food Services N4	53 249	1.3724	0	0	27	0	0	0	0	0	0	27
Legal Secretary N4 - N6	32 768	0.8445	38	0	153	299	0	0	0	0	0	490
Medical Secretary N4	38 231	0.9853	0	0	0	24	0	24	24	0	0	71
Tourism N4 - N6	51 884	1.3372	341	279	1 583	1 603	371	267	0	285	1 012	5 741
<b>Total Report 191 (NATED)</b>			10 675	9 527	29 332	17 576	13 925	6 091	2 107	5 347	11 776	106 355

Source: Source: Calculations based on Table 6.2.

Table 6.5 – Differences in funding per weighted full-time equivalent by province for the 2017/18 funding year compared to the 2013/14 funding year

Province	80% Programme funds 2017/18	20% NSFAS Bursaries 2017/18	Total Allocation 2017/18	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2017/18	Allocation per weighted FTE 2017/18	Deviation from average 2017/18	Deviation from Average in 2013/14
Eastern Cape	970 397 203.68	185 651 386.20	1 156 048 589.88	35 452	32 609.08	3 017.27	6 073.76
Free State	451 660 900.01	120 656 330.20	572 317 230.21	18 311	31 254.84	1 663.02	3 174.17
Gauteng	1 599 249 082.73	381 242 365.00	1 980 491 447.73	67 403	29 382.79	2 09.02	2 400.49
KwaZulu-Natal	1 213 358 552.86	365 006 191.20	1 578 364 744.06	50 427	31 300.26	1 708.45	-3 826.69
Limpopo	773 894 218.17	229 834 841.60	1 003 729 059.77	47 118	21 302.27	-8 289.55	-4 733.75
Mpumalanga	485 442 387.91	105 398 489.00	590 840 876.91	21 182	27 893.78	-1 698.03	2 093.53
Northern Cape	109 791 910.46	35 246 635.20	145 038 545.66	4 599	31 536.57	1 944.76	-4 036.12
North West	369 128 421.98	110 515 294.40	479 643 716.38	16 600	28 894.05	-697.76	-3 047.28
Western Cape	844 637 824.18	185 807 652.80	1 030 445 476.98	27 397	37 611.43	8 019.61	2 729.60
<b>Total</b>	<b>6 817 560 502.00</b>	<b>1 719 359 185.60</b>	<b>8 536 919 687.60</b>	<b>288 489</b>	<b>29 591.81</b>	<b>0.00</b>	<b>0.00</b>

Sources: Calculations based on the 2017 subsidy information for TVET Colleges provided by the DHET.

Sheppard, C. and Ntenga, L. (2014). *Funding of the South African Further Education and Training Sector for an Equitable Sharing of National Revenue*, In: Financial and Fiscal Commission (2014/2015). *Technical Report Submission for the Division of Revenue*, (p 261).

Table 6.6 – Changes in percentage shares of the total weighted FTEs by province 2013/14 to 2017/18 financial years

Province	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2017/18	% of Total WFTE in 2017/18	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2013/14	% of Total WFTE in 2013/14	Change 2013/14 to 2017/18
Eastern Cape	37 176	12.3%	29 261	11.0%	1%
Free State	19 202	6.3%	15 223	6.0%	0%
Gauteng	70 681	23.4%	55 056	21.0%	2%
KwaZulu-Natal	52 879	17.5%	57 156	22.0%	-5%
Limpopo	49 410	16.3%	38 284	15.0%	1%
Mpumalanga	22 212	7.3%	16 958	7.0%	0%
Northern Cape	4 823	1.6%	5 278	2.0%	0%
North West	17 407	5.8%	16 633	6.0%	0%
Western Cape	28 730	9.5%	28 659	11.0%	-2%
<b>Total</b>	<b>302 519</b>	<b>100%</b>	<b>262 508</b>	<b>100%</b>	<b>0%</b>

- p) **The earmarked grants should be allocated as follows:**
- i. Infrastructure development should be allocated on a project basis addressing national priority areas as well as need.
  - ii. Materials development needs to be done at a national level on a project basis.
  - iii. Staff development funds must be allocated on the basis of number of staff that needs training as well as the cost of training.
  - iv. Student support services can be allocated on the basis of full-time equivalents of government funded programmes
  - v. Programme diversification should be allocated on a project basis at Colleges earmarked for the establishment of centres of excellence and need to establish new programmes in certain colleges.
  - vi. Funding of specialised and scarce skills programmes in private colleges to fill training gaps will have to be done on the basis of need as well as full-time equivalent enrolments in the identified programmes offered at the identified colleges.

## Appendix 2: Towards a funding formula for Community Colleges

### A preliminary caution

It is acknowledged that there is a challenge in determining a funding formula options for Community Colleges when it is still not finalised what types of programmes will be offered other than the ABET levels 1-4 and actual Community Colleges hav still to be developed.

### The previous and current situation

Previously there were three budgets for the Community Colleges/Community Learning Centres:

- **Running the adult education and training system** (currently this is the old Public Adult Learning Centres, now renamed Community Learning Centres and administered by nine “Administrative and Management Centres” that took over (or are in the process of taking over) the role previously performed by the Directorates for Adult Education and Training in the Provincial Education Departments. These “Administrative and Management Centres” have had Principals appointed as if they were actual local Community Colleges):

In April 2014 the Minister of Higher Education and Training established the first nine (9) CETCs as Administrative and Management Centres for the 3 276 former Public Adult Learning Centres (PALCs)

(Department of Higher Education and Training, 2016, p. 227)

- **Piloting Community Colleges** (none as yet)
- **Earmarked grants** for materials development and MIS system development ((though in reality this was largely for conventional general school education).

Currently some 95% of funds are spent on staff.

### Changing the funding allocation

There are three documents that give some guidance on future staffing and provisioning norms for the new Community College system:

Department of Higher Education and Training. 2016. *Draft policy on staffing norms for Community Education and Training (CET) Colleges*. *Government Gazette*, No. 40021, 27 May 2016, pp. 220-238

Department of Higher Education and Training. 2016. *Community education and training national roadshows. Mediation of the draft staffing norms for CET colleges*. August 2016. DHET presentation.

**CONTINUES ON PAGE 258 - PART 3**



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Department of Higher Education and Training. 2017. *Post provisioning norms for CET colleges: distribution model*. DHET presentation.

The *Draft policy* document of 2016 states (p. 229) that:

The Compensation of employees' budget shall be capped at 75% of the total budget; of which 80% is allocated for lecturing staff and 20% for support services. This translates to a ratio of 1: 0.75."<sup>1</sup>

Taking the proposals in this draft policy results in a percentage breakdown as follows:

100%					
75% STAFF				25% OTHER	
60% Academic (80%) (i.e. professional staff)			15% Support (20%) (i.e. other management and support)	10% Goods and services	15% Other other
76% Post level 3					
20% Post level 2					
4% Post level 1					
45% Community Learning Centres (CLCs)			15% Admin. & Mgt Centres	11.25 % CLCs	3.75 % Adm. hub

What is immediately clear about the allocation breakdown shown in this table on the allocation breakdown is that, though it might be reasonable for a future situation when there are 50 or more actual local community colleges and where the majority of professional staff work on a central campus, for the present (and foreseeable future) when all the actual educational delivery is through the Community Learning Centres and satellites, spending only 45% of the total budget on professional staff operating in these latter delivery sites seems absurd.

There are two ways this problem can be rectified:

*Either:*

The staff of the Community College are staff of the Community College regardless of whether they are based at a central site or at a Community Learning Centre. An adjustment can be made to the weighting of total costs on the basis of the number of Community Learning Centres attached to each Community College/Administrative and Management Centre.

*Or:*

Until the Community College sector is more developed, separate allocations (and funding formulae) are developed for:

<sup>1</sup> If this means the ratio of staffing to other expenditure, the ratio of 1:0.75 is incorrect, it is 1:0.33 or 3:1. If it is the ratio within the staffing budget the ratio is not 1:0.75 but 1:0.25 or 4:1.

- the Administrative and Management Centres (the nine) (who currently have no learners at all)
- the nine sets of Community Learning Centres attached to these nine administrative hubs (which are effectively provincial hubs)
- future pilot Community Colleges with their attached Community Learning Centres.<sup>2</sup>

### Some further cautions and suggestions

It is important to note that it is not feasible to develop a formula (or formulae) for funding allocations to Community Colleges that will encompass **all** the components and principles embedded in the Ministerial Committee's recommendations.

Certain components such as the programme subsidies can be allocated based on a formula, other components such as infrastructure development or materials development, cannot (and it is important that additional funding will have to be allocated for the introduction of earmarked grants and most crucially for the setup of the pilot community colleges and in due course a local community college in each district of the country).

We recommend that from the start that funding to colleges be equitable with no differences based on historic provincial allocations (as has unfortunately been the case with the allocations to TVET Colleges).

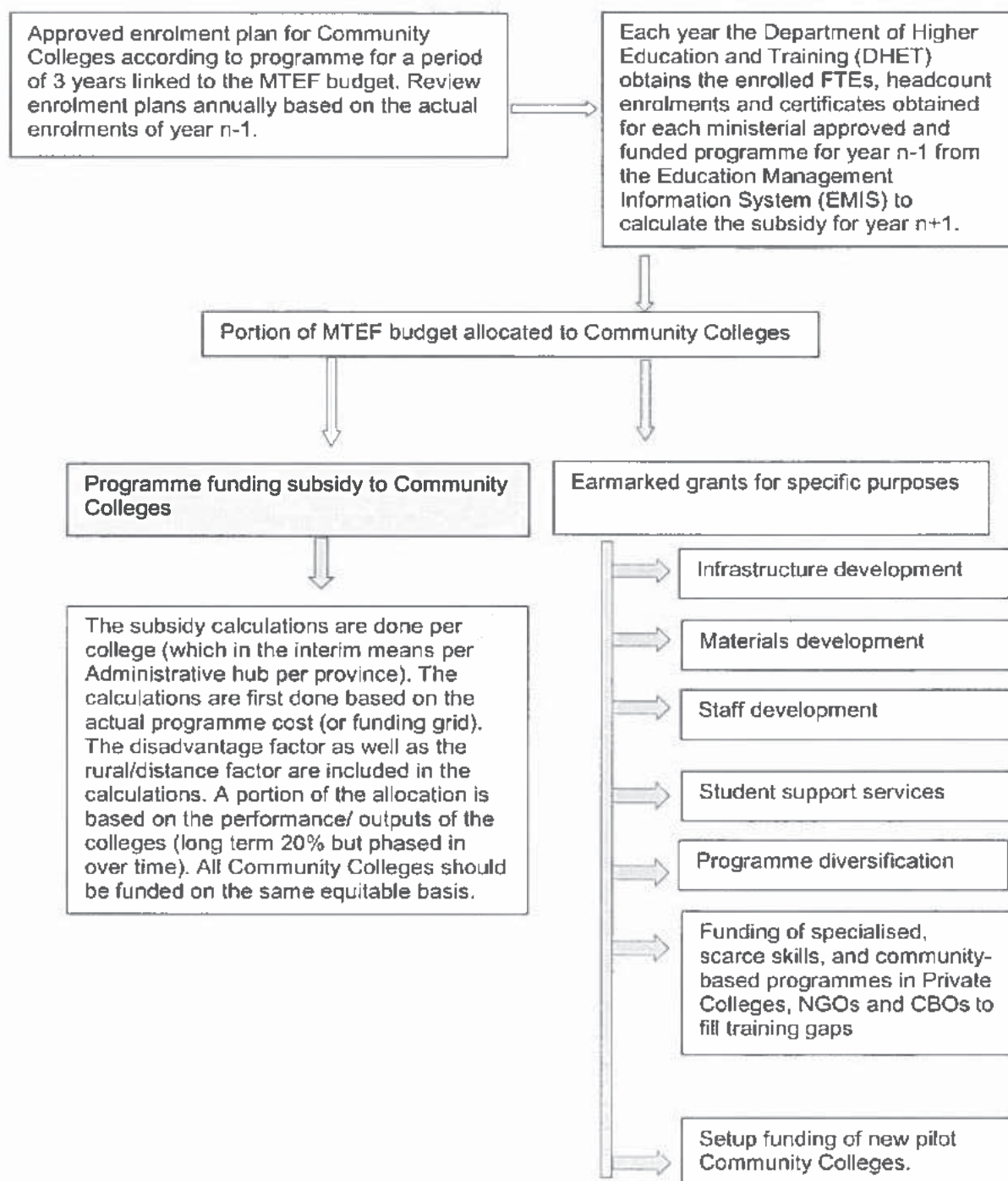
It is advisable that a model of allocation be developed that will over time introduce the Ministerial Committee's recommendations accepted by the Minister. The introduction of each component must be modelled to establish the impact on each Community College and should be introduced stepwise to ensure that the developing system is not put under undue pressure or destabilised.

The funding allocations are rather presented on the next as a framework in a flow diagramme format with an indication of principles for allocation. Decisions need to be made with regard to amounts allocated for performance/ outputs as well as amounts set aside for earmarked grants for specific purposes.

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<sup>2</sup> As an example, a Pietermaritzburg centred Community College would initially have attached to it 29 Community Learning Centres.

## An outline of the funding process for Community Colleges



## Various steps in the funding process of programmes through funding subsidies

### Management Information System (MIS)

Historically the Adult Education and Training system run through Provincial Departments of Education in the Public Adult Learning Centres had a very poor information generation capacity.

In the current situation, unless accurate data is available on such things as enrolment and output it will be impossible to implement funding formulae.

It is therefore vital that the DHET develop an appropriate MIS to ensure that the DHET can make improved and enhanced subsidy calculations and that the DHET can monitor the efficiency and performance of the Community College system.<sup>3</sup>

The DHET must involve a wide range of role players in the design and development of a unit record database system. The design and development must include the strategic and enrolment planners, financial staff, curriculum developers, physical planners, internal and external researchers, Community College staff as well as representative bodies to ensure that the DHET develop a comprehensive database that will serve the needs of all the role players in the sector.

DHET must also establish a process and structure that revisits the database design on a regular basis to ensure that it remains relevant and serve the needs of the various role players.

### Enrolment planning

The Community Colleges should stay within 5% of the enrolment plan targets to avoid the deflation of the rand value of the full-time equivalents (FTEs) per programme and or to avoid over-funding (under-enrolment) for a particular college. These enrolment targets could provide indicative subsidy allocations for Community Colleges.

It needs to be recognised that adult basic education is a constitutional right for both children and adults and enrolment planning must take this into account – it would be difficult, for instance, to justify any withdrawal or reduction of adult basic education provision (that is, ABET 1 to 4 programmes and the GETCA) or to fail to respond to obvious expressed need for expansion of such adult basic education provision.

<sup>3</sup> It is unclear whether the data on Community Learning Centres is still on the EMIS system of the provincial education departments (if it was on) or now on the TVET MIS or on the HE MIS.

## The number of staff posts available

A crucial determinant in deciding on the baseline monetary figure necessary to fund (subsidise) the average weighted FTE student is assessing what the portion of the average cost of each staff post is for servicing that individual FTE.<sup>4</sup>

The average cost of teaching and support staff is itself influenced by factors such as class sizes<sup>5</sup>, level of the teaching posts for particular programmes, whether the staff member is permanent, fixed-term or temporary.<sup>6</sup> Years of service and the cost implications of that also come into the equation.

Currently the cost of staff is the major expense in the system and the current proposals are to reduce this from 95% to 75% of expenditure. This will be a difficult task, made worse by efforts to improve the qualifications and conditions of service of Community College educators at the same time, with the likelihood of reducing the scale of provision (which may be difficult given the constitutional right to adult basic education). It may be sensible to gradually reduce the percentage from 95% to 80% or 75% over a ten year period.

The *Draft policy* proposes that staff posts be distributed on basis of student FTEs though it recognises problems with this, even if particular programmes have their FTEs weighted differently (for example because of reasons of cost of delivery), because of different enrolment patterns in different geographical areas.

The *Post provisioning norms* document proposes core management and administration posts at the levels of College (22 posts), Community Learning Centres (8) and satellites (1). In the current context this is a top-heavy bureaucracy, given that as yet there are no pilot Colleges and most Community Learning Centre are in fact have quite small enrolments.

<sup>4</sup> Until a functional MIS is in place, funding may need to be based on a simple headcount.

<sup>5</sup> The DHET documents make much of the variation in class sizes, presumably on the basis that ABET classes need to be smaller because it requires more intensive individual work with the learners. The *Draft policy* proposals make a number of suggestions about weightings of FTEs on the basis of class size that do not explain themselves:

ABET 1 to 3 have a maximum class size of 30 and a weighting of 1.17.

ABET 4 and NQF 2 to 4 have a maximum class size of 35 and a weighting of 1.

The *Roadshows* document has weightings of 1.15 for ABET 1 to 3, 1.125 for ABET 4, 1.05 for the Senior Certificate, and 1.125 for certificated skills training. Oddly, there is no unweighted baseline !!

<sup>6</sup> These types of posts are distinguished thus:

**Permanent** posts (some of which could be **Shared** posts such as two part-time employees sharing one full post and some of which would be **Part-time**). Core staff would need to be permanent.

**Fixed-term** posts (which again could be full or part-time)

**Temporary** posts (usually part-time)

## The size of the institutional sites

Varying figures are given in different documents for the normative size of the Community College institutional components:

	Colleges	Community Learning Centres	Satellites
Small	700 to 1500 FTEs	200 to 350 FTEs	75 to 199 FTEs
Medium	1501 to 2500 FTEs	351 to 500 FTEs	
Large	2501 and above FTEs	551 to 699 FTEs	
Note: the glossary (p. 224) to the <i>Draft policy</i> has a maximum of 599 FTEs for Community Learning Centres.			

These size decisions seem to be based on, first, an attempt to force the Community Colleges into the mould of the current TVET College system where each major city has a set of campuses in close proximity to one another (a historical legacy of the physically separate institutions for the different so-called races now merged organisationally), so that the Community Learning Centres are, mistakenly seen as approximating to these campuses, and second, by a seeming lack of awareness that few of the existing Community Learning Centres (the ex PALCs) have large numbers of FTEs.

What is a plausible weighting option is that there should be a baseline figure for any college (say up to 1500 FTEs) and then a weighting (say from 0.95 to 0.9) on the FTEs greater than that number.

## Weighting of FTEs in a subsidy formula

The arguments for weighting FTEs<sup>7</sup> include the following:

- the variable costs of delivery (which may be caused by enrolment size, Community Learning Centre size, class size, levels of educators, special equipment or materials, travel to remote sites<sup>8</sup>, the unpreparedness of disadvantaged learners, etc.)
- a means of prioritising provision of programmes that specifically target the disadvantaged

<sup>7</sup> Full Time Equivalent (FTE) calculations are usually based on the number of courses/modules/subject taken by an individual student in a year. For a full time student these courses taken should have a value of approximately 120 National Qualification Framework credits (where 120 credits is taken as being 1200 notional hours of study which is considered to be the normal workload of a full time student). Clearly, if Community Colleges do not have a credit system which allocates credits to each course, module or unit of study, then it is very difficult to calculate FTs.

<sup>8</sup> The *Post provisioning norms* document proposed a size of province weighting that adds a number of FTEs to a province's tally (2 FTEs per 500 km<sup>2</sup>). This supposedly is compensation for travel by staff. It is a very crude mechanism that should be replaced as soon as Community Colleges do actually exist in every district when they could be compensated for being in very large districts as well as on the socio-economic status of the district.



The *Draft Policy* has a formula for the allocation of professional posts (i.e. about 60% of the overall funding) but unfortunately, in the *Government Gazette* the formula has been cut off (but one can find it in the *Roadshows* document). The number of posts allocated to a particular college is calculated by dividing the number of students in a college (weighted FTEs) by the national number of students (weighted FTEs) divided by the number of posts available nationally. This part of the formula is fairly mechanical and assumes that the number of professional posts available nationally has been determined after a sound financial analysis and budgeting process.

## Adjustments to the subsidy formula

The most obvious adjustments to the subsidy given per FTE after allowance for normal cost of delivery and prioritising programmes for the disadvantaged (such as ABE level programmes) are the following:

- Enrolment targets
- Performance/Output
- Special needs
- Disadvantaged geographical areas
- Size of the College
- Lowest reasonable cost (that is, supplies and services do not cost more than the *lowest reasonable cost* at which they could be procured on the open market/in the college system).

## Enrolment targets

Some subsidy formulae penalise institutions if they deviate too much from the planned enrolment targets. In the future it might be good to penalise institutions who deviated more than 5% either way from their enrolment target.<sup>9</sup> At present, where the accuracy of enrolment data is unreliable and the “colleges” are in fact whole provinces of Community Learning Centres administered from an Administrative hub, such a practice seems senseless.

<sup>9</sup> The proposals suggested by Charles Sheppard to deal with enrolment deviation in TVET Colleges could be made use of in the future for Community Colleges as well:

- If the enrolments deviate more than 5% from the target, the DHET must adjust the enrolment targets for year n+1.
- If the college's enrolments were more than 5% under the enrolment targets for year n-1 the targets for year n+1 must be adjusted down.
- Depending on the totals for the system, as well as available funding, if a college enrolled more than a 5% deviation from the target the target could be increased for year n+1.
- If the system totals and funding do not allow it, the DHET must leave the target for year n+1 as is and the college must manage their enrolments for year n+1 within this target range.
- If there is not adequate, additional funding, over enrolments should not be funded, since it affects the subsidy allocations of other colleges that have managed their enrolments within the targets.
- The *subsidy allocation* for year n+1 is thus based on the enrolment target for year n+1, but the achievement of the enrolment target for year n-1 might affect the *enrolment target* for year n+1.



### Performance/Output

With due caution, the DHET could consider allocating a portion of the programme subsidy funding on the basis of the performance/outputs of the College. In the longer term this could constitute approximately 20% of the allocation, but to ensure financial stability it could be phased in over a period of time.

A simple way of implementing such an output subsidy is to allocate output weights to various types of certificates awarded by Colleges based on the programmes credits. All certificates obtained in year n-1 then gets an output credit weight. The total for the system is calculated and the portion obtained by each College is calculated. The total amount for output funding is then divided amongst the Colleges based on their share of the total weighted outputs.

As noted, the percentage of the programme funding set aside for rewarding output could be a small percentage in the beginning of implementation but it should be increased over time.

As this is a performance related subsidy it should normally form part of the normal subsidy allocations, as it is in other systems (such as Higher Education) and should not be an earmarked grant.

### Special needs

Additional weights for special educational needs students should be added, as has been the practice in the TVET sector (where the weightings range from 2.5 to 5). This should mean extra funding for special needs students in a particular programme.

However, there are three conditions necessary, first, that the special needs are identified using rigorous criteria – the students must have some clear disability or difficulty that has a severe impact on their ability to gain adequately from mainstream education, second that the weighting must match the actual extra resources required, and, third, that evidence is provided that special assistance is actually provided to such special needs students and extra staff are employed.

Initially it might be necessary to fund special needs students from funds top-sliced from programme funding before allocations are made to colleges. This should only be a temporary measure until greater clarity is obtained on the proportion of students who have special needs.

### Disadvantaged geographical areas

In many countries, there is some form of redress in subsidy formulae for either individual students who come from socio-economically and educationally disadvantaged areas (educationally disadvantaged students require more student support to be successful) or to institutions that are based in such disadvantaged areas. In many cases “rural” is the proxy descriptor of such disadvantage, in others a more nuanced compendium of socio-economic indicators is used (for example in the United Kingdom there is a Multiple Deprivation Index linked to each Postal Code in the country).

In the future the DHET should introduce an additional funding weight for rural community colleges e.g. a 10% additional weight or multiplying their unweighted full-time equivalents with 1.1. There would probably have to be a weight for semi-rural as well (e.g. 5% additional unweighted FTEs). There is a need to identify the cost drivers and distance appear to be the

most important factor. Rurality contributes to additional delivery and travel costs, accommodation costs, and need for rural allowances for travel and accommodation costs for staff, etc. The classification of colleges/ campuses of colleges as urban and rural is needed to identify those that qualify for a rural funding weight.

However, currently this is all academic, given that there are no Community Colleges, only Administrative Hubs serving a whole province of Community Learning Centres, and any disadvantage weighting would have to be done on the relative poverty and deprivation in each province as a whole.

Dedicating some of the subsidy to Community Colleges that serve particularly socio-economically or educationally disadvantaged students should not be affected by those institutions having students who have received funding (such as NSFAS) because they are disadvantaged. NSFAS grants pay for ordinary tuition and living/accommodation costs. Such grants do not cover the additional costs the institution incurs having to provide additional educational support to under-prepared students.

#### Size of the College

There could also be a grant of additional funding units to an institution based on its size (based upon evidence of variability in the core costs being affected by the size of the institution). Again, currently this cannot be implemented because there are no actual Community Colleges, only provincial sets of Community Learning Centres.

#### Lowest reasonable cost

Current funding baseline amounts for TVET programmes are based on the lowest cost per FTE amongst existing TVET College programmes. This kind of decision assumes that there is accurate expenditure data and that is no hidden cross subsidisation to or from other TVET College programmes.

Given, that currently there are only the Administrative hubs, the data on which such a decision could be made would be based on how much it costs to run a programme (such as the GETCA or the Senior Certificate) in each province. Presumably such a judgement will have to be made and then its realism monitored over a number of years. However, there is difficulty in ascertaining the real impact of such things as distance, disadvantage, etc. on the cost of running programmes.

## A possible pilot subsidy formula for programmes

A future formula could look something like this:

$$\begin{aligned} \text{Programme funding} = & (\text{Number of FTEs} \times \text{Baseline funding rate per student} \times \text{Output factor} \\ & \times \text{Programme cost weighting} \times \text{College area disadvantage factor}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Individual Disadvantage} \\ & \text{weighting} \times \text{Number of FTEs} \times \text{Individual Disadvantage rate per} \\ & \text{student}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Special Needs weighting} \times \\ & \text{Number of FTEs} \times \text{Special Needs rate per student}) \end{aligned}$$

A current interim formula could look something like this:

$$\begin{aligned} \text{Programme funding} = & (\text{Number of FTEs} \times \text{Baseline funding rate per student} \times \text{Programme} \\ & \text{cost weighting} \times \text{Province area disadvantage factor}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Individual Disadvantage} \\ & \text{weighting} \times \text{Number of FTEs} \times \text{Individual Disadvantage rate per} \\ & \text{student}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Special Needs weighting} \times \\ & \text{Number of FTEs} \times \text{Special Needs rate per student}) \end{aligned}$$

## Earmarked grants for special purposes

Earmarked grants should be allocated as follows:

**Infrastructure development** should be allocated on a project basis addressing national priority areas as well as need.

**Materials development** needs to be done at a national level on a project basis. Clearly there is an urgent need for quality materials for ABET levels 1 to 4 (leading to the GETCA) and for the existing Amended Senior Certificate (SC) and the new National Senior certificate for Adults (NASCA).

**Staff development** funds must be allocated on the basis of number of staff that needs training as well as the cost of training. The decision of the DHET that Higher Certificates are no longer accepted as a teaching qualification means that many people previously employed as educators in PALCs, particular in the ABET 1 to 4 classes, will need to have the qualifications rapidly upgraded to Diploma level.

**Student support services** can be allocated on the basis of full-time equivalents of government funded programmes.

**Programme diversification** should be allocated on a project basis to expand the existing school equivalency fare (that was previously provided by the PALCs) in partnership with state departments, NGOS, CBOs and skills training bodies.

Funding of **specialised and scarce skills programmes** in private colleges, NGOs and CBOs to fill training gaps will have to be done on the basis of need.

**Setup funding of new pilot Community Colleges** whether for totally new institutions with new infrastructure or housed in existing state or non-profit sector facilities will need rigorous costing and the preparation of various setup funding packages.

## References

Department of Higher Education and Training. 2016. *Draft policy on staffing norms for Community Education and Training (CET) Colleges*. *Government Gazette*, No. 40021, 27 May 2016, pp. 220-238

Department of Higher Education and Training. 2016. *Community education and training national roadshows. Mediation of the draft staffing norms for CET colleges. August 2016*. Pretoria: Department of Higher Education and Training. Unpublished DHET presentation

Department of Higher Education and Training. 2017. *Post provisioning norms for CET colleges: distribution model*. Pretoria: Department of Higher Education and Training. Unpublished DHET presentation

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 918

01 SEPTEMBER 2017

**CONTINUING EDUCATION AND TRAINING ACT, 2006 (ACT NO. 16 OF 2006)****CALL FOR COMMENTS ON THE REPORT OF THE MINISTERIAL COMMITTEE TO DEVELOP A FUNDING FRAMEWORK FOR COMMUNITY EDUCATION AND TRAINING AS WELL AS TECHNICAL AND VOCATIONAL EDUCATION AND TRAINING COLLEGES**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, in terms of section 23 of the Continuing Education and Training (CET) Act, 2006 (Act No 16 of 2006) hereby publish a report of the Ministerial Committee to develop a Funding Framework for Community Education and Training (CET) as well as Technical and Vocational Education and Training (TVET) Colleges as contained in the Schedule for public comments. The Executive Summary of the report is attached in the Schedule.

The full report is available on the website of the Department, [www.dhet.gov.za](http://www.dhet.gov.za).

All interested persons and organisations are invited to comment on the Report in writing, and to direct their comments to –

The Director-General, Private Bag X174, Pretoria, 0001. For attention, Ms MD Masipa, Email, [Masipa.D@dhet.gov.za](mailto:Masipa.D@dhet.gov.za). Fax: 012 323 9091.

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

**The comments on the report of the Ministerial Committee must be submitted not later than 21 working days from date of publication of this notice.**



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date: 24/07/2017

# **Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges**

## ***Report***

for presentation to

Minister B.E. Nzimande, M.P.  
Minister of Higher Education and Training

July 2017

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## Foreword

On behalf of the Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges, I wish to take this opportunity to express our gratitude to the Minister of Higher Education and Training, Dr Blade Nzimande, M.P., for affording us an opportunity to make contributions that will hopefully contribute to the strengthening of the TVET and CET Colleges. Since being appointed as Minister of Higher Education and Training in 2009, Dr Nzimande has brought the importance of these institutions for the development of our economy to the forefront and has contributed in meaningful and notable ways to the strengthening of the TVET College sector and the establishment of CET Colleges. These institutions were often neglected in budget allocations and development initiatives in various provinces. It is of utmost importance to ensure that these colleges are appropriately resourced and developed to enable them to fast-track the delivery of middle-level skilled individuals and fulfil their role in strengthening the economy and to enhance social mobility.

As cited in this report, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped, given the country's level of development. The Community Education and Training Colleges will provide access to many marginalised South Africans who need skills to improve their quality of life. These Colleges will play a crucial role in addressing the approximately current three million NEETs which are the youth between the ages of 18 to 24 who are not in employment, education or training.

The poor outputs from these Colleges have been attributed to inadequate resourcing, a dire need for capacity development, lack of appropriate learning support materials, absence of appropriate student support services, inappropriate programmes and poor coordination of efforts. It is imperative that the Government's efforts will have to be supplemented with investments from local government as well as the private sector, the NSF and the SETAs.

Funding allocations did not keep pace with the huge increases in enrolments aimed at widening access, which led to a situation which is not sustainable in the long run. It is imperative that a balance be achieved in resource allocations and development initiatives for the various sectors of the post-school education and training system. More resources have to be mobilised from more sectors of society to put these Colleges on a healthy growth trajectory offering relevant and high-quality programmes with much higher levels of student success rates.

It is believed that this report will be a valuable input for the National Plan for Post-Secondary Education and Training which is currently being developed by various task teams appointed by the Minister of Higher Education and Training, Dr Blade Nzimande, M.P.

**Dr Charles Sheppard**

Chairperson: Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges

## Executive summary

1. This is the **Final report** of the Minister of Education's Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET Colleges set up in the *Government Gazette* of 3 October 2014.
2. An additional substantial *Information report and appendices* of background papers provides the detailed evidence on which this report is based. The background papers include two on funding formulae for TVET and CET Colleges.
3. **Part 1** lays out the details of the two briefs given to the Committee.
4. **Part 2 on the Economy and Education** looks at the interaction between the economy and education and argues that though the education provides a foundation for development, its contribution to economic and social well being depends on its quality (i.e. its ability to transmit skills and knowledge) and the responsiveness of the economy in ensuring a demand for educated labour. In the economic development context in South Africa, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped given the country's level of development.
5. **Part 3 examines Post-school education and training as a public good** and proposes that there are social justice imperatives that drive the agenda for continuing to provide education even to those who have left the formal schooling system in any given society. In the context of South Africa, it means that the greater the proportion of the population that has completed secondary education and has acquired some skill to bargain with at the labour market, the better opportunity will be distributed in the population in general. South Africa currently lacks having a majority of working people have acquired a post-secondary school qualification. Attempts to address this lack in the post-school education system have until recently put the focus on TVET colleges only, but even these institutions do not yet function optimally. Adult education of a more basic type remains lacklustre in spite of the Community College policy proposals. Five principles that should inform the funding of post-school education are access, diversification of programmes, articulation, differentiation of institutions, and capacity building.
6. **Part 4 describes the Technical and Vocational Education and Training Colleges**, their history, institutional form and the transfer from provincial to national oversight, programmes and current low throughput rates, inadequately qualified lecturers, insufficient industry-linked experience, and a limited programme qualification mix, with a lack of programmes relevant to local communities and industry. Their current funding insufficient (and growingly so) and inequitable (because grants are based on historical provincial allocations).

7. **Part 5, on Community Colleges and Community Learning Centres** (what were previously provincially run Public Adult Learning Centres, now nominally part of nine virtual Community Colleges) examines their programmes, chronic under funding and staffing with underqualified temporary educators. New policy on the new institutional form of “Community Colleges” is still at a largely vision stage with as yet no actual pilots of what would be district based Community Colleges with a number of attached Community Learning Centres and in turn satellites of these.
8. **Part 6** notes the findings of the literature study on **International post-school systems** that looks at the shape, functioning and funding of these systems. It examines, in particular, various funding mechanisms.
9. **Part 7** has the Committee’s 58 recommendations on **A proposed funding framework for colleges**.

# Acknowledgements

To:

**The Minister of Higher Education and Training, Dr Bonginkosi Nzimande, M.P.**

**The Chair of the Ministerial Committee on the review of the funding frameworks of TVET Colleges and CET colleges, Dr Charles Sheppard, of Nelson Mandela Metropolitan University**

**The members of the Ministerial Committee and in particular the writing team, headed by Professor John Aitchison. A special word of thanks to Prof. John Aitchison who compiled the full Information Report and to Prof. Pundy Pillay who compiled this Concise Report from the various valuable written contributions made by the members of the Ministerial Committee.**

**The officials of the Department of Higher Education and Training, Ms Dorothy Masipa, Mr Zweli Nonkwelo, Ms Seba Swarathle, Mr Izak Joubert and Mr Firoz Patel played an invaluable role in the success of this review and to them the Committee members are grateful. A special word of gratitude to Ms Akose Maaka for her efficiency and enthusiasm who made sure that the Committee got all the logistical support that was needed.**

**The members of the TVET and CET reference groups, the Technical and Vocational Education Training Colleges Governors' Council (TVETCGC) as well as South African Further Education and Training Student Association (SAFETSA) who provided inputs to the work of the Ministerial Committee.**

**The various universities that released members of the committee to devote periods of intensive work time on the Committee**

**All the many gracious people the committee met who did presentations to the Committee and whom members of the Committee interacted with on site visits to institutions and centres in the nine provinces.**

## 1. The brief of the Committee

The *Government Gazette* of 3 October 2014 gazetted the establishment by the Minister of Higher Education and Training of a Ministerial Committee to review the funding frameworks for Further Education and Training (now TVET) Colleges and Adult Learning Centres.

The purpose of the committee included:

- a) Proceeding with the review process of the current funding framework for Technical and Vocational Education and Training Colleges (TVET Colleges), assessing the funding framework's relevance and effectiveness in enabling TVET Colleges to play a key role in producing a skilled and capable workforce for the country, and finalising draft amendments to the national Norms and Standards for Funding TVET Colleges;
- b) Aligning the national Norms and Standards for Funding Adult Learning Centres to the proposed new institutional type of Community Colleges.

The main tasks of the committee were identified as being to:

- a) Analyse the current funding frameworks to determine whether they are effective in achieving the goals of attaining a skilled and capable workforce to support an inclusive growth path;
- b) Investigate other funding modalities of Vocational and Continuing Education and Training (VCET) institutions (i.e. the Community Learning Centres, Community Colleges, and TVET Colleges or other institutions similar to them) in other countries; make comparative analysis; and advise on the most suitable and preferable funding framework;
- c) Diagnose the relevance of the current funding approach in the light of funding modalities in other countries as well as all developments that have taken place especially at TVET Colleges e.g. diversification in terms of offering different types of programmes (NC(V) and NATED Report 191), development of artisans, technicians, etc. and propose the most appropriate funding framework;
- d) Draft amendments to the current TVET Colleges legislation after taking into account the review process; and
- e) Draft amendments to the current ALC legislation to ensure alignment to the new institutional type, the Community Colleges.

The Committee was advised that, although the review processes to revise the funding frameworks for TVET Colleges and Community Colleges would be kept separate (as these institutions in their current state vary in terms of programme mix; number of learners and sites; determination of enrolments; ownership of facilities used etc.), it was the prerogative of the Ministerial Committee to propose whether to continue to keep the two processes separate or to merge them.

There were therefore two terms of reference, the one related to TVET Colleges and the other to Community Colleges (and Community Learning Centres).

## TVET Colleges

The Terms of Reference for the Ministerial Committee on the review of national norms and standards for funding technical and vocational education and training colleges provided background information and noted that the review process could include other aspects which were not catered for in the 2009 National Norms and Standards for Funding Further Education and Training Colleges, namely:

- \$ the funding for NATED Report 191 programmes and other skills programmes;
- \$ the introduction of a standard date for informing TVET Colleges about enrolments determined by Provincial Education Departments (PED) and the Department of Higher Education and Training (DHET) and indicative budgets for the following year;
- \$ the introduction of measures to deal with poor performance by TVET Colleges rather than decreasing enrolments as it is currently stipulated in the funding norms;
- \$ the funding of hostels;
- \$ the funding for bridging programmes e.g. Literacy, Mathematics, Science, etc.;
- \$ the consideration of the geographic location of colleges and poverty as rural colleges at times face challenges in sourcing funds from nearby private sector industries;
- \$ provision for access to and distribution of alternative funding sources (such as the National Skills Fund (NSF), Sector Education and Training Authorities (SETAs), etc.); and
- \$ the review of funding for special needs with different disabilities.

Included in the scope of work were the (additional) tasks of:

- (a) making recommendations on changes to the current funding framework in relation to:
  - \$ whether the current funding framework and approach will be able to make it possible to achieve the enrolment target of 1 million students in TVET Colleges by 2014 and 4 million by 2030;
  - \$ the funding of all Ministerial approved programmes and other skills programmes;
  - \$ how to deal with the under-funding of TVET Colleges as a result of over-enrolment (the current funding norms deal with over-funding and application of a claw back mechanism);
  - \$ whether the funding norms should continue using least cost of delivery and apply funding formulas, or use average cost to avoid administrative burden of applying and revising formulas (if needs be) at certain intervals;
  - \$ whether the current rate of college fee applied is appropriate (currently 20% of the total programme cost);
  - \$ what measures should be considered for adjusting the funding requirements for distance education and for experiential learning;
  - \$ how the earmarked recurrent funding should be applied in terms of its varied cost inputs per college;
  - \$ the relevance of the Basic Minimum Package;
  - \$ dealing with poor performance by TVET Colleges directly rather than indirectly by decreasing enrolments as it is currently stipulated in the funding norms;
  - \$ bridging programmes e.g. Literacy, Mathematics, Science, etc.;
  - \$ efficiency rates such as pass rate, throughput rate, certification rate, etc. taking into cognisance that some colleges have been put under administration; and
  - \$ a mechanism to subsidise private TVET Colleges.



- (b) advising how TVET Colleges can administer the recovery of college fees that in some cases culminate in bad debts.
- (c) making the funding framework to respond to the needs of historically disadvantaged TVET Colleges and of rural colleges with small campuses that are far apart from the central offices.
- (d) review the funding of students with disabilities.
- (e) propose the funding mechanism for compensation of TVET College Council members
- (f) determining the minimum size of a college and a campus which would be economically viable whilst delivering optimum outcomes.
- (g) determining a separate funding framework for hostel accommodation;
- (h) developing guidelines on how other sources of funding such as Sector Education and Training Authorities (SETAs) and National Skills Fund (NSF) could contribute towards TVET college expansion and the funding other skills programmes which are not part of the Ministerial approved programmes.

### Community Education and Training colleges

The Committee was also empowered to include other areas of focus that were pertinent.

The Terms of Reference for the Ministerial Committee on aligning the National Norms and Standards for Funding Adult Learning Centres (NSF-ALCs) of Adult Education and Training (AET) to the proposed institutional model for Post School Education and Training (PSET) [i.e. Community Education and Training Colleges (CET Colleges)] provided background information, noted the Discussion document *Adapting the NSF-ALCs to envisaged CET Colleges*, and outlined the scope of work, namely to:

- (a) analyse the current funding framework to determine whether it is effective in achieving the goals of attaining a skilled and capable workforce to support inclusive growth path;
- (b) consider and compare the advantages of other funding modalities of Community Colleges in other countries;
- (c) diagnose the relevance of the current funding approach in the light of all developments that have taken place, e.g. the new proposed Community Colleges taking into consideration other funding modalities globally, formula funding programme and funding of ABET level 1 to 4 learning areas and propose the most suitable preferable funding model;
- (d) align the NSF-ALCs to cater for funding of qualifications from National Qualifications Framework (NQF) levels 1 to 4 as proposed in the Further Education and Training (FET) Colleges Amendment Bill of 2012 (which implies that some TVET College programmes such as the National Certificate (Vocational) (NC(V)) and NATED Report 191 may be offered in Community Colleges);
- (e) examine the funding of other skills programmes from such as the National Skills Fund (NSF) or Sector Education and Training Authorities (SETAs);

- (f) determine the typical characteristics of Community Colleges with regard to performance, accountability, staff development, use of posts, payment of Community Learning Centres personnel, compensation of Council members, growth potential, etc.;
- (g) examine the funding of the different models of institutions as proposed by the Ministerial Task Team on Community Education and Training Centres;
- (h) investigate the offering of other types of vocational qualifications proposed in the report and determine cost implications thereof;
- (i) determine a measure on how to deal with poor performance by Community Colleges to avoid reducing enrolments which might have a negative effect on students who might already be from disadvantaged communities and may not have any recourse; and
- (j) conduct a study of the demographics of target groups (including particular age cohorts) and identify where new Community Colleges should be established and where dwindling enrolments suggest mergers.

The Committee was specifically asked to make recommendations on:

- (a) funding for distance education in Community Colleges (taking into account the low success rates for distance education and that therefore models of distance student support and high level contact technologies would need to be developed and funded (including, for example distance students with laptops and funding for connectivity);
- (b) the size of a Community College which would be economically viable whilst delivering optimum outcomes and consider the possibility of having Central/ Main colleges with satellites (that might require the rationalizing of centres and the provision of hostel accommodation (with its funding implications).
- (c) funding of special education needs (and the consideration of the different types of Community Colleges (and different funding models) to cater for this);
- (d) a funding mechanism for National Senior Certificate for Adults (NASCA) taking into account the challenges and cost implications of offering the NASCA at Community Colleges (including additional infrastructure costs such as laboratories as NASCA proposes physical science, computer science, life science, etc.);
- (e) conditions for granting subsidies or grants to Private Centres considering the draft conditions attached as Annexure F;
- (f) a different funding model for rural Community Colleges to be able to make such centres more economically viable as they are not likely to receive other forms of private funding; and
- (f) conduct research to better understand the cost implications regarding the expenses of Community College Council members incurred as part of their duties before making recommendations on how to regulate the remuneration of Community College council members via the funding norms, if their constitution or structure might differ from that of TVET Colleges.

## **The ministerial committee**

**The Committee comprised:**

**Dr Charles Sheppard (Chairperson) (Nelson Mandela Metropolitan University)**

**Professor John Aitchison (University of KwaZulu-Natal)**

**Professor Ahmed Bawa (Durban University of Technology)**

**Professor Peliwe Lolwana (University of the Witwatersrand)**

**Professor Kehla Ndlovu (Mangosuthu University of Technology)**

**Dr Gerald Ouma (University of Pretoria)**

**Professor Pundy Pillay (University of the Witwatersrand)**

**Professor Divya Singh (University of South Africa) (until 19 August 2015).**

To fulfil the brief the Committee met on a regular basis and commissioned a number of pieces of research and writing from members of the Committee as well as field visits by them (and analysis of the results thereof) to a number of TVET Colleges and the former Public Adult Learning Centres.

## **Information Report and Appendixes**

A full Information Report and Appendixes was also compiled with fuller details of the information and evidence presented in this report.

## 2. Economy and Education

It is well known that education in every sense is one of the fundamental factors of development. Education impacts on economic development through its effects on labour productivity, poverty, trade, technology, health, income distribution and family structure. Education provides a foundation for development, the groundwork on which much of our economic and social well-being is built.

Education's contribution to development depends, however, on its quality (i.e. its ability to transmit skills and knowledge) and the responsiveness of the economy in ensuring a demand for educated labour.

Post-School Education and Training (PSET) raises some important challenges for policy makers. Access and equity are at the top of these challenges. Second, there is a trade-off between quantity and quality. Third, there is the challenge of reaching a graduate mix that is compatible with labour market needs and national development.

Moreover, the challenge of changing the composition of outputs from the PSET system entails mobilising additional resources to PSET especially but not only in science and technology disciplines. Finally, there is another important challenge that calls for a balance between transmitting the information and skills needed for the labour market, fostering innovative and creative talents, and developing broad intellectual capacities among higher education students and graduates.

In the economic development context in South Africa, the role of technical and vocational education and training is particularly crucial to the development of the country's manufacturing sector which at this point is seriously underdeveloped given the country's level of development. Moreover, one of the major constraints to the development of a manufacturing sector and a productive export strategy is the lack of "middle level" skills in terms of technicians of various kinds, welders, plumbers, etc.

### Education and Economic Growth

The relationship between education and economic growth is a mutually reinforcing one. Education of the appropriate quality and quantity increases the productivity of labour because of its skills and knowledge enhancing roles. High and sustainable levels of economic growth, on the other hand, make possible greater investment in education and other social sectors because of the increased tax revenues that accrue to governments because of growth.

It is generally agreed that economic growth is a necessary (but not necessarily sufficient) condition for improvements in living standards and for enabling higher levels of investment *inter alia*, in education, health and innovation.

Researchers (see the *Information report* for details of research and researchers used here) have examined the relationship between education and economic growth in South Africa. By differentiating between 'tertiary education' (universities) and vocational education and training, they find that TVET graduates are "almost as likely to be employed as school leavers without post-school education. However, the conclusion from their analysis is that university education contributes to economic growth whilst other post-secondary education including TVET colleges "do not productively contribute to economic growth".

The research also shows that workers with formal education are replacing those with no education in occupations that are generally regarded as low skilled. However, this issue of “education inflation” has been frequently understated, and may even be happening at the higher end of the occupational spectrum. In a labour market with ever increasing numbers of young people with educational qualifications (not necessarily with skills and knowledge at a commensurate level), employers choose individuals with the highest levels of education available. So it is may not necessarily be a situation where university graduates are necessarily more skilled and productive than certificate holders but one in which a high degree of “filtering” or screening is taking place whereby employers are choosing those individuals whom they see as less costly in terms of ‘on-the-job’ training.

## Inequality in Schooling, Higher Education and the Labour Market

Using cohorts of graduates from Rhodes and Fort Hare universities, recent research shows that the unemployment rate of 7% among Rhodes graduates corresponds with the national average for university graduates while the rate (20%) among Fort Hare graduates is almost three times higher.

Among graduates who are employed, there are some important differences in job search strategies which may explain some of the differences in labour market outcomes. The single most common way that Rhodes graduates found their current job was through personal contacts or networks (30%). Moreover, if the categories of ‘relatives’, ‘social media’ and ‘personal contacts’ are combined, then just under half of Rhodes graduates found their current employment through a social network. Fort Hare graduates, on the other hand, relied more on newspaper advertisements (36%) than on any other specific search strategy.

According to the authors, the results of this study are important for at least two reasons. First, the findings extend the existing work on degree or programme choice by suggesting that the completion of a first-choice degree is further conditioned by ‘pre-higher education’ factors such as school quality, race, gender and intended field of study. The analysis suggests that at least part of the preference gap is explained by poor schooling backgrounds and, by extension, a lack of adequate preparation for university study.


The implication is that schooling quality and low socio-economic status do not only have the expected impact on higher education access or performance but they are also clearly linked with study choices and employment. This suggests that poor quality of support interventions (e.g. career guidance) in the run-up to Grade 9 in under-resourced schools could have long-term negative effects, as can poor support for learners as they approach matric.

Second, the findings suggest that, while unemployment is far higher among Fort Hare graduates, at least some of the disadvantage is actually carried over from the type of schooling. The implication is therefore that interventions aimed at improving the employment prospects of graduates from Historically Black Universities (HBUs) should be targeted at university students from the low-quintile schools or, as already suggested, pupils from those schools who might qualify to attend university.

The analysis does not support the view that black African students (including those who are enrolled in HBUs) are more likely to enrol in subjects with poorer prospects for immediate employment. Moreover, the evidence from the eastern Cape universities does not suggest that

Humanities graduates are significantly more likely to be unemployed after controlling for other factors.

The final question the authors raise is whether the far higher rate of unemployment among Fort Hare graduates is really the result of the oversupply of certain skills or whether factors such as poor matching, poor signalling – including the effects of perceptions and preferences of prospective employers about graduates from HBUs such as Fort Hare or a lack of appropriate social networks in the labour market are much more relevant.



### 3. Post-school education and training as a Public Good

The benefits of providing education at higher levels and to all citizens are numerous. Besides the objective of developing mental and vocational capacities of individuals, a highly educated society also has many other benefits. Research has, for example, shown that educated societies are generally healthier and more tolerant. An educated society has more capacity for reasoned thought, and the nurturing of culture and scholarship.

There are social justice imperatives that drive the agenda for continuing to provide education even to those who have left the formal schooling system in any given society. In the context of South Africa, it means that the greater the proportion of the population that has completed secondary education and has acquired some skills to bargain with in the labour market, the better opportunities will be distributed in the population in general.

Concentrating all energies and resources on the trickling effects of a growing primary education system, does not seem to be getting us to a point where educational opportunities are being distributed fairly in our society. Also, putting most of our post-school education resources into the university system still means by-passing of millions of citizens who are not able to access universities. In order to equalise the opportunities given through educational access, much more effort must be put into the promotion of a completed senior secondary schooling with appropriate skilling and knowledge, and access to tertiary education. This is the 'missing middle' in our education and training system.

The recent Organisation for Economic Co-operation and Development (OECD) (2014) review of vocational education and training in South Africa also states that in most developed countries the majority of working people have acquired a post-secondary qualification, which might be one or two-year qualification after the completion of secondary school. Equality of opportunity is about levelling the playing field for everyone during key stages of life, and the last three years of schooling and beyond are vital to this exercise. A shift in the debate towards equality of opportunity in this area promises to be a better guide for public policy so that similar chances are given to all citizens. Education must be seen to be a public good for all.

#### The Five Principles of Action for PSET

The apartheid struggle in South Africa was not only an attempt to stop a crime against humanity but should be regarded as a war from which there are many casualties and veterans. As the years progress, these casualties are not being eliminated from the system. Instead the lack of attention to them has created a situation where there are parallel economies; the first and third world economies. Attempts to address adult education in the post-school education system have until recently put the focus on TVET colleges only, but even these institutions do not yet function optimally. Adult education of a more basic type remains lacklustre in spite of the Community College policy proposals.

It is no longer useful to view adult education in terms of literacy and adult basic education only. The debate about post-school education is synonymous with adult education in a broader sense in the country. It is synonymous because we know that the country has been providing universal education up to the 9th grade. This means that for a while, we have not



been having the problem of complete illiteracy with the new generation (however weak the actual reading, writing and numeracy competencies are). This means that we have a population in South Africa of up to the mid-forties in age who have gone to school, and at least completed between 8 and 9 years of education. The problem of complete illiteracy, where it exists, must be confined to a much older generation, and this issue has been largely addressed through the *Kha Ri Gude* adult literacy campaign. If this assumption is correct, it provides a guide for DHET on the population that requires the most education, and this profile can be described as being: between 16 and 45 and having between 8 and 9 years of basic education.

We believe that there are five principles that should inform the funding of a post-school system that would address the country's needs: access, diversification of programmes, articulation, differentiation of institutions, and capacity building.

### Access

Whilst the major debate about TVET and Adult Education in industrialised countries tend to be about parity of esteem with general academic education acquired in schools, in South Africa it can be said that there is a distinct lack of visibility of the TVET system. Many people either do not know where to go to in order to develop the skills needed for the labour market or cannot afford to. Yet, lack of opportunity to develop one's skills presents a barrier in leveraging social mobility in any society as well as inability to exploit the gains already made through basic education. Access in the system will accelerate when the issues of spatial inequalities; expanded provisioning and financial constraints are removed.

Funding must be provided to increase access to the post-school system and make it available to all who want to participate by:

Increasing the infrastructure available in all communities by either putting up new buildings; auditing all public spaces that can accommodate learning and making use of or doubling the learning sessions in other institutions such as schools, TVET colleges and even universities; Ensuring that all communities can access the kind of programmes they need where they are, without having to move to urban areas; and ensuring that learners are not constrained by a lack of finance from accessing programmes of their choice.

### Diversification of programmes

Appropriate programmes are needed in both the TVET and adult education and training (AET) sectors. The usefulness of such programmes will be decided by user demand, the currency of such programmes, and the credentialing system. The following seem to be the characteristics of an appropriate PSET for the country:

- § Completion of a high school qualification should be prioritized. Basic education is also synonymous with the completion of 12 years of schooling (not just nine). In addition, this is the most effective way of catching up on general education and learning skills for those who have been out of school for some time.
- § A vocational education qualification that has value in the labour market is important for this group. But, it is important to note that many in this group are unable to access this kind of education because of (i) the way it is packaged, (ii) the way it is delivered, (iii) the cost, and (iv) the geographical location of provision.

- \$ Many in this group require short courses in: (i) general education; (ii) vocational or skills development or upgrading; (iii) and personal development, rather than full qualifications that take too long to acquire.
- \$ Non-formal education which does not have to be examined should still be an important aspect of post-school education, and in particular in the community education and training institutions.
- \$ There is a strong case for expanding participation in PSET by what can be considered to be 'non-traditional' students. The only way this can be achieved is through an increase in the number of institutions that provide PSET. In practice this means increasing participation in colleges.
- \$ More post-high school qualification, e.g. short-cycle qualifications like Higher Certificates and Diplomas, which used to be offered by Technikons have largely disappeared from the system.
- \$ A funding model that stimulates the diversification of programmes in the system is sorely needed for both TVET and AET.

### Articulation

When there are either no progression routes from one PSET sector to another or where they do exist but are extremely weak, no matter what goodwill there is in the system, both massification and differentiation will be rendered futile unless the key issue of articulation is appropriately addressed. The college system (TVET and CET) is currently structurally outside the "conventional" education system comprising schools and universities. As a result, participating in government sponsored programmes in TVET colleges, like the NC(V), is seen as a regressive move by many students. Attempts to align the TVET College system through the NQF have not really worked as this exercise did not really look inside what is being provided but merely created a framework within which the new qualifications were to be pegged. The weakness of this whole process is now felt through the illogical sequencing of courses that have no relationship to and do not take account of the knowledge requirements at different levels.

Articulation is an important concept in opening up access and ought to be an important lever in steering education, instead of being left to individual institutions and students. Programmes and institutional relations between TVET and CET institutions, as well as TVET and HE institutions must be funded. The most important key to articulation is about institutional relationships, and the following may help:

- \$ Funding a relationship between the TVET and CET institutions through space sharing; satellite campuses; and even merging some of these institutions;
- \$ Funding a relationship between the TVET colleges and the Universities of Technology through franchising and other means that would promote higher education in colleges; and
- \$ Allocating all funding for HE-TVET education partnerships to the TVET college budgets so as to incentivise the higher education institutions.


In summary, TVET colleges should be used as anchor institutions to foster these relationships and make it possible for programmes to overlap. Funding incentives will go a long way to make this happen.

### **Differentiation of institutions**

One of the most common problems that occur when different institutions are expected to act within the same space is that they all adopt a single set of institutional characteristics within that system. Isomorphism is inevitable when a new type of institution enters the terrain as they will want to fashion themselves after the older ones. So, in this case it can be expected that the TVET colleges may want to fashion themselves on the university sector, and the Community Colleges on the TVET college system (a development unfortunately encouraged by the legislation which mechanically models them on TVET colleges). It is desirable that even though the two types of institutions co-exist within a single system, they must still maintain functional and organisational boundaries. Largely, the choices to be made here revolve around maximising the resources available in each sector for each institution, as well as being able to influence the direction and growth of each sector. Funding that incentivises differentiation will go a long way toward steering the system in the right direction.

### **Capacity building**

The effectiveness of the whole system will hinge on the capacity that has been built over time to deliver what is needed for the population of South Africa. This means training of educators in both sectors as a starting point. The strength of the sector is as strong as its educators. Also, training funds must be available for all personnel in the system, whether it is for teaching, administration, or leadership, in order to have an effective system. The sector is sorely in need of research capability so that interventions are evidence-based. This capacity must be developed in the sector itself instead of relying solely on external capacity.



## 4. The Technical and Vocational Education and Training (TVET) Colleges

Prior to the 1980s, South Africa had a state system of technical schools and technical colleges. The technical colleges provided post-school vocational and occupational courses (the theory aspects of apprenticeship education and training). Some were also legally empowered to provide higher education. Over time some technical colleges also began to offer community courses. In 1967 an intermediate institutional type was legislated for, which changed some technical colleges into Colleges for Advanced Technical Education (CATE) that could provide higher education sector training and help lessen the shortage of skilled high level employees.

In 1979 the CATEs were renamed technikons and firmly placed within the higher education sector. It was recognised that there was a set of higher education qualifications provided by them that differed from those of universities and were more practically orientated. The development of polytechnics in the United Kingdom also influenced these changes.

The post-apartheid 1997 Higher Education Act recognised three types of institutions: universities, technikons and colleges as part of a differentiated higher education system. All qualifications would be aligned to a new National Qualifications Framework (NQF) and the Ministry of Education would approve the specific qualification programme mix at particular institutions. Although the Ministry of Education regarded the technikons as providing career-orientated diploma qualifications they were subsequently renamed Universities of Technology and they edged towards being "comprehensive universities".

The *Further Education and Training White Paper* of 1998 heralded a nationally driven merger that by 2002 saw 150 colleges merge into 50 larger, multi-campus TVET colleges which had greater autonomy and delegated budgetary authority. The merger certainly addressed the historical legacy of the same districts having four or more parallel institutions that previously served the apartheid era "race" groups, and of the distinction between state and state-aided institutions, but it also led to the closure of smaller institutions that had operated (though sometimes not very well) in rural areas. The capacity to manage these larger merged colleges was, however, often lacking.

Subsequent reforms included the following:

- \$ recapitalisation of the Further Education and Training college sector between 2005 and 2008 that sought to address infrastructural, resource and capacity challenges;
- \$ legislation in 2006 that transferred the staff of FET colleges to employment by college councils; and
- \$ the provision of bursaries for college students through the National Student Financial Aid Scheme (NSFAS), and a new National Certificate (Vocational) NC(V).

Enrolments in the colleges expanded significantly and there were gradual signs of improved academic performance (though from a very low base).

Most recently control of these colleges has been transferred from being a provincial competence to a national one, with the process completed in the first quarter of 2015.

As part of the DHET's attempts to create a more coordinated post-school sector, the FET colleges were renamed Technical and Vocational Education and Training Colleges in 2014.

In 2011 the colleges were considered to be operating at only 75% of their student capacity with 300 000 students. In 2014 there were 349 580 FTEs (based on 702 000 enrolments). The TVET colleges are generally considered to be underperforming and to be burdened by under-prepared students, though current policy envisages their massive expansion to serve 1 250 000 students by 2030 or even more, according to DHET targets for 2030.

The TVET colleges currently focus on three types of programme offerings:

- § The National Certificate: (Vocational) NC(V) introduced in 2007 with a wide range of variants to choose from. Grade 9 is a minimum qualification to enter into the NC(V), although a growing proportion of students have Grade 12. A certificate can be obtained for each year of three years of technical/vocation orientated study – at NQF levels 2, 3 and 4. The National Certificate: Vocational is offered in parallel to the school-based National Senior Certificate (NSC) which has a more “academic” focus. NC(V) 2 to 4 are equivalent to grades 10 to 12 respectively and correspond to NQF levels 2, 3 and 4. The NC(V) curriculum is structured to include 60% theory and 40% practical components in a particular vocational field. The practical experience may be offered in the workplace or in a simulated workplace environment. This feature has the advantage of giving students the opportunity to gain experience in the workplace during their studies. However, this qualification does not prepare students for immediate entry into the work place. After completing the NC(V), students are required to do approximately two years of work experience. They may then sit the national trade test skills in their field of specialisation.
- § The NATED Report 191 lists national programmes N1 - N6 which are largely theoretical in nature and require candidates to complete an extended apprenticeship before sitting the national trade test to become a qualified artisan. Artisan qualifications include plumbing, welding, carpentry, boiler-making and many others. Grade 9 is a minimum qualification to enter into the NC(V) or N1-N6 programmes, although a growing proportion of students have Grade 12. The N1 – N3 programmes have never been directly aligned with the NQF, but N3 broadly equates to grade 12. N4 – N6 programmes correspond to three years of study post-grade 12, culminating in a National Diploma at NQF level 6.
- § Occupational programmes offered by the Sector Education and Training Authorities (SETAs). These are typically skills based programmes with structured work integration.

The 2012 DHET Statistics show that the majority of College students (about 60%) are registered on the N1-N6 programmes and 40% on the NC(V) programmes.

As stated earlier, one of the key challenges of the South African TVET sub-system is the fact that currently there is no articulation between the TVET and any other education sector.

Historically, FET colleges had low throughput rates, inadequately qualified lecturers, insufficient industry-linked experience, and a limited programme qualification mix, with a lack of programmes relevant to local communities and industry. In many instances, examinations, assessment and financial management were also below average in quality. The

public TVET colleges system's target is an average student pass rate of 60 to 80%. Overall, of the 404 679 who wrote examinations in 2010, only 90 252 (or 22.3%) successfully completed a full qualification. In 2011, of the 126 491 who wrote examinations, only 51 790 (or 40.9%) successfully completed a full qualification. Despite increased overall participation at TVET colleges, the student completion rates are low and below the targeted range.

Prior to 1994, the bulk of government funding of colleges occurred through the post-provisioning model, which distributed educator posts from a central pool in each province to individual colleges on the basis of the number of full-time equivalent (FTE) students.

In the period 1994 to 2010, provinces, which receive the bulk of their revenue through an 'unconditional grant' or an "equitable" share of nationally-collected tax revenue, have complete autonomy in the use of these funds. Thus, there was some flexibility in how they allocated budgets to TVET colleges. However, this flexibility was lost following the move of TVET to the DHET. Funding for TVET colleges is now allocated in the form of programme subsidies and conditional grants, which during the period of the function shift to national control, was still channelled through provinces. This function shift was finalised in 2015.

Funding shortfalls need to be analysed both in terms of their general impact and in terms of their impact on certain provinces (already disadvantaged because of the previous funding allocation baselines per province being retained by DHET).

For 2012/2013, according to the DHET's enrolment plan, the total MTEF budget for FET college education should have been R5.989 billion. However, the actual allocation budget was R4.845 billion, made available through conditional grants, which is based on historical provincial allocations for FET college education, plus annual CPI adjustments. The projections for subsequent years show a declining trend in total allocations for the sector.

Clearly, funding of TVET colleges has been inequitable and insufficient. A fair distribution of funding would mean colleges receive equal rand values per weighted FTEs. Currently, the baseline used for the conditional grant reflects historical allocations to TVET college education, which were clearly too low in the Northern Cape, KwaZulu-Natal, Limpopo, Free State and North West provinces. However, redistributing the pool of available funding equitably to all provinces would disadvantage colleges in provinces where in the past more appropriate budgets were allocated to TVET colleges. A more acceptable way to rectify these imbalances would be to secure additional top-up funding, which could be channelled to the colleges in the provinces that were severely underfunded. When channelling additional funding to the sector, it is critical to ensure that the funds are spent effectively and efficiently. To this end, the fiscal governance and financial health of individual TVET colleges are absolutely essential.

Another issue that suggests changes to the funding formulae is that no allowance is made for whether colleges are urban or rural, large or small, or for the effectiveness of their throughput.



## 5. The Community Colleges and Community Learning Centres

The major development in the immediate post-apartheid dispensation was the creation of an Adult Basic Education and Training (ABET) system solidly wedded to new standards and outcomes-based educational policies and systems.

The introduction of Curriculum 2005 for school-going learners and the growing status of the National Qualifications Framework (NQF) led to a period of confusion, uncertainty, lack of direction, underfunding, low motivation and poor quality in many Public Adult Learning Centres (PALCs). Since 1994 numbers did not significantly increase in the formal state ABET system, and adults and out-of-school youth had been losing ground in obtaining Senior Certificate qualifications. It is unlikely that the number of attendees (including both genuine ABET learners and those studying at a grade 12 (Senior Certificate level)) have ever reached much more than 400,000 per annum and output has generally been poor.

Overall, it is the failure of the public adult education system that led to the recent policy decision to reorganise the Public Adult Learning Centres into clusters, as satellites of new community colleges.

In 2012, a Ministerial Task Team proposed a new institutional model including Community Colleges as district hubs for Community Learning Centres.

The actual proposals were as follows:

- \$ A network rather than a single 'new' institution
- \$ The network would be an integral part of the post school system
- \$ It would have two major components:
- \$ **Community Learning Centres (and their smaller satellites):**  
(with the *Kha Ri Gude* literacy campaign infrastructure, matured into a national learning network (with some similarities to the Scandinavian study circles), linked to them
- \$ **Community Colleges** (within a differentiated college sector) as support hubs for the Community Learning Centres clustered around them)
- \$ Support from an Institute for Adult, Youth and Community Learning (not merely a sub-section of a TVET Institute)
- \$ Open, distance and e-learning components in all of these institutions.
- \$ There would be strong links to the TVET college system.
- \$ There might be a pilot phase in which the model was tested but the aim was for a community college in every district of the country.



The Task team saw the work of these Community College/Community Learning Centres as focusing on the following:

NQF level	Institution	Mission	Programmes
1 to 3	Community Learning Centres	First and second chance literacy and vocational	ABET, soft vocational skills, GETC, NASCA, some CLCs focus on hard vocational skills and NC(V), community and non-formal education, <i>Kha Ri Gude</i> learning network programmes
1 to 5	<i>Kha Ri Gude</i> Learning Network	Literacy and public education	Literacy, public and community education [Multi-ministry delivery]
4 to 5	Community colleges	First, second chance Senior Certificate. Vocational and occupational programmes	NASCA, NC(V), soft vocational skills, social learnerships, para-professional programmes, university bridging

The decision by this Committee to not recommend having “community colleges” as sub-sections of existing TVET colleges was based on the rationale that when adult education is tagged onto another system it is invariably neglected. Moreover, expecting weak and overloaded TVET colleges to take on the task of mothering a weak, understaffed and dysfunctional PALC system that served thoroughly under-prepared learners is an unrealistic and possibly unfair expectation. However, they would be expected to articulate with the TVET colleges.

In 2012 the *Green Paper for Post-School Education and Training* proposed Community Education and Training Centres as a replacement for the Public Adult Learning Centres.

Before the Task Team report was finalised or the White Paper published, the DHET legal advisor appraised the Task Team of a plan to rename all 3 000 or so PALCs as Community Colleges, and then immediately merge them into 9 (provincial/regional) ones. This was to give effect to the “function shift” of the PALCs from provincial to national control.

This function shift took place on 1 April 2015. Predictably there were administrative problems, particularly with payments to PALC staff, and it generally seemed that there was a great lack of clarity as to who was actually responsible for ongoing support to the PALCs, given that there were in fact no new community colleges (only nine nominal community colleges to act as “Community College Administrative Centres”).

Funding of adult education remains abysmal in both absolute and relative terms. Recent data on expenditure on adult education (in the form of funds transferred from provincial education departments to the PALCs) was R1.2 billion in 2010/11; R1.4 billion in 2011/12; R1.5 billion in 2012/13; and R1.7 billion for 2014/15 (about 4% of the entire state education budget). Despite some increase in total funding, the direct government transfer per learner decreased by 10% between 2010 and 2015.

It is clear that in terms of current policy and the realities of the function shift of state adult education provision from provinces to the national Department of Higher Education and Training that for the foreseeable future there will be no major development of new community colleges that could replace the existing PALCs spread around the country. There is therefore a need for funding that will in the interim enable them to continue their provision (and improve their quality).

Given the realities of the current inadequacies of the system it would seem to be necessary to gain for the CLCs an increased share of the national education budget. However, an increased budget would not be enough – the system demands new, visionary and effective management of provision – for without this there can be little hope of progress. Effective management teams are needed at both national and regional hubs with the capacity to ensure that the budget is deployed effectively.

An enhanced budget would need to cover the following components:

- < Salaries for educators and administrators (that would also take into account the need for more permanent, dedicated, adult education staff). There would have to be some allowance for considerable expansion of the FET component (Senior Certificate);
- < Salaries for the coordinating and support staff based at both central (Community College Administrative Centres) as well as in the proto community college nodes at district level (possibly linked with local TVET colleges) that would each deal with a cluster of nearby Community Learning Centres;
- < Serious curriculum and materials development (for at least a number of start-up years);
- < Materials production and distribution;
- < The GETCA and Amended Senior certificate/NASCA examination costs;
- < The setting up of an effective HETIS system and the procedures and regulations that would enable it to work;
- < Support for the existing providers of adult educator training (currently a few universities) to gear up for larger output and various forms of continuing in-service education and support for educators and administrators; and the piloting of new ideas.

## 6. Funding frameworks for TVET and Community Colleges: International review and South African system

The funding of education and training is underpinned by several important considerations, including the economic and social relevance of education and training; the inevitable budget constraints of government; and the division of the burden of payment between government on the one hand, and private households and business, on the other.

### Funding frameworks and mechanisms for TVET

The financing of Technical and Vocational Education and Training (TVET) Colleges comes in various forms, namely, from public funding through, for example, the provision of grants to institutions and payment of teacher salaries, from students through the payment of tuition fees, from sectoral training funds, from private entities and donations, and from the so-called third stream income.

Funding mechanisms for TVET Colleges could be described as input-driven (based on enrolments and duration and nature of programmes), output-driven or performance-based (based on the outputs produced) or could encompass elements of both input and performance-based funding. Many countries use a mix of funding options as a result of historical and political developments.

UNESCO has advocated for financing mechanisms that can increase efficiency, stimulate the demand for TVET, and promote better outcomes by 'shifting the traditional input-based models to more performance-based financing ones. Overall, a key consideration for any funding system should be the efficiency of funding in terms of the ability to meet policy goals in a cost-effective manner.

#### Formula funding

Formula funding has several advantages, namely, fairness (the same set of rules applies to all institutions) and transparency. They are also administratively easier to apply. Once established, the application of the formula is straightforward.

Overall, funding mechanisms and models are not just instruments for allocating resources for given ends; more importantly, they are used as governance tools to steer the realization of important policy imperatives, for example, the production of skills that address the needs of the economy and that address the challenge of youth employability.

#### Training funds

These also constitute an important source of income for TVET colleges. Payroll training levies are the principal sources of financing for training funds. Levies can provide a steady and protected source of funding for training, particularly in the context of unstable public budgets. Sectoral, or industry-specific, training funds are an alternative to national (centralized) funding models. Sectoral levies are limited to a defined sector of the economy, such as industry or transport. A national system of sectoral funds offers the advantages of flexibility and the ability to focus more directly on sectoral training needs. They may be more

palatable to employers because of a sense of greater industry-specific orientation, less bureaucracy and greater sense of ownership. However, they do not facilitate redistributing funds across sectors or financing non-sector related skill priorities. Sectoral funds may duplicate efforts and fail to develop common core skills, transferable across industries.

### **Funding mechanisms of TVET Colleges in South Africa**

Prior to 2010, provinces allocated budgets to TVET colleges through the provincial equitable share. In this system, the DHET allocated funds to the provinces and FET colleges based on the reported student enrolment and the related programme cost. Provinces then determined allocations to TVET colleges, and these allocations were adjusted annually by the consumer price index (CPIX). The main challenge with this system is that it was inequitable. The funding of TVET colleges depended on provincial allocations as opposed to standard criteria applied to all the colleges. In addition, provinces did not prioritise TVET equally in their budget allocations, which led to unequal participation rates in TVET colleges and in provinces.

According to the National Norms and Standards for Funding Further Education and Training Colleges, the current public funding mechanisms of TVET colleges consist of formula funding of programmes, earmarked capital funding and earmarked recurrent funding. Overall, it is estimated that the state funds 80% of the costs of college programmes, while learners are liable for the remaining 20% for which they can apply for financial aid (bursaries) from the National Student Financial Aid Scheme (NSFAS).

Formula funding is used to fund ministerial-approved programmes and is designed to promote transparency and comparability between provinces, predictability, equity through the provision of bursary funding to colleges for students who are academically capable but cannot afford to pay college fees, and quality and efficiency.

Formula funding of programmes is intended to cover the recurrent costs of delivering FET programmes, but also certain capital costs associated with those programmes, such as costs related to the replacement of the facilities and equipment used.

The National Norms and Standards for TVET Colleges envisage a programme-level costing formula to allocate funds to TVET colleges. Funding is supposed to be allocated by multiplying the assumed costs in the funding model per programme by the number of FTE enrolments in that programme.

Earmarked capital funding is designed to cover items not covered by the capital infrastructure portion of the funding base rate, mainly expansion of existing infrastructure or development of new infrastructure (new campuses) and infrastructure backlogs. This funding may take a variety of forms, for example, conditional grants in terms of the Division of Revenue Act, or matching grants involving joint investment with private sector. Earmarked recurrent funding is targeted at projects of a developmental nature such as staff development and development and implementation of computerised systems. The earmarked recurrent funding stream also covers inputs that are considered part of a basic minimum package of recurrent inputs required more or less equally by all colleges.

### **Sources of income for TVET colleges**

TVET colleges in 2013 received a total of R9.1 billion in funding, with the largest portion of their funding from government sources (excluding some SETA funding).

A key change in college funding in recent times, is the substantial increase in the amount of student bursaries and loans provided by NSFAS, increasing from R0.3 billion in 2009 to R1.83 billion in 2013 in an attempt to increase access to the TVET sector. This has made TVET colleges even more reliant on public funding by reducing the proportion of funds received from privately-funded students for tuition, transport and accommodation.

## Funding for Adult Learning

Subsidies, vouchers, individual learning accounts and tax instruments are the main mechanisms used to fund adult learning across various countries.

### Subsidies

Several countries use direct subsidies to stimulate participation in adult learning by reducing the private costs of such training. In countries such as England, the subsidies are targeted at low skilled workers and consist of four elements:

- < Free or subsidised training to a basic skill or NVQ (National Vocational Qualification) level 2 qualification
- < Paid time off for training (funded for either 35 or 70 hours in total);
- < Wage compensation (paid to the employers for a total of 35 or 70 hours time off); and
- < Information, advice, and guidance to employers and employees.

### Vouchers


In voucher funding systems, participants receive the entitlements and funding follows their choices. The most well-known voucher system is perhaps the GI Bill voucher delivery system of the United States of America (USA). Under the GI Bill, veterans of war are entitled to attend up to 45 months of education during a 10-year period after their active duty. They are entitled to receive an allowance if they attend an accredited schooling or training program. The allowance may be used either to meet the direct schooling costs or to cover costs of living.

### Individual learning accounts

An individual learning account is an instrument that provides individual workers with an amount of money, to which the worker (employee), employer and third parties (for example, government) can pay a contribution in either time or money. It is a base amount of resources set aside for an individual to use for his or her learning. The main objective of ILAs is to give individuals more personal choice and ownership of their learning, and to stimulate individual motivation to engage in learning activities that would enhance workers' knowledge, skills and abilities that increase their human capital and employability. They can also be used to implement worker-centred methods to connect company needs to individual development needs and are an instrument of shifting choice and responsibility of institutions to the potential learner (from a supply to a demand approach). This funding mechanism has been applied in the Netherlands, England, Canada and Switzerland.

### **Tax instruments**

Some countries subsidise training participation through tax instruments. This can be done either by allowing firms to deduct training expenditures from the tax bill, or to allow individuals (workers) to deduct their training expenditures from their income tax. As firms' training expenditures are part of their normal operation costs, firms will normally be allowed to deduct such costs from their tax bill. Countries such as the Netherlands, Japan, Chile and Canada have utilised this funding system.



## 5. Recommendations

### A Proposed Funding Framework for Colleges

The Committee's recommendations arise out of its members' common judgement that the current funding frameworks are not optimum and are in many respects an obstacle to the implementation of constitutional and current government post school education and training policy imperatives.

For effective implementation a much more appropriate, diversified funding framework is required for Post-School Education and Training (PSET) including legislative, regulatory, policy and administrative changes. Our general and specific recommendations on these are outlined below.

The funding framework for PSET must encompass a broad range of provision including technical and vocational education, adult literacy, adult basic education, adult secondary education, and continuing education as well as various forms of non-formal education and training for youth and adults.

The purpose of the funding framework must be to increase access to an articulated, diverse and differentiated system of post-school education and training, quantitatively, qualitatively and geographically. It is a system that must be efficient, effective and accountable, taking into account the need for equity and development – that is, for social justice redress in society as well as to meet the skills needs and shortages. The growth of PSET must be related to the kind of society we desire and the associated institutions for such a society.

The funding framework must be such that funding is provided via a transparent process and with predictable outcomes.

The Committee recognises that its proposals and recommendations will require future work by technical task teams with much modelling and piloting for them to be successfully implemented (or where compelled by the evidence, discarded).

### Increasing the national allocation for TVET and Community Colleges

It is evident that, in terms of both a proportion of the national education budget and as a percentage of GDP, that TVET and Community Colleges are grossly underfunded, especially in the light of the proposals in the *White Paper on Post-School Education and Training* and the *National Development Plan 2030*. At the present time the education budget is divided as follows: Schooling – 84%; Universities – 11%; TVET colleges – 4%; and Adult Education – 1%. Adult Basic Education is a constitutional right and demands urgent attention. The correct balance between TVET College and University funding needs to be addressed incrementally over an agreed upon time frame.

**Recommendation 1:** We propose that urgent attention be given to substantially increasing the funding for TVET and Community Colleges in the light of the serious underfunding at the present time and current shortfalls, given the value of these sub-sectors for economic and social development. The Committee does not want to prescribe a specific numerical increase in funding in either absolute or percentage terms but would like to stress the importance of paying urgent attention to the overall funding issue. Investment in the PSET sector needs to improve.



Whilst we understand that overall this might mean a major escalation in the size of the PSET budget, we hold strongly to the view that unless such a review is undertaken, most of other recommendations are largely pointless. We do recognise, however, that the increases would need to be phased in over several years. However, it is imperative that a start be made in this direction as a matter of urgency.

The Committee notes that the urgent response to the current *#Fees must fall* campaign is an indication of the extent to which university funding is prioritised politically at the expense of other sub-sectors such as TVET and Community Colleges because of the powerful lobbying power and interests in the university sector.

## Funding components

Budgeting of necessity should provide for all the necessary components in an effective education and training systems such as academic and support (including academic support) staffing, educational materials, examination costs, information systems, career guidance, evaluation and research as well as capital equipment and broader infrastructure.

**Recommendation 2:** We would therefore argue for benchmarks for both TVET and Community College ministerial-approved programme-based budgets, such that staff costs should not exceed approximately 65% to 70% of the total budget, and that within the staffing budget, the ratio between teaching and support staff should generally not exceed 3:1.

## TVET College specific recommendations

### Quantity or quality – rewarding outputs

All education and training institutions have to find a happy medium between quantitative growth (students enrolment) and quality (low repetition and drop-out rates, and the output of competent graduates). Because of the immense pressure to massify the TVET college sector there is a danger that quantity will be valued above quality.

The Committee is of the opinion that in recent years TVET college quality has been compromised because of the pressure to increase enrolments without compensatory increases in staff and other resources. Provision must therefore be made to ensure qualitative improvements to meet labour market needs, even if it has to be at the expense of further increasing quantitative growth in enrolment. Indeed, as the reviewed literature indicates, current certification rates are abysmal. Currently learners in the TVET system graduate at an exorbitant per capita cost which is unsustainable. Moreover, the absorption rate of TVET graduates in the economy is also a cause of serious concern.

The performance-based funding framework works well in the university sector in South Africa and elsewhere. In the South African university sector there has been a significant improvement in success rates, throughputs and research outputs.

**Recommendation 3:** We recommend changing the funding mechanism for TVET colleges from the current system of “input-funding” to one based on both inputs and outputs. Initially we would argue for an 80:20 input-output mix. We suggest that up to 20% of the programme subsidy for year  $n+1$  be based on the throughput of year  $n-1$  (to allow for data collection).

**Recommendation 4:** The existing costing formulae needs updating both for programmes, courses and staff post provision. The current model based on the original KPMG report and

later PWC remodelling needs substantial revision, particularly with respect to the weighting for the NC(V) as compared to the occupational programmes. Programme costs should include the cost of examinations.

**Recommendation 5:** A technical team should be appointed to determine the details of future funding formulae that take into account all the possible variables, including: Funding based on FTE enrolment, funding based on differential programme costs, performance-based funding for student success, weighting for rural and disadvantaged areas, weighting for disability, infrastructure development and maintenance (including residences), staff development and academic support.

**Recommendation 6:** An enrolment plan for TVET colleges needs to be developed and linked to available funding provided in the Medium Term Expenditure Framework (MTEF). Such a plan would have to be in line with the new landscape for TVET and Community Colleges.

**Recommendation 7:** The DHET should also develop a long term plan for the college (say 5-7 years) to ensure the financial sustainability of colleges informed by agreed-upon enrolment plans.

**Recommendation 8:** Enrolments should be based on a five-year rolling plan and should include the projected growth in the number of graduates. The DHET should agree on the funded enrolments with each college for a period of at least three years should a college deviate significantly (say 5% or more) from the agreed-upon enrolment targets, the funded enrolments for the outer years of the rolling plan should be adjusted. The claw-back procedure should be abolished.

**Recommendation 9:** SETAs should develop a three year plan of programmes that they want the colleges to offer and this should inform the enrolment planning process of the colleges. This needs to form the basis of guaranteed funding from the SETAs to the colleges. The cost of repeating students that take longer than the normal time to complete, should be taken into account.

**Recommendation 10:** The National Skills Fund was established to provide training for the unemployed. The NSF should be used to fund such programmes in a set of colleges (say one or two per province) for a three year trial period.

#### **Variable course costs**

**Recommendation 11:** As in many other countries, funding formulae should take into account the variable costs of programmes and courses and the factors that disadvantage certain institutions and the students that populate them. A good example is the formulae used in the United Kingdom by the Education Funding Agency for Further Education Colleges, that takes these into account, as well as the variable cost factor scales used by the Skills Funding Agency. Rural colleges clearly need a funding adjustment through an additional weighting on the formula.

#### **Capital expenditure, infrastructure refurbishment and ongoing maintenance**

**Recommendation 12:** Given the expansion in the college system, serious attention needs to be given to new capital expenditure and refurbishment as student numbers rise, as well as the increased maintenance costs consequent on rising numbers. The maintenance situation (including the repair and updating of equipment) needs to be carefully monitored and funds for it specifically earmarked.

### **Inequality of funding between provinces**

Currently TVET colleges in the different provinces are not funded equally according to the funding formulae. This is a historical anomaly carried over from the differential support given to the TVET colleges in each province in the past. This inequity must end but not at the cost of those provinces where the funding allocated is close to that predicted by the funding norms. The colleges that are underfunded must be brought up to the norm, without lowering the norm for all.

**Recommendation 13:** The post-function shift funding model for the TVET sector must ensure that baseline funding does not perpetuate past under funding of the colleges in certain provinces. Additional allocations must be used to achieve a more equitable funding regime across the provinces.

### **Bridging and foundation programmes for under-prepared students**

In a perfect system no underprepared students enter TVET colleges. As South Africa is nowhere near such a state it is still necessary to remediate some of the failures of the school system. However unfortunate this cost is (and taxpayers will eventually balk at having to pay twice for the same service) it is a cost that must be carried for the foreseeable future

The task teams involved in the development of the national plan for post-school education is considering recommending the offering of foundation programmes with compulsory elements on work readiness, ICT skills, life orientation as well as fundamental foundations for mathematics, science and language. These programmes should be coordinated across the colleges.

**Recommendation 14:** Bridging and Foundation programmes must be developed to assist underprepared students who enter TVET colleges. These programmes must be fully government-funded. The cost of these offerings will be offset by the savings made through improved efficiency as a result of better throughput rates and fewer repeaters in the system.

### **Student support services**

Student support, including career guidance, services are weak at TVET Colleges and the function is performed by the lecturers. There is a big need to strengthen the student support services to improve the quality of education and training. The functions that can be expected to be performed by student support units must be determined. The DHET Youth Development Support Directorate is currently looking at transforming the whole of student support services. There is a need to attend to both the academic and social needs of students.

**Recommendation 15:** Adequate student support services must be established in the colleges and earmarked recurrent funding needs to be allocated for this function.

### **Ensuring alignment between enrolment planning and funded workplace learning places**

Currently the two TVET College programmes, NATED and NC(V), and Learnerships continue to be seen as alternatives to one another and not complementary components of a single learning pathway from school to work (as had been the case historically). The connection between “theory” and “workplace” remains disconnected. TVET funding is only allocated to the ministerial-approved programmes (NATED and NC(V)) without any funds allocated to the theory component of learnerships. Levy flows via the SETAs (for learnerships, internships, etc.) take the form of grants to an employer who is then required to secure the theoretical

learning from a provider of their choice (which may be a private provider or done in-house in the case of large employers).

The fact that the “theory” and “workplace” were not connected often led to the practical consequence for learners wanting to acquire trade qualifications of having to undergo nine years of publicly funded learning to train as an artisan (which used to take only three years) if the full route of Senior Certificate (3 years), NC(V) (three years) and an apprenticeship (3 years). This is a highly expensive route to a trade and is clearly sub-optimal for a system that wants to massify.

In order to bring ‘theory’ and ‘workplace’ back together again, it is necessary to look for ways to get the fiscus (which funds the theory) and the levy (which funds the workplace training) to work together. To do this the disbursement of the one should be conditional on the disbursement of the other for those programmes that require a workplace learning component for completion. This includes all the QCTO qualifications (and hence all the trades) but can also equally apply to shorter programmes or even skills programmes that require workplace learning. The key constraint for most learners and colleges is the access to workplaces.

**Recommendation 16:** “Theory” and “workplace” need to be linked again. The long-term (5 years) and short term (1 year) planning cycles of SETAs must be sequenced. SETAs should start the initiative by inviting employers to apply for grants and these applications must be approved before college enrolment planning begins. The employer responses must be based on occupational categories (trades) that permit aggregation across sectors. Aggregated data of all employers in a geographical area willing to take learners for workplace learning for a given trade(s) must be provided to the colleges in that area. This will set the broad quantum of learners that can be enrolled by that college in that programme. In time employers should enter into contracts with learners before they enrol.

**Recommendation 17:** Enrolments at colleges for those programmes that require workplace learning should be premised on the colleges having access to workplaces for the learners based on the consolidated information provided by the SETAs for that area. The SETA offices in colleges should therefore be primarily centres of data management derived from data consolidated centrally.

**Recommendation 18:** The allocation of the levy grant is a condition for the allocation of the fiscal allocation to the college.

## Community College specific recommendations

Historically, the state adult education and training system has been of very low quality with very weak output. This is unacceptable and it is pointless expanding such a system. Given the current mode of operation and with the available funding, it is simply not amenable to performance improvement. Whatever the political imperative for the expansion of provision, rapid expansion should be curtailed until overall quality has improved, and such expansion is capable of sustaining quality. That said, it is also recognised that adult education and training provision is less capable of a linear massive expansion and improvement in qualitative excellence compared to schooling because of the vagaries of voluntary adult participation. What is required is a steady process of reform and incremental growth. Because of inadequate planning for the function shift of the PALCs to the national government and the absence of actual community colleges, a proper holding operation and a new community college implementation plan is in any case needed before significant expansion can take place.



## Legislation

It is clear from the international literature and from the current problems of applying essentially TVET college legislation to a different type of institutional model – namely, the community college and community learning centres – that separate and comprehensive legislation is necessary for adult and community education and training.

The drafting of such legislation would only be possible if effective conceptualisation has taken place on the nature and characteristics of Community Colleges and their governance, functions, and potential activities (including performance, accountability, staff development, use of posts, payment of Community Learning Centre personnel, compensation of Council members, growth potential and viable size(s)).

**Recommendation 19:** Once a sound conceptual model of the Community College is developed it should be piloted and then a comprehensive Adult and Community Education and Training Act developed (which is not simply a clone of the legislation relating to Technical and Vocational Education and Training Colleges.)

## Structural reform and funding

The Committee is of the view that the transition from the Public Adult Learning Centres run by provincial education departments to being clustered into groups of satellite Community Learning Centres around a Community College support hub in each district of the country has not happened, was poorly planned, and is actually incapable of implementation in the short term, mainly, but not only, because of the low level of funding.

The Committee believes that the funding of the Community College system needs to be disaggregated into first, a holding operation with some modest reforms for the ex-PALCs linked to the regional Community College Administrative Hubs, and second, the realistic costing and funding of a set of community college pilot projects (also making use of private sector and not-for-profit facilities and support as well as donor funding) in specially targeted districts with appropriate demographics, with targeting to be done along similar lines to the 2013 Gauteng Department of Education audit of PALCs.

Establishing “a new institutional form”, the community college, requires a dedicated high level support team which can develop and monitor an implementation plan and simultaneously undertake the necessary demographic and demand analyses to justify investment in community colleges, which are expected to serve two distinct groups, namely adult learners and youth.

Current state provision invests almost exclusively on two formal qualifications, the GETC and the Grade 12 “Amended” Senior Certificate. It is not clear that this focus is of much use to older learners. There is also as yet no investment in high quality English and Mathematics foundation or bridging courses.

**Recommendation 20:** Community Colleges should move towards a much more community oriented rather than school-based approach. There should be no admission criteria ensuring access to all who want to attend.

**Recommendation 21:** There needs to be a framework for institutional growth with due attention being paid to the need for considerable funding for the effective development of this sector, as well as attention being paid to more effective use of existing infrastructure and to its expansion.

**Recommendation 22:** Communities, local government bodies, and local civil society bodies must be involved in the conceptualization and development of the local colleges, including enrolment planning and the qualifications and programmes that should be offered, all within the context of the development of the regions where the college is based.

**Recommendation 23:** A dedicated high-level Community College development support team should be set up to develop and monitor the implementation plans for each new Community College and simultaneously undertake the necessary demographic and demand analyses to justify investment in community colleges in those particular localities.

### Setting the level of funding

**Recommendation 24:** It is recommended that the overall budget be increased as fast as possible to at least 3% of the national education budget as an interim measure and that certain percentages of the budget be ring fenced for a minimum set of resources: personnel costs (including coordination), curriculum and materials, maintenance and monitoring and evaluation. Given the dearth of materials, materials development should be a priority in the initial year or two. Building the capacity of the institutions to handle an increase in funding needs to be factored in.

### Use of public and private facilities

**Recommendation 25:** Given the low likelihood of massive funding for new infrastructure in the near future, it should be incumbent on the state to encourage optimum use of spare capacity in all public college and university facilities that can be made available for reasonable regulated use by the adult and community education system and that private non-profit facilities also be used on fair contractual terms. In addition, DHET should commence a process of negotiations with municipalities across the country to identify available facilities for this purpose. The South African Local Government Association could be a useful ally in this regard. There is also considerable scope for the use of schools that have closed down.

### Linkage to and incorporation of the *Kha Ri Gude* adult literacy network

The *Kha Ri Gude* adult literacy campaign's network was a clear success and its simple but elegant structure was a most cost-effective means of delivery. Whilst it is understandable that the campaign would necessarily have an end point, it would be sensible to make use of this structure and system and database as part of the community college/community learning centre system.

**Recommendation 26:** The *Kha Ri Gude* structure should be incorporated into the Community College system and a plan for this should be developed.

## Common recommendations for both TVET and Community College

### Funding predictability

It is clear that a major source of instability in the TVET and Community College sectors is the unpredictability of funding. Such unpredictability was emphasised in much of the evidence presented to the Committee that TVET colleges were not receiving the full quantum of what they calculated were supposed to receive in terms of the current funding norms. The result was

that Colleges were forced to have in effect two budget processes, the one based on the existing programme funding norms and the other based on the approved budgets which over the period 2013 to 2017 had shortfalls that rose from 19% to 47% per annum.

With regard to the PALCs, it is also evident from the recent past that provinces arbitrarily changed annual budgets, and in some cases, prior to the function shift, put operational budgets on hold.

**Recommendation 27:** Whilst we recognise that the national education and training budget, like other departmental or provincial budgets, is subject to a number of factors, such as economic growth and tax revenues, it is nevertheless critical for spending agencies to have a degree of certainty or predictability with respect to their budgets based on a long-term enrolment plan (and the associated staff compensation budget).

### Increased funding for programme differentiation and diversity

More differentiation and diversity of provision and institutions is needed both within and between TVET colleges and Community colleges (with their Community Learning Centres and satellites). This would require more legislative and governance adjustments. However, to be avoided, in multi-campus colleges, is unwarranted over-specialisation by campus that has the effect of raising travelling obstacles for students. This is needed to forge a more diverse college system including TVET colleges, community colleges, and other institutional forms. Such a framework must enhance the possibility of genuine and easy articulation and transfer of students between colleges and higher education institutions.

For Community colleges there is the laudable idea of "curriculum development from below", encouragement of non-formal courses responding to local community needs, and entrepreneurial building partnerships at the local level. This will however, be impossible unless there is some budgetary allowance to support these at the college level.

**Recommendation 28:** Funding for programme diversification is necessary, both for the so-called ministerial-approved programmes (currently two in TVET and the two (or potentially three) in Community colleges) and via a generic "other vocational, occupational and non-formal programmes" funding category.

### A better overall institutional framework of coordination and articulation

There is a clear need for a more diverse college system including TVET colleges, community colleges and other institutional forms. Such a framework must enhance the possibility of genuine and easy articulation and transfer of students between colleges and higher education institutions.

**Recommendation 29:** A better overall institutional framework for coordination and for the easy articulation and transfer of students between TVET and Community Colleges and higher education institutions should be developed.

### Programme offerings at TVET and Community Colleges

There are several types of programme differentiation that will need to be looked at.

**Recommendation 30:** Although a genuine diversity of programmes is needed, only a manageable set of key qualifications should receive major state funding. Programmes need to be manageable both in terms of funding and conceptually so that student understanding and choice of the appropriate qualification for a particular career path is made easy.



**Recommendation 31:** The extent to which Colleges may cross-subsidise so-called “non-ministerial” programmes needs to be regulated. The crucial factor here is whether the cross-subsidised programmes complement the subsidised programmes.

**Recommendation 32:** There is a need over time to differentiate between TVET college programmes and Community College programmes. It would be pointless to duplicate programmes when they are likely to be better delivered in one of the institutions, although there is no obvious way, at this stage, to determine what would be better dealt with where. It may also well be the case that a process of organic growth will be best for the Community colleges as they develop.

**Recommendation 33:** There needs to be a more rational system of funding fully state funded and endorsed programmes that are fit for purpose. It is clear from our investigations that decisions in TVET colleges regarding the NC(V) and NATED programmes are often made, not in terms of their fitness for labour market purpose (whether national, regional or local) but on the basis of cost, enrolment increases, available staff, etc. It is also clear that good professional and skills courses that deliver also need funding as appropriate.

Both the TVET and Community colleges need the ability to change their institutional trajectory and, where appropriate, also offer NQF level 5 programmes (Higher Certificates) and level 6 programmes (Diplomas). We note the policy change that will see the re-entry of technical training at schools which will have the effect of moving provision in TVET Colleges up the NQF levels. In due course, the concept of two year (Associate) degrees (as in the North American community college system) should be explored. At the same time, issues of developing a really workable credit transfer system to universities would need to be expeditiously resolved.

**Recommendation 34:** The issue of Higher Education qualifications being taught at TVET and Community Colleges needs to be more carefully looked at (particularly in relation to Higher Certificates and Diplomas) and most important, ensuring that Higher Certificates do articulate with further qualifications in Higher Education institutions and fair credit transfer is allowed for. A workable credit system to universities needs to be expeditiously resolved.

**Recommendation 35:** The real costs of remediating the failures in the school system and not having the TVET colleges clogged with unprepared students, have to be faced up to. If the Community Colleges are expected to do this their funding (and general capacity) will have to reach a much higher dimension. [See also Recommendations 14 and 15.]

**Recommendation 36:** The possibility of having some specialised TVET colleges (as shaped by the South African national and regional contexts) as a way of rationalising scarce resources also needs to be examined (as will the cost of providing residential accommodation for students).

**Recommendation 37:** The National Senior Certificate for Adults (NASCA) is registered as a qualification and will be implemented in 2018/2019. NASCA should be delivered in flexible modes to ensure that adults can participate in them, including those already working. Subject to the necessary constraints of costs and the integrity of the examinations, flexible assessment should be made available so that an individual can enter and write these examinations throughout the year to ensure that the system becomes much more efficient and effective.

## Course materials development

For both the TVET and ACET sectors, it is clear that there is a dire lack of well-designed instructional materials for learners and manuals for staff (whether in print, delivered via in-house ICT services or online). In the PALCs this lack was catastrophic. In the case of the Kha Ri Gude literacy campaign, the excellent materials were crucial to its success. Without appropriate study materials much of the other investment is simply wasted.

**Recommendation 38:** For the next five years there should be a substantial budget for the research and development of first class study materials, including those delivered via ICT means, especially for the community colleges.

## Distance Education

Distance education in its traditional form is not an ideal mode for underprepared students. Nor is it an ideal mode for TVET College students because of the large practical component in their studies. However modern distance education and in particular that supported by advanced eLearning technology and open access materials should be explored cautiously. It must never be considered as a cheap quick fix option. Distance education needs heightened student support. These cautions do not mean that there is not a need for very carefully designed self-study materials, both print and electronic. Courses delivered by distance education and flexible modes of study should be funded according to an appropriately adjusted but fair formula. Subsidy of distance education students is normally between 40% and 50% of that for contact mode students.

**Recommendation 39:** The Committee is of the opinion that open and distance education for the TVET and ACET sectors should only be explored with some caution at this time due to the under-preparedness of the majority of students and the current poor levels of performance in the sector.

## Tuition fees

The portion of what can be expected to be paid by tuition fees has tended to increase in recent times (an example from England it was now 12% of revenue, for United States of America community colleges overall it is 30%). Recommending a benchmark figure on what percentage of revenue should come from fees is legitimate. Currently in South Africa it is about 20%. Some central and state governments regulate the fee structures (taking into account the funding, budgets and track records of the institutions). For public literacy and adult basic education programmes in many countries there are no fees (such as in Brazil where there are no fees for any public education). In the United States of America though in 1998 a previous restriction on states charging fees for adult education services was abolished, most programmes remain free. In South Africa the correlation between poverty and illiteracy and under education is so clear that charging fees should be discouraged. At the same time it must be recognised that better qualifications are a powerful engine for social mobility (and particularly in the case of university degrees, give a tremendous 'cash value' return to the holder).

in our consultations with institutions and students it became clear that there are major dysfunctionalities in the disbursement of both tuition and accommodation, travel and subsistence grants. Unless this situation is rectified, the expected efficiency and equity gains envisaged will not come to fruition.

**Recommendation 40:** The Committee considers that fees are an important income stream for TVET Colleges. Students that can afford tuition should pay fees. Students with academic potential should not be excluded because they cannot afford fees (therefore there is a need for an ongoing student fees support mechanism).

**Recommendation 41:** The Committee is of the opinion that the Community Colleges which will serve the poor and disadvantaged should not charge fees for formal programmes. These should be fully funded by the state with possible contributions by local authorities and the private sector.

**Recommendation 42:** In the event in a national move to a fees free situation, as the NSFAS allocations to TVET colleges are grants and not loans, it is recommended that the share of NSFAS earmarked for these colleges should become part of the baseline funding of TVET colleges with provisioning made in the subsidy for transport and accommodation allowances under the same conditions currently in the regulations for the bursaries. The funding for transport and accommodation allowances should be earmarked and the size of the allocation should be based on the criteria for eligibility and the availability of funds.

### Special needs

**Recommendation 43:** Special education needs in TVET and Community Colleges should be catered for and funded by adding an additional weight to the FTE calculations. The current weightings for special needs students are regarded as acceptable although the criteria for what counts as “special needs” requires refining and rigorous application.

### Addressing the needs of indigent students

**Recommendation 44:** The provision of living allowances for indigent students should be introduced with a sense of urgency, but be linked to performance. Poor students need more financial support particularly in the case of those from rural areas.

### Student hostels

In principle, TVET and Community Colleges should enable access to students within reasonable travel distances, though in some cases, local travel support may be needed. Expenditure on residences would therefore not be a priority. However, there may be a need for hostels in rural areas, especially where transport services cannot be provided. Hostels may be needed for centres of specialisation or where various forms of artisan training attracts students from a wider geographical area. This may therefore require some TVET Colleges to consider making available hostel accommodation for their students to ensure that their success and graduation rates improves substantially.

**Recommendation 45:** Student residences may not be a high priority at this stage but, if deemed essential, should be funded through separate earmarked capital grant (as is the case currently with universities) on a project basis. Development finance institutions and the banking sector should be encouraged to partner with institutions to provide loans matching the funding from the Ministry. Local government sponsorship may be needed here also.

### Accurate data for a functional HETIS

Accurate data in a functional HETIS (that addresses planning, funding, monitoring and research needs) is an essential requirement for an effective system. The fair and accurate division of funding needs to be based on accurate, reliable and timeous data. The inadequate as well as

unreliable data for the existing Public Adult Learning Centre system are a huge problem both for the review as well as the future planning of the new Community College system and need to be addressed as a matter of urgency. Although there are data available for TVET colleges, there are a number of shortcomings. It is also important that SETA databases be linked to TVET College ones. This EMIS development work needs to involve all the necessary stakeholders to ensure the real functionality of the developed system.

It would be useful to have a learner record database available at national level.

**Recommendation 46:** An improved EMIS needs to be developed and maintained for both the TVET and Community Colleges which should preferably be unit record databases with the functionality of calculating accurate full-time equivalent enrolments. Funding will have to be allocated for the development of proper management information systems.

### Subsidizing private colleges

**Recommendation 47:** A set of strict criteria should be set for the granting of student grants for study in private colleges where, in cases of national needs and priorities, particularly in specialised areas and to address the provision of scarce skills, the public TVET or Community colleges lack the capacity to enable potential learners to access these forms of PSET.

### Staffing and conditions of service

The staffing conditions in TVET and Community Colleges are characterised by inconsistencies in the conditions of service, lack of policy on the appointment of educators and a large proportion of contract appointments, a limited pool of qualified candidates, and few incentives for working in isolated areas (including a lack of staff accommodation in rural Colleges).

**Recommendation 48:** A staff provisioning model and policy must be developed based on full-time equivalent enrolments and ensures a hybrid of permanent and contract employees for both sectors. This model must take into account incentives to attract and retain qualified personnel, particularly in rural areas, and the need for ongoing staff capacity development.

### Compensation of college council members

**Recommendation 49:** The payments to Council members, apart from those who are already in state employ, for meeting attendance, should be set at the standard hourly or daily rates and should be capped at an annual maximum amount (to prevent an unnecessary proliferation of Council meetings and site visits as a way of gaining income). The rates set by DHET for TVET colleges on the basis of Treasury regulations on an annual basis are reasonable and appropriate.

### Educator, trainer and researcher development

It is common knowledge that the development of adult educators, trainers and researchers has been sorely neglected, particularly since the closure of many previously excellent university centres and non-governmental organisations that had specialised in this field.

**Recommendation 50:** Universities and other roleplayers need to be encouraged to restore the capacity for the training of adult educators and the updating of curriculums as well to increase their capacity to develop TVET college lecturers and researchers.

## Management and staff development needs

The development of strong management capacity in both TVET and Community Colleges is a necessity. Currently it is common cause that management is weak in the Community College/Community Learning Centres system and many TVET colleges have been hampered by management failures and in matters of fiscal governance, so much so that several have been put under administration or threatened so. Colleges also need to budget for internal staff development, given its known positive effects, and to plan for lecturer replacement while they are attending training.

**Recommendation 51:** A plan for developing management capacity both in the short term and in longer term training programmes will need to be costed and linked to a much clearer specification of the funding principles for the adequate staffing of these institutions.

**Recommendation 52:** Intervention should be made to improve fiscal governance in TVET Colleges and to prepare for it in Community Colleges, including recruitment of appropriate skills, ongoing training, and credible financial systems and processes.

## College reserves and surpluses

**Recommendation 53:** Colleges should retain surpluses generated from programmes for use by the institution. Surrendering such funds to the DHET would represent a disincentive to efficiency and effectiveness and for developing and implementing new programmes and courses. College reserves should therefore not be tampered with. Large educational institutions need reserves – however, they should be accountable to the DHET to how they use such funds.

## Monitoring the financial health of colleges

**Recommendation 54:** Sound funding systems and uniform templates for financial reporting, designed in a manner that ensures that the DHET can proactively monitor the financial health of TVET and CET colleges, must be developed in the interests of the institutions themselves.

## Monitoring, evaluation and research

It is common cause that monitoring, evaluation and research have not been prioritised or capacitated within the TVET college or state adult education system. All colleges need to have a “knowledge project” related to the regional, district and municipal situational demands. Clearly the lack of research capacity has to change, without diminishing the role that universities have to play in researching the sector.

**Recommendation 55:** There should be a relatively autonomous monitoring, evaluation and research component at both college and national levels that, separated in function and control, would ensure the collection, analysis and interpretation of accurate data on the implementation, learning outputs and impacts of the TVET colleges, SETAs and the Community colleges.

## Role of universities in training and research

Historically it has been South African universities that have played a role in researching TVET and adult and community education and providing for the training of practitioners in recognised teaching qualifications. Universities should assist in the setting up of Community Colleges and co-operate with TVET Colleges to strengthen them too.

In the case of adult education virtually all research and practitioners development has been done by universities. What capacity remains needs to be revitalised and rebuilt, particularly in certain provinces, after decades of decline.

The rapid development and expansion of the TVET and the Adult and Community Education and Training sectors is both an opportunity for research and a demand for it. To maintain the integrity of what is intended to be a massive education and training intervention it is important that its processes and output are subjected to rigorous research.

**Recommendation 56:** The Committee believes that those universities in South Africa that still have some adult education research capacity should play a significant role in researching adult and community education and training, in materials development and in the preparation of educators (in collaboration with the South African Institute for Vocational and Continuing Education and Training (SAIVCET)). (See also Recommendation 50)

**Recommendation 57:** A programme of recruitment (of both full-time and part-time researchers) should be undertaken in both the TVET and CET sectors. Universities collaborating in support of these sectors will also be asked to steer promising research students into undertaking research studies on TVET and ACET. It is also assumed that the SAIVCET will play a pivotal role here.

**Recommendation 58:** In both TVET colleges and Community colleges, internal research capacity needs to be built in the long term, and this needs to be provided for by a way of a percentage of the overall funding.

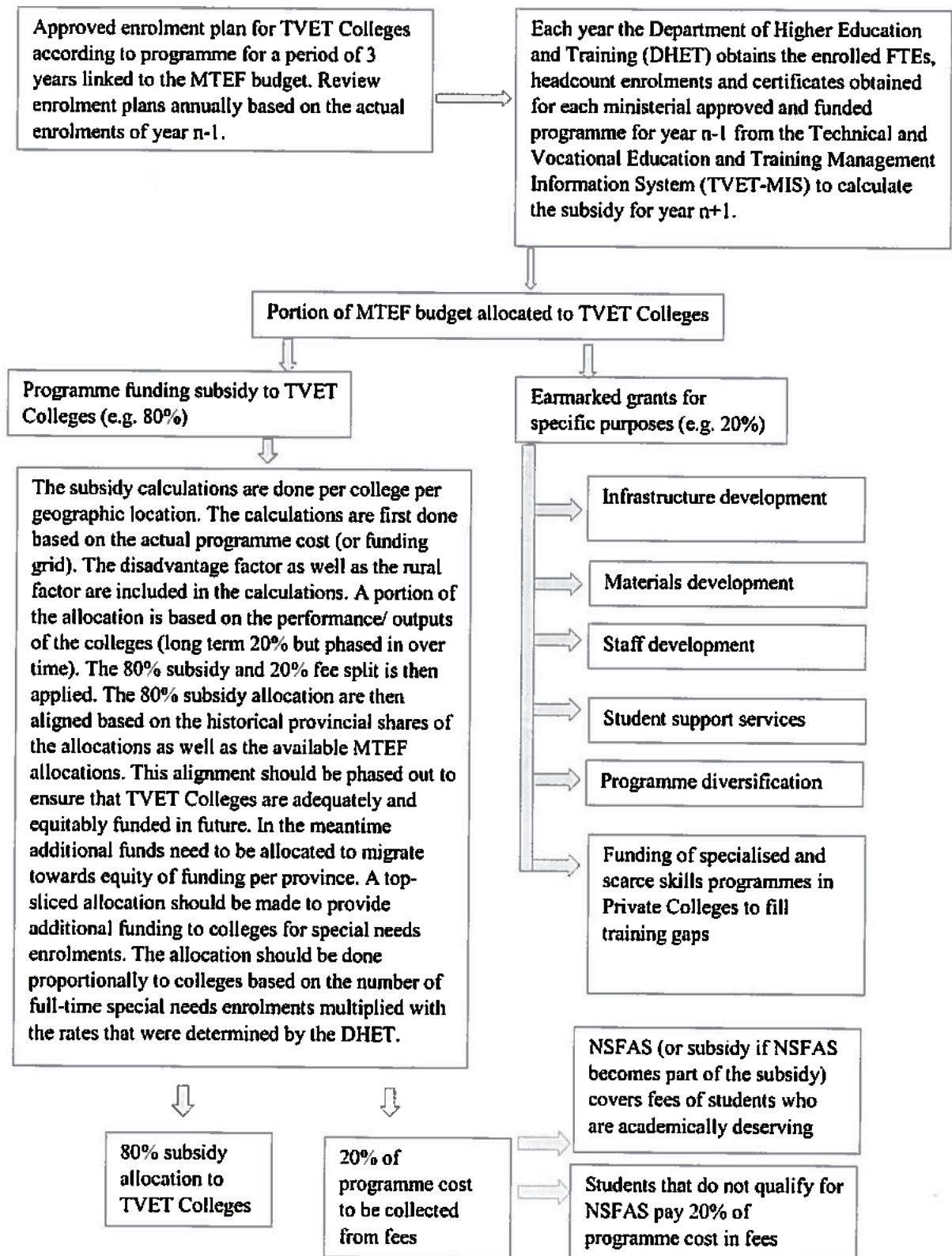
## Appendix 1: Towards a funding formula for the TVET Colleges

### Introductory note

It is important to note that it is not feasible to develop a formula for allocation to TVET Colleges that will encompass all the components and principles embedded in the Ministerial Committee's recommendations. Certain components such as the programme subsidy can be allocated based on a formula, which has been illustrated in the following section by the principle of weighted FTEs. The funding allocations are rather presented as a framework in a flow diagramme format with an indication of principles for allocation. Decisions need to be made with regard to amounts allocated for performance/ outputs as well as amounts set aside for earmarked grants for specific purposes. It is advisable that a model of allocation be developed that will over time introduce those recommendations accepted by the Minister. The introduction of each component must be modelled to establish the impact on each TVET College and should be introduced stepwise to ensure that the system is not destabilised. It is important that additional funding will have to be allocated for the introduction of earmarked grants and the eradication of differences in provincial allocations per weighted full-time equivalents. Some of the recommendations such as the shift in provincial allocations based on the differences in growth in full-time equivalents as demonstrated below should however be introduced as a matter of urgency.



## Funding for TVET Colleges



## Enrolment planning

The colleges should stay within 5% of the enrolment plan targets to avoid the deflation of the rand value of the full-time equivalents (FTEs) per programme and or to avoid over-funding (under-enrolment) for a particular college. These enrolment targets could provide indicative subsidy allocations for colleges.

## TVET Management Information System (TVET-MIS)

- a) It is vital that the DHET develop an appropriate EMIS to ensure that the DHET can make improved and enhanced subsidy calculations and that the DHET can monitor the efficiency and performance of the system.
- b) DHET must involve a wide range of role players in the design and development of a **unit record database system**. The design and development must include the strategic and enrolment planners, financial staff, curriculum developers, physical planners, internal and external researchers, TVET college staff as well as representative bodies to ensure that the DHET develop a comprehensive database that will serve the needs of all the role players in the sector. DHET must establish a process/ structure that revisit the database design on a regular basis to ensure that it remains relevant and serve the needs of the various role players.
- c) One of the recommendations is that performance/outputs must become the basis for a portion of the programme funding allocation and it is thus vital that the certification numbers and rates of colleges must be available.

## Subsidy Calculations

- a) If a college did not deviate more than 5% from the planned **enrolment targets**, the DHET should fund the college based on all the enrolled FTEs.
- b) The **FTE calculations are based on subject enrolments**. Take the example of a student who must enrol in 7 subjects for the NC(V). If the student enrolls for only 4 of the 7 subjects the student enrolment is equal to 4/7 FTEs or 0.57 FTEs. It would be preferable if the TVET Colleges implement a credit system for programmes where each subject has a credit value depending on its weight in the curriculum. This would create a system for much more accurate calculations of FTE values and subsidy.
- c) If the **enrolments deviate** more than 5% from the target, the DHET must adjust the enrolment targets for year n+1.
- d) If the college's enrolments were more than 5% under the enrolment targets for the year n-1 the targets for year n+1 must be adjusted down. It does mean that a college could have received subsidy for a year for enrolments it did not achieve but this is rectified by adjusting the enrolment targets for the outer year on a continuous basis. The clawback mechanism should be abolished to provide more budget predictability for colleges.
- e) Depending on the totals for the system, as well as available funding, if a college enrolled more than a 5% deviation from the target the target could be increased for year n+1.
- f) If the system totals and funding do not allow it, the DHET must leave the target for year n+1 as is and the college must manage their enrolments for year n+1 within this target range.
- g) If there is not adequate additional funding, over enrolments should not be funded, since it affects the subsidy allocations of other Colleges that have managed their enrolments within the targets. This implies that the college will have to fund the over enrolment itself from its own coffers.
- h) The **subsidy allocation** for year n+1 is thus based on the enrolment target for year n+1, but the achievement of the enrolment target for year n-1 might affect the **enrolment target** for year n+1.
- i) The current (2017) relative **funding weights** of the NC(V) and NATED programmes are given in Tables 1 and 2 below.

Table 1 – Current funding weights of the NC(V) programmes based on the lowest cost NC(V) programme (Office Administration)

NC(V) Programme Name	Cost according to the TVET funding norms and standards	Funding Weight
Civil Engineering and Building Construction L2 - L4	60 833	1.5678
Drawing Office Practice L2 - L4	44 561	1.1484
Electrical Infrastructure Construction L2 - L4	60 025	1.5470
Engineering and Related Design L2 - L4	78 392	2.0204
Mechatronics L2 - L4	79 434	2.0472
Process Instrumentation L2 - L4	59 636	1.5370
Process Plant Operations L2 - L4	60 869	1.5687
Finance Economics and Accounting L2 - L4	43 417	1.1190
Management L2 - L4	45 454	1.1715
Hospitality L2 - L4	73 739	1.9004
IT and Computer Science L2 - L4	59 469	1.5327
Education and Development L2 - L4	42 179	1.0871
Marketing L2 - L4	38 926	1.0032
Office Administration L2 - L4	38 801	1.0000
Primary Agriculture L2 - L4	104 249	2.6868
Tourism L2 - L4	56 405	1.4537
Safety in Society L2 - L4	39 772	1.0250
Transport and Logistics L2 - L4	40 688	1.0486
Primary Health L2 - L4	48 987	1.2625

**Table 2 – Current funding weights of the Report 191 (NATED) programmes based on the lowest cost NC(V) programme (Office Administration)**

<b>Report 191 (NATED) Programme Name</b>	<b>Cost according to the TVET funding norms and standards</b>	<b>Funding Weight</b>
Engineering Studies N1 - N3	23 896	0.6159
Engineering Studies N4 - N6	27 877	0.7185
Business Management N4 - N6	23 603	0.6083
Financial Management N4 - N6	23 603	0.6083
Human Resource Management N4 - N6	23 603	0.6083
Introductory Business Studies N4	23 603	0.6083
Introductory Clothing Production N4	32 768	0.8445
Management Assistant N4 - N6	23 603	0.6083
Marketing Management N4 - N6	23 603	0.6083
Public Management N4 - N6	23 603	0.6083
Public Relations N4 - N6	23 603	0.6083
Popular Music: Performance N4 - N6	38 231	0.9853
Art and Design N4 - N6	38 231	0.9853
Clothing Production N4 - N6	32 768	0.8445
Educare N4 - N6	28 673	0.7390
Farming Management N4 - N6	38 231	0.9853
Hospitality and Catering Services N4 - N6	53 249	1.3724
Interior Decorating N4 - N6	38 231	0.9853
Introductory Art and Design N4	38 231	0.9853
Introductory Food Services N4	53 249	1.3724
Legal Secretary N4 - N6	32 768	0.8445
Medical Secretary N4	38 231	0.9853
Tourism N4 - N6	51 884	1.3372
<b>Note:</b> The NATED programmes are weighted against the lowest NC(V) programme cost (which is currently Office Administration) to be able to calculate comparable weighted full-time equivalents for each College independent of the mix of NC(V) and NATED enrolments.		

- j) The DHET should allocate a portion of the programme funding based on the **performance/outputs** of the colleges. In the longer term this should constitute approximately 20% of the allocation but to ensure financial stability it could be phased in over a period of time (perhaps ten years).
- k) A simple way of implementing such an output subsidy is to allocate output weights to various types of certificates and diplomas awarded by Colleges based on either the duration or credits of the programmes. One could for example allocate an output credit of 1 to one full year of study (1 full-time equivalent) and then allocate credits to other programmes in relation to a full year of study. This approach would allow for the determination of output weights for a variety of programmes as new programmes are introduced in TVET Colleges. Only certificates awarded for ministerial funded programmes should qualify for output subsidy. All certificates and diplomas obtained in year n-1 then gets an output credit weight. The total for the system is calculated and the portion obtained by each college is calculated. The total amount set aside for output funding is then allocated to each college based on their share of the total weighted outputs. As noted, the percentage of the programme funding set aside for this could be a small percentage in the beginning of implementation but it should be increased over time.
- l) The DHET should introduce an additional funding weight for **rural colleges**, e.g. a 10% additional weight or multiplying their unweighted full-time equivalents with 1.1. There is a need to identify the cost drivers and distance appear to be the most important factor. Rurality contributes to additional delivery and travel costs, accommodation costs, and need for rural allowances for travel and accommodation costs for staff, etc. The classification of colleges/campuses of colleges as urban and rural is needed to identify those that qualify for a rural funding weight. If only certain campuses of a TVET College are rural then the weighting should only be applied to the FTEs of those campuses. Rural costs need to be benchmark against urban cost. Rural colleges will also attract more disadvantaged students that will require more student support to be successful. The DHET has made the following classifications of the TVET Colleges based on the population density. There would probably have to be a weight for semi-rural (e.g. 5% additional unweighted FTEs) well as rural (e.g. 10% additional unweighted FTEs). The exact additional FTEs need to be determined by a technical exercise that will focus on determining the cost differentials for the three groupings of colleges.



Table 3 – Urban/Rural classification of TVET Colleges

Province	College Name	Classification
Eastern Cape	Buffalo City TVET College	Urban
	East Cape Midlands TVET College	Urban
	Ikhala TVET College	Rural
	Ingwe TVET College	Rural
	King Hintsa TVET College	Rural
	King Sabata Dalindyebo TVET College	Rural
	Lovedale TVET College	Rural
	Port Elizabeth TVET College	Urban
Free State	Flavius Mareka	Urban
	Goldfields TVET College	Urban
	Maluti TVET College	Semi-rural
	Motheo TVET College	Semi-rural
Gauteng	Central Johannesburg TVET College	Urban
	Ekurhuleni East TVET College	Urban
	Ekurhuleni West College	Urban
	Sedibeng TVET College	Urban
	South West TVET College	Urban
	Tshwane North TVET College	Urban
	Tshwane South TVET College	Urban
	Western College TVET	Semi-rural
KwaZulu-Natal	Coastal TVET College (Mobeni)	Urban
	Elangeni TVET College	Urban
	Esayidi TVET College	Rural
	Majuba TVET College	Urban
	Mnambithi TVET College	Semi-rural
	Mthashana TVET College	Rural
	Thekwini TVET College	Urban
	Umfolozi TVET College	Rural
	Umgungundlovu TVET College	Urban
Limpopo	Capricorn TVET College	Urban
	Lephalale TVET College	Rural
	Letaba TVET College	Rural
	Mopani South East TVET College	Rural
	Sekhukhune TVET College	Rural
	Vhembe TVET College	Rural
	Waterberg TVET College	Rural



Mpumalanga	Ehlanzeni TVET College	Rural
	Gert Sibande TVET College	Semi-rural
	Nkangala TVET College	Urban
Northern Cape	Northern Cape Rural TVET College	Rural
	Northern Cape Urban TVET College	Urban
North West	Orbit TVET College	Semi-rural
	Taletso TVET College	Rural
	Vuselela TVET College	Urban
Western Cape	Boland TVET College	Semi-rural
	College of Cape Town TVET College	Urban
	False Bay TVET College	Urban
	Northlink TVET College	Urban
	South Cape TVET College	Semi-rural
	West Coast TVET College	Rural

- m) A top slice grant should be allocated for additional funding for students with **special needs**. The amount needed could be calculated on the basis of the indicative additional cost per special needs education student for NC(V) and Report 191 programmes for the 2017 to 2019 MTEF period as given in Table 4. Once such a grant has been established it should be distributed to Colleges based on the number and mix of students with special education needs.

**Table 4 – Indicative cost per year for Special Needs Education for NC(V) and Report 191 (NATED) programmes for the 2017 to 2019 MTEF**

Category Code	Category of Special Needs Education (SNE)	Rating	MTEF SNE Cost per year additional to the Programme Cost		
			2 017	2 018	2 019
CPIX				1.059	1.056
NC(V) programmes					
3	Physical Disability	2.5	22 690	24 029	25 375
	Behavioural/conduct disorder (including severe behavioural problems)	2.5			
	Mild to moderate intellectual disability	2.5			
	Specific learning disability	2.5			
	Attention deficit disorder with/without	2.5			
2	Cerebral Palsy	4	36 305	38 447	40 600
	Autistic spectrum disorders	4			
	Psychiatric disorder	4			
	Epilepsy	4			
1	Blindness	5	45 381	48 058	50 750
	Deafness	5			
	Deaf-blindness	5			
	Partial sightedness/Low Vision	5			
	Hard of hearing	5			
Report 191 (NATED) programmes					
3	Physical Disability	2.5	15 993	16 937	17 886
	Behavioural/conduct disorder (including severe behavioural problems)	2.5			
	Mild to moderate intellectual disability	2.5			
	Specific learning disability	2.5			
	Attention deficit disorder with/without	2.5			
2	Cerebral Palsy	4	25 589	27 099	28 617
	Autistic spectrum disorders	4			
	Psychiatric disorder	4			
	Epilepsy	4			
1	Blindness	5	31 987	33 874	35 771
	Deafness	5			
	Deaf-blindness	5			
	Partial sightedness/Low Vision	5			
	Hard of hearing	5			
Note: Rating 5 is 80% of average programme cost as handicap is severe and requires an additional staff member.					

Table 5 – Total number of learners with special education needs - 2017

Disability	Headcounts	As % of total Special Needs learners
Communication(talk/listen)	5	0.1%
Disabled but unspecified	3 087	74.5%
Emotional (behavioural/psychological)	84	2.0%
Hearing (even with hearing aid)	127	3.1%
Intellectual (learn, etc.)	85	2.1%
Multiple	61	1.5%
None now - was Sight	2	0.0%
Physical (move/stand, etc.)	192	4.6%
Sight (even with glasses)	505	12.2%
<b>Total reported SNE Students</b>	<b>4 148</b>	<b>100.0%</b>
<i>Total reported SNE Students</i>	<i>4 148</i>	<i>1.3%</i>
<i>None</i>	<i>325 065</i>	<i>98.7%</i>
<b>Grand Total</b>	<b>329 211</b>	<b>100.0%</b>

- n) The practice for 2017/18 was that a calculation was made of the amount from the subsidy allocated should be earmarked for SNE students based on the total number of special needs students based on the maximum amount of R45,389.00. It was not an additional allocation but a guideline of how much money should be spent on SNE students from their budget based on the numbers provided. This is problematic since it is not additional funds (which is a result of the high levels of under funding currently) and it also does not distinguish between categories of special needs. Furthermore 74% of the special needs was unspecified which makes the exercise basically futile. Some of the variables are also too open for interpretation such as "Sight (even with glasses)". This could not have meant all students wearing glasses but rather students that have severe problems with sight that impact on their ability to gain adequately from mainstream education. The statistics for some of the Colleges appear to have been any student wearing glasses. Before any additional grant for SNE students can be implemented these definitions will have to be sharpened and a data verification mechanism will have to be put in place.

- o) The need for addressing the **unequal funding of TVET Colleges in the provinces** is demonstrated in the analysis done in Tables 6.1 to 6.5. In order to arrive at comparable data there is a need to first ensure that the varying cost in offering the various Programme Qualification Mixes (PQMs) are taken into consideration. The specific government funded programmes a particular FET College offer as well as the full-time equivalent enrolments in each programme determine the cost to the College. This is done by calculating a funding weight for each programme in relation to the lowest cost NC(V) which is the NC(V) in Office Administration. The funding weight of this programme is taken as the base with a funding weight of 1.000. The funding weights of all the other NC(V) as well as Report 191 (NATED) programmes is determined in relation to the cost of this programme by dividing their cost by the cost of the NC(V) in Office Administration (See Tables 6.1 and 6.2). The full-time equivalent enrolments in each programme is then multiplied by this funding weight to calculate the weighted full-time equivalent (WFTE) enrolments (known as teaching input units in the university system) (See Tables 6.3 and 6.4). This weighting ensures that the PQM mix as well as the full-time equivalent enrolments in each programme with its different cost structure is taken into account.

Dividing the total provincial allocation by the total weighted FTEs for NC(V) and Report 191 (NATED) gives the allocation per weighted FTE for each province which then provides a comparison of the level of funding per province. Dividing the total allocation for all provinces by the total weighted FTEs for all provinces give the average allocation for the TVET sector per weighted FTE. The deviations from the average for both the financial years 2017/18 and 2013/14 are shown in Table 6.5.

The following trends can be observed:

- In 2013/14 the Eastern Cape had the highest allocation per WFTE (R6,073.76 above the average), but this has changed to the Western Cape in 2017/18 (R7,647.69 above the average).
- The Free State remained above the average for both years although the amount above the average became smaller (R1,585.90 above the average in 2017/18 compared to R3,174.17 in 2013/14).
- Allocations in Gauteng deteriorated from R2,400.94 above the average per weighted FTE in 2013/14 to –R199.33 below the average in 2017/18.
- The KwaZulu-Natal allocations improved considerably over this period. In 2013/14 the allocation per WFTE was –R3,826.69 below the average, which increased to R1,629.22 above the average in 2017/18.
- The Limpopo allocations remained the lowest in both these financial years (–R4,733.75 below average in 2013/14 and –R7,905.10 below the average in 2017/18). The Mpumalanga allocations deteriorated from R2,093.53 above the average in 2013/14 to –R1,619.28 below the average in 2017/18.
- Allocations per WFTE in the Northern Cape improved considerably from –R4,036.12 below the average in 2013/14 to R1,854.57 above the average in 2017/18.

- In North West the allocations stayed below the average but improved from (– R3,047.28 in 2013/14 to –R665.40 in 2017/18).
- The Western Cape allocations improved considerably from R2,729.60 above the average in 2013/14 to R7,647.69 above the average in 2017/18.

These variations reflect the historical levels of resourcing in provinces. Because the current allocations are based on historical allocations by provinces, the changes in the patterns shown over the period 2013/14 to 2017/18 must also be a reflection of variance in enrolment growth in the various programmes with different funding weights between provinces. This is shown in the changes in percentage shares of the total weighted FTEs over the period 2013/14 to 2017/18 by province in Table 6.6. Over time these differences need to be eradicated from additional funding allocations. When this has been achieved, colleges should be treated individually and not grouped per province. An immediate improvement in the fairness of allocations would be to start adjusting for the differences in growth in weighted FTEs per province per annum.

Table 6.1 – Full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: NC(V) programmes

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Civil Engineering and Building Construction L2 - L4	60 833	1,5678	1 580	473	1 637	2 213	2 322	667	96	571	295	9 854
Drawing Office Practice L2 - L4	44 561	1,1484	0	23	72	0	130	0	0	0	0	225
Electrical Infrastructure Construction L2 - L4	60 025	1,5470	1 989	625	3 655	2 815	2 744	1 785	185	1 368	1 427	16 593
Engineering and Related Design L2 - L4	78 392	2,0204	1 610	639	4 574	2 770	3 371	1 505	414	797	1 378	17 058
Mechatronics L2 - L4	79 434	2,0472	235	0	474	0	160	84	0	0	41	994
Process Instrumentation L2 - L4	59 636	1,5370	0	0	0	0	0	0	0	0	0	0
Process Plant Operations L2 - L4	60 869	1,5687	0	0	102	200	200	0	0	0	0	502
Finance Economics and Accounting L2 - L4	43 417	1,1190	1 831	469	1 797	1 099	1 594	917	130	562	534	8 923
Management L2 - L4	45 454	1,1715	782	260	1 686	150	1 284	1 004	59	758	533	6 536
Hospitality L2 - L4	73 739	1,9004	1 079	489	3 789	2 135	1 321	481	65	496	867	8 722
IT and Computer Science L2 - L4	59 469	1,5327	1 158	343	1 801	1 085	1 420	158	10	597	714	7 286
Education and Development L2 - L4	42 179	1,0871	512	295	276	879	430	90	1	0	377	2 860
Marketing L2 - L4	38 926	1,0032	1 222	463	2 184	209	1 479	527	0	35	321	6 440
Office Administration L2 - L4	38 801	1,0000	3 898	1 768	4 487	5 148	3 537	2 593	735	2 238	2 964	27 368
Primary Agriculture L2 - L4	104 249	2,6868	380	280	667	1 364	1 015	713	0	281	19	4 219
Tourism L2 - L4	56 405	1,4537	1 632	381	1 776	1 963	1 560	90	90	345	1 080	8 917
Safety in Society L2 - L4	39 772	1,0250	1 092	99	885	831	372	0	95	0	1 344	4 718
Transport and Logistics L2 - L4	40 688	1,0486	74	90	708	622	561	184	0	210	214	2 663
Primary Health L2 - L4	48 987	1,2625	120	245	689	85	452	225	90	249	431	2 586
<b>Total NC(V)</b>			19 194	6 942	28 759	23 569	23 952	11 023	1 980	8 507	12 529	136 455

Source: Calculations based on 2017 subsidy information for TVET Colleges provided by the DHET



Table 6.2 – Full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: Report 191 (NATED)

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Engineering Studies N1 - N3	23 896	0.6159	3 818	3 042	13 397	5 881	6 587	3 478	979	2 059	4 104	43 345
Engineering Studies N4 - N6	27 877	0.7185	1 532	1 628	7 006	3 075	3 701	1 521	49	1 134	1 132	20 776
Business Management N4 - N6	23 603	0.6083	1 732	1 847	2 362	2 938	1 529	470	0	799	2 193	13 869
Financial Management N4 - N6	23 603	0.6083	1 052	695	2 979	2 611	1 154	930	205	418	764	10 805
Human Resource Management N4 - N6	23 603	0.6083	2 238	1 829	2 879	2 460	2 297	530	580	993	1 306	15 110
Introductory Business Studies N4	23 603	0.6083	176	275	1 268	65	270	249	35	0	80	2 428
Introductory Clothing Production N4	32 768	0.8445	0	8	94	18	0	0	0	0	92	212
Management Assistant N4 - N6	23 603	0.6083	1 357	1 734	4 359	1 563	1 690	1 128	802	2 001	2 004	16 637
Marketing Management N4 - N6	23 603	0.6083	776	581	2 351	338	1 162	123	158	329	705	6 820
Public Management N4 - N6	23 603	0.6083	1 820	188	1 524	2 223	1 143	516	597	0	588	8 697
Public Relations N4 - N6	23 603	0.6083	417	0	156	210	0	0	0	0	169	952
Popular Music: Performance N4 - N6	38 231	0.9853	0	0	45	0	0	0	0	18	0	63
Art and Design N4 - N6	38 231	0.9853	102	51	306	80	0	0	0	15	181	734
Clothing Production N4 - N6	32 768	0.8445	0	24	181	39	110	0	0	0	184	537
Educare N4 - N6	28 673	0.7390	232	1 750	1 465	783	355	0	0	123	1 324	6 030
Farming Management N4 - N6	38 231	0.9853	408	0	0	561	550	0	0	0	172	1 791
Hospitality and Catering Services N4 - N6	53 249	1.3724	198	196	1 252	607	233	120	0	270	710	3 385
Interior Decorating N4 - N6	38 231	0.9853	38	0	0	0	0	0	0	0	0	38
Introductory Art and Design N4	38 231	0.9853	45	36	32	85	0	0	0	0	75	273
Introductory Food Services N4	53 249	1.3724	0	0	20	0	0	0	0	0	0	20
Legal Secretary N4 - N6	32 768	0.8445	45	0	182	354	0	0	0	0	0	581
Medical Secretary N4	38 231	0.9853	0	0	0	24	0	24	24	0	0	72
Tourism N4 - N6	51 884	1.3372	255	209	1 184	1 199	278	200	0	213	757	4 294
<b>Total Report 191 (NATED)</b>			<b>16 237</b>	<b>14 390</b>	<b>43 039</b>	<b>25 211</b>	<b>21 036</b>	<b>9 289</b>	<b>3 427</b>	<b>8 170</b>	<b>16 647</b>	<b>157 464</b>

Source: Calculations based on 2017 subsidy information for TVET Colleges provided by the DHET



Table 6.3 – Weighted full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: NC(V) programmes

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Civil Engineering and Building Construction L2 - L4	60 833	1,5678	2 477	742	2 567	3 469	3 640	1 046	151	895	463	15 449
Drawing Office Practice L2 - L4	44 561	1,1484	0	26	83	0	149	0	0	0	0	258
Electrical Infrastructure Construction L2 - L4	60 025	1,5470	3 077	967	5 654	4 355	4 245	2 761	286	2 116	2 208	25 670
Engineering and Related Design L2 - L4	78 392	2,0304	3 253	1 291	9 241	5 596	6 811	3 041	836	1 610	2 784	34 462
Mechatronics L2 - L4	79 434	2,0472	481	0	970	0	328	172	0	0	84	2 035
Process Instrumentation L2 - L4	59 636	1,5370	0	0	0	0	0	0	0	0	0	0
Process Plant Operations L2 - L4	60 869	1,5687	0	0	160	314	314	0	0	0	0	788
Finance Economics and Accounting L2 - L4	43 417	1,1190	2 049	525	2 011	1 230	1 784	1 026	145	629	586	9 985
Management L2 - L4	45 454	1,1715	916	305	1 975	176	1 504	1 176	81	888	624	7 645
Hospitality L2 - L4	73 739	1,9004	2 051	929	3 400	4 058	2 510	914	124	943	1 648	16 576
IT and Computer Science L2 - L4	59 469	1,5327	1 775	526	2 760	1 663	2 176	242	15	915	1 094	11 167
Education and Development L2 - L4	42 179	1,0871	557	321	300	956	467	98	1	0	410	3 109
Marketing L2 - L4	38 926	1,0032	1 226	464	2 191	210	1 484	529	0	35	322	6 461
Office Administration L2 - L4	38 801	1,0000	3 898	1 768	4 487	5 148	3 537	2 593	735	2 238	2 964	27 368
Primary Agriculture L2 - L4	104 249	2,6868	1 021	752	449	3 664	2 727	1 916	0	755	51	11 335
Tourism L2 - L4	56 405	1,4537	2 372	554	2 582	2 854	2 268	131	131	502	1 570	12 963
Safety in Society L2 - L4	39 772	1,0250	1 119	301	907	852	381	0	97	0	1 378	4 836
Transport and Logistics L2 - L4	40 688	1,0486	78	94	742	652	588	193	0	220	224	2 793
Primary Health L2 - L4	48 987	1,2625	152	309	870	107	571	284	114	314	544	3 265
<b>Total NC(V)</b>			26 501	9 675	41 349	35 303	35 485	16 121	2 716	12 060	16 954	196 164

Source: Calculations based on Table 6.1

Table 6.4 – Weighted full-time equivalent enrolments used for the 2017 subsidy allocations to TVET Colleges: Report 191 (NATED)

Programmes	Cost according to the TVET funding norms and standards	Funding Weight	Eastern Cape	Free State	Gauteng	KwaZulu-Natal	Limpopo	Mpumalanga	Northern Cape	North West	Western Cape	Total
Engineering Studies N1 - N3	23 896	0.6159	2 352	1 873	8 251	3 622	4 057	2 142	603	1 268	2 527	26 695
Engineering Studies N4 - N6	27 877	0.7185	1 100	1 169	5 033	2 209	2 659	1 093	35	814	814	14 927
Business Management N4 - N6	23 603	0.6083	1 054	1 123	1 437	1 787	930	286	0	486	1 334	8 436
Financial Management N4 - N6	23 603	0.6083	640	422	1 812	1 588	702	566	124	254	465	6 573
Human Resource Management N4 - N6	23 603	0.6083	1 361	1 113	1 751	1 496	1 397	322	353	604	794	9 192
Introductory Business Studies N4	23 603	0.6083	1 07	167	771	40	164	451	21	0	55	1 477
Introductory Clothing Production N4	32 768	0.8445	0	7	79	15	0	0	0	0	78	179
Management Assistant N4 - N6	23 603	0.6083	825	1 055	2 652	951	1 028	686	488	1 217	1 219	10 120
Marketing Management N4 - N6	23 603	0.6083	472	536	1 430	205	707	75	96	200	429	4 149
Public Management N4 - N6	23 603	0.6083	1 107	114	927	1 352	695	314	363	0	418	5 290
Public Relations N4 - N6	23 603	0.6083	254	0	95	128	0	0	0	0	103	579
Popular Music: Performance N4 - N6	38 231	0.9853	0	0	44	0	0	0	0	17	0	62
Art and Design N4 - N6	38 231	0.9853	100	50	302	78	0	0	0	15	178	723
Clothing Production N4 - N6	32 768	0.8445	0	20	153	33	92	0	0	0	155	454
Educare N4 - N6	28 673	0.7390	171	1 293	1 082	579	262	0	0	91	978	4 456
Farming Management N4 - N6	38 231	0.9853	402	0	0	651	542	0	0	0	169	1 765
Hospitality and Catering Services N4 - N6	53 249	1.3724	271	269	1 718	832	319	165	0	96	974	4 645
Interior Decorating N4 - N6	38 231	0.9853	57	0	0	0	0	0	0	0	0	37
Introductory Art and Design N4	38 231	0.9853	44	35	32	84	0	0	0	0	74	269
Introductory Food Services N4	53 249	1.3724	0	0	27	0	0	0	0	0	0	27
Legal Secretary N4 - N6	32 768	0.8445	38	0	153	299	0	0	0	0	0	490
Medical Secretary N4	38 231	0.9853	0	0	0	24	0	24	24	0	0	71
Tourism N4 - N6	51 884	1.3372	341	279	1 583	1 603	371	267	0	285	1 012	5 741
<b>Total Report 191 (NATED)</b>			10 675	9 527	29 332	17 576	13 925	6 091	2 107	5 347	11 776	106 353

Source: Source: Calculations based on Table 6.2.

Table 6.5 – Differences in funding per weighted full-time equivalent by province for the 2017/18 funding year compared to the 2013/14 funding year

Province	80% Programme funds 2017/18	20% NSFAS Bursaries 2017/18	Total Allocation 2017/18	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2017/18	Allocation per weighted FTE 2017/18	Deviation from average 2017/18	Deviation from Average in 2013/14
Eastern Cape	970 397 203.68	185 651 386.20	1 156 048 589.88	35 452	32 609.08	3 017.27	6 073.76
Free State	451 660 900.01	120 656 330.20	572 317 230.21	18 311	31 254.84	1 663.02	3 174.17
Gauteng	1 599 249 082.73	381 242 365.00	1 980 491 447.73	67 403	29 382.79	-209.02	2 400.49
KwaZulu-Natal	1 213 358 552.86	365 006 191.20	1 578 364 744.06	50 427	31 300.26	1 708.45	-3 826.69
Limpopo	773 894 218.17	229 834 841.60	1 003 729 059.77	47 118	21 302.27	-8 289.55	-4 733.75
Mpumalanga	485 442 387.91	105 398 489.00	590 840 876.91	21 182	27 893.78	-1 698.03	2 093.53
Northern Cape	109 791 910.46	35 246 635.20	145 038 545.66	4 599	31 536.57	1 944.76	-4 036.12
North West	369 128 421.98	110 515 294.40	479 643 716.38	16 600	28 894.05	-697.76	-3 047.28
Western Cape	844 637 824.18	185 807 652.80	1 030 445 476.98	27 397	37 611.43	8 019.61	2 729.60
<b>Total</b>	<b>6 817 560 502.00</b>	<b>1 719 359 185.60</b>	<b>8 536 919 687.60</b>	<b>288 489</b>	<b>29 591.81</b>	<b>0.00</b>	<b>0.00</b>

Sources: Calculations based on the 2017 subsidy information for TVET Colleges provided by the DHET. Sheppard, C. and Ntenga, L. (2014). *Funding of the South African Further Education and Training Sector for an Equitable Sharing of National Revenue*, In: Financial and Fiscal Commission (2014/2015). *Technical Report Submission for the Division of Revenue*, (p 261).

Table 6.6 – Changes in percentage shares of the total weighted FTEs by province 2013/14 to 2017/18 financial years

Province	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2017/18	% of Total WFTE in 2017/18	Total Weighted FTEs for NC(V) and Report 191 (NATED) 2013/14	% of Total WFTE in 2013/14	Change 2013/14 to 2017/18
Eastern Cape	37 176	12.3%	29 261	11.0%	1%
Free State	19 202	6.3%	15 223	6.0%	0%
Gauteng	70 681	23.4%	55 056	21.0%	2%
KwaZulu-Natal	52 879	17.5%	57 156	22.0%	-5%
Limpopo	49 410	16.3%	38 284	15.0%	1%
Mpumalanga	22 212	7.3%	16 958	7.0%	0%
Northern Cape	4 823	1.6%	5 278	2.0%	0%
North West	17 407	5.8%	16 633	6.0%	0%
Western Cape	28 730	9.5%	28 659	11.0%	-2%
<b>Total</b>	<b>302 519</b>	<b>100%</b>	<b>262 508</b>	<b>100%</b>	<b>0%</b>

- p) **The earmarked grants should be allocated as follows:**
- i. **Infrastructure development should be allocated on a project basis addressing national priority areas as well as need.**
  - ii. **Materials development needs to be done at a national level on a project basis.**
  - iii. **Staff development funds must be allocated on the basis of number of staff that needs training as well as the cost of training.**
  - iv. **Student support services can be allocated on the basis of full-time equivalents of government funded programmes**
  - v. **Programme diversification should be allocated on a project basis at Colleges earmarked for the establishment of centres of excellence and need to establish new programmes in certain colleges.**
  - vi. **Funding of specialised and scarce skills programmes in private colleges to fill training gaps will have to be done on the basis of need as well as full-time equivalent enrolments in the identified programmes offered at the identified colleges.**

## Appendix 2: Towards a funding formula for Community Colleges

### A preliminary caution

It is acknowledged that there is a challenge in determining a funding formula options for Community Colleges when it is still not finalised what types of programmes will be offered other than the ABET levels 1-4 and actual Community Colleges hav still to be developed.

### The previous and current situation

Previously there were three budgets for the Community Colleges/Community Learning Centres:

- **Running the adult education and training system** (currently this is the old Public Adult Learning Centres, now renamed Community Learning Centres and administered by nine "Administrative and Management Centres" that took over (or are in the process of taking over) the role previously performed by the Directorates for Adult Education and Training in the Provincial Education Departments. These "Administrative and Management Centres" have had Principals appointed as if they were actual local Community Colleges):

In April 2014 the Minister of Higher Education and Training established the first nine (9) CETCs as Administrative and Management Centres for the 3 276 former Public Adult Learning Centres (PALCs)

(Department of Higher Education and Training, 2016, p. 227)

- **Piloting Community Colleges** (none as yet)
- **Earmarked grants** for materials development and MIS system development ((though in reality this was largely for conventional general school education).

Currently some 95% of funds are spent on staff.

### Changing the funding allocation

There are three documents that give some guidance on future staffing and provisioning norms for the new Community College system:

Department of Higher Education and Training. 2016. *Draft policy on staffing norms for Community Education and Training (CET) Colleges*. *Government Gazette*, No. 40021, 27 May 2016, pp. 220-238

Department of Higher Education and Training. 2016. *Community education and training national roadshows. Mediation of the draft staffing norms for CET colleges*. August 2016. DHET presentation.



Department of Higher Education and Training, 2017. *Post provisioning norms for CET colleges: distribution model*. DHET presentation.

The *Draft policy* document of 2016 states (p. 229) that:

The Compensation of employees' budget shall be capped at 75% of the total budget; of which 80% is allocated for lecturing staff and 20% for support services. This translates to a ratio of 1: 0.75.<sup>1</sup>

Taking the proposals in this draft policy results in a percentage breakdown as follows:

100%					
75% STAFF				25% OTHER	
60% Academic (80%) (i.e. professional staff)		15% Support (20%) (i.e. other management and support)		10% Goods and services	15% Other other
76% Post level 3					
20% Post level 2					
4% Post level 1					
45% Community Learning Centres (CLCs)		15% Admin. & Mgt Centres	11.25 % CLCs	3.75 % Adm. hub	

What is immediately clear about the allocation breakdown shown in this table on the allocation breakdown is that, though it might be reasonable for a future situation when there are 50 or more actual local community colleges and where the majority of professional staff work on a central campus, for the present (and foreseeable future) when all the actual educational delivery is through the Community Learning Centres and satellites, spending only 45% of the total budget on professional staff operating in these latter delivery sites seems absurd.

There are two ways this problem can be rectified:

*Either:*

The staff of the Community College are staff of the Community College regardless of whether they are based at a central site or at a Community Learning Centre. An adjustment can be made to the weighting of total costs on the basis of the number of Community Learning Centres attached to each Community College/Administrative and Management Centre.

*Or:*

Until the Community College sector is more developed, separate allocations (and funding formulae) are developed for:

<sup>1</sup> If this means the ratio of staffing to other expenditure, the ratio of 1:0.75 is incorrect, it is 1:0.33 or 3:1. If it is the ratio within the staffing budget the ratio is not 1:0.75 but 1:0.25 or 4:1.



- the Administrative and Management Centres (the nine) (who currently have no learners at all)
- the nine sets of Community Learning Centres attached to these nine administrative hubs (which are effectively provincial hubs)
- future pilot Community Colleges with their attached Community Learning Centres.<sup>2</sup>

### Some further cautions and suggestions

It is important to note that it is not feasible to develop a formula (or formulae) for funding allocations to Community Colleges that will encompass all the components and principles embedded in the Ministerial Committee's recommendations.

Certain components such as the programme subsidies can be allocated based on a formula, other components such as infrastructure development or materials development, cannot (and it is important that additional funding will have to be allocated for the introduction of earmarked grants and most crucially for the setup of the pilot community colleges and in due course a local community college in each district of the country).

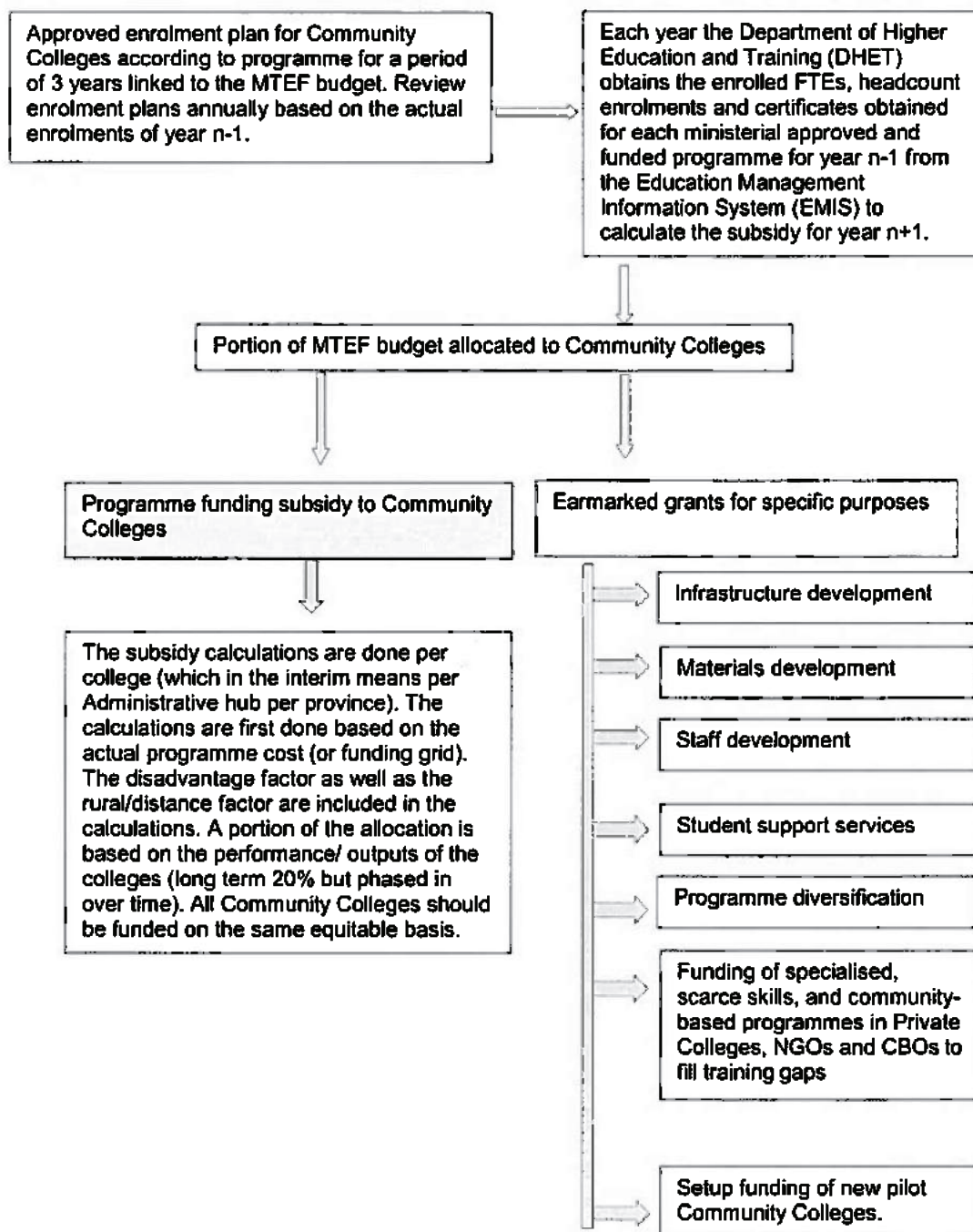
We recommend that from the start that funding to colleges be equitable with no differences based on historic provincial allocations (as has unfortunately been the case with the allocations to TVET Colleges).

It is advisable that a model of allocation be developed that will over time introduce the Ministerial Committee's recommendations accepted by the Minister. The introduction of each component must be modelled to establish the impact on each Community College and should be introduced stepwise to ensure that the developing system is not put under undue pressure or destabilised.

The funding allocations are rather presented on the next as a framework in a flow diagramme format with an indication of principles for allocation. Decisions need to be made with regard to amounts allocated for performance/ outputs as well as amounts set aside for earmarked grants for specific purposes.

<sup>2</sup> As an example, a Pietermaritzburg centred Community College would initially have attached to it 29 Community Learning Centres.

## An outline of the funding process for Community Colleges



## Various steps in the funding process of programmes through funding subsidies

### Management Information System (MIS)

Historically the Adult Education and Training system run through Provincial Departments of Education in the Public Adult Learning Centres had a very poor information generation capacity.

In the current situation, unless accurate data is available on such things as enrolment and output it will be impossible to implement funding formulae.

It is therefore vital that the DHET develop an appropriate MIS to ensure that the DHET can make improved and enhanced subsidy calculations and that the DHET can monitor the efficiency and performance of the Community College system.<sup>3</sup>

The DHET must involve a wide range of role players in the design and development of a unit record database system. The design and development must include the strategic and enrolment planners, financial staff, curriculum developers, physical planners, internal and external researchers, Community College staff as well as representative bodies to ensure that the DHET develop a comprehensive database that will serve the needs of all the role players in the sector.

DHET must also establish a process and structure that revisits the database design on a regular basis to ensure that it remains relevant and serve the needs of the various role players.

### Enrolment planning

The Community Colleges should stay within 5% of the enrolment plan targets to avoid the deflation of the rand value of the full-time equivalents (FTEs) per programme and or to avoid over-funding (under-enrolment) for a particular college. These enrolment targets could provide indicative subsidy allocations for Community Colleges.

It needs to be recognised that adult basic education is a constitutional right for both children and adults and enrolment planning must take this into account – it would be difficult, for instance, to justify any withdrawal or reduction of adult basic education provision (that is, ABET 1 to 4 programmes and the GETCA) or to fail to respond to obvious expressed need for expansion of such adult basic education provision.

<sup>3</sup> It is unclear whether the data on Community Learning Centres is still on the EMIS system of the provincial education departments (if it was on) or now on the TVET MIS or on the HE MIS.

## The number of staff posts available

A crucial determinant in deciding on the baseline monetary figure necessary to fund (subsidise) the average weighted FTE student is assessing what the portion of the average cost of each staff post is for servicing that individual FTE.<sup>4</sup>

The average cost of teaching and support staff is itself influenced by factors such as class sizes<sup>5</sup>, level of the teaching posts for particular programmes, whether the staff member is permanent, fixed-term or temporary.<sup>6</sup> Years of service and the cost implications of that also come into the equation.

Currently the cost of staff is the major expense in the system and the current proposals are to reduce this from 95% to 75% of expenditure. This will be a difficult task, made worse by efforts to improve the qualifications and conditions of service of Community College educators at the same time, with the likelihood of reducing the scale of provision (which may be difficult given the constitutional right to adult basic education). It may be sensible to gradually reduce the percentage from 95% to 80% or 75% over a ten year period.

The *Draft policy* proposes that staff posts be distributed on basis of student FTEs though it recognises problems with this, even if particular programmes have their FTEs weighted differently (for example because of reasons of cost of delivery), because of different enrolment patterns in different geographical areas.

The *Post provisioning norms* document proposes core management and administration posts at the levels of College (22 posts), Community Learning Centres (8) and satellites (1). In the current context this is a top-heavy bureaucracy, given that as yet there are no pilot Colleges and most Community Learning Centre are in fact have quite small enrolments.

<sup>4</sup> Until a functional MIS is in place, funding may need to be based on a simple headcount.

<sup>5</sup> The DHET documents make much of the variation in class sizes, presumably on the basis that ABET classes need to be smaller because it requires more intensive individual work with the learners. The *Draft policy* proposals make a number of suggestions about weightings of FTEs on the basis of class size that do not explain themselves:

ABET 1 to 3 have a maximum class size of 30 and a weighting of 1.17.

ABET 4 and NQF 2 to 4 have a maximum class size of 35 and a weighting of 1.

The *Roadshows* document has weightings of 1.15 for ABET 1 to 3, 1.125 for ABET 4, 1.05 for the Senior Certificate, and 1.125 for certificated skills training. Oddly, there is no unweighted baseline !

<sup>6</sup> These types of posts are distinguished thus:

**Permanent** posts (some of which could be **Shared** posts such as two part-time employees sharing one full post and some of which would be **Part-time**). Core staff would need to be permanent.

**Fixed-term** posts (which again could be full or part-time)

**Temporary** posts (usually part-time)

## The size of the institutional sites

Varying figures are given in different documents for the normative size of the Community College institutional components:

	Colleges	Community Learning Centres	Satellites
Small	700 to 1500 FTEs	200 to 350 FTEs	75 to 199 FTEs
Medium	1501 to 2500 FTEs	351 to 500 FTEs	
Large	2501 and above FTEs	551 to 699 FTEs	
Note: the glossary (p. 224) to the <i>Draft policy</i> has a maximum of 599 FTEs for Community Learning Centres.			

These size decisions seem to be based on, first, an attempt to force the Community Colleges into the mould of the current TVET College system where each major city has a set of campuses in close proximity to one another (a historical legacy of the physically separate institutions for the different so-called races now merged organisationally), so that the Community Learning Centres are, mistakenly seen as approximating to these campuses, and second, by a seeming lack of awareness that few of the existing Community Learning Centres (the ex PALCs) have large numbers of FTEs.

What is a plausible weighting option is that there should be a baseline figure for any college (say up to 1500 FTEs) and then a weighting (say from 0.95 to 0.9) on the FTEs greater than that number.

## Weighting of FTEs in a subsidy formula

The arguments for weighting FTEs<sup>7</sup> include the following:

- the variable costs of delivery (which may be caused by enrolment size, Community Learning Centre size, class size, levels of educators, special equipment or materials, travel to remote sites<sup>8</sup>, the unpreparedness of disadvantaged learners, etc.)
- a means of prioritising provision of programmes that specifically target the disadvantaged

<sup>7</sup> Full Time Equivalent (FTE) calculations are usually based on the number of courses/modules/subject taken by an individual student in a year. For a full time student these courses taken should have a value of approximately 120 National Qualification Framework credits (where 120 credits is taken as being 1200 notional hours of study which is considered to be the normal workload of a full time student). Clearly, if Community Colleges do not have a credit system which allocates credits to each course, module or unit of study, then it is very difficult to calculate FTs.

<sup>8</sup> The *Post provisioning norms* document proposed a size of province weighting that adds a number of FTEs to a province's tally (2 FTEs per 500 km<sup>2</sup>). This supposedly is compensation for travel by staff. It is a very crude mechanism that should be replaced as soon as Community Colleges do actually exist in every district when they could be compensated for being in very large districts as well as on the socio-economic status of the district.

The *Draft Policy* has a formula for the allocation of professional posts (i.e. about 60% of the overall funding) but unfortunately, in the *Government Gazette* the formula has been cut off (but one can find it in the *Roadshows* document). The number of posts allocated to a particular college is calculated by dividing the number of students in a college (weighted FTEs) by the national number of students (weighted FTEs) divided by the number of posts available nationally. This part of the formula is fairly mechanical and assumes that the number of professional posts available nationally has been determined after a sound financial analysis and budgeting process.

### Adjustments to the subsidy formula

The most obvious adjustments to the subsidy given per FTE after allowance for normal cost of delivery and prioritising programmes for the disadvantaged (such as ABE level programmes) are the following:

- Enrolment targets
- Performance/Output
- Special needs
- Disadvantaged geographical areas
- Size of the College
- Lowest reasonable cost (that is, supplies and services do not cost more than the *lowest reasonable cost* at which they could be procured on the open market/in the college system).

### Enrolment targets

Some subsidy formulae penalise institutions if they deviate too much from the planned enrolment targets. In the future it might be good to penalise institutions who deviated more than 5% either way from their enrolment target.<sup>9</sup> At present, where the accuracy of enrolment data is unreliable and the “colleges” are in fact whole provinces of Community Learning Centres administered from an Administrative hub, such a practice seems senseless.

<sup>9</sup> The proposals suggested by Charles Sheppard to deal with enrolment deviation in TVET Colleges could be made use of in the future for Community Colleges as well:

- If the enrolments deviate more than 5% from the target, the DHET must adjust the enrolment targets for year  $n+1$ .
- If the college's enrolments were more than 5% under the enrolment targets for year  $n-1$  the targets for year  $n+1$  must be adjusted down.
- Depending on the totals for the system, as well as available funding, if a college enrolled more than a 5% deviation from the target the target could be increased for year  $n+1$ .
- If the system totals and funding do not allow it, the DHET must leave the target for year  $n+1$  as is and the college must manage their enrolments for year  $n+1$  within this target range.
- If there is not adequate, additional funding, over enrolments should not be funded, since it affects the subsidy allocations of other colleges that have managed their enrolments within the targets.
- The *subsidy allocation* for year  $n+1$  is thus based on the enrolment target for year  $n+1$ , but the achievement of the enrolment target for year  $n-1$  might affect the *enrolment target* for year  $n+1$ .

### Performance/Output

With due caution, the DHET could consider allocating a portion of the programme subsidy funding on the basis of the performance/outputs of the College. In the longer term this could constitute approximately 20% of the allocation, but to ensure financial stability it could be phased in over a period of time.

A simple way of implementing such an output subsidy is to allocate output weights to various types of certificates awarded by Colleges based on the programmes credits. All certificates obtained in year n-1 then gets an output credit weight. The total for the system is calculated and the portion obtained by each College is calculated. The total amount for output funding is then divided amongst the Colleges based on their share of the total weighted outputs.

As noted, the percentage of the programme funding set aside for rewarding output could be a small percentage in the beginning of implementation but it should be increased over time.

As this is a performance related subsidy it should normally form part of the normal subsidy allocations, as it is in other systems (such as Higher Education) and should not be an earmarked grant.

### Special needs

Additional weights for special educational needs students should be added, as has been the practice in the TVET sector (where the weightings range from 2.5 to 5). This should mean extra funding for special needs students in a particular programme.

However, there are three conditions necessary, first, that the special needs are identified using rigorous criteria – the students must have some clear disability or difficulty that has a severe impact on their ability to gain adequately from mainstream education, second that the weighting must match the actual extra resources required, and, third, that evidence is provided that special assistance is actually provided to such special needs students and extra staff are employed.

Initially it might be necessary to fund special needs students from funds top-sliced from programme funding before allocations are made to colleges. This should only be a temporary measure until greater clarity is obtained on the proportion of students who have special needs.

### Disadvantaged geographical areas

In many countries, there is some form of redress in subsidy formulae for either individual students who come from socio-economically and educationally disadvantaged areas (educationally disadvantaged students require more student support to be successful) or to institutions that are based in such disadvantaged areas. In many cases “rural” is the proxy descriptor of such disadvantage, in others a more nuanced compendium of socio-economic indicators is used (for example in the United Kingdom there is a Multiple Deprivation Index linked to each Postal Code in the country).

In the future the DHET should introduce an additional funding weight for rural community colleges e.g. a 10% additional weight or multiplying their unweighted full-time equivalents with 1.1. There would probably have to be a weight for semi-rural as well (e.g. 5% additional unweighted FTEs). There is a need to identify the cost drivers and distance appear to be the



most important factor. Rurality contributes to additional delivery and travel costs, accommodation costs, and need for rural allowances for travel and accommodation costs for staff, etc. The classification of colleges/ campuses of colleges as urban and rural is needed to identify those that qualify for a rural funding weight.

However, currently this is all academic, given that there are no Community Colleges, only Administrative Hubs serving a whole province of Community Learning Centres, and any disadvantage weighting would have to be done on the relative poverty and deprivation in each province as a whole.

Dedicating some of the subsidy to Community Colleges that serve particularly socio-economically or educationally disadvantaged students should not be affected by those institutions having students who have received funding (such as NSFAS) because they are disadvantaged. NSFAS grants pay for ordinary tuition and living/accommodation costs. Such grants do not cover the additional costs the institution incurs having to provide additional educational support to under-prepared students.

#### **Size of the College**

There could also be a grant of additional funding units to an institution based on its size (based upon evidence of variability in the core costs being affected by the size of the institution). Again, currently this cannot be implemented because there are no actual Community Colleges, only provincial sets of Community Learning Centres.

#### **Lowest reasonable cost**

Current funding baseline amounts for TVET programmes are based on the lowest cost per FTE amongst existing TVET College programmes. This kind of decision assumes that there is accurate expenditure data and that is no hidden cross subsidisation to or from other TVET College programmes.

Given, that currently there are only the Administrative hubs, the data on which such a decision could be made would be based on how much it costs to run a programme (such as the GETCA or the Senior Certificate) in each province. Presumably such a judgement will have to be made and then its realism monitored over a number of years. However, there is difficulty in ascertaining the real impact of such things as distance, disadvantage, etc. on the cost of running programmes.

## A possible pilot subsidy formula for programmes

A future formula could look something like this:

$$\begin{aligned} \text{Programme funding} = & (\text{Number of FTEs} \times \text{Baseline funding rate per student} \times \text{Output factor} \\ & \times \text{Programme cost weighting} \times \text{College area disadvantage factor}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Individual Disadvantage} \\ & \text{weighting} \times \text{Number of FTEs} \times \text{Individual Disadvantage rate per} \\ & \text{student}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Special Needs weighting} \times \\ & \text{Number of FTEs} \times \text{Special Needs rate per student}) \end{aligned}$$

A current interim formula could look something like this:

$$\begin{aligned} \text{Programme funding} = & (\text{Number of FTEs} \times \text{Baseline funding rate per student} \times \text{Programme} \\ & \text{cost weighting} \times \text{Province area disadvantage factor}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Individual Disadvantage} \\ & \text{weighting} \times \text{Number of FTEs} \times \text{Individual Disadvantage rate per} \\ & \text{student}) \\ & + ([\text{average of amongst all FTEs of}] \text{ Special Needs weighting} \times \\ & \text{Number of FTEs} \times \text{Special Needs rate per student}) \end{aligned}$$

## Earmarked grants for special purposes

Earmarked grants should be allocated as follows:

**Infrastructure development** should be allocated on a project basis addressing national priority areas as well as need.

**Materials development** needs to be done at a national level on a project basis. Clearly there is an urgent need for quality materials for ABET levels 1 to 4 (leading to the GETCA) and for the existing Amended Senior Certificate (SC) and the new National Senior certificate for Adults (NASCA).

**Staff development** funds must be allocated on the basis of number of staff that needs training as well as the cost of training. The decision of the DHET that Higher Certificates are no longer accepted as a teaching qualification means that many people previously employed as educators in PALCs, particular in the ABET 1 to 4 classes, will need to have the qualifications rapidly upgraded to Diploma level.

**Student support services** can be allocated on the basis of full-time equivalents of government funded programmes.

**Programme diversification** should be allocated on a project basis to expand the existing school equivalency fare (that was previously provided by the PALCs) in partnership with state departments, NGOS, CBOs and skills training bodies.

Funding of **specialised and scarce skills programmes** in private colleges, NGOs and CBOs to fill training gaps will have to be done on the basis of need.

**Setup funding of new pilot Community Colleges** whether for totally new institutions with new infrastructure or housed in existing state or non-profit sector facilities will need rigorous costing and the preparation of various setup funding packages.

## References

Department of Higher Education and Training. 2016. *Draft policy on staffing norms for Community Education and Training (CET) Colleges*. *Government Gazette*, No. 40021, 27 May 2016, pp. 220-238

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Department of Higher Education and Training. 2017. *Post provisioning norms for CET colleges: distribution model*. Pretoria: Department of Higher Education and Training. Unpublished DHET presentation

## DEPARTMENT OF HOME AFFAIRS

NO. 919

01 SEPTEMBER 2017

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

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

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7. Ntombenhle Khanyisile Mhlongo - 890909 1354 088 - P O Box 2325, PORT SHEPSTONE, 4240 - *Madlala*
8. Mzikayise Muzi Mzomba - 820226 6140 080 - 68 Magabashawa Street, Nu 10, MOTHERWELL, 6211 - *Ndwandwe*
9. Motlatsi Horatius Ndhlovu - 740422 5272 084 - 925 B White City, Mlangeni Street, SOWETO, 1868 - *Mothibedi*
10. Simon Siluma - 700609 5770 087 - Stand No 219, SIYABUSWA, 0472 - *Thubane*
11. Philemon Nkosi - 750709 5419 088 - 10356 A, Ndabezitha Street, SOWETO, 1700 - *Vilakazi*
12. Sandile Wellington Nyirenda - 830210 5413 084 - 9126 Illovo, WINKLESPRUIT, 4126 - *Ngema*
13. Samuel Molete Pretorius - 750525 6006 082 - 15363 Extension 11, MOHLAKENG, 1766 - *Moseki*
14. Innocent Sfiso Mkwana - 870127 5435 084 - 971 Block Xx, SOSHANGUVE, 0152 - *Madohsela*
15. William Kgetla Mabusela - 760807 5888 084 - No 1531, TEMBA, 0407 - *Mathaba*
16. Manabeng Jonas Kekana - 850614 5644 082 - Tambo 2, Stinkwater, HAMMANSKRAAL, 2940 - *Kgwete*
17. Lesetsa Lion Mamabolo - 830215 5581 087 - 3525 Extension 6, DIEPSLOOT, 2194 - *Modiba*
18. Thula S'busiso Mzelemu - 810731 5583 083 - Hlanzeni, UMNINI, 4125 - *Mbambo*
19. Nhlalohle Cavin Thabethe - 990303 6023 089 - Phumekhaya Road, Nonoti Area, PINETOWN, 2033 - *Miya*
20. Pertunia Motshwane - 940805 1126 080 - House No 269, Phomolong Section, MANKWE, 0314 - *Mhlanga*
21. Zodumo Ndbeni - 890813 1024 081 - Mazizini A/A, NGQELENI, 5140 - *Sivingcela*
22. Tlhogelogo Godfrey Makobe - 980109 5925 089 - P O Box 321, JANE FURSE, 1085 - *Mohlala*
23. Zimisele Magcaki - 990614 5619 085 - Lower Brooksnek Village, MT AYLIFF, 4735 - *Ngqoko*
24. Busisiwe Samukelisiwe Mbele - 901105 1310 082 - Esk NO 1246, Doringkop, DANNHAUSER, 3080 - *Mathonsi*
25. Bonginkosi Pride Sibiya - 920829 5303 085 - 25582 Mohlaring Street, Etwatwa, DAVEYTON, 1520 - *Moepya*
26. Reuben Malesela Masopoga - 980402 5804 085 - 282 Driefontein, SIYABUSWA, 0472 - *Gase*
27. Abram Tsietso Mabaso - 800416 5489 083 - 3562 Unit 9, GA-RANKUWA, 0208 - *Botsane*
28. Sydwell Mbonengi Mphukeng - 960911 5809 088 - 221 Kwagamokuhle, HENDRINA, 1095 - *Mavuso*
29. Fhedzisani Sophie Goba - 530306 0331 082 - Wegdraai, RADITSHABA, 0718 - *Motsoko*
30. Moses Matsepu Makhulwane - 680425 5494 089 - Stand No 888, Tsantsabela, MARBLE HALL, 0450 - *Phiri*
31. Isaac Nkosinathi Thwala - 871224 6271 086 - 101 / 20 Extension 33, ERMELO, 2351 - *Mndebele*
32. Jonas Lesiba Ramakgolo - 870612 5686 083 - Ga-Paledi, POLOKWANE, 0700 - *Mothiba*
33. Thulani David Tuffin - 981207 6093 086 - 32 Staines Road, PLUMSTEAD, 7801 - *Lewin*

34. Motakisi John Salome - 771022 5869 087 - 2952 Extension 6, TAUNG, 8584 - *Churape*
35. Relebogile Disebo Elizabeth Thamae - 930706 0324 084 - 2898 Matlala Street, VOSLOORUS, 1475 - *Nketsing*
36. Casline Mmasegaila Kgola - 970412 0606 080 - Stand No 472, Chebeng Village, SESHEGO, 0742 - *Madikoto*
37. Brian Lungelo Duma - 960807 5521 089 - 060748 Matabetuluqadi, INANDA, 4309 - *Shelembe*
38. Gosego Donald Sanane - 900604 6142 087 - House No 94 E, Gadiboe, KURUMAN, 8460 - *Mebile*
39. Buyile Nontombana - 931104 6135 085 - 20821 Lonja Street, Normzomo, STRAND, 7140 - *Nikelo*
40. Dengizulu Eagle Telane - 911005 5377 087 - 1220 Bolata, WITSIESHOEK, 9870 - *Mokoena*
41. Vusi Saul Vilakazi - 910112 5521 085 - 6830 Thusi Village, ERMELO, 2350 - *Petersen*
42. Mhlori Edmond Mhangwana - 881224 5438 080 - 312 Sophie De Bruyn Street, PRETORIA, 0001 - *Mathebula*
43. Sibonelo Lloyd Mabaso - 821212 6140 089 - 16 Streacham Crescent, WOODLANDS, 4004 - *Dlamini*
44. Abram Abie Mabutla - 870716 6150 088 - 556 B Sebota Street, MEADOWLANDS, 1852 - *Thokoane*
45. Xolani Petros Mnguni - 731203 5333 089 - Thonsini Area, UNDERBERG, 3257 - *Jama*
46. Daisy Mabutla - 890531 0820 081 - 556 B Sebota Street, Zone 7, MEADOWLANDS, 1852 - *Thokoane*
47. Nomfundo Qubeka - 851114 0410 083 - 6 Huntingdan Road, Morningside, SANDTON, 2196 - *Mphela*
48. Natasha Refilwe Radebe - 871208 0397 088 - 2053 Extension 2, BOPHELONG, 1913 - *Nthibogelang*
49. Wonder Laki Maseko - 891017 5527 086 - E 027 Molefe, WINTERVELDT, 0198 - *Malapane*
50. Jeremiah Boikhutso Lephadi - 761212 5622 089 - 4085 Extension 9, Khutsong Location, CARLETONVILLE, 2500 - *Pelesa*
51. Andrew Babo Lephadi - 790625 5959 083 - 4085 Extension 9, Khutsong Location, CARLETONVILLE, 2500 - *Pelesa*
52. Martha Mokawane - 700306 0986 087 - 10483 Lohatlheng Section, MADIBOGO, 2772 - *Tshilo*
53. Boitshoko Patience Mohibidu - 741018 0068 086 - B 01, Kokoana, MOROKWENG, 8617 - *Mothibakgomo*
54. Ditiro Joseph Manyedi - 720501 6096 081 - 2737 Legakabe Street, SCHWEIZER RENEKE, 2780 - *Botsene*
55. Abram Modisaotsile Senosi - 660406 6223 085 - Gopane Village, Boseja Section, LERATO, 2882 - *Chidi*
56. Fezile James Moya - 780622 5825 085 - Stand No 2067, KANYAMAZANE, 1214 - *Shabangu*
57. Nkosithethile Mahintsho - 971215 6168 081 - Ntsizwa, MT AYLIFF, 4732 - *Nyangule*
58. Yvonne Keneuwe Khumalo - 910120 0616 081 - 13011 Phase Six, BLOEMFONTEIN, 9300 - *Mnhlonhlo*
59. Boitumelo Gloria Mafubedu - 890320 1090 088 - 1091 Tladi Majoro Street, KWA XUMA, 1868 - *Segaetsho*
60. Itumeleng Daniel Dipetse - 680520 5786 086 - 16948 Grassland, BLOEMFONTEIN, 9323 - *Matetoane*
61. Khethiwe Dlamini - 960720 0897 083 - P O Box 3297, UMZIMKULU, 3297 - *Mahlaba*
62. Octavia Nondumiso Lekhuleni - 981204 0398 082 - Shabalala Trust, HAZYVIEW, 1242 - *Mahlangu*
63. Goodwill Lunga Mabelane - 920306 5623 085 - 819 Block Nn, SOSHANGUVE, 0152 - *Mpondo*
64. Unathi Nongedo Sithole - 980702 0627 088 - Ramzi A/A, Mnyameni Location, LUSIKISIKI, 4820 - *Ngoqwana*
65. Njabulo Sithembiso Ngubane - 930725 5896 086 - P O Box 10892, MEERENSEE, 3901 - *Manzini*
66. Aubrey Thato Mpooa - 900114 5699 087 - 22 Lekealeng Section, TEMBISA, 1632 - *Sekgobela*
67. Thokozani Makofane - 890929 6131 083 - 9534 Extension 20, VOSLOORUS, 1422 - *Gumbi*
68. Nkosinathi Ivory Motau - 910101 7453 082 - 1411 Shingange Street, TSAKANE, 1550 - *Radebe*
69. Sandiso Cebisa Masuku - 970310 6263 080 - 04 / 1952 Inanda Township, DURBAN, 4001 - *Mdlalose*
70. Happy Shadrack Bodiba - 631221 5237 085 - 1437 Block Tt, SOSHANGUVE, 0152 - *Naka*
71. Thabekile Bhebe - 850418 0727 084 - 2404 Nani Street, EVATON, 4004 - *Mkandeni*

72. Thandeka Lovely Chiliza - 901103 0576 084 - 549 Philipus Street, Grasmere, PINETOWN, 1828 - *Khubone*
73. Khutso Carven Majuta - 950811 5620 083 - C 190 Makause Squater Camp, PRIMROSE, 1401 - *Molokomme*
74. Lillian Nkgoai Masemola - 970126 0906 080 - 26796 Lembede Street, MAMELODI EAST, 0122 - *Madishana*
75. Irish Mpho Phale - 850723 5402 084 - 5422 Kanana, HAMMANSKRAAL, 0407 - *Rampaku*
76. Itumeleng Zachiah Sehlabo - 890913 5392 086 - 29 Zone 10, Extension 3, SEBOKENG, 1983 - *Dhlamini*
77. Bhukumuzi Simon Mngomezulu - 930612 6333 089 - 1123 Extension 3, MORGENZON, 2315 - *Mazibuko*
78. Wonderboy Masombuka - 920830 5597 080 - 31 Bundu Inn, MKOBOLA, 0458 - *Skhosana*
79. Luthando Isaac Skosana - 930630 6279 086 - 93 Tshembese Street, Kwanokuthula, PLETTENBERG BAY, 6600 - *Dywili*
80. Sinegugu Thembelihle Msomi - 971017 1155 083 - G 222 Woodyglen Area, HAMMARSDALE, 3700 - *Shelembe*
81. Climent Mkasi - 960428 5967 089 - 13193 Tsietzi, Extension 8, PALMRIDGE, 1458 - *Sibiya*
82. S'yabonga Vincent Ndhlovu - 840910 6616 084 - Saw-Pits Area, UMBUMBULU, 4105 - *Luthuli*
83. Edward Chovede - 881113 5935 080 - 3584 Phase 2, Khutsong Location, CARLETONVILLE, 2499 - *Matsinhe*
84. Phakama Blenjana - 780821 0298 088 - 36 Prestwitch Place, AMALINDA, 5201 - *Bezana*
85. Gerald Matsobane Ramoshaba - 700831 5394 086 - 11601 Sithole Street, MAMELODI EAST, 0122 - *Ngwenya*
86. Phumelele Angel Khumalo - 930722 0352 082 - 21 Dunbar Road, Wiggins, MAYVILLE, 1091 - *Madlala*
87. Siyabonga Raymond Ngidi - 870208 6051 086 - 40428 Russia Area, AMAMZIMTOTI, 4126 - *Mangazi*
88. Vikinduku Goodluck Mazibuko - 790810 6285 080 - Hoffenthal, BERGVILLE, 3350 - *Shabalala*
89. Trevor Edward Mngoma - 800314 5239 089 - 18 Drift Road, LADYSMITH, 3370 - *Shabalala*
90. Ayanda Athur Mncwabe - 880417 5632 089 - 1994 Kwa-Makhuth, AMANZIMTOTI, 4126 - *Mdunge*
91. Tieho Beyer Mofokeng - 890803 5284 088 - 5453 Constantia, KROONSTAD, 9499 - *Lebakeng*
92. John Abram Mabunda - 720505 5785 081 - Stand No 456, Manapsane Village, MARBLE HALL, 0450 - *Matlabane*
93. Thobeka Mkhize - 860520 1381 082 - 1031 Road D, Ingonyameni Reserve, UMLAZI, 4001 - *Maphalala*
94. Yandisa Mafu Siyaca - 830115 5792 082 - 10954 Extension 11, Manepe Street, Evaton West, VEREENIGING, 1983 - *Mboniswa*
95. Tisetso Justice Sondezi - 770312 6121 088 - 267 Block I, Hani View, MAUBANE, 0412 - *Tsotetsi*
96. Xolani Lungisani Nxumalo - 920927 6328 083 - Shane Ara, GREYTOWN, 3250 - *Mazeka*
97. Nomfundo Makhaye - 950920 1473 080 - Swayimane, WARTBURG, 3233 - *Ngcobo*
98. Amos Kettlele - 670108 5311 089 - 193 Ntsu Street, Extension 2, Emdeni, SOWETO, 1865 - *Kettlele-Chalale*
99. Gugu Mkize - 970118 0960 084 - Ward 5, Kwadumisa Location, UMZINTO, 4200 - *Mhlongo*
100. Masego Wilhina Mooketsi - 960115 1124 084 - House No 101 D, Maphla Ranch, KURUMAN, 8460 - *Siamisang*
101. Boitumelo Shashna Mokgophe - 950211 0342 082 - 4057 Maseru Road, Zone 9, MEADOWLANDS, 1852 - *Mngomezulu*
102. Kwenzekile Lucia Mbili - 981119 0707 084 - Mistake Farm, UMZINTO, 4200 - *Shozi*
103. Nomfundo Renë Khumalo - 950623 0861 087 - G 370 Umlazi Township, UMLAZI, 4001 - *Mkize*
104. Siphephelo Silver Macgaba - 980811 5606 086 - No 919 Fredville, INCHANGA, 3670 - *Cele*
105. Enelisa Nqobile Ngeleka - 940309 0415 081 - 5 Oslo Beach, PORT SHEPSTONE, 4240 - *Ntakane*
106. Perseverance Refilwe Mothupi - 910111 0821 086 - 152 Katlegong Street, Amalia, VRYBURG, 2786 - *Mongale*
107. Monwabisi Horace Mazibuko - 961001 5470 088 - Plot 185, Rietfontein Village, MULDERSDRIFT, 1739 - *Mthombeni*
108. Delport Zilindile - 850417 6173 089 - Mooikelder Farm, NOORDER PAARL, 7646 - *Maphini*
109. Siphokazi Dingi - 960515 1200 083 - Mantlaneni, LUSIKISIKI, 4820 - *Tshibilika*



110. Nompumelelo Mqadi - 951119 0967 080 - Luthulini Location, BIZANA, 4800 - *Xhate*
111. Dumisani Mduduzo Nhleko - 921219 5656 089 - 9 A Kwathandeka, AMSTERDAM, 2375 - *Mabuza*
112. Ntokozo Prince Vilakazi - 920705 6279 088 - Cc 14 Sibisi Road, Emalangeneni, HAMMARSDALE, 3700 - *Mweli*
113. Malibongwe Sithole - 920618 6042 085 - 41183 Lehlohonolo Street, Extension 19, TSAKANE, 1550 - *Ntombela*
114. Thando Kewuti - 920529 5888 081 - Teko Fihla A/A, CENTANE, 4980 - *Ngcuka*
115. Mfundo Morgan Mabaso - 920519 5709 080 - F 140 Sbusiso Mdakane Road, UMLAZI, 4001 - *Mtshali*
116. Brian Sephiwe Molepa Rabotapi - 910412 5961 087 - 3 C Malcom Avenue, Delmore Park, BOKSBURG, 1411 - *Mogashoa*
117. Contse Herman Kgapola - 870918 5611 082 - 39 Mimosa Street, Proclamation Hill, PRETORI, 0183 - *Moche*
118. Elizabeth Nyembe - 511130 0186 087 - 305 Klamkleshe Street, Zone 7, PIMVILLE, 1809 - *Khanyile*
119. Mzwandile Elias Nbungwana - 720408 5957 083 - P O Box 122, MATATIELE, 4730 - *Gcawu*
120. Ngwako Joseph Martha - 990408 6387 085 - P O Box 292, PAULUSWEG, 0814 - *Marutha*
121. Ibanathi George - 980428 5896 086 - Durban Location, PEDDIE, 5640 - *Matiso*
122. Grace Ntombifuthi Pilane - 961001 0263 082 - 1325 Diale Mohlakeng, RANDFONTEIN, 1759 - *Nkosi*
123. Tiyani Freeman Ngobeni - 900720 5992 080 - 1302 Manyunyu, BUNGENI, 0960 - *Mahlawule*
124. Nkwenzakufani Zondi - 921202 5472 087 - Nkwezela Location, BULWER, 3244 - *Msomi*
125. Phemelo Silas Kgophane - 930111 5679 089 - House No 297, Mokgareng, TAUNG, 8584 - *Goserotse*
126. Peris Ntibanane - 970210 6233 085 - P O Box 1058, NELSPRUIT, 1245 - *Khoza*
127. Mack Tebogo Tshabalala - 690812 5984 086 - 1870 Diphetoe Street, Zone 1, GA-RANKUWA, 0200 - *Sehume*
128. Mazwila Josphini Jakarasi - 640326 0250 089 - 1452 Micha Kgasi, KGABALATSANE, 0201 - *Mogale*
129. Oraletse Joseph Olifant - 760329 5842 086 - 2130 Zone A, Ikhutseng Location, WARRENTON, 8530 - *Toloko*
130. Sephiwe John Sandile - 830823 5948 089 - 4715 Savannah City, DE DEUR, 1984 - *Zwane*
131. Phephishe William Senosha - 741116 5618 085 - 568 Block A, MABOPANE, 0190 - *Manamela*
132. Katlego Motsusi - 890706 5282 087 - 2096 Papaya Street, TOEKOMSRUS, 1759 - *Ramphore*
133. Nkanyiso Myeni - 970215 6094 080 - P O Box 437, MTUBATUBA, 3935 - *Zondo*
134. Devilliers Sam Nkosi - 650313 5447 081 - Stand No 754, EMTHONJENI, 1170 - *Shoba*
135. Maropeng Bassie Sekele - 820309 5728 087 - Stand No C49, GAMATLALA, 1030 - *Lekoatsipa*
136. Azwidini Muthala - 880924 1503 081 - Maraxwe, VHEMBE, 0950 - *Nemutamba*
137. Mukondeleli Steven Mathuba - 840828 5455 082 - P O Box 2422, SHAYANDIMA, 0945 - *Malanga*
138. Bonginkosi Eralth Mkhathswa - 940314 5469 083 - 3082 Msiza Street, Extension 5, Kwaguqa, WITBANK, 1035 - *Marabe*
139. Tembelani Hlokomile - 740714 5669 081 - Cezu A/A, MQANDULI, 5080 - *Njinana*
140. Zuziwe Dzanibe - 880321 0617 089 - Mgomanzi, BUTTERWORTH, 4960 - *Ngwevushe*
141. Fayzool Gani - 560120 5041 080 - 156 Taj Street, LADIUM, 0037 - *Mahomed Gani*
142. Sandra Davedene Scheepers - 980828 0173 086 - 17 Mosterhoek Street, Tafelsig, MITCHELLS PLAIN, 7985 - *Jansen*
143. Livhuwani Ndou - 881110 5670 089 - P O Box 62, LWAMONDO, 0983 - *Mavhina*
144. Philani Mzwakali - 980714 5898 085 - Gqogqora A/A, TSOMO, 5400 - *Zwakala*
145. Kgutatso Mhlongo - 951030 6093 088 - Stand No 2090, Langaloop Trust, NKOMAZI, 1341 - *Tibane*
146. Siyabonga Victor Sukazi - 971210 6166 086 - 474 Bennie Street, Sheepmoor, ERMELO, 2352 - *Dladla*
147. Thukela Wilbertforce Ndleleni - 871123 5355 082 - 1164 A White City, JABAVU, 1868 - *Hlatshwayo*



148. Tlhokamoni David Moremi - 781029 5483 080 - 1173 Paul Le Roux Street, BULTFONTEIN, 9670 - *Lelala*
149. Kokonyana Rachel Kekana - 610125 0430 089 - 05 Ga-Botha, SIYABUSWA, 0457 - *Legoabe*
150. Khululiwe Fortunate Makhubo - 870114 0787 081 - 9810 Extension 7b, ORANGE FARM, 1845 - *Kheswa*
151. Khuludi Keitumetse Nkosi - 920812 5547 083 - 36 Manotshe Street, ATTERIDGEVILLE, 0008 - *Mpebe*
152. Gordon Titsana Maluleke - 770901 5794 083 - Stand No 7540, Extension 6, BELA-BELA, 0480 - *Ranoto*
153. S'busiso Blessing Zondi - 820523 5304 083 - 2046, KWAMAKHUTHA, 4126 - *Nala*
154. Kagiso Lawrence Mocuminyane - 940529 5437 083 - Shaleng Village, ATAMELANG, 2732 - *Makgoana*
155. Prudence Tsakane Madira - 981228 0610 089 - 20045 Kopanong Village, LEPHALALE, 0609 - *Mogale*
156. Matthews Lucky Xaba - 820228 5469 080 - Unit 48, Cedar Valley, 426 Rifle Range Road, OAKDENE, 2190 - *Mdluli*
157. Johannes Lehlohonolo Motaung - 630606 5516 085 - 6117 Chris Hani Drive, Extension 7, RATANDA, 1441 - *Modise*
158. Siyanda Lumkile - 970228 6333 085 - Wilo A/A, MQANDULI, 5080 - *Zweni*
159. Sue Legodi - 990121 1198 080 - 340 Roes-Etta Street, PRETORIA WEST, 0183 - *Seboka*
160. Naledi Thandiwe Mabizela - 971111 0628 081 - 2521 Lefatula Street, Rockville, SOWETO, 1868 - *Thekiso*
161. Kenneth Ndaba - 840906 5567 088 - 576 Block G, SOSHANGUVE, 0152 - *Sibiya*
162. Reabetswe Setloboko - 930219 0612 086 - 15413 Kulungile Street, Lwand, STRAND, 7140 - *Tebele*
163. Nozipho Precious Mayeza - 930106 1379 080 - P O Box 81, Insdtitute Street, PIETERMARITZBURG, 3200 - *Mncube*
164. Lungile Princess Ntuli - 920518 1374 089 - Mayelesweni Area, NDWEDWE, 4342 - *Mngomezulu*
165. Billy Madukologe Shoba - 920304 6214 087 - Malomadiye, GA-NKOANA, 0749 - *Moeti*
166. Nompumelelo Memory Nkabinde - 910516 0629 083 - 1608 Mbabane, DANNHAUSER, 3080 - *Gamede*
167. Lufuno Tshovhote - 910416 5883 084 - Mukumbani, VHUFULI, 0971 - *Mamma*
168. Mzokhona Goodman Mkize - 750416 5935 085 - Imbali, PIETERMARITZBURG, 3200 - *Ngubane*
169. Kgotlaethata David Gaesale - 540827 5567 089 - 5579 D Gaobape Street, VRYBURG, 8600 - *Makhobosi*
170. Jonas Motlhaka - 800711 5394 089 - 4151 Stinkwater, HAMMANSKRAAL, 0407 - *Matlou*
171. Mphilwenhle Khethukuthula Ngcobo - 990602 5485 086 - A 83 Siyanda, KWA MASHU, 4359 - *Mchunu*
172. Mbali Londiwe Magubane - 910123 0718 089 - 600 South Coast Road, CLAIRWOOD, 4052 - *Gigaba*
173. Neliswa Ndlovu - 960514 0985 083 - M 1141 Mpukane Road, KWAMASHU, 4360 - *Madondo*
174. Rudzani Charlotte Khethani - 931006 0591 082 - Bale Village, GA-MANENZHE, 0900 - *Ramphabana*
175. Theminkosi Talent Mthiyane - 971228 6212 080 - Maphephetheni Area, No 030582, INANDA, 4310 - *Mzobe*
176. Mhlengi Nduduzo Msomi - 960423 5831 088 - Q 1309 Mzomusha Road, KWA MASHU, 4360 - *Xaba*
177. Mixo Mthombeni - 970205 5612 081 - P O Box 52, MALAMULELE, 0982 - *Sambo*
178. Nhlahlala Hlungwani - 980914 0174 082 - P O Box 443, SASELAMANI, 0928 - *Chauke*
179. Perceverence James - 850702 5555 083 - 1758 Carousel View, Block B, HAMMANSKRAAL, 0407 - *Wang*
180. Fanie Christian Khoza - 780817 5958 080 - 1157 Qwabe Street, Phola Location, OGIES, 2233 - *Veldman*
181. Joaquim Gonslaves Motshehoa - 970608 5806 084 - 1770 Thembisile Hani Local Municipality, THEMBALETHU, 0458 - *Goncalves*
182. Andiswa Portia Katshuka - 971007 0160 085 - 40 Ilala Street, 1183 Extension 21, Rondebult, GERMISTON, 1401 - *Mokoena*
183. Thapelo Joseph Khongoana - 920714 5225 084 - 60998 Extension 15, EVATON, 1984 - *Mokale*
184. Vusumzi Oupa Shabangu - 941114 5058 087 - 23041 Palesa Street, Barcelona, DAVEYTON, 1519 - *Masilela*
185. Hlengiwe Ziyanda Zama Moetanalo - 970413 0280 082 - A 22 Madonsela Street, PONGOLA, 3170 - *Mnguni*

186. Lesoena Mishack Matlala - 460822 5275 086 - P O Box 744, NEBO, 1059 - *Chagane*
187. Letuane John Seloane - 960917 5632 081 - Dingwane, SEKHUKHUNE, 1124 - *Makunyane*
188. Kopano Boniface Loabile - 990125 5051 088 - 29276 Chris Hani, BLOEMFONTEIN, 9300 - *Mojakgolo*
189. Samukele Patric Moloi - 970605 5492 089 - 2727 Thoromile Street, Extension 13, Paradise, VOSLOORUS, 1475 - *Sithole*
190. Adelaid Nomalihwe Nongoma - 600830 0665 087 - 149 / 10 Enxiweni Section, TEMBISA, 1632 - *Lumka*
191. Thabo Simon Motsepe - 861109 5501 082 - 295 Mmotong Section, KGABALATSANE, 0208 - *Motshwane*
192. Zukisa Luke - 951002 6414 085 - Manzana A/A, NGCOBO, 5050 - *Dauwa*
193. Tsholofelo Melisa Dlamini - 931123 0154 082 - 391 Mmamahabane, VENTERSBURG, 9450 - *Shuping*
194. Kgolofelo Reabetswe Motlou - 981217 5273 084 - 24 Koba Street, NORKEM PARK, 1619 - *Motiang*
195. Gabrielle Van Der Merwe - 980607 0057 089 - 605 B Smook Avenue, Roseville, PRETORIA, 0084 - *Erasmus*
196. Kgarola Andrew Mothapo - 880719 6195 085 - N 165 Makaus Squater Camp, PRIMROSE, 1401 - *Mathobela*
197. Zandile Jama - 960217 0971 083 - Jolweni Location, BULWER, 3244 - *Phoswa*
198. Kopano Magoma - 960529 5789 082 - Moroke, MOROKE, 1154 - *Setino*
199. Yonela Bangilizwe - 970930 0552 087 - Ntlamvini, NTABANKULU, 5130 - *Diko*
200. Aiden Carl Bosman - 980615 5120 083 - 34 Hertzog Street, Schoemansville, HARTBESPOORT, 0216 - *Kelly*
201. Nondumiso Langa - 941204 1357 086 - Othulini Area, MSINGA, 3250 - *Ngcobo*
202. Elphas Mbali Zwane - 720209 5658 089 - Cottonlands Area, VERULAM, 4400 - *Mthembu*
203. Lucky Mayekiso - 981015 5633 087 - 27 Matopo & Swartberg Street, Rondebult, GERMISTON, 1432 - *Nhlanganiso*
204. Mosibudi Pinky Motloutsi - 920805 0961 085 - Pulaneng Village, NAPHUNO, 0887 - *Makgoba*
205. Lindani Genius Nhlathathi - 940808 6356 082 - Stand No 1402, PIET RETIEF, 2880 - *Nkosi*
206. Pule Tsotetsi - 981029 6020 087 - 3704 Extension 1, STANDERTON, 2430 - *Mathebula*
207. Lekhomo Timothy Moagi - 901227 6063 084 - P O Box 24, BOCHUM, 0790 - *Kubu*
208. Zwelidumile Chemane - 571011 5193 087 - Ngwaqa A/A, UMZIMKULU, 7297 - *Mbele*
209. Zolani Lesley Luthuli - 860913 5923 084 - K 1889 Gwigwi Road, KWA MASHU, 4359 - *Dlamini*
210. Percival Skhumbuzo Gondwe - 851202 5352 085 - 13992 Yusuf Dadoo Road, Auckland, MARIANHILL, 3604 - *Dladla*
211. Sanele Ngubane - 950220 6254 084 - Othame Area, MSINGA, 3010 - *Ndlovu*
212. Sanele Lesly Hadebe - 910905 6412 083 - No 1568, Mahhashine, ESTCOURT, 3310 - *Madondo*
213. Khulekani Zikode - 921110 6160 082 - Thonsini Area, UNDERBERG, 3257 - *Ndlela*
214. Clermont Lerata Maiyane - 950112 5520 088 - 1179 Block A, MABOPANE, 0190 - *Kgalapa*
215. Zimisele Makinana - 930706 6307 083 - Mtati Location, KING WILLIAMS TOWN, 5600 - *Ngwanzi*
216. Bongeka Bangani - 951231 1062 082 - Ntsingizi Location, ELLIOTDALE, 5040 - *Ndleleni*
217. Thabo Jetro Sikwambane - 900330 6319 083 - Stand No 276 / 05, EMGWENYA, 1195 - *Maroga*
218. Rotondwa Ishmael Mubi - 990607 6181 089 - 112 – 16 Avenue, ALEXANDRA, 2090 - *Ramakavhi*
219. Nolusindiso Dewukile - 920328 1030 081 - Ncihana A/A, ELLIOTDALE, 5070 - *Mbethe*
220. Sibusiso Daniel Mpanza - 980920 5201 085 - 3327 Mlanjeni Street, DIEPSLOOT, 2189 - *Nkosi*
221. Sydney Kgaugelo Mampana - 910504 5463 088 - Stand No 182, RAMAGELETSANE, 2010 - *Hlako*
222. Goitseman Florance Solane - 940208 1380 080 - House No 690H House no, Kgomo Village, PAMPIERSTAD, 8566 - *Setumisho*
223. Thabang Lord Petsane - 900523 5236 080 - 7698 Khotso Street, Extension 2, KATLEHONG, 1431 - *Sehloho*

224. Thobani Msomi - 930713 5887 081 - 914 No, KWAMAKHUTHA, 4126 - *Majola*
225. Karabo Moramang - 970114 0894 084 - 3507 Taylor Park, ZAMDELA, 1949 - *Takalo*
226. Bathandwa Nzeki - 970607 1211 083 - Qunu A/A, UMTATA, 5050 - *Maskoti*
227. Cynthia Busisiwe Macingwane - 830110 0462 088 - 13505 Flamingo Street, Phola Park, THOKOZA, 1426 - *Madlanga*
228. Mandla Moses Mkhwanazi - 770718 5285 080 - 79 / 1 Skeleton Street, MID-ENNERDALE, 1686 - *Ndhlovu*
229. Zacharia Sekgalabe Mashile - 810410 5487 088 - 420 Leyds Street, Sunnyside, PRETORIA, 0100 - *Gololo*
230. Thulasizwe Prince Mngadi - 671205 5340 081 - A 2293 Golide Road, NTUZUMA, 4960 - *Sibisi*
231. Simon Lulamile Mtshiqwana - 800305 5923 086 - Lot 2268, Zinye Road, WELDERDACHT, 4000 - *Mtshela*
232. Gladys Obakeng Mokgatlhane - 801118 0586 082 - 874 Zone 2, LETLHABILE, 0200 - *Nyepetsi*
233. Glamorous Tinny Nonhlanhla Sithole - 791108 0554 083 - A 163, EZAKHENI, 3381 - *Mthombeni*
234. Alex Roberto Mogolegwa - 980220 6185 084 - 94 – 7th Street, SPRINGS, 1559 - *Jardim*
235. Themba Oscar Mametja - 770717 5418 089 - 923 Kwanele South, KATLEHONG, 1401 - *Skosana*
236. Present Selemela - 830523 5932 089 - 4058 Mashemong Section One, Block D, HAMMANSKRAAL, 0400 - *Mokoka*
237. Julia Dana Semake - 440120 0407 084 - 1872 Vuka Section, OUKASIE, 0200 - *Matlou*
238. Mabona Ruth Jili - 980309 6371 081 - Bombo Location, UMZIMKULU, 3297 - *Tshazi*
239. Thuso Kgwete - 870605 5452 084 - 11386 Extension 1, SUNRISE PARK, 0500 - *Mbenge*
240. Thabang Seroka - 860725 6035 084 - 471 Malaeneng, MOHLALETSE, 1120 - *Mositsa*
241. Ntombifuthi Elizabeth Manyoni - 910811 0926 088 - 154 Kubheka Street, Blaauwbosch, OSIZWENI, 0952 - *Mabaso*
242. Gugu Masondo - 700813 0748 086 - 50 Malahla Street, VOSLOORUS, 1468 - *Ngcobo*
243. Sphephelo Magnificent Motha - 990212 5880 086 - Stand No 599, EMTHONJENI, 1170 - *Hlophe*
244. Tshepiso Penwell Shabangu - 910226 5656 087 - P O Box 5189, IMBONGOZI, 1333 - *Dlamini*
245. Carla Arantxa Marthinus - 900528 0141 086 - Skurweberg And Platberg Street, MIDRAND, 1682 - *Mackenzie*
246. Wesley Mulalo Ramaligela - 940825 5793 081 - 34 Drimia, DOORNPOORT X41, 0001 - *Tshiguvho*
247. Senzo Hlongwa - 990502 5517 088 - 35152 Morogorogo Street, Extension 34, Etwatwa, DAVEYTON, 1520 - *Ngoyi*
248. Sihle Myende - 930820 6483 081 - Isipofu Road, UMTHWALUME, 4186 - *Mvubu*
249. Lucia Vonani Mlambo - 971220 0562 081 - P O Box 162, SASELAMANI, 0928 - *Hlungwani*
250. Lesiba James Malane - 911001 5740 085 - 1805 / 100 Block P, SOSHANGUVE, 0152 - *Moriti*
251. Khulekani Proffesor Magagula - 950612 5558 087 - 1171 No, KABOKWENI, 1245 - *Gwebu*
252. Nkosinathi Phillip Ndlovu - 910523 5563 085 - Stand No 6, BOEKENHOUTHOEK, 0458 - *Hlatshwayo*
253. Ntokozo Godfrey Khanye - 910201 5579 084 - 7309 Zonkizizwe, Extension 2, ZONKIZIZWE, 1431 - *Twala*
254. Kaanita Shamiem Trout - 751224 0205 085 - 24 – 19th Street, PAGEVIEW, 2092 - *Varachia*
255. Marcellino Siphso Khoza - 790423 5677 081 - Stand No 395, Aniva Section, DRIEKOPPIES, 1331 - *Silinda*
256. Lindokuhle Thamsanqa Bhekinkosi Nkwanana - 990126 5247 080 - 11 Chapman Road, Lambton, GERMISTON, 1401 - *Gambushe*
257. Sandile Manyoni - 911106 6216 082 - 3149 Mzimayi Street, Langaville, Extension 4, TSAKANE, 1550 - *Mathonsi*
258. Ronald Tshiseluselu - 961205 6096 087 - Private Bag X1230, VUWANI, 0952 - *Mulovhedzi*
259. Sizwe Patrick Nkosi - 921109 6032 085 - 6364 No, KABOKWENI, 1245 - *Mashele*
260. Matimba John Mandlazi - 790403 5836 085 - Mbambamecisi Village, RITAVI, 0870 - *Ngobeni*
261. Walter Christopher Diale - 790322 5576 089 - 321 Mmutle Street, Tlhabane, RUSTENBURG, 0309 - *Moerane*

262. Tuelo Johannes Seleke - 720724 5443 084 - 2072 Rakgoale Street, HOOPSTAD, 9479 - *Monehi*
263. Rick Coetsee - 890829 5174 086 - P O Box 442, TZANEEN, 0850 - *Espach*
264. Andile Thulani Gojo - 830410 5763 088 - Unit 11, Huntington Close, JOHANNESBURG, 2020 - *Xaki*
265. Thamsanqa Gumede - 800830 5725 082 - 3 De-Hoek Complex, RANDFONTEIN, 1760 - *Mpela*
266. Sthembiso Thamsanqa Mncube - 860303 5516 080 - G 173, UMLAZI, 4100 - *Shongwe*
267. Godfrey Tshalala Mathebula - 700428 5719 089 - 63 Oscar Street, Birchleigh North, KEMPTON PARK, 1619 - *Mongwe*
268. Matome Mateta - 891022 5668 088 - 599 Mama Street, SIYATHUTHUKA, 1102 - *Mathipa*
269. Collen Mbongiseni Masombuka - 810214 5328 080 - No 451, SIYABUSWA, 0472 - *Mahlangu*
270. Castro Sakhile Mabidzha - 750612 6307 080 - 8 Nakuru Street, Vusimuzi Section, TEMBISA, 1620 - *Mthembu*
271. Folo Aubrey Seete - 830730 5290 083 - Stand no C348, MAKGAAPHONG, 0630 - *Kgotego*
272. Colleen Zolani Ntshwanti - 791206 5650 086 - 4 Idaliya Street, Bongweni, KHAYELITSHA, 7793 - *Ndesi*
273. Sandile Maxwell Chili - 731010 6643 089 - 1 Younla Road, ESCOMBE, 4093 - *Gumbi*
274. Phumudzo Percy Makhado - 820624 5556 084 - 1437 Tutu Road, Payneville, SPRINGS, 1559 - *Mufamadi*
275. Lephethe John Ntsheni - 611005 5767 082 - 1748 Mayibuye, Extension 34, MIDRAND, 1685 - *Choshane*
276. Celani Shezi - 971216 5649 089 - 4 Nilgiri Crescent, ISIPINGO RAIL, 4133 - *Xulu*
277. Nkgatho Benedict Mokolo - 700524 5521 085 - 18957 Section R, MAMELODI WEST, 0122 - *Masemola*
278. Nonhlanhla Belinah Tsotetsi - 840801 0311 089 - 11 Matheberabe Street, LOTUS GARDENS, 0010 - *Makhubo*
279. Cherol Lindiwe Lefifi - 720303 1107 082 - 202 / 11906 Zone 9, PIMVILLE, 1809 - *Sibanyoni*
280. Zanele Rejoice Mkhize - 750915 1137 083 - 685 Unit 5, PIETERMARITZBURG, 3201 - *Shange*
281. Phikwayinkosi Misael Vilane - 701102 5322 082 - Private Bag X100, NONGOMA, 3950 - *Buthlezi*
282. Mthokozisi Emmanuel Ntombela - 890710 6414 087 - L 1441 Umlazi Township, UMLAZI, 4001 - *Cele*
283. Sibonelo Lwazi Ndlovu - 810217 5703 087 - L 360 Mthungulu Road, KWA MASHU, 4359 - *Shange*
284. Tseko Elias Sekgwatla - 830517 6046 089 - House no 333, SANDFONTEIN, 0314 - *Morukhu*
285. Joseph Buti Macheke - 650627 5610 087 - 518 Hans Kekana, TEMBA, 0407 - *Hlatswayo*
286. Ntlahatsang Gloria Moswang - 900428 0560 080 - House C 147, Seloshesha Section, MOROKWENG, 8614 - *Sesele*
287. Herman Skhosana - 920917 5603 081 - 1821 Ramogotse Section, CHANENG, 0310 - *Mabule*
288. Itumeleng Boldwin Telekelo - 920417 5884 088 - 85 Pilane Street, TLHABANE, 0309 - *Kgaswe*
289. Sandile Thamsanqa Mthembu - 960313 6303 080 - P O Box 338, EMPANGENI, 3380 - *Qwabe*
290. Keamogetswe Ntloedibe - 900205 5681 081 - 695 Mothotlung, BRITS, 0268 - *Mokwena*
291. Zweli William Xaba - 970712 5475 088 - 13 Lethabo, Riversdale, MEYERTON, 1936 - *Lwandle*
292. Sindiswa Emanuel Khoza - 901120 5967 084 - C 346 Newtown, INANDA, 4306 - *Khumalo*
293. Andries Seanego - 781128 5778 083 - 200 Morolong Section, JERICHO, 0189 - *Ramashala*
294. Nozuko Mqwanqwa - 750525 1546 082 - 40541 Newtown, BAPONG, 5269 - *Notsheyi*
295. Zesizwe Precious Khomo - 860211 0816 084 - A 878 Mavovo Road, HAMMARSDALE, 3699 - *Ntinga*
296. Freddy Ratthagana Mmole - 820419 5868 088 - 190 Show Court, No 16 Soutter Street, PRETORIA WEST, 0152 - *Kolobe*
297. Ramatsobane Jerry Mmole - 800902 6166 085 - 190 Soutter Street, Show Court, PRETORIA WEST, 0152 - *Kolobe*
298. Michael Gelyke Mokoka - 771006 5795 087 - 478 Dithabaneng Section, PHOKENG, 0335 - *Mafatshe*
299. Matuma Frans Molekoa - 911003 5362 084 - B 0008 Msholoji, KWAMHLANGA, 1020 - *Maisela*

300. Mogomotsi Innocencia Sedimo - 931108 0321 088 - 265 E Choseng, TAUNG, 8584 - *Tuabeng*
301. Bonginkosi Ncokayithobi - 950113 5582 086 - 30351 Majakaneng, BRITS, 0252 - *Khunou*
302. Mthokozisi Brian Motha - 980204 6159 083 - 1097 Block JJ, SOSHANGUVE, 0152 - *Vilakazi*
303. Dintle Herminah Molefe - 910403 0807 086 - 748 B Thoteng, TAUNG, 8584 - *Legodu*
304. Nala John Sylvester Matome - 730303 7106 086 - 390 Riverside, KGOMO-KGOMO, 0444 - *Setshedi*
305. Shokane Josephina Moloto - 600906 0606 089 - Ga-Phala, BURGERSFORT, 1150 - *Morafe*
306. Anna Maisaka Twala - 731112 0786 086 - 6815 Extension 4, ORANGE FARM, 1841 - *Moletsane*
307. Muzamani Thomas Makhubela - 740917 5711 080 - 94 Makausi Squatter Camp, GERMISTON, 1401 - *Hlomela*
308. Thulani Themane - 881127 5706 085 - 444 Jack-Hindou Street, PRETORIA NORTH, 0182 - *Moroane*
309. Sanele Sikhwebu - 881106 5825 087 - 1727 Tshongweni Section, KATLEHONG, 1431 - *Vundle*
310. Lebohlang Paulinah Mokale - 821105 0580 088 - 212 Credi Section, Mabizela Street, KATLEHONG, 1431 - *Sikwebu*
311. Samuel Butana Chacho - 830204 5424 084 - 5043 Extension 9, Kokosi Township, FOCHVILLE, 2515 - *Ramathibe*
312. Themba Patrick Mlegetya - 810913 5490 085 - 1002 Nxumalo Street, JOUBERTON, 2574 - *Phokwani*
313. Floyd Chabedi - 741027 5384 083 - 1510 Mathibe Street, JOHANNESBURG, 2001 - *More*
314. Akhona Bezuidenhout - 901024 6241 087 - Ngobozana A/A, LUSIKISIKI, 4810 - *Mabena*
315. Simon Ramokgakole Leslie Lekitlane - 710302 5544 086 - 14226 Extension 7, Ikageng, POTCHEFSTROOM, 2531 - *Motlhasedi*
316. Enock Nkosinathi Mabena - 901125 5790 089 - 8548 Platinum Street, Extension 8, NELLMAPIUS, 0122 - *Vilakazi*
317. Londiwe Modesca Ntshangase - 931210 0611 086 - Stand no 1826, PIET RETIEF, 2380 - *Nhlengethwa*
318. Johannes Thabang Hlongwane - 870824 5734 082 - 1350 Block KK, SOSHANGUVE, 0153 - *Gededzha*
319. Gcinani Gogo - 930113 5913 088 - 1554 Ngenani Road, QUARRY HEIGHTS, 4363 - *Bhengu*
320. Sphamandla Mbanjwa - 970616 6516 081 - Kilman Location, UNDERBERG, 3257 - *Dlamini*
321. Mhlengi Mabaso - 920315 6345 085 - Sobabili, ESTCOURT, 3310 - *Zuma*
322. Nathan Mathebula - 960613 5448 087 - P O Box 156, HAZYVIEW, 1242 - *Ngobeni*
323. Felicia Valencia Mbandze - 981210 0535 086 - Kamhanshwa, SIDLAMAFA, 4030 - *Mbatha*
324. Xolani Aubrey Mbambo - 940806 5695 088 - 030254 Bhekisisa Road, MGOLOSI, 3650 - *Madlala*
325. Kwanele Collen Cukutu - 920511 5591 089 - Ny 6 No 11, GUGULETHU, 7750 - *Mgedezi*
326. Mlondolosi Nesi - 930911 6278 082 - NO 10 Block 31, Zone 25, LANGA, 7455 - *Mfiki*
327. Mthuthuzeli Tseke Malaka - 750404 5747 080 - 72 Hlabangana Street, Kwa-Thema, SPRINGS, 1575 - *Boikhutso*
328. Tebogo Amos Kunene - 950402 5047 087 - 36 – 11 Avenue, ALEXANDRA, 2012 - *Kunene-Mphaka*
329. Lehlohonolo Shekeshe - 910406 5451 081 - 334 Phook Section, KATLEHONG, 1431 - *Mofokeng*
330. Keabetswe Criselda Ngakanyane - 970922 0556 085 - Maheng, MOROKWENG, 8614 - *Morapane*
331. Thabiso Moroaswe - 990420 5673 084 - P O Box 888, LEBOWAKGOMO, 0737 - *Mosehlane*
332. Tebogo Setlau - 940607 5517 086 - 27395 Mmutlana Street, Extension 5, MAMELODI EAST, 0122 - *Thulare*
333. Avuyile Roqo - 980410 5767 087 - Nqolo-Nqolo Location, KEISKAMMAHOEK, 5670 - *Nomdatya*
334. Xolani Cebekhulu - 960110 6290 089 - Sunsetrest Farm, DANNHAUSER, 3080 - *Dubazana*
335. Ntokozo Mhlongo - 941214 6283 088 - Kwasenge Area, KRANSKOP, 3268 - *Dlomo*
336. Menzi Sbonelo Ngubane - 911129 6288 083 - Ntembisweni Area, GREYTOWN, 3250 - *Khumalo*
337. Thokozane Petros Caluza - 750619 5797 088 - Ethafeni A/A, UMZIMKULU, 3297 - *Dlamini*



338. Nkosingithandile Sabelo Mbense - 800918 5529 081 - 22 Hetting Westgate, PIETERMARITZBURG, 3200 - *Nkala*
339. Amanda Ngquba - 951202 1179 085 - Silindini A/A, NTABANKULU, 5130 - *Simanga*
340. PHilasande Majola - 980602 6109 083 - Shiyane Area, DUNDEE, 3000 - *Gamede*
341. Mbuiselo Theophilus Motshwarateu - 780105 5643 088 - 56 A Manokwane, TAUNG, 8584 - *Sokupha*
342. Katlego Monama - 900601 5611 088 - 1486 Marokolong, HAMMANSKRAAL, 0400 - *Motaung*
343. Frans Kegoeng - 721205 6254 083 - 347 B Gasese Village, KURUMAN, 8460 - *Motlhabane*
344. Masixole Nondlazi - 881030 5935 086 - Lower Tyholo, MQANDULI, 5080 - *Sirunu*
345. Mlulami Teddy Nonkemfu - 840213 5296 085 - 5182 Sakela Street, Kwazakhele, PORT ELIZABETH, 6000 - *Mgodeli*
346. Simangele Constance Mhlanga - 821027 0392 084 - Kamabuza Farm, ERMELO, 2351 - *Sehlalo*
347. Boitshepo Innocent Piet - 951111 5360 080 - 1687 Mamdela Square, WINDSORTON, 8510 - *Wolf*
348. Sibaphiwe Wakudiashi - 890416 5836 086 - 4108 Sinqolamthi, Lower Cross Road, PHILLIPPI EAST, 7785 - *Nongenzi*
349. Nyambeni Netshishivhe - 970725 6290 082 - 612 Block KK, SOSHANGUVE, 0152 - *Munyai*
350. Baleseng John Boya - 980123 5196 088 - 2282 Block A, MAUBANE, 0412 - *Mahlangu*
351. Justinus Modise Thubane - 910114 5830 086 - NO 814, MAKAPANSTAD, 0404 - *Sibanyoni*
352. Mfundo Peaceperfect Msomi - 841019 5912 087 - 1632 Kwa-Makhutha, AMAMZIMTOTI, 4126 - *Mbelu*
353. Ntaba Isaac Tlhabane - 910602 5859 089 - NO 7564, Extension 10, ALEXANDRA, 2090 - *Dladla*
354. Polar-St-Joshua Hlabakwe - 901219 5131 087 - 7736 Extension 10, ALEXANDRA, 2012 - *Jele*
355. Vincent Teboho Kgosiitsile - 910813 5621 086 - 2707 Monyakeng Location, WESSELSBRON, 9680 - *Nyingwa*
356. Sthembiso Rayman Gida - 940614 6358 080 - GG Location, Ward 22, MURCHISON, 4250 - *Nxumalo*
357. Portia Moncho - 900210 1141 080 - 922 Fani Street, JAN KEMPDORP, 8550 - *Mjele*
358. Oratile Hlungwani - 990210 5815 086 - 1214 Atamelang Section, CHANENG, 0310 - *Masilo*
359. Mabulwana Mantayi - 430105 5159 089 - 18 Tyakamela Street, Wells Estate, PORT ELIZABETH, 6001 - *Jaloyi*
360. Thabo Happy Molete - 771225 5945 084 - Mareetsane Village, ITSOSENG, 2745 - *Segapo*
361. Brenda Makodu Rakealakane - 860614 1055 083 - Stand no 9666, Extension 6, MHLUZI, 1051 - *Mogola*
362. Shiela Sarah Makena - 990423 0595 088 - 6112 Unit 7, TEMBA, 0407 - *Kubayi*
363. Adam Daniel Wiggett - 891123 5055 084 - 65 Hengilcon Avenue, Blairgowrie, RANDBURG, 2195 - *O'hara*
364. Khethiwe Happiness Shoba - 900908 0758 081 - 5171 - 5th Street, Extension 7, TSUTSUMANI, 2090 - *Gwala*
365. Bonginkosi Innocent Methula - 990324 5630 088 - Turton Location, MTHALUMA, 4186 - *Nzama*
366. Nokulunga Sebenele Mabuyakhulu - 980922 1634 087 - Nkulu Location, GAMALAKHE, 4249 - *Simelane*
367. Philangenkosi Mabhiyoyo Mbuyazi - 900424 6540 085 - P O Box 14, MBAZWANA, 3974 - *Khoza*
368. Thabile Sphehile Ndwandwe - 971015 0391 089 - Reeves Road, Msahweni Area, ADAMS MISSION, 4100 - *Mtshali*
369. Johannes Tebogo Shikwambane - 930411 5674 084 - 826 Block H, SOSHANGUVE, 0152 - *Phosa*
370. Hezekiel Valoi - 950922 6492 081 - P O Box 558, MBAMBISO, 1335 - *Mthethwa*
371. Letlhogonolo Mamorare - 911212 5477 087 - 826 Block H, SOSHANGUVE, 0152 - *Vuma*
372. Kwisiso Ramathabathe Koma - 980914 1174 081 - 20081 Matlolo, BURGERSFORT, 1150 - *Senyolo*
373. Rofhiwa Mafuzhule - 990812 5754 080 - Tshifudi, MUTALE, 0956 - *ndou*

## DEPARTMENT OF HOME AFFAIRS

NO. 920

01 SEPTEMBER 2017

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

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

1. Lindokuhle Nkosikhona Cele - 950613 5513 080 - Dube Village, KWADUKUZA, 4450 - *Ngiba*
2. George Obakeng Rampete - 940917 5450 083 - 2348 Mabopane Ext, PRETORIA, 0190 - *Mabe*
3. Sihle Blessing Vilane - 990715 5752 089 - Stand No 1563, Phumula Location, VOLKSRUST, 2470 - *Ncala*
4. Ayanda Zamani Mzila - 900320 6515 087 - Cramond Box, Thokozani Location, PIETERMARITZBURG, 3200 - *Ngubane*
5. Nombulelo Emmie Molefe - 850905 1080 085 - 4441 Phiela Street, ORLANDO EAST, 1804 - *April*
6. Mfanafuthi Renegade Wonder Ngubane - 940604 6499 083 - Khehani Area, WINTERTON, 3340 - *Mazibuko*
7. Semakaleng Rorisang Mokgophe - 970721 0304 086 - 5048 Extension 5, BOITEKONG, 0308 - *Matthole*
8. Viwe Tetani - 981226 0902 084 - Manzana Area, NGCOBO, 5050 - *Xuma*
9. Athini Alfred Ngxabane - 960110 6361 088 - Mahlangu Area, QUMBU, 5150 - *Qwabe*
10. Mavuso Vilana - 940906 6328 083 - 509 Hlaba Street, MTHATHA, 5099 - *Gam*
11. Sinovuyo Thembakazi Ciliwe - 980219 0191 080 - 173 Reyini Street, Moses Madiba, KIRKWOOD, 6120 - *Jack*
12. Nontoko Lungile Precious Mazibuko - 981010 0180 085 - 167 Marakana Section, Morgenthal, RUSTENBURG, 0300 - *Mabiletsa*
13. Welcome Deken - 910205 5704 089 - Tshapile Area, NGCOBO, 5050 - *Talapile*
14. Siphamandla Siketile - 981010 5708 088 - 714 Ntuli Street, LAMONTVILLE, 4027 - *Mpumela*
15. Nomacega Sophie Setiso - 441102 0198 086 - 1947 Extension 4, Kgakala, LEEUDORINGSTAD, 2640 - *Majangaza*
16. Mabotse Fridah Mokobo - 730406 0796 082 - Ga-Kuranta, BOLOBEDU, 0850 - *Mashatola*
17. Lovedelia Lerato Matlholwa - 911215 0485 088 - 10174 Makhubung Village, MAHIKENG, 2745 - *Ngono*
18. Rapula Terrence Mafubedu - 940203 5528 081 - 1091 Tladi Majoro Street, KWA XUMA, 1868 - *Segaetsho*
19. Lindani Bhakisisa Ngobese - 941230 5859 082 - Osengele Area, MTUBATUBA, 3935 - *Nkosi*
20. Daddy Mammeshi - 910328 6053 080 - D 278 Matlala Ramoshebo, MARBLE HALL, 0450 - *Kgonothi*
21. Lubabalo Patric Moto - 990420 5939 089 - Qweqwe Admin Area, MTHATHA, 5090 - *Ntozini*
22. Fortune Tamsaqa Denga - 990825 5253 085 - 3991 Umzwi Section, TEMBISA, 1632 - *Qiqimana*
23. Egomotsang Terrence Macogo - 891230 5248 088 - 395 Motshebe Street, Ikhuseng Location, WARRENTON, 8530 - *Mantoro*
24. Asanda Emmanuel Dladla - 961121 5784 088 - 536 Or Tambo, INCHANGA, 3670 - *Meyiwa*
25. Sandile Snophile Mhlongo - 901124 5450 083 - 61 Windsor Court, Station Road, MORNINGSID, 4001 - *Mthethwa*
26. Sanele Danca - 931007 5553 085 - Gciliama Location, MARGATE, 4275 - *Ngcungama*
27. Siphamandla Poselt Tshabalala - 941207 5291 086 - 6298 Phase 2, BRAAMFISHERVILLE, 1724 - *Ngcobo*
28. Thandazo Vanessa Sibanyoni - 980425 0353 089 - 1181 Unit A, Monsterlus, MPUDULLE, 1057 - *Rampedi*
29. Swettness Nomathamsanqa Mbana - 930305 0730 083 - 1032 B Fakude Street, Zola North, SOWETO, 1868 - *Pupuma*
30. Mahlane Frans Koetepane - 900524 5499 082 - 1295 Ebony Park, Extension 2, MIDRAND, 1633 - *Letsoalo*



31. Elvis Melusi Makatani - 951103 5053 088 - 93 Hopkins Street, Bellevue East, JOHANNESBURG, 2001 - *Lwale*
32. Nkululeko Freedom Xolani Bhengu - 820708 5842 089 - 40 Risegate Drive, Southgate, PHOENIX, 4068 - *Khumalo*
33. Pheladi Mazibuko - 880422 1037 085 - 1225 Mlangeni Street, MOFOLO NORTH, 1700 - *Sekele*
34. Zimasa Mathimba - 970504 1165 080 - 121 Katlagter Street, Avian Park, WORCESTER, 6850 - *Buthelezi*
35. Kieran Jan Van Der Merwe - 990613 5180 080 - 31 Maplin Drive, PLETTENBERG BAY, 6600 - *Anderson*
36. Mpho Veronica Moretlo - 930512 0529 080 - 962 A Komani Street, Riverlea, JOHANNESBURG, 2093 - *Rampoba*
37. Katlego Annah Danke - 921123 0655 080 - House No 23, Rampipi Section, MODDERKUIL, 0352 - *Modise*
38. Brandon Macdonald Mohadi - 911022 5370 087 - 80 Masimo, Andalucia Park, JAN KEMPDORP, 8550 - *Soetmelk*
39. Lebogang Charlotte Lekwene - 910130 0817 084 - 473 B, PAMPIERSTAD, 8566 - *Molelekwa*
40. Katlego Lorecia Seleke - 980916 1201 087 - 30080 Mogopela B, TAUNG, 8584 - *Serebolo*
41. Thando Sindana - 900407 6217 085 - 5216 Soviet Street, IVORY PARK, 1685 - *Macheke*
42. Steven Johnson Shikwenu - 810107 5741 080 - Mandlakazi Village, TZANEEN, 0850 - *Nkuna*
43. Yamikani Sinenhlanhla Chiwi - 970103 0412 088 - 115 Crescent Road, Warley, Brentwood, ESSEX, CM 14 SJB - *Nyasulu*
44. Prince Toudi Thokoane - 891215 5801 085 - 6148 Extension 1, MHLUZI, 1050 - *Segane*
45. Thobeka Portia Mthembu - 920714 0982 085 - Private Bag X99, ULUNDI, 3838 - *Zulu*
46. Phumlani Tresseur Nzama - 930616 6311 086 - H 285 Eziko Area, AMAMZIMTOTI, 4126 - *Mdunge*
47. Trust Shibambu - 980801 5716 084 - Stand No 197, Musiphani Village, NWAMITWA, 0871 - *Mhlongo*
48. Solomon Mnisi - 901011 5499 089 - Stand No 1825, VLAKLAAGTE, 0458 - *Sekwane*
49. Bongumusa Mbambo - 960130 6296 084 - E 989, UMLAZI, 4110 - *Mtolo*
50. Mbulelo Pita - 910222 6228 083 - Hill Fam, SEYMOUR, 5700 - *Namba*
51. Nduduzo Mkhwanazi - 990219 6246 084 - 21401 Richmond Road, PINETOWN, 3600 - *Dlamini*
52. Ntsako Khumalo - 960429 6219 082 - P O Box 1126, ACORNHOEK, 1360 - *Ngomane*
53. Nkwenkwezi Sisusa - 780116 5730 080 - 1158 Ngculu Street, ORLANDO EAST, 1806 - *Maqoboza*
54. Dennis Lucky Mlangeni - 821112 5907 084 - 2058 Fingo Street, TSAKANE, 1550 - *Masina*
55. Sibongile Brandy Maphalle - 900831 0932 086 - 2914 Lehay, ZAKARIA PARK, 1802 - *Sibisi*
56. Wesley Samuel Van Niekerk - 980908 5049 083 - 41 Owl Street, Joostenberg Vlakte, KRAAIFONTEIN, 7569 - *Kruger*
57. Jason Fullford - 920731 5439 085 - 15 Horizon Mews, Brackenhurst, ALBERTON, 1448 - *Headrick*
58. Sello Samson Moeletsane - 910209 5166 083 - 1828 Phase 2, TSHEPISO, 1928 - *Sekere*
59. Phegane Samuel Moatshe - 920803 5615 087 - 20025 Ga-Rapadi Village, MARKEN, 0605 - *Thulare*
60. Ramon-Pearson Swart - 921225 5078 083 - 8 Milner Avenue, NIGEL, 1490 - *Pepler*
61. Gaokgakala Joseph Gaobusiwe - 790430 5622 082 - P O Box 1793, KURUMAN, 8460 - *Kelokilwe*
62. Ayanda Newcoman Khanyile - 810324 5686 088 - A 2504 Ntuzuma Township, DURBAN, 4023 - *Khanye*
63. Malalane John Mokoena - 750718 5869 085 - 110 Tebang, WITSIESHOEK, 9870 - *Motloung*
64. Oupa Fanuel Manzini - 780304 5444 080 - 1301 Extension 2, LYDENBURG, 1120 - *Seerane*

65. Masilo Solomon Malebati - 650605 6677 081 - P O Box 416, LESHANE, 0724 - *Magwele*
66. Brian Mlungisi Magaoga - 811203 5770 085 - 80 Thema Road, KWA THEMA, 1875 - *Kgomo*
67. Ntokozo Terrance Duzana - 851210 5712 083 - P 210 Umlazi Township, UMLAZI, 4031 - *Mchunu*
68. Vusumuzi Sifiso Mncwabe - 670311 5520 085 - C 589 Cilo Road, Folweni Township, UMZIMKULU, 4105 - *Majola*
69. Musawenkosi Brian Bhengu - 860410 5701 081 - 63725 Nkanyisweni Area, ADAMS MISSION, 4126 - *Hadebe*
70. Thabo Piet Phakane - 860813 5863 084 - 6577 Mokwena Location, THABA NCHU, 9780 - *Matlhoko*
71. Mathepe Condry Mmetle - 890509 6082 088 - Mahlomelong Village, MARULENG, 0890 - *Popela*
72. Moloisheng Devoid Moagi - 850313 6258 089 - Baloon Village, SEKORORO, 0850 - *Matjokotja*
73. Thivhilingwi Phineas Kwinda - 620615 5934 083 - P O Box 1683, SOWETO, 1819 - *Gandini*
74. Thomas Tshepo Mokgele - 840316 5330 083 - 5500 Fidelacastro Section, Lethabong, RUSTENBURG, 0263 - *Sekano*
75. Mpho Annah Mummie Shongoane - 980724 0083 088 - 1819 Vlakfontein, GAMATALA, 0748 - *Manamela*
76. Jack Phuti Duba - 860417 5523 084 - 1743 Sandile Close, Payneville, SPRINGS, 1559 - *Mogano*
77. Sipiwe Peter Masoeu - 870909 6132 087 - 16584 Zone 21, SEBOKENG, 1983 - *Mpandla*
78. Lemogang Gilbert Gaebuelwe - 510612 5694 083 - House No G 25, Mochwaledi Section, GANYESA, 8613 - *Pitso*
79. Sindisiwe Priscilla Mabaso - 750803 0214 089 - F 106 Umhlantuzane Road, TSHELIMNYAMA, 3610 - *Hlela*
80. Lesiba David Nkwana - 630420 5281 082 - 10157 Phafola Village, Mapela, MOKOPANE, 0600 - *Lelaka*
81. Motlogelwa James Masweu - 840515 5890 083 - 618 Modimong Village, TAUNG, 8584 - *Mogapi*
82. Hendrick Mantsho Kekana - 781207 5594 086 - 18 Mamaala Extension, MAPELA, 0610 - *Kutumela*
83. Bonile Enerst Qokolwana - 721020 5872 086 - Zwartwater Village, QUEENSTOWN, 5320 - *Mhlungulwana*
84. Molathegi Frans Modisanyane - 620811 6001 085 - 10077 Moshawane Village, MAHIKENG, 2745 - *Kalabeng*
85. Mncedi Nontshatsha - 770821 5839 086 - 28 Flamingo Road, Ocean View, FISHHOEK, 7975 - *Siwisa*
86. Thoko Thembelihle Nyokane - 650415 0311 087 - Stand No 7641, MBONISWENI, 1240 - *Mgwenya*
87. Neo Kgothatso Thabethe - 980910 0429 088 - 1541 Mavi Street, CENTRAL WESTERN JABAVU, 1868 - *Sello*
88. Chavane Freddy Chauke - 801201 5641 084 - P O Box 6373, GIYANI, 0900 - *Mahleketse*
89. Maseo Steven Maano - 780822 5546 083 - Ha-Dumasi, THOHOYANDOU, 0950 - *Mugeru*
90. Bongani Mondli Mundalamo - 820119 5669 086 - 19 Celtis Villas, Pieter Street, WIERDAPARK, 0157 - *Nzimande*
91. Godliff Siphosile Tsiane - 710222 5547 089 - 962 Ngcobo Street, Riverside, MHLUZI, 1053 - *Matlala*
92. Tumelo Moiloa - 910630 5905 081 - 565 A Sechele Street, Zone 2, MEADOWLANDS, 1852 - *More*
93. Zenani Caba - 980928 1391 081 - 96 Mtendwe Street, Nu 7, MOTHERWELL, 6211 - *Mvundlela*
94. Orapeleng Godfrey Motshwaisho - 950102 5690 080 - 20123 Bodibe Kgomda, BODIBE, 2741 - *Moseki*
95. Avhatakali Mulaudzi - 780423 5503 081 - Tshisaulu-Thavhani, SHAYANDIMA, 0945 - *Makhado*
96. Lekobe Mpho Mafego - 850323 6273 087 - Phokoane Village, NEBO, 1059 - *Mashifane*
97. Borokwane Matsie - 350519 0201 082 - Diphale, DRIEKOP, 1129 - *Mosoma*
98. Mokgaetji Betty Lepatla - 721023 0682 088 - P O Box 323, GOMPIES, 0631 - *Nkwagatse*

99. Kenny Malemone - 800428 5379 081 - 191 Plover Street, Rabie Ridge, MIDRAND, 1685 - *Mosana*
100. Aefele Stanford Manavhela - 720803 5918 087 - 121 Market Street, Jukskei Park, FOURWAYS, 2195 - *Ralinala*
101. David Vusi Mokoena - 770810 5684 089 - 1173 Peter Jacob Street, Geluksdal, TSAKANE, 1550 - *Dube*
102. Clide Kgolofelo Mapaille - 830906 5460 088 - 2476 Buthelezi Street, Extension 2, Ivory Park, MIDRAND, 1685 - *Lebjane*
103. Unathi Benedicta Tunzelana - 720207 1073 089 - 11 Ulana Close, Amatola View, BISHO, 5605 - *Thotsejane*
104. Lutsha Nqwelo - 851217 5381 082 - 8139 Nu 3, MDANTSANE, 5219 - *Makanda*
105. Tshepo Nyalungu - 870223 5786 087 - Stand No 43, Marite Trust, HAZYVIEW, 1242 - *Malele*
106. Mokgolobotho Pertunia Mashilo - 900409 1002 082 - Mogaung, GROBLERSDAL, 0470 - *Makua*
107. Thuso Maswinyaneng - 910831 5908 089 - Ga-Manyaka, BURGERSFORT, 1150 - *Maitji*
108. Azola Tshabe - 931108 6075 084 - 14216 Sokuthu Street, ATLANTIS, 7349 - *Kalolo*
109. Kwanele Vutela - 931011 5817 086 - Zinkumbini Area, LIBODE, 5160 - *Mdali*
110. Tebogo Sylvester Mokonyana - 971113 5851 080 - 139 Shirley Street, Extension 36, Dawn Park, BOKSBURG, 1459 - *Malemela*
111. S'fiso Sibonelo Zulu - 860325 6179 089 - Mkhobosa Area, ESIKHAWINI, 3900 - *Mthethwa*
112. S bongiseni Dlamini - 931129 6347 083 - Nkonjeni Area, MAHLABATHINI, 3865 - *Mazibuko*
113. Thapelo Alpheus Mashiya - 960427 5809 085 - 1686 Tilo Street, Kgakala, LEEUDORINGSTAD, 2640 - *Sekati*
114. Noxolo Cynthia Mhlono - 981008 0753 083 - P O Box 129, MKUZE, 3965 - *Nxumalo*
115. Skhumbuzo Vuyo Gumede - 920808 6423 084 - P O Box 256, EZIMPISINI, 3976 - *Mabika*
116. Luthando Katoo - 950109 6017 080 - 61 Hobe Street, MOTHERWELL, 6211 - *Minnie*
117. Khutjo Thobejane - 920519 5708 082 - P O Box 62, MAFEFE, 0738 - *Mokgotho*
118. Pebetsi Dimakatso Mathebula - 920312 0485 082 - 3616 Extension 6, Dompas Avenue, MASHISHING, 1123 - *Makolane*
119. Xolisile Jabulisiwe Xulu - 961215 0922 089 - Kwadamba Area, CEZA, 3866 - *Mngoma*
120. Makoti Lesedi Makgafela - 930115 5403 085 - Winnie Mandela, Zone 4, TEMBISA, 1632 - *Segooa*
121. Nkosana Dorren Mufhandu - 921211 5221 089 - 198 Orange River Road, Temurre Estate, KEMPTON PARK, 1620 - *Ntuli*
122. Patience Lindokuhle Mahlanzi - 980331 0885 080 - Jakkalspan Area, Zulu Stand, OSIZWENI, 2953 - *Ngcobo*
123. Axola Christian Stokwe - 980406 5712 081 - 31 Sonic Street, Thamboville, UITENHAGE, 6230 - *Tsotsa*
124. Tshepiso Melvin Makgopane - 920219 5347 086 - 3019 Highveld Flat, Block 1, Ackerville, EMALAHLENI, 1039 - *Siboza*
125. Reaboka Sabasaba - 970611 5452 081 - Ramohlakoana Area, MATATIELE, 4730 - *Mothapa*
126. Manini Mokwena - 790917 5346 084 - P O Box 249, JANE FURSE, 1085 - *Sello*
127. Thobile Patience Vilakazi - 990120 0158 087 - 7 Grey Street, DUNDEE, 3000 - *Ngubane*
128. Unarine Ronaldo Mudzuka - 981226 5481 084 - P O Box 4, KUTAMA, 0940 - *Phuriwa*
129. Mpondomise Somzana - 970908 5327 085 - Nomlacu Area, BIZANA, 5099 - *Sigu*
130. Okuhle Moyi - 960716 5515 084 - 6 Babb Street, Haven Hills, EAST LONDON, 5200 - *Mgudlwa*
131. Mothusi Maxwell Keepile - 900526 5848 085 - House No 20664, Sekgatlang Section, SANDFONTEIN, 0708 - *Moshai*
132. Asiphe Sokhanyile - 970503 0561 083 - Lwandile Area, NGQELENI, 5140 - *Madikizela*

133. Loraine Sithembiso Nkambule - 950719 0465 083 - Stand No 418, Ramakgetsane, SIYABUSWA, 0472 - *Dhlamini*
134. Siboniso Patric Thabethe - 920613 5449 084 - Qanda Location, PIETERMARITZBURG, 3200 - *Bhengu*
135. John Lawrence Strydom - 701116 5225 087 - D 17 Misty Meadows Farm, PIETERMARITZBURG, 3200 - *Sharpley*
136. Nomanene Njobe - 680607 1224 087 - 1726 Dywili Street, MTHATHA, 5090 - *Lumka*
137. Dimakatso Disiree Maatlapedi - 930923 1030 087 - 1758 Mokale Street, TLHABANE, 0309 - *Molaole*
138. Johannes Themba Ngoma - 820108 6203 086 - Stand No 16068, Mkobola, SIYABUSWA, 0472 - *Mahlangu*
139. Tshwaane William Moimana - 680103 6157 084 - Stand No 286, TAFELKOP, 0474 - *Mokhine*
140. Mziwakhe Paulus Mathibela - 840126 5545 089 - 1167 Koppie Alleen Street, BETHELEHEM, 9700 - *Mashinini*
141. Johannes Dumisani Ntuli - 860204 5260 085 - 20749 Extension 3, Buffer Zone, MAMELODI EAST, 0177 - *Mathibela*
142. Simphiwe Mthethwa - 980829 5736 083 - Mthandeni Area, MAPHUMULO, 4470 - *Ntuli*
143. Zodwa Ncwane - 980111 0921 089 - Oshabeni Location, PORT SHEPSTONE, 4240 - *Mqadi*
144. Siyabonga Percy Nzama - 930120 5606 083 - Mambedwini Area, MAPHUMULO, 4470 - *Zondo*
145. Selebedi Mcdonald Kgokong - 831103 5846 081 - E 14 Thokoza Section, GANYESA, 8613 - *Mokgapole*
146. Nkosinathi Sifiso Cikwayo - 811204 5578 080 - Nzimakwe, MUNSTER, 4278 - *Zakuza*
147. Siyanda Mzilikazi - 990327 5737 084 - 835 Slovo Park, ELDORADO PARK, 1813 - *Sonamzi*
148. Njabulo Jack Ngwenya - 981126 6077 081 - P O Box 7813, Extension 32, ERMELO, 2350 - *Thwala*
149. Samukelisiwe Noluthando Manyathi - 970601 0535 089 - B 571, EMONDLO, 3105 - *Mtshali*
150. Lindani Innocent Biyela - 941205 5950 081 - Ezikoshi Reserve, ESHOWE, 3815 - *Mbuyisa*
151. Sabelo Samuel Mdedelwa - 981128 6300 083 - 1700 Langalibalele Road, INANDA, 4310 - *Ngubane*
152. Hlengiwe Promise Ntombela - 911023 0577 080 - 22 Candella Road, SHERWOOD, 4091 - *Zuma*
153. Keabetsoe Theonah Mosunyane - 980502 0159 086 - 8476 Funani Street, ORLANDO WEST, 1804 - *Phitoe*
154. Martin Rofhiwa Shetlele - 931209 5381 083 - 614 A Ndlovu Road, Zone 5, MEADOWLANDS, 1852 - *Sebe*
155. Lindokuhle Xaba - 951115 5252 080 - 918 B Zola 3, Mathetha Street, KWA XUMA, 1868 - *Mkhwanazi*
156. Nati Kgobe - 940412 0442 087 - 3085 Zone 2, Ndende Street, PIMVILLE, 1808 - *Tladi*
157. Esethu Mbangatha - 951011 0900 080 - Cezu Area
158. , MQANDULI, 5080 - *Fetumane*
159. Martin Raymond Goolam - 930622 5233 081 - 319 Flora Road, PIETERMARITZBURG, 3201 - *Dlamini*
160. Ali Ascar Pahad - 980705 5179 088 - 5276 Cathkin Peak, Extension 4, LENASIA SOUTH, 1835 - *Shaikjee*
161. Simon Walter Modieleng - 760810 6015 087 - 16189 Imbuzana Street, VOSLOORUS, 1475 - *Morare*
162. Anelisa Honey Ntiyane - 981022 0229 085 - 47 Elland Road, The League, MITCHELLS PLAIN, 7785 - *Lala*
163. Siseko Lusanele Ndlangisa - 961003 5338 083 - P O Box 609, PORT EDWARD, 4295 - *Booi*
164. Lorenzo William Davids - 870306 5179 088 - 4 Berwick Mews, Berwick Road, PLUMSTEAD, 7801 - *Hendricks*
165. Danielle Dominic Francke - 880912 0162 082 - 53 Saint Bernadette Street, Klipspruit West, Extension 2, JOHANNESBURG, 2000 - *Knight*
166. Tshephiso Mmelwane Mohlala - 970908 1084 086 - Ga-Marishane, JANE FURSE, 1064 - *Moeng*

167. Nithinia Jeanvee Eliphant - 790123 0169 080 - 2 Pendoring Road, Weltevreden Park, ROODEPOORT, 1709 - *Martin-Hobbs*
168. Sabelo Mavimbela - 900605 5994 089 - Remington Flat, Cnr Jeppe & Nugget Street, JOHANNESBURG, 2001 - *Mbatha*
169. Nobuhle Gasa - 920101 0990 088 - Umgababa Area, 35 Upondo Road, SCOTTBURGH, 4135 - *Mkhize*
170. Jacqueline Tania Cascalheira Adao - 840628 0144 081 - 6 Selwyn Road, 12 Sarita Villas, BEDFORDVIEW, 2008 - *Nunes Adao*
171. Itumeleng Moerane - 901204 0432 086 - 654 Moriting Section, TEMBISA, 1632 - *Ramatu*
172. Denzil Pillay - 830509 5018 086 - 12 Rose Avenue, Sherwood, DURBAN, 4023 - *Khan*
173. Antoinette Ndungane - 691226 0174 081 - 8 Tamarisk, 26 Troupant Avenue, MAGALIESSIG, 2067 - *Stafford Cloete*
174. Sifiso Loyd Madondo - 970422 5510 088 - 184 B Mkhwanazi Street, Zola 3, SOWETO, 1868 - *Mashinini*
175. Kgotso Junior Mnguni - 990420 5305 083 - 6193 Zone 5, GARANKUWA, 0208 - *Sojane*
176. Amon Moyo - 840714 6054 084 - 03 / 3814 Dolly Street, Freedom Park, DEVLAND, 1832 - *Mokoena*
177. Andrew Joe Junior Williams - 960726 5941 081 - 319 Flora Road, Oribi, PIETERMARITZBURG, 3200 - *Dlamini*
178. Buhle Babalo Ndamase - 921225 6085 087 - 12 Flourine Street, Saaiplaas, VIRGINIA, 9430 - *Manqina*
179. Khuthadzo Eugene Mushadu - 911120 5587 088 - P O Box 26, MUTALE, 0956 - *Mahlaela*
180. Ndumiso Siphesihle Dlomo - 970703 5198 085 - 108 Derby Road, BERTRAMS, 2094 - *Mthembu*
181. Albert Moloi - 790323 6153 084 - 353 / 22 Headock, Extension 1, LAWLEY, 1824 - *Eka*
182. Matshidiso Ramasodi - 881218 1193 087 - 209 Babina Phuthi Street, TLADI, 1868 - *Motaung*
183. Mmatebogo Priscilla Mogakabe - 950213 0293 083 - 86 Block X, MABOPANE, 0190 - *Masonti*
184. Katlego Madijane - 950502 0411 087 - 85 Moswane Street, LOTUS GARDENS, 0025 - *Tshwane*
185. Sinethemba Lamuni - 890525 6533 086 - 9306 Morning Glory Street, PROTEA GLEN, 1819 - *Siphika*
186. Malefane Henry Mohammed - 911002 5422 088 - 390 Mandela Square, KLIPTOWN, 1812 - *Chapi*
187. Poloko Alphious Baphuthi - 900729 5693 085 - House No 36, Thibogang Section, GANYESA, 8613 - *Hane*
188. Dieketseng Theodora Sonopo - 970808 0374 084 - 902 Khutsong, CLOCOLAN, 9735 - *Motitsoe*
189. Phathutshedzo Sibadela - 860917 5986 082 - 4972 Phase 7, TSHEPISONG, 1754 - *Tshikombeni*
190. Hlayisani Baloyi - 950602 5700 086 - P O Box 48, ELIM HOSPITAL, 0960 - *Shirenda*
191. Zanele Nothando Mangele - 931211 1122 081 - Vukani Area, NONGOMA, 3950 - *Fakude*
192. Mlungisi Thamsanqa Mlambo - 830106 5616 082 - 9 Ballard Road, ESCOMBE, 4093 - *Zuma*
193. Njabulo Eugene Msani - 810119 5568 082 - 188956 Emachobeni, INANDA, 4310 - *Mkhwanazi*
194. Nkosiya Cherrick Meyiwa - 851030 5559 080 - 61106 Zwelisha, ADAMS MISSION, 4100 - *Magcaba*
195. Bulumko Jacobs - 870410 5282 080 - 48 Mongo Street, Lingelihle, CRADOCK, 5880 - *Nyamezele*
196. Nyameko Maleni - 840326 6050 085 - 32 – 505 Hambo Street, Makhaza, KHAYELITSHA, 6001 - *Makwelo*
197. Siyanda Brilliant Mkhwanazi - 960724 5586 089 - 789 Kaalfontein, MIDRAND, 1610 - *Mahaye*
198. Ditiro Richard Dibeco - 580307 6003 088 - 617 R Leshobo, TAUNG, 8584 - *Boshupeng*
199. Hlompho Rosette Ndlondlozi - 941110 0222 082 - 14188 Selwane Street, MAMELODI EAST, 0177 - *Kgwedi*
200. Mzimkulu Lonsdale Nhlengethwa - 880330 5292 087 - 15 Mmusane Street, Kwa Thema, SPRINGS, 1560 - *Plaatjie*



201. Rudzani Debra Baloyi - 920402 1362 081 - P O Box 342, THOHOYANDOU, 0950 - *Mbedzi*
202. Vutomi Cynthia Ngobeni - 931018 0144 085 - P O Box 69, MALAMULELE, 0982 - *Mabasa*
203. Murendeni Sikhitha - 931027 6108 085 - Ha-Mphego, THOHOYANDOU, 0970 - *Lethole*
204. Lesedi Ambitious Jebetle - 900506 6053 083 - 139 Shirley Street, Dawn Park, BOKSBURG, 1460 - *Malemela*
205. Norman Sakhile Lukhele - 920925 6475 086 - 11676 Tina Street, TSAKANE, 1550 - *Bhanda*
206. Moeketsi Solomon Sehanka - 970117 5863 087 - 13636 Harry Gwala, Zamdela, SASOLBURG, 1947 - *Tladi*
207. Nonhlanhla Nelisiwe Tembe - 910607 0618 083 - P O Box 147, KWANGWANASE, 3973 - *Ngubane*
208. Zazi Doctor Langa - 880513 5426 082 - Magumbi Area, MAPHUMULO, 4470 - *Zungu*
209. Bongumusa Mkhize - 890210 5513 088 - Dindi Location, Tailors Halt, PIETERMARITZBURG, 3200 - *Zuma*
210. Brenda Zittah Radebe - 850213 0960 088 - 2625 Temba, HAMMANSKRAAL, 0407 - *Mali*
211. Chere Elliot Khantsi - 830704 5377 083 - 784 Sheshe Street, SHARPEVILLE, 1928 - *Mofokeng*
212. Michael Makhwele Shai - 740629 5578 084 - 2556 Teak Crescent, Ebony Park, MIDRAND, 1685 - *Mahlo*
213. Nombulelo Patricia Thakadu - 710930 0515 089 - 300 Ndulwini Section, TEMBISA, 1632 - *Sonti*
214. Emah Mmaishibe Selamolela - 660515 0178 085 - 409 Marokolong, HAMMANSKRAAL, 0100 - *Majadibodu*
215. Thabo Paulus Shika - 890821 5626 082 - 9991 Kakaka Crescent, Extension 8, NELLMAPIUS, 0122 - *Masemola*
216. Mpendula Oriol Kgomo - 860717 5274 087 - 4025 Letsholo Street, Ikageng, POTCHEFSTROOM, 2531 - *Nkomo*
217. Lieketseng Chaka Dinah Masemola - 980320 0504 080 - 677 Extension 11, KWA-GUQA, 1039 - *Chaka*
218. Lindiwe Tshabalala - 930922 0825 083 - 20160 Fafung, BRITS, 0252 - *Makgale*
219. Thabo Trinity Shonge - 740429 5633 082 - Schoonoord, SEKHUKHUNE, 1124 - *Shongwe*
220. Motsadi Abel Letshuti - 780202 5334 089 - E 184 Bagora Section, MOGOPA, 2865 - *Kau*
221. Lebohlang Josephine Mofokeng - 761226 1076 082 - 832 Mashinini Street, Duduza, NIGEL, 1496 - *Poroma*
222. Peter Moleko - 781223 5621 084 - 17266 Zone 14, SEBOKENG, 1983 - *Khumalo*
223. Takalani Hector Mudzuka - 871210 5454 088 - P O Box 4, KUTUMA, 0940 - *Phuriwa*
224. Mmusetsi Abram Saul - 970109 5736 082 - Mooipan Village, MAHIKENG, 2745 - *Phelane*
225. Mzuhleli Dlova - 840105 6235 080 - 2348 Zola Street, GANSBAAI, 7220 - *Nontlantane*
226. Beauty Maremele Mahlangu - 800201 0866 083 - Private Bag X4014, SIYABUSWA, 0472 - *Modishane*
227. Menzi Charles Qwabe - 820512 6251 088 - P O Box 63, NONGOMA, 3550 - *Ngema*
228. Nozipho Pretty Qwabe - 850317 1030 088 - Sitilo Reserve, ESHOWE, 3815 - *Makhathini*
229. Andile Vumisa - 980922 6167 083 - 010101 Mthombisa Area, TONGAAT, 4400 - *Khumalo*
230. Elia Matsego - 980713 6190 088 - P O Box 5270, MAKONDE, 0984 - *Mathoho*
231. Gotsebamang Thabo Phogole Maisela - 951215 5116 085 - 966 A/W Maokeng, TEMBISA, 1632 - *Lekoloane*
232. Njabulo Zandisile Prince Gawuza - 980607 5525 080 - G 2676 Kingbakizulu Road, NTUZUMA, 4360 - *Gumede*
233. Mzwandile Mkhize - 930125 6278 089 - Mbulwane Area, GREYTOWN, 3250 - *Zondi*
234. Talente Tenza - 990107 6148 089 - 17 Broadern Close, PHOENIX, 4068 - *Ntseki*

235. Thabang Modiba - 900510 5190 086 - 8901 Winnie Mandela, TEMBISA, 1632 - *Letsoalo*
236. Lungelo Ngubane - 990506 5302 086 - 460375 Mbanjwa Road, PIETERMARITZBURG, 3200 - *Dlamini*
237. Nkosinathi Laurence Madonsela - 920105 5470 087 - 3328 Extension 2, ERMELO, 2350 - *Mabuza*
238. Bongani Richard S'phesihle Mngomezulu - 930626 5470 080 - Watersmeet, LADYSMITH, 3370 - *Khumalo*
239. Solomon Witbooi - 680509 5802 084 - New Location, Musgund, GEORGE, 6530 - *Hlahane*
240. Clarke Marthinus Gouws - 870918 5151 089 - 20 – 7th Avenue, Melville, JOHANNESBURG, 2092 - *Uddgren*
241. Amy Anne Coetzee - 891025 0120 088 - 48 Jacoba Loots, Craydon, EDENVALE, 1610 - *Elkington*
242. Molefi Jerry Sinto - 830903 6094 081 - 7521 Emperor Avenue, ROODEPOORT, 1725 - *Lebeko*
243. Tsholofelo Modutlwa - 880103 1191 086 - 3796 Phase 1, BRAAMFISCHER, 1724 - *Molefe*
244. Happy Rampulane - 740101 8580 087 - Moshana Village, Lesetlha Section, LERATO, 2888 - *Sello*
245. Mzolisi Crosby Ntisa - 690410 5926 080 - 125 Gxara Street, Kamvelihle, MOTHERWELL, 6211 - *Maxazana*
246. Gregory Moeketsi Madubela - 930308 5171 089 - Stand No 1103, TWEEFONTEIN, 0458 - *Sindane*
247. Beauty Lerato Ramoroka - 860917 0392 088 - 17581 Chapman's Peak Avenue, Extension 12, KAGISO2, 1754 - *Duma*
248. Pitso Jastan Mashilo - 930412 5798 089 - 15193 Bulu Street, DAVEYTON, 1520 - *Malope*
249. Vuyolwethu Pepe - 950830 0518 084 - 2278 Nu 1, MDANTSANE, 5219 - *Twalingca*
250. Nomthandazo Cynthia Gwentshula - 580729 0799 082 - 29 Eleni Street, K.T.C, NYANGA, 7755 - *Siwentu*
251. Tshepo Kopela - 960123 5405 087 - 218 B Makong, WITSIESHOEK, 9870 - *Mothapo*
252. Silungile Zuma - 980531 0618 080 - Haza Location, MERRIVALE, 3291 - *Mchunu*
253. Nickyla Marna Mostert - 970811 0080 081 - 97 Analees Street, Meyerspark, PRETORIA, 0184 - *Van Deventer*
254. Poppie Mpho Moloi - 971020 0796 089 - 1037 Phase 9, BLOEMFONTEIN, 9323 - *Potloane*
255. Stephanie Lindeque - 940216 0044 086 - 18 Backsberg Avenue, Hurlingham Manor, SANDTON, 2090 - *Martinez Lima*
256. Bonga Mzalana - 950612 6196 085 - Abini Area, Manaleni Road, TABANKULU, 5130 - *Tungani*
257. Nonhlanhla Cynthia Mbukwe - 900712 1308 080 - Ward 9, Kwajali, HARDING, 4680 - *Jali*
258. Sindisiwe Mjuleka - 990223 6112 080 - Qhasa Area, FLAGSTAFF, 4810 - *Faku*
259. Sibusiso Njabulo Zikhali - 941025 6246 085 - Skhemelele Area, Ward 6, KWANGWANASE, 3973 - *Mayisa*
260. Nkosikhona Mkize - 980925 6346 086 - Etholeni Reserve, UMBUMBULU, 4105 - *Ngcongo*
261. Andile Sanele Ntuli - 980125 5424 089 - Woza Area, MAPHUMULO, 4470 - *Shange*
262. Lindelani Ndlovu - 920125 6129 086 - Mbokodwe Area, NQUTU, 3135 - *Khoza*
263. Lindokuhle Thandokuhle Nkosi - 930824 6376 089 - P O Box 112, NONGOMA, 3950 - *Sibiya*
264. Siyanda Voyi - 900902 6155 087 - Ngoma Area, WILLOWVALE, 5040 - *Makanandana*
265. Patrick Siphso Msomi - 741228 5378 089 - 1305 Carllon, 22 Prince Street, DURBAN, 4000 - *Dlamini*
266. Phulani Petrus Sekhosana - 881006 5527 081 - 6082 Block C, Extension 9, Zithobeni, BRONKHORSTSPRUIT, 1024 - *Mmoyane*
267. Siphelele Fayindlala - 990524 5562 088 - Qweqwe Area, MTHATHA, 5099 - *Mshweshwe*
268. Khulekani Nkala - 840415 6103 083 - Mambeni Area, ESHOWE, 3915 - *Dube*



269. Patrick Zwelithini Mazizi - 820921 6123 082 - 380 Fred Mlaba Street, Vosloorus, BOKSBURG, 1475 - *Dhlamini*
270. Boyang Jackson Ndlovu - 700630 5321 085 - 458 Hlamatsi Section, KATLEHONG, 1431 - *Motloung*
271. Jerald Kgope - 691203 5574 086 - 415 Caper Bush, River Bank, JOHANNESBURG, 2090 - *Lefakane*
272. Simon Tshepo Chiloane - 720719 5402 080 - 466 C Mkhulu Section, HAZYVIEW, 1242 - *Mokoena*
273. Sabéna Faria - 840124 0198 087 - 7 Andrag Street, Welgemoed, BELLVILLE, 7530 - *Richards*
274. Wongama May - 860319 5383 081 - Unit 82, Santa Fe Complex, Suikerbekkie Street, BROMHOF, 2154 - *Millie*
275. Duduzile Penelope Mzolo - 840702 0636 089 - L 417 Umlazi Township, Jikeleza Road, UMLAZI, 4031 - *Ngcobo*
276. Vusi Abram Ndala - 870305 6030 084 - 1478 Section H, EKANGALA, 1021 - *Sibanyoni*
277. Sikhumbuzo Terrence Ngema - 720115 5612 085 - Stand V 923, UMLAZI, 4031 - *Mchunu*
278. Matsobane Geelboy Phaladi - 870625 5559 084 - 15610 Umbaho Street, Extension 16, VOSLOORUS, 1475 - *Mmako*
279. Jabulo Khoza - 911006 5519 082 - 16733 Sarah Mahlaba Street, Extension 12, KAGISO, 1754 - *Manzini*
280. Keelan Rae Griesel - 951128 5481 088 - 13 Monita Park, Neshout Crescent, NELSPRUIT, 1200 - *Wood*
281. Freddie Hopewell - 990125 6050 089 - Estate No 477, Jakalaas, OSIZWENI, 2952 - *Khumalo*
282. Ayanda Nomdiemba - 850905 6419 080 - Mzingazi Reserver, KWAMBONAMBI, 3915 - *Mnguni*
283. Mqobi Jewa - 951224 5169 086 - 16332 Phase 4, Braamfischer, ROODEPOORT, 1725 - *Nkala*
284. Katleho Tsotetsi - 980106 5111 082 - 15 J J N Fourie Street, Norkem Park, KEMPTON PARK, 1618 - *Mokoena*
285. Andisiwe Njisane - 990610 1207 081 - Ngwegweni Area, MOUNT AYLIFF, 4735 - *Sifolo*
286. Lucky Ndlovu - 980627 5116 086 - 18 Melrose Bowling Club, ROSEBANK, 2196 - *Moyo*
287. Cynthia Lindiwe Mkonza - 560325 0858 087 - 5 Piet Retief Street, NIGEL, 1490 - *Mgudlwa*
288. Azwifaneli Solomon Negondeni - 580919 5313 084 - P O Box 8461, MAKONDE, 0984 - *Ramukakate*
289. Thula Derick Magwaza - 580930 5526 088 - Umzinyathi Area, INANDA, 4310 - *Goba*
290. Sibusiso Blessing Biyela - 700321 5751 089 - C 763 Ntuzuma Township, KWAMASHU, 4359 - *Mahaye*
291. Mbengeni Elias Mahlangu - 700625 5541 088 - Stand No 80, MOGONONG, 0479 - *Mngomezulu*
292. Thulani Mbulali - 821127 5739 089 - Mgolo Area, MTHATHA, 5099 - *Matiwane*
293. Lawrence Phokane - 810228 6154 089 - 3054 Extension 4, REFILWE, 1003 - *Mabilu*
294. Dumisani Justice Masuku - 881211 5402 083 - 144 Kameel Road, RIETSPRUIT, 2231 - *Nkosi*
295. Stephens Mantie Makgalemele - 891201 5958 083 - 736 / 6 Umsintsi Street, Block VV, SOSHANGUVE, 0152 - *Mello*
296. Thandisizwe Boozi - 770226 5316 087 - 179 Koluti Street, Kamvelihle, MOTHERWELL, 6211 - *Jebe*
297. Tshelane Moses Mokwena - 660102 5478 081 - 20010 Mamphogo, MOGANYAKA, 0459 - *Mogoane*
298. Andile Steven Mncwabe - 880417 5633 087 - 1994 Kwa-Makhutha, AMANZIMTOTI, 4126 - *Mdunge*
299. Kholofelo Victoria Komane - 880809 0691 088 - 1491 Block L, SOSHANGUVE, 0152 - *Mabuse*
300. Wendy Cecilia Mbeje - 870426 0510 085 - G 1167, UMLAZI, 4066 - *Mofokeng*
301. Sandile Gladman Cele - 830923 5912 083 - Bb 1655, UMLAZI, 4031 - *Hlatshwayo*
302. Sipheisihle Zenzele Shwabede - 860812 5351 082 - Lot 1983, Inanda Glebe, INANDA, 4310 - *Gcabashe*

303. Sello Sydney Maswikeng - 891216 5826 080 - 504 Orchid Flat, 203 Muckleneuk, PRETORIA, 0002 - *Mafikeng*
304. Moses Mabuza - 800531 5450 081 - Stand No 191, Malekutu, KABOKWENI, 1245 - *Mokoena*
305. Mmusi Mongameli Basi - 830516 5456 083 - House No G214 B, Modikwane Section, BAPONG, 0269 - *Matshwe*
306. Papa Benson Chake - 830312 5553 081 - Ny 135 / 32, GUGULETHU, 7530 - *Ramose*
307. Bonginkosi Makhoba - 710526 5314 088 - 235 Dankeld Mission, Cnr Eloff, JOHANNESBURG, 2001 - *Nkwanyana*
308. Ziyanda Oscarina Mahlangu - 861122 0893 081 - 1062 Nu 1, MDANTSANE, 5219 - *Putuma*
309. Khabonina Portia Buthelezi - 870721 1031 085 - 1706 Bubble Eye Street, Extension 2, Kaalfontein, MIDRAND, 1685 - *Zulu*
310. Pleasure Caroline Sembeni - 961126 0579 086 - 96 Mokoena Crescent, LOTUS GARDENS, 0025 - *Mathabela*
311. Herman Makofane - 840403 5500 087 - 150 Wolwekraal A, SIYABUSWA, 0472 - *Phahlane*
312. Lebogang Bathopeng - 821004 5295 083 - House No 91, Galotlhare, KURUMAN, 8460 - *Khabae*
313. Malesela Patrick Phosa - 740503 5658 081 - P O Box 615, PAULUSWEG, 0814 - *Masia*
314. Frans Madimetsa Kutumela - 870501 6159 085 - 244 Digwale A, SIYABUSWA, 0472 - *Mamabolo*
315. Sicelo Patrick Mathebula - 890516 5252 083 - Ntshawini Area, STANGER, 4450 - *Msomi*
316. Siyabonga Rochestes Maphumulo - 871113 5442 089 - Marchison Area, PORT SHEPSTONE, 4240 - *Yalo*
317. Bennie Mashabela - 820419 5636 089 - Block L 22 D, SAULSVILLE, 0125 - *Matshageng*
318. Calvin Dumisani Cuku - 840110 6197 082 - 1023 Letlhakaneng, BRITS, 0217 - *Masunkunya*
319. Thabang Machaba - 840916 5837 084 - 11 Sperwer Crescent, Birch Acres, KEMPTON PARK, 1619 - *Selahle*
320. Takatso Johannes Machaba - 881215 6194 086 - 11 Sperwer Crescent, Extension 3, Birch Acres, KEMPTON PARK, 1619 - *Selahle*
321. Thonthodi Alfred Hlongwane - 840730 6026 088 - 1623 Sefatsa Stand, WINTERVELDT, 0198 - *Ngobeni*
322. Thulani Malope - 810104 5554 084 - 1427 Machibini Street, Extension 14, WITBANK, 1035 - *Khoza*
323. Mojalefa Frederick Marshall Letuka - 840227 5743 086 - 6223 Ramokhoane Street, SHARPEVILLE, 1928 - *Chele*
324. Jabulani Lucky Dlamini - 870107 5268 081 - Kamhlushwa Area, SIDLAMAFA, 1323 - *Vilane*
325. Bheki Hopewell Madonsela - 780708 5654 086 - France Location, PIETERMARITZBURG, 3200 - *Shabalala*
326. Mbuso Eric Gamede - 830519 5872 085 - Koks Hill Area, UMZIMKULU, 3297 - *Radebe*
327. Farao Rudzani Tshikalanga - 710324 5490 086 - House No 3000, Phase 08, MUSINA, 0900 - *Nemalale*
328. Moses Khethukuthula Madolwana - 491112 5735 088 - Broosnek, MOUNT AYLIFF, 4735 - *Mtshutshane*
329. Sivuyile Sogwadile - 880310 6363 087 - Tela, MOUNT AYLIFF, 4735 - *Vengwa*
330. Madimetja Richard Sema - 880425 5696 087 - 288 Segoahleng, MASHASHANE, 0743 - *Kganyago*
331. Matsobane Hector Maja - 890913 6241 084 - 9 Nchabeleng Street, Extension 19, MOKOPANE, 0600 - *Lekalakala*
332. Tsunduka Gladwin Maswanganyi - 860506 5776 088 - Stand No 719, Sikhunutani Village, GIYANI, 0826 - *Mabunda*
333. Bhekani Succeed Msimango - 780310 5692 081 - K 1068 Landa Road, KWAMASHU, 4360 - *Mlima*
334. Siqiniseko Percival Dlamini - 840730 5436 080 - M 35 Moniya Road, UMBUMBULU, 4105 - *Memela*
335. Bonginkosi Thokozani Mlambo - 640303 6328 086 - P O Box 475, CEZA, 3866 - *Buthelezi*

336. Vumile Mbalenhle Nobuhle Nxumalo - 891222 1374 083 - P O Box 2150, VRYHEID, 3100 - *Sithole*
337. Pelisa Rachel Masilela - 910824 0650 087 - 151 Nu 17, MDANTSANE, 5219 - *Nkula*
338. Yonela Mbopheni - 900314 1322 086 - P O Box 161, MATATIELE, 4730 - *Phuthela*
339. Reynaldo Phuthego Visagie - 970720 5209 084 - 394 E Phiri Street, Zone 3, MEADOWLANDS, 1852 - *Dire*
340. Given Siphon Tau - 821021 5858 082 - 7692 Sekhukhune Street, Extension 2, LAWLEY, 1830 - *Shabangu*
341. Mpikhele Vincent Tembe - 860905 5578 082 - P O Box 5, KWA-NGWANASE, 3973 - *Nyathi*
342. Daluthando Ntando - 890512 6139 080 - First Gate, MOUNT FRERE, 5090 - *Ntontela*
343. Siphon Mxolisi Nxumalo - 870314 6158 085 - Dakota Transit Camp, ISIPINGO BEACH, 4110 - *Zitha*
344. Simangele Cynthia Zikalala - 840902 1350 082 - Maphophoma Area, NONGOMA, 3950 - *Kunene*
345. Siphomandla Tyren Simelane - 860821 5603 087 - 799 Letsatsi Street, Extension 2, NALEDI, 1868 - *Ngwenya*
346. Sphiwe Theo Pino Rammusi - 861212 5327 084 - 767 Khozi Street, Extension 2, NALEDI, 1861 - *Morake*
347. David Mpoa Motlhake - 800225 5260 083 - House No 130, Ramasedi Section, Legkraal, MANKWE, 0318 - *Ntuane*
348. Tshwene Frank Tsiri - 780508 5399 082 - P O Box 376, LONSDALE, 0710 - *Mogodi*
349. Vincent Tshotlego Keebine - 770403 5536 085 - Mmatlageng Section, Ntsweletsoki Section, ZEERUST, 2891 - *Nyamane*
350. Mothusi Gregory Sekano - 831109 6079 085 - House No 10017, MANAMELA, 2847 - *Sethunya*
351. Tryphinah Gadifele Mabokela - 800307 0500 083 - 1171 Majakaneng Section, MAKAPANSTAD, 0404 - *Diphoko*
352. Kgomotso Mathews Nkgapele - 770129 5358 085 - 658 Lesedi Street, LENYENYE, 0857 - *Letsoalo*
353. Thatoyaona Disang Dweko - 880330 5427 089 - 7 Tafelberg Street, Finsburg, RANDFONTEIN, 1759 - *Mokgatle*
354. Gregory Lebogang Mogoera - 871224 6120 085 - 18635 Lebona Street, Bloemanda, BLOEMFONTEIN, 9323 - *Setlhare*
355. Happy Muzi Magagula - 870101 5398 089 - 6991 Extension 13, Emjindini, BARBERTON, 1300 - *Parsons*
356. Professor Mhlongo - 940223 6193 081 - Capesville, PIETERMARITZBURG, 3201 - *Mcanyana*
357. Salaminah Diseko Makgakga - 620818 0690 086 - 31735 Inkamela Street, Extension 5, TSAKANE, 1550 - *Manaiwa*
358. David Thabiso Rakoma - 751206 5835 081 - 1607 Block F, LETLHABILE, 0264 - *Ngubeni*
359. Mantsu Samuel Masingane - 491213 5375 089 - 321 Block Aa, SOSHANGUVE, 0152 - *Thulare*
360. Isaac Molotsi - 630711 5792 080 - 11223 Elandsriver Street, Extension 6, KAGISO, 1744 - *Mokgosi*
361. Mohau Abel Shuping - 830726 5840 083 - P 69 Magogong, TAUNG, 8580 - *Motseko*
362. Dineo Anna Magagane - 850316 0272 089 - 203 Zone 8, SESHEGO, 0742 - *Thema*
363. Lucy Lereng Ngake-Masoga - 841214 0485 086 - 6164 Unit 17, TEMBA, 0407 - *Mashiloane*
364. Nicholas Vivian Mtshali - 760121 5476 084 - 33 – 3rd Street, BOKSBURG, 1459 - *Morifi*
365. Tshepo Comfort Mere - 871109 5465 088 - 5294 Nguli Street, Extension 3, MOHLAKENG, 1759 - *Tsamai*
366. Mokgaetji Maria Mabusela - 801212 0448 086 - 203 Makotsi Village, LEBOWAKGOMO, 0737 - *Kekana*
367. Mongape David Frans Mabusela - 740307 5967 082 - 203 Makotsi Village, LEBOWAKGOMO, 0737 - *Kekana*
368. Samuel Abram Sabata Mamana - 850817 5275 084 - 266 – 24 Small Farm, EVATON, 1984 - *Nhlapo*
369. Tumelo Sedibe - 780228 6033 081 - No 5125 Club Street, Extension 7, ALEXANDRA, 2090 - *Malapane*

370. Wonder Xolani Mboza - 980906 5628 088 - 8 Labashane Road, TONGAAT, 4400 - *Khumalo*
371. Walter Senoko - 670423 5291 086 - 932 Kiniamani Estate, Mulbarton, LONEHILL, 2191 - *Nkwane*
372. Spheisihle Gift Mkhwanazi - 980507 6134 082 - Room R 228, Earnest Oppenheimer Hall Of Residence, St Andrew's Road, PARKTOWN, 2197 - *Mfusi*
373. Madifuthe Mashianokana - 311026 0178 086 - Mphanama, SEKHUKHUNE, 1124 - *Mmako*
374. Michael Lokhelo - 631220 5949 087 - 762 Extension 23, GA-RANKUWA, 0208 - *Mamabolo*
375. Thokozane Emmanuel Thabethe - 821023 5771 083 - 6403 Moleleki, Extension 2, KATLEHONG, 1432 - *Nkosi*
376. Zakhele Lawrence Peter Mthembu - 870710 5687 083 - Ntshwana Street, ESIKHAWINI, 3901 - *Nyawo*
377. Tebogo Victor Morwe - 820224 5501 089 - House No 4231, Mapoteng, KURUMAN, 8447 - *Mathe*
378. Refiloe Johanna Leshaba - 810501 0542 081 - 8300 Pedi Street, TSAKANE, 1550 - *Monaledi*
379. Matsidiso Sandra Ramalisa - 870909 1812 089 - 8833 Winnie Mandela, KEMPTON PARK, 0960 - *Monyai*
380. Jabulile Rose-Mary Tlamane - 890203 0325 087 - S - 344 Manyotolo Street, SHARPEVILLE, 1925 - *Dikole*
381. Lucky William Khoza - 881003 5359 086 - 13566 Emaphopheni, DAVEYTON, 1520 - *Xhalabile*
382. Lebogang Baldwin Maripa - 820923 5891 081 - 3260 Long Home Sites, Wattville, BENONI, 1868 - *Mabuya*
383. Kelebogile Mabel Molatlhegi - 960809 1029 083 - 23 Elma Street, Claremont, JOHANNESBURG, 2001 - *Kgakane*
384. Bunto Msila - 970930 6118 081 - Lower Gwadu, WILLOWVALE, 5040 - *Mabusela*
385. Kenneth Kingsley Kabelo Ngobeni - 950515 5663 080 - 2636 Block D, EERSTERUS, 0140 - *Mokatse*
386. Banele Innocent Mabuza - 931123 5478 080 - 2261 Extension 3, Alra Park, NIGEL, 1491 - *Radebe*
387. Mashilo Mpho Dikgale - 950227 5306 088 - 249 Tintinyane Street, MAMELODI WEST, 0122 - *Maboyane*
388. Adelaide Mafumo - 950307 0690 080 - 163 Tlapeng, MASHISHIMALE, 1395 - *Sekgobela*
389. Sebushane George Segane - 950515 5466 088 - 7267 Extension 6, 33 Bazzite Street, SOSHANGUVE, 0152 - *Masilela*
390. Thabang Prince Mello - 930425 5149 087 - 1653 Thabina Street, TSAKANE, 1550 - *Mabodimo*
391. Siphelele Machi - 960515 1403 083 - Dweshula Location, PORT SHEPSTONE, 4240 - *Dlamini*
392. Elias Makhaliitshani Chauke - 830727 6487 080 - 1592 Proper West, KANANA, 0400 - *Sitoe*
393. Mbongiseni Goodman Dladla - 770226 5582 084 - A 2 Masakhane Road, INANDA, 4310 - *Linda*
394. Nhlanhla Mkhize - 851111 5790 089 - 364 Vele Street, CHIAWELO, 1818 - *Phiri*
395. Ntebohiseng Prudence Makhetha - 920214 0312 086 - 10 Jordaan Street, Batho Location, BLOEMFONTEIN, 9323 - *Mokoena*
396. Ramadimetja Mmanoko Thobejane - 960418 0553 083 - 83 Maokeng Section, TEMBISA, 1632 - *Ramalepe*
397. Billard Obakeng Thabang Motsepe - 940120 5076 087 - 18 B Eros Street, BEDWORTH PARK, 1939 - *Maribe*
398. Slungile Ngcobo - 980209 0684 085 - Msunduze Area, NDWEDWE, 4450 - *Blose*
399. Arnold Mgwenya - 910403 6122 084 - 347 Dam Se Bos, KNYSNA, 6970 - *Nkuna*
400. Kurisani Ndlovu - 950519 5530 083 - Stand No 295, Areagh Trust, HAZYVIEW, 1242 - *Mbuli*
401. Tiisetso Comfort Frits Khumalo - 911201 5373 081 - E 2741 Salema Section, PHOKENG, 0335 - *Diale*
402. Moholo Lenela - 961014 5411 085 - 104 Skoolplaas, BAPONG, 0197 - *Marake*
403. Maria Matlou - 910917 0567 085 - 20229 Makekeng Village, MOKOPANE, 0600 - *Moloantoa*

404. Tukisho Tshepo Laka - 980605 5228 085 - Mzumbana Village, MASODI, 0646 - *Mangena*
405. Maria Lerato Mlotshwa - 990529 0691 089 - Stand No 687, Mohlabaneng, MODJADJISKLOOF, 0835 - *Mphela*
406. Sakhile Quteness Jwili - 920214 5518 083 - 130 B Zola 3, Mkhwanazi Street, ROODEPOORT, 1725 - *Shongwe*
407. Karabo Phetole Malobadihlare - 910324 6184 082 - Stand No 040, Rabothata Village, MODJADJISKLOOF, 0835 - *Rabothata*
408. Babalo Kalimashe - 950905 6056 089 - 17 Voortrekker Street, ELLIOT, 5460 - *Veldtman*
409. Sphiwe Moses Mathole - 761201 6023 082 - 127 Pheasant Street, Mutsu Section, TEMBISA, 1632 - *Dlamini*
410. Bhekumuzi Abel Ntuli - 651024 5677 085 - 27 Driedoring Street, Mountain View, VOLKSRUST, 2470 - *Mbele*
411. Hans Abel Legomu - 780227 5342 089 - Stand No 28, PAULUSWEG, 0814 - *Madula*
412. Mpho Morris Lehutso - 891114 5475 083 - House No 8202, Extension 2, SOSHANGUVE, 0152 - *Madutung*
413. Anathi Lucas Ngxuthu - 881221 5995 085 - 51 Alexandra Road, KING WILLIAMS TOWN, 5600 - *Ndamase*
414. Nomkhalalo Ntshobole - 640426 0318 082 - Ngcachu A/A, NGCOBO, 5080 - *Boko*
415. Innocent Malumadanda - 890530 6127 087 - P O Box 3344, MAKHADO, 0920 - *Sebola*
416. Raisetsa Masetja Mabokela - 430928 0376 089 - 10153 Segole Village, LEPHALALE, 0555 - *Phalafala*
417. Siphon Ntsalu - 420616 5763 086 - Ntsizwa A/A, MT AYLIFF, 4735 - *Ngcubhe*
418. Zamani Nkwanyana - 990218 5957 089 - Sigodiphola Area, NONGOMA, 3950 - *Ntshangase*
419. Thabang Nelson Thonkha - 940825 5165 082 - 11834 Harry Gwala, ZAMDELA, 1949 - *Hlatshwayo*
420. Modiri Koboti - 970928 5707 086 - 19535, Magojaneng Trust, KURUMAN, 8460 - *Dikwidi*
421. Bandile Comfort Khuzwayo - 970108 5839 086 - Qwabe Location, UMZUMBE, 4225 - *Phahla*
422. Siphamandla Hedzane - 921015 6429 082 - No 141, STEYNSDORP, 1301 - *Malambe*
423. Happy Sfiso Thwala - 950101 6648 089 - 709 Dundonald, DUNDONALD, 2336 - *Soko*
424. Modulela Priscilla Sekenyakenya - 910708 1051 082 - P O Box 3, MOUNT FLETCHER, 4770 - *Makhohlisa*
425. Prudence Nondumiso Mandlazi - 950911 1439 080 - No 968, LOCHIEL, 2337 - *Duma*
426. Zwelithini Masinga - 850616 6882 082 - 3322 Maubane Street, VOSLOORUS, 1475 - *Maphisa*
427. Mfanafuthi Abednigo Hlongwa - 980502 5410 088 - K 1312 Umlazi Township, UMLAZI, 4031 - *Mchunu*
428. Ngwashipa Mashobane Legoabe - 990220 5158 080 - 18402 Extension, SOSHANGUVE, 0152 - *Malinga*
429. Bandile Mabula - 980426 5824 082 - Semeni A/A, MT FRERE, 5090 - *Zongwana*
430. Simphiwe Jacob Cele - 931112 6260 084 - Sithebe Reserve, MANDENI, 4490 - *Dube*
431. Nkanyiso Xulu - 930107 6417 081 - Mduninde Reserve, MANDENI, 4490 - *Zungu*
432. Falokudalwa Mbongeleni Khumalo - 911018 5576 087 - Nxamalala Area, TUGELA FERRY, 3010 - *Zulu*
433. Xoliswa Makhathini - 970720 5185 086 - Malangeni Area, NDWEDWE, 4342 - *Sibiya*
434. Travis Clifford Weber - 950602 5409 084 - 8 Palaza, Jim Fouche Park, WELKOM, 9460 - *Lynch*
435. Ngwenya Sboniso Maseko - 951118 5614 085 - 1988 Thabo Village, BREYTEN, 2330 - *Ngwenya*
436. Tsepho Thabo Tshabalala - 980514 5330 083 - 724 Snack Park, ALRA PARK, 1495 - *Moloi*
437. Phumla Gumede - 970312 0743 083 - 183 New Dunbar Road, MAYVILLE, 4091 - *Mkhize*



438. Aviwe Maboko - 910415 6033 087 - Mtambalala A/A, LUSIKISIKI, 4820 - *Mdiya*
439. Karabo Brian Maluleke - 920323 5465 086 - Stand No 1149, Lefiso, SIYABUSWA, 0472 - *Kwakwa*
440. Ruan Exley - 880902 5147 089 - 7 A Marais Street, STRAND, 7140 - *Aucamp*
441. Zandisile Magubani - 910101 0883 087 - 116 Clairwood Dayal Road, DURBAN, 4001 - *Msani*
442. Sabelo Sithole - 970621 5862 080 - D 238 Mzomusha, INANDA, 4309 - *Zulu*
443. Sonto Selby Msomi - 950423 5431 089 - Betania, PORT SHEPSTONE, 4240 - *Shange*
444. George Gezani Ndou - 690808 5554 085 - Unit 870, Zone R, SOSHANGUVE, 0152 - *Mahlangu*
445. Wilson Mophuthi Motimela - 780314 5626 081 - 2004 Block F, SOSHANGUVE, 0152 - *Mehlape*
446. Dineo Magdeline Moeletsane - 801016 0622 081 - 1828 Phase 2, TSHEPISO, 1928 - *Sekere*
447. Njabulo Goodwill Zita - 890815 6331 080 - 1518 Uvenyane Street, Extension 1, Kingsway, BENONI, 1500 - *Maseko*
448. Muhammad Jaaved Mohamed - 940125 5105 083 - 190 Strandfontein Road, EAGLE PARK, 7941 - *Sayed*
449. Oratile Alfred Sedimo - 920605 5414 084 - 265 E Choseng, TAUNG, 8584 - *Tuabeng*
450. Nontobeko Prudence Ntshangase - 910907 0682 083 - Stand No 1826, PIET RETIEF, 2380 - *Nhlengethwa*
451. Thabiso Phineas Eustace Matlala - 900922 5299 082 - 22939 Selalelo Street, Extension 4, MAMELODI EAST, 0122 - *Modiba*
452. Ezekiel Phenyotsile Magashula - 920519 5720 087 - 1156 A Motlhabeng Village, MMABATHO, 2735 - *Mokwena*
453. Joseph Lesiba Mothiba - 950707 5291 083 - 509 Voyager Street, TEMBISA, 1632 - *Letoaba*
454. Zakhele Lucky Mphuthi - 920619 5636 083 - 215 Monise Section, KATLEHONG, 1432 - *Dlamini*
455. Kagiso Mooketsi - 971226 5677 089 - 88 X Dryharts, DRYHARTS, 8588 - *Mmolaeng*
456. Nkosinathi Emmanuel Marayi - 910626 5696 084 - P O Box 86766, Sitambi Units, PHOENIX, 4080 - *Shangase*
457. Luyanda Ncwane - 981221 5786 087 - 140466 Mkhize Road, HILLCREST, 3650 - *Zondi*
458. Noleen Phiora Lupke - 990421 0500 082 - Dubana A/A, LUSIKISIKI, 4820 - *Dywili*
459. Mojalefa Petrus Mthimkhulu - 920806 5222 085 - 602 Lakeside Proper, SEBOKENG, 1983 - *Maphutsi*
460. Nelisiwe Precious Nkosi - 951007 0334 080 - P O Box 62, SIYATHUHUKA, 1102 - *Magagula*
461. Koketso Chauke - 910612 5581 088 - 1320 A Zone 1, Marokolong, HAMMANSKRAAL, 0400 - *Matlala*
462. Mpho Manana Nelly Mofokeng - 950729 0289 086 - 1683 Extension 1, Kanana West, HAMMANSKRAAL, 0400 - *Kekana*
463. Thapelo Tshose - 900107 5034 081 - 1714 Block X, MABOPANE, 0190 - *Mokaleng*
464. Mampotsane Mofokeng - 990130 0742 087 - 11760 Mandela Park, WITSIESHOEK, 9870 - *Moloi*
465. Mpho Kabelo Khwambe - 910930 5211 088 - 1921 Kei-Apple Street, Protea Glen, SOWETO, 1818 - *Mokone*
466. Vincent Thibedi Kganyago - 900502 5259 086 - 99 Mokoena Section, KATLEHONG, 1431 - *Masha*
467. Mantsho Millicent Wittes - 900530 0518 081 - 492 Sepeng Street, Extension 2, Rockville, VOSLOORUS, 1475 - *Moopelo*
468. Itumeleng Canosius Masimong - 900826 5764 088 - 4183 Moroka Location, THABA NCHU, 9780 - *Tlhabang*
469. Sibonginkosi Solomon Nyathi - 970902 5134 088 - 42 Garden Street, Rosettenville, JOHANNESBURG, 2197 - *Nkomo*
470. Mpho Segoete - 970717 0248 083 - 3 Bok Street, WELKOM, 9463 - *Nqaba*
471. Tshepang Maina - 981023 0348 081 - 91 Rooibult, THABA NCHU, 9780 - *Malebo*

472. Bonakele Shadrack Daele - 450101 7321 087 - 797 Bandrag Section, MADIKWE, 2840 - *Dayel*
473. Phashe Cefrick Mapihlaba - 780329 5431 084 - Stand No 094, Mabitsi, GARAKGWADI, 1068 - *Madihlaba*
474. Simphiwe Emmanuel Mkhonza - 810108 5638 086 - 18 Gifboom Avenue, Extension 3, Leachville, BRAKPAN, 1553 - *Mahlanga*
475. Vhutshilo Mukwevho - 851225 7158 085 - Phiphidi, THOHOYANDOU, 0950 - *Makhomu*
476. Thabiso Lindokuhle Langa - 960429 5714 083 - 22 Morelands Road, HIGHLANDS HILL, 3610 - *Maphumulo*
477. Sechaba Mohulo - 910919 5246 087 - 1509 Manyatseng, LADYBRAND, 9745 - *Mokela*
478. Simangele Pinky Mahlalela - 960411 0549 086 - Stand No 4939, Extension 11, BARBERTON, 1300 - *Lukhuleni*
479. Onicca Keletso Mashishi - 970611 0984 088 - 1720 Newstand Section, MMAMETLHAKE, 0432 - *Sepeng*
480. Sibusiso Mlangeni - 961018 5327 084 - 126 Maphang Section, KATLEHONG, 1831 - *Zwane*
481. Sibusiso Nganase - 901210 5702 084 - 59 – 490 Mpopu Street, KUYASA, 7784 - *Solani*
482. Simphiwe Thulani Innocent Shili - 910406 5318 082 - 20918 Mkhabela Crescent, Twatwa East, DAVEYTON, 1520 - *Masina*
483. Sizwe Paul Ndimande - 970910 5369 083 - 21 – 4th Avenue, DELMAS, 2210 - *Mtshali*
484. Yandisa Pakati - 980701 1236 089 – and a minor child – Onako Pakati – 140118 0753 088 - Amadiba Location, BIZANA, 4800 - *Phakathi*
485. Julia Rorisang Nokwane - 871209 0471 089 – and a minor child – Olaotse Nokwane – 140811 5306 080 - 0781 Mafoke Section, Thekwane, RUSTENBURG, 0300 - *Komane*
486. Nolzwi Theodorah Nomvalo - 750417 0704 088 – and a minor child – Sibongakonke Cynthia Nomvalo – 070403 1212 084 - 32 St Moritz Flat, 6 John Milner Road, DURBAN, 4001 - *Zondi*
487. Amogelang Lucrecia Mautle - 850202 1080 087 – and two minor children – Thabisang Mautle – 101010 1483 087 – Loago Mautle – 080216 0383 088 - P O Box 949, KURUMAN, 8460 - *Morubisi*
488. Thulani Mahlobo - 650121 5690 083 – and a minor child Sandile Sakhile Mahlobo – 100522 5621 083 - P O Box 96, MBAZWANA, 3974 - *Lugagu*
489. Sive Xamlashe - 951214 1335 088 – and a minor child – Sulezo Xamlashe – 140727 6265 085 - Sixolesini Area, NGCOBO, 5050 - *Qendwana*
490. Vulile Monde Xongwana - 730727 5815 084 – your wife – Nonkosi Pamela Xongwana – 741026 0904 085 – and a minor child - Ovayo Xongwana - 060614 5153 080 - 3 Sacramento Bellandana Avenue, Kosmosdal, MIDRAND, 0157 - *Sese*
491. Edwin Puso Mpuru - 860729 5603 082 – and your wife – Khutsiso Hilda Mpuru – 810223 0422 087 - 1061 Block G G, SOSHANGUVE, 0152 - *Moema*
492. Avaurengwi Neville Mbengeni - 690610 6459 086 - your wife Tshimbiluni Omica Mbengeni – 731005 0825 088 – and a minor child – Nyandano Mbengeni 031118 5591 089 - P O Box 3473, MAKHADO, 0920 - *Ramushweu*
493. Vuyani Eddie Deliwe - 700204 6318 084 – your wife – Nozuko Vivian Deliwe – 770731 0361 087 – and three minor children Libulele Deliwe – 120118 5386 086 – Iviwe Deliwe – 080515 5140 082 – Siyavuya Deliwe – 031211 5246 083 - 41manley Road, Amalinda, EAST LONDON, 5247 - *Malgas*
494. Ponyane Selina Sekoma - 690719 0577 080 – and four minor children – Nare Melford Sekoma – 110429 6196 081 – Nka Godcliff Sekoma – 010420 5400 088 – Titus Lesiba Sekoma – 071016 5279 088 – Kgadi Linda Sekoma – 050421 0330 081 - P O Box 09, JUNO, 0748 - *Makgoka*
495. Fakazi Esau Motloung - 600201 5376 080 – your wife – Mamoea Dinah Motloung – 631226 0361 087 and two minor children – Enocentia Mpho Motloung – 001123 0408 087 – Lefa Gift Motloung – 030318 6009 088 - 71569 Kanana, SEBOKENG, 1983 - *Dlamini*
496. Moliwa Joseph Sello - 780821 5382 085 – your wife – Lulama Patricia Sello – 791211 0379 087 – and five minor children – Vanessa Sello – 040202 0262 083 – Reneiloe Nomfundo Sello – 070913 0617 083 – Reatlegile Lulama Sello – 080913 0200 086 – Reorapetse Noluthando Sello – 090719 0248 084 – Rearabetswe Thando Sello – 090719 5251 083 - 1575 – 18th Avenue, Tlhabane West, RUSTENBURG, 0299 - *Tiro*



497. Mbekeni Nomatyindyo - 470101 7838 086 – and your wife - Lovenia Mabhashe Nomatyindyo – 500816 0814 081 - P O Box 266, QUMBU, 5180 - *Nqwentso*
498. Kleinbooi Theophilus Koneni - 770228 6117 084 – Lleka Junia Koneni – 800317 0459 081 – and four minor children - Eddie Themba Koneni – 041003 5624 080 - Thembelihle Tony Koneni – 090512 0322 086 – Theto Koneni 150305 0177 080 – Tumisho Koneni -150305 0178 088 - 2663 Rosslyn Gardens, PRETORIA, 0182 - *Mgidi*
499. Maggie Malope Tshehla - 910114 0833 085 – and a minor child - Amogelang Tshehla – 141124 0735 082 - P O Box 115, APEL, 0739 - *Seema*
500. Bongumusa Phungula – 780812 5659 085 - and your wife – Tholakele Annacleta Phungula – 821101 0645 088 - K394 Umlazi, UMLAZI, 4031 - *Ngwane*
501. Fhelani Neshehe-Mukhithi - 760525 5685 082 – and your wife – Jabulsile Pertunia Neshehe Mukhithi – 770123 0536 084 - P O Box 1008, PRETORIA, 0008 - *Mukhithi*
502. Benjamin Thabo Khunou - 820521 5299 089 – and your wife – Zandiswa Khunou – 881108 0483 086 – and a minor child – Neo Khunou – 131104 1035 080 - 62 Hummingbird Street, Extension 5, Mayibuye, SWANEVILLE, 1754 - *Manye*
503. Steven Thulani Mahlangu - 791021 5804 082 – and a minor child - Nkosiingiphile Hope Mahlangu – 170204 5351 087 - P O Box 286, BELFAST, 1100 - *Sithole*
504. Mokaba Marius Makwaeba - 770403 0418 081 – and two minor children – Mpho Makwaeba – 130716 5748 086 – Nare Makwaeba – 080916 5688 080 - P O Box 1109, BOCHUM, 0790 - *Seduma*
505. Nthabiseng Mariam Choni - 860909 0266 081 - and a minor child – Nthati Sindisiwe Choni – 100522 0552 085 - 4329 Section F, PALM SPRINGS, 1984 - *Mohajane*
506. Simon Teacher Zomba - 660310 5596 089 – and your wife Yoliswa Cynthia Zomba – 681212 1197 083 - S12349 Soweto On Sea, PORT ELIZABETH, 6201 - *Sam*
507. Khulile Advocate Pokile - 760313 5766 081 – and your wife - Lusanda Pokile – 820726 0733 087 - 25 Zindeki Street, Zwide, PORT ELIZABETH, 6201 - *Sonanzi*
508. Sihle Tusana-Holloway - 930130 0111 088 – and a minor child – Emihle Avene Tusana-Holloway – 170609 0310 088 - 10 Charles Court, Prior Crescent, Quigney, EAST LONDON, 5201 - *Tusana*
509. Xolani Zwane - 850523 5686 086 – and your wife Thandekile Slindile Pearl Zwane – 840628 0365 082 - 12 A Morrison Road, Ashley, PINETOWN, 3610 - *Mthimunye*
510. Lesley Mzwenhlanhla Dlamini - 790626 5819 087 – and your wife – Buyiseliwe Gloria Dlamini – 860710 1191 082 - B86 Mqhawe Road, NTUZUMA, 4659 - *Ngidi*
511. Luthando Sandisile Muteyi - 800513 5521 087 – your wife Nobulali Olwethu Muteyi – 840720 0637 089 – and a minor child – Lilo Uthandolwethu Muteyi – 150119 0158 085 - 87 Babb Street, Highway Gardens, AMALINDA, 5249 - *Mtshibe*
512. Seemola Rosina Lechaba - 720909 0385 089 – and two minor children – Sekwete Lechaba – 050622 6353 080 – Mmasello Lechaba – 080830 1212 086 - P O Box 193, GROOTHOEK, 0628 - *Sekhaolelo*
513. Vusi Obrie Chiloane – 680618 5642 083 – and your wife Sibongile Emiah Chiloane – 700105 0403 089 - 466 C Mkhuhlu Township, HAZYVIEW, 1242 - *Mokwena*
514. Nokonwaba Kwetu - 870407 1085 087 – and two minor children – Lubabalo Kwetu – 061109 5296 087 – Sinolutho Kwetu – 140325 5153 087 - Ngobozana Area, LUSISIKI, 4820 - *Mabele*
515. Mqmwabisi Shadrack Velapi - 720512 5390 086 – your wife - Pumla May-Jane Velapi – 750518 0845 084 – and two minor children – Banelisiwe Velapi – 020910 0316 089 – Ntsika Velapi – 060405 5385 081 - 1516 Zone 1, EZIBELENI, 5326 - *Matshoba*
516. Tlou Jeanett Maela - 750603 1374 084 – and five minor children – Machuene Monene Maela – 040610 0524 080 – Junice Titos Maela – 071215 0325 082 – Samantha Maite Maela – 100814 1101 081 – Tlou Elias Maela – 130202 5908 087 – Cashius Molatelo Maela – 170117 5059 080 - P O Box 272, BOCHUM, 0790 - *Nailana*
517. Pudigadi Mahlako Alitha Mabogwane - 801224 1045 084 – and three minor children – Samuel Mabogwane – 000503 5612 083 - Lethabo Dorcas Mabogwane – 031018 0264 080 – Phologo Mabogwane – 110502 5946 084 - P O Box 3208, BURGERSFORT, 1150 - *Kgoedi*

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518. Gert Jonkers - 730312 5652 082 – your wife – Patricia Maralies Jonkers – 771022 0170 085 – and three minor children – Siphoseto Santiago Shadeny Jonkers – 120601 5618 087 - Uray Elnoline Sindiswa Jonkers – 061027 0423 086 – Thandi Eldine Jonkers – 010829 0119 081 - Brits Street, PHILLIPSTOWN, 7000 - *Madikane*
519. Meshack Vuyo Wadoniza – 820205 6273 083 – and a minor child - Ngcwele Dumile Wadoniza – 160202 5730 088 - 3401 Tswana Section, Khutsong, CARLETONVILLE, 2499 - *Adoons*

## DEPARTMENT OF HOME AFFAIRS

NO. 921

01 SEPTEMBER 2017

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

Notice is hereby given of Government Gazette No. **40526** which, was published in Government Gazette Notice No. **1607** dated **30 December 2017**, is hereby rectified to read as follows

1. Tovhowani Godfrey Madula - 800204 5500 087 - Stand No 2676 Block J, Zone 10, Maludane, THOHOYANDOU, 0950 - *Netshiongolwe*

Notice is hereby given of Government Gazette No. **31417** which, was published in Government Gazette Notice No. **1006** dated **19 September 2008**, is hereby rectified to read as follows

1. David Bekinkosi Mtimkulu - 540213 5508 086 - G160 Kwamashu Township,, KWAMASHU, 4360 - *Ntshangase*

Notice is hereby given of Government Gazette No. **40125** which, was published in Government Gazette Notice No. **803** dated **08 July 2016**, is hereby rectified to read as follows

1. Phumzile Phillip Yibe - 800922 5652 083 – and you wife – Neliswa Taniel Yibe – 751028 0720 088 - 19 Papu Street, Langa, CAPE TOWN, 7455 - *Mkiva*

Notice is hereby given of Government Gazette No. **40978** which, was published in Government Gazette Notice No. **668** dated **14 July 2017**, is hereby rectified to read as follows

1. Douglas Milne Rampf - 871030 5180 081 - 11 Garrison Road, Claremont, CAPE TOWN, 7708 - *Rampf-Shaw*

Notice is hereby given of Government Gazette No. **41024** which, was published in Government Gazette Notice No. **780** dated **04 August 2017**, is hereby rectified to read as follows

1. Mantombazane Prudence Mohlala -680115 1023 087 – and a minor child - Tumelo Mzamo Mohlala – 060424 5061 089 - Ndaleni Area,, RICHMOND, 3780 - *Nxele*

Notice is hereby given of Government Gazette No. **41037** which, was published in Government Gazette Notice No. **826** dated **11 August 2017**, is hereby rectified to read as follows

1. Bongani Mngoma - 780201 5489 083 - Tshonya Area,, LUSIKISIKI, 4800 - *Mdludla*
2. Oupa Hlopho Mashegwana - 920904 5512 082 - 859 Mmutla Street, Extension 3, Zone 14, KWAGUQA, 1073 - *Matladi*
3. Mmatshigo Rosina Matolodi - 900504 1012 089 - Stand No 2213804,, TAFELKOP, 0474 - *Matsepe*

## DEPARTMENT OF HOME AFFAIRS

NO. 922

01 SEPTEMBER 2017

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

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

1. Melly Grace Mokopanele - 940628 0350 083 - House no 2718, Montshiwa Street, PAMPIERSTAD, 8566 - *Melly Tshegofatso*
2. Anda Bradely Notshokovu - 880110 6121 083 - 24 Jacobs Street, Extension 4, MFULENI, 7100 - *Anele Bakhe*
3. Nthabiseng Mveleli - 851225 1318 081 - 8622 Road 9, Marcus Gavey, PHILIPPI, 7785 - *Nosisi Nthabiseng*
4. Bukeka Mrwabo - 951208 1068 087 - 19689 Cornwell Street, Extension 7, Langaville, TSAKANE, 1550 - *Miranda Bukeka*
5. Khanyisani Derrick Chiliza - 900512 5245 084 - P O Box 52298, UMZINTO, 4200 - *Khanyisani Sakhiseni Derrick*
6. Adrian Bailey - 920802 5207 085 - 17 Aranda Court, LAVENDER HILL, 7945 - *Adenaan*
7. Megan Hughes - 970903 0207 085 - 113 First Avenue, GRASSY PARK, 7941 - *Misa Meegan*
8. Antonio Francisco Ras - 910616 6355 087 - 31 Hercules Street, Woodlands, MITCHELLS PLAIN, 7785 - *Ameer*
9. Afton Nichols - 911103 0033 084 - 14 Buffalo Road, OCEAN VIEW, 7975 - *Imaan*
10. Raymond Sadie - 950702 5768 081 - 173 – 8th Avenue, GRASSY PARK, 7941 - *Rafique*
11. Raesibe Georgina Sekgololo - 821208 0934 089 - Seleteng Village, Sefalaolo, MPHABLELE, 0736 - *Raesibe Reshoketswe*
12. Andile Nozayo Nzimande - 960903 0052 087 - 8 Tottenham Place, Westham, PHOENIX, 4068 - *Andile Nozayo Zoey*
13. Cyndy Kamogelo Malope - 890622 0750 087 - P O Box 67, LERORO, 1273 - *Sindrella Cindy*
14. Mariam Govender - 940908 0217 080 - 178 Queenspark Crescent, Shastri Park, PHOENIX, 1033 - *Micaela Katelyn*
15. Lance Skippers - 940331 6213 088 - 15 Statrae Square, Kewtown, ATHLONE, 7764 - *Labeeq*
16. Tshegofatso Mahlebe Seleme - 850606 5985 085 - P O Box 612, GA-NKWANA, 0740 - *Mahlabe David*
17. Patricia Ntongolozzi Ndwandwe - 841210 1003 084 - 9594 Extension 6, MHLUZI, 3950 - *Ntongolozzi Patricia*
18. Dikeledi Desia Maphoroma - 900711 0725 088 - Block A 165, Mandela Village, HAMMANSKRAAL, 0400 - *Dikeledi Desia Mmathapelo*
19. Michael Bester - 611015 5202 089 - 34 Peta Hof, MANENBERG, 7764 - *Ismail*
20. Nadaam Fataar - 571112 5197 084 - 27 Kroton Street, Weltevreden Park, ROODEPOORT, 1725 - *Nadeem*
21. Teri Theodharde - 570304 5027 087 - 17 Flamingo Vlei Village, Stilt Avenue, Flamingovlei, TABLE VIEW, 7441 - *Tertius*
22. Brian Treadway - 540502 5147 089 - 39 Wielewaaal Crescent, Robinvale, ATLANTIS, 7349 - *Brian Ferdinand*
23. Warren Michael Rhode - 730408 5241 080 - 51 Oribi Crescent, HANOVER PARK, 7782 - *Wahied*
24. Mnelisi Thwala - 990612 5087 089 - 35 Beukes Street, Glen Marais, KEMPTON PARK, 1619 - *Mnelisi Curtis*
25. Lethile Sibeko - 981224 0042 084 - 1521 Sterling Estate, Cloverdene, BENONI, 1500 - *Lethintokoza*
26. Charl Boshoff - 911013 5011 086 - 29 Albertyn Road, MUIZENBERG, 7950 - *Charles Hugo*
27. Nyoni Msizeni Sibiya - 910614 5900 086 - 150569 Protea Road, HILLCREST, 3610 - *Msizeni Dumsani*
28. Tryphinah Matlakala Msibi - 900515 0532 083 - 85 New Stand, KROONDAL, 0300 - *Tryphinah Lesego*
29. Natyali Mokotjomela - 980629 5163 084 - 1377 Masiphakame, COLESBERG, 9795 - *Gcobani*
30. Siboleke Ngaba - 971101 6012 083 - 2384 Pulwiche Street, Protea South, SOWETO, 1818 - *Thandolwethu Boyce*

31. Nkosi Thandiwe Mhlongo - 960317 5769 084 - Ntingwe Area, NKANDLA, 3885 - *Nkosithandile Emmanuel*
32. Kylene Kalidin - 981130 5321 086 - 4 Turngate Gardens, South Gate, PHOENIX, 4068 - *Kylen*
33. Jacqueline Dionne Khacham - 710724 0121 083 - 29 Stonewall Street, NEWLANDS, 2093 - *Jamelia*
34. Christopher Leibrandt - 701112 5176 081 - 5 Duram Court, 81 Hathorn Road, Raedene, JOHANNESBURG, 2001 - *Zacharia Chaim*
35. Charles Jerome Jaggars - 710130 5022 088 - 42 D Hallans Walk, HANOVER PARK, 7782 - *Qaied*
36. Jennifer Anne Noordien - 710517 0003 081 - 3 Vuyo Road, Capricorn park, MUIZENBERG, 7950 - *Yumna*
37. Hendrik Lambertus Bornman - 710714 5213 084 - 17 Hamerkop Street, STELLENBOSCH, 7599 - *Hugo*
38. Michael September - 710717 5299 086 - 9 E Pecos Road, MANENBERG, 7767 - *Mansoor*
39. Tebogo Makamu - 940520 5319 082 - 7101 Ndlovu Street, Protea Glen, SOWETO, 0420 - *Samora Tebogo*
40. Quinho Murruchua - 931231 5646 083 - 44 Meter Drive, WRIGHT PARK, 1559 - *Happy Khyno Quinho*
41. Lerato Antoinette Khumalo - 950214 0466 083 - 2 Lesitloaka Street, SAULSVILLE, 0125 - *Lerato Antoinette Valentino*
42. Mohudi Kaka - 960406 0582 087 - 6 c Emberen Street, BIRCHLEIGH NORTH, 1618 - *Blessing*
43. Nthabiseng Masolo - 970610 0711 087 - 43 Joe Slovo, LOTUS GARDENS, 0025 - *Nthabiseng Sharon Thomu*
44. Jane Sesinyana Masilela - 930726 0498 084 - 502 Extension B, Luckau, TSHILWANENG, 0491 - *Jane Fikile*
45. Choene Kenneth Sepuru - 951218 5591 083 - 91 Ann Road, Clayville East, OLIFANTSFONTEIN, 1665 - *Choene Kgothatso Kenneth*
46. Kwanele Khayelihle Sibiya - 920426 5511 088 - P O Box 120, INGWAVUMA, 3968 - *Sibonelo Khayelihle*
47. William Duda - 940204 5469 086 - 2304 Takalani, VENTERSTAD, 9798 - *Sivuyile William*
48. Namhla Nkata - 911114 0355 088 - 1 Drakensberg Road, Haven Hills, EAST LONDON, 5200 - *Fiona Namhla*
49. Prudence Magdeline Masefefe Nkwe - 720204 0498 086 - 1071 Block K, SOSHANGUVE, 0152 - *Prudence Magdeline*
50. Aden Van Rooyen - 710204 5808 083 - B 2 Springbok Flats, New Orleans, PAARL, 7644 - *Adil*
51. Leon Booysen - 711201 5724 087 - 17 Lawrence Road, MAITLAND, 7405 - *Shaheed*
52. Khonjiwe Johannes Mahlangu - 440518 5164 081 - Stand no 1686, Kameelriver, SIYABUSWA, 0472 - *Boniwe Johannes*
53. Malekaleka Billyboy Shaku - 900508 5683 084 - Ga-Nchabeleng, JANE FURSE, 1085 - *Malekaleke Billy*
54. Babalwa Buti - 940506 0504 083 - 28467 Lembedi Street, Wallacedene, KRAAIFONTEIN, 7569 - *Babalwa Anothando*
55. Angela Williams - 650502 0912 087 - 69 Vancouver Street, Tafelsig, MITCHELLS PLAIN, 7789 - *Aisha*
56. Lesang Revelation Bolele - 980324 5380 082 - 6505 Extension 5, MEIRING, 9323 - *Onalenna Revelation*
57. Aneesah Armien - 661112 0950 082 - 25 Waterville Street, Sunningdale, Blouberg, TABLEVIEW, 7439 - *Anne-Marie Gillian*
58. Malibongwe Kwazikwedodo Nxumalo - 930924 5327 081 - 3745 Zone 10, MEADOWLANDS, 1852 - *Malibongwe Lwazi*
59. Melodu Hannah Moleko - 920209 0309 082 - 42 Malcolm Road, Blairgowrie, RANDBURG, 2194 - *Melody Hannah*
60. Matshwene Tlou Olivia Setwaba - 921205 0288 085 - 4811 Shanny Street, Extension 11, Allandale, MIDRAND, 1685 - *Thabiso*
61. Godfrey Malepe - 930102 6196 082 - P O Box 219, JANE FURSE, 1083 - *Kgagudi Godfrey*
62. Apie Baron - 611221 5777 084 - Houtkaprug, CITRUSDAL, 7340 - *Appie Abraham*
63. Nokwazi Peaceful Nkomuzwayo - 940425 1472 085 - 5608 Midfider Street, Extension 7, ALEXANDRA, 2012 - *Nolwazi Peaceful*
64. Makgonye Nkadameng - 950813 5911 082 - 11 Dayer Street, CYRILDENE, 2198 - *Makgonye Bonyane*

65. NONkhuleko Kunene - 980224 0657 080 - 765 Khayaletu Street, Khutsong Location, CARLETONVILLE, 2499 - *Nomkhuleko*
66. Mcebisi Nyawose - 971016 5793 089 - Maveshe Location, MURCHISON, 4250 - *Mncedisi*
67. Godfrey Molefe Thobejane - 970522 5606 081 - P O Box 435, ATOK, 0249 - *Makwale Godfrey*
68. Lusanda Dubazana - 970307 6220 086 - Sibi Area, MATATIELE, 4730 - *Lusanda Siyabonga*
69. Khethokuhle Choicent Zwane - 960528 1252 087 - 4276 Section 3, MADADENI, 2951 - *Khethokuhle Choicent Nontobeko*
70. Mabitja Annah Mabokela - 950909 6596 086 - 3616 Zone, SESHEGO, 0742 - *Mabitja Ananias*
71. Ledenzo Mpumelelo Jacobs - 950905 5283 080 - 24 Sunrise Place, ELSBURG, 1401 - *Leo-Danzo Mpumelelo*
72. Matimpula Cornelius Morris Kekana - 920303 6342 088 - 4682 Selosheng Section, MAJANENG, 0407 - *Cornelius Matimpula*
73. Yolanda Nontobeko Shangase - 980422 1233 089 - 828 No D, Malukazi, ISIPINGO RAIL, 4110 - *Nokwanda Samantha*
74. Zandile Sambo - 970420 6296 087 - Stand no 2031, Magana, SIYABUSWA, 0472 - *Sandile*
75. Quinton Peter Daniels - 680718 5236 082 - 15 Comet Road, Surrey Estate, ATHLONE, 7764 - *Nadeem*
76. Marrie Edebare - 810614 0217 081 - 18841 Thesele Street, KIMBERLEY, 8345 - *Marrie Kedisaletse*
77. Samanthea Waylien Van Zyl - 851203 0191 080 - 12 B Grysbok Street, PAARL, 7620 - *Shaamiela*
78. Ashley Wayne Visser - 850619 5226 087 - 14 Kappertjie Street, PIKETBERG, 7320 - *Mogammat Ashur*
79. Fabian Classen - 850109 5189 089 - 19 Eva Court, MANENBERG, 7764 - *Nazeer*
80. Maliah Thomas - 841121 0176 088 - 19 Victoria Mansions, GRASSY PARK, 7941 - *Monique*
81. Marcelle Campos Moses - 840327 0091 083 - 7 Folkstone Crescent, SOMERSET WEST, 7130 - *Marcelle Jaydriana Helena Campos*
82. Donovan Aubrey Ockhuis - 830831 5202 084 - 1 Leerdome Street, VREDENBURG, 7380 - *Dameer Agmat*
83. Georgina Fredeline Aploon - 830131 0410 083 - 39 Viola Street, Lenteguur, MITCHELLS PLAIN, 7786 - *Gihan*
84. Alfred Smith - 630401 5254 089 - 6 Springbok Flat, Hexroner Street, JOHANNESBURG, 2001 - *Shiraaz*
85. Ingrid Eleanora Morche - 660521 0020 087 - 715 Rapallo, 292 Beach Road, Sea Point, CAPE TOWN, 8005 - *Ingrid Eleanora Merseam*
86. Jawaad Jacobus Petersen - 690420 5529 081 - 23 Petunia Street, New Fields, HANOVER PARK, 7780 - *Jawaad*
87. Marian Adams - 660928 0534 084 - 805 Block B, Sydenham Heights, DURBAN, 4023 - *Mariam*
88. André Janse Van Rensburg - 680625 5137 089 - Bloemhof Farm, WESSELSBRON, 9680 - *André*
89. Shamil Hildebrand - 681213 5259 085 - 4 Union Street, KENILWORTH, 7708 - *David Edward*
90. Nkateko Ursula Nannette Maluleke - 930408 0237 081 - 606 Ahimsa Crescent, Extension 3, LAUDIUM, 0037 - *Nkateko Nanette*
91. Muhle Ngwenya - 941019 5093 085 - 5 Janfiskaal Street, PHALABORWA, 1390 - *Muhle Matlharihana-Junior*
92. Nditsheni Lawrance Mashavha - 760130 5684 084 - Stand no 597, Midoroni, MAKHADO, 0920 - *Muvhango Lawrence*
93. Beuty Dimakatso Combrink - 961007 0222 085 - 16 Robert Jones Avenue, EERSTERUS, 0401 - *Beauty*
94. Christina Ursula Abrahams - 701003 0089 082 - 47 Grindal Avenue, Lavender Hill, RETREAT, 7965 - *Kashiefa*
95. Maida Frida Mamonako - 920501 0827 083 - Ga-Mogashoa, SEKHUKHUNE, 1124 - *Maphakane Maida*
96. Katija Candice Packery - 701127 0011 083 - 5 – 23 Villa Italia, Ratanga Road, CENTURY CITY, 0199 - *Candice*

97. Perusamy Govender - 710906 5148 084 - 07 Ecree, DUNDEE, 3000 - *Robert*
98. Anna Marie Boks - 720607 0049 081 - 19 Douglas Singel, RAVENSMEAD, 7504 - *Anna-Marie*
99. Kevin Mohlamonyane - 990731 5498 086 - 2467 Maseru Street, Cosmo City, Extension 2, JOHANNESBURG, 1030 - *Kagiso Kevin*
100. Amos Moses Shabangu - 580917 5624 088 - Stand no 635, KWAMHLANGA, 1022 - *Moses Salmon*
101. Mosadinyana Shadi Magdeline Makhubedu - 890903 0452 084 - 26676 Madigo Street, Extension 8, MAMELODI EAST, 0122 - *Shadi Charity*
102. Tumo Letsoalo - 870428 5585 088 - 1705 Motintinyane Street, Extension 24, NELLMAPIUS, 0162 - *Tumo Klass*
103. Alice Mmapule Mokhoele - 851203 0312 082 - 2 Zircon Street, CARLETONVILLE, 2499 - *Alice Makatleho*
104. Nyatsane Onismus Moela - 740214 5581 089 - 7921 Zone One, Winnie Mandela, TEMBISA, 1632 - *Mohwaloba Onismus*
105. David Nkadimeng - 830713 5271 089 - 69 Bekezela Street, Kingsway, BENONI, 1501 - *Makitimela David*
106. David Mntakathenjwa Sikulume - 630228 6091 081 - 79 Block 6, Khayelisha, CARLETONVILLE, 2500 - *David Thembekile*
107. Reshoketswe Violet Matlala - 600228 5667 085 - 1029 Block K, SOSHANGUVE, 0152 - *Oupa Moses*
108. Nalini Ebrahim - 800723 0321 082 - 238 Balhambra Way, Northdale, PIETERMARITZBURG, 3200 - *Chantal Nalini*
109. Ntombizodwa Lwandlekazi Duma - 890225 0353 082 - P O Box 714, UMZINTO, 4200 - *Fransiscar Ntombizodwa*
110. Mpho Kwenadi Mangena - 920828 0438 086 - Stand no 827, Zone C, NAMAKGAL, 1391 - *Mpho Precious*
111. Nophelo Ntobongwana - 980604 0389 083 - Balasi A/A, QUMBU, 5150 - *Nophelo Ziyanda*
112. Ohama Kondile - 901030 0244 084 - 40 Ngesi Street, Kwanobuhle, UITENHAGE, 6242 - *Qhama*
113. Ncebakazi Ntsoyana - 820405 0565 084 - 6 St Augustine, Taylor Road, Honeydewridge, ROODEPOORT, 2091 - *Ncebakazi Asanda*
114. Nicole Mickayle Viljoen - 960521 0143 084 - 21 Julius Crescent, Ellenby Drive, RETREAT, 7945 - *Taahirah*
115. Juandré Theswille Young - 931220 5111 081 - 126 Villa Da Algarve, MUILENBERG, 7945 - *Uzair*
116. Rushana Petersen - 901010 0885 086 - 29 Cheetah Close, East Ridge, MITCHELLS PLAIN, 7785 - *Shana*
117. Happy Nokubonga Khoza - 930102 0662 089 - 10 Van Den Bosch Street, SPRINGS, 1559 - *Nokubonga*
118. Promise Khoza - 951206 0900 086 - 592 Fransis Baard Street, 504 Corfri Flat, ARCADIA, 0083 - *Gwendolyn Nhlanhla*
119. Carl Gracia Lekau Majekane - 951028 5143 086 - 19 Klawer Street, Extension 1, NELLMAPIUS, 0162 - *Carl Lekau*



## DEPARTMENT OF HOME AFFAIRS

NO. 923

01 SEPTEMBER 2017

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

Notice is hereby given of Government Gazette No. **40229** which, was published in Government Notice No. **942** dated **26 August 2016**, is hereby rectified to read as follow

1. Hlapugadi Lenah Masipa - 900828 0301 080 - 9 Nansen Place, Tulisa Park, ALBERTON, 2197 - *Hlapogadi Lenah*

Notice is hereby given of Government Gazette No. **40978** which, was published in Government Notice No. **667** dated **14 July 2017**, is hereby rectified to read as follow

1. Collen Tshengedzeni Macheke - 841230 5620 089 - 30384 Zone 10, Meadowlands, SOWETO, 1852 - *Collen Nhluvuko*
2. Amelia Zanele Mose - 890828 0261 088 - 7202 Tsakane Street, Swaneville, KRUGERSDORP, 1754 - *Amelia Ratanang*
3. Tiny Oaitse - 791027 0541 082 - 56 – 14 Th Street, Orange Groove, JOHANNESBURG, 2192 - *Tiny Koaone*

Notice is hereby given of Government Gazette No. **41047** which, was published in Government Notice No. **837** dated **18 August 2017**, is hereby rectified to read as follow

1. Rector Bakone Mangwale - 900323 6079 088 - 27 Oakhill, 2 Augrabies Street, Mooikloof Ridge, PRETORIA, 0081 - *Tokelo Bakone*
2. Mphakane Calvin Rapolayi - 830723 5469 088 - 2783 Phase 1, Thusanong Street, MAMELODI, 0122 - *Matsobane Samuel*
3. Ashira Chetty Gounder - 840628 0237 083 - 295 Lemonwood Street, 36 Amberhill, Eco Park Estate, CENTURION, 0157 - *Ashanti*
4. Sonto Matsitiso Moso - 900923 0482 087 - Aa 44, UMLAZI, 4066 - *Matshidiso*
5. Pheladi Ntwampe - 951028 0773 085 - P O Box 339, LENYENYE, 0857 - *Pheladi Priscilla Akeila*

## DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 924

01 SEPTEMBER 2017

**PRESCRIBED RATE OF INTEREST  
(SECTION 1 OF THE PRESCRIBED RATE OF INTEREST ACT, 1975)**

- (1) Under section 1(2)(b) of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975), I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby publish a rate of interest of 10,25 percent *per annum* as from 1 September 2017 for the purposes of section 1(1) of the said Act.
- (2) Government Notice No. R.461 of 22 April 2016 is hereby withdrawn.

**T.M MASUTHA, MP****Minister of Justice and Correctional Service**

## DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. 924

01 SEPTEMBER 2017

**VOORGESKREWE RENTEKOERS  
(ARTIKEL 1 VAN DIE WET OP DIE VOORGESKREWE RENTEKOERS, 1975)**

- (1) Kragtens artikel 1(2)(b) van die Wet op die Voorgeskrewe Rentekoers, 1975 (Wet No. 55 van 1975), publiseer ek, Tshililo Michael Masutha, Minister van Justisie en Korrektiewe Dienste, hierby met ingang van 1 September 2017 vir doeleindes van artikel 1(1) van genoemde Wet 'n rente koers van 10,25 persent per jaar.
- (2) Goewermentskennisgewing No. R.461 van 22 April 2016 word hierby ingetrek.

**T.M MASUTHA, MP****Minister van Justisie en Korrektiewe Dienste**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 925

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/D/72/0/0/7

CLAIMANT : Nobuntu Myeha (On behalf of Ntselamanzi Community)

PROPERTY DESCRIPTION	EXTENT OF LAND	PROPERTY DESCRIPTION	EXTENT OF LAND
Erf 6	3 morgen	Erf 22	2 morgen
Erf 7	2 morgen	Erf 23	2 morgen
Erf 8	3 morgen	Erf 24	2 morgen
Erf 9	2 morgen	Erf 25	2 morgen
Erf 10	2 morgen	Erf 26	2 morgen
Erf 11	2 morgen	Erf 27	2 morgen
Erf 12	3 morgen	Erf 28	1 morgen 300 sr
Erf 13	3 morgen	Erf 29	1 morgen 300 sr
Erf 14	3 morgen	Erf 30	3 morgen
Erf 15	3 morgen	Erf 31	2 morgen 590 sr
Erf 16	3 morgen	Erf 32	3 morgen
Erf 17	2 morgen	Erf 33	3 morgen 99 sr
Erf 18	2 morgen	Erf 34	2 morgen 347 sr
Erf 19	3 morgen	Erf 35	2 morgen 390 sr
Erf 20	3 morgen	Erf 36	3 morgen 277 sr
Erf 21	3 morgen		

TITLE DEED : n/a

CURRENT OWNER : Raymond Mhlaba Local Municipality

DISTRICT : Alice / Amathole

DATE SUBMITTED : 27 February 1996

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**



**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 926

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/3/D/51/792/174/1

CLAIMANT : Nodoli Mkonto

PROPERTY DESCRIPTION : Erf 12 Bethelsdorp now consolidated into Erf 4702

EXTENT OF LAND : 416 sqm

DISTRICT : Port Elizabeth / Cacadu

TITLE DEED : T8284/2003

DATE SUBMITTED : 19 February 1998

CURRENT OWNER : Ernest Edward Vywers and Shannon Vywers

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**

  
**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 927

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/3/D/51/792/979/4  
CLAIMANT : Mxolisi P. Ngquza  
PROPERTY DESCRIPTION : Erf 491, Bethelsdorp  
EXTENT OF LAND : 2.1414 Hectares  
DISTRICT : Port Elizabeth / Cacadu  
TITLE DEED : 9896/1956  
DATE SUBMITTED : 31 December 1998  
CURRENT OWNER : Nelson Mandela Metropolitan Municipality

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**



**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 928

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/2/52/2003/002/28

CLAIMANT : Wilson Ndoyisile Mtana (On behalf of Mtana Family Claim)

PROPERTY DESCRIPTION : Buffelshoek Farm, Gamtoos, Hankey,

EXTENT OF LAND : 1068.7738 Hectares

DISTRICT : Hankey / Cacadu

TITLE DEED : DT9513//1957

DATE SUBMITTED : 03 July 1996

CURRENT OWNER : n/a

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**



**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 929

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/3/D/51/797/1158/128

CLAIMANT : Herman Cunningham (On behalf of Paul Family)

PROPERTY DESCRIPTION : Erf 2473, Korsten

EXTENT OF LAND : 28 sq roods 104 sqf

DISTRICT : Port Elizabeth / Cacadu

TITLE DEED : 29900/1971

DATE SUBMITTED : 04 February 1998

CURRENT OWNER : Nelson Mandela Metropolitan Municipality

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**



**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**



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# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 627

1 September 2017  
September

No. 41082

**PART 4 OF 5**

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ISSN 1682-5843



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## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 930

01 SEPTEMBER 2017

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

Notice is hereby given in terms of section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No.22 of 1994 as amended) that a claim for restitution of land rights on:

REFERENCE : 6/2/3/D/51/797/979/17  
CLAIMANT : Lynette Peters  
PROPERTY DESCRIPTION : Erf 2473, Korsten  
EXTENT OF LAND : Erf 436, Bethelsdorp  
DISTRICT : Port Elizabeth / Cacadu  
TITLE DEED : 23487/1972  
DATE SUBMITTED : 31 December 1998  
CURRENT OWNER : Nelson Mandela Metropolitan Municipality

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to

**Office of the Regional Land Claims Commissioner : Eastern Cape**  
**Department of Rural Development and Land Reform**  
**PO Box 1375**  
**East London**  
**5200**  
**Tel : 043 700 6000**  
**Fax : 043 743 3687**

  
**Mr. L.H. Maphutha**  
**Regional Land Claims Commissioner**



## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 931

01 SEPTEMBER 2017

**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, that a claim for Restitution of Land Rights has been lodged on the farm Zebediela 123 KS situated within the Lepelle Nkumpi Local Municipality, Capricorn District, Limpopo.

Note that the area under claim is a farming area used for producing maize. The claimant lost right of land on 3.3450 hectares within the remaining extent of the farm Zebediela 123 KS. The claimant has opted for financial compensation as a form of redress as provided for by the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended.

Mr Klass Setsama Matlaila lodged the land claim on behalf of his family on the property mentioned in the table below on the 08<sup>th</sup> of November 1998.

The following table depicts the property claimed by the above-mentioned person.

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT (HECTARE S)	BONDS AND RESTRICTIVE CONDITIONS
The remainder of the farm Zebediela 123 KS	Republic of South Africa	T22924/1961	3.3450H	None

**Take further notice** that the Office of the Regional Land Claims Commissioner: Limpopo is in a process of settling this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **14** days of publication of this notice, any comment, and/ or objection to this land claim to the Office of the Regional Land Claims Commissioner: Limpopo at the address set out below under reference number **KRP: 1586**

**Office of the Regional Land Claims** Submissions may also be delivered to:

Commissioner: Limpopo  
Private Bag x9552  
POLOKWANE  
0700

First Floor, 96 Kagiso House  
Corner Rissik & Schoeman Streets  
POLOKWANE  
0700

  
L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO  
DATE: 20/7/17

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 932

01 SEPTEMBER 2017

## Gazette Notice

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

Notice is hereby given in terms of Section 11 of the Restitution of Land Rights Act, 1994 (Act 22 of 1994) as amended, for the Gazette Notice of ..... in Government Gazette No. .... of .....

1. Reference No : R0247 and R0043

2. Claimant : Chief N.J.M Pilane on behalf of Bakgatla Ba Kgafela Community

Ref No	Claimant	Property	Portions	Extent	Land Owner	Deed No	District	Interested Parties
R0247 and R0043	Mr. N.J.M Pilane	Boekenhoutfontein 44 JQ	Remaining Extent, Portion 1 (Remaining Extent), Portion 2, Portion 3 (Remaining Extent), Portion 4, Portion 5, Portion 6 (Remaining Extent), Portion 7, Portion 8, Portion 9 (Remaining Extent), Portion 10, Portion 11, Portion 12, Portion 13, Portion 14, Portion 15, Portion 16, Portion 17 and Portion 19	1745.2405	<ul style="list-style-type: none"> <li>Department of Public Works</li> <li>Robbertze Petrus Johannes, Lemmer Hermanus for portion 5</li> </ul>	STATE LAND <ul style="list-style-type: none"> <li>T34517/1963BP</li> <li>T34719/1963BP</li> <li>T33325/1963BP</li> <li>T32465/1963BP</li> <li>T20150/1964BP</li> <li>T2355/1964BP</li> <li>T10680/1964BP</li> <li>T46405/1965BP</li> <li>T6871/1966BP</li> </ul> PRIVATE <ul style="list-style-type: none"> <li>T1297/1927BP</li> </ul>	Bojanala	<ul style="list-style-type: none"> <li>Department of Public Works</li> <li>Robbertze Petrus Johannes and Lemmer Hermanus</li> </ul>

Any party/parties who has interest in the above-mentioned properties is hereby invited to submit within 30 days from the date of this notice, any representations and/or information which shall assist the Commissioner in proving or disproving this land claim. The affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

The Regional Land Claims Commissioner: North West Province  
Private Bag X08  
Mmabatho  
2735

Tel: (018) 388 7000



MR L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
COMMISSION ON RESTITUTION OF LAND RIGHTS, SA

24/07/2017



MR. V TITIES  
DEPUTY DIRECTOR (IMU)  
OFFICE OF THE REGIONAL LAND CLAIMS COMMISSIONER  
NORTH WEST PROVINCE

DATE 29/06/2017



## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 933

01 SEPTEMBER 2017

**SCALE OF FEES TO BE CHARGED IN THE OFFICES OF THE CHIEF SURVEYOR-GENERAL AND THE SURVEYORS-GENERAL FOR PRODUCTS AND SERVICES PROVIDED IN TERMS OF SECTIONS 3 AND 6 OF THE LAND SURVEY ACT, NO 8 OF 1997, AND IN TERMS OF SECTION 7 OF THE SECTIONAL TITLES ACT, NO 95 OF 1986. PROCESSING OF DIAGRAMS, GENERAL PLANS AND DRAFT SECTIONAL PLANS**

**1. For the total processing of: -**

a) Each new <b>Diagram</b> submitted for approval .....	<b>R400</b>
Provided that in the case of a servitude diagram, depicting a servitude (or servitudes) over two or more pieces of land, an additional fee of <b>R60</b> is payable for each piece of land in excess of one (1)	<b>R60</b>
It should be noted that the above fee covers the supply, by a Surveyor-General in the prescribed circumstances, of the additional copies of the diagram required for registration purposes as well as all survey-related services in connection with or incidental to such registration that are not specified elsewhere in this scale of fees.	
b) Each new <b>General Plan</b> , submitted for approval or provisional approval, a basic fee plus an additional amount per piece of land depicted on such plan in accordance with the following table:	<b>R1250 plus R75</b> <b>R1665 plus R70</b> <b>R4400 plus R65</b> <b>R6000 plus R85</b>
(i) 2 to 50 pieces: (ii) 51 to 300 pieces: (iii) 301 to 500 pieces (iv) 501 and upwards:	
It should be noted that the above fees cover the supply of such additional copies thereof, as may be prescribed by law for registration purposes, by a Surveyor-General.	
c) Each <b>Draft Sectional Plan</b> or plan of cession of real rights, submitted for approval, a basic fee of:	<b>R450</b>
In addition, for each Section, Exclusive Use Area, newly-created Servitude or Real Right shown or recorded on such plan, an amount of:	<b>R65</b>

The above fee covers the supply of such additional copies thereof, as may be prescribed by law for registration purposes, by a Surveyor-General.

d) In the case of Multimedia Submissions, the fees for **A0-A2 size diagrams, general plans or sectional plans, which requires to be plotted on film**, shall be consistent with the cost of specific hardcopy prints required by the Surveyor General in terms of the Regulations promulgated under the Land Survey Act, 1997, in addition to the examination fees.

e) Each set of documents, which has been returned by a Surveyor-General, an administration fee payable upon re-submission. **R80**

In addition for each **reframed** document:~

f) (i) **Diagram** (50% of new lodgement) ..... **R200**

Provided that in the case of a servitude diagram, depicting a servitude (or servitudes) over two or more pieces of land, an additional fee of **R30** is payable for each piece of land in excess of one (1)

(ii) **General Plan**, (± 50% of new lodgement)

- (i) 2 to 50 pieces:
- (ii) 51 to 300 pieces:
- (iii) 301 to 500 pieces
- (iv) 501 and upwards:

**R600 plus R40**  
**R800 plus R35**  
**R2200 plus R30**  
**R3000 plus R45**

(iii) **Sectional Plan** ..... **R210**

In addition, for each Section, Exclusive Use Area, newly-created Servitude or Real Right shown or recorded on such plan, an amount of. **R30**

## AMENDMENT OR ENDORSEMENT OF DIAGRAMS, GENERAL PLANS AND SECTIONAL PLANS

2. For each amendment or endorsement of a diagram, general plan or sectional plan, in terms of any law, per amendment requested... **R170**

Provided that if in the opinion of a Surveyor-General the necessary work is of a complicated nature, the fee prescribed in paragraph 8 shall apply.

Provided further that this fee shall not cover the certification and supply by a Surveyor-General of copies of such diagram, general plan or sectional plan necessary for registration or any other purpose.

**WITHDRAWAL OF DIAGRAMS, GENERAL PLANS AND SECTIONAL PLANS**

3. For withdrawing a diagram, general plan or sectional plan, per document. .... **R170**

Provided that, where a large number of documents are to be withdrawn simultaneously, the work relating to such withdrawals can be done with the consent of the Surveyor-General on a time charge as prescribed in paragraph 8.

**CERTIFICATION OF DIAGRAMS, GENERAL PLANS AND SECTIONAL PLANS**

4. For the certification of diagrams, general plans or sectional plans, per document..... **R45**  
Plus the cost of the required number of prints as prescribed in paragraph 6.

**PREPARATION OF CERTIFICATES, REPORTS TO COURT, AFFIDAVITS AND ALPHABETICAL LISTS**

5. For:
- (a) Each hour or portion thereof spent on the preparation of a: -
    - (i) Certificate. .... **R260**
    - (ii) Report to Court or Affidavit. .... **R360**
  - (b) The issuing of a **hard copy** of an alphabetical list containing the names of townships, agricultural holdings, farms or sectional title schemes, per list. **R170**

Provided that an additional fee of **R10** per A4-size page shall be charged for each page of an alphabetical list in excess of 100 A4-size pages.

**R10**

**SUPPLY OF PRINTS**

6. For the supply of prints: -

(a) Paper	
A4 size. ....	<b>R10</b>
A3 size. ....	<b>R15</b>
A2 size. ....	<b>R20</b>
A1 size. ....	<b>R30</b>
A0 size. ....	<b>R40</b>

(b) Any other print medium (film, etc)	
A2 size. (or portion thereof).....	R30.00
A1 size. ....	R60.00
A0 size. ....	R100.00

Provided that the fees prescribed in this paragraph do not include packaging and postage.

Provided further that the supply, nature, scale and material used for any print will be at the discretion of the Chief Surveyor-General or a Surveyor-General as the case may be.

## DIGITAL CADASTRAL AND RELATED INFORMATION

### 7. For the supply of digital cadastral information :

For bulk extractions, data manipulation or processing, the following charges will apply: -

- |   |      |
|---|------|
| (a) For each half-hour or portion thereof spent on the extraction of the information<br>(Computer processing time will not be considered).....  | R175 |
| (b) Prints of cadastral spatial data (A1 and larger paper sizes), if required: -  |      |
| (i) Per print. .... The fee as prescribed in paragraph 6 plus the fee as prescribed in paragraph 7 (a) will apply   |      |
| (c) The fee as prescribed in paragraph 7 (a) will apply to prepare the digital information in a format other than the format in which the information is captured. Provided that the required format is supported by the software in use and subject to the discretion of the Chief Surveyor-General or Surveyor-General, as the case may be. |      |
| (d) For supply of an image, the fee shall be 40% of the cost of the corresponding paper size quoted in 6(a) above.<br>This fee is similarly applicable to images supplied by Auto Emailer.  |      |
| (e) Compact disks, if not supplied by clients, per disk. ....   | R24  |

Provided that the fees prescribed in this paragraph do not include packaging and the cost of delivery or transfer medium. There will, however, be no charge in this regard if the required digital information is dispatched via e-mail.

**MISCELLANEOUS**

8. For any work or services not specified elsewhere in this scale of fees, the charge per hour or portion thereof shall be.  
 ..... R200 R150 75 R350

**PACKAGING AND POSTAGE**

9. The fee for packaging and delivery services will be in accordance with appropriate current rate

## SCALE OF FEES TO BE CHARGED IN THE CHIEF DIRECTORATE: NATIONAL GEOSPATIAL INFORMATION

### Promotion of Access to Information Act 2 of 2000

In terms of section 15(1) of the Promotion of Access to Information Act 2 of 2000, these standard products and services are available free of charge and only the direct costs of copy and supply such as transfer medium, printing, paper, ink, postage and packaging are recovered.

### Products can be ordered via:

URL: <http://www.ngi.gov.za>

E-mail: [Sales@drdlr.gov.za](mailto:Sales@drdlr.gov.za) Fax 021 – 686 9884

Private Bag X10, Mowbray, 7705

### A.

### STANDARD PRODUCTS AND SERVICES

Note that fees prescribed do not include packaging and postage. The fee for packaging and postage is reviewed from time to time in line with the SA Postal Services fees and published on the Chief Directorate National Geo-spatial Information website <http://www.ngi.gov.za> for easy reference.

### 1.

### MAPS OF THE NATIONAL SERIES

Maps of the national series specified below, per map/print:

(a)

Maps of the 1:10 000 Orthophoto series of the national map series per print:

Paper print

Black and white orthophotos HP coated paper

(b)

1:50 000 topographical, South Africa

(c)

1:250 000 topo-cadastral, South Africa.

(d)

1:500 000 topo-admin edition

**R21.50**

**R24.50**

**R24.00**

**R24.00**

**R24.00**

**2. OTHER MAPS**

(a)	Aeronautical edition (ICAO symbols)	<b>R24.00</b>
(b)	1:1 000 000 world aeronautical chart (ICAO)	<b>R24.00</b>
(c)	1:1 100 000 South Africa	<b>R92.00</b>
(d)	1:2 000 000 South Africa (2015 Edition)	<b>R24.00</b>
(e)	1:2 500 000 topographical (Southern Africa)	<b>R24.00</b>
(f)	Provincial Map (various scales) , South Africa	<b>R24.00</b>
(g)	Maps of the Regional Series (various scales)	<b>R24.00</b>

**3. AERIAL PHOTOGRAPHY – AND IMAGERY RELATED PRODUCTS**

Availability is subject to the following condition: Research and or preparation requirements for aerial photography products or imagery will be free for the first hour, thereafter an hourly rate in terms of paragraph B5 will apply to research and preparation of the information.

(a)	Prints produced from Aerial imagery products: Prints on HP coated satin photo paper not exceeding	
	i) 125mm x 250mm per sheet	<b>R11.00</b>
	ii) 250mm x 250mm per sheet	<b>R16.00</b>
	iii) 450mm x 500mm per she	<b>R34.00</b>
	iv) 700mm x 900mm per sheet	<b>R82.00</b>
	v) 900mm x 1000mm per sheet	<b>R108.00</b>
(b)	Flight Plans	
	i) Paper copy	<b>R21.50</b>



#### 4. PRODUCTS OF THE NATIONAL CONTROL SURVEY SYSTEM

(a)	Co-ordinates and/or heights of trigonometrical stations, town survey marks and bench marks	R0.00
	(i) Output in digital format, also available on internet, per point	
	(ii) Plans of the national control survey network per paper print for every half square metre or portion thereof :	
	- Trigonometrical stations, town survey marks or bench marks	R21.50
	- Reconnaissance reports or locality reports	R8.50
Note 1: The Chief Director: National Geo-spatial Information cannot guarantee that any trigonometrical station, town survey mark or bench mark for which data have been supplied has not been disturbed or removed		
Note 2: Co-ordinates based on the Cape Datum (Modified Clarke 1880) are no longer kept up to date and may not represent the current position of trigonometrical beacons and town survey marks.		
(b)	TrigNet (GPS) Data	
	i) Post Processing Data Only	
A standard suite of products can be downloaded directly via http or ftp server (internet). Any non-standard products will be charged in terms of paragraph B5 at the standard hourly rate for preparation and dispatch.		
<b>No charge for client self-download of data</b>		
	ii) Real time differential and kinematic GNSS services	R0.00
This data is disseminated as live data streams via Networked Transport of RTCM via Internet Protocol (NTRIP)		

## 5. DIGITAL SPATIAL INFORMATION

The fees payable for the supply of listed digital spatial information where available as a standard product:

*Digital data is prepacked on server; only cost to be paid is the medium onto which the data is written. No cost implication on labour, equipment and overheads.*

### (a) Digital topographical and related information: (Off-the-shelf products)

*The proposed tariff structure sets out the fees, products and services that are available.*

(i) High resolution elevation data available as a 25 metre grid	R0.00
(ii) High resolution topographic information, all features, supplied in shape file format only (1:50 000 map series)	R0.00
(iii) Map images, supplied in jpeg format (1:50 000 map series and 1:250 000 map series)	R0.00
(iv) Contours, where available supplied in shape file format only. (1:10 000 map series)	R0.00
(v) Ortho-rectified image, panchromatic or colour, per image, where available	R0.00
(vi) Provincial geodatabase	R0.00
(vii) Low resolution aerial photographic imagery, panchromatic or colour where available supplied in jpeg format.	R0.00

Provided that the supply of digital information not contained in the off-the-shelf products and/or required in any other format other than that prescribed above, will be charged at an hourly rate to prepare such information. (See para B5)

**B. NON-STANDARD PRODUCTS AND SERVICES**

Note that the fees prescribed do not include packaging and postage. The fee for packaging and postage is reviewed from time to time in line with the SA Postal Services Fees and published on the Chief Directorate National Geospatial Information website <http://www.ngi.gov.za> for easy reference.

**Supply of Non-Standard Products**

1.	(a)	Prints on paper, per sheet:	
		(i) A4 size	R10.00
		(ii) A3 size	R15.00 R20.00
	(b)	(i) Paper copy of colour grid index guide (includes 1:50 000 and 1:250 000 map series)	
	(d)	Previous edition maps	R24.00 R0.00
		(i) Paper copies	
		(ii) Digital copies (Jpeg file format)	
		Provided that the supply, nature, scale and material used for any print shall be at the discretion of the Chief Director National Geo-spatial Information.	
2.		<b>Mosaics of aerial photographs (digital process)</b>	
		In addition to the cost of the output medium, which shall be according to fees under Standard Products paragraph 3 (b) or (c), the cost of producing each mosaic from	
		(i) 2 unrectified aerial photographs / images	R350.00
		(ii) Thereafter for each additional aerial photograph / image, add	R15.00
		Provided that the supply and nature of mosaics shall be at the discretion of the Chief	

## Director National Geo-spatial Information.

<b>3.</b>	<b>Scanning of historical aerial photography</b>		R0.00 R350.00
(i) 1 – 20 scans at 1200 dots per inch (ii) Prioritisation of scans, for 4 scans			
<b>4.</b>	<b>Lamination services</b>		R30.00
For every square metre or portion thereof: 75 microns thickness			
<b>5.</b>	<b>Specialised services</b>		R350.00
	For any work or service not specified elsewhere in this scale of fees, the charge shall be on a time basis at the rate of R350.00 per hour or portion thereof. Provided that searches in the office shall be made subject to such conditions as the Chief Director National Geo-spatial Information may from time to time determine. Requests for customised products or services will be dealt with on a quotation basis, including but not limited to MapAware workshops and the production of specialised maps.		
<b>6.</b>	<b>Digital data in non-specified formats</b>		
(a)	Fees charged for the supply of digital products using exchange formats not specified in the sections above, excludes the cost of data processing time at R350.00 per hour or part thereof, postage, transfer media and packaging. See proviso on formats:  Provided that the Chief Director National Geo-spatial Information is able to support the exchange format, the digital information could be supplied in one of the following file formats: Topographical Vector data: Map Info(.mif), Micro station(.dgn), Auto Cad(.dwg) and Auto Cad (.shp). Topographical Raster data: TIFF,		R350.00
(b)	RSA Geographical Names Both gazette and non-gazette names are available from the topographical integrated system (iTIS). Queries can be referred to the South African Geographical Names Committee (SAGNS) @ <a href="http://sagns.dac.gov.za">http://sagns.dac.gov.za</a>		R0.00

**Note:** *Digital data (names) is prepacked on server, only cost to be recovered is medium onto which data is written. No cost implication on labour, equipment and overheads.*

(c)	<p>Software</p> <p><i>Note: Software is prepacked on server; only cost to be recovered is medium onto which data is written. No cost implication on labour, equipment and overheads.</i></p> <p>(i) Transformation software WGSTRN ver 2.12 plus Transformation parameters</p> <ul style="list-style-type: none"> <li>• Transform between Cape Datum and Hartebeesthoek 94 or vice versa</li> <li>• Transformation Parameters covering RSA</li> </ul>	R50.00
	<p>(ii) Conversion software GEOTRAN98</p> <p>To convert Y X co-ordinates to geographical co-ordinates (phi)(lambda) and vice versa</p> <p>To convert UTM to geographical co-ordinates (phi)(lambda) and vice versa, geocentric co-ordinates, calculate joins etc.</p>	R50.00
	<p>(iii) Geoid Interpolation Software. To interpolate geoidal heights from SA Geoid models</p>	R50.00
(d)	<p>Digital coastline high resolution of RSA</p> <p><i>Note: Digital data is prepacked on server, only cost to be recovered is medium onto which data is written. No cost implication on labour, equipment and overheads.</i></p>	R50.00

## C. PACKAGING, POSTAGE AND COST OF TRANSFER MEDIA

- Notes:  
SA Postal Mailing services available:
  - Domestic surface mail
  - Speed service couriers (Priority mail) Postal or street address

The fee for packaging and postage is reviewed from time to time and published on the Chief Directorate National Geo-spatial Information website <http://www.ngi.gov.za> for easy reference.

Collections at Chief Directorate National Geo-spatial Information counter by courier other than SA Postal Services to be arranged and paid for by the client. Packaging will be charged for separately by the Chief Directorate and will depend on the requirements of the order. The fee for packaging is reviewed from time to time and published on the Chief Directorate National

Geo-spatial Information website <http://www.ngi.gov.za> for easy reference.

On request transfer media i.e. CD or DVD is available at the following fee.

CD  
DVD

R24.00  
R24.00

The fees for foreign orders, special deliveries and delivery services will be made available on request.



**MS LC ARCHARY**

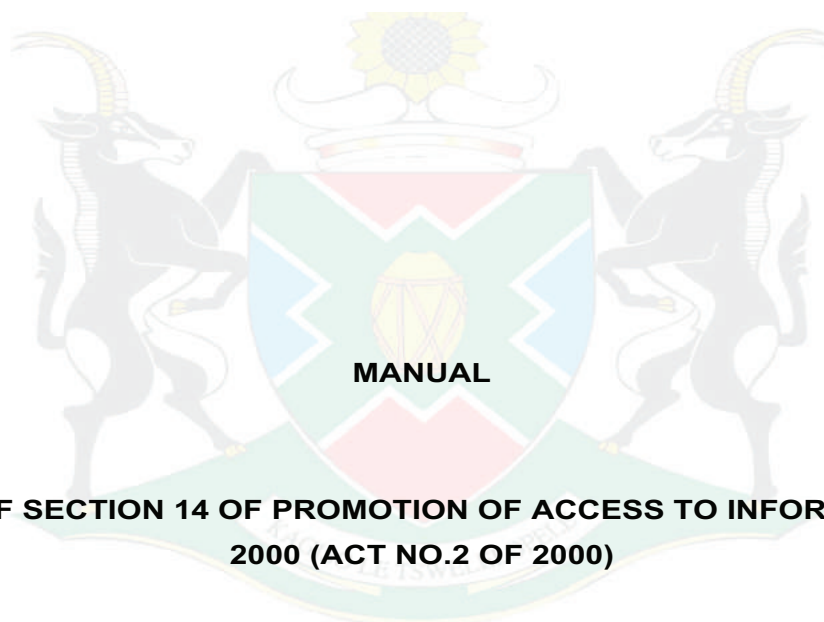
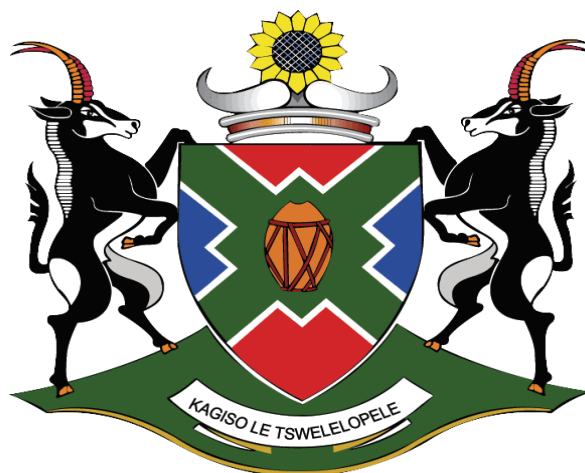
**ACTING DIRECTOR GENERAL: RURAL DEVELOPMENT AND LAND REFORM**

**DATE: 15/6/17.**

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 934

01 SEPTEMBER 2017



IN TERMS OF SECTION 14 OF PROMOTION OF ACCESS TO INFORMATION ACT,  
2000 (ACT NO.2 OF 2000)

DEPARTMENT OF SOCIAL DEVELOPMENT

NORTH WEST PROVINCIAL GOVERNMENT



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## 1. INTRODUCTION

- Section 32(1)(a) of the Constitution of the Republic of South Africa, 1996 (the Constitution), provides that everyone has the right of access to any information held by the state and section 32(2) thereof provides for the enactment of national legislation to give effect to this fundamental right.
- Promotion of Access to Information Act, 200 (PAIA) is the national legislation contemplated in section 32(2) of the Constitution.
- Section 9 of PAIA recognises that the right of access to information is subject to certain justifiable limitations aimed at, amongst others:
  - the reasonable protection of privacy,
  - commercial confidentiality, and
  - effective, efficient and good governance
- Section 14(1) of PAIA stipulates that the Information Officer of the Public Body must compile a manual in at least three official languages for public consumption.
- The purpose of the manual is to inform the public about the records held by the Public Body and how to obtain access to them.
- The Department of Social Development is a Public Body in terms of PAIA and hereby presents the Manual in terms of Section 14.

## DEPARTMENTAL MANDATE

- The mandate and core business of the department is underpinned by the Constitution and all other relevant legislation and policies applicable to government and the Executive Council Resolutions. The other main legislation from which the mandate of the Department is derived from is

the Public Service Act, 1994, (Proclamation No: 103 of 1994), Older Persons Act No 13 (2006), Children's Act No 38 of 2005, Non-Profit Organisation Act No 71 (1997), Domestic Violence Act No 116 (1998) and Social Assistance Act No 59 (1992).

## VISION

A united, non-racial, non-sexist, democratic and prosperous society

## MISSION

To create a caring and self-reliant society by building conscious and capable citizens through the provision of integrated social development services

## DEPARTMENTAL CORE VALUES

Enshrined in our value system is to, at all times be exemplary by providing good leadership and espousing good governance. This includes being client-focused for the benefit of internal and external clients. We will at all times and without prejudice listen to our clients and treat them with **dignity, integrity, fairness and respect**.

As part of our values we strive to have progressive management practices while at the same time being compliant with all prescripts. It is within our values to remove silos and pursue our philosophy of “**Saamwerk -Saamtrek**” with **vigor and enthusiasm** by engaging with all stakeholders. We will pursue quality management practices in order to achieve **value for money, efficiency and effectiveness**. We will be **accountable and transparent at all times**.

## DEPARTMENTAL PLANS

The departmental plans are aligned to the five (5) Provincial Concretes/Priorities. Namely:

- AGRICULTURE, CULTURE, TOURISM (ACT).

- VILLAGES, TOWNSHIPS AND SMALL DORPIES
- RECONCILIATION, HEALING AND RENEWAL (RHR)
- SAAMTWERK-SAAMTREK
- SETSOKOTSANE

## 2. DEFINITIONS

**“access fee”** means a fee prescribed for the purposes of reproduction and for search and preparation, for time reasonable required in excess of the hours prescribed to search for and to prepare the record for disclosure,

**“Department”** means Social Development,

**“Information Officer”** in relation to the Department, means the Head of Department,

**“Deputy Information Officer”** means an official duly authorised by the Information Officer (Director Information, records and Knowledge Management) to ensure that the requirements of PAIA are administered in a fair, objective and unbiased manner,

**“Guide”** means the book produced by the Human Rights Commission in terms of section 10 of PAIA,

**“Human Rights Commission”** means the South African Human Rights Commission established in terms of section 181 to promote and protect human rights,

**“Official”** in relation to a public body means,

- (a) any person in the employ (permanent or temporarily and full time or part time) of the public body, including the head of the body, in his or her capacity as such.
- (b) a member of the public body, in his or her capacity as such

**“PAIA”** means the Promotion of Access to Information Act, 2000 (Act 2 of 2000)

**“Person”** means a natural or juristic person,

**“Personal information”** means information about an identifiable individual, as more fully described under definition in the PAIA,

**“Personal requester”** means of requester access to a record containing personal information about the requester,

**“Public body”** means –

- (a) any department of state or administration in the national or provincial sphere of government or nay municipality in the local sphere of government, or
- (b) any other functionary or institution when –
  - (i) Exercising a power or performing a duty in terms of the Constitution or a provincial Constitution, or,
  - (ii) Exercising a public power or performing a public function in terms of any legislation.

**“Record”** of, or in relation to, a public body, means ant recorded information –

- (a) regardless of form or medium,
- (b) in the possession or under the control of that public body, and
- (c) whether or not it was created by that public body

**“Regulations in terms of PAIA”** means regulations published in the Government Notice No. 187 of 15 February 2002 (Government Gazette No. 23119), as amended by Government Notice No. 1244 of 22 September 2003 (Government Gazette No. 25411).

**“Relevant authority”**, in relation to the provincial sphere of government, means –

- (a) in the case of the Office of the Premier, the person designated in writing by the Premier, or



- (b) in any other case, the Member of the Executive Council responsible for that public body or the person designated in writing by that Member, or
- (c) in the case of a municipality, relevant authority means, the mayor, speaker or any other person designated in writing by the Municipal Council of that municipality.

**“Request for access”** in relation to a public body, means a request for access to a record of a public body in terms of section 11.

**“Requester”** in relation to a public body means –

- (a) any person (other than departments in the spheres of government or an institution exercising a power or performing a duty in terms of the (Constitution) making a request for access to a record of that public body, or
- (b) a person acting on behalf of the person referred to in (a) above.

**“Third party”** in relation to a request for access to a record of a public body, means, any person (including, but not limited to, the government of a foreign state, an international organization or an organ of that government or organization) other than the requester concerned and a public body.

**“Working days”** means any days other than Saturdays, Sundays and public holidays, as defined in section 1 of the Public Holidays Act, 1994 (Act 36 of 1994).



### 3. DEPARTMENTAL STRUCTURE AND FUNCTIONS

<b>Programme 1</b>	<b>Purpose</b>
<b>Administration</b>	Provision of strategic leadership, management & support to the department
<b>Sub-Programme</b>	<b>Purpose</b>
MEC Support	To Provide political oversight of the department
HOD Support	To Provide overall administrative management of the department
Risk management	To manage & facilitate the provision of organizational risk management services
Strategic Planning, policy, Research, Monitoring & Evaluation	To provide strategic planning and policy development
Government Information & Technology Services	To provide government information & technology services
Service Delivery & Transformation Programmes	To manage & coordinate the implementation of service delivery & transformation programmes
Human Capital Management	To provide human capital management services
Legal Services	To manage the provision of legal services
Support Services	To manage & provide support services
Media and Communication Services	To manage media & communication services in the department
Internal Control & Compliance	To manage internal controls in the department
Financial Administration & Accounting	To provide departmental financial administration & accounting
Financial Planning, Budgeting, Monitoring &	To manage & coordinate financial planning, monitoring & reporting process

Reporting	
Supply Chain Management	To manage & provide supply chain management services
Infrastructure Development	To manage infrastructure planning & management of assets

<b>Programme 2</b>	<b>Purpose</b>
<b>Social Welfare Services</b>	Provide social welfare services to vulnerable groups through social protection, social investment & social cohesion programmes
<b>Sub-programme</b>	
Services to Older Persons	To manage and facilitate the provision of services to older persons
Services to persons with disabilities	To manage and facilitate the provision of services to people with disabilities
HIV & AIDS	To manage the provision of HIV & AIDS prevention, care & support services
Social Relieve Distress	To ensure the implementation of the social relief of distress programmes

<b>Programme 3</b>	<b>Purpose</b>
<b>Children &amp; Families</b>	Provide social welfare services to vulnerable groups through social protection, social investment & social cohesion programmes
<b>Sub-Programme</b>	
Family Care & Support Services	To manage the provision of family care & support services
Child Care & Protection Services	To manage the provision of child care & protection services
Child & Youth Care Services	To protect and nurture children by providing a safe, healthy environment with positive support
Community Based Services	Improve well-being and sustainable lives for children
Partial Care & Early Childhood Development	To manage the provision of early childhood development service

Services	
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<b>Programme 4</b>	<b>Purpose</b>
<b>Restorative Justice</b>	Provide social welfare services to vulnerable groups through social protection, social investment & social cohesion programmes
<b>Sub-programme</b>	
Social Crime Prevention & Support Services	To manage the provision of social crime prevention & support services
Victim Empowerment Services	To restore socially functioning and break the cycle of violence
Substance Abuse, Prevention, Treatment, & Rehabilitation Services	To manage the provision of substance abuse prevention, treatment & rehabilitation services

<b>Programme 5</b>	<b>Purpose</b>
<b>Community Development</b>	To manage the provision of integrated community development services and programmes
<b>Sub-programme</b>	
Institutional Capacity Building & Support	Manage and facilitate the provision of institutional capacity building programmes
Community Mobilisation	Popularize social development services
Sustainable Livelihoods	To manage social facilitation & poverty eradication for sustainable livelihoods (including EPWP)
Community Based Research & Planning	To identify households living below the poverty line
Women Development	To improve the capacity of women in socio economic empowerment programmes through financial or skills development to ensure self-reliance
Youth Development	To create an environment conducive to youth empowerment & development
Population Policy Promotion	To inform decision making on population research studies conducted

<b>Programme 6</b>	<b>Purpose</b>
<b>Special Programmes</b>	Promotion & protection of human rights of the targeted groups & coordination of governance systems, to meet development needs of these groups through provincial planning, support, sector participation/partnership, oversight & monitoring & evaluation
<b>Sub-programme</b>	
Office of the Status of Women	To report on all human rights interventions that are aimed at improving the status of women in the province
Office of the rights of the child	To report on all human rights interventions that are aimed at improving the status of children in the province
Office of the Status of Persons with Disabilities	To report on planned activities by the departments aimed at provincial coordination regarding the Implementation Matrix of the White Paper on the Rights of Persons with Disabilities
Office of the Rights of Older Persons	To report on planned activities by the departments regarding the implementation of the National Plan of Action on the rights of older persons.
Poverty Eradication Coordination	To promote food security and reduce hunger

#### **4. THE INFORMATION OFFICER, DEPUTY INFORMATION OFFICER AND CONTACTS SECTION 14 (l)(b)**

- 4.1 In terms of PAIA, the Head of Department (Accounting Officer) is the Information Officer for the Department.
- 4.2 The Information Officer has duly appointed the Director Information, Records and Knowledge Management as the Deputy Information Officer to ensure that the requirements of PAIA are administered in a fair, objective and unbiased manner.

The following is their contact details

Name	Physical Address	Postal Address and Contacts
Information Officer MS P.D Mothobi	Provident House Building University Drive Mmabatho	Private Bag x 6 Mmabatho 2735 Tel: 018 388 1668 Fax: 018 384 5967 E-mail:
Deputy Information Officer (Acting) MR G Mmila	Provident House Building University Drive Mmabatho	Private Bag x 6 Mmabatho 2735 Tel: 018 388 2427 Fax: 018 384 5967 E-mail: <a href="mailto:gmmila@nwpg.gov.za">gmmila@nwpg.gov.za</a>

## 5. GUIDE BY SOUTH AFRICAN HUMAN RIGHTS COMMISSION ON HOW TO USE THE ACT

- 5.1 It is the responsibility of the South African Human Rights Commission to compile a guide in terms of section 10 of the PAIA, in an easily comprehensible form and manner, as may be required by a person who wishes to exercise any right contemplated in the Act.
- 5.2 This guide is also available in all the official languages from the South African Human Rights Commission and any enquiries in this regard should be directed to:

## The South African Human Rights Commission

Physical Address	Postal Address
PAIA Unit: The Research and Documentation Department Boundary Road Isle of Houghton – Wilds View Entrance 1 Houghton JOHANNESBURG 2198	PAIA Unit: The Research and Documentation Department Private Bag 2700 Houghton 2041 Tel: 011 484 8300 Fax: 011 484 1360 E-mail: <a href="mailto:PAIA@sahrc.org.za">PAIA@sahrc.org.za</a> Website: <a href="http://www.sahrc.org.za">www.sahrc.org.za</a>

### 6. DESCRIPTION OF SUBJECTS ON WHICH THE DEPARTMENT HOLDS RECORDS AND CATEGORIES HELD ON EACH SUBJECT

Below is a list of subjects on which the Department of Social Development holds records and categories of records held under each subject. The list is not exhaustive and may be amended from time to time. The records held under the various subjects are not automatically available and access to the records is subject to the nature of the information contained in the record.

#### ➤ Strategic Leadership and Performance Management

- Departmental Strategic Plans
- Annual Performance Plans
- Service Delivery Improvement Plans
- Quarterly Reports
- Annual Reports
- Approved Organisational Structure
- Public Service Commission Report
- Auditor General's Report

- Budget Speech

➤ **Human Capital Management and Development**

- Human Capital Management Policies
- Departmental Human Resource Plans
- Job grading and evaluation reports
- Job descriptions
- Staff establishment
- Employment equity
- Organisational Development Programmes reports
- Labour Relations reports
- Employee Health and Wellness policies and reports
- Bursary policy
- Database of bursary holders
- Performance Management and Development System
- Occupational Health and Safety
- Information on learnership and internship programmes

➤ **Communications**

- Communication Policies
- Editorial & publication services
- Branding Manuals
- Media Statements

➤ **Financial Management**

- Budget Book
- Expenditure Reports
- Banking arrangement
- Internal audit
- Risk management
- Demand and acquisition
- Tender guidelines and documents
- Logistic management



- Asset management

➤ **Legal Services**

- Litigation matters
- Appeals Reports
- Legal opinions and interpretations/ Advisory Services
- Service Level Agreements
- Contracts and Memoranda of Understanding

**7. CATEGORIES OF RECORDS THAT ARE AVAILABLE WITHOUT A PERSON HAVING TO REQUEST THE DOCUMENTS IN TERMS OF SECTION 15(2) NOTICE [s14(1)(e)]**

<b>FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i)</b>	
<ul style="list-style-type: none"> <li>• Annual Report</li> <li>• Annual Performance Plan</li> <li>• Five Year Strategic Plan</li> <li>• Quarterly Reports</li> <li>• Approved Organisational Structure</li> <li>• Departmental Policies and Legislation</li> <li>• Budget Speech</li> <li>• News letters</li> <li>• Departmental Media Statements</li> <li>• Circular for advertisement of vacant posts</li> <li>• Circular for advertisement of tenders</li> <li>• Brochures</li> <li>• Promotion of Access to Information Manual</li> <li>• Public Service Application Forms [z83]</li> <li>• Staff contact details</li> </ul>	<p>These records are available for inspection at the Office of the Deputy Information Officer as follows:</p> <p>Information, Records and Knowledge Management Unit Provident House Building University Drive Mmabatho</p> <p>Tel: 018 388 2427 Fax: 018 384 5967 E-mail: <a href="mailto:gmmila@nwpg.gov.za">gmmila@nwpg.gov.za</a></p> <p>Records are available for inspection between 08h00 and 16h00</p>

## 8. REQUEST FOR ACCESS [s14c(1)(d)]

- Everyone has the right to request access to recorded information held by the Department, subject thereto that the request is made on the prescribed form and that the prescribed fees are paid.
- Access to information held by the Department is subject to the grounds of exclusion found in Chapter 4 of PAIA.
- The request may be made by anyone who acts in their own interests or acts on behalf of someone who cannot do so themselves.

## 9. PROCEDURE FOR REQUESTING RECORDS

- A requester must complete the prescribed form which-
  - can be found in the Regulations to PAIA,
  - is on the website of SAHRC at [www.sahrc.org.za](http://www.sahrc.org.za), or
  - is attached to this documents as Annexure A
- The request for information must be submitted to:

The Head of Department Private Bag x 6 Mmabatho 2735	The Head of Department Provident House Building University Drive Mmabatho Fax: (018) 384 5967
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- The requester must also indicate if he or she would like to obtain a copy of the record or would like to inspect the record at the offices of the Department. Alternatively, if the record is not a paper copy document, it can be viewed in the requested form, where possible [s29(2)].
- If a requester asks for access in a particular form, then he or she should get access in the manner that has been asked for. This principle applies, unless doing so would interfere unreasonably with the running of the

Department, or damage the record, or infringe a copyright not owned by the state [s29(3)].

- If for practical reasons, access cannot be given in the required form, but in an alternative manner, then the fee must be calculated according to the way that was first asked for by the requester [s29(4)].
- If, in addition to a written reply to their request for the record, the requester wants to be informed about the decision in any other way, for example telephonically, this must be indicated [s18(2)(e)].

#### **10. REQUEST ON BEHALF OF ANOTHER PERSON**

If the request is made on behalf of another person, a requester must submit proof of the capacity in which he or she is making the request, to the reasonable satisfaction of the Information Officer [s18(2)(f)].

#### **11. REQUEST BY PERSONS WITH DISABILITIES**

- If the requester is unable to read or write, or if he or she has a disability that prevents him or her from completing the prescribed form, then he or she can make a verbal request. The Information Officer will then complete the form on behalf of the requester and give a copy of the completed form to the requester [s18(3)].
- The Information Officer will assist a requester to comply with the requirements to request access to information, including referring a requester to another public body, if it is apparent that the request for information should have been made, to such other body [s19].

#### **12. TRANSFER OF REQUEST [s20]**

- The Information Officer of the Department may transfer requests for records to another public body when:
  - the record is in the possession of that public body,

- the subject matter of the record is more closely associated with the functions of that public body,
  - the record was created for that public body, or was received first by that public body, or
  - the record contains commercial information in which that public body has greater commercial interest
- In such instances the Information Officer of the Department would have to transfer the request to the other public body as soon as is reasonably possible, but within 14 days after the request is received.
- If the Department is in possession of the record which is being requested and its Information Officer considers it helpful to do so to enable the Information Officer of the other public body to deal with the request, the record or a copy of the record will be sent to that Information Officer.
- If a request for access to a record has been transferred, any period prescribed for the completion of an activity related to the request, has to be computed from the date it was received by the Information Officer to whom it was transferred. All the relevant periods that apply to a request for information have to be adhered to.

### 13. NOTIFICATION OF TRANSFER

- When a request for access has been transferred, the Information Officer making the transfer will immediately notify the requester of the transfer, the reasons for the transfer and the period within which the request must be dealt with [s20(5)].
- The Information Officer will reasonably ensure that a record to which access has been requested is preserved until decision is taken about access to the information [s21].

#### 14. PAYMENT OF FEES [s22]

- There are two types of fees in terms of PAIA, namely a request fee and an access fee.
- A requester who seeks access to a record containing personal information about him or her is not required to pay request fee.
- Any other requester, who is not a personal requester, must pay request fee in order to gain access of the information.
- After the Information Officer has made a decision on the request, the requester must be notified of such a decision in the manner in which the requester wanted to be notified.
- If the request is granted, then a further access fee must be paid for the search, preparation, reproduction and for any time that has exceeded the prescribed hours within which to search and prepare the record for disclosure.

#### 15. SCHEDULE OF PRESCRIBED FEES

- Prescribed fees are contained in the Regulations promulgated in terms of PAIA and must be paid by a requester before the Department can make any records requested available to the requester. A copy of the schedule of prescribed fees is attached hereto as Annexure C.
- Fees are payable during office hours at the office of the Chief Financial Officer, Provident House Building, West Wing, University Drive, Mmabatho.

## **16. ARRANGEMENTS ALLOWING FOR PUBLIC INVOLVEMENT IN FORMULATION OF POLICY, EXERCISE OF POWERS OR PERFORMANCE OF DUTIES [s14(1)(g)]**

➤ The Department provides the following opportunities for consultation, representations or otherwise participating in the execution of the mandate of the Department:

- Public workshops
- Stakeholder Forum Workshops
- Public involvement through departmental Imbizos

## **17. REMEDIES AVAILABLE IN THE EVENT OF NON-COMPLIANCE WITH PAIA [s14(1)(h)]**

### **17.1 INTERNAL APPEAL [s74]**

A requester may lodge an internal appeal to the MEC against the decision of the Information Officer in the following instances:

- Where the request for access has been refused.
- Where the extension for the request for access by another 30 days has been refused.
- Where information requested has been provided but not in the form that was requested by the requester.

### **17.2 PRESCRIBED FORM FOR LODGING APPEAL [s75(1)]**

- The appeal must be lodged according to the prescribed form issued in terms of the regulations of PAIA, or a form that substantially corresponds with that form. A copy of the form is attached hereto as Annexure B.
- Copies of the form are also available from the office of the Deputy Information Officer and the Departmental website.
- The appeal must be lodged within 60 days.



- If notice to a third party is required in terms of s49(1)(b), within 30 days after notice is given to the appellant of the decision appealed against, or if notice to the appellant is not required, after the decision was taken.
- The appeal must be forwarded to the address (postal or physical) or fax number or e-mail address of the Information Officer.
- The appellant must provide reasons for the internal appeal and how he or she wishes to be informed of the decision about the appeal and must pay the prescribed appeal fee (if applicable).
- The MEC will allow late lodging of an appeal if the appellant's motivation warrants further extension whereafter the appellant should be informed of the outcome of the application of the appeal.

### **17.3 PRESCRIBED FEE FOR LODGING OF APPEAL [s75(3)]**

An appellant is required to pay the prescribed fee for lodging an appeal (if applicable). A decision on whether an appeal will be allowed may be deferred until the fee for lodging the appeal has been paid.

### **17.4 SUBMISSION OF AN INTERNAL APPEAL TO THE MEC [s75(4)]**

- The Information Officer must submit an internal appeal within 10 working days after receipt thereto to the MEC.
- The MEC must at the same time be provided with the reasons for the Information Officer's decision against which the internal appeal is lodged and with the details of any third party that may be involved.



### **17.5 THIRD PARTY(S) TO BE INFORMED OF ANY APPEAL INFORMING THEM [s76]**

- When the MEC is considering an appeal against the refusal of a request for access to the record of a third party, the disclosure of which:
  - may involve the unreasonable revelation of personal information,
  - may harm the third party's commercial or financial interests, or
  - would constitute a breach of confidence
  - the MEC must inform the third party about the appeal within 30 days after receipt thereto.
- The MEC must furnish the third party with a description of the content of appeal, details of the appellant and must state if the MEC is of the opinion that it would be in public interest that the information should be revealed.
- The third party must within 21 days from the date of receipt of the communiqué from the MEC, make representations to the MEC why the request for information should not be granted or, alternatively given written consent for the disclosure of the record to the requester.
- When the MEC is considering an internal appeal against the granting of a request for access to information, the MEC must notify the requester concerned of the appeal within 30 days after receipt thereof.

### **17.6 NOTICE OF THE INTERNAL APPEAL DECISION [s77]**

- When deciding on an internal appeal, the MEC may confirm the original decision or make a new decision.
- The decision must be taken within 30 days after the receipt of the internal appeal or within 5 days after receipt of the internal appeal.

- The MEC must immediately notify the appellant and all affected third parties of the decision and must provide the reasons for the decision.
- If the MEC fails to comply with the above-mentioned procedures and the frames for consideration of an internal appeal then it may be concluded that the MEC has dismissed the internal appeal.

#### **18. APPLICATION FOR REVIEW BY A COURT OF LAW [s78]**

- The requester/ appellant and third party should be informed that they may apply to a competent court for review of the decision of the MEC on an internal appeal.
- Application for review is appropriate after the requester or third party has exhausted the internal appeal procedures and the application must be made within 30 days after the decision has been taken.
- During the review application, the court may confirm, amend or set aside the decision taken on an internal appeal or may grant an interdict.

#### **19. AVAILABILITY OF THE PAIA MANUAL [s14(3)]**

- In accordance with section 110 of the Protection of Personal Information Act (PPIA), It is no longer a requirement to submit this manual to the South African Human Rights Commission, hence this manual will be made available on the departmental website [www.nwpg.gov.za/dsdwcdp](http://www.nwpg.gov.za/dsdwcdp)
- Copies of the manual will also be available at the offices of the department
- Prescribed fees apply when copies have to be made for requesters.

**ANNEXURE A****FORM A****REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY**

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

(Act No. 2 of 2000)

**[Regulation 6]****FOR DEPARTMENTAL USE**

Reference number: \_\_\_\_\_

Request received by: \_\_\_\_\_ (state rank,  
name and surname of Information Officer/ Deputy Information Officer) on  
\_\_\_\_\_ (date) at \_\_\_\_\_ (place).

Request fee (if any): R.....

Deposit (if any): R.....

Access fee: R.....

\_\_\_\_\_  
**SIGNATURE OF INFORMATION  
OFFICER/ DEPUTY  
INFORMATION OFFICER**

**A. Particulars of public body**

The information Officer/ Deputy Information Officer:

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**B. Particulars of person requesting access to the record**

- (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 is to be sent, must be given.*  
 (c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which request is made, when made on behalf of another person:

**C. 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.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

**D. Particulars of record**

- (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.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Reference number, if available: \_\_\_\_\_

3. Any further particulars of record: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**E. 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 for exemption.

Reason for exemption from payment of fees

\_\_\_\_\_

**F. 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 to 4 below, state your disability and indicate in which form the record is required.

Disability: _____ _____	Form in which record is required: _____ _____
----------------------------	---

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 requested.

1. If the record is in written or printed for:		
Copy of record*	Inspection of record	
2. If record consists of visual images – (this includes photographs, slides, video recordings, computer-generated images, sketches, etc):		
View the images*	Copy of the images*	Transcription of the images*

3. If 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)

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 the record*	Copy in computer readable form* (stiffy or compact disc)

*If you requested a copy or transcript of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable	YES	NO
--	-----	----

Note that 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? _____

### G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/ 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? \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF REQUESTER/  
PERSON ON WHOSE BEHALF  
REQUEST IS MADE**





**ANNEXURE B****FORM B****NOTICE OF INTERNAL APPEAL**

(Section 75 of the Promotion of Access to Information Act, 2000 (Act No.2 of 2000))

[Regulation 8]

**STATE YOUR REFERENCE  
NUMBER:** \_\_\_\_\_

**A. Particulars of public body**

The information Officer/ Deputy Information Officer:

\_\_\_\_\_  
\_\_\_\_\_

**B. Particulars of requester/ third party who lodges the internal appeal**

- (a) The particulars of the person who lodge the internal appeal must be given below.*  
*(b) Proof of the capacity in which appeal is lodged, if applicable, must be attached.*  
*(c) If the appellant is a third person and not the person who originally requested the information, the particulars of the requester must be given at C below.*

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

\_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Capacity in which an internal appeal on behalf of another person is lodged:

\_\_\_\_\_

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

Postal address: \_\_\_\_\_

Fax number: \_\_\_\_\_

Telephone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Capacity in which an internal appeal on behalf of another person is lodged:

\_\_\_\_\_

### C. Particulars of requester

This section must be completed ONLY if a third party (other than the requester) lodges the internal appeal.

Full names and surname: \_\_\_\_\_

Identity number: \_\_\_\_\_

### D. The decision against which the internal appeal is lodged

	Mark the decision against which the internal appeal is lodged with an X in the appropriate box:
	Refusal of request for access
	Decision regarding fees prescribed in terms of section 22 of the Act
	Decision regarding the extension of the period within which the request must be dealt with in terms of section 26(1) of the Act
	Decision in terms of section 29(3) of the Act to refuse access in the form requested by the requester
	Decision to grant request for access

**E. Grounds for appeal**

If the provided space is inadequate, please continue on a separate folio and attach it to this form.

You must sign all the additional folios.

State the grounds on which the internal appeal is based: \_\_\_\_\_

State any other information that may be relevant in considering the appeal:

\_\_\_\_\_  
\_\_\_\_\_

**F. Notice of decision on appeal**

You will be notified in writing of the decision on your internal appeal. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

State the manner: \_\_\_\_\_

Particulars of manner: \_\_\_\_\_

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

**SIGNATURE OF APPLICANT**

**FOR DEPARTMENTAL USE:****OFFICIAL RECORD OF INTERNAL APPEAL**

Appeal received on \_\_\_\_\_ (date) by \_\_\_\_\_ (state rank, name and surname of Information Officer/ Deputy Information Officer).

Appeal accompanied by the reasons for the Information Officer's/ Deputy Information Officer's decision and, where applicable, the particulars of any third party to whom or which the record relates, submitted by the Information Officer/ Deputy Information Officer on \_\_\_\_\_ (date) to the relevant authority.

**OUTCOME OF APPEAL:**

DECISION OF INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER CONFIRMED/  
NEW DECISION SUBSTITUTED

NEW DECISION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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RELEVANT AUTHORITY

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DATE

RECEIVED BY THE INFORMATION OFFICER/ DEPUTY INFORMATION OFFICER FROM  
THE RELEVANT AUTHORITY ON (date) \_\_\_\_\_

**ANNEXURE C****SCHEDULE OF PRESCRIBED FEES**

Fees for a copy of the manual as contemplated in Regulation 5(c) of every photocopy of an A4-size page or part thereof	R0-60
Fees for reproduction referred to in Regulation 7(1) are as follows:	
(a) For every photocopy of an A4-size page or part thereof	R0-60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0-40
(c) For copy in a computer-readable on:	
1. Stiffy disk	R5-00
2. Compact disk	R40-00
(d) For a transcription of visual images	
(i) For an A4-size page or part thereof	R22-00
(ii) For a copy of visual images	R60-00
(e) For a transcription of an audio record	
(i) For an A4-size page or part thereof	R12-00
(ii) For a copy of an audio record	R17-00
Request fee payable by a requester, other than a personal requester, referred to in Regulation 7(2)	R35-00
The access fees payable by a requester referred to in regulation 7(3) are as follows	
1. (a) For every photocopy of an A4-size page or part thereof	R0-60
(b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0-40
(c) For copy in a comport-readable on	
(i) Stiffy disk	R5-00
(ii) Compact disk	R40-00
(d) For a transcription of visual images	
(i) For an A4-size page or part thereof	R22-00
(ii) For a copy of visual images	R60-00
(e) For transcription of an audio record	
(i) For an A4-size or part thereof	R12-00

(ii) For copy of an audio record	R17-00
(f) To search for and prepare the record for disclosure, for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation	R15-00 for each hour
2. For purposes of Section 22(2) of the PAIA, the following applies:	
(a) Six hours as the hours to be exceeded before a deposit is payable	
(b) One third of the access fees is payable as a deposit by the requester	
3. The actual postage is payable when a copy of a record must be posted to a requester	



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY

NO. 935

01 SEPTEMBER 2017



## SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)

In accordance with the National Qualifications Act, Act No 67 of 2008, the SAQA invites comment from interested parties on the application(s) received from the:

- Association of Southern African Professional Archaeologists (ASAPA)
- Southern African Emergency Services Institute NPC (SAESI)
- Batseta Council of Retirement Funds for South Africa (BATSETA)-additional designation
- Register of Exercise Professionals South Africa (REPSSA)-additional designation
- The Institute for Timber Construction Southern Africa (ITC-SA)-additional designation

SAQA evaluated the application against the *Policy & Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008* as approved by the SAQA Board. The evaluation focused on the following key areas as set out in the criteria:

- Governance, Management and Sustainability
- Disciplinary Matters and Accountability
- Data Management
- Continuing Professional Development
- Awarding of Professional Designations

**Application for professional body recognition and the registration of professional designation(s)**

## ASSOCIATION OF SOUTHERN AFRICAN PROFESSIONAL ARCHAEOLOGISTS (ASAPA)

Professional Designation Title
Professional Member (ASAPA)

## SOUTHERN AFRICAN EMERGENCY SERVICES INSTITUTE NPC (SAESI)

Professional Designation Title
Firefighter Practitioner (SA) / FFP (SA)



**APPLICATIONS FOR ADDITIONAL PROFESSIONAL DESIGNATION(S)  
REGISTRATION****BATSETA COUNCIL OF RETIREMENT FUNDS FOR SOUTH AFRICA (BATSETA)**

<b>Professional Designation Title</b>
Licentiate Trustee (LT)

**REGISTER OF EXERCISE PROFESSIONALS SOUTH AFRICA (REPSSA)**

<b>Professional Designation Title</b>
Sports Science Conditioning Specialist

**THE INSTITUTE FOR TIMBER CONSTRUCTION SOUTHERN AFRICA (ITC-SA)**

<b>Professional Designation Title</b>
Certified Timber Roof Truss Designer

The complete reports are available on the SAQA website, [saqa.org.za](http://saqa.org.za), and may also be obtained from Mr Eugene du Plooy at (012) 431 5052 or [Eduplooy@saqa.org.za](mailto:Eduplooy@saqa.org.za).

Comments regarding the application(s) should reach SAQA at the address below **no later than 30 days after publication of this notice**. All correspondence should be marked and addressed to:

The Director: Registration and Recognition  
SAQA  
Postnet Suite 248  
Private Bag X06  
Waterkloof  
0145  
or faxed to (012) 431 5144  
e-mail: [professionalbody@saqa.org.za](mailto:professionalbody@saqa.org.za)

## SOUTH AFRICAN REVENUE SERVICE

NO. 936

01 SEPTEMBER 2017

## INCOME TAX ACT, 1962

**CONVENTION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE REPUBLIC OF CAMEROON FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME**

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

It is further notified in terms of paragraph 1 of Article 29 of the Agreement that the date of entry into force is 13 July 2017.

## **SCHEDULE**

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

#### **PREAMBLE**

The Government of the Republic of South Africa and the Government of the Republic of Cameroon;

**DESIRING** to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income;

#### **HAVE AGREED AS FOLLOWS:**

#### **ARTICLE 1**

##### **PERSONS COVERED**

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

#### **ARTICLE 2**

##### **TAXES COVERED**

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

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

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

(a) in Cameroon:

- (i) the personal income tax;
- (ii) the company tax;
- (iii) the minimum tax on companies and individuals;
- (iv) the special tax on income; and
- (v) the housing loans fund tax and the employment fund tax;

as well as prepayments, other withholding taxes and surcharges to the said taxes;

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

(b) in South Africa:

- (i) the normal tax;
- (ii) the secondary tax on companies;
- (iii) the withholding tax on royalties; and
- (iv) the tax on foreign entertainers and sportspersons;

(hereinafter referred to as "South African tax").

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

### ARTICLE 3

#### GENERAL DEFINITIONS

1. For the purposes of this Convention, unless the context otherwise requires:

- (a) the term "Cameroon" means the territory of the Republic of Cameroon, and when used in a geographical sense, includes the territorial sea and any area adjacent to the coast beyond the territorial waters, over which Cameroon exercises sovereign rights, in accordance with Cameroonian legislation and international law, and which has been or may hereafter be designated as an area within which Cameroon may exercise rights with respect to the sea bed and subsoil and their natural resources;
- (b) the term "South Africa" means the Republic of South Africa and, when used in a geographical sense, includes the territorial sea thereof as well as any area outside the territorial sea, including the continental shelf, which has been or may hereafter be designated, under the laws of South Africa and in accordance with international law, as an area within which South Africa may exercise sovereign rights or jurisdiction;
- (c) the terms "a Contracting State" and "the other Contracting State" mean Cameroon or South Africa, as the context requires;
- (d) the term "company" means any body corporate or any entity that is treated as a body corporate for tax purposes;
- (e) the term "competent authority" means:
  - (i) in Cameroon, the Minister in charge of Finance or an authorised representative of the Minister; and
  - (ii) in South Africa, the Commissioner for the South African Revenue Service or an authorised representative of the Commissioner;
- (f) the terms "enterprise of a Contracting State" and "enterprise of the other Contracting State" mean respectively an enterprise carried on by a resident of a Contracting State and an enterprise carried on by a resident of the other Contracting State;

- (g) the term “international traffic” means any transport by a ship or aircraft operated by an enterprise of a Contracting State, except when the ship or aircraft is operated solely between places in the other Contracting State;
- (h) the term “national”, in relation to a Contracting State, means:
  - (i) any individual possessing the nationality or citizenship of that Contracting State; and
  - (ii) any legal person, partnership or association deriving its status as such from the laws in force in that Contracting State;
- (i) the term “person” includes an individual, a company and any other body of persons that is treated as an entity for tax purposes; and
- (j) the term “tax” means Cameroonian tax or South African tax, as the context requires.

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

## ARTICLE 4

### RESIDENT

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

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

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

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

3. Where by reason of the provisions of paragraph 1 a person other than an individual is a resident of both Contracting States, the competent authorities of the Contracting States shall by mutual agreement endeavour to settle the question and determine the mode of application of the Convention to such person. In the absence of such agreement such person shall be considered to be outside the scope of the Convention except for the provisions of Article 27.

## ARTICLE 5

### PERMANENT ESTABLISHMENT

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

2. The term “permanent establishment” includes especially:

- (a) a place of management;
- (b) a branch;
- (c) an office;
- (d) a factory;
- (e) a workshop;
- (f) a mine, an oil or gas well, a quarry or any other place of extraction or exploitation of natural resources;
- (g) a drilling rig or ship used for the exploration or development of natural resources;
- (h) a sales outlet; and
- (i) a warehouse, in relation to a person providing storage facilities for others.

3. The term “permanent establishment” likewise encompasses:

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

- (c) An enterprise shall be deemed to have a permanent establishment in a Contracting State to carry on business if it provides services, or supplies equipment and machinery on hire used or to be used, in exploration for, extraction of, or exploitation of mineral resources in that State, but only where activities of that nature continue (for the same or a connected project) within the Contracting State for a period or periods exceeding in the aggregate 183 days in any twelve-month period commencing or ending in the fiscal year concerned.

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

- (a) the use of facilities solely for the purpose of storage or display of goods or merchandise belonging to the enterprise;
- (b) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of storage or display;
- (c) the maintenance of a stock of goods or merchandise belonging to the enterprise solely for the purpose of processing by another enterprise;
- (d) the maintenance of a fixed place of business solely for the purpose of purchasing goods or merchandise, or of collecting information, for the enterprise;
- (e) the maintenance of a fixed place of business solely for the purpose of carrying on, for the enterprise, any other activity of a preparatory or auxiliary character; and
- (f) the maintenance of a fixed place of business solely for any combination of activities mentioned in subparagraphs (a) to (e), provided that the overall activity of the fixed place of business resulting from this combination is of a preparatory or auxiliary character.

5. Notwithstanding the provisions of paragraphs 1 and 2, where a person - other than an agent of an independent status to whom paragraph 7 applies - is acting in a Contracting State on behalf of an enterprise of the other Contracting State, that enterprise shall be deemed to have a permanent establishment in the first mentioned Contracting State in respect of any activities which that person undertakes for the enterprise, if such a person:

- (a) has and habitually exercises in the State an authority to conclude contracts in the name of the enterprise, unless the activities of such person are limited to those mentioned in paragraph 4 which, if exercised through a fixed place of business, would not make this fixed place of business a permanent establishment under the provisions of that paragraph; or
- (b) has no such authority, but habitually maintains in the first-mentioned Contracting State a stock of goods or merchandise, belonging to the enterprise, from which he regularly delivers goods on behalf of the enterprise.

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



7. An enterprise of a Contracting State shall not be deemed to have a permanent establishment in the other Contracting State merely because it carries on business in that other State through a broker, general commission agent or any other agent of an independent status, provided that such persons are acting in the ordinary course of their business. However, when the activities of such an agent are devoted wholly or almost wholly on behalf of that enterprise, and conditions are made and imposed between that enterprise and the agent in their commercial and financial relations which differ from those which would have been made between independent enterprises, he will not be considered an agent of an independent status within the meaning of this paragraph.

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

## **ARTICLE 6**

### **INCOME FROM IMMOVABLE PROPERTY**

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

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

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

4. The provisions of paragraphs 1 and 3 shall also apply to the income from immovable property of an enterprise and to income from immovable property used for the performance of independent personal services.

**ARTICLE 7****BUSINESS PROFITS**

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

- (a) to that permanent establishment;
- (b) sales in that other State of goods or merchandise of the same or similar kind as those sold through that permanent establishment; or
- (c) other business activities carried on in that other State of the same or similar kind as those effected through that permanent establishment.

However, the profits derived from the sales or business activities described in subparagraph (b) or (c) above shall not be taxable in the other Contracting State if the enterprise demonstrates that such sales or business activities have been carried out for reasons other than obtaining a benefit under this Convention.

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

3. In the determination of the profits of a permanent establishment, there shall be allowed as deductions expenses which are incurred for the purposes of the business of the permanent establishment including executive and general administrative expenses, whether incurred in the State in which the permanent establishment is situated or elsewhere. However, no such deduction shall be allowed in respect of amounts, if any, paid (otherwise than towards reimbursement of actual expenses) by the permanent establishment to the head office of the enterprise or any of its other offices, by way of royalties, fees or other similar payments in return for the use of patents or other rights, or by way of commission, for specific service performed or for management, or, except in the case of a banking enterprise, by way of interest on moneys lent to the permanent establishment. Likewise, no account shall be taken, for amounts charged (otherwise than towards reimbursement of actual expenses), by the permanent establishment to the head office of the enterprise or any of its other offices, by way of royalties, fees or other similar payments in return for the use of patents or other rights, or by way of commission for specific service performed or for management, or, except in the case of a banking enterprise, by way of interest on moneys lent to the head office of the enterprise or any of its offices.

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

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

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

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

## **ARTICLE 8**

### **SHIPPING AND AIR TRANSPORT**

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

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

## **ARTICLE 9**

### **ASSOCIATED ENTERPRISES**

1. Where

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

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

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

## ARTICLE 10

### DIVIDENDS

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

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

- (a) 10 per cent of the gross amount of the dividends if the beneficial owner is a company which holds at least 25 per cent of the capital of the company paying the dividends; or
- (b) 15 per cent of the gross amount of the dividends in all other cases.

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

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

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

4. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the dividends, being a resident of a Contracting State, carries on business in the other Contracting State of which the company paying the dividends is a resident, through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the holding in respect of which the dividends are paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 15, as the case may be, shall apply.

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

6. Notwithstanding any other provision of this Convention, where a company which is a resident of a Contracting State has a permanent establishment in the other Contracting State, the profits taxable under Article 7, paragraph 1, may be subject to an additional tax in that other State, in accordance with its laws, but the additional charge shall not exceed 10% of the amount of those profits, after deducting therefrom the corporate tax imposed on such profits by that State.

## ARTICLE 11

### INTEREST

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

2. However, such interest may also be taxed in the Contracting State in which it arises and according to the laws of that State, but if the beneficial owner of the interest is a resident of the other Contracting State, the tax so charged shall not exceed 10 per cent of the gross amount of the interest.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of this limitation.

3. Notwithstanding the provisions of paragraph 2, interest arising in a Contracting State and paid to the Government or the Central Bank of the other Contracting State, shall be exempt from tax in the first-mentioned Contracting State.

4. The term "interest" as used in this Article means income from debt-claims of every kind, whether or not secured by mortgage and whether or not carrying a right to participate in the debtor's profits, and in particular, income from government securities and income from bonds or debentures, including premiums and prizes attaching to such securities, bonds or debentures. Penalty charges for late payment shall not be regarded as interest for the purpose of this Article.

5. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the interest, being a resident of a Contracting State, carries on business in the other Contracting State in which the interest arises, through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the debt claim in respect of which the interest is paid is effectively connected with (a) such permanent establishment or fixed base, or with (b) business activities referred to in (c) of paragraph 1 of Article 7. In such cases the provisions of Article 7 or Article 15, as the case may be, shall apply.

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

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

**ARTICLE 12****ROYALTIES**

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

2. However, such royalties may also be taxed in the Contracting State in which they arise, and according to the laws of that State, but if the beneficial owner of the royalties is a resident of the other Contracting State, the tax so charged shall not exceed 10 per cent of the gross amount of the royalties.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of this limitation.

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

4. The provisions of paragraphs 1 and 2 shall not apply if the beneficial owner of the royalties, being a resident of a Contracting State, carries on business in the other Contracting State in which the royalties arise, through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the right or property in respect of which the royalties are paid is effectively connected with (a) such permanent establishment or fixed base, or with (b) business activities referred to in (c) of paragraph 1 of Article 7. In such cases the provisions of Article 7 or Article 15, as the case may be, shall apply.

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

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



## ARTICLE 13

### CAPITAL GAINS

1. Gains derived by a resident of a Contracting State from the alienation of immovable property referred to in Article 6 and situated in the other Contracting State may be taxed in that other State.
2. Gains from the alienation of movable property forming part of the business property of a permanent establishment which an enterprise of a Contracting State has in the other Contracting State or of movable property pertaining to a fixed base available to a resident of a Contracting State in the other Contracting State for the purpose of performing independent personal services, including such gains from the alienation of such a permanent establishment (alone or with the whole enterprise) or of such fixed base, may be taxed in that other State.
3. Gains of an enterprise of a Contracting State from the alienation of ships or aircraft operated in international traffic or movable property pertaining to the operation of such ships or aircraft, shall be taxable only in that State.
4. Gains derived by a resident of a Contracting State from the alienation of shares deriving more than 50 per cent of their value directly or indirectly from immovable property situated in the other Contracting State may be taxed in that other State.
5. Gains from the alienation of any property other than that referred to in the preceding paragraphs of this Article, shall be taxable only in the Contracting State of which the alienator is a resident.

## ARTICLE 14

### FEES FOR TECHNICAL SERVICES

1. Fees for technical services arising in a Contracting State and paid to a resident of the other Contracting State may be taxed in that other State.
2. However, such fees for technical services may also be taxed in the Contracting State in which they arise and according to the laws of that State, but if the beneficial owner of the fees for technical services is a resident of the other Contracting State, the tax so charged shall not exceed 10 per cent of the gross amount of the fees for technical services.

The competent authorities of the Contracting States shall by mutual agreement settle the mode of application of this limitation.

3. The term "fees for technical services" as used in this Article means payments of any kind to any person, other than to an employee of the person making the payments, in consideration for any services of a technical, managerial or consultancy nature.



4. The provision of paragraphs 1 and 2 of this Article shall not apply if the beneficial owner of the fees for technical services, being a resident of a Contracting State, carries on business in the other Contracting State in which the fees for technical services arise through a permanent establishment situated therein, or performs in that other State independent personnel services from a fixed base situated therein, and the fees for technical services are effectively connected with such permanent establishment or fixed base. In such a case the provisions of Article 7 or Article 15, as the case may be, shall apply.

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

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

## ARTICLE 15

### INDEPENDENT PERSONAL SERVICES

1. Income derived by an individual who is a resident of a Contracting State in respect of professional services or other activities of an independent character shall be taxable only in that State except in the following circumstances, when such income may also be taxed in the other Contracting State:

- (a) if such a fixed base is regularly available to the individual in the other Contracting State for the purpose of performing the individual's activities; in that case, only so much of the income as is attributable to that fixed base may be taxed in that other Contracting State; or
- (b) if the individual's stay in the other Contracting State is for a period or periods amounting to or exceeding in the aggregate 183 days in any twelve-month period commencing or ending in the fiscal year concerned; in that case, only so much of the income as is derived from the individual's activities performed in that other State may be taxed in that State.

2. The term "professional services" includes especially independent scientific, literary, artistic, educational or teaching activities as well as the independent activities of physicians, lawyers, engineers, architects, dentists and accountants.

**ARTICLE 16****DEPENDENT PERSONAL SERVICES**

1. Subject to the provisions of Articles 17, 19 and 20, salaries, wages and other similar remuneration derived by a resident of a Contracting State in respect of an employment shall be taxable only in that State unless the employment is exercised in the other Contracting State. If the employment is so exercised, such remuneration as is derived therefrom may be taxed in that other State.

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

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

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

**ARTICLE 17****DIRECTORS' FEES**

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

2. Salaries, wages and other similar remuneration derived by a resident of a Contracting State in his capacity as an official occupying a top-level managerial position in a company which is a resident of the other Contracting State may be taxed in that other State.

**ARTICLE 18****ENTERTAINERS AND SPORTSPERSONS**

1. Notwithstanding the provisions of Articles 7, 15 and 16, income derived by a resident of a Contracting State as an entertainer, such as a theatre, motion picture, radio or television artiste, or a musician, or as a sportsperson, from that person's personal activities as such exercised in the other Contracting State, may be taxed in that other State.

2. Where income in respect of personal activities exercised by an entertainer or a sportsperson in that person's capacity as such accrues not to the entertainer or sportsperson but to another person, that income may, notwithstanding the provisions of Articles 7, 15 and 16, be taxed in the Contracting State in which the activities of the entertainer or sportsperson are exercised.

3. Paragraphs 1 and 2 shall not apply to income derived by a resident of a Contracting State from activities exercised in the other Contracting State as envisaged in paragraphs 1 and 2, if the visit to that other State is supported wholly or mainly by public funds of the first-mentioned State, a political subdivision or a local authority thereof. In such case, the income shall be taxable only in the Contracting State of which the entertainer or sportsperson is a resident.

## **ARTICLE 19**

### **PENSIONS AND ANNUITIES**

1. Subject to the provisions of paragraph 2 of Article 20, pensions and other similar remuneration, and annuities, arising in a Contracting State and paid to a resident of the other Contracting State, may be taxed in the first-mentioned State.

2. The term "annuity" means a stated sum payable periodically at stated times during life or during a specified or ascertainable period of time under an obligation to make the payments in return for adequate and full consideration in money or money's worth.

3. Notwithstanding the provisions of paragraphs 1, pensions paid and other payments made under a public scheme which is part of the social security system of a Contracting State, or a political subdivision or a local authority thereof shall be taxable only in that State.

## **ARTICLE 20**

### **GOVERNMENT SERVICE**

1. (a) Salaries, wages and other similar remuneration paid by a Contracting State or a political subdivision or a local authority thereof to an individual in respect of services rendered to that State or subdivision or authority shall be taxable only in that State.
- (b) However, such salaries, wages and other similar remuneration shall be taxable only in the other Contracting State if the services are rendered in that State and the individual is a resident of that State who:
  - (i) is a national of that State; or
  - (ii) did not become a resident of that State solely for the purpose of rendering the services.

2. (a) Notwithstanding the provisions of paragraph 1, pensions and other similar remuneration paid by, or out of funds created by, a Contracting State or a political subdivision or a local authority thereof to an individual in respect of services rendered to that State or subdivision or authority shall be taxable only in that State.
  - (b) However, such pensions and other similar remuneration shall be taxable only in the other Contracting State if the individual is a resident of, and a national of, that State.
3. The provisions of Articles 16, 17, 18 and 19 shall apply to salaries, wages, pensions, and other similar remuneration in respect of services rendered in connection with a business carried on by a Contracting State or a political subdivision or a local authority thereof.

## **ARTICLE 21**

### **STUDENTS AND BUSINESS APPRENTICES**

Payments which a student or business apprentice who is or was immediately before visiting a Contracting State a resident of the other Contracting State and who is present in the first-mentioned State solely for the purpose of the individual's education or training receives for the purpose of the individual's maintenance, education or training shall not be taxed in that State, provided that such payments arise from sources outside that State.

## **ARTICLE 22**

### **PROFESSORS, TEACHERS AND RESEARCHERS**

1. An individual who visits a Contracting State for a period not exceeding two years for the sole purpose of teaching or carrying out research at a university, college, school or other recognised educational institution in that State and who is or was immediately before that visit a resident of the other Contracting State, shall be exempt from tax in the first-mentioned State on any remuneration for such teaching or research, provided that such remuneration is derived by the individual from outside that State.
2. The provisions of paragraph 1 shall not apply to income from research if such activities are undertaken by the individual not in the public interest but primarily for the private benefit of some person or persons.

## **ARTICLE 23**

### **OTHER INCOME**

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

2. The provisions of paragraph 1 shall not apply to income, other than income from immovable property as defined in paragraph 2 of Article 6, if the recipient of such income, being a resident of a Contracting State, carries on business in the other Contracting State through a permanent establishment situated therein, or performs in that other State independent personal services from a fixed base situated therein, and the right or property in respect of which the income is paid is effectively connected with such permanent establishment or fixed base. In such case the provisions of Article 7 or Article 15, as the case may be, shall apply.

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

## ARTICLE 24

### ELIMINATION OF DOUBLE TAXATION

1. Double taxation shall be eliminated as follows:

(a) in Cameroon:

- (i) where a resident of Cameroon derives income which, in accordance with the provisions of this Convention may be taxed in South Africa, Cameroon shall, subject to the provision of paragraph 2, exempt such income from tax;
- (ii) where a resident of Cameroon derives items of income which, in accordance with the provisions of Articles 10, 11 and 12, may be taxed in South Africa, Cameroon shall allow as a deduction from the tax on the income of that resident an amount equal to the South African tax paid. Such deduction shall not, however, exceed that part of the tax, as computed before deduction is given, which is attributable to such items of income derived from South Africa; and

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

2. Where in accordance with any provision of the Convention income derived by a resident of a Contracting State is exempt from tax in that State, such State may nevertheless, in calculating the amount of tax on the remaining income of such resident, take into account the exempted income.

**ARTICLE 25****NON-DISCRIMINATION**

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

2. The taxation on a permanent establishment which an enterprise of a Contracting State has in the other Contracting State shall not be less favourably levied in that other State than the taxation levied on enterprises of that other State carrying on the same activities. This provision shall not be construed as obliging a Contracting State to grant to residents of the other Contracting State any personal allowances, reliefs and reductions for taxation purposes on account of civil status or family responsibilities which it grants to its own residents.

3. Except where the provisions of paragraph 1 of Article 9, paragraph 7 of Article 11, paragraph 6 of Article 12 or paragraph 6 of Article 14 apply, interest, royalties, fees for technical services and other disbursements paid by an enterprise of a Contracting State to a resident of the other Contracting State shall, for the purpose of determining the taxable profits of such enterprise, be deductible under the same conditions as if they had been paid to a resident of the first-mentioned State.

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

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

6. In no case shall the provisions of this Article be construed as preventing either Contracting State from:

(a) imposing the taxes described in paragraph 6 of Article 10;

(b) applying the provisions of its domestic law as regards thin capitalisation and transfer pricing.

7. The provisions of this Article shall, notwithstanding the provisions of Article 2, apply to taxes of every kind and description.

**ARTICLE 26****MUTUAL AGREEMENT PROCEDURE**

1. Where a person considers that the actions of one or both of the Contracting States result or will result for that person in taxation not in accordance with the provisions of this Convention, that person may, irrespective of the remedies provided by the domestic law of those States, present a case to the competent authority of the Contracting State of which the person is a resident or, if the case comes under paragraph 1 of Article 25, to that of the Contracting State of which the person is a national. The case must be presented within three years from the first notification of the action resulting in taxation not in accordance with the provisions of the Convention.

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

3. The competent authorities of the Contracting States shall endeavour to resolve by mutual agreement any difficulties or doubts arising as to the interpretation or application of the Convention. They may also consult together for the elimination of double taxation in cases not provided for in the Convention.

4. The competent authorities of the Contracting States may communicate with each other directly, including through a joint commission consisting of themselves or their representatives, for the purpose of reaching an agreement in the sense of the preceding paragraphs.

**ARTICLE 27****EXCHANGE OF INFORMATION**

1. The competent authorities of the Contracting States shall exchange such information as is foreseeably relevant for carrying out the provisions of this Convention or to the administration or enforcement of the domestic laws concerning taxes of every kind and description imposed on behalf of the Contracting States, or of their political subdivisions in so far as the taxation thereunder is not contrary to the Convention. The exchange of information is not restricted by Articles 1 and 2.

2. Any information received under paragraph 1 by a Contracting State shall be treated as secret in the same manner as information obtained under the domestic laws of that State and shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the assessment or collection of, the enforcement or prosecution in respect of, the determination of appeals in relation to the taxes referred to in paragraph 1, or the oversight of the above. Such persons or authorities shall use the information only for such purposes. They may disclose the information in public court proceedings or in judicial decisions.



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

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

4. If information is requested by a Contracting State in accordance with this Article, the other Contracting State shall use its information gathering measures to obtain the requested information, even though that other State may not need such information for its own tax purposes. The obligation contained in the preceding sentence is subject to the limitations of paragraph 3 but in no case shall such limitations be construed to permit a Contracting State to decline to supply information solely because it has no domestic interest in such information.

5. In no case shall the provisions of paragraph 3 be construed to permit a Contracting State to decline to supply information solely because the information is held by a bank, other financial institution, nominee or person acting in an agency or a fiduciary capacity or because it relates to ownership interests in a person.

## ARTICLE 28

### MEMBERS OF DIPLOMATIC MISSIONS AND CONSULAR POSTS

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

## ARTICLE 29

### ENTRY INTO FORCE

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

2. The provisions of the Convention shall apply:

- (a) with regard to taxes withheld at source, in respect of amounts paid or credited on or after the first day of January next following the date upon which the Convention enters into force; and
- (b) with regard to other taxes, in respect of taxable years beginning on or after the first day of January next following the date upon which the Convention enters into force.

**ARTICLE 30****TERMINATION**

1. This Convention shall remain in force indefinitely but either of the Contracting States may terminate the Convention, through the diplomatic channel, by giving to the other Contracting State written notice of termination not later than 30 June of any calendar year starting five years after the year in which the Convention entered into force.

2. In such event the Convention shall cease to apply:

- (a) with regard to taxes withheld at source, in respect of amounts paid or credited after the end of the calendar year in which such notice is given; and
- (b) with regard to other taxes, in respect of taxable years beginning after the end of the calendar year in which such notice is given.

**IN WITNESS WHEREOF** the undersigned, being duly authorised by their respective Governments, have signed and sealed this Convention in two originals in the English and French languages, both texts being equally authentic.

**DONE** at Yaoundé on 19<sup>th</sup> day of February in the year 2015.

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

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**FOR THE GOVERNMENT OF THE  
REPUBLIC OF CAMEROON**

## **PROTOCOL**

At the time of signing the Convention between the Government of the Republic of Cameroon and the Government of the Republic of South Africa for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, the undersigned have agreed that the following provisions shall form an integral part of the Agreement:

1. Where in any Convention entered into between Cameroon and any other State for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income subsequent to the entry into force of this Convention, a lower rate than that specified in Articles 11, 12 or 14 of this Convention is provided for, Cameroon agrees to inform South Africa in writing through the diplomatic channel and shall enter into negotiations with a view to providing comparable treatment as may be provided for the third State.

2. Where in any Convention entered into between South Africa and any other State for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income subsequent to the entry into force of this Convention, a higher rate than that specified in Articles 11, 12 or 14 of this Convention is provided for, South Africa agrees to inform Cameroon in writing through the diplomatic channel and shall enter into negotiations with a view to providing comparable treatment as may be provided for the third State.

3. With regard to Article 24, the current South African tax system provides for an exemption in respect of dividends declared by non-resident companies where the participation by the South African shareholder is more than ten per cent. Should this exemption be amended, South Africa will inform Cameroon in writing through the diplomatic channel and shall enter into negotiations with a view to the renegotiation of the provisions of this Article to address tax sparing provisions.

**IN WITNESS WHEREOF** the undersigned, being duly authorised thereto by their respective Governments, have signed and sealed this Protocol in two originals in the English and French languages, both texts being equally authentic.

**DONE** at Yaoundé on this 19<sup>th</sup> day of February in the year 2015.

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

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**FOR THE GOVERNMENT OF THE  
REPUBLIC OF CAMEROON**

**SUID-AFRIKAANSE INKOMSTEDIENS****NO. 936****01 SEPTEMBER 2017****INKOMSTEBELASTINGWET, 1962****KONVENSIE TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE REPUBLIEK VAN KAMEROEN TER VERMYDING VAN DUBBELE BELASTING EN TER VOORKOMING VAN FISKALE ONTDUIKING MET BETREKKING TOT BELASTINGS OP INKOMSTE**

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

Daar word verder bekendgemaak dat ingevolge paragraaf 1 van Artikel 29 van die Ooreenkoms, die datum van inwerkingtreding 13 Julie 2017 is.

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

Die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek van Kameroen;

**BEGERIC** om 'n Konvensie aan te gaan ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking met betrekking tot belasting op inkomste,

**HET SOOS VOLG OOREENGEKOM:****ARTIKEL 1****PERSONE GEDEK**

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

**ARTIKEL 2****BELASTINGS GEDEK**

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

2. Alle belasting op totale inkomste gehef word, of op elemente van inkomste, insluitende belasting op winste uit die vervreemding van roerende of onroerende eiendom, en belasting op die totale bedrag van lone of salarisse, word as belasting op inkomste beskou.

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

(a) in Kameroen:

- (i) die persoonlike inkomstebelasting;
- (ii) die maatskappybelasting;
- (iii) die minimum belasting op maatskappye en individue;
- (iv) die spesiale belasting op inkomste; en
- (v) die behuisingsleningsfondsbelasting en die indiensnemingsfondsbelasting;

asook voorbetalings, ander terughoubelasting en bobelasting op die genoemde belasting;

(hieronder die "Kameroense belasting" genoem"); en

- (b) in Suid-Afrika:
- (i) die normale belasting;
  - (ii) die sekondêre belasting op maatskappye;
  - (iii) die terughoubelasting op tantième; en
  - (iv) die belasting op buitelandse vermaaklikheidskunstenaars en sportpersone;
- (hieronder die "Suid-Afrikaanse belasting" genoem).

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

### ARTIKEL 3

#### ALGEMENE WOORDOMSKRYWING

1. Vir doeleindes van hierdie Konvensie, tensy dit uit die samehang anders blyk:
- (a) beteken die uitdrukking "Kameroen" die gebied van die Republiek van Kameroen en, wanneer dit in 'n geografiese sin gebruik word, ook die territoriale waters daarvan asook enige gebied aangrensend aan die kus bo en behalwe die territoriale waters, waaroor Kameroen soewereine regte uitoefen, ooreenkomstig Kameroense wetgewing en die volkereg, en wat aangewys is of hierna aangewys word as 'n gebied waarin Kameroen ten opsigte van die seebodem en ondergrond en die natuurlike hulpbronne daarvan regte kan uitoefen;
  - (b) beteken die uitdrukking "Suid-Afrika" die Republiek van Suid-Afrika en, wanneer dit in 'n geografiese sin gebruik word, ook die territoriale waters daarvan asook enige gebied buite die territoriale waters, insluitende die vastelandsplat, wat ingevolge die wette van Suid-Afrika en ooreenkomstig die volkereg aangewys is of hierna aangewys word as 'n gebied waarin Suid-Afrika soewereine regte of jurisdiksie kan uitoefen;
  - (c) beteken die uitdrukking "'n Kontrakterende Staat" en "die ander Kontrakterende Staat" Kameroen of Suid-Afrika, na gelang van die samehang;
  - (d) beteken die uitdrukking "maatskappy" enige regspersoon of enige entiteit wat vir belastingdoeleindes as 'n regspersoon behandel word;
  - (e) beteken die uitdrukking "bevoegde owerheid":
    - (i) in Kameroen, die Minister verantwoordelik vir finansies of 'n gemagtigde verteenwoordiger van die Minister; en
    - (ii) in Suid-Afrika, die Kommissaris van die Suid-Afrikaanse Inkomstediens of 'n gemagtigde verteenwoordiger van die Kommissaris;
  - (f) beteken die uitdrukking "onderneming van 'n Kontrakterende Staat" en "onderneming van die ander Kontrakterende Staat" onderskeidelik 'n onderneming wat deur 'n inwoner van 'n Kontrakterende Staat gedryf word en 'n onderneming wat deur 'n inwoner van die ander Kontrakterende Staat gedryf word;

- (g) beteken die uitdrukking "internasionale verkeer" enige vervoer per skip of lugvaartuig wat deur 'n onderneming van 'n Kontrakterende Staat bedryf word, uitgesonderd waar die skip of lugvaartuig slegs tussen plekke in die ander Kontrakterende Staat bedryf word;
- (h) beteken die uitdrukking "burger", met betrekking tot 'n Kontrakterende Staat:
  - (i) enige individu wat nasionaliteit of burgerskap van daardie Kontrakterende Staat het; en
  - (ii) enige regspersoon, vennootskap of vereniging wat sy status as sodanig verkry uit die wette wat in daardie Kontrakterende Staat van krag is;
- (i) beteken die uitdrukking "persoon" ook 'n individu, 'n maatskappy en enige ander liggaam van persone wat vir belastingdoeleindes as 'n entiteit behandel word; en
- (j) beteken die uitdrukking "belasting" Suid-Afrikaanse of Kameroense belasting, na gelang van die geval.

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

## ARTIKEL 4

### INWONER

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

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

- (a) die individu word geag 'n inwoner te wees net van die Staat waarin 'n permanente tuiste tot die individu se beskikking is; indien 'n permanente tuiste in albei State tot die individu se beskikking is, word die individu geag 'n inwoner te wees net van die Staat waarmee die individu se persoonlike en ekonomiese betrekkinge die nouste is (tuiste van lewensbelange);
- (b) indien die Staat waarin die tuiste van lewensbelange geleë is nie bepaal kan word nie of indien die individu nie 'n permanente tuiste in enige van die State beskikbaar het nie, word die individu geag 'n inwoner te wees net van die Staat waarin die individu 'n gebruikelike verblyfplek het;



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

3. Waar uit hoofde van die bepalings van paragraaf 1 'n ander persoon as 'n individu 'n inwoner van albei Kontrakterende State is, moet die bevoegde owerhede van die Kontrakterende State deur onderlinge ooreenkoms poog om die saak af te handel en die wyse van toepassing van die Konvensie op sodanige persoon te bepaal. By ontstentenis van sodanige onderlinge ooreenkoms word sodanige persoon geag buite die bestek van die Konvensie te wees, met die uitsondering van die bepalings van Artikel 27.

## ARTIKEL 5

### PERMANENTE SAAK

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

2. Die uitdrukking "permanente saak" sluit veral in:

- (a) 'n plek van bestuur;
- (b) 'n tak;
- (c) 'n kantoor;
- (d) 'n fabriek;
- (e) 'n werkwinkel;
- (f) 'n myn, 'n olie- of gasbron, 'n steengroef of enige ander plek van ontginning of eksploitasie van natuurlike hulpbronne;
- (g) 'n booreiland of skip wat vir die eksplorاسie of ontginning van natuurlike hulpbronne gebruik word;
- (h) 'n verkoops punt; en
- (i) 'n pakhuis, met betrekking tot 'n persoon wat stoorfasiliteite aan ander verskaf.

3. Die uitdrukking "permanente saak" behels eweneens:

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

- (c) 'n onderneming wat in 'n Kontrakterende Staat besigheid dryf deur dienste te verskaf of toerusting en masjinerie te voorsien wat te huur is, wat gebruik word of gebruik sal word vir die eksplorasië, herwinning of benutting van minerale hulpbronne in daardie Staat, maar net as bedrywigheide van daardie aard in die Kontrakterende Staat voortduur (vir dieselfde of 'n daaraan verbonde projek) vir 'n tydperk of tydperke wat altesaam meer is as 183 dae in enige twaalfmaandetydperk wat in die betrokke fiskale jaar begin of eindig.

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

- (a) die gebruik van fasiliteite uitsluitlik met die doel om goedere of handelsware wat aan die onderneming behoort, te berg of te vertoon;
- (b) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort, uitsluitlik met die doel om dit op te berg of te vertoon;
- (c) die instandhouding van 'n voorraad goedere of handelsware wat aan die onderneming behoort, uitsluitlik vir die doel van verwerking deur 'n ander onderneming;
- (d) die instandhouding van 'n vaste besigheidsplek uitsluitlik met die doel om vir die onderneming goedere of handelsware aan te koop of inligting in te win;
- (e) die instandhouding van 'n vaste besigheidsplek uitsluitlik met die doel om enige ander bedrywigheid van 'n voorbereidende of bykomstige aard vir die onderneming te beoefen; en
- (f) die instandhouding van 'n vaste besigheidsplek uitsluitlik vir enige kombinasie van bedrywigheide in subparagrafe (a) tot (e) genoem, met dien verstande dat die oorkoepelende bedrywigheid van die vaste besigheidsplek wat uit hierdie kombinasie voortspruit, van 'n voorbereidende of bykomstige aard is.

5. Ondanks die bepalings van paragrafe 1 en 2, waar 'n persoon – uitgesonderd 'n agent met onafhanklike status op wie paragraaf 7 van toepassing is – in 'n Kontrakterende Staat namens 'n onderneming van die ander Kontrakterende Staat optree, word daardie onderneming geag 'n permanente saak in die eersgenoemde Kontrakterende Staat te hê ten opsigte van enige bedrywigheide wat daardie persoon vir die onderneming hanteer, indien daardie persoon:

- (a) in daardie Staat gesag het en gewoonlik uitoefen om kontrakte in die naam van die onderneming aan te gaan, tensy die bedrywigheide van sodanige persoon beperk is tot dié in paragraaf 4 genoem, wat, indien dit deur 'n vaste besigheidsplek uitgeoefen word, hierdie vaste besigheidsplek nie ingevolge die bepalings van daardie paragraaf 'n permanente saak maak nie; of
- (b) geen sodanige gesag het nie maar gewoonlik in eersgenoemde Kontrakterende Staat 'n voorraad goedere of handelsware in stand hou wat aan die onderneming behoort en waaruit hy gereeld goedere namens die onderneming lewer.

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

7. 'n Onderneming van 'n Kontrakterende Staat word nie geag 'n permanente saak in die ander Kontrakterende Staat te hê bloot omdat hy in daardie ander Staat deur 'n makelaar, algemene kommissieagent of enige ander agent met onafhanklike status besigheid dryf nie, met dien verstande dat sulke persone in die gewone loop van hulle besigheid handel. Wanneer die bedrywighede van so 'n agent egter in geheel of bykans in geheel ten bate van daardie onderneming toegewy is, en voorwaardes tussen daardie onderneming en die agent in hulle kommersiële en finansiële verhoudings gestel of gehef word wat verskil van dié wat tussen onafhanklike ondernemings gestel sou word, word sodanige agent nie beskou as 'n agent met onafhanklike status binne die betekenis van hierdie paragraaf nie.

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

## ARTIKEL 6

### INKOMSTE UIT ONROERENDE EIENDOM

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

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

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

4. Die bepalinge van paragrawe 1 en 3 is ook van toepassing op die inkomste uit die onroerende eiendom van 'n onderneming en op inkomste uit onroerende eiendom wat vir die verrigting van onafhanklike persoonlike dienste gebruik word.

**ARTIKEL 7****BESIGHEIDSWINSTE**

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

- (a) daardie permanente saak;
- (b) verkope in daardie ander Staat van goedere of handelware van dieselfde of soortgelyke aard as dié wat deur daardie permanente saak verkoop word; of
- (c) ander sakebedrywighede gedryf in daardie ander Staat van dieselfde of soortgelyke aard as dié wat deur daardie permanente saak bewerkstellig word.

Die winste verkry uit die verkope of sakebedrywighede beskryf in subparagraaf (b) of (c) hierbo is egter nie in die ander Kontrakterende Staat belasbaar nie indien die onderneming bewys lewer dat sodanige verkope of sakebedrywighede om ander redes as die verkryging van 'n voordeel kragtens hierdie Konvensie uitgevoer is.

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

3. By die vasstelling van die winste van 'n permanente saak word uitgawes wat vir die doel van die besigheid van die permanente saak aangegaan is, insluitende uitvoerende en algemene administratiewe uitgawes aldus aangegaan, as aftrekkings toegelaat, hetsy in die Staat waarin die permanente saak geleë is of elders. Geen sodanige aftrekking word egter toegelaat nie ten opsigte van bedrae, as daar is, wat die permanente saak aan die hoofkantoor van die onderneming of enige van sy ander kantore betaal (behalwe vir die terugbetaling van werklike uitgawes) by wyse van tantième, gelde of ander soortgelyke betalings in ruil vir die gebruik van patente of ander regte, of by wyse van kommissie, vir spesifieke dienste gelewer of vir bestuur, of, uitgesonderd in die geval van 'n bankonderneming, by wyse van rente op gelde wat aan die permanente saak geleen is. Insgelyks word geen ag geslaan nie op bedrae (behalwe vir die terugbetaling van werklike uitgawes) wat deur die permanente saak teen die hoofkantoor van die onderneming of enige van sy ander kantore gehef word by wyse van tantième, gelde of ander soortgelyke betalings in ruil vir die gebruik van patente of ander regte, of by wyse van kommissie vir spesifieke dienste gelewer of vir bestuur, of, uitgesonderd in die geval van 'n bankonderneming, by wyse van rente op gelde wat aan die hoofkantoor van die onderneming of enige van sy ander kantore geleen is.

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

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

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

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

## **ARTIKEL 8**

### **SKEEPS- EN LUGVERVOER**

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

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

## **ARTIKEL 9**

### **VERWANTE ONDERNEMINGS**

1. Waar –

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

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

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

**ARTIKEL 10****DIVIDENDE**

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

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

- (a) 10 persent van die bruto bedrag van die dividende indien die voordelige eienaar 'n maatskappy is wat ten minste 25 persent hou van die kapitaal van die maatskappy wat die dividende betaal; of
- (b) 15 persent van die bruto bedrag van die dividende in alle ander gevalle.

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

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

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

4. Die bepalings van paragraawe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die dividende, wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat waarvan die maatskappy wat die dividende betaal 'n inwoner is, besigheid dryf deur middel van 'n permanente saak wat daarin geleë is of in daardie ander Staat onafhanklike persoonlike dienste lewer vanuit 'n vaste basis wat daarin geleë is, en die aandeelhouding ten opsigte waarvan die dividende betaal word, effektief aan sodanige permanente saak of vaste basis verbonde is. In sodanige geval is die bepalings van Artikel 7 of Artikel 15, na gelang van die geval, van toepassing.

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

6. Ondanks enige ander bepaling van hierdie Konvensie, waar 'n maatskappy wat 'n inwoner van 'n Kontrakterende Staat is 'n permanente saak in die ander Kontrakterende Staat het, kan die winste wat ingevolge Artikel 7, paragraaf 1 belasbaar is, onderwerp word aan 'n addisionele belasting in daardie ander Staat, ooreenkomstig sy reg, maar die addisionele heffing mag nie meer wees nie as 10 persent van die bedrag van daardie winste nadat die korporatiewe belasting op sodanige winste opgelê deur daardie Staat daarvan afgetrek is.



**ARTIKEL 11****RENTE**

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

2. Sodanige rente kan egter ook in die Kontrakterende Staat waarin dit ontstaan en ooreenkomstig die reg van daardie Staat belas word, maar as die voordelige eienaar van die rente 'n inwoner van die ander Kontrakterende Staat is, mag die belasting wat aldus gehef word, nie meer as 10 persent van die bruto bedrag van die rente wees nie.

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

3. Ondanks die bepalings van paragraaf 2, word rente wat in 'n Kontrakterende Staat ontstaan en aan die Regering of die Sentrale Bank van die ander Kontrakterende Staat betaal word, in eersgenoemde Kontrakterende Staat van belasting vrygestel.

4. Die uitdrukking "rente" soos dit in hierdie Artikel gebruik word, beteken inkomste uit alle soorte skuldeise, hetsy deur 'n verband gesekureer al dan nie en hetsy dit 'n reg inhou om in die skuldenaar se wins te deel al dan nie, en in die besonder inkomste uit staatseffekte en inkomste uit obligasies of skuldbriewe, insluitende premies en pryse verbonde aan sodanige effekte, obligasies of skuldbriewe. Boeteheffings vir laat betaling word vir die doel van hierdie Artikel nie as rente beskou nie.

5. Die bepalings van paragrawe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die rente wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat waarin die rente ontstaan, besigheid dryf deur 'n permanente saak wat daarin geleë is, of in daardie ander Staat onafhanklike persoonlike dienste lewer vanuit 'n vaste basis wat daarin geleë is, en die skuldeis ten opsigte waarvan die rente betaal word, effektief verbonde is aan (a) sodanige permanente saak of vaste basis of (b) die sakebedrywigheede genoem in subparagraaf (c) van paragraaf 1 van Artikel 7. In sodanige geval is die bepalings van Artikel 7 of Artikel 15, na gelang van die geval, van toepassing.

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

7. Waar, vanweë 'n besondere verhouding tussen die betaler en die voordelige eienaar of tussen hulle albei en 'n ander persoon, die bedrag van die rente, met inagneming van die skuldeis waarvoor dit betaal word, meer is as die bedrag waarop die betaler en die voordelige eienaar sou ooreengekom het by ontstentenis van so 'n verhouding, is die bepalings van hierdie Artikel net op laasgenoemde bedrag van toepassing. In sodanige geval bly die oormaatdeel van die betalings belasbaar ooreenkomstig die wette van elke Kontrakterende Staat, met behoorlike inagneming van die ander bepalings van hierdie Konvensie.



**ARTIKEL 12****TANTIÈME**

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

2. Sodanige tantième kan egter ook in die Kontrakterende Staat waarin dit ontstaan en ooreenkomstig die wette van daardie Staat belas word, maar as die voordelige eienaar van die tantième 'n inwoner van die ander Kontrakterende Staat is, mag die belasting wat aldus gehef word, nie meer as 10 persent van die bruto bedrag van die tantième wees nie.

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

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

4. Die bepalinge van paragrafe 1 en 2 is nie van toepassing nie indien die voordelige eienaar van die tantième wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat waarin die tantième ontstaan, besigheid dryf deur middel van 'n permanente saak wat daarin geleë is of in daardie ander Staat onafhanklike persoonlike dienste lewer vanuit 'n vaste basis wat daarin geleë is, en die reg of eiendom ten opsigte waarvan die tantième betaal word, effektief verbonde is aan sodanige (a) permanente saak of vaste basis of (b) sakebedrywighede genoem in subparagraaf (c) van paragraaf 1 van Artikel 7. In so 'n geval is die bepalinge van Artikel 7 of Artikel 15, na gelang van die geval, van toepassing.

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

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

**ARTIKEL 13****KAPITAALWINS**

1. Wins wat 'n inwoner van 'n Kontrakterende Staat verkry uit die vervreemding van onroerende eiendom wat in Artikel 6 bedoel word en in die ander Kontrakterende Staat geleë is, kan in daardie ander Staat belas word.
2. Wins uit die vervreemding van roerende eiendom wat deel uitmaak van die besigheidseiendom van 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, of van roerende eiendom behorende by 'n vaste basis tot beskikking van 'n inwoner van 'n Kontrakterende Staat in die ander Kontrakterende Staat vir die doel van die lewering van onafhanklike persoonlike dienste, insluitende die wins uit die vervreemding van so 'n permanente saak (alleen of met die hele onderneming) of van sodanige vaste basis, kan in daardie ander Staat belas word.
3. Wins van 'n onderneming van 'n Kontrakterende Staat uit die vervreemding van skepe of lugvaartuie wat in internasionale verkeer bedryf word of roerende eiendom wat op die bedryf van sodanige skepe of lugvaartuie betrekking het, is net in daardie Staat belasbaar.
4. Wins wat 'n inwoner van 'n Kontrakterende Staat verkry uit die vervreemding van aandele wat meer as 50 persent van hulle waarde regstreeks of onregstreeks uit onroerende eiendom geleë in die ander Kontrakterende Staat verkry, kan in daardie ander Staat belas word.
5. Wins uit die vervreemding van enige ander eiendom as dié in die voorgaande paragrawe van hierdie Artikel bedoel, is belasbaar net in die Kontrakterende Staat waarvan die vervreemder 'n inwoner is.

**ARTIKEL 14****GELDE VIR TEGNIESE DIENSTE**

1. Gelde vir tegniese dienste wat in 'n Kontrakterende Staat ontstaan en aan 'n inwoner van die ander Kontrakterende Staat betaal word, kan in daardie ander Staat belas word.
2. Sulke gelde vir tegniese dienste kan egter ook in die Kontrakterende Staat waarin dit ontstaan en ooreenkomstig die wette van daardie Staat belas word, maar indien die voordelige eienaar van die gelde vir tegniese dienste 'n inwoner van die ander Kontrakterende Staat is, mag die belasting nie meer as 10 persent van die bruto bedrag van die gelde vir tegniese dienste wees nie.

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

3. Die uitdrukking "gelde vir tegniese dienste" soos dit in hierdie Artikel gebruik word, beteken betalings van enige soort aan enige persoon, uitgesonderd aan 'n werknemer van die persoon wat die betalings doen, as teenprestasie vir enige dienste van 'n tegniese, bestuurs- of konsultasie-aard.

4. Die bepalings van paragrawe 1 en 2 van hierdie Artikel is nie van toepassing nie indien die voordelige eienaar van die gelde vir tegniese dienste wat 'n inwoner van 'n Kontrakterende Staat is, besigheid dryf in die ander Kontrakterende Staat waarin die gelde vir tegniese dienste ontstaan deur 'n permanente saak wat daarin geleë is of die verrigting van onafhanklike persoonlike dienste vanuit 'n vaste basis wat daarin geleë is, en die gelde vir tegniese dienste effektief aan sodanige permanente saak of vaste basis verbonde is. In sodanige geval is die bepalings van Artikel 7 of Artikel 15, na gelang van die geval, van toepassing.

5. Gelde vir tegniese dienste word geag in 'n Kontrakterende Staat te ontstaan wanneer die betaler 'n inwoner van daardie Staat is. Waar die persoon wat die gelde vir tegniese dienste betaal, hetsy daardie persoon 'n inwoner van 'n Kontrakterende Staat is al dan nie, egter in 'n Kontrakterende Staat 'n permanente saak of 'n vaste basis het in verband waarmee die verpligting om die gelde vir tegniese dienste te betaal aangegaan is, en sodanige gelde vir tegniese dienste deur sodanige permanente saak of vaste basis gedra word, word sodanige gelde vir tegniese dienste geag te ontstaan in die Kontrakterende Staat waarin die permanente saak of vaste basis geleë is.

6. Waar, omrede 'n spesiale verhouding tussen die betaler en die voordelige eienaar of tussen hulle albei en 'n ander persoon, die bedrag van die gelde vir tegniese dienste wat betaal word, om welke rede ook al, meer is as die bedrag waarop daar ooreengekom sou gewees het deur die betaler en die voordelige eienaar by ontstentenis van sodanige verhouding, is die bepalings van hierdie Artikel slegs op laasgenoemde bedrag van toepassing. In sodanige geval bly die oormaatdeel van die betalings belasbaar ooreenkomstig die wette van elke Kontrakterende Staat, met behoorlike inagneming van die ander bepalings van hierdie Konvensie.

## ARTIKEL 15

### ONAFHANKLIKE PERSOONLIKE DIENSTE

1. Inkomste wat 'n individu wat 'n inwoner van 'n Kontrakterende Staat is ten opsigte van professionele dienste of ander bedrywighede van 'n onafhanklike aard verkry, is slegs in daardie Staat belasbaar, uitgesonderd in die volgende omstandighede, wanneer sodanige inkomste ook in die ander Kontrakterende Staat belas kan word:

- (a) indien die individu so 'n vaste basis in die ander Kontrakterende Staat gereeld beskikbaar het vir die doel om die individu se bedrywighede te verrig; in daardie geval mag net soveel van die inkomste as wat aan daardie vaste basis toeskryfbaar is, in daardie ander Kontrakterende Staat belas word; of
- (b) indien die individu se verblyf in die ander Kontrakterende Staat vir 'n tydperk of tydperke is wat gesamentlik 183 of meer dae in enige tydperk van twaalf maande is wat in die betrokke fiskale jaar begin of eindig; in daardie geval mag net soveel van die inkomste as wat verkry word uit die bedrywighede wat in daardie ander Staat verrig word, in daardie ander Staat belas word.

2. Die uitdrukking "professionele dienste" sluit veral in onafhanklike wetenskaplike, letterkundige, artistieke, opvoedkundige of onderrig-bedrywighede, asook die onafhanklike bedrywighede van geneeshere, regsgeleerdes, ingenieurs, argitekte, tandartse en rekenmeesters.

**ARTIKEL 16****AFHANKLIKE PERSOONLIKE DIENSTE**

1. Behoudens die bepalings van Artikel 17, 19 en 20 is salarisse, lone en ander soortgelyke besoldiging wat 'n inwoner van 'n Kontrakterende Staat ten opsigte van diens verkry, net in daardie Staat belasbaar, tensy die diens in die ander Kontrakterende Staat beoefen word. Indien die diens aldus beoefen word, kan die besoldiging wat daaruit verkry word in daardie ander Staat belas word.

2. Ondanks die bepalings van paragraaf 1 is besoldiging wat 'n inwoner van 'n Kontrakterende Staat ontvang ten opsigte van diens wat in die ander Kontrakterende Staat beoefen word, net in eersgenoemde Staat belasbaar indien:-

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

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

**ARTIKEL 17****DIREKTEURSGELDE**

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

2. Salarisse, lone en ander soortgelyke vergoeding wat deur 'n inwoner van 'n Kontrakterende Staat verkry word in sy of haar hoedanigheid van amptenaar wat 'n bestuursposisie op die hoogste vlak beklee in 'n maatskappy wat 'n inwoner van die ander Kontrakterende Staat is, kan in daardie ander Staat belas word.

**ARTIKEL 18****VERMAAKLIKHEIDSKUNSTENAARS EN SPORTPERSONE**

1. Ondanks die bepalings van Artikel 7, 15 en 16 kan inkomste wat deur 'n inwoner van 'n Kontrakterende Staat verkry word as vermaaklikheidskunstenaar, soos 'n teater-, rolprent-, radio- of televisiekunstenaar, of 'n musikant, of as sportpersoon, uit daardie persoon se persoonlike bedrywighede wat as sodanig in die ander Kontrakterende Staat beoefen word, in daardie ander Staat belas word.

2. Waar inkomste ten opsigte van persoonlike bedrywighede, wat deur 'n vermaaklikheidskunstenaar of sportpersoon in daardie persoon se hoedanigheid as sodanig uitgeoefen word, nie aan die vermaaklikheidskunstenaar of sportpersoon toeval nie maar aan 'n ander persoon, kan daardie inkomste, ondanks die bepalings van Artikel 7, 15 en 16, belas word in die Kontrakterende Staat waarin die bedrywighede van die vermaaklikheidskunstenaar of sportpersoon beoefen word.

3. Die bepalings van paragrafe 1 en 2 is nie van toepassing nie op inkomste wat deur 'n inwoner van 'n Kontrakterende Staat verkry word uit bedrywighede wat in die ander Kontrakterende Staat beoefen word soos in paragrafe 1 en 2 beoog, indien die besoek aan daardie ander Staat in geheel of gedeeltelik deur openbare fondse van die eersgenoemde Staat, 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan gesteun word. In so 'n geval is die inkomste net in die Kontrakterende Staat waarvan die vermaaklikheidskunstenaar of sportpersoon 'n inwoner is, belasbaar.

## ARTIKEL 19

### PENSIOENE EN ANNUÏTEITE

1. Behoudens die bepalings van paragraaf 2 van Artikel 20 kan pensioene en ander soortgelyke besoldiging, en annuïteite, wat in 'n Kontrakterende Staat ontstaan en aan 'n inwoner van die ander Kontrakterende Staat betaal word, in eersgenoemde Staat belas word.

2. Die uitdrukking "annuïteit" beteken 'n vermelde bedrag wat periodiek op vermelde tye gedurende 'n persoon se lewe of gedurende 'n gespesifiseerde of vasstelbare tydperk betaalbaar word ingevolge 'n verpligting om die betalings te doen in ruil vir voldoende en volle teenprestasie in geld of geldwaarde.

3. Ondanks die bepalings van paragraaf 1 is pensioene en ander betalings ingevolge 'n openbare skema wat deel is van die maatskaplikesekerheidstelsel van 'n Kontrakterende Staat, of 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan, net in daardie Staat belasbaar.

## ARTIKEL 20

### REGERINGSDIENS

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

2. (a) Ondanks die bepalings van paragraaf 1 is pensioene en ander soortgelyke besoldiging wat betaal word deur, of uit fondse geskep deur, 'n Kontrakterende Staat of 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan aan 'n individu ten opsigte van dienste gelewer aan daardie Staat of onderverdeling of owerheid, net in daardie Staat belasbaar.
  - (b) Sodanige pensioene en ander soortgelyke besoldiging is egter in die ander Kontrakterende Staat belasbaar slegs indien die individu 'n inwoner en 'n burger van daardie Staat is.
3. Die bepalings van Artikel 16, 17, 18 en 19 is van toepassing op salarisse, lone, pensioene en ander soortgelyke besoldiging ten opsigte van dienste gelewer in verband met 'n besigheid wat gedryf word deur 'n Kontrakterende Staat of 'n staatkundige onderverdeling of 'n plaaslike owerheid daarvan.

## **ARTIKEL 21**

### **STUDENTE EN BESIGHEIDSLEERLINGE**

Betalings wat 'n student of besigheidsléerling wat onmiddellik voor 'n besoek aan 'n Kontrakterende Staat 'n inwoner van die ander Kontrakterende Staat is of was en wat uitsluitlik vir die doel van die individu se opvoeding of opleiding in eersgenoemde Staat teenwoordig is, ontvang vir die doel van die individu se onderhoud, opvoeding of opleiding, word nie in daardie Staat belas nie, met dien verstande dat sodanige betalings uit bronne buite daardie Staat ontstaan.

## **ARTIKEL 22**

### **DOSENTE, ONDERWYSERS EN NAVORSERS**

1. 'n Individue wat 'n Kontrakterende Staat besoek vir 'n tydperk van hoogstens twee jaar uitsluitlik vir die doel van onderrig of die doen van navorsing aan 'n universiteit, kollege, skool of ander erkende opvoedkundige instelling in daardie Staat, en wat onmiddellik voor sodanige besoek 'n inwoner van die ander Kontrakterende Staat is of was, word in eersgenoemde Staat vrygestel van belasting op enige besoldiging vir sodanige onderrig of navorsing, met dien verstande dat sodanige besoldiging deur die individu verkry word van buite daardie Staat.
2. Die bepalings van paragraaf 1 is nie op inkomste uit navorsing van toepassing nie indien sodanige bedrywighede nie in die openbare belang nie, maar hoofsaaklik tot private voordeel van 'n bepaalde persoon of persone deur die individu onderneem word.

## **ARTIKEL 23**

### **ANDER INKOMSTE**

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



2. Die bepalings van paragraaf 1 is nie op inkomste van toepassing nie, uitgesonderd inkomste uit onroerende eiendom soos in paragraaf 2 van Artikel 6 omskryf, indien die ontvanger van sodanige inkomste wat 'n inwoner van 'n Kontrakterende Staat is, in die ander Kontrakterende Staat besigheid dryf deur middel van 'n permanente saak wat daarin geleë is of in daardie ander Staat onafhanklike persoonlike dienste verrig vanuit 'n vaste basis wat daarin geleë is, en die reg of eiendom ten opsigte waarvan die inkomste betaal word effektief aan sodanige permanente saak of vaste basis verbonde is. In so 'n geval is die bepalings van Artikel 7 of Artikel 15, na gelang van die geval, van toepassing.

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

## ARTIKEL 24

### UITSKAKELING VAN DUBBELE BELASTING

1. Dubbele belasting word soos volg uitgeskakel:

(a) In Kameroen:

- (i) waar 'n inwoner van Kameroen inkomste verkry wat ooreenkomstig die bepalings van hierdie Konvensie in Suid-Afrika belas kan word, moet Kameroen behoudens die bepalings van paragraaf 2 sodanige inkomste van belasting vrystel;
- (ii) waar 'n inwoner van Kameroen inkomste-items verkry wat ooreenkomstig die bepalings van Artikel 10, 11 en 12 in Suid-Afrika belas kan word, moet Kameroen 'n bedrag, wat gelyk is aan die Suid-Afrikaanse belasting wat betaal is, toestaan as 'n aftrekking vanaf die belasting op die inkomste van daardie inwoner. Sodanige aftrekking mag egter nie meer wees nie as daardie deel van die belasting, soos bereken voordat 'n aftrekking toegestaan is, wat toeskryfbaar is aan daardie inkomste-items wat uit Suid-Afrika verkry is; en

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

2. Waar, ooreenkomstig enige bepaling van die Konvensie, inkomste verkry deur 'n inwoner van 'n Kontrakterende Staat vrygestel is van belasting in daardie Staat, kan sodanige Staat nogtans, by berekening van die bedrag van belasting op die oorblywende inkomste van daardie inwoner, die inkomste wat vrygestel is in berekening bring.



**ARTIKEL 25****NIEDISKRIMINASIE**

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

2. Die belasting op 'n permanente saak wat 'n onderneming van 'n Kontrakterende Staat in die ander Kontrakterende Staat het, word nie in daardie ander Staat minder gunstig gehef as die belasting wat gehef word op ondernemings van daardie ander Staat wat dieselfde bedrywighede beoefen nie. Hierdie bepaling word nie so uitgelê dat dit 'n Kontrakterende Staat verplig om aan inwoners van die ander Kontrakterende Staat enige persoonlike korting, verligting en vermindering vir belastingdoeleindes toe te staan op grond van burgerlike status of gesinsverantwoordelikhede wat hy aan sy eie inwoners toestaan nie.

3. Uitgesonderd waar die bepalings van paragraaf 1 van Artikel 9, paragraaf 7 van Artikel 11, paragraaf 6 van Artikel 12 of paragraaf 6 van Artikel 14 van toepassing is, is rente, tantième, gelde vir tegniese dienste en ander betalings deur 'n onderneming van 'n Kontrakterende Staat aan 'n inwoner van die ander Kontrakterende Staat met die doel om die belasbare wins van sodanige onderneming te bepaal, aftrekbaar op dieselfde voorwaardes asof dit aan 'n inwoner van eersgenoemde Staat betaal is.

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

5. Geen bepaling van hierdie Artikel verhinder Suid-Afrika om op die winste toeskryfbaar aan 'n permanente saak in Suid-Afrika van 'n maatskappy wat 'n inwoner van Kameroen is, 'n belasting teen 'n koers wat hoogstens vyf persentasiepunte hoër as die koers van normale belasting op maatskappye is, te hef nie.

6. In geen geval word die bepalings van hierdie Artikel so uitgelê dat dit enigeen van die Kontrakterende State verhoed om:-

- (a) die belastings op te lê wat in paragraaf 6 van Artikel 10 beskryf word nie;
- (b) die bepalings van sy landsreg betreffende karige kapitalisasie en oordragprysing toe te pas nie.

7. Die bepalings van hierdie Artikel is ondanks die bepalings van Artikel 2 van toepassing op belastings van elke soort en beskrywing.

**ARTIKEL 26****PROSEDURE VIR ONDERLINGE OOREENKOMS**

1. Waar 'n persoon van mening is dat die optrede van een van of albei die Kontrakterende State tot gevolg het of sal hê dat daardie persoon nie ooreenkomstig die bepalings van hierdie Konvensie belas word nie, kan daardie persoon, ongeag die regsmiddels waarvoor die landsreg van daardie State voorsiening maak, 'n saak stel aan die bevoegde owerheid van die Kontrakterende Staat waarvan die persoon 'n inwoner is of, indien die saak onder paragraaf 1 van Artikel 25 ressorteer, aan dié van die Kontrakterende Staat waarvan die persoon 'n burger is. Die saak moet gestel word binne drie jaar na die eerste kennisgewing van die optrede wat lei tot belasting wat nie ooreenkomstig die bepalings van die Konvensie is nie.

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

3. Die bevoegde owerhede van die Kontrakterende State moet poog om enige moeilikhede of twyfel wat oor die vertolking of toepassing van die Konvensie ontstaan, deur onderlinge ooreenkoms te besleg. Hulle kan ook saam oorleg pleeg vir die uitskakeling van dubbele belasting in gevalle waarvoor die Konvensie nie voorsiening maak nie.

4. Die bevoegde owerhede van die Kontrakterende State kan regstreeks, insluitende deur 'n gesamentlike kommissie bestaande uit hulself of hulle verteenwoordigers, met mekaar kommunikeer met die doel om tot 'n ooreenkoms te geraak soos in die voorgaande paragraawe beoog.

**ARTIKEL 27****UITRUIL VAN INLIGTING**

1. Die bevoegde owerhede van die Kontrakterende State moet sodanige inligting uitruil wat voorsienbaar tersaaklik is om die bepalings van hierdie Konvensie uit te voer of vir die administrasie of toepassing van hul landsreg rakende belastings van elke soort en beskrywing wat namens die Kontrakterende State of hulle staatkundige onderverdelings gehef word, in soverre die belasting daarkragtens nie strydig met die Konvensie is nie. Die uitruil van inligting word nie deur Artikel 1 en 2 beperk nie.

2. Enige inligting wat ingevolge paragraaf 1 deur 'n Kontrakterende Staat ontvang word, word as geheim behandel op dieselfde wyse as inligting wat ingevolge die landsreg van daardie Staat verkry is, en mag slegs bekend gemaak word aan persone of owerhede (insluitende howe en administratiewe liggame) gemoeid met die aanslaan of invordering van, die afdwinging of vervolging ten opsigte van, die beslissing van appèlle met betrekking tot die belastings in paragraaf 1 bedoel, of toesig oor die voorgaande. Sodanige persone of owerhede mag die inligting net vir sodanige doeleindes gebruik. Hulle mag die inligting in openbare hofverrigtinge of by regterlike beslissings openbaar maak.

3. In geen geval mag die bepalings van paragrawe 1 en 2 so uitgelê word dat dit aan 'n Kontrakterende Staat die verpligting oplê om:-

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

4. Indien inligting ooreenkomstig hierdie Artikel deur 'n Kontrakterende Staat aangevra word, moet die ander Kontrakterende Staat sy inligtingversamelmaatreëls gebruik om die verlangde inligting te verkry, al het daardie ander Staat nie sodanige inligting vir sy eie belastingdoeleindes nodig nie. Die verpligting vervat in die voorgaande sin is onderhewig aan die beperkings van paragraaf 3, maar sodanige beperkings mag in geen geval so uitgelê word dat dit 'n Kontrakterende Staat in staat stel om te weier om inligting te verstrek bloot omdat hy geen plaaslike belang by sodanige inligting het nie.

5. In geen geval mag die bepalings van paragraaf 3 so uitgelê word dat dit 'n Kontrakterende Staat in staat stel om te weier om inligting te verstrek bloot omdat die inligting deur 'n bank, ander finansiële instelling, benoemde of persoon wat in 'n agentskap- of 'n fidusiële hoedanigheid optree, gehou word of omdat dit met eienaarskapbelange in 'n persoon verband hou nie.

## ARTIKEL 28

### LEDE VAN DIPLOMATIEKE MISSIES EN KONSULÊRE POSTE

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

## ARTIKEL 29

### INWERKINGTREDING

1. Elk van die Kontrakterende State stel die ander skriftelik deur middel van die diplomatieke kanaal in kennis van die afhandeling van die prosedures wat ingevolge sy reg vir die inwerkingtreding van hierdie Konvensie vereis word. Die Konvensie tree in werking op die datum van ontvangs van die laaste van hierdie kennisgewings.
2. Die bepalings van die Konvensie is van toepassing:-
  - (a) met betrekking tot belasting wat by die bron teruggehou word, ten opsigte van bedrae wat betaal of gekrediteer word op of na die eerste dag van Januarie wat eerste volg op die datum waarop die Konvensie van krag word; en
  - (b) met betrekking tot ander belasting, ten opsigte van jare van aanslag wat begin op of na die eerste dag van Januarie wat eerste volg op die datum waarop die Konvensie van krag word.

**ARTIKEL 30****OPSEGGING**

1. Hierdie Konvensie bly onbepaald van krag, maar enigee van die Kontrakterende State kan die Konvensie deur middel van die diplomatieke kanaal opsê deur aan die ander Kontrakterende Staat skriftelik kennis van opsegging te gee nie later nie as 30 Junie van enige kalenderjaar wat begin vyf jaar na die jaar waarin die Konvensie in werking getree het.
2. In so 'n geval hou die Konvensie op om van toepassing te wees:-
  - (a) met betrekking tot belastings wat by die bron teruggehou word, ten opsigte van bedrae wat betaal of gekrediteer word na die einde van die kalenderjaar waarin sodanige kennis gegee is; en
  - (b) met betrekking tot ander belastings, ten opsigte van jare van aanslag wat begin na die einde van die kalenderjaar waarin sodanige kennis gegee is.

**TEN BEWYSE WAARVAN** die ondergetekendes, behoorlik daartoe gemagtig deur hulle onderskeie Regerings, hierdie Konvensie geteken en geseël het in twee oorspronklike eksemplare, waarvan albei tekste ewe outentiek is, in die Engelse en Franse taal.

**GEDOEN** te Yaoundé, op hede die 19<sup>de</sup> dag van Februarie in die jaar 2015.

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

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**VIR DIE REGERING VAN DIE  
REPUBLIEK KAMEROEN**

## **PROTOKOL**

Ten tye van die ondertekening van die Konvensie tussen die Regering van die Republiek van Suid-Afrika en die Regering van die Republiek Kameroen ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking met betrekking tot belasting op inkomste, het die ondergetekendes ooreengekom dat die volgende bepalings 'n integrerende deel van die Konvensie uitmaak:

1. Waar, in 'n Konvensie aangegaan tussen Kameroen en enige ander Staat ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking met betrekking tot belasting op inkomste, ná die inwerkingtreding van hierdie Konvensie, voorsiening gemaak word vir 'n laer koers as daardie gemeld in Artikel 11, 12 of 14 van hierdie Konvensie, kom Kameroen ooreen om Suid-Afrika skriftelik deur middel van die diplomatieke kanaal daarvan te verwittig en onverwyld met hom in onderhandeling te tree met die oog op die verskaffing van behandeling wat vergelykbaar is met daardie wat aan die derde Staat verskaf kan word.
2. Waar, in 'n Konvensie aangegaan tussen Suid-Afrika en enige ander Staat ter vermyding van dubbele belasting en ter voorkoming van fiskale ontduiking met betrekking tot belasting op inkomste, ná die inwerkingtreding van hierdie Konvensie, voorsiening gemaak word vir 'n hoër koers as daardie gemeld in Artikel 11, 12 of 14 van hierdie Konvensie, kom Suid-Afrika ooreen om Kameroen skriftelik deur middel van die diplomatieke kanaal daarvan te verwittig en onverwyld met hom in onderhandeling te tree met die oog op die verskaffing van behandeling wat vergelykbaar is met daardie wat aan die derde Staat verskaf kan word.
3. Met betrekking tot Artikel 24, maak die huidige Suid-Afrikaanse belastingstelsel voorsiening vir 'n vrystelling ten opsigte van dividende verklaar deur nie-inwonermaatskappye waar die winsdeling deur die Suid-Afrikaanse aandeelhouer groter as 10 persent is. Indien hierdie vrystelling gewysig word, moet Suid-Afrika Kameroen skriftelik deur middel van die diplomatieke kanaal daarvan verwittig en met hom in onderhandeling tree met die oog op die heronderhandeling van die bepalings van hierdie Artikel om belastingbesparingsbepalings te hanteer.

**TEN BEWYSE WAARVAN** die ondergetekendes, behoorlik daartoe gemagtig deur hulle onderskeie Regerings, hierdie Protokol onderteken en geseël het in twee oorspronklike eksemplare, waarvan albei tekste ewe outentiek is, in die Engelse en Franse taal.

**GEDOEN** te Yaoundé, op hede die 19<sup>de</sup> dag van Februarie in die jaar 2015.

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

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**VIR DIE REGERING VAN DIE  
REPUBLIC KAMEROEN**

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 937

01 SEPTEMBER 2017

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

1. UNITE FOR SUCCESS CO-OP LTD
2. ZWELETHU DEVELOPMENT CO-OP LTD
3. KANCANE KANCANE CLUB CO-OP LTD
4. NOKWENZA CO-OP LTD
5. HANYANI TRADING CO-OP LTD
6. BOJANALA PLATINUM EGG PRODUCERS CO-OP LTD
7. ARELEMENG CO-OP LTD
8. ISIPHETHU GARDENING CO-OP LTD
9. UDUMO WHOLESALE CO-OP LTD
10. MAPHIKELELA CO-OP LTD
11. KHOMO AGRICULTURAL TRADING CO-OP LTD
12. DORA TAMANA SAVINGS AND CREDIT CO-OP LTD
13. LETHABO CO-OP LTD
14. TITLAKUSENI CO-OP LTD
15. PHANGODE VUKUSEBENZE CO-OP LTD
16. NAKELELA CLEANING SERVICES CO-OP LTD
17. BULELWA CLEANING SERVICES CO-OP LTD
18. REJAMONONO CLEANING SERVICES CO-OP LTD
19. ANDZANI YOUTH CO-OP LTD
20. DIKGALE RE A KGONA TRADING CO-OP LTD
21. SIBAMBI MANUFACTURING CO-OP LTD
22. D'IMANO CO-OP LTD
23. TASK FORCE SECURITY CO-OP LTD
24. PROUD YOUTH DEVELOPMENT CO-OP LTD
25. KOPANO KE MATLA PAPER MANUFACTURING CO-OP LTD
26. DUME-ZIZWENI COFFIN AND CASCET BUILDERS CO-OP LTD
27. DUDUZA CIVILS AND CONSTRUCTION CO-OP LTD
28. EAST RAND FINANCIAL SERVICES CO-OP LTD
29. FORTUNE FARMING CO-OP LTD
30. SIYAKHASA CO-OP LTD
31. EVERYDAY CLEANING CO-OP LTD

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

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

**REGISTRAR OF CO-OPERATIVES**

Office of the Registrar of Co-operatives  
Dti Campus  
77 Meintjies Street  
**Pretoria**  
0002

Private Bag X237  
**Pretoria**  
0001

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 938

01 SEPTEMBER 2017

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

1. HOPE CENTRE TRAINING AND EVENTS CO-OP LTD
2. KWENA LEARAMELE CO-OP LTD
3. MOUNT EDGEcombe CATERING SERVICES CO-OP LTD
4. PROBEER CO-OP LTD
5. KEGOMODITSWE HOUSING CO-OP LTD
6. ANDILE CLEANING CO-OP LTD
7. GREEN FINGERS KOOPERASIE BEPERK
8. SEKUSILE EMPOWERMENT CO-OP LTD
9. ASETHEMBE CO-OP LTD
10. MAZIDLEKHAYA CO-OP LTD
11. SIKHONATHI MATEKO PROJECT CO-OP LTD
12. OKOKOKO BAKING CO-OP LTD
13. CHISIME CLEDA CO-OP LTD
14. ARISE AND SHINE BRICK-MAKING CO-OP LTD
15. ACHIEVERS CO-OP LTD
16. QEDINDLALA COMMUNITY GARDENS CO-OP LTD
17. IFOLOSI YOUTH CO-OP LTD
18. LAHLUMA CLEANSING CO-OP LTD
19. HITEKANI CO-OP LTD
20. THEMBALIHLE GARDEN CO-OP LTD
21. RAMPHACHUENE FARMING CO-OP LTD
22. MMASHADI CO-OP LTD
23. LINDANI CO-OP LTD
24. MT.AYLIFF FINANCIAL SERVICES CO-OP LTD
25. ITEKENG CO-OP LTD
26. MATHOLONJENI CO-OP LTD
27. UNIQUE CLOTHING CO-OP LTD
28. EASTERN PONDOLAND AGRICULTURAL TRADING CO-OP LTD
29. MBEULA AGRICULTURAL CO-OP LTD
30. SEBENZA WOMANS EMPOWERMENT CO-OP LTD

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 939

01 SEPTEMBER 2017

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

1. CLANORAMA CO-OP LTD
2. KHBITSWANE GOAT CO-OP ENTERPRISE LTD
3. VUKA MPHAKATHI CO-OP LTD
4. ALIWAL CONTAINERS CO-OP LTD
5. PHILANGAMANDLA CO-OP LTD
6. VUKUWENZE CO-OP LTD
7. IKHWEZI LOKUSA TOILET ROLL CO-OP LTD
8. NOSISEKO LEATHER CRAFTING CO-OP LTD
9. UMTOMBO WOKUZENZELA CO-OP LTD
10. SIZANOKUHLE YOUTH CO-OP LTD
11. SHANDUKA WOMENS' CO-OP LTD
12. SKHU-CHEM CO-OP LTD
13. DRAKENSBURG LEATHER CRAFT CO-OP LTD
14. INKONJANE YOKUSA CO-OP LTD
15. KATLEHO CO-OP LTD
16. KHANYI'S CAR WASH AND CLEANING SERVICES CO-OP LTD
17. DIEPSLOOT FUNDA MLIMI CO-OP LTD
18. KUHLE KONKE CO-OP LTD
19. RHELEBHANANI BOMMA CO-OP LTD
20. WOZOBONA TRADING CO-OP LTD
21. BEKEZELA HOUSING CO-OP LTD
22. NOLUSEPHO CO-OP LTD
23. LANGALIBALELE INVESTMENT CO-OP LTD
24. FUNDANI ICT AND TRAINING CO-OP LTD
25. C.M.S CO-OP LTD
26. SGWAMANDA YOUTH POULTRY CO-OP LTD
27. SIYAPHAMBILI CO-OP LTD
28. SEKUSILE MBOKODO CO-OP LTD
29. SIYAVUSANA CO-OP LTD
30. PREMIER CLEANERS CO-OP LTD

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

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 940

01 SEPTEMBER 2017

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

1. TOCHGEKRY FARMERS CO-OP LTD
2. DORDRECHT BRICK MAKER'S ASSOCIATION CO-OP LTD
3. MAGIC TOUCH CO-OP LTD
4. STUIBA KOOPERASIE BEPERK
5. MANDELA PARK DEVELOPMENT FORUM CO-OP LTD
6. JAMESTOWN SAKHISIZWE BRICK-MAKING CO-OP LTD
7. WAQU SIYAZAMA POULTRY CO-OP LTD
8. THUTHUKANI PRIMARY ORGANIC FARMING CO-OP LTD
9. VALUMLOMO CO-OP LTD
10. SIYABONISANA CO-OP LTD
11. IMBUMBA YOQOBO CO-OP LTD
12. UBUNTU CARPENTERS CO-OP LTD
13. AWAWO EZAWO CO-OP LTD
14. EMJEKENI CO-OP LTD
15. PAVUNOTHU CO-OP LTD
16. TSHEPANANG CO-OP LTD
17. LEFTY'S SPORTS BAR CO-OP LTD
18. INDALO OILS AND FIBRE INDUSTRIES CO-OP LTD
19. MALLE FRESH PRODUCE CO-OP LTD
20. IDUTYWA VEGETABLES AND GREEN MEALIE PRODUCERS CO-OP LTD
21. UMSUNDUZI COMMUNITY GARDEN CO-OP LTD
22. MASIBAMBANE AFRICAN ACTION GROUP CO-OP LTD
23. SEJAKHULA VARKBOERDERY KOOPERASIE BEPERK
24. UMTHOMBO WAMAQADI AGRIBUSINESS TRAINING ARTS AND CULTURE CO-OP LTD
25. SONWABILE FENCING CO-OP LTD
26. THULA UZOBONA FRUIT AND VEGETABLE CO-OP LTD
27. LANGALIBELE ARTS AND CULTURE TRAINING TRADING CO-OP LTD
28. MAYIBUYE I-AFRIKA CO-OP LTD

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 941

01 SEPTEMBER 2017

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

1. RISUNA TRADING CO-OP LTD
2. MOUNT AYLIFF CO-OP LTD
3. THE WOODPECKER WORKERS' CO-OP LTD
4. ZAMAZAMA MAIZE PROJECT CO-OP LTD
5. BHEKISANANI GARDEN CO-OP LTD
6. ISITHOMBESIHLE CO-OP LTD
7. SOFUNDA BEEF TRADING CO-OP LTD
8. ISIFOSETHU CO-OP LTD
9. SIYABONA CLEDA CO-OP LTD
10. MALUTI CO-OP LTD
11. SIYAQHUBEKA WORKERS CO-OP LTD
12. VUMELANI DEVELOPMENT CO-OP LTD
13. JUBALALA CO-OP LTD
14. LIYEMA SERVICES CO-OP LTD
15. BATHO PELE WATER DEMAND MANAGEMENT CO-OP LTD
16. SHOSHOLOZA CO-OP LTD
17. KHABINGWE SEWING CO-OP LTD
18. UVOLOMAME CO-OP LTD
19. RABS WATTLE PRODUCTION CO-OP LTD
20. QHUBAKAHLE TRADING CO-OP LTD
21. RAINBOW FLORA CO-OP LTD
22. SITEBE ZENZELE CO-OP LTD
23. ISIXAXA FARMING CO-OP LTD
24. WINTERVELDT FINANCIAL SERVICES CO-OP LTD
25. MASAKANE POULTRY MANUFACTURERS AND RECYCLERS CO-OP LTD
26. MASIZAKHE FISHING CO-OP LTD
27. MASITHEMBANE POULTRY AGRICULTURAL CO-OP LTD
28. SIYAHLANGANA CO-OP LTD
29. REMANTSU AGRICULTURAL CO-OP LTD
30. DISCOVERY GARDEN AGRICULTURAL CO-OP LTD

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 942

01 SEPTEMBER 2017

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

1. KWAXIMBA LIVESTOCK FARMERS CO-OP LTD
2. ITIRELENG BAPO CO-OP LTD
3. KGAUTSWANE FINANCIAL SERVICES CO-OP LTD
4. MASIBAMBISANENI TRADING AND SERVICES CO-OP LTD
5. KHULANI CO-OP LTD
6. SAHNDU CO-OP LTD
7. RADITHUSO FOOD PRODUCTION CO-OP LTD
8. MASIQHUBEKENI CHICKEN PROJECT CO-OP LTD
9. ZENANDE CLEANSING CO-OP LTD
10. WORK TO ACHIEVE CO-OP LTD
11. ISIZWESETHU CONTRACTORS AND DEVELOPERS CO-OP LTD
12. BADIRA MMOGO CLEANSING AND GREENING CO-OP LTD
13. VUNDISA CO-OP LTD
14. TOSS N HOUSING CO-OP LTD
15. SIPHILILE CO-OP LTD
16. THARI EA NTSIENG CO-OP LTD
17. LINDELANI MULTI-PURPOSE CO-OP LTD
18. EXPOSURE WOMEN'S FORUM CO-OP LTD
19. INGQAYIZIVELE HOUSING CO-OP LTD
20. INKAZIMULO YOUTH CO-OP LTD

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 943

01 SEPTEMBER 2017

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

1. SIYASIZA CO-OP LTD
2. UMUSA WAKHE CO-OP LTD
3. MOJA-MORAGO - KE KGOSI AGRICULTURAL DEVELOPMENT CO-OP LTD
4. SEATIDES PANEL BEATING AND CUSTOMIZING CO-OP LTD
5. SUPREME TRADING CO-OP LTD
6. SERENITY CONFERENCE CENTRE CO-OP LTD
7. SMOKIN BAR CO-OP LTD
8. INDAKA FEEDING PIGS CO-OP LTD
9. BUBBLES LAUNDRY AND CLEANING SERVICE CO-OP LTD
10. IFUTHE LOMNTWANA CO-OP LTD
11. IQHINGA EVENT MANAGING CO-OP LTD
12. EYRCO CO-OP LTD
13. EYETHU AGRICULTURAL CO-OP LTD
14. MATLHASEDI JEWELLERY CO-OP LTD
15. MALAMBADLOKWAKHE AGRI-TOURISM INITIATIVE CO-OP LTD
16. EDLADLENI MULTI-PURPOSE CO-OP LTD
17. ISIQOPHAMITHI CO-OP LTD
18. KOPANANG CATERING CO-OP LTD
19. ICHUNU CONSULTING CO-OP LTD
20. IZINYOSI CO-OP LTD
21. ZAKHELE WARD THREE CO-OP LTD
22. AMANDL'EMBHOKODO CO-OP LTD
23. ITSHOKOLLE CLEANING CO-OP LTD
24. AMAOTI BLOCK MAKING CO-OP LTD
25. INHLWATHI CO-OP LTD
26. MANSUNSU POULTRY CO-OP LTD
27. IPHUPHO LETHU SEWING CO-OP LTD
28. ITSOSHENG SEWING AND SALT PRODUCTION CO-OP LTD
29. GOSEKWANG AGRICULTURAL CO-OP LTD
30. MISA SIHLE CO-OP LTD
31. GOQO FARMERS CO-OP LTD
32. MODILI TRADING DEVELOPMENT CO-OP LTD
33. GAWULUBHEKE FARMERS CO-OP LTD
34. SEKUYITHINA CO-OP LTD
35. SHINTSH'INGQEPHU CO-OP LTD
36. GAYAMBOKODWE SEWING CO-OP LTD
37. MONDI PRIMARY CO-OP LTD
38. G N S S T BUSINESS ENTERPRISE CO-OP LTD
39. GAREHLALO LE CO-OP LTD
40. MAFOKOFELA LAUNDRY CO-OP LTD
41. QALAKANCANE CO-OP LTD
42. TEMBE HONEY CO-OP LTD
43. ESTHER BARSEL HOUSING CO-OP LTD
44. BIG 5 AGRICULTURAL CO-OP LTD
45. INTO ENHLE CO-OP LTD
46. LUSIKISIKI URBAN YOUTH CO-OP LTD
47. AMAWELE INVESTMENT CO-OP LTD
48. LEPHEO CO-OP LTD
49. SUNRISING FARMING AND PLOUGHING CO-OP LTD
50. PAKELANI ULUNTU CATERING TRADING CO-OP LTD
51. IZIGI ZENDLOVU CO-OP LTD

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

**REGISTRAR OF CO-OPERATIVES**

Office of the Registrar of Co-operatives  
Dti Campus  
77 Meintjies Street  
**Pretoria**  
0002

Private Bag X237  
**Pretoria**  
0001

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 944

01 SEPTEMBER 2017

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

1. ONJENGEHBHUBESI CO-OP LTD
2. IKUSASALETHU PHYSICALLY CHALLENGED CO-OP LTD
3. INDEPHUNDEPHU CO-OP LTD
4. ILANGABI LESIZWE ART AND CRAFT CO-OP LTD
5. INSIKA KA ZULU CO-OP LTD
6. JUST US CO-OP LTD
7. JABULANI CO-OP LTD
8. KHUMU CO-OP LTD
9. ASIPHILE CO-OP LTD
10. ST CUTHBERTS TRADING FARMERS CO-OP LTD
11. SIYAQHUBEKA FARMING ENTERPRISE CO-OP LTD
12. SUCCESS FASHION DESIGNERS CO-OP LTD
13. MASILIME NDAKANA CO-OP LTD
14. MADUNDUBE MULTI-PURPOSE CO-OP LTD
15. MASIBULELE CENTRAL TRADING CO-OP LTD
16. JONGILANGA CO-OP LTD
17. MBASHE LOCAL SECONDARY CO-OP LTD
18. MOLWEDI WA DITSHIWANA CO-OP LTD
19. IBUYAKUSA CO-OP LTD
20. MABOBO TRADING FARMERS CO-OP LTD
21. THULASIZWE CO-OP LTD
22. UNCUTHU WARD ONE CO-OP LTD
23. UKUTHEMBEKA CO-OP LTD
24. Z M CO-OP LTD
25. TSOELOPELE AGRICULTURAL CO-OP LTD
26. LUZELWANDE SEWING CO-OP LTD
27. THEMBISILE CO-OP LTD
28. FISIKUZAMA VEGETABLE CO-OP LTD
29. SIMUNYE MULTI PURPOSE CO-OP LTD
30. EBHODWENI CO-OP LTD
31. BHEKUMUZI CO-OP LTD
32. UMTOMUSHA TRADING CO-OP LTD
33. MBHEKANE CO-OP LTD
34. EKUTHOKOZENI CO-OP LTD
35. IKWEZI JANSENVILLE CONSTRUCTION CO -OP LTD
36. WAQU CO-OP LTD
37. UMPHEME CATERING CO-OP LTD
38. WOZANI CO-OP LTD
39. HAMBA HAMBA CO-OP LTD
40. UNAKEKELO B.M CO-OP LTD

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## DEPARTMENT OF TRADE AND INDUSTRY

NO. 945

01 SEPTEMBER 2017

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

1. INQOLAYOLAZWI CO-OP LTD
2. SINOBUNGANI CO-OP LTD
3. THAFENI ZAMOKUHLE CO-OP LTD
4. BUKHO CO-OP LTD
5. NHLAZATSHE RURAL COMMUNITY DEVELOPMENT CO-OP LTD
6. SIYAKHUTHALA CO-OP LTD
7. SIHLELELWE SEWING CO-OP LTD
8. NCED'A BANTU TRADERS CO-OP LTD
9. SIHLANGENE NUTRITIONAL SERVICES CO-OP LTD
10. NASODA EASTERN CAPE BURIAL CO-OP LTD
11. TSOGANG BASADI AGRICULTURAL CO-OP LTD
12. SIYAVUKA MANUFACTURER CO-OP LTD
13. SEKHUKHUNE ABATTOIR CO-OP LTD
14. SIZANAYO CO-OP LTD
15. SIBUSISE NKOSI CO-OP LTD
16. SIKHONATHI CO-OP LTD
17. SIKHUTHELE BASHA CO-OP LTD
18. TITIHHOYE POULTRY FARMING CO-OP LTD
19. SENZA-KWENZEKE CO-OP LTD
20. TOP FIVE CO-OP LTD
21. NYANDENI SIMUNYE CATERERS CO-OP LTD
22. SIVUSE BABA PEST CONTROL AND VEGETABLE CO-OP LTD
23. SIYAZITHANDELA CO-OP LTD
24. MANZABOMVU FARMERS CO-OP LTD
25. KOMKHULU WOMEN'S CO-OP LTD
26. PHAKAME DADE CO-OP LTD
27. SUTHIS'ISIZWE CO-OP LTD
28. PLACE OF HOPE CO-OP LTD
29. NEW WORLD FURNITURE MANUFACTURERS CO-OP LTD
30. ZIFUNELE PRINTING SERVICES CO-OP LTD
31. LULUKEZA SEWING CO-OP LTD
32. AMATHUBA CO-OP LTD
33. INJONGO ENHLE CO-OP LTD
34. NYOVANE CO-OP LTD
35. NHLEBELA MOUNTAINS CO-OP LTD
36. SIYASHUBISA HIRING SERVICE CO-OP LTD
37. NINE CITY CO-OP LTD
38. MALIYAVUZA TRANSPORT CO-OP LTD
39. SAMBOKWE CO-OP LTD
40. THE BEAUTIFUL STATIONERY CO-OP LTD
41. NTHABISENG CO-OP LTD
42. MANDARAZA CO-OP LTD
43. THUMELAOKWETHU CO-OP LTD
44. SIVUSAMAKHAYA CO-OP LTD
45. STYLE CAFFE CO-OP LTD
46. METSIMAHOLO JOINT WOMEN DEVELOPMENT NATIONAL CO-OP LTD
47. SIYASUKUMA CO-OP LTD
48. STAND TOGETHER CO-OP LTD
49. SIYAZUZA CO-OP LTD
50. ISITHWALANDWE 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**

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**Pretoria**  
0001



## DEPARTMENT OF TRADE AND INDUSTRY

NO. 946

01 SEPTEMBER 2017

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

1. KWANGA BAKING CO-OP LTD
2. SIVELELE CO-OP LTD
3. VUKUYITHATHE CO-OP LTD
4. S'THOKOZILE CO-OP LTD
5. THANDUKWAZI CO-OP LTD
6. SIDIBENE SONKE CO-OP LTD
7. TLHANANG TRADING CO-OP LTD
8. FULUFHELO MULTI-PURPOSE CO-OP LTD
9. DIKOLOBE SERVICE CO-OP LTD
10. BASIQ TECHNOLOGY CO-OP LTD
11. STRONG WOMEN CO-OP LTD
12. R AND B CO-OP LTD
13. HAZELMERE CLEANING SERVICES CO-OP LTD
14. FAKAMAKHA CO-OP LTD
15. HAWUKAWENZE FARMERS CO-OP LTD
16. BUHLE BEMFUNDO CO-OP LTD
17. JIMOSE CO-OP LTD
18. GXOTHINDLALA WARD SEVENTEEN CO-OP LTD
19. KHWEZI-UBUHLE CO-OP LTD
20. FREEDOM OPERATING FARM CO-OP LTD
21. SICELUKUTHULA FARMERS CO-OP LTD
22. VUKA SOLOMO CO-OP LTD
23. SAKHOKUHLE AGRICULTURAL CO-OP LTD
24. NQAYIZIVELE FARMING AND TRADE CO-OP LTD
25. GOMBELA CO-OP LTD
26. SIZUMPHAKATI POULTRY AGRIC CO-OP LTD
27. SIQALOKUHLE CO-OP LTD
28. NGONGO FARMERS CO-OP LTD
29. PELANDABA JIXINI CO-OP LTD
30. SAKHILE MULTIPURPOSE CO-OP LTD
31. SOM-AFRIKA CO-OP LTD
32. SIZAMIMPILO CO-OP LTD
33. SHOPHELA POTTERIES CO-OP LTD
34. NKAKHISENG CO-OP LTD
35. SOMILAPHI TRADING CO-OP LTD
36. SIKHULA NGOKWENZA 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  
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Private Bag X237  
**Pretoria**  
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## DEPARTMENT OF TRANSPORT

NO. 947

01 SEPTEMBER 2017

**TRANSPORT APPEAL TRIBUNAL ACT, 1998 (ACT NO. 39 OF 1998)****PUBLICATION FOR PUBLIC COMMENT: DRAFT TRANSPORT APPEAL TRIBUNAL AMENDMENT BILL, 2017**

The Minister of Transport hereby publishes the draft Transport Appeal Tribunal Amendment Bill, 2017 for public comment.

Interested persons are invited to submit written comments on the draft Bill within 30 days from the date of publication hereof. Comments should be sent to the following postal or e-mail address, or faxed to the following number, or delivered by hand to:

The Director-General

Department of Transport

Private Bag X193

PRETORIA

0001

Attention: Mr Z M Matebese

Room 3058, Third Floor

Forum Building, Struben Street, Pretoria

E-mail: MatebesM@dot.gov.za

Tel: 012 309 3861

Fax: 086 572 9774

**TRANSPORT APPEAL TRIBUNAL AMENDMENT BILL, 2017****GENERAL EXPLANATORY NOTE:**

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing enactments.

**BILL**

To amend the Transport Appeal Tribunal Act, 1998 to bring the Act up to date with the developments since the implementation of the Act; to provide for certain powers of the Transport Appeal Tribunal; to allow the Minister to extend the term of the members of the Tribunal; to clarify or simplify various provisions since the implementation of the Act; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa as follows:—

**Substitution of Long Title of Act 39 of 1998**

1. The following is hereby substituted for the Long Title of the Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998) ("the principal Act"):

**"To provide for the establishment of the Transport Appeal Tribunal to consider and decide on appeals noted in terms of the National Land Transport Act, 2009 and the Cross-Border Road Transport Act, 1998; and for matters connected therewith."**

**Amendment of section 1 of Act 39 of 1998**

2. Section 1 of the principal Act is hereby amended—

- (a) by the deletion of the definitions of "board", "intraprovincial transport" and "national land transport legislation";
- (b) by the insertion of the following definitions before the definition of "Director-General":

**"Act" or "this Act" means the Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998)."**

**"act, direction or decision" includes—**



- (a) an act, direction or decision contemplated in section 92 of the National Land Transport Act;
- (b) a decision contemplated in section 34(1) of the Cross-Border Act;
- (c) a decision to cancel an operating licence in terms of section 78 of the National Land Transport Act;
- (d) a decision to withdraw, suspend or amend an operating licence or permit in terms of section 79 of the National Land Transport Act;
- (e) a decision by the National Public Transport Regulator, as defined in section 1 of the National Land Transport Act, on an application for accreditation made to it under section 81(2) of the National Land Transport Act or renewal of such accreditation in terms of section 81(8) of that Act;
- (f) an administrative action by a regulatory entity or the Regulatory Committee that is subject to judicial review in terms of section 6(2) of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), and
- (g) any other act, direction, decision or omission by a regulatory entity or the Regulatory Committee made in the process of implementing the National Land Transport Act or Cross-Border Act.

“**Cross-Border Act**” means the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998);”

- (c) by the insertion of the following definition after the definition of “Minister”:

“**National Land Transport Act**” means the National Land Transport Act, 2009 (Act No. 5 of 2009); and

- (d) by the insertion of the following definition after the definition of “Regulatory Committee”:

“**regulatory entity**” means a regulatory entity as defined in section 1 of the National Land Transport Act;”

#### **Amendment of section 4 of Act 39 of 1998**

3. Section 4 of the principal Act is hereby amended—

- (a) by substituting the following for subsection (1):

“(1) The Tribunal consists of not more than nine, but not less than five, members appointed by the Minister **[after consultation with every member of the Executive Council in every province responsible for road transport matters].**”

- (b) by substituting the following for paragraph (a) of subsection (2):

“(a) appoint fit and proper persons as members of the Tribunal on the grounds of their knowledge of, or experience in, **[financial,]** economic, commercial, legal, public transport or other matters relating to the functions of the Tribunal; and”

**Amendment of section 7 of Act 39 of 1998**

4. Section 7 of the principal Act is hereby amended by the addition of the following subsection:

"(4) Despite subsection (3), the Minister may, upon expiry of the term of office of a member of the Tribunal, extend the term of office of that member for a period not exceeding twelve months."

**Amendment of section 9 of Act 39 of 1998**

5. Section 9 of the principal Act is hereby amended by substituting the following for subsection (1):

"(1) The Tribunal will sit on such days and during such hours and at such place as the chairperson of the Tribunal may determine in consultation with the Director-General."

**Amendment of section 11 of Act 39 of 1998**

6. The following is substituted for section 11 of the principal Act:

**"Fees in respect of appeals**

11. The Tribunal may not deal with any appeal noted under the **[national land transport legislation]** National Land Transport Act or under the Cross-Border **[Road Transport]** Act, **[1998,]** unless any such appeal is accompanied by the fees referred to in section 17(1)(a)."

**Amendment of section 12 of Act 39 of 1998**

7. Section 12 of the principal Act is hereby amended—

(a) by substituting the following for the words preceding paragraph (a) in subsection (1):

"(1) Subject to **[the provisions of]** this Act, the Tribunal must consider an appeal noted with the Tribunal in accordance with the **[provisions of the national land transport legislation]** National Land Transport Act or the Cross-Border **[Road Transport]** Act, **[1998]** as the case may be, whereupon the Tribunal may—"

(b) by substituting the following for paragraph (a) of subsection (1):

"(a) **[reject]** dismiss the appeal and confirm the act, direction or decision appealed against; or"

(c) by substituting the following for sub-paragraphs (i) and (ii) of paragraph (b):



- “(i) substitute therefor any other act, direction or decision which the [board] regulatory entity or the Regulatory Committee, as the case may be, could have performed or given; or
  - (ii) refer the matter which gave rise to the appeal to the [board] regulatory entity or the Regulatory Committee, as the case may be, for reconsideration; or”
- (c) by substituting the following for subsections (2) and (3):
- “(2) No decision taken by the Tribunal under this section may be inconsistent with the [national land transport legislation] National Land Transport Act or the Cross-Border [Road Transport] Act, [1998,] as the case may be.
- “(3) Any act, direction or decision of the Tribunal under subsection(1)(b)(i) or (c) will, except for the purposes of subsection (1), be deemed to be an act, direction or decision of the [board] regulatory entity or Regulatory Committee, as the case may be, against whose act, direction or decision the appeal was brought.”
- (d) by substituting the following for paragraph (a) of subsection (4):
- “(a) within the prescribed period cause the parties involved in the appeal to be notified in writing of the decision of the Tribunal, including any time limits specified by the Tribunal for the implementation of such decision;”.
- (e) by the addition of the following subsections:
- “(5) Where a regulatory entity or the Regulatory Committee fails to implement or give effect to a ruling of the Tribunal within the time specified by the Tribunal, or within a time considered by the Tribunal to be reasonable, the Tribunal may issue a directive to the regulatory entity or Regulatory Committee, as the case may be, describing the extent of its failure to comply with its obligations and stating the steps required to meet those obligations, and the regulatory entity or Regulatory Committee, as the case may be, must comply with such directive within the time specified by the Tribunal in the notice.
- “(6) Where the Tribunal issues a directive under subsection (5), it must notify the Director-General and request the Director-General to notify–
- (a) the Minister in the case where the directive is issued to the Regulatory Committee or to the National Public Transport Regulator as defined in section 1 of the National Land Transport Act;
  - (b) the relevant MEC in the case where the directive is issued to a Provincial Regulatory Entity as defined in that section, or
  - (c) the council of the relevant municipality in the case where the directive is issued to a Municipal Regulatory Entity as defined in that section,
- of the issuing of the directive and request the Director General and the Minister, MEC or council, as the case may be, to assist in assuring compliance with the directive.”

(6) If the Tribunal finds that the completion of its proceedings is being delayed unreasonably, it may issue any such order that it deems fit to eliminate the delay or frivolous action and any prejudice resulting from it or to prevent further delay or prejudice, including an order—

- (a) refusing further postponement of the proceedings;
- (b) granting a postponement subject to such conditions as it may determine."

#### **Amendment of section 16 of Act 39 of 1998**

10. Section 16 of the principal Act is hereby amended by substituting the following for subsection (1):

"(1) The Director-General must, **[after consultation with the Tribunal,]** designate such officers in the Department of Transport as may be necessary to perform the administrative and secretarial work of the Tribunal and any investigations required by the Tribunal that are necessary for the taking of its decisions."

#### **Amendment of section 17 of Act 39 of 1998**

11. Section 17 of the principal Act is hereby amended by substituting the following for paragraph (b) of subsection (1):

- "(b) as to the information to be provided by the **[board]** regulatory entity or the Regulatory Committee to the Tribunal or an applicant in connection with any appeal, and the manner in which and the time within which such information must be provided;"

#### **Amendment of section 18 of Act 39 of 1998**

12. Section 18 of the principal Act is hereby amended—

- (a) by substituting the following for paragraph (a) of subsection (1):

"(a) any matter corresponding to that in respect of which the **[Board]** board as defined in section 1 of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) is authorised by law to perform or give any act, direction or decision;"

- (b) by substituting the following for paragraph (a) of subsection (3):

"(a) subsection (1)(a) will come into operation on the date on which the **[national land transport legislation]** National Land Transport Transition Act, 2000 comes into operation, subject to the National Land Transport Act;"



**Short title and commencement**

13. This Act is called the Transport Appeal Tribunal Amendment Act, 2017.

**MEMORANDUM ON THE OBJECTS OF THE TRANSPORT APPEAL TRIBUNAL AMENDMENT BILL, 2017****1. BACKGROUND AND PURPOSE**

The Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998) ("the principal Act") was passed in 1998 to create the Transport Appeal Tribunal (TAT) for the purpose of dealing with appeals relating to applications for road carrier permits (now called operating licences). Prior to the establishment of the TAT the National Transport Commission was responsible for dealing with such appeals.

The National Land Transport Transition Act 22 of 2000 (Transition Act) read with the Transport Appeal Matters Amendment Act 70 of 1998 provided that persons who applied to the Regulatory Committee of the Cross-Border Road Transport Agency (CBRTA) or to an operating licensing board for an operating licence, and were aggrieved by the decision of the Regulatory Committee or board, could appeal to the TAT.

Section 128 of the Transition Act provided that provinces could establish their own provincial appeal bodies to hear appeals in respect of operating licence applications. These provincial appeal bodies would replace the TAT in the relevant province. A few provinces did establish such provincial appeal bodies.

In 2007 the then Minister commissioned the *National Land Transport Strategy for the Drafting of the National Land Transport Bill*. This Strategy recommended the following:

- "A new national regulatory entity should be established. It should deal with all long-distance and tourist service operating licence (OL) applications, and perform an oversight role over the regulatory entities in other spheres and serve as their appeal body. (Alternatively this could be done by the Transport Appeal Tribunal.) It should develop standardised nationally-applicable procedures for the processing of all OL applications and decisions. These procedures should be gazetted as regulations to the new Act and will be binding on the regulatory entities in other spheres.
- The Transport Appeal Tribunal (TAT) should be retained as an appeal body for decisions made by the national regulatory entity."

In the process of drafting the National Land Transport Act 5 of 2009 (NLTA) it was decided—

- a) to establish the National Public Transport Regulator (NPTR) as a national body to deal with operating licences for interprovincial and tourist transport, among other functions;
- b) that the TAT should be retained as the appeal body for all appeals, and
- c) that the provincial appeal bodies should be dis-established.



**2.3 Clause 3: Amendment of section 4 of Act 39 of 1998**

The principal Act provides that the Minister must consult with the nine provincial MECs before appointing TAT members. This has proved to be unworkable and unnecessary, and clause 3(a) of the Bill will remove this requirement.

Also, the Act does not provide for the appointment of members with expertise in public transport matters, which will be cured by clause 3(b) of the Bill.

**2.4 Clause 4: Amendment of section 7 of Act 39 of 1998**

In terms of the principal Act, TAT members must be appointed for a fixed term of office, but not for longer than three years. It sometimes happens that it would be expedient for the terms of office of individual members to be extended, for example to enable them to deal with matters that are partly completed because of their knowledge of or insight into a matter. Clause 4 of the Bill will allow the Minister to extend the period of office of any member for a period not exceeding one year.

**2.5 Clause 5: Amendment of section 9 of Act 39 of 1998**

It is important for the TAT when fixing dates and times for hearings, to consult with the Director-General of the Department (DG) so that the necessary administrative arrangements can be put in place timeously subject to budgetary considerations. Clause 5 of the Amendment Bill will require the TAT to consult the DG before fixing such dates and times.

**2.6 Clause 6: Amendment of section 11 of Act 39 of 1998**

This clause makes consequential amendments to section 11 of the principal Act.

**2.7 Clause 7: Amendment of section 12 of Act 39 of 1998**

This clause makes consequential amendments and improvements to section 12 of the principal Act as well as the following:

Sometimes when the TAT takes a decision imposing duties on parties, such as a regulatory entity, it is advisable for the TAT to impose time limits for performing the duty to ensure implementation of the TAT's decision. Clause 7(d) of the Bill will empower the TAT to impose such time limits when it makes its decision known to the relevant parties.

It often happens that regulatory entities or the Regulatory Committee fail to implement or give effect to a ruling of the TAT within the time specified by the TAT, or within a reasonable time, or at all. Clause 7(e) of the Bill thus provides that the TAT may issue a directive to the regulatory entity or Regulatory Committee, as the case may be, describing the extent of its failure to comply with its obligations and stating the steps required to meet those obligations, and that such entity must comply with the directive within the time specified by the TAT. It also provides that when such a directive is issued, the TAT must notify the Minister, or relevant MEC, as the case may be, so that they can assist in assuring compliance with such directives.

**2.8 Clause 8: Amendment of section 13 of Act 39 of 1998**

This clause makes consequential amendments to section 13 of the principal Act.

**2.9 Clause 9: Amendment of section 14 of Act 39 of 1998**

It sometimes happens in proceedings before the TAT that parties deliberately delay the proceedings, for example where the TAT's decision is likely to have an adverse effect on the finances of the delaying party. Parties also sometimes engage in frivolous actions, either to cause delays or for other reasons. These actions not only waste the time of the TAT and cause wasted costs, but are also unfair to the other party or parties to the appeal. Clause 9(b) of the Bill will allow the TAT to investigate such delays or frivolous actions and take certain steps to counter them as listed in the Bill.

This clause also makes consequential amendments to section 14 of the principal Act.

**2.10 Clause 10: Amendment of section 16 of Act 39 of 1998**

The principal Act currently provides that the DG must appoint officers in the Department to perform the administrative and secretarial work of the TAT. Clause 10 of the Bill will also permit such staff to be appointed to undertake investigations that are necessary for the TAT to reach its decisions.

**2.11 Clause 11: Amendment of section 17 of Act 39 of 1998**

This clause makes consequential amendments to section 17 of the principal Act.

**2.12 Clause 12: Amendment of section 18 of Act 39 of 1998**

This clause updates section 18 of the principal Act to take account of developments since 1998 and effects consequential amendments.

**2.13 Clause 13: Short title**

Clause 13 provides the short title of the Bill.

**3. FINANCIAL IMPLICATIONS**

The Bill is not expected to have any additional financial implications either for Government or the public transport industry.

**4. PARLIAMENTARY PROCEDURE**

- 4.1 The Department is of the opinion that the Bill must be dealt with in accordance with the procedure established by section 76 of the Constitution (ordinary bills affecting provinces).
- 4.2 The Department is of the opinion that it is not necessary to refer the Bill to the National House of Traditional Leaders in terms of section 18(1)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003) since it does not contain provisions pertaining to customary law or customs of traditional communities.



## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

## INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

## NOTICE 648 OF 2017



PURSUANT TO SECTION 4 (1) OF THE ELECTRONIC COMMUNICATIONS ACT 2005, (ACT NO. 36 OF 2005)

HEREBY ISSUES A NOTICE REGARDING THE SECOND DRAFT RADIO FREQUENCY SPECTRUM ASSIGNMENT PLAN FOR THE FREQUENCY BAND 825 TO 830 MHz AND 870 TO 875 MHz FOR PUBLIC CONSULTATION.

1. The Independent Communications Authority of South Africa ("the Authority"), hereby publishes **Second draft Radio Frequency Spectrum Assignment Plan for the frequency band 825 to 830 MHz and 870 to 875 MHz for public consultation** in terms of sections 2 (d), (e) and 4, read with sections 30, 31(4), and 33 of the Electronic Communications Act (Act No. 36 of 2005) and read with Regulation 3 of the Radio Frequency Spectrum Regulations 2015 and read with the IMT Roadmap 2014.
2. This Radio Frequency Spectrum Assignment Plan supersedes any previous spectrum assignment arrangements for the same spectrum location.
3. Interested persons are hereby invited to submit written representations, including an electronic version of the representation in Microsoft Word, of their views on the **Second draft Radio Frequency Spectrum Assignment Plan for the frequency band 825 to 830 MHz and 870 to 875 MHz for public consultation** by no later than 16h00 on Friday 20 October 2017.
4. Written representations or enquiries may be directed to:

The Independent Communications Authority of South Africa (ICASA)  
*Pinmill Farm Block A*

164 Katherine Street

South Africa

or

Private Bag XI0002

Sandton

2146

**Attention:**

Mr Manyapelo Richard Makgotlho

e-mail: [rmakgotlho@icasa.org.za](mailto:rmakgotlho@icasa.org.za)

5. All written representations submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons from 24 October 2017 at the ICASA Library or website and copies of such representations and documents will be obtainable on payment of a fee.

Where persons making representations require that their representation, or part thereof, be treated confidentially, then an applications in terms of section 4D of the ICASA Act, 2000 (Act No. 13 of 2000) must be lodged with the Authority. Such an application must be submitted simultaneously with the representation on the draft regulations and plan. Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the representation or document in question.



**BOTLENYANA MOKHELE**  
**COUNCILLOR**



## Second Draft Radio Frequency Spectrum Assignment Plan

Rules for Services operating in the Frequency Band  
from 825 to 830 MHz and  
870 to 875 MHz  
(IMT850)

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## 1 Glossary

In this Radio Frequency Spectrum Assignment Plan, terms used shall have the same meaning as in the Electronic Communications Act 2005 (no. 36 of 2005); unless the context indicates otherwise;

<b>“3GPP”</b>	means the 3rd Generation Partnership Project (3GPP) which consists of six telecommunications standard development organisations
<b>“Act”</b>	means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended
<b>“DM RS”</b>	means Demodulation Reference Signal
<b>“ECC/REC(11)04”</b>	means ECC Recommendation (11)04
<b>“ECC”</b>	means Electronic Communications Committee within the European Conference of Postal and Telecommunications Administrations (CEPT)
<b>“FDD”</b>	means Frequency Division Duplex
<b>“GSM-R”</b>	Means Global System for Mobile communications for Railways
<b>“HCM”</b>	means Harmonised Calculation Method
<b>“IMT”</b>	means International Mobile Telecommunications
<b>“IMT850”</b>	means IMT in the 850MHz band
<b>“ITA”</b>	means Invitation to Apply
<b>“ITU”</b>	means the International Telecommunication Union
<b>“ITU-R”</b>	means the International Telecommunication Union Radiocommunication Sector
<b>“LTE”</b>	means Long Term Evolution is a standard for wireless communication of high-speed data for mobile phones and data terminals. It is based on the GSM/EDGE and UMTS/HSPA network technologies
<b>“NRFP”</b>	means the National Radio Frequency Plan 2013 for South Africa
<b>“PCI”</b>	means Physical-Layer Cell Identities
<b>“PPDR”</b>	means Public Protection and Disaster Relief as defined in ITU-R Report M.2033.
<b>“PRACH”</b>	means Physical Random Access Channel
<b>“PSTN”</b>	means public switched telephone network
<b>“PUCCH”</b>	means Physical Uplink Control Channel
<b>“RFSAP”</b>	means Radio Frequency Spectrum Assignment Plan

“TCA”	means terrain clearance angle
“TDD”	means Time Division Duplex
“WRC-12”	means World Radio Conference 2012 held in Geneva
“WRC-15”	means the World Radio Conference 2015 held in Geneva

## 2 Purpose

- 2.1 A Radio Frequency Spectrum Assignment Plan (RFSAP) provides information on the requirements attached to the use of a frequency band in line with the allocation and other information in the National Radio Frequency Plan (NRFP). This information includes technical characteristics of radio systems, frequency channelling, coordination and details on required migration of existing users of the band and the expected method of assignment.
- 2.2 This Radio Frequency Spectrum Assignment Plan states the requirements for the utilization of the frequency band between 825-830 MHz paired with 870-875 MHz for IMT850.
- 2.3 The ITU states that International Mobile Telecommunications (IMT) systems are mobile systems that provide access to a wide range of telecommunication services including advanced mobile services, supported by mobile and fixed networks, which are increasingly packet-based.

Key features are:

- a high degree of commonality of functionality worldwide while retaining the flexibility to support a wide range of services and applications in a cost efficient manner
- compatibility of services within IMT and with fixed networks
- capability of interworking with other radio access systems
- high quality mobile services
- user equipment suitable for worldwide use
- user-friendly applications, services and equipment
- worldwide roaming capability
- enhanced peak data rates to support advanced services and applications

**CONTINUES ON PAGE 514 - PART 5**



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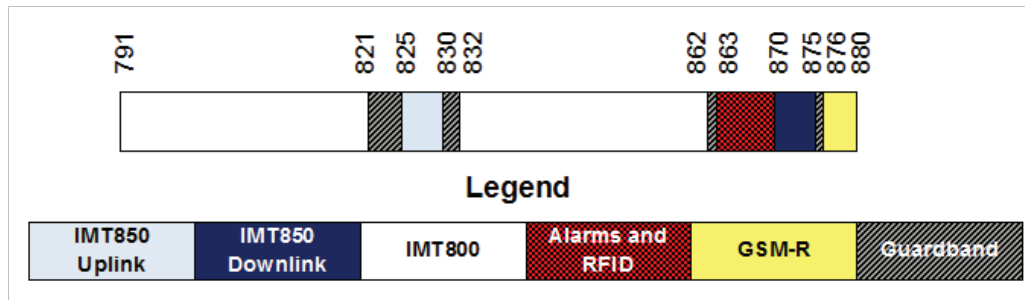
**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

### 3 General

- 3.1 Technical characteristics of equipment used in IMT850 systems shall conform to all applicable South African standards, international standards, International Telecommunications Union (ITU) and its radio regulations as agreed and adopted by South Africa.
- 3.2 All installations must comply with safety rules as specified in applicable standards.
- 3.3 The equipment used shall be certified under South African law and regulations.
- 3.4 The allocation of this frequency band and the information in this Radio Frequency Spectrum Assignment Plan (RFSAP) are subject to review.
- 3.5 Frequency bands assigned for IMT850 include bands 825-830 MHz paired with 870-875 MHz.
- 3.6 Likely use of this band will be for Mobile voice and data communications.
- 3.7 The technologies which can provide IMT850 services include, but are not limited to:
  - LTE,
  - LTE Advanced,
  - HSPA+,
  - WiMAX
- 3.8 Typical technical and operational characteristics of IMT systems as identified as by the ITU are described in the following documents
  - Recommendation ITU-R M.2012-1 (02/2014): Detailed specifications of the terrestrial radio interfaces of International Mobile Telecommunications-Advanced (IMT Advanced).
  - Report ITU-R2241-0 Compatibility studies in relation to Resolution 224 in the bands 698-806 MHz and 790-862 MHz.
  - Report ITU-R M.2074: Report on Radio Aspects for the terrestrial component of IMT-2000 and systems beyond IMT-2000.
  - Recommendation ITU-R M.1645 Framework and overall objectives of the future development of IMT-2000 and systems beyond IMT-2000.
  - Recommendation ITU-R M.1036-4: Frequency arrangements for implementation of the terrestrial component of International Mobile Telecommunications (IMT) in the bands identified for IMT in the Radio Regulations (RR).

#### 4 Channelling Plan

- 4.1 The frequency band 825-830MHz paired with 870-875 MHz provides a total bandwidth of
- 2×5MHz FDD for IMT850
- 4.2 Channel arrangements for the IMT850 band are based on the Region 1 recommendation by the ITU. Adjacent assignments are also shown in the channelling plan.



**Figure 1: Channel arrangements for IMT850**

#### 5 Requirements for usage of radio frequency spectrum

- 5.1 This chapter covers the minimum key characteristics considered necessary in order to make the best use of the available frequencies.
- 5.2 The use of the band is limited for IMT-services.
- 5.3 Only systems using digital technologies that promote spectral efficiency will be issued with an assignment. Capacity enhancing digital techniques is being rapidly developed and such techniques that promote efficient use of spectrum, without reducing quality of service are encouraged.
- 5.4 In some cases, a radio system conforming to the requirements of this RFSAP may require modifications if harmful interference is caused to other radio stations or systems.
- 5.5 The allocation of spectrum and shared services within these bands are found in the National Radio Frequency Plan (NRFP) and an extract of the NRFP is shown in Appendix A.
- 5.6 Maximum radiated power:
- 5.6.1 Base Station transmissions should not exceed 61dBm/5MHz EIRP.
  - 5.6.2 Mobile Station transmissions should not exceed 23dBm EIRP.
  - 5.6.3 On a case-to-case basis, higher EIRP may be permitted if acceptable technical Justification is provided.

5.6.4 Where appropriate subscriber terminal station should comply with the technical specification outlined under "3GPP TS 36.521-1" or latest version.

5.7 In some cases, a radio system conforming to the requirements of this RFSAP may require modifications. If major interference is caused to other radio stations or systems.

5.8 Criteria and guidelines for interference mitigation are described in Appendix D.

## 6 Implementation

6.1 This Radio Frequency Assignment Plan comes into effect upon publication in the Government Gazette.

6.2 No new assignment for IMT850 in the band 824-832 MHz paired with 869-877 MHz shall be approved unless they comply with this RFSAP.

## 7 Co-ordination Requirements

7.1 Use of these frequency bands shall require coordination with the neighbouring countries within the coordination zones of 6 kilometres in case of LTE-to-LTE or 9 kilometres in case of LTE-to-other technologies from the neighbouring country. The coordination distance is continuously being reviewed and may be updated from time to time.

7.2 The following field strength thresholds have to be assured based on (ECC/REC (11)04 for 790-862MHz. Operator-to-operator coordination may be necessary to avoid interference.

In general stations of FDD systems may be used without coordination with a neighbouring country if the mean field strength produced by the cell (all transmitters within the sector) does not exceed the value of 55dB $\mu$ V/m/5MHz at a height of 3m above ground at the borderline between countries and does not exceed a value of 29dB $\mu$ V/m/5MHz at a height of 3m above ground at a distance of 9 km inside the neighbouring country.

In the case that LTE is deployed both sides of the border the field strength levels can be increased to 59 dB $\mu$ V/m/5MHz and 41 dB $\mu$ V/m/5MHz at 6 km.

If TDD is in operation across both sides of a border and is synchronised across the border then field strength levels as well.

For field strength, predictions the calculations should be made according to Appendix B. In cases of other frequency block sizes  $10 \cdot \log(\text{frequency block size}/5\text{MHz})$  should be added to the field strength values e.g.:



BW (MHz)	Field strength level at 3 m height (general case)	Field strength level at 3 m height (LTE case)
5 MHz	55.0 dB $\mu$ V/m/5MHz @0km	59.0 dB $\mu$ V/m/5MHz @0km
	29.0 dB $\mu$ V/m/5MHz @9km	41.0 dB $\mu$ V/m/5MHz @6km
10 MHz	58.0 dB $\mu$ V/m/10MHz @0km	62.0 dB $\mu$ V/m/10MHz @0km
	32.0 dB $\mu$ V/m/10MHz @9km	44.0 dB $\mu$ V/m/10MHz @6km
15 MHz	59.8 dB $\mu$ V/m/15MHz @0km	63.8 dB $\mu$ V/m/15MHz @0km
	33.8 dB $\mu$ V/m/15MHz @9km	45.8 dB $\mu$ V/m/15MHz @6km
20 MHz	61.0 dB $\mu$ V/m/20MHz @0km	65.0 dB $\mu$ V/m/20MHz @0km
	35.0 dB $\mu$ V/m/20MHz @9km	47.0 dB $\mu$ V/m/20MHz @6km

If neighbouring administrations wish to agree on frequency coordination based on preferential frequencies, while ensuring a fair treatment of different operators within a country the Authority will add these within mutual agreements.

Stations of IMT systems may be operated without coordination if the mean field strength produced by the cell (all transmitters within the sector) does not exceed the value of 15dB $\mu$ V/m/5 MHz at 10% time, 50% of locations at 3 metres above ground level at the borderline

- 7.3 Technical analysis may be conducted by the Authority before an assignment is issued according to Appendix B taken from ECC/REC (11)05.
- 7.4 Specific information regarding coordination may be found in Appendix C taken from ECC/REC (11)05.
- 7.5 In the event of any interference, the Authority will require affected parties to carry out coordination. In the event that the interference continues to be unresolved after 24 hours, the affected parties may refer the matter to the Authority for a resolution. The Authority will decide the necessary modifications and schedule of modifications to resolve the dispute. The Authority will be guided by the interference resolution process as shown in Appendix D.
- 7.6 Assignment holders shall take full advantage of interference mitigation techniques such as antenna discrimination, tilt, polarization, frequency discrimination, shielding/blocking (introduce diffraction loss), site selection, and/or power control to facilitate the coordination of systems.

## **8 Assignment**

- 8.1 An Invitation to Apply shall be published for new assignments in this band in line with regulations developed in terms of section 31(3) of the Act.

## **9 Amendment**

- 9.1 The authority resolved the following transitional arrangements for the right of use of spectrum in this frequency band.
- 9.2 That Broadcasting Spectrum Assignments planned entries in Annexure E, G, H and in the band above 694 MHz, in the affected areas as stipulated in the Terrestrial Broadcasting Frequency Plan (Notice No. 298 of 2013 in Government Gazette No. 36321 and Notice No. 801 of 2014 in Government Gazette 38005 or the latest version), are to be used subject to meeting the conformance requirements in line with the GE06 Plan and are to be phased out during the performance period.
- 9.3 That broadcast transmissions and services ancillary to broadcasting in the band above 694 MHz are to be systematically switched off.
- 9.4 That radio frequency spectrum assignment for CDMA850 services within the band 827.775 – 832.695 paired with 872.775 – 877.695 in the affected areas migrate systematically to the destination band 825-830 MHz paired with 870-875 MHz coordinated with adjacent and existing assignments during the performance period.<sup>1</sup>
- 9.5 The Authority recognises that there may be issues with respect to interference that may be experienced by typical applications using apparatus in the 863-870MHz band which may operate on an licence exempt basis (in line with Radio Frequency Spectrum Regulations Government Gazette 38754 (Notice 386 of 2015) and Spectrum Re-allocation for RFID GG 31127), adjacent to the Mobile services.
- 9.6 That matters related to spectrum management geared at minimising and or prevent harmful interference during the transitional arrangement period, is to be managed and through a systematic implementation plan for the a seamless transition.

## **10 Radio Frequency Migration**

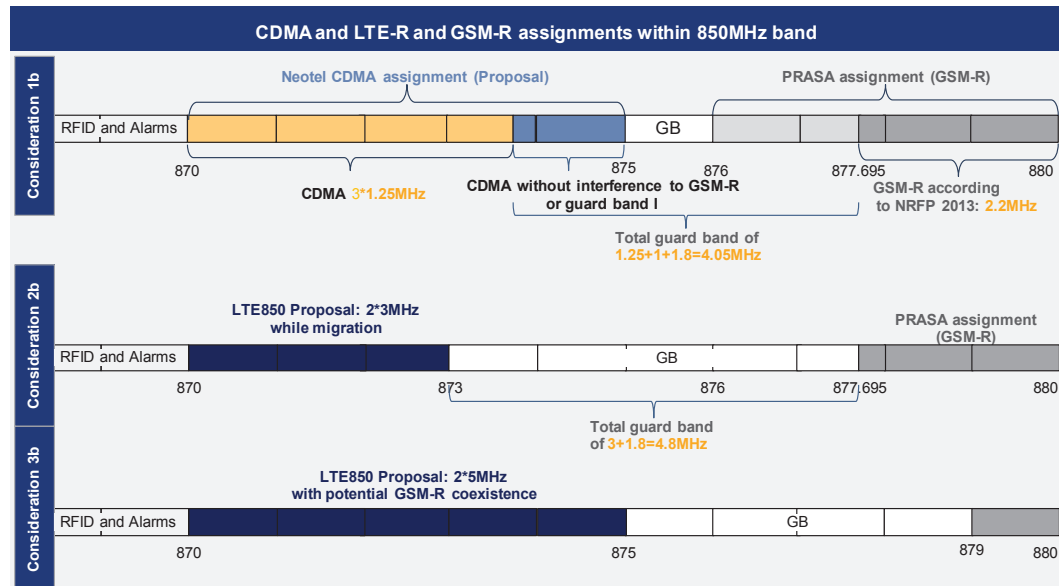
### **10.1 Specific Procedure**

- 10.1.1 As an immediate measure, the CDMA assignment of Neotel is to be shifted by 2 MHz to 825-830 MHz // 870-875 MHz. This is Consideration 1b in Figure 2:

- 10.1.2 The coexistence solution of CDMA850 to GSM-R2 is to introduce a guard band of ~4.05 MHz and to reduce the CDMA850 band to 2×3.75 MHz in areas where there will be potential interference to GSM-R. In these areas, reduction to 2×3.75 MHz allows the partial usage of current CDMA850 at least for voice and wideband packet services. In areas where there is no interference to GSM-R, Neotel may use its existing CDMA850 assignment.

- 10.2 In the long term, Neotel must cease using this band for CDMA:

- 10.3 Considerations 2 and 3 in Figure 2 indicate a long-term solution when CDMA850 has ceased and an (LTE) IMT850 band is deployed. With migration from deployed GSM-R to LTE-R, consideration needs to be made of an intermediate step of 2×3 MHz LTE first to ensure dual illumination and 2×5 MHz LTE in the final step. Further coexistence with GSM-R with about 4 MHz guard band still has to be investigated, but is not expected here.



**Figure 2: Migration of CDMA850 band by 2 MHz**

<sup>1</sup> The issue of the mobile allocation specifically to IMT850 and resolving the overlap of the CDMA850 assignment with the GSM-R allocation has been extensively consulted upon. The proposal in the Final IMT Road Map was to shift the CDMA850 assignment to 869-874MHz in line with the proposed allocation for IMT850 in ITU-R M.1036-4 (A1) which is reflected in National Footnote 9 of the National Radio Frequency Plan 2013 GG. 36336. However, following industry feedback concerning the effect on applications and services operating on a licence exempt basis in the upper part of the frequency range 863-870MHz, the Authority resolved to shift the CDMA850 assignment to 870-875MHz which would permit a suitable guard band to GSM-R on a coordinated basis. This is as reflected in the final IMT Road Map. The Authority notes that avoiding overlap with the frequency range within which apparatus may operate on an unlicensed basis (in line with Radio Frequency Spectrum Regulations Government Gazette 38754 (Notice 386 of 2015) and Spectrum Re-allocation for RFID GG 31127) is without prejudice to the principle that unlicensed devices operate on a No Interference No Protection (NINP) basis. The consultation process in respect of the GSM-R Allocation took place during the update to the National Frequency Radio Plan 2013 (Government Gazette Number 36336)

**Appendix A National Radio Frequency Plan**

ITU Region 1 allocations and footnote	South African allocations and footnotes	Typical Applications	Comments
<b>790-862 MHz</b> FIXED	<b>790-862 MHz</b> FIXED	Fixed Links (856 – 864.1 MHz)	The fixed links will be migrated along with the broadcasting service in line with Radio Frequency Migration Plan.
MOBILE except aeronautical mobile 5.317A	MOBILE except aeronautical mobile 5.316B 5.317A NF9	IMT800 BTX (791 – 821 MHz)  Mobile Wireless Access (827.775 – 832.695 MHz) IMT800 MTX (832– 862 MHz)	Paired with 832 – 862 MHz  Paired with Access (872.775 – 877.695 MHz) Paired with 791 – 821 MHz
BROADCASTING	BROADCASTING	Television Broadcasting (470 – 854 MHz)	Broadcasting Allotments in accordance with GE89 plan in the process of conversion to GE06. Broadcast assignments in accordance with the latest version of the Terrestrial Broadcasting Frequency Plan.
5.312 5.314 5.315 5.316 5.316A 5.319	5.316A		

## Appendix B Propagation Model

The following methods are proposed for assessment of anticipated interference inside neighboring country based on established trigger values. Due to complexity of radio-wave propagation nature different methods are proposed to be considered by administrations and are included here for guidance purposes only. It should be noted that following methods provide theoretical predictions based on available terrain knowledge. It is practically impossible to recreate these methods with measurement procedures in the field. Therefore only some approximation of measurements could be used to check compliance with those methods based on practical measurement procedures. The details of such approximation are not included in this recommendation and should be negotiated between countries based on their radio monitoring practices.

### Path specific model

Where appropriate detailed terrain data is available, the propagation model for interference field strength prediction is the latest version of ITU-R Rec. P.452, For the relevant transmitting terminal, predictions of path loss would be made at x km steps along radials of y km at z degree intervals<sup>3</sup>. The values for those receiver locations within the neighbouring country would be used to construct a histogram of path loss – and if more than 10% of predicted values exceed the threshold the station should be required to be coordinated.

### Site General model

If it is not desirable to utilise detailed terrain height data for the propagation modelling in the border area, the basic model to be used to trigger coordination between administrations and to decide, if co-ordination is necessary, is ITU-R Rec. P.1546, “Method for point to area predictions for terrestrial services in the frequency range 30 to 3000 MHz”. This model is to be employed for 50% locations, 10% time and using a receiver height of 3m. For specific reception areas where terrain roughness adjustments for improved accuracy of field strength prediction are needed, administrations may use correction factors according to terrain irregularity and/or an averaged value of the TCA parameter in order to describe the roughness of the area on and around the coordination line.

Administrations and/or operators concerned may agree to deviate from the aforementioned model by mutual consent.

### Area calculations

In the case where greater accuracy is required, administrations and operators may use the area calculation below. For calculations, all the pixels of a given geographical area to be agreed between the Administrations concerned in a neighbouring country are taken into consideration. For the relevant base station, predictions of path loss should be made for all the pixels of a given geographical area from a base station and at a receiver antenna height of 3m above ground.

---

<sup>3</sup> . Values for x, y, z and path specific field strength levels are to be agreed between the administrations concerned

For evaluation,

- only 10 percent of the number of geographical area between the borderline (including also the borderline) and the 6 km line itself inside the neighbouring country may be interfered by higher field strength than the trigger field strength value given for the borderline in Annex 1 and 2 at a height of 3 m above ground.
- only 10 percent of the number of geographical area between the 6 km (including also 6km line) and 12 km line inside the neighbouring country may be interfered by higher field strength than the trigger field strength value given for the 6 km line in Annex 1 and 2 at a height of 3 m above ground.

It is recommended that during area calculations not only detailed terrain data but also clutter data be taken into account. Use of correction factors for clutter is crucial in particular where the border area is 'open' or 'quasi-open' from the point of view of clutter or where the interfering base station is just a few kilometres from a borderline.

If the distance between a base station and a terrain point of a borderline is closer than or equal to 1 km, free space propagation model needs to be applied. Furthermore, if there is no terrain obstacle within the 1st Fresnel zone, also the free space propagation model should be applied.

If clutter data is not available, it is proposed to extend the usage of free space propagation model to a few kilometres, depending on the clutter situation in border areas.

For area type interference calculations, propagation models with path specific terrain correction factors are recommended (e.g. Recommendation ITU-R P.1546 with the terrain clearance angle correction factor TCA, HCM method with the terrain clearance angle correction factor or Recommendation ITU-R P.1812).

As to correction factors for clutters 'open area' and 'quasi-open area', 20 dB and 15 dB should be used respectively. Recommendation ITU-R P.1406 should be used if a finer selection of clutter is required.

It must be noted that terrain irregularity factor  $\Delta h$  is not recommended to be used in area calculations. Administrations and/or operators concerned may agree to deviate from the aforementioned models by mutual consent.

## Appendix C Coordination for IMT-Systems

### PREFERENTIAL PHYSICAL-LAYER CELL IDENTITIES (PCI) FOR IMT-2000/LTE<sup>4</sup>

The following is extracted from ECC/REC (11)05 as an operational example and can be adapted for the SADC-countries

PCI co-ordination is only needed when channel centre frequencies are aligned independent of the channel bandwidth.

3GPP TS 36.211 defines 168 “unique physical-layer cell-identity groups” in §6.11, numbered 0...167, hereafter called “PCI groups”. Within each PCI group there are three separate PCIs giving 504 PCIs in total.

Administrations should agree on a repartition of these 504 PCI on an equitable basis when channel centre frequencies are aligned as shown in the Table below. It has to be noted that dividing the PCI groups or PCI's is equivalent. Each country can use all PCI groups away from the border areas.

As shown in the table below, the PCI's should be divided into 6 sub-sets containing each one sixth of the available PCI's. Each country is allocated three sets (half of the PCI's) in a bilateral case, and two sets (one third of the PCI's) in a trilateral case.

Four types of countries are defined in a way such that no country will use the same code set as any one of its neighbours. The following lists describe the distribution of European countries (*which needs to be adapted for SADC*):

Type country 1: BEL, CVA, CYP, CZE, DNK, E, FIN, GRC, IRL, ISL, LTU, MCO, SMR, SUI, SVN, UKR, AZE, SRB.

Type country 2: AND, BIH, BLR, BUL, D, EST, G, HNG, I, MDA, RUS (Exclave), GEO

Type country 3: ALB, AUT, F, HOL, HRV, POL, POR, ROU, RUS, S, MLT

Type country 4: LIE, LUX, LVA, MKD, MNE, NOR, SVK, TUR.

For each type of country, the following tables and figure describe the sharing of the PCI's with its neighbouring countries, with the following conventions of writing:

	Preferential PCI
	non-preferential PCI

The 504 physical-layer cell-identities should be divided into the following 6 sub-sets when the carrier frequencies are aligned in border areas:

<sup>4</sup> ECC/REC(11)05



PCI	Set A	Set B	Set C	Set D	Set E	Set F	PCI	Set A	Set B	Set C	Set D	Set E	Set F
<b>Country 1</b>	0..8 3	84..16 7	168..2 51	252..3 35	336..4 19	420..5 03	<b>Country 2</b>	0..83 67	84..1 67	168..2 51	252..3 35	336.. .419	420..50 3
Border 1-2							Border 2-1						
Zone 1-2-3							Zone 2-3-1						
Border 1-3							Border 2-3						
Zone 1-2-4							Zone 2-1-4						
Border 1-4							Border 2-4						
Zone 1-3-4							Zone 2-3-4						

PCI	Set A	Set B	Set C	Set D	Set E	Set F	PCI	Set A	Set B	Set C	Set D	Set E	Set F
<b>Country 3</b>	0..8 3	84..16 7	168..2 51	252..3 35	336..4 19	420..5 03	<b>Country 4</b>	0..83 67	84..1 67	168..2 51	252..3 35	336.. .419	420..50 3
Border 3-2							Border 4-1						
Zone 3-1-2							Zone 4-1-2						
Border 3-1							Border 4-2						
Zone 3-1-4							Zone 4-2-3						
Border 3-4							Border 4-3						

Zone 3-2-4							Zone 4-3-1							
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### **Notes**

- 1) All PCI's are available in areas away from the border.
- 2) In certain specific cases (e.g. AUT/HRV) where the distance between two countries of the same type number is very small (< few 10s km), it may be necessary to address the situation in bi/multilateral coordination agreements as necessary, and may include further subdivision of the allocated codes in certain areas.

## **GUIDANCE ON THE CONSIDERATION OF LTE RADIO PARAMETERS FOR USE IN BILATERAL AND MULTI LATERAL AGREEMENTS**

This Annex is provided for guidance purposes for use in bi-lateral and multilateral discussions. For LTE, it may be beneficial to coordinate other radio parameters besides PCI in order to minimise deteriorating effects of uplink interference.

The parameters described in this Annex are usually optimised during LTE radio network planning of an operator's network. The idea of optimisation is to plan the parameters taking into account specific correlation properties of the uplink control signals which enable more stable and predictable operation of the network. In the cross-border scenario the optimisation of parameters among neighbouring operators could provide better control of uplink interference. However because of the difference between intra-network and inter-network interference and due to limited experience in the LTE cross-border deployment it is difficult to assess the benefits of such optimisation. The following guidance provides the basis for operators to consider in border areas in case of high levels of uplink interference.

### **Demodulation Reference Signal (DM RS) coordination**

Demodulation reference signals (DM RS) are transmitted in the uplink and used for channel estimation. There is a risk of intercell interference between neighbouring cells even in case of no frame synchronisation. That is why special measures for DM RS allocation between networks in neighbouring countries occupying the same channel may need to be applied.

The case of partial channel overlap has not been studied but due to DM RS occupying resource blocks of separate users there is a risk of DM RS collisions between neighbouring networks when the subcarriers positions coincide (the frequency offset between central carriers of neighbouring networks is multiple of 300 kHz). Some minor benefits from DM RS coordination in these particular cases could be expected.

There are a number of possible approaches to the coordination of DM RS:

- In basic planning procedure, only 30 DM RS sequence groups with favourable correlation characteristics are available: {zero...29}. In this case, each cell could be assigned one of the 30 DM RS sequence groups providing cluster size of 30.

- It is possible to extend each DM RS sequence group to generate up to 12 time shifted sequence groups by applying the cyclic shift parameter stated in 3GPP TS 36.211. For example each tri-sector site could be assigned one DM RS sequence group with each co-sited cell having its own cyclic shift of  $2\pi/3$  which provides cluster size 30 only with 10 DM RS sequence groups. The latter case corresponds well to the case of DM RS sequence groups repartition between neighbouring countries when only limited number of groups is available for network planning. The drawback of DM RS sequence group cyclic shift is a loss of orthogonality of DM RS due to fading channels which has been found only recently during first trials of LTE and caused throughput loss as well as time alignment problems.
- Another approach for DM RS coordination is to implement dynamic DM RS sequence group allocation also called pseudo-random group hopping. In this method nearby cells are grouped into clusters up to 30 cells and within each cell cluster the same hopping-pattern is used. At the border of two clusters inter-cell interference is averaged since two different hopping patterns are utilised. There are 17 defined hopping patterns, numbered  $\{0 \dots 16\}$ , which leads to some minor unfairness in case of apportioning these patterns between neighbouring countries. Even in a trilateral case, each operator will have at least five hopping patterns available near the border, which should be enough for planning purposes. It should be noted the pseudo-random group hopping option could be absent in the first generations of LTE equipment.

The decision of which of these methods to use in cross-border coordination should be agreed upon by the interested parties. Specific DM RS sequence groups or hopping patterns repartition is not provided in the text of this Recommendation but could be deduced in a similar manner to the PCI repartition.

#### **Physical Random Access Channel (PRACH) coordination**

Another radio network parameter, which is considered during radio network planning, is PRACH configuration, which is needed to distinguish random access requests addressed to different cells. PRACH resources are allocated by specifying the PRACH Resource Blocks time positions within the uplink frame, their frequency position within the LTE channel bandwidth and by apportioning cell-specific root sequences. During radio network planning these parameters are usually used in the following way:

- time positions for PRACH resource allocations are usually used to create time collision of PRACH resources of co-sited/frame synchronised cells because PRACH-to-PRACH interference is usually less severe than PUSCH-to-PRACH interference;
- frequency positions within the LTE channel bandwidth is usually the same for all cells, again because PRACH-to-PRACH interference case is more favourable one.
- cell-specific root sequences are used to distinguish between PRACH requests addressed to different cells.

For cross-border coordination, it is proposed to use frequency position offsets to exclude the possibility of so-called “ghost” PRACH requests caused by neighbouring networks. The PRACH is configured in LTE to use only 6 Resource Blocks or 1.08 MHz of the LTE channel bandwidth except in regions used by PUCCH. In case of overlapping or partially overlapping channel

bandwidths of neighbouring networks it is enough to establish non-overlapping PRACH frequency blocks to perform coordination. Because it is difficult to establish an implementation dependent procedure for such allocation, it will be the responsibility of operators to manage such frequency separation during coordination discussions.

In early implementation, it is possible that very limited number of frequency positions will be supported by LTE equipment, which will not be enough to coordinate in the trilateral case. In such cases, root-sequence repartition could be used. There are 838 root sequences in total to be distributed between cells, numbered  $\{0..837\}$ . There are two numbering schemes for PRACH root sequences (physical and logical) and that only logical root sequences numbering needs be used for coordination. Unfortunately, the process of root sequences planning doesn't involve direct mapping of root sequences between cells because the number of root sequences needed for one cell is dependent on the cell range. The table showing such interdependency is presented below:

PRACH Configuration	Number of root seq. per cell	Cell Range (km)
1	1	0.7
2	2	1
3	2	1.4
4	2	2
5	2	2.5
6	3	3.4
7	3	4.3
8	4	5.4
9	5	7.3
10	6	9.7
11	8	12.1
12	10	15.8
13	13	22.7
14	22	38.7
15	32	58.7
0	64	118.8

Thus in the case of root sequence repartition it will be the responsibility of radio network planners to assign the correct number of root sequences in order to not to overlap with the root sequence ranges of other operators. It also should be noted that different root sequences have different cubic metrics and correlation properties, which affect PRACH coverage performance and planning of so-called high-speed cells. For simplicity of cross-border coordination, it is proposed to ignore these properties.

In summary, it should be stipulated that frequency separation of PRACH resources should be used as the main coordination method. PRACH root sequences repartition should be avoided and used only in exceptional cases. Specific PRACH root sequences repartition is not provided in the text of this Recommendation but could be deduced in a similar manner to the PCI repartition.

## Appendix D Interference Resolution Process

When requesting coordination the relevant characteristics of the base station and the code or PCI group number should be forwarded to the Administration affected. All of the following characteristics should be included:

- a) carrier frequency [MHz];
- b) name of transmitter station;
- c) country of location of transmitter station;
- d) geographical coordinates [latitude, longitude];
- e) effective antenna height [m];
- f) antenna polarisation;
- g) antenna azimuth [deg];
- h) antenna gain [dBi];
- i) effective radiated power [dBW];
- j) expected coverage zone or radius [km];
- k) date of entry into service [month, year];
- l) code group number used;
- m) antenna tilt [deg];

The Administration affected shall evaluate the request for coordination and shall within 30 days notify the result of the evaluation to the Administration requesting coordination. If in the course of the coordination procedure the Administration affected requires additional information, it may request such information.

If in the course of the coordination procedure, an Administration may request additional information.

If no reply is received by the Administration requesting coordination within 30 days, it may send a reminder to the Administration affected. An Administration not having responded within 30 days following communication of the reminder shall be deemed to have given its consent and the code co-ordination may be put into use with the characteristics given in the request for coordination.

The periods mentioned above may be extended by common consent.

End.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT  
NOTICE 649 OF 2017

**PROMOTION OF ACCESS TO INFORMATION ACT, 2000**

**DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)**

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

**LIMPOPO PROVINCIAL GOVERNMENT: DEPARTMENT OF CO-  
OPERATIVE GOVERNANCE, HUMAN SETTLEMENTS AND  
TRADITIONAL AFFAIRS**

As set out in the Schedule



**TSHILOLO MICHAEL MASUTHA, MP (ADV)**  
**MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES**





**LIMPOPO**  
PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF  
CO-OPERATIVE GOVERNANCE,  
HUMAN SETTLEMENTS & TRADITIONAL AFFAIRS**

**PAIA MANUAL SECTION 15 OF THE PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. Website) <u>(SECTION 15 (1) (b))</u>
<b>For inspection in terms of <u>Section 15 (1) (a) (i)</u></b>	
Section 14 manual made available in terms of the Promotion of Access to Information Act 2 of 2000	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>  Departmental library
<b>For purchasing in terms of Section 15 (1) (a) (ii)</b>	
Photographs	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>  Communication Services Directorate
Tender Bulletins	Purchased within the Cashier Office at 20 Rabe Street, Hensa Towers, Polokwane - Department of Co-operative Governance, Human Settlements and Traditional Affairs.
<b>For Copying in terms of Section 15 (1) (a) (ii)</b>	
Speeches	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>  Communication Services Directorate, Departmental Library
Departmental Circulars	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>  Information Management Directorate
Newsletters	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>  Communication Services Directorate, Departmental Library
Budget and Strategic Plans	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>

	Budget Services Directorate Communication Services Directorate Departmental Library
Annual Performance Plan	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a> Departmental Library
Departmental Contact Details	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>
Policies, Acts and Regulations	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a>
Service Standards and norms	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a> Service Delivery Improvement and Batho Pele Programme Directorate
Forms	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a> Information Management Directorate
Financial Records Account Statements (telephone, cell phones)	Departmental Expenditure and Housing Finance Directorate
Departmental Structure	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a> Human Resource Practices and Administration Directorate
Registers	Information Management Directorate
Maps	Website: <a href="http://www.coghsta.limpopo.gov.za">www.coghsta.limpopo.gov.za</a> Information Management Directorate
Information Brochures	Reception Communication Services Directorate

**DEPARTMENT OF LABOUR  
NOTICE 650 OF 2017**

**LABOUR RELATIONS ACT, 1995**

**CANCELLATION OF REGISTRATION OF A TRADE UNION**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 109(2) read with section 106(2A), cancel the registration of **National Contact Centre Union (NCCU) (LR 2/6/2/1694)** with effect from 24 August 2017

The name of the Organisation has been removed from the Register of Trade Unions.

  
**REGISTRAR OF LABOUR RELATIONS**

**NATIONAL TREASURY****NOTICE 651 OF 2017****RATE OF INTEREST ON GOVERNMENT LOANS**

It is hereby notified that the Minister of Finance has, in terms of Section 80(1)(a) and (b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), fixed the Standard Interest Rate applicable, from **1 September 2017** and until further notice, to loans granted by the State out of a Revenue Fund, and /or to all other debts which must be paid into a Revenue Fund, at Ten, Two Five percent (**10.25%**) per annum.

The above-mentioned Standard Interest Rate is applicable from **1 September 2017** and until further notice, to all drawings of loans from State money, except loans in respect of which other rates of interest are specifically authorized by legislation or the Minister of Finance.

**NON-GOVERNMENTAL ORGANIZATION  
NOTICE 652 OF 2017**



## **GENERAL NOTICE**

**Issued in terms of the National Ports Act 2005 (Act 12 of 2005)**

### ***INVITATION TO APPLY FOR A STEVEDORING LICENCE***

Transnet National Ports Authority ("the Authority") invites applicants, who wish to provide stevedoring services within South African commercial ports, to apply for a licence, issued in terms of section 57 of the National Ports Act 2005 (Act 12 of 2005).

Stevedoring work refers to working of cargo in the holds or on the deck of a vessel when such vessel is being loaded or unloaded in a port.

Licensing details are available on the Authority's website, at [www.transnetnationalportsauthority.net](http://www.transnetnationalportsauthority.net)

Application forms for a Stevedoring Licence can be downloaded from this website, and may also be obtained between 08:30 and 16:00 from the Customer Service Centres (CSC) in the Port Administration Building in the Ports of Richards Bay, Durban, East London, Ngqura, Port Elizabeth, Cape Town, Saldanha Bay and the Revenue Office in the Port Control Building at the Port of Mossel Bay.

Stevedore Licence applications will be entertained on an ongoing basis without any further advertisements and will be processed accordingly.

Applicants can submit applications, on a per port basis, to the Authority, for the attention of the Port Manager (or designated Port Licence representative) of the respective port.

In terms of section 57(1) of the National Ports Act (Act 12 of 2005) unless an agreement has been concluded, no person may provide a port service (such as stevedoring), otherwise than in terms of a licence issued under this section.

**Transnet National Ports Authority is an operating division of Transnet SOC Ltd (Registration No.: 1990/000900/30).**

**NON-GOVERNMENTAL ORGANIZATION  
NOTICE 653 OF 2017**



## **GENERAL NOTICE**

**Issued in terms of the National Ports Act 2005 (Act 12 of 2005)**

### ***INVITATION TO APPLY FOR A WASTE DISPOSAL LICENCE***

Transnet National Ports Authority ("the Authority") invites waste disposal service providers, who wish to serve port users within South African commercial ports, to apply for a licence, issued in terms of section 57 of the National Ports Act 2005 (Act 12 of 2005).

Waste disposal refers to the temporary storage, collection, pick-up, transfer including ship to shore transfer and transportation of waste, (including scrap metal), as defined in the National Environmental Management: Waste Act 59 of 2008, within or through port limits, amongst other things, for treatment, re-use, recycling, trading in waste or disposal at an appropriate and licensed waste disposal facility.

Licensing details are available on the Authority's website, at [www.transnetnationalportsauthority.net](http://www.transnetnationalportsauthority.net)

Application forms for a Waste Disposal Licence can be downloaded from this website, and may also be obtained between 08:30 and 16:00 from the Customer Service Centres (CSC) in the Port Administration Building in the Ports of Richards Bay, Durban, East London, Ngqura, Port Elizabeth, Cape Town, Saldanha Bay and the Revenue Office in the Port Control Building at the Port of Mossel Bay.

Waste Disposal Licence applications will be accepted on an ongoing basis without any further advertisements, and will be processed accordingly.

Applicants can submit applications, on a per port basis, to the Authority, for the attention of the Port Manager (or designated Port Licence representative) of the respective port.

In terms of section 57(1) of the National Ports Act (Act 12 of 2005) unless an agreement has been concluded, no person may provide a port service (such as waste disposal), otherwise than in terms of a licence issued under this section.

No Waste Disposal Licence is needed for waste disposal services provided directly to the Authority by a service provider in terms of an agreement entered into following a procedure that is fair, equitable, transparent, competitive and cost effective.

**Transnet National Ports Authority is an operating division of Transnet Limited (Registration No.: 1990/000900/30).**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 654 OF 2017**

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

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

Reference	Original Dispossesses	Claimant Initial & Surname	Prop Description	Extent (m <sup>2</sup> )	Date submitted	Capacity
KRK6/2/3/A/21/5/0/9(H467)	John Hugo	Gottfried j. Hugo	Erf 6166 Kraaifontein, City of Cape Town	1,02.05 HA	31/12/1998	Tenant

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

The Regional Land Claims Commission: Western Cape

Private Bag X9163

Cape Town

8000

Tel: 021\*426-2930

Fax: 021\*424-5146

Mr L.H MAPHUTHA

Regional Land Claims Commissioner

APPROVED .....

DATE .....

2017/08/21

CHECKED .....

DATE .....

04/7/2017



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 655 OF 2017**

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

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>That portion of Durban, commonly known as Mjafethe Ridgeview Road, Cato Manor</b>
<b>Magisterial District</b>	<b>:</b>	<b>Ethekwini</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Johannes Mkhize on behalf of the Mkhize family</b>
<b>Date claim lodged</b>	<b>:</b>	<b>31 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/3/E/8/817/2716/3608</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 656 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Mfule</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Mgezwa Mpungose</b>
<b>Date claim lodged</b>	<b>:</b>	<b>29 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/27</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 657 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>That portion of Durban, commonly known as 94 KwaMnguni, Cato Manor</b>
<b>Magisterial District</b>	<b>:</b>	<b>Ethekwini</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Amos Thandinkosi Zulu on behalf of the Zulu Family</b>
<b>Date claim lodged</b>	<b>:</b>	<b>31 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/3/E/8/817/2716/4207</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 658 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

**Property** : **Exhaphozini Reserve**

**Magisterial District** : **Mthonjaneni**

**Administrative District** : **KwaZulu-Natal**

**Claimant** : **Alzina Zulu**

**Date claim lodged** : **27 November 1998**

**Reference number** : **KRN6/2/2/E/27/0/0/14**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 659 OF 2017**

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

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

<b>Reference Number</b>	<b>: E152 (KRK6/2/3/A/6/0/391/14)</b>
<b>Dispossessed Person</b>	<b>: Jogera Ely</b>
<b>Property Description</b>	<b>: Erf 53365 Cape Town at Claremont</b>
<b>Extent</b>	<b>: 633m<sup>2</sup></b>
<b>Capacity</b>	<b>: Tenant</b>
<b>Date of Occupation</b>	<b>: From 1961 to 1972</b>
<b>Date Submitted</b>	<b>: 30-12-1998</b>

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

APPROVED.....

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

DATE: 2017/08/21

CHECKED.....

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 660 OF 2017**

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

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

Reference	Original Dispossesses	Claimant Surname	Initial	&	Prop Descrip	Extent (m <sup>2</sup> )	Date submitted	Capacity
KRK6/2/3/A/10/1368/17(M812)	Melvin Matse	Thando Gaven Mlomzale			Erf 23828 Maitland, City of Cape Town	1044m <sup>2</sup>	06/03/1997	Tenant

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

The Regional Land Claims Commission: Western Cape

Private Bag X9163

Cape Town

8000

Tel: 021\*426-2930

Fax: 021\*424-5146

Mr L.H MAPHUTHA

Regional Land Claims Commissioner

CHECKED.....

DATE 04/7/2017.....

APPROVED ..... DATE 20/7/2017.....

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 661 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Tshekumbane</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Bhekuyise Dubazane</b>
<b>Date claim lodged</b>	<b>:</b>	<b>29 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/33</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 662 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Vergelegen Farm</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Xolani N V Dubazane</b>
<b>Date claim lodged</b>	<b>:</b>	<b>31 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/31</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 663 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Exhaphozini Reserve</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Emmanuel Zulu</b>
<b>Date claim lodged</b>	<b>:</b>	<b>28 November 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/16</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 664 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Arcadia Farm</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Mvikiseni Bhekizenzo Dlodla</b>
<b>Date claim lodged</b>	<b>:</b>	<b>28 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/11</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 665 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Exhaphozini Reserve</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Hlengabantu Enock Zulu</b>
<b>Date claim lodged</b>	<b>:</b>	<b>30 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/17</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 666 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

**Property** : **That portion of Durban, commonly known as 142 Shamville, Cato Manor**

**Magisterial District** : **Ethekwini**

**Administrative District** : **KwaZulu-Natal**

**Claimant** : **Ngenzeni Alice Mbutho on behalf of the Mbutho Family**

**Date claim lodged** : **21 December 1998**

**Reference number** : **KRN6/2/3/E/8/817/2716/5130**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 667 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

**Property** : **That portion of Durban, commonly known as 66 Dabulamanzi, Cato Manor**

**Magisterial District** : **Ethekwini**

**Administrative District** : **KwaZulu-Natal**

**Claimant** : **Duduzile Doris Mabaso on behalf of the Mabaso Family**

**Date claim lodged** : **31 December 1998**

**Reference number** : **KRN6/2/3/E/8/817/2716/4412**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 668 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Umhlathuze area currently known as Velgelen</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Muntuwenhlanhla Sipho Magwaza</b>
<b>Date claim lodged</b>	<b>:</b>	<b>28 October 1997</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/7</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 669 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Welgewonder Uitkomst 527</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Moses Cishakhale Mdluli</b>
<b>Date claim lodged</b>	<b>:</b>	<b>31 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/22</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 670 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

**Property** : That portion of Durban, commonly known as Ridgeview Road, Cato Manor

**Magisterial District** : Ethekewini

**Administrative District** : KwaZulu-Natal

**Claimant** : Shantha Balakrishna on behalf of the Mkhize Family

**Date claim lodged** : 16 March 1998

**Reference number** : KRN6/2/3/E/8/817/2716/3987

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 671 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Block D Kwasappie Forest</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>James Mnyandu</b>
<b>Date claim lodged</b>	<b>:</b>	<b>10 October 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/20</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 672 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	:	<b>That portion of Durban, commonly known as Road 7 Majola, Cato Manor</b>
<b>Magisterial District</b>	:	<b>Ethekwini</b>
<b>Administrative District</b>	:	<b>KwaZulu-Natal</b>
<b>Claimant</b>	:	<b>Gertrude Mlambo on behalf of the Mlambo Family</b>
<b>Date claim lodged</b>	:	<b>31 December 1998</b>
<b>Reference number</b>	:	<b>KRN6/2/3/E/8/817/2716/4139</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 673 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>That portion of Durban, commonly known as 45 New Clare, Cato Manor</b>
<b>Magisterial District</b>	<b>:</b>	<b>Ethekwini</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Thoko Lephina Moyana on behalf of the Moyana Family</b>
<b>Date claim lodged</b>	<b>:</b>	<b>17 November 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/3/E/8/817/2716/3237</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 674 OF 2017**

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

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	:	<b>That portion of Durban, commonly known as Shack No. 79 Newlands Township</b>
<b>Magisterial District</b>	:	<b>Ethekwini</b>
<b>Administrative District</b>	:	<b>KwaZulu-Natal</b>
<b>Claimant</b>	:	<b>Fisani Busisiwe Msani</b>
<b>Date claim lodged</b>	:	<b>19 August 1996</b>
<b>Reference number</b>	:	<b>KRN6/2/3/E/8/817/1637/23</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 675 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Umhlathuze Area</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Nombede Magwaza</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/6</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 676 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>That portion of Durban, commonly known as No. 9 Andrias Madlokovi Ngema, Cato Manor</b>
<b>Magisterial District</b>	<b>:</b>	<b>Ethekwini</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Agness Nthabiseng Ntsoanyane on behalf of the Ntsoanyane Family</b>
<b>Date claim lodged</b>	<b>:</b>	<b>2 January 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/3/E/8/817/2716/5645</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 677 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Mthonjaneni District</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Selby Sbusiso Dlamini on behalf of the Rechterswell Development Committee</b>
<b>Date claim lodged</b>	<b>:</b>	<b>30 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/9</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400

Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 678 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Mooiplazi</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Sabelo Mthenjwa Zulu</b>
<b>Date claim lodged</b>	<b>:</b>	<b>29 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/29</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 679 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

**Property** : **Exhaphozini Reserve**

**Magisterial District** : **Mthonjaneni**

**Administrative District** : **KwaZulu-Natal**

**Claimant** : **Themba Henry Zulu**

**Date claim lodged** : **28 November 1998**

**Reference number** : **KRN6/2/2/E/27/0/0/18**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 680 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	<b>:</b>	<b>Clingu 6124</b>
<b>Magisterial District</b>	<b>:</b>	<b>Mthonjaneni</b>
<b>Administrative District</b>	<b>:</b>	<b>KwaZulu-Natal</b>
<b>Claimant</b>	<b>:</b>	<b>Wilfred Mfiseleni Zulu</b>
<b>Date claim lodged</b>	<b>:</b>	<b>30 December 1998</b>
<b>Reference number</b>	<b>:</b>	<b>KRN6/2/2/E/27/0/0/28</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400

Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 681 OF 2017**

**GENERAL NOTICE IN TERMS SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

<b>Property</b>	:	<b>That portion of Durban, commonly known as 117 Fair Breeze, Cato Manor</b>
<b>Magisterial District</b>	:	<b>Ethekwini</b>
<b>Administrative District</b>	:	<b>KwaZulu-Natal</b>
<b>Claimant</b>	:	<b>Lucia Sthembiso Xulu on behalf of the Xulu Family</b>
<b>Date claim lodged</b>	:	<b>4 April 1997</b>
<b>Reference number</b>	:	<b>KRN6/2/3/E/8/817/2716/3477</b>

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal  
Private Bag X9120  
Pietermaritzburg 3200

Tel: (033) 355 - 8400  
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

**LEBJANE MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL**  
**DATE:**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 682 OF 2017**

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

An amendment notice is hereby given in terms of Section 11A(4) of the Restitution of Land Rights Act, 1994 (No. 22 of 1994), as amended, that a claim for the restitution of land rights has been submitted to the Office of the Regional Land Claims Commissioner: Western and Northern Cape. The particulars regarding this claim are as follows:

**Area** : Wellington, Cape Winelands District Municipality,  
Drakenstein Local Municipality, Western Cape

**Property** : Claim lodged in respect of "Pentz Straat 1,  
Wellington"

[The subject property falls on land that is currently  
described as erf no. 2733, Wellington]

**Claimant** : Wesley Adams on behalf of the members of the  
dispossessed Wellington community

**Extent** : 551m<sup>2</sup>

**Current owners** : Erf no. 2733, Wellington is currently owned by  
Jacobs & Shirley Cynthia Denise Williams

**Claim reference number** : D971

The Commission on Restitution of Land Rights will investigate the 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:

Office of the Regional Land Claims Commissioner: Western Cape  
14 Long Street – 1<sup>ST</sup> & 2<sup>ND</sup> Floors  
CAPE TOWN, 8000  
Tel: 021 409 0300 (o/h)  
Fax: 021 418 0205

Mr. L.H. Maphutha  
Regional Land Claims Commissioner

APPROVED .....  
DATE 2017/08/21 .....  
CHECKED .....  
DATE 04/8/2017 .....



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**  
**NOTICE 683 OF 2017**

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

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

Reference	Original Dispossesses	Claimant Initial & Surname	Prop Description	Extent (m <sup>2</sup> )	Date submitted	Capacity
KRK6/2/3/A/4/12314/0/639/S381	John William Starling	Lawrence Charles Frederick Starling	Erf 16421, Goodwood, City of Cape Town	9.222ha	31/12/1998	Tenant

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

The Regional Land Claims Commission: Western Cape  
 Private Bag X9163  
 Cape Town  
 8000  
 Tel: 021\*426-2930  
 Fax: 021\*424-5146

Mr L.H MAPHUTHA  
 Regional Land Claims Commissioner

CHECKED .....  
 DATE 04/7/2017

APPROVED ..... DATE 2017/04/21

**SOUTH AFRICAN RESERVE BANK****NOTICE 684 OF 2017****Notice and Order of Forfeiture**

Notice of Forfeiture to the State of money in terms of the provisions of Regulation 22B of the Regulations ("the Exchange Control Regulations") made under Section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice No. R.1111 of 1961-12-01 in respect of the money of:

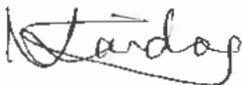
**Elsoguard (Pty) Limited**  
**(Registration number 2012/120665/07)**

of:

Postnet Suite 336  
Private Bag X19  
Gardenvue  
2047

**Be pleased to take notice that:**

1. The Minister of Finance has, by virtue of the provisions of Regulation 22E of the Exchange Control Regulations delegated all the functions and/or powers conferred upon the Treasury by the provisions of the Exchange Control Regulations [with the exception of the functions and/or powers conferred upon the Treasury by Regulations 3(5) and (8), 20 and 22, but which exception does not include the functions and/or powers under Exchange Control Regulations 22A, 22B, 22C and 22D], and assigned the duties imposed thereunder on the Treasury, to, *inter alia*, the Governor or the Deputy Governor of the South African Reserve Bank.
2. By virtue of the functions, powers and/or duties vested in me, in my capacity as the Deputy Governor of the South African Reserve Bank, in terms of the delegation and assignment of the functions, powers and/or duties referred to in 1 above, I hereby give notice of a decision to forfeit to the State the following money and I hereby declare and order forfeit to the State the following money, namely:
  - 2.1 the amount of R457 835,10 and USD210 010,00 being capital standing to the credit of the Respondent, in account number 0011160040902, held with Bank of Taiwan South Africa Branch, together with any interest thereon and/or other accrual thereto.
3. The date upon which the money specified in 2 above is hereby forfeited to the State is the date upon which this Notice of Forfeiture is published in this Gazette.
4. The money specified in 2 above shall be disposed of by deposit thereof to the National Revenue Fund.
5. This Notice also constitutes a written order, as contemplated in Regulation 22B of the Exchange Control Regulations, in terms of which the money specified in 2 above is hereby forfeited to the State.
6. Signed at Pretoria on this 22 day of August 2017.



**K Naidoo**  
**Deputy Governor**  
**South African Reserve Bank**

**SOUTH AFRICAN RESERVE BANK  
NOTICE 685 OF 2017**

**Notice and Order of Forfeiture**

Notice of Forfeiture to the State of money in terms of the provisions of Exchange Control Regulation 22B made under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice No. R.1111 of 1961-12-01 in respect of the money of:

**Marine Con Clearing and Forwarding Close Corporation  
(2000/003624/23)**

of:

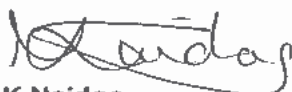
9 Carol Road  
Kiblerpark  
2091

and/or

11 Mineral Crescent  
Crown Mines Extension 3  
2025

**Be pleased to take notice that:**

1. The Minister of Finance has, by virtue of the provisions of Exchange Control Regulation 22E delegated all the functions and/or powers conferred upon the Treasury by the provisions of the Exchange Control Regulations [with the exception of the functions and/or powers conferred upon the Treasury by Exchange Control Regulations 3(5) and (8), 20 and 22, but which exception does not include the functions and/or powers under Exchange Control Regulations 22A, 22B, 22C and 22D], and assigned the duties imposed thereunder on the Treasury, to, *inter alia*, the Governor or the Deputy Governor of the South African Reserve Bank.
2. By virtue of the functions, powers and/or duties vested in me, in my capacity as the Deputy Governor of the South African Reserve Bank, in terms of the delegation and assignment of the functions, powers and/or duties referred to in 1 above, I hereby give notice of a decision to forfeit to the State the following money and I hereby declare and order forfeit to the State the following money, namely:
  - 2.1 the amount of R1 713 047.82 being capital standing to the credit of Marine Con Clearing and Forwarding Close Corporation in account number 1100201563341, held with Investec Bank Limited, together with any interest thereon and/or other accrual thereto.
3. The date upon which the money specified in 2 above is hereby forfeited to the State is the date upon which this Notice of Forfeiture is published in this Gazette.
4. The money specified in 2 above shall be disposed of by deposit thereof to the National Revenue Fund.
5. This Notice also constitutes a written order, as contemplated in Exchange Control Regulation 22B, in terms of which the money specified in 2 above is hereby forfeited to the State.
6. Signed at Pretoria on this 21 day of August 2017.



**K Naidoo  
Deputy Governor  
South African Reserve Bank**

## DEPARTMENT OF TRANSPORT

## NOTICE 686 OF 2017

**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 & N4. (E) Category A1, A2 & A3. (F) Lanseria International Airport. **Changes to the Management Plan:** R Prinsloo replaces L Joubert as the Chief Executive Officer & F Jacobs replaces R Prinsloo as the RP: Flight Operations.

**(A) Fair Aviation (Pty) Ltd; Fair Aviation.** (B) Block E, Clearwater Business Park, Corner of Atlas and Park Streets, Parkhaven, 1459. (C) Class II; I/N154. (D) Type N1 & N4. (E) Category A1, A2, A3 & A4. (F) Lanseria and OR Tambo International Airports. **Changes to the Management Plan:** L N Boshoff replaces C M H Pina as the RP: Flight Operations, M N Ndwandwe replaces M Chourombo as the RP: Aircraft & V Duma replaces C M H Pina as the Air Service Safety Officer.

**(A) Mango Airlines SOC Ltd; Mango.** (B) Mezzanine Level, Domestic Departures Terminal, O R Tambo International Airport. (C) Class I & II; I/S237 & I/N238. (D) Type S1, N1 & N4. (E) Category A1. OR Tambo International Airport. **Change to the Management Plan:** Tanzin Strauss replaces Soomesh Maharaj as the Air Service Safety Officer.

**(A) SA Airlink (Pty) Ltd; Airlink.** (B) No 3, Greenstone Hill Office, Park Emerald Boulevard, Greenstone Hill, Modderfontein, 1609. (C) Class I; I/S073. (D) Type S1. (E) Category A1. (F) OR Tambo International Airport. (G) & (H) Adding the following.

State.	Destination.	Frequencies.
Republic of Cameroon.	Douala.	Seven (7) return flights per week.
Federal Republic of Nigeria.	Abuja.	Seven (7) return flights per week.

## DEPARTMENT OF TRANSPORT

## NOTICE 687 OF 2017

**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) **Flamingo Moon Trading 260 (Pty) Ltd.** (B) Nelspruit Airport, Nelspruit Mpumalanga, 1211. (C) Class II & II. (D) Type N1, N2, G1, G2, G3, G4, G5, G6, G7, G8, G10, G11, G12, G13, G14, G15 & G16 (Non certified type aircraft). (E) Category A3, A4, H1 & 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 & N2. (E) Category A1, A2 & A3. **Changes to the Management Plan:** R Prinsloo replaces L Joubert as the Chief Executive Officer & F Jacobs replaces R Prinsloo as the RP: Flight Operations.

(A) **Fair Aviation (Pty) Ltd; Fair Aviation.** (B) Block E, Clearwater Business Park, Corner of Atlas and Park Streets, Parkhaven, 1459. (C) Class II; N791D. (D) Type N1 & N2. (E) Category A1, A2, A3 & A4. **Changes to the Management Plan:** L N Boshoff replaces C M H Pina as the RP: Flight Operations, M N Ndwandwe replaces M Chourombo as the RP: Aircraft & V Duma replaces C M H Pina as the Air Service Safety Officer.

(A) **Mango Airlines SOC Ltd; Mango.** (B) Mezzanine Level, Domestic Departures Terminal, O R Tambo International Airport. (C) Class I & II; S890D & N891D. (D) Type S1, S2, N1 & N2. (E) Category A1. **Change to the Management Plan:** Tanzin Strauss replaces Soomesh Maharaj as the Air Service Safety Officer.



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**BOARD NOTICES • RAADSKENNISGEWINGS**

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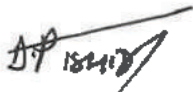
**BOARD NOTICE 148 OF 2017****FINANCIAL SERVICES BOARD****FINANCIAL MARKETS ACT, 2012****PROPOSED AMENDMENTS TO THE A2X TRADING RULES:  
PUBLICATION FOR COMMENT**

I Dube Phineas Tshidi, Registrar of Securities Services, hereby give notice under section 71(3)(b)(ii) of the Financial Markets Act, 19 of 2012 that the proposed amendments to the A2X trading rules have been published on the official website of the Financial Services Board (FSB) ([www.fsb.co.za](http://www.fsb.co.za)) for public comment. All interested persons who have any objections to the proposed amendments are hereby called upon to lodge their objections with the Registrar of Securities Services, at the following email address: [Michael.Kabai@FSB.co.za](mailto:Michael.Kabai@FSB.co.za) within a period of 14 days from the date of publication of this notice.

**D P TSHIDI****REGISTRAR OF SECURITIES SERVICES**

**BOARD NOTICE 149 OF 2017****FINANCIAL SERVICES BOARD****FINANCIAL MARKETS ACT, 2012****PROPOSED AMENDMENTS TO THE A2X LISTING REQUIREMENTS:  
PUBLICATION FOR COMMENT**

I Dube Phineas Tshidi, Registrar of Securities Services, hereby give notice under section 11(6)(c)(ii) of the Financial Markets Act, 19 of 2012 that the proposed amendments to the A2X Listing Requirements have been published on the official website of the Financial Services Board (FSB) ([www.fsb.co.za](http://www.fsb.co.za)) for public comment. All interested persons who have any objections to the proposed amendments are hereby called upon to lodge their objections with the Registrar of Securities Services, at the following email address: [Michael.Kabai@FSB.co.za](mailto:Michael.Kabai@FSB.co.za) within a period of 14 days from the date of publication of this notice.

**D P TSHIDI****REGISTRAR OF SECURITIES SERVICES**



**BOARD NOTICE 150 OF 2017****SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL****DENTAL TECHNICIANS ACT, 1979 (ACT 19 OF 1979) AS AMENDED****APPOINTMENT AND ELECTIONS OF MEMBERS OF THE COUNCIL**

Notice is hereby given in terms of the provisions of section 5(4) of the Dental Technicians Act, 1979 (Act No 19 of 1979) as amended, that the following persons have been appointed or elected in terms of section 5(1) of the said Act as members of the South African Dental Technicians Council for the remaining period of the five-year term ending the 30 September 2018, with effect from 28 July 2017.

NO.	SADTC MEMBER	CATEGORY OF APPOINTMENT	SECTION
1.	Mr. Irfaan Noorshib	Dental technician contractor	Sect.5(1)(c)
2.	Mr. Gary Gunnell	Dental technician or technologist who practice the profession	Sect. 5(1)(d)



Miss BM Mkhonza  
Deputy Registrar  
19 July 2017

**BOARD NOTICE 151 OF 2017****RE-NOMINATIONS OF PERSONS TO SERVE ON THE SASSETA BOARD**

This communiqué serves to inform members of the public and stakeholders, that the nominations for the appointment of a SASSETA Board has been re-opened for denomination of candidates. This re nomination process follows a Department of Higher Education and Training consultative process with employer and employee stakeholders on 2 August 2017 and the announcement by DHET to extend the administration of SASSETA (see Government Notice No.626 published in the Government Gazette 41033 of 8 August 2017).

The re-nomination process will open on **3 September 2017 and close on 26 September 2017 at 16:00.** The details, criteria for nomination, nomination forms as well as the SASSETA Constitution are available on SASSETA website [www.sasseta.org.za](http://www.sasseta.org.za)

# **WARNING!!!**

## **To all suppliers and potential suppliers of goods to the Government Printing Works**

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 ([Renny.Chetty@gpw.gov.za](mailto:Renny.Chetty@gpw.gov.za)),

Anna-Marie du Toit (012) 748-6292 ([Anna-Marie.DuToit@gpw.gov.za](mailto:Anna-Marie.DuToit@gpw.gov.za)) and

Siraj Rizvi (012) 748-6380 ([Siraj.Rizvi@gpw.gov.za](mailto:Siraj.Rizvi@gpw.gov.za))

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