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

Weekly Index

| No. | Page No. | Gazette No. |
|--|----------|-------------|
| GOVERNMENT NOTICE | | |
| Agriculture, Forestry and Fisheries, Department of | | |
| 1152 Agricultural Product Standards Act (119/1990) :Standards and requirements regarding control of the export of honeybush, green honeybush and honeybush mixtures: Amendment | 17 | 42697 |
| Defence, Department of | | |
| 1214 Defence Act (42/2002) :Notice in terms of section 19(2) of the Defence Act..... | 4 | 42715 |
| Economic Development Department | | |
| 1173 International Trade Administration Act (71/2002) :Administrative Fees Regulations: For public comment..... | 4 | 42707 |
| Energy, Department of | | |
| 1153 Gas Regulator Levies Act (75/2002) and the Petroleum Pipelines Levies Act (28/2004) :Proposed Levy on the Piped-Gas and Petroleum Pipelines Industries for 2020/21 | 18 | 42697 |
| Environmental Affairs, Department of | | |
| 1154 National Environmental Management: Air Quality Act (39/2004) :Proposed amendment of the National Greenhouse Gas Emission Reporting Regulations | 20 | 42697 |
| 1172 World Heritage Convention Act (49/1999) :Invitation for Nominations of Suitable Persons to be Considered for Appointment to the Board of iSimangaliso Wetland Park .. | 4 | 42705 |
| Health, Department of | | |
| 1155 Nursing Act (33/2005) :Details of persons against whom disciplinary action was taken in terms of the Nursing Act | 40 | 42697 |
| 1169 Health Professions Act (56/1974) :Notice not to proceed with the Proposed Regulations Defining the Scope of the Profession of Psychology | 4 | 42702 |
| 1174 Nursing Act (33/2005) :Notice of Nominations to Fill a Vacancy on the South African Nursing Council | 4 | 42709 |
| Home Affairs, Department of | | |
| 1156 Births and Deaths Registration Act (51/1992) :Alteration of surnames in terms of section 26 | 48 | 42697 |
| 1157 Births and Deaths Registration Act (51/1992) :Alteration of forenames in terms of section 24 | 64 | 42697 |

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

Weeklikse Indeks

| No. | Bladsy No. | Koerant No. |
|---|------------|-------------|
| GOEWERMENTSKENNISGEWINGS | | |
| Landbou, Bosbou en Visserye, Departement van | | |
| 1152 Agricultural Product Standards Act (119/1990) :Standards and requirements regarding control of the export of honeybush, green honeybush and honeybush mixtures: Amendment..... | 17 | 42697 |
| Verdediging, Departement van | | |
| 1214 Defence Act (42/2002) :Notice in terms of section 19(2) of the Defence Act..... | 4 | 42715 |
| Ekonomiese Ontwikkeling Departement | | |
| 1173 International Trade Administration Act (71/2002) :Administrative Fees Regulations: For public comment..... | 4 | 42707 |
| Energie, Departement van | | |
| 1153 Gas Regulator Levies Act (75/2002) and the Petroleum Pipelines Levies Act (28/2004) :Proposed Levy on the Piped-Gas and Petroleum Pipelines Industries for 2020/21 | 18 | 42697 |
| Omgewingsake, Departement van | | |
| 1154 National Environmental Management: Air Quality Act (39/2004) :Proposed amendment of the National Greenhouse Gas Emission Reporting Regulations | 20 | 42697 |
| 1172 World Heritage Convention Act (49/1999) :Invitation for Nominations of Suitable Persons to be Considered for Appointment to the Board of iSimangaliso Wetland Park .. | 4 | 42705 |
| Gesondheid, Departement van | | |
| 1155 Nursing Act (33/2005) :Details of persons against whom disciplinary action was taken in terms of the Nursing Act | 40 | 42697 |
| 1169 Health Professions Act (56/1974) :Notice not to proceed with the Proposed Regulations Defining the Scope of the Profession of Psychology | 4 | 42702 |
| 1174 Nursing Act (33/2005) :Notice of Nominations to Fill a Vacancy on the South African Nursing Council | 4 | 42709 |
| Binnelandse Sake, Departement van | | |
| 1156 Births and Deaths Registration Act (51/1992) :Alteration of surnames in terms of section 26 | 48 | 42697 |
| 1157 Births and Deaths Registration Act (51/1992) :Alteration of forenames in terms of section 24 | 64 | 42697 |

| No. | Page No. | Gazette No. | No. | Page No. | Gazette No. |
|---|----------|-------------|---|----------|-------------|
| 1158 | 74 | 42697 | 1158 | 74 | 42697 |
| Immigration Regulations, 2014 :Correction Notice: First amendment of the Immigration Regulations, 2014, made under the Immigration Act..... | | | Immigration Regulations, 2014 :Correction Notice: First amendment of the Immigration Regulations, 2014, made under the Immigration Act..... | | |
| Justice and Constitutional Development, Department of | | | Justisie en Staatskundige Ontwikkeling, Departement van | | |
| 1215 | 4 | 42716 | 1215 | 4 | 42716 |
| Rules Regulating the Conduct of Proceedings of Magistrate's Courts of South Africa, 2010 :Withdrawal of Notice No. 508, Published in the Government Gazette No. 42344 of 28 March 2019, regarding the Designation of Certain Courts for the Application of Mediation Rules..... | | | Rules Regulating the Conduct of Proceedings of Magistrate's Courts of South Africa, 2010 :Withdrawal of Notice No. 508, Published in the Government Gazette No. 42344 of 28 March 2019, regarding the Designation of Certain Courts for the Application of Mediation Rules..... | | |
| 1216 | 4 | 42717 | 1216 | 4 | 42717 |
| Promotion of Administrative Justice Act (3/2000) :Designation of courts | | | Promotion of Administrative Justice Act (3/2000) :Designation of courts | | |
| 1217 | 6 | 42717 | 1217 | 6 | 42717 |
| Promotion of Access to Information Act (2/2000) :Designation of courts | | | Promotion of Access to Information Act (2/2000) :Designation of courts | | |
| 1218 | 8 | 42717 | 1218 | 8 | 42717 |
| Promotion of Equality and Prevention of Unfair Discrimination Act (4/2000) :Designation of courts | | | Promotion of Equality and Prevention of Unfair Discrimination Act (4/2000) :Designation of courts | | |
| Public Works, Department of | | | Openbare Werke, Departement van | | |
| 1159 | 75 | 42697 | 1159 | 75 | 42697 |
| KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Farm No. 15840, Reserve No. 20, Portion 4, Registration Division GU | | | KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Farm No. 15840, Reserve No. 20, Portion 4, Registration Division GU | | |
| 1160 | 76 | 42697 | 1160 | 76 | 42697 |
| KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Erf 234, Nkandla, Registration Division GU..... | | | KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Erf 234, Nkandla, Registration Division GU..... | | |
| 1161 | 77 | 42697 | 1161 | 77 | 42697 |
| KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Erf 337, Eshowe, Registration Division GU..... | | | KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Erf 337, Eshowe, Registration Division GU..... | | |
| 1162 | 78 | 42697 | 1162 | 78 | 42697 |
| KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Farm Simdlangentsha 16956, Registration Division HU | | | KZN Land Administration and Immoveable Asset Management Act (Act No. 02 of 2014) :Farm Simdlangentsha 16956, Registration Division HU | | |
| Rural Development and Land Reform, Department of | | | Landelike Ontwikkeling en Grondhervorming, Departement van | | |
| 1163 | 79 | 42697 | 1163 | 79 | 42697 |
| Restitution of Land Rights Act (22/1994) as amended :Portion 1, Verloren 622 KR . | | | Restitution of Land Rights Act (22/1994) as amended :Portion 1, Verloren 622 KR . | | |
| Social Development, Department of | | | Maatskaplike Ontwikkeling, Departement van | | |
| 1164 | 80 | 42697 | 1164 | 80 | 42697 |
| Social Service Professions Act (110/1978) :Amended regulations for Child and Youth Care Workers, Auxiliary Child and Youth Care Workers and Student Child and Youth Care Workers..... | | | Social Service Professions Act (110/1978) :Amended regulations for Child and Youth Care Workers, Auxiliary Child and Youth Care Workers and Student Child and Youth Care Workers..... | | |
| South African Revenue Service | | | Suid-Afrikaanse Inkomstediens | | |
| R.1165 | 12 | 42698 | R.1165 | 12 | 42698 |
| Customs and Excise Act, 1964 (Act No. 91 of 1964) :Amendment of Rules (DAR 187) | | | Customs and Excise Act, 1964 (Act No. 91 of 1964) :Amendment of Rules (DAR 187) | | |
| Trade and Industry, Department of | | | Handel en Nywerheid, Departement van | | |
| 1170 | 4 | 42703 | 1170 | 4 | 42703 |
| Special Economic Zones Act (16/2014) :Designation by the Minister of Trade and Industry in terms of section 24 of the Act . | | | Special Economic Zones Act (16/2014) :Designation by the Minister of Trade and Industry in terms of section 24 of the Act . | | |

| No. | Page No. | Gazette No. | No. | Page No. | Gazette No. |
|--|----------|-------------|--|----------|-------------|
| Transport, Department of | | | Vervoer, Departement van | | |
| R.1166 Civil Aviation Act (13/2009) :Civil Aviation Regulations, 2011: Amendment of the following Parts set out in Schedule below | 14 | 42698 | R.1166 Civil Aviation Act (13/2009) :Civil Aviation Regulations, 2011: Amendment of the following Parts set out in Schedule below | 14 | 42698 |
| R.1167 Convention on International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993) :Fourth Amedment of the Mortgaging of Aircraft Regulations, 2019 | 16 | 42698 | R.1167 Convention on International Recognition of Rights in Aircraft Act, 1993 (Act No. 59 of 1993) :Fourth Amedment of the Mortgaging of Aircraft Regulations, 2019 | 16 | 42698 |
| Water and Sanitation, Department of | | | Water en Sanitasie, Departement van | | |
| 1171 National Water Act (36/1998) :Upper Vaal Water Management Area: Prohibiting and limiting the use of water in terms of Item 6 of Schedule 3 to the National Water Act of 1998 from the Liebenbergsvlei River for agricultural purposes during the months of October and November 2019..... | 4 | 42704 | 1171 National Water Act (36/1998) :Upper Vaal Water Management Area: Prohibiting and limiting the use of water in terms of Item 6 of Schedule 3 to the National Water Act of 1998 from the Liebenbergsvlei River for agricultural purposes during the months of October and November 2019..... | 4 | 42704 |
| GENERAL NOTICE | | | ALGEMENE KENNISGEWINGS | | |
| Co-operative Governance and Traditional Affairs, Department of | | | Samewerkende Regering en Tradisionele Sake, Departement van | | |
| 500 Local Government: Municipal Property Rates Act (6/2004) :Appointment of members of Valuation Appeal Boards for Municipalities..... | 4 | 42706 | 500 Local Government: Municipal Property Rates Act (6/2004) :Appointment of members of Valuation Appeal Boards for Municipalities | 4 | 42706 |
| Independent Communications Authority of South Africa | | | Onafhanklike Kommunikasie-owerheid van Suid-Afrika | | |
| 477 Electronic Communications Act (36/2005) :Application from Isigo Internet Solutions (Pty) Ltd for the transfer of its Individual Electronic Communications Service ("I-ECS") and Individual Electronic Communications Network Service ("I-ECNS) licences..... | 84 | 42697 | 477 Electronic Communications Act (36/2005) :Application from Isigo Internet Solutions (Pty) Ltd for the transfer of its Individual Electronic Communications Service ("I-ECS") and Individual Electronic Communications Network Service ("I-ECNS) licences..... | 84 | 42697 |
| Justice and Constitutional Development, Department of | | | Justisie en Staatkundige Ontwikkeling, Departement van | | |
| 478 Promotion of Access to Information Act (2/2000) :Description Submitted in terms of section 15 (1)..... | 87 | 42697 | 478 Promotion of Access to Information Act (2/2000) :Description Submitted in terms of section 15 (1)..... | 87 | 42697 |
| 479 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Limpopo Department of Social Development..... | 93 | 42697 | 479 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Limpopo Department of Social Development..... | 93 | 42697 |
| 480 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Provincial Government: Office of the Premier | 96 | 42697 | 480 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Provincial Government: Office of the Premier | 96 | 42697 |
| 481 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Provincial Treasury..... | 98 | 42697 | 481 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Provincial Treasury..... | 98 | 42697 |
| 482 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Public Works and Infrastructure..... | 100 | 42697 | 482 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Public Works and Infrastructure..... | 100 | 42697 |
| 483 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Sport, Arts, Culture and Recreation..... | 102 | 42697 | 483 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Sport, Arts, Culture and Recreation..... | 102 | 42697 |
| 484 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Social Development..... | 104 | 42697 | 484 Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Social Development..... | 104 | 42697 |

| No. | Page No. | Gazette No. | No. | Page No. | Gazette No. |
|---|----------|-------------|---|----------|-------------|
| 485 | 106 | 42697 | 485 | 106 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Police, Roads and Transport..... | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Police, Roads and Transport..... | | |
| 486 | 108 | 42697 | 486 | 108 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Human Settlements | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Human Settlements | | |
| 487 | 110 | 42697 | 487 | 110 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Health | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Health | | |
| 488 | 113 | 42697 | 488 | 113 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Education..... | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Education..... | | |
| 489 | 115 | 42697 | 489 | 115 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Economic and Small Business Development, Tourism and Environmental Affairs.. | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Economic and Small Business Development, Tourism and Environmental Affairs.. | | |
| 490 | 117 | 42697 | 490 | 117 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Co-operative Governance and Traditional Affairs..... | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Co-operative Governance and Traditional Affairs..... | | |
| 491 | 119 | 42697 | 491 | 119 | 42697 |
| Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Agriculture and Rural Development..... | | | Promotion of Access to Information Act (2/2000) :Description submitted in terms of section 15(1): Free State Department of Agriculture and Rural Development..... | | |
| National Treasury | | | Nasionale Tesourie | | |
| 501 | 4 | 42708 | 501 | 4 | 42708 |
| Financial Sector Regulation Act :Withdrawal of notice: Call for Nominations Members of the Board of the Ombuds Council..... | | | Financial Sector Regulation Act :Withdrawal of notice: Call for Nominations Members of the Board of the Ombuds Council..... | | |
| Rural Development and Land Reform, Department of | | | Landelike Ontwikkeling en Grondhervorming, Departement van | | |
| 492 | 121 | 42697 | 492 | 121 | 42697 |
| Restitution of Land Rights Act (22/1994) :Remaining Extent of the farm Rosenstein No. 4851 and Portion 1 of the farm Rosenstein No. 4851, Bergville, KwaZulu-Natal.. | | | Restitution of Land Rights Act (22/1994) :Remaining Extent of the farm Rosenstein No. 4851 and Portion 1 of the farm Rosenstein No. 4851, Bergville, KwaZulu-Natal.. | | |
| 493 | 122 | 42697 | 493 | 122 | 42697 |
| Restitution of Land Rights Act (22/1994) :Amendment Notice: Various properties under Reference No. KRN6/2/2/E/34/0/0/8, to exclude the properties listed in the table below | | | Restitution of Land Rights Act (22/1994) :Amendment Notice: Various properties under Reference No. KRN6/2/2/E/34/0/0/8, to exclude the properties listed in the table below | | |
| South African Reserve Bank | | | Suid-Afrikaanse Reserwebank | | |
| 494 | 124 | 42697 | 494 | 124 | 42697 |
| Currency and Exchanges Act (9/1933), as amended :Mr Huabiao Chen (ID Number 7612066076188)..... | | | Currency and Exchanges Act (9/1933), as amended :Mr Huabiao Chen (ID Number 7612066076188)..... | | |
| 498 | 4 | 42701 | 498 | 4 | 42701 |
| Currency and Exchanges Act (9/1933) :Notice and Order of Forfeiture: Ai Zhi Jia Trading (Pty) Limited..... | | | Currency and Exchanges Act (9/1933) :Notice and Order of Forfeiture: Ai Zhi Jia Trading (Pty) Limited..... | | |
| 499 | 5 | 42701 | 499 | 5 | 42701 |
| Currency and Exchanges Act, 1933 (Act No. 9 of 1933) :Notice and Order of Forfeiture: Bloem Bricks Close Corporation..... | | | Currency and Exchanges Act, 1933 (Act No. 9 of 1933) :Notice and Order of Forfeiture: Bloem Bricks Close Corporation..... | | |

| No. | Page No. | Gazette No. | No. | Page No. | Gazette No. |
|--|-------------|----------------|--|-------------|----------------|
| Telecommunications and Postal Services, Department of | | | Telekommunikasie en Posdienste, Departement van | | |
| 495 | 125 | 42697 | 495 | 125 | 42697 |
| Minister of Communications and Digital Technologies :Invitation of nominations for appointment as non-executive members of the Board SAPO | | | Minister of Communications and Digital Technologies :Invitation of nominations for appointment as non-executive members of the Board SAPO | | |
| 496 | 127 | 42697 | 496 | 127 | 42697 |
| Minister of Communications and Digital Technologies :Invitation of nominations for appointments as non-executive members of the Board of the Universal Service and Access Agency of the South Africa (US-AASA)..... | | | Minister of Communications and Digital Technologies :Invitation of nominations for appointments as non-executive members of the Board of the Universal Service and Access Agency of the South Africa (US-AASA)..... | | |
| 497 | 131 | 42697 | 497 | 131 | 42697 |
| Minister of Communications and Digital Technologies :Invitation of nominations for appointments as Non-Executive members of the Board NEMISA and SITA..... | | | Minister of Communications and Digital Technologies :Invitation of nominations for appointments as Non-Executive members of the Board NEMISA and SITA..... | | |
| BOARD NOTICE | | | RAADSKENNISGEWINGS | | |
| 164 | 133 | 42697 | 164 | 133 | 42697 |
| Accounting Standards Board :Exposure Drafts 178 to 179 | | | Accounting Standards Board :Exposure Drafts 178 to 179 | | |
| 165 | 134 | 42697 | 165 | 134 | 42697 |
| Financial Markets Act, 2012 :Proposed Amendments to the Rules of Granite Central Securities Depository (Pty) Limited ('Granite'): Publication for comment..... | | | Financial Markets Act, 2012 :Proposed Amendments to the Rules of Granite Central Securities Depository (Pty) Limited ('Granite'): Publication for comment..... | | |
| 166 | 135 | 42697 | 166 | 135 | 42697 |
| Project and Construction Management Professions Act (48/2000) :Call for comment..... | | | Project and Construction Management Professions Act (48/2000) :Call for comment..... | | |
| 167 | 136 | 42697 | 167 | 136 | 42697 |
| Project and Construction Management Professions Act (48/2000) :Guideline Scope of Services and Recommended Guideline Tariff of Fees for Construction Health and Safety Professionals registered in terms of the Act..... | | | Project and Construction Management Professions Act (48/2000) :Guideline Scope of Services and Recommended Guideline Tariff of Fees for Construction Health and Safety Professionals registered in terms of the Act..... | | |
| 168 | 152 | 42697 | 168 | 152 | 42697 |
| Professional Construction Project Management Services (48/2000) :Amended guideline scope of services and recommended guideline tariff of fees for persons registered in terms of the Act..... | | | Professional Construction Project Management Services (48/2000) :Amended guideline scope of services and recommended guideline tariff of fees for persons registered in terms of the Act..... | | |
| 169 | 169 | 42697 | 169 | 169 | 42697 |
| Project and Construction Management Professions Act (48/2000) :Call for comment: Revised Programme Accreditation Amendment | | | Project and Construction Management Professions Act (48/2000) :Call for comment: Revised Programme Accreditation Amendment | | |

Contents

| <i>No.</i> | | <i>Gazette No.</i> | <i>Page No.</i> |
|---|--|------------------------|---------------------|
| GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS | | | |
| Economic Development Department/ Ekonomiese Ontwikkeling Departement | | | |
| 1223 | Competition Act (89/1998): Amended terms of reference for land based public passenger transport Market Inquiry | 42725 | 18 |
| Health, Department of/ Gesondheid, Departement van | | | |
| 1224 | Allied Health Professions Act (63/1982): Inclusion of the Profession of Aromatherapy and Reflexology under the Provisions of the Act..... | 42725 | 20 |
| Independent Communications Authority of South Africa/ Onafhanklike Kommunikasie-owerheid van Suid-Afrika | | | |
| 1225 | Postal Services Act, 1998 (Act No. 124 of 1998): Independent Communications Authority of South Africa Draft Unreserved Postal Services Regulations, 2019 | 42725 | 21 |
| Rural Development and Land Reform, Department of/ Landelike Ontwikkeling en Grondhervorming, Departement van | | | |
| 1226 | Restitution of Land Rights Act (22/1994) as amended: Ringkink 229 IS..... | 42725 | 46 |
| 1227 | Restitution of Land Rights Act (22/1994) as amended: Op Goedenhoop 205 IS | 42725 | 48 |
| 1228 | Restitution of Land Rights Act (22/1994) as amended: Various properties | 42725 | 49 |
| 1229 | Restitution of Land Rights Act (22/1994) as amended: St Helena 67 HT | 42725 | 51 |
| 1230 | Restitution of the Land Rights Act (22/1994): The Remaining Extent of Portion 2 and Portion 27..... | 42725 | 54 |
| 1231 | Restitution of the Land Rights Act (22/1994): The Remaining Extent of Portion 3 | 42725 | 56 |
| 1232 | Restitution of the Land Rights Act (22/1994): Remaining Extent of Portion 1 | 42725 | 57 |
| 1233 | Restitution of the Land Rights Act (22/1994): The Remaining of the Farm 211 IR | 42725 | 59 |
| 1234 | Restitution of the Land Rights Act (22/1994): Portion 1 | 42725 | 61 |
| 1235 | Restitution of Land Rights Act (22/1994) as amended: Remaining Extent of the Farm Ledovine 507 KT | 42725 | 63 |
| 1236 | Restitution of Land Rights Act (22/1994) as amended: Portion 100, Van Odtshoorstroom Coal (Pty) Ltd (67/06962/07) | 42725 | 65 |
| 1237 | Restitution of the Land Rights Act (22/1994): The Remaining extent of Portion 3..... | 42725 | 67 |
| 1238 | Restitution of the Land Rights Act (22/1994): The Remaining of the FArm 536 JR..... | 42725 | 69 |
| 1239 | Restitution of the Land Rights Act (22/1994): Portion 15; Portion 23 | 42725 | 71 |
| 1240 | Restitution of Land Rights Act (22/1994) as amended: Portion 10, Sturgess Michael Andrew (7607115167087).... | 42725 | 73 |
| Tourism, Department of/ Toerisme, Departement van | | | |
| 1241 | Broad-Based Black Economic Empowerment Act (46/2013): Draft Amended Tourism B-BBEE Sector Code | 42725 | 75 |
| Trade and Industry, Department of/ Handel en Nywerheid, Departement van | | | |
| 1242 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 204 |
| 1243 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 205 |
| 1244 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 206 |
| 1245 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 207 |
| 1246 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 208 |
| 1247 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 209 |
| 1248 | Co-operatives Act, 2005: Co-operatives that have been removed from the register | 42725 | 210 |
| 1249 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 211 |
| 1250 | Co-operatives Act, 2005: Co-operatives to be removed from the register | 42725 | 212 |
| 1251 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 213 |
| 1252 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 214 |
| 1253 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 215 |
| 1254 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 216 |
| 1255 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 217 |
| 1256 | Co-operatives Act, 2005: Co-operatives to be Struck Off the Register..... | 42725 | 218 |
| 1257 | Co-operatives Act, 2005: Co-operatives to be struck off the register | 42725 | 219 |
| 1258 | Co-operatives Act, 2005: Co-operatives to be struck off the Register..... | 42725 | 220 |

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

| | | |
|--|---|-----------|
| Independent Communications Authority of South Africa/ Onafhanklike Kommunikasie-owerheid van Suid-Afrika | | |
| 510 | Electronic Communications Act (36/2005) ("the ECA"), as amended: Consumer Advisory Panel Amendment Regulations, 2019..... | 42725 221 |
| Justice and Constitutional Development, Department of/ Justisie en Staatkundige Ontwikkeling, Departement van | | |
| 511 | Promotion of Access to Information Act, 2000: Description Submitted in terms of Section 15 (1): Senqu Municipality..... | 42725 224 |
| 512 | Promotion of Access to Information Act, 2000: Description Submitted in terms of section 15 (1): Limpopo Department of Economic, Environment and Tourism..... | 42725 226 |
| 513 | Promotion of Access to Information Act, 2000: Description submitted in terms of Section 15 (1): Limpopo Department of Co-Operative Governance, Human Settlements and Traditional Affairs..... | 42725 230 |
| South African Reserve Bank/ Suid-Afrikaanse Reserwebank | | |
| 514 | Currency and Exchanges Act (9/1933), as amended: Notice and Order of Forfeiture: Ju Yang Printing Equipment Close Corporation..... | 42725 233 |
| Statistics South Africa/ Statistieke Suid-Afrika | | |
| 515 | Statistics South Africa: Consumer Price Index: August 2019..... | 42725 234 |
| Trade and Industry, Department of/ Handel en Nywerheid, Departement van | | |
| 516 | Standards Act, 2008: Standards matters: New Standards, Revision Standards and Cancelled Standards..... | 42725 235 |
| 517 | Standards Act, 2008: Standards matters: New Standards, Revision Standards and Cancelled Standards..... | 42725 238 |

BOARD NOTICES • RAADSKENNISGEWINGS

| | | |
|-----|---|-----------|
| 170 | Pharmacy Act (53/1974) (as amended): Notice in terms of section 45(2) of the Act: CFI Notices 2018-2019..... | 42725 242 |
| 171 | Pharmacy Act (53/1974) (as amended): Guidance document for Continuing Professional Development (CPD)..... | 42725 258 |
| 172 | Pharmacy Act (53/1974) (as amended): Rules relating to good pharmacy practice..... | 42725 259 |
| 173 | Pharmacy Act (53/1974) (as amended): Scope of practice and qualification for specialist pharmacists in Industrial Pharmacy..... | 42725 265 |
| 174 | Pharmacy Act (53/1974): Regulations relating to Continuing Professional Development (CPD)..... | 42725 266 |
| 175 | Pharmacy Act (54/1974), as amended: Rules relating to good pharmacy practice..... | 42725 267 |

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

ECONOMIC DEVELOPMENT DEPARTMENT

NO. 1223

27 SEPTEMBER 2019



competition commission
south africa

**AMENDED TERMS OF REFERENCE FOR THE LAND
BASED PUBLIC PASSENGER TRANSPORT MARKET
INQUIRY**

September 2019

1. BACKGROUND

On 10 May 2017, the Competition Commission (“the Commission”), in the exercise of its powers under Chapter 4A of the Competition Act 89 of 1998, published a notice in the Government Gazette (No. 40837) that it would conduct a Market Inquiry into the land-based public passenger transport (“Market Inquiry”). The Commission initiated the Market Inquiry because it has reason to believe that there are features of the sector that prevent, distort or restrict competition.

The Commission set out its Terms of Reference (“ToR”) and timeframes for the inquiry in the Government Gazette. The Market inquiry officially commenced on 7 June 2017 and it was expected to be completed by 30 September 2019.

2. AMENDMENT OF THE TERMS OF REFERENCE

In terms of section 43B(5) of the Act, the Commission may, by way of an amendment to the ToR, amend the scope of the Inquiry, or the time within which the Inquiry is expected to be completed, by further notice in the Gazette.

Having regard to the comments, submissions and information gathered by the Inquiry to date, the scope of the Inquiry remains unchanged. However, in light of the extent of this Inquiry and the emerging issues, the Commission has decided to amend the completion date to allow for sufficient time for engagement on proposed recommendations. In terms of the amendment, the Inquiry will be completed by **31 March 2020**.

Further details regarding key activities during the final phase of the Inquiry will be communicated on the Commission’s website.

DEPARTMENT OF HEALTH

NO. 1224

27 SEPTEMBER 2019

Allied Health Professions Act (Act No. 63 of 1982)

**INCLUSION OF THE PROFESSION OF AROMATHERAPY AND REFLEXOLOGY UNDER
THE PROVISIONS OF THE ALLIED HEALTH PROFESSIONS ACT, 1982**

I, Dr Z.L Mkhize, Minister of Health, hereby in terms of section 16 of the Allied Health Professions Act (Act No. 63 of 1982) and in consultation with the Allied Health Professions Council of South Africa, declare the provisions of the Act to be applicable to the following professions, which has as its object the promotion of health, or the treatment, prevention or relief of physical or mental defects, illnesses or deficiencies in humans:

- (a) Aromatherapy; and
- (b) Reflexology.



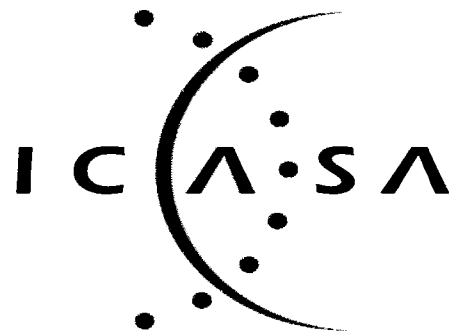
DR Z.L MKHIZE, MP
MINISTER OF HEALTH

DATE: 16/07/2019

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 1225

27 SEPTEMBER 2019



**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA DRAFT
UNRESERVED POSTAL SERVICES REGULATIONS, 2019**

The Independent Communications Authority of South Africa ("the Authority") hereby publishes the draft Regulations in the Schedule, made in terms of Section 61 (b) and (c) read with section 21 of the Postal Services Act, 1998 (Act No. 124 of 1998).

A copy of the Draft Regulations will be made available on the Authority's website at <http://www.icasa.org.za> and in the Authority's Library at No. 350 Witch-Hazel Avenue, Eco Point Office Park, Centurion between 09h00 and 16h00, Monday to Friday.

Written representations must be submitted to the Authority by no later than 16h00 on 29 November 2019 by post, hand delivery or electronically and marked specifically for attention: Esther Gopane. The delivery address is Block B, 350 Witch-Hazel Avenue, Eco Point Office Park, Centurion; or by email at EGopane@icasa.org.za and unreservedpostalservices@icasa.org.za or by facsimile at: 012 568 3698. Telephonic enquiries should be directed to 012 568 3697 between 10h00 and 16h00, from Monday to Friday.

Written representations received by the Authority pursuant to this notice, will be made available for inspection by interested persons at the Authority's library and such copies will be obtainable upon payment of the prescribed fee.

When a person submits information to the Authority, such person may request that specific information be treated as confidential information in terms of section 4D of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("ICASA Act"). The request for confidentiality must be accompanied by a written statement explaining why the specific information should be treated as confidential in terms of section 4D(4)(a) to (e) thereof.

The Authority may determine that such representations or any portion thereof is to be treated as confidential in terms of section 4D of the ICASA Act. Where the request for confidentiality is refused, the person who made the request will be granted an opportunity to withdraw such representations or portion(s) thereof.

Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral presentations.



DR KEABETSWE MODIMOENG
ACTING CHAIRPERSON
ICASA

DATE: 19/09/2019

THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

The Independent Communications Authority of South Africa has under Section 61 (b) and (c) read with section 21 of the Postal Services Act, 1998 (Act No. 124 of 1998), made the Regulations in the schedule.

SCHEDULE

1. DEFINITIONS

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

"the Act" means the Postal Services Act, 1998 (Act No 124 of 1998);

"Authority" means the Independent Communications Authority of South Africa;

"applicant" means a person who has submitted an application for a registration of a registration certificate;

"application fee" means a once off non-refundable fee paid to apply for registration to provide unreserved postal services;

"day" means working day unless otherwise specified;

"Registered operator / Registrant" means a person issued with registration certificates to provide unreserved postal services as contemplated by section 20 of the Act; and

"Renewal fee" means a non-refundable fee paid for the renewal of a registration certificate to provide unreserved postal services.

2. PURPOSE OF THE REGULATIONS

- (1) The purpose of these Regulations is to set out:
 - (a) the prescribed procedure for the application, renewal, notification for change of information, and the surrender of the registration certificate for the provision of unreserved postal services;
 - (b) fees payable for the application of an unreserved postal services and renewal of a certificate for the provision of unreserved postal services;
 - (c) the duration of validity of the registration certificate, obligation on third party contracting; and
 - (d) penalties applicable for the contraventions of these Regulations.

3. SCOPE

These Regulations apply to a registered operator or registrant who provides unreserved postal services listed in Schedule 2 of the Act.

4. APPLICATION FOR A REGISTRATION CERTIFICATE

- (1) An application for a registration certificate must be made in writing and completed in accordance with **FORM A** of these Regulations.
- (2) An applicant must submit two (2) hard copies of the application as well as a soft copy of the application on a USB or a disc.
- (3) An application must be accompanied by the following documents:
 - (a) certified copies of the applicant's company registration documents;
 - (b) business profile;
 - (c) certified copies of the applicant's tax clearance certificate; and
 - (d) Proof of payment of the application fee.

- (4) An application that is not accompanied by any of the documents listed in sub regulation (3) above is incomplete and will not be processed or dealt with by the Authority.
- (5) An application can be hand delivered or posted to the Authority's Head office or Regional offices by or before 16H00 during working days.
- (6) The application fee must be paid upfront by way of an electronic transfer or via a direct deposit into the Authority's bank account:

Account name: Independent Communications Authority of South Africa

Bank name: Nedbank

Account number: 1454090456

Branch name: Corporate client services JHB

Branch Code: 145405

Reference: Applicant's name

- (7) The Authority will inform the applicant of the outcome of its application in writing within thirty (30) days of submitting a complete application for a registration certificate.
- (8) No person may operate unreserved postal services without a valid registration certificate issued by the Authority.

5. MINIMUM OPERATING STANDARDS

- (1) All applications relating to unreserved postal services must, contain the following minimum operating standards documents with undertakings to:
 - (a) Track and trace system capable of locating the whereabouts of any item received or collected for delivery by the unreserved postal service;
 - (b) Provide standard delivery times;
 - (c) Have delivery rates; and

- (d) Clear items through customs where applicable.

6. CUSTOMER COMPLAINTS PROCEDURES

- (1) An applicant must provide a customer complaints procedure, which at a minimum, must include:
 - (a) a single point of entry for all customer complaints;
 - (b) acknowledgement of receipt of the complaints at least within three (3) days upon receipt in writing;
 - (c) timeframe of a maximum of fifteen (15) days within which to resolve a complaint;
 - (d) information to the complainant of the right to escalate an unresolved complaint to the Authority within fourteen (14) days of receiving the said response; and
 - (e) a record keeping mechanism of all complaints that the operator received for five (5) years.

7. APPLICATION FOR THE RENEWAL OF A REGISTRATION CERTIFICATE

- (1) An application for renewal of a registration certificate must be lodged with the Authority ninety (90) days before the expiry thereof.
- (2) An application for renewal of a registration certificate must be made in writing and completed in accordance with **FORM B** of these Regulations.
- (3) The applicant must submit two (2) hard copies (including an original) of the application for renewal as well as a soft copy of the application on a USB or a disc.
- (4) An application for the renewal of a registration certificate must be accompanied by the following documents:
 - (a) certified copies of the company registration documents;
 - (b) business profile;
 - (c) certified copies of the tax clearance certificate; and

- (d) Proof of payment of the renewal fee.
- (5) A renewal application that is not accompanied by any of the documents listed in sub regulation (4) above is incomplete and will not be processed by the Authority.
- (6) An application for the renewal of a registration certificate can be hand delivered or posted to the Authority 's Head office or Regional offices on or before 16H00 during working days.
- (7) The application fee must be paid by way of an electronic transfer or via a direct deposit into the Authority's bank account as provided in regulation 4 (6) above.
- (8) An application for the renewal shall be processed within ninety (90) days of receipt by the Authority.
- (9) An application for renewal of a registration certificate will not be processed by the Authority where it is found that:
- (a) an applicant has failed to pay its annual fee; and/or
 - (b) an applicant has been found guilty of non-compliance by Complaints and Compliance Committee (CCC) and the applicant has not rectified the non-compliance with the Act or these Regulations, and/or has not paid the relevant fine imposed by the Authority.
- (10) Subject to regulation 4 (8) of these Regulations, if a registered operator fails to lodge an application to renew in terms of subsection (1), such a certificate will expire at the end of its validity period and the operator would need to submit a new application in terms of regulation 4 of these Regulations should it wish to continue providing services.

8. CHANGE OF INFORMATION

- (1) A notice of change of information must be submitted in the format as set out in FORM C.
- (2) A registrant must notify the Authority within fifteen (15) days from the date of a change of information with respect to the following:

- (a) name of the Registrant;
- (b) contact details, including the contact person;
- (c) shareholding; and
- (d) company physical and postal address.

9. FEES PAYABLE

- (1) A non-refundable application fee of R3000.00 (Three thousand Rands) is payable on application for registration.
- (2) A registrant must pay an annual fee of R4000.00 (Four thousand Rands) each year for the duration of the registration certificate.
- (3) The annual fee is payable within sixty (60) days after the publication of inflation adjusted fees on the Authority's website or Government Gazette.
- (4) A non-refundable fee of R3000.00 (Three thousand Rands) is payable upon application for the renewal of a registration certificate.
- (5) No fee is payable in respect of notifications in terms of these Regulations.
- (6) Interest on all late payments in respect of annual fees is payable.

10. FEES INCREASE

- (1) The Authority will, on an annual basis, implement an automatic increase in the registration, renewal and annual fee by the Consumer Price Index ("CPI").
- (2) The applicable CPI, in terms of sub regulation (1), shall be the average of the previous calendar year as published by Statistics South Africa.
- (3) The Authority will on annual basis publish the inflation adjusted fees on the Authority's website and/or Government Gazette.

11. DURATION OF A REGISTRATION CERTIFICATE

A Registration certificate is valid for a period of five (5) years from the date of issue.

12. THIRD PARTY CONTRACTING

- (1) An unreserved postal service may be provided by an agent or franchisee of the registered operator, without such agent or franchisee being required to hold a registration certificate in terms of the Act.
- (2) The registered operator must notify the Authority of such agent or franchisee in writing by providing full business details of the agent or franchisee.
- (3) Any non-compliance with these Regulations, by an agent or franchisee, will be attributed to the registered operator.

13. SURRENDER OF A REGISTRATION CERTIFICATE

- (1) A registrant may not cease providing unreserved postal services prior to notification for the surrender of its registration certificate to the Authority.
- (2) A registrant may surrender its registration certificate by submitting a Notice of Surrender as set out in Form D of these Regulations.
- (3) The registrant that intends to surrender its registration certificate must take appropriate steps to inform its customers of the cessation of its unreserved postal services two (2) months prior.
- (4) All amounts payable in terms of these Regulations must be paid to the Authority within twenty-two (22) days of the date on which the service provided in terms of the registration certificate are discontinued, except where the Authority, upon the request by the registrant and on good course shown, extends the time in this regard.

14. CONTRAVENTIONS AND PENALTIES

- (1) Any registered operator that contravenes regulations 7, 12 (2) and 13 (1) of these Regulations is subject to a penalty not exceeding R 250 000.00.
- (2) Any registered operator that contravenes regulation 9 (3) of these Regulations will have their registration certificate confiscated by the Authority. Prior to confiscating the certificate, the Authority will adhere to the following process:

-
- (a) give the operator an opportunity to provide reasons, within twenty (20) days of receipt of written correspondence from the Authority, why its certificate must not be confiscated;
- (b) upon receipt of reasons, as per paragraph (a) above, the Authority will inform the operator of its decision.
- (3) Any person that contravenes regulation 4 (8) of these Regulations is guilty of an offence and subject, on conviction, to imprisonment for a period not exceeding two years or to both a fine not less than R100 000, 00 (One hundred thousand Rand) but not exceeding R300 000, 00 (Three hundred thousand Rand).
- (4) Any person that contravenes regulation 13 (3) and/or (4) of these Regulations, is guilty of an offence and subject, on conviction, to imprisonment of one month and/or a fine not less than R50 000, 00 (Fifty thousand Rand) but not exceeding R100 000, 00 (One hundred thousand Rand).

15. TRANSITIONAL PROVISION

Persons operating without a valid registration certificate have a period of ninety (90) days from the publication of these Regulations to register with the Authority.

16. SHORT TITLE AND COMMENCEMENT

These Regulations are called the "Unreserved Postal Services Regulations, 2019" and shall come into operation ninety (90) days upon publication in the Government Gazette.

17. REPEAL OF REGULATIONS

The Unreserved Postal Services Regulations, 2009 published in Government Gazette No. 32859 of 8 January 2010 are hereby repealed in their entirety.

FORM A

APPLICATION FOR REGISTRATION TO OPERATE UNRESERVED POSTAL SERVICE IN TERMS OF SECTION 21 OF THE POSTAL SERVICES ACT 124 OF 1998

- (a) Applicants must refer to the Act and any Regulations published under the Act regarding the requirements to be fulfilled by applicants.
- (b) Information required in terms of this Form which does not fit into the space provided may be contained in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.
- (c) Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information in the Form is not applicable.

1. PARTICULARS OF THE APPLICANT

- 1.1. Company Name:
- 1.2. Company registration number:
- 1.3. Company name as it is to appear on the certificate:
- 1.4. Provide details of each member of the applicant board of Directors as per below (additional pages may be affixed if required):
 - 1.4.1. Name:
 - 1.4.2. Nationality:
 - 1.4.3. Identification or passport number:
 - 1.4.4. Position:

2. COMPANY DETAILS

- 2.1. Company physical address (Head Office):

2.2. Company postal address:

.....

2.3. Contact person details:

2.3.1. Name:

2.3.2. Telephone number:

2.3.3. Fax number:

2.3.4. Mobile number:

2.3.5. e-mail address:

3. DESCRIPTION OF THE SERVICE: (additional pages may be affixed if required).

.....

| Standard Operating Procedure: | Yes /No | Initials |
|--------------------------------------|----------------|-----------------|
| Track and trace system | | |
| Standard delivery times | | |
| Delivery Rates | | |

| | | |
|-------------------------------|--|--|
| Customer complaints procedure | | |
|-------------------------------|--|--|

3.1 Does the applicant have a franchise or agents in the postal services sector (Y/N)?

3.1.1. If yes to the above, provide information as set out below:

3.1.1.1. Number of Franchisees and/or Agents per province.

| Province | Number of franchises | Number of agents |
|--------------|----------------------|------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| TOTAL | | |

3.1.1.2. Provide business name and address of all Franchisees and Agents (list of franchise and agents must be attached).

4. ANY OTHER INFORMATION THE APPLICANT DEEMS RELEVANT TO THE APPLICATION

.....

.....

.....

.....

.....

.....

.....

.....

5. DOCUMENTS CHECKLIST

| Documents attached | Yes /No | Initials |
|---|----------------|-----------------|
| Proof of payment of the application fee | | |
| Certified copies of the applicant’s tax clearance certificate | | |
| Certified copies of the applicant’s company registration documents; | | |
| Business profile | | |

I acknowledge that the Authority reserves the right to have any registration certificate issued pursuant to this application set aside should any material statement made herein, at any time, be found to be false.

Signed:

Applicant:

I certify that this declaration was signed and sworn to before me at..... on the day of 20...., by the deponent who acknowledges that he/she:

1. Knows and understands the contents hereof;
2. Has no objection to taking the prescribed oath or affirmation; and
3. Consider this oath or affirmation to be truthful and binding on his/her conscience.

.....
 COMMISSIONER OF OATHS

Name:

Address:

Capacity:

FORM B**APPLICATION FOR RENEWAL**

- (a) Applicants must refer to the Act and any Regulations published under the Act regarding the requirements to be fulfilled by applicants.
- (b) Information required in terms of this Form which does not fit into the space provided may be contained in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.
- (c) Where any information in this Form does not apply to the applicant, the applicant must indicate that the relevant information in the Form is not applicable.

1. PARTICULARS OF THE APPLICANT

| | |
|--|--|
| | |
| 1.1 Company Name | |
| 1.2 Registration Certificate Number | |
| 1.3 Nature of services authorised to be provided in terms of the registration certificate | |
| 1.4 Expiry date of the certificate | |
| 1.5. Attach a copy of the registration certificate that is the subject of this application marked clearly as appendix 1 of form B | |

2. CONTACT PERSON DETAILS:

2.1. Name:

2.2. Telephone number:

2.3. Fax number:

2.4. Mobile number:

2.5. e-mail address:

3. BUSINESS PRESENCE

3.1. Number of business outlets / branches:

3.2. Number of business outlets / branches per province.

| Province | Number of outlets/ branches |
|-----------------|------------------------------------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| TOTAL | |

3.3. Number of Franchises/Agents

3.4. Number of franchises / agents per province.

| Province | Number of franchises | Number of agents |
|-----------------|-----------------------------|-------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| TOTAL | | |

4. Has the applicant been found guilty of contravening the Act or any related Legislation Y/N?

If yes, provide details below

.....

5. Any other information the applicant deems relevant to the application

.....

6. DOCUMENTS CHECKLIST

| Documents attached | Yes /No | Initials |
|---|---------|----------|
| Certified copies of the applicant’s company registration documents; | | |
| Business profile | | |
| Certified copies of the applicant’s tax clearance certificate | | |
| Proof of payment of the renewal fee | | |

I acknowledge that the Authority reserves the right to have any registration certificate issued pursuant to this application set aside should any material statement made herein, at any time, be found to be false.

Signed:

Applicant:

I certify that this declaration was signed and sworn to before me at..... on the
.....day of 20..., by the deponent who acknowledges that he/she:

1. Knows and understands the contents hereof;
2. Has no objection to taking the prescribed oath or affirmation; and
3. Consider this oath or affirmation to be truthful and binding on his/her conscience.

.....

COMMISSIONER OF OATHS

Name:

Address:

Capacity:

FORM C**NOTICE OF CHANGE OF INFORMATION**

- (a) Registrants must refer to the Act and any Regulations published under the Act regarding the requirements to be fulfilled by Registrants.
- (b) Information required in terms of this Form which does not fit into the space provided may be contained in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.
- (c) Where any information in this Form does not apply to the registrant, the registrant must indicate that the relevant information in the Form is not applicable.

1. PARTICULARS OF THE REGISTRANT

| | |
|--|--|
| 1.1. Company name | |
| 1.2. Registration certificate number | |
| Attach a copy of registration certificate that is subject to this application, marked clearly as Appendix 1 of FORM C | |

2. CHANGE OF INFORMATION

| | |
|---|--|
| 2.1 Indicate with an X whether the updated information relates to | |
| 2.1.1. Name of the registrant | |
| 2.1.2. Contact details | |
| 2.1.2. Shareholding | |
| 2.1.3. Company physical Address | |
| 2.1.4. Company postal address | |
| 2.1.5. Other (provide details) | |

3. NEW INFORMATION

| | |
|--|--|
| 3.1. Registrant must provide information in this section only where they have indicated with an "X" above (section 2) | |
| 3.1.1. Name of the registrant | |
| 3.1.2. Contact details | |
| 3.1.2.1. Name of contact person | |
| 3.1.2.2. Telephone number | |
| 3.1.2.3. Mobile number | |
| 3.1.2.4. Fax number | |
| 3.1.2.5. E-Mail address | |
| 3.1.3. Shareholding | |
| 3.1.4. Company physical Address | |
| 3.1.5. Company postal address | |
| 3.1.6. Other (provide details) | |

I acknowledge that the Authority reserves the right to have any registration certificate issued pursuant to this application set aside should any material statement made herein, at any time, be found to be false.

Signed:

Applicant:

I certify that this declaration was signed and sworn to before me at..... on theday of 20..., by the deponent who acknowledges that he/she:

1. Knows and understands the contents hereof;
2. Has no objection to taking the prescribed oath or affirmation; and
3. Considers this oath or affirmation to be truthful and binding on his/her conscience.

.....

COMMISSIONER OF OATHS

Name:

Address:

Capacity:

FORM D**SURRENDER OF UNRESERVED POSTAL SERVICE
CERTIFICATE**

- a) Registrants must refer to the Act and any Regulations published under the Act regarding the requirements to be fulfilled by applicants.
- b) Information required in terms of this Form which does not fit into the space provided may be contained in an appendix attached to the Form. Each appendix must be numbered with reference to the relevant part of the Form.
- c) Where any information in this Form does not apply to the registrant, the registrant must indicate that the relevant information in the Form is not applicable.

1. PARTICULARS OF REGISTRANT

| | |
|---|--|
| 1.1 Company name | |
| 1.2. Company registration number | |
| 1.3. Expiration date of the certificate | |
| 1.4. Date on which surrender of the certificate is to take effect: | |
| 1.5. Attach a copy of the certificate that is the subject of this notice marked clearly as Appendix 1 of Form D. | |

2. PARTICULARS OF THE DESIGNATED CONTACT PERSON

| | |
|------------------------|--|
| 2.1. Full name | |
| 2.2. Position | |
| 2.3. Telephone numbers | |
| 2.4. E- mail address | |

3. REASONS FOR SURRENDER

.....
.....
.....
.....
.....

4. STEPS TO INFORM CUSTOMERS

Provide details of the steps the registrant proposes to take to inform customers of the cessation of the unreserved postal services in respect of which the certificate was granted.

.....
.....
.....
.....
.....

5. FEES PAYABLE

Indicate the fees which will be due and payable by the date on which the surrender of the certificate is to take effect and, where possible, the amount of such fees.

.....
.....
.....
.....
.....

6. GENERAL

6.1. Provide details of any matter and undertakings which, in the registrant's view, the Authority should take note of.

.....
.....
.....
.....

.....

6.2. Attach a resolution authorising the person signing this notice marked clearly as Appendix 2 of Form D.

.....
.....
.....
.....
.....

Signed(CERTIFICATE)

I certify that this declaration was signed and sworn to before me at
on the day of 20 ..., by the deponent who acknowledged that he/she:

- 1. knows and understands the contents hereof;
- 2. has no objection to taking the prescribed oath or affirmation; and
- 3. consider this oath or affirmation to be truthful and binding on his/her conscience.

.....
 COMMISSIONER OF OATHS
 Name:
 Address:
 Capacity:

NO. 1226

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by Mr James Eley [ID No 4007085065085] on behalf of the Eley Family on the properties mentioned hereunder situated in Msukalikwa Local Municipality under Gert Sibande District Municipality in the Mpumalanga Province: [KRP: 252]

CURRENT PARTICULARS OF THE PROPERTIES

Ringkink 229 IS

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|-----------------------------|-------------------|---|-------|-------------|--------------------|
| Portion 2 | Ringkink Trust [2713/98] | T136507/1998 | Mesasuring 547.5024 ha but the affected hectures is only 47.8159 ha | None | None | None |

The Restitution of Land Rights, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X 11330
Nelspruit
1200
or 10 Samora Machel Drive
Restitution House
Nelspruit
1200
TEL NO: 013 756 6000
FAX NO: 013 752 3859

CHECKED BY: MR SUCCESS MNISI
ACTING DEPUTY DIRECTOR LEGAL
DATE



MR. L. H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 20/8/11/09

NO. 1227

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

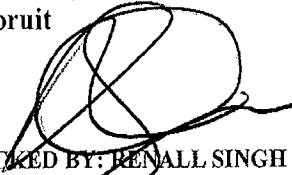
Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by Mr. Madume Amos Mtshwene, ID No. 370930 5169 081 on behalf of **Mtswene Family** on the following property mentioned hereunder situated under **Albert Luthuli Local Municipality, Gert Sibande District, Mpumalanga Province: KRP 10227**


OP GOENDENHOOP 205 IS

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|-----------------------------------|-------------------|--------------------|-------|-------------|--|
| Portion 4 | Libomvu Mkhweli Pondwe Trustee | T82791/2007 | 603.6837H | | | K2573/1996RM in favour of A E S BBLEGGINGS CC CL-EAST VAAL DC |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **30 [thirty days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X11330
Nelspruit
1200

CHECKED BY:  RENALL SINGH
ACTING DEPUTY DIRECTOR LEGAL
DATE: 22/07/2019


MR L H MAPHUTHA
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 2019/08/22

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Frans Molahlegi Nkgodi and Misane Stemer Aphane both are diseased and the family nominated Mr. Steven Shima Aphane [ID No.771129 5195 080] to represent the families Nkgodi, Masemola and Aphane on the following property mentioned hereunder situated in Thembisile Hani Local Municipality, Nkangala District, Mpumalanga Province: KRP 992 & 1174

OUGOED 186 JR

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|---|---|-------------------|---|-------|-------------|--------------------|
| The Remaining Extent of the farm 186 JR | National Government of the Republic of South Africa | T3096/2013 | 295.3443 ha (Affected Extent is 119.2976 ha) | None | None | None |

RIETVALEI 185 JR

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|---|-------------------|--------------------|-------|-------------|---|
| Portion 1 | National Government of the Republic of South Africa | T11733/2016 | 614.1277 ha | None | None | VA317/981-8616/79B |
| Portion 3 | National Government of the Republic of South Africa | T14368/2015 | 151.4819 ha | None | None | K2458/1984RM in favour of Heyk Carina Maria |

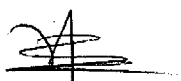
Affected Extent is 460.7185 ha)

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X7201
Witbank
1035
or Shop No. E 8
Saveways Crescent Centre
Cnr OR Thambo and Mandela Street
Witbank
1035
TEL NO: 013 655 1000
FAX NO: 013 690 2438



CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 27/09/2019



MR L H MAPHUTHA
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 20/09/02

AMENDING GOVERNMENT NOTICE NO: 151 OF 2019 IN THE GOVERNMENT GAZETTE NO: 42230 DATED 15 FEBRUARY 2019

Notice is hereby given in terms of Section 11A [4] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that the **Commissioner for Restitution of Land Rights** is amending the said Gazette Notice it was discovered that claimant name was wrongly spelled as Wiboy Kubheka Radebe instead of Mr Witboy Kubheka ,The remaining extent of Portion 3 was 0 and portion 4 was wrongly published. Therefore, this amendment seeks to rectify that.

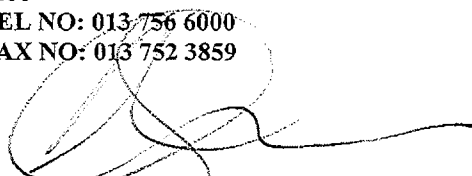
ST HELENA 67 HT


| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-----------------------------------|---|-------------------|--------------------|-------|-------------|--|
| The remaining extent of Portion 1 | Daumcens Trust [1425/91] | T55678/1999 | 382.8698 ha | None | None | VA619/2009 in favour of Daumcens Trust |
| Portion 2 | Daumcens Trust [1425/91] | T4170/1992 | 770.8788 ha | None | None | K1103/1978S K682/1969RM VA620/2009 in favour of Daumcens trust |
| The remaining extent of Portion 3 | Khiphindlala Communal Prop Association [0708/2004] | T160716/2004 | 342.6128 ha | None | None | VA8868/2004 in favour of Richards Pieter Gerhardus |

| | | | | | | |
|-----------------------------------|---|-------------|-------------|------|------|--|
| The remaining extent of Portion 4 | K R H Trust [11393/1997] | T6920/2012 | 618.9586 ha | None | None | None |
| The remaining extent of Portion 7 | Ngema Mfanafuthi Wilson [6201105469082] | T2815/2011 | 168.3350 ha | None | None | K2132/1984RM |
| Portion 8 | K R H Trust [11393/1997] | T6920/2012 | 388.0090 ha | None | None | K1942/1984 S |
| Portion 10 | Ngema Mfanafuthi Wilson [6201105469082] | T4649/2008 | 342.6128ha | None | None | None |
| Portion 13 | Kagra Coal Pty Ltd [200100310407] | T18468/2004 | 593.2283 ha | None | None | K109C/1967S K4348/1994RM in favour Adelryk Pty Ltd K5227/1994RM K54A/1967 RM K6760/1993PC K7352/1997RM in favour of Kanga Group Pty Ltd |

The Restitution of Land Rights, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X 11330
Nelspruit
1200
Or 30 Samora Machel Drive
Restitution House
Nelspruit
1200
TEL NO: 013 756 6000
FAX NO: 013 752 3859


CHECKED BY: MRS. RENALL SINGH
RESTITUTION ADVISOR
DATE: 22/07/2019


MR. L. H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2019/08/21

NO. 1230

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

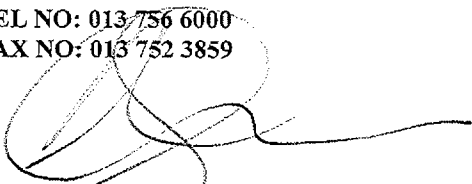
Notice is hereby given in terms of **Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended**, that a land claim for **Restitution of Land Rights** has been lodged by **Mr Butana Petrus Mbonani ID NO 350514 5161 084** on behalf of **Mbonani Family** on the following property mentioned hereunder situated under **Mbombela Local Municipality, Ehlanzeni District, Mpumalanga Province: KRP 678**

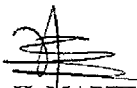
ZONDAGSVLEI 9 IS

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-----------------------------------|---|-------------------|--------------------|-------|-------------|---|
| The Remaining Extent of Portion 2 | Ingwe Surface Holding Pty Ltd [196901635107] | T6840/2009 | 160.5374h | None | None | I-765/2018C K4297/1990RM K43/1995 |
| Portion 27 | Ingwe Surface Holding Pty Ltd 196901635107 | T13451/2018 | 27.3012 h | None | None | None |

The Restitution of Land Rights, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X 11330
Nelspruit
1200
Or 30 Samora Machel Drive
Restitution House
Nelspruit
1200
TEL NO: 013 756 6000
FAX NO: 013 752 3859


CHECKED BY: MRS. RENALL SINGH
RESTITUTION ADVISOR
DATE: 22/07/2019


MR. L. H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2019/08/21

NO. 1231

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by Mr. Sengalela HotNot Mthombeni ID no: 160413 5079 083 on behalf of Mthombeni family on the property mentioned hereunder situated in Highlands Local Municipality, Nkangala District in Mpumalanga Province: KRP: 9511

CURRENT PARTICULARS OF THE PROPERTY
BOSCHPOORT 388 JS

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-----------------------------------|---|-------------------|--------------------|-------------|--|---|
| The Remaining Extent of Portion 3 | Toys Boerdery Pty Ltd [200202312207] | T11707/2008 | 343.4551 ha | B11434/2008 | Land Agricultural Development Bank of South Africa | K620/1987RM In favour of Geldenhuys Gertruida Magdalena |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within thirty [30 days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
 Private Bag X7201
 Witbank
 1035
 or Shop No. E 8
 Saveways Crescent Centre
 Cnr OR Thambo and Mandela Street
 Witbank
 1035
 TEL NO: 013 655 1999
 FAX NO: 013 650 2438

CHECKED BY: MRS R SINGH
 RESTITUTION ADVISOR
 DATE: 29/09/19

MR. L. H. MAPHUTHA
 COMMISSIONER FOR RESTITUTION OF LAND RIGHTS
 DATE: 29/09/19

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of **Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended**, that a **Land claim for Restitution of Land Rights** has been lodged by **Mr Soni Swartboo Sibanyoni ID. NO. 260118 5124 081** on behalf of the **Sibanyoni family** on the property mentioned hereunder situated in Steve Tshwete Local Municipality, Nkangala District in Mpumalanga Province: KRP: 1360

**CURRENT PARTICULARS OF THE PROPERTY
SPRINGBOKLAAGTE 416 JS**

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------------|--------------------------|-------------------|---|-------|-------------|---|
| Remaining extent of Portion 1 | Anglo Operations Pty Ltd | T4315/2008 | 324.4059ha {47 ha affected by the claim} | None | None | <ul style="list-style-type: none"> • K1362/1986S • K1777/1976S • K1778/1976S • K1865/1977S • K274593/2007S • K298/2012S • K413/1979S • K683/1967S |

NO. 1232

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

Or High- Tech House

23 Botha Avenue

Witbank

1035

TEL NO: 013 655 1000

FAX NO: 013 690 3438

CHECKED BY: RENALL SINGH

RESTITUTION ADVISOR

DATE: 21/06/2019

MR. L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

MPUMALANGA PROVINCE

DATE: 20/07/18

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr T. J Mahlangu ID. NO. 3608145150089 on the property mentioned hereunder situated in Victor Khanye Local Municipality in Nkangala District in the Mpumalanga Province: KRP: 1355

CURRENT PARTICULARS OF THE PROPERTY
BOSCHPOORT 211 IR

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|----------------------------------|-----------------------------------|-------------------|--|---|--|--|
| The remaining of the farm 211 IR | Truter Boerdery Trust (2469/1994) | T53736/1999 | 63.7853 ha affected out of 732.0469 ha | <ul style="list-style-type: none"> • B6632/2014 • B97563/2005 | <ul style="list-style-type: none"> • Land and Agricultural Development Bank of South Africa • Land and Agricultural Development Bank of South Africa | <ul style="list-style-type: none"> • I – 4758/981LG - 3/11/81 • I – 875/2018 C • K2054/1981RM in favour of Wolman Mark • K3716/1994S in favour Van Roetebepaling K4757/90S • K4402/1998S • K4757/1990S • K5057/1991RM in favour of P H Du Plessis and Familie Pty Ltd • VA5394/2005 in favour of Truter Boerdery Trust |

NO. 1233

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

Or High- Tech House

23 Botha Avenue

Witbank

1035

TEL NO: 013-655 1000

FAX NO: 013-690 3438

CHECKED BY: RENALL SINGH

RESTITUTION ADVISOR

DATE: 21/06/2019

MR. L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

MPUMALANGA PROVINCE

DATE: 20/07/18

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr Mfungelwa Johannes Mnguni ID. NO. 5603315554085 on the property mentioned hereunder situated in Steve Tshwete Local Municipality in Nkangala District in the Mpumalanga Province: KRP: 10707

**CURRENT PARTICULARS OF THE PROPERTY
DRIEPAN 156 IS**

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|--|-------------------|--|---|--|--|
| Portion 1 | Kruger Aletta Catharina (3809230127004) | T31701/1985 | 99.8968 ha affected out of 184.1687 ha | <ul style="list-style-type: none"> • B42920/1985 • B42921 /1985 | <ul style="list-style-type: none"> • A C Janse Van Rensburg • Gro Capital Financial Services Pty Ltd | <ul style="list-style-type: none"> • K1042/1961S • K1149/1979S • K379/1980 PC in favour of Van Rensburg Aletta Catherina • K799/1984 RM in favour of Janse Van Rensburg Johannes Jurgens • K800/1984 RM |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 14 [fourteen days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

Or High- Tech House

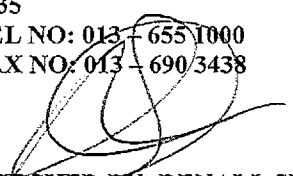
23 Botha Avenue

Witbank

1035

TEL NO: 013 - 655 1000

FAX NO: 013 - 690 3438


CHECKED BY: RENALL SINGH

RESTITUTION ADVISOR

DATE: 21/09/2019


MR. L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

MPUMALANGA PROVINCE

DATE: 2019/08/21

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of **Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended**, that a land claim for **Restitution of Land Rights** has been lodged by **Mr. Mashego Khoni Ebiotjie [ID No. 350906 5140 086]** on behalf of **Mashego Family** on the property mentioned hereunder situated in **Thaba chweu Local Municipality, Ehlanzeni District in the Mpumalanga Province: [KRP: 11406]**

CURRENT PARTICULARS OF THE PROPERTY

LEDOVINE 507 KT

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|--|--------------------------------|-------------------|---|-------|-------------|--|
| The Remaining extent of the farm Ledovine 507 KT | MAORABJANG COMMUNAL PROP ASSOC | [T3313/2015] | 2695.7874ha | None | None | I-1961/2016C K3322/1986RM VA90/2011 –in favour of Barloworld Farms LTD |
| | | | Affected hactares are 108 ha for the Land Claimed | | | |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [Thirty days] from the date of publication of this notice to submit any comments, or further information to:

NO. 1235

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

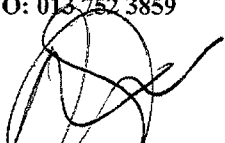
STAATSKOERANT, 27 SEPTEMBER 2019

No. 42725 63

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by **Mr. Mashego Khoni Ebiotjie [ID No. 350906 5140 086]** on behalf of **Mashego Family** on the property mentioned hereunder situated in **Thaba chweu Local Municipality, Ehlanzeni District in the Mpumalanga Province: [KRP: 11406]**

Commissioner for Restitution of Land Rights
Private Bag X 11330
Nelspruit
1200
Or 30 Samora Machel Drive
Restitution House
Nelspruit
1200
TEL NO: 013 756 6000
FAX NO: 013 752 3859


CHECKED BY: MRS R SINGH
RESTITUTION ADVISOR
DATE: 08/08/19


MR. L. H. MAPHUTHA
COMMISSIONER FOR RESTITUTION OF LAND RIGHTS
DATE: 20/9/18/19

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1236

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by **Mr. Jeremiah Kosana Zwane [ID No. 2810015125081]** on behalf of the **Zwane Family** on the properties mentioned hereunder situated in **Msukaligwa Local Municipality under Gert Sibande District Municipality in the Mpumalanga Province [KRP: 9099]**

CURRENT PARTICULARS OF THE PROPERTY

WITBANK 262 IT

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|---|-------------------|---|-------|-------------|--|
| Portion 100 | Van Oudtshoornstroom Coal PTY LTD (67/06962/07) | T66248/1991 | 151.2742 ha (the affected hactors are 2.46) | None | None | <ul style="list-style-type: none"> K4737/1991RM in favour of Van Oudtshoornstroom Coal PTY LTD CL – East Vaal DC |

The Restitution of Land Rights, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X 11330

Nelspruit

1200

Or 30 Samora Machel Drive

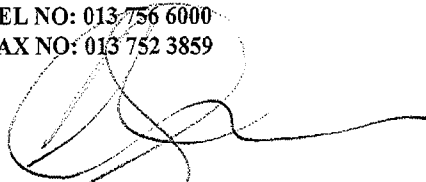
Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859



CHECKED BY: MRS. RENALL SINGH
RESTITUTION ADVISOR

DATE: 22/07/2019



MR. L. H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 20/08/21

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr Samuel Masilela ID. NO. 4007235388080 on the property mentioned hereunder situated in Nkungwini Local Municipality in Metsweding District in the Gauteng Province: KRP: 10214

CURRENT PARTICULARS OF THE PROPERTY
DWAALFONTEIN 565 JR

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-----------------------------------|------------------------------------|-------------------|--------------------|-------|-------------|--|
| The remaining extent of Portion 3 | C H Truter Familie Trust (8126/97) | T132029/1998 | 341.1189 ha | None | None | <ul style="list-style-type: none"> • K108/2014S • K125/2017S • K2231/1985S • K4609/1991S in favour of Roetebepaling K2231/85S • K468/2009S • VA1444/2009 in favour of C H Truter Family Trust • VA246/2017 in favour of C H Truter Family Trust |

NO. 1237

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

Or High- Tech House

23 Botha Avenue

Witbank

1035

TEL NO: 013-655 1000

FAX NO: 013-690 3438

CHECKED BY: RENALL SINGH

RESTITUTION ADVISOR

DATE: 21/06/2019

MR. L.H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

MPUMALANGA PROVINCE

DATE: 2019/08/22

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by **Mr Elias Mokwena ID. NO. 5104225297089** on behalf of **Mokwena family** on the property mentioned hereunder situated in **Victor Khanye Local Municipality in Nkangala District in the Mpumalanga Province: KRP: 3806**

NO. 1238

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

27 SEPTEMBER 2019

STAATSKOERANT, 27 SEPTEMBER 2019

No. 42725 69

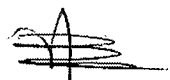
CURRENT PARTICULARS OF THE PROPERTY
HONINGKRANTZ 536 JR

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|----------------------------------|---|-------------------|---|-------|-------------|--|
| The remaining of the farm 536 JR | Anglo American Inyosi Coal Pty Ltd (200501670107) | T7182/2011 | 301.5378 ha affected out of 2257.9456 ha | None | None | <ul style="list-style-type: none"> • K113/1970S • K1326/1971S • K2540/1986S • K276/1985S • K3005/1986S • K3077/1977S • K3383/1986L • K3673/1988S • K3902/1985RM • K393/2010S • K415/2013S • K4547/2001RM in favour of Anglo Operations Pty Ltd • K486/1954S • K520/1974S • K572/1948S • K717/2012S • K933/1981 • VA69/2018 in favour of Anglo American Inyosi Coal Pty Ltd |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 14 [fourteen days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X7201
Withbank
1035
Or High- Tech House
23 Botha Avenue
Withbank
1035
TEL NO: 013 – 685 1000
FAX NO: 013 – 690 3438


CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 21/09/2019


MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 2019/09/25

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by the following on behalf of their Families on the following property mentioned hereunder situated under Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province:

| KRP | CLAIMANT NAME | IDENTITY NUMBER |
|------|---------------------------|-----------------|
| 5008 | Mr April Paul Sibanyoni | 680414 5614 086 |
| 5010 | Mr Mabuti Skosana | 500804 5296 082 |
| 5006 | Mr Mtshelzane Jan Skosana | 480317 5291 080 |

KLEINFONTEIN 432 JS


| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|---|-------------------|--------------------|---|--------------------------------|--------------------|
| Portion 15 | Statustis Trading Pty Ltd [200000755207] | T4085/2001 | 119.9122h | B4378/2001 B5926/2014 K212/1986S K237/1984S K2423/1977S | Absa Bank Ltd Absa Bank Ltd | None |
| Portion 23 | Statustis Trading Pty Ltd [200000755207] | T4085/2001 | 288.0346h | B4378/2001 B5926/2014 | Absa Bank Ltd Absa Bank Ltd | |

**SIBANYONI FAMILY ON PORTION 15 AND 23 IS 1.4391 HACTARES
SKOSANA FAMILY ON PORTION 15 AND 23 IS 0.2088 HACTARES**

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights
Private Bag X7201
Witbank
1035
or Shop No. E 8
Saveways Crescent Centre
Cnr OR Thambo and Mandela Street
Witbank
1035
TEL NO: 013 655 1000
FAX NO: 013 690 2438**


**CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 07/06/2019**


**MR L H MAPHUTHA
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 20/09/02**

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1240

27 SEPTEMBER 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

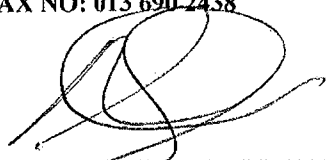
Notice is hereby given in terms of **Section 11(1)** of the **Restitution of the Land Rights Act 1994 [Act 22 of 1994]** as amended, that a land claim for **Restitution of Land Rights** has been lodged by **Mr. Monyane Johannes Mahlangu, ID No. 170405 5081 083** on behalf of **Mahlangu Family** on the following property mentioned hereunder situated under **Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province: KRP 1421**

WOESTALLEEN 477 JS

| Description of property | Owner of Property | Title Deed Number | Extent of Property | Bonds | Bond Holder | Other Endorsements |
|-------------------------|---|-------------------|---|-------------|-----------------------|-------------------------------|
| Portion 10 | Sturgess Michael Andrew [760711 5167 087] | T6216/2011 | 1213706 ha affected hectares is 2.5696 | B 4679/2011 | Sturgess Arthur Brian | K123/1974S K2841/1976S |

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **30 [thirty days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X7201
Witbank
1035
or Shop No. E 8
Saveways Crescent Centre
Cnr OR Thambo and Mandela Street
Witbank
1035
TEL NO: 013 655 1000
FAX NO: 013 690 2438



CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 14/09/19



MR L H MAPHUTHA
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 2019/07/15

DEPARTMENT OF TOURISM

NO. 1241

27 SEPTEMBER 2019

T010



tourism

Department:
Tourism
REPUBLIC OF SOUTH AFRICA

Private Bag X424, Pretoria, 0001, Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, 0002
Tel: +27 (0)12 444 6000, Fax: +27 (0)12 444 7000, Call Centre: 0860 868 747, www.tourism.gov.za

**INVITATION TO PARTICIPATE IN THE ALIGNMENT OF THE TOURISM BROAD-BASED
BLACK ECONOMIC EMPOWERMENT (B-BBEE) SECTOR CODE TO THE AMENDED
GENERIC CODES OF GOOD PRACTICE**

The Tourism B-BBEE Charter Council (the Council) hereby invites all interested and affected persons and organisations to participate in the alignment of the Tourism B-BBEE Sector Code to the Amended Generic Codes of Good Practice published in April 2019 by the Minister of Trade and Industry, in terms of Section 9 (1) of the B-BBEE Act No. 53 of 2003 as amended by B-BBEE Act No. 46 of 2013.

Following the issuing of the amended Generic Codes of Good Practice on 9 April 2019, all Sector Charter Councils are required to align their sector specific Codes to the dti's Amended Generic Codes of Good Practice. A transitional period of twelve (12) months, from 1 June 2019 to 30 May 2020 has been allocated for this process.

The Tourism B-BBEE Charter Council has initiated the process of aligning the Tourism B-BBEE Sector Code. The Council will conduct consultations in all the nine (9) provinces in the months of September, October and November 2019. A consultation schedule showing venues and times of each event, including the proposed Code, is available on the website of the Department of Tourism: <http://www.tourism.gov.za>.

All interested and affected persons and organisations are invited to submit their comments and inputs in writing, not later than 30 November 2019, to the Tourism B-BBEE Charter Council:

By email: bbbee@tourism.gov.za

By hand: 17 Trevenna street, Tourism House, Sunnyside, **PRETORIA**, 0001

By Post: Private Bag X424, **PRETORIA**, 0001

Kindly provide the name, address, telephone number and email address of the person or organisation submitting inputs and comments.

MS. LINDIWE SANGWENI-SIDDO

CHAIRPERSON: TOURISM B-BBEE CHARTER COUNCIL

DATE: 18-09-2019



Departement van Toerisme • uMnyango Wezokuvakasha • iSebe lezoKhenketho • umNyango wezokuVakatjha Litiko
Letekuvakasha • Kgoro ya tša Boeti • Lefapha la Bojanala • Lefapha la Bohahlaudi • Ndzawulo ya
VuphumbaMuhasho wa Vhuendelamashango

DRAFT AMENDED TOURISM B-BBEE SECTOR CODE

EXPLANATORY NOTE

Please note that the words in bold square brackets [] on the Draft Amended Tourism B-BBEE Sector Code indicate insertions into the existing enactment and words underlined with a solid line _____ indicate deletions from existing enactment.

**AMENDED CODE SERIES TSC000: FRAMEWORK FOR MEASURING BROAD-BASED
BLACK ECONOMIC EMPOWERMENT IN THE TOURISM SECTOR**

STATEMENT TSC000: GENERAL PRINCIPLES AND THE LARGE ENTERPRISES SCORECARD

**Issued under Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of 2003
as amended by Act No. 46 of 2013**

Arrangement of this Statement:

| Para | Subject | Page |
|-------------|--|-------------|
| 1. | Preamble | 3 |
| 2. | Commitment | 3 |
| 3. | Legacy | 4 |
| 4. | Sustainability | 4 |
| 5. | Objectives of the Amended Tourism B-BBEE Sector Code | 5 |
| 6. | Development of the Amended Tourism B-BBEE Sector Code | 5 |
| 7. | Objectives of this statement | 6 |
| 8. | Key Measurement Principles | 7 |
| 9. | Scope of Application of the Amended Tourism B-BBEE Sector Code | 8 |
| 10. | Priority Elements and Sub-minimum requirements | 9 |
| 11. | Compliance to Priority Elements | 9 |
| 12. | Discounting Principle Effect | 10 |
| 13. | Eligibility as an Exempted Micro Enterprise | 10 |
| 14. | Eligibility as a Qualifying Small Enterprise | 11 |
| 15. | Eligibility as a Large Enterprise | 12 |
| 16. | Eligibility of Joint Ventures and Start up Enterprises | 12 |
| 17. | The Elements of B-BBEE in terms of Large Enterprises Scorecard | 13 |
| 18. | The Large Enterprises and QSE Scorecards | 14 |
| 19. | B-BBEE Recognition Levels | 15 |
| 20. | Enhanced recognition for certain categories of Black People | 15 |
| 21. | Verification of Tourism Enterprises | 16 |
| 22. | Adjustment of Thresholds | 16 |
| 23. | Duration of the Amended Tourism B-BBEE Sector Code | 16 |

1. PREAMBLE

We, the stakeholders of the Tourism Sector, take this opportunity to state our need to align the Tourism B-BBEE Sector Code, published in the Government Gazette No. 39430 on 20 November 2015 with the Department of Trade and Industry's (**the dti**) Amended Generic Codes of Good Practice for B-BBEE to advance sector initiatives for the empowerment of Black South Africans, and in so doing, make the sector more accessible and more beneficial to all South Africans.

The Amended Tourism B-BBEE Code expresses the commitment of all stakeholders in the Tourism Sector to the empowerment and transformation of the sector and its commitment to working collectively to ensure that the opportunities and benefits of the tourism sector are extended to Black South Africans as well.

2. OUR COMMITMENT

2.1 We acknowledge that two main challenges face the Tourism Sector, namely:

- The need to become more globally competitive; and
- The need to include Black people in the Tourism Sector.

2.2 We believe that these two challenges are fundamentally linked. For our sector to thrive and grow, we commit to both. The commitment to empowerment and transformation is therefore based not only on our moral obligations with regard to transforming South Africa, but also upon our fiduciary obligations to our shareholders and employees, and to the growth of our sector within the broader South African economy.

2.3 The stakeholders make this commitment fully aware of the fact that empowerment and transformation of the Tourism Sector will contribute to its growth and sustainability. The key focus areas of empowerment and transformation in the context of this Scorecard are Ownership, Management Control, Skills Development, Enterprise and Supplier Development as well as Socio-Economic Development.

3. THE LEGACY

- 3.1 We recognise that our country requires an economy that can meet the needs of all citizens, our people and their enterprises in a sustainable manner. The tourism industry like the rest of South African society remains characterized by large disparities in access to equal opportunities and benefits, and in particular for Black People.
- 3.2 We also recognise that our sector still excludes the vast majority of South Africans in particular Black People and we are aware of the residual impact of this legacy of inequality and its continuing impact on efforts to ensure that a tourism and tourist-friendly culture takes root in our country. Furthermore, we recognise that the legacy of the Apartheid system remains apparent in some of the Tourism Sector's associations and bodies. Therefore, we acknowledge the need for transformation within these associations so that they may become truly representative and reflective of our society.
- 3.3 In addition, we recognise that our sector remains largely inaccessible to the majority of Black South African tourists. Since South Africa has so much to offer in terms of tourism diversity, we recognise the need to reverse this legacy and to make tourism in South Africa more adaptable and accessible to Black South African tourists.

4. SUSTAINABILITY

- 4.1 We acknowledge that, for our tourism initiatives to be developed and become more sustainable and meaningfully empowering, they must be based on the identification of strategic opportunities for our enterprises and for our sector. These initiatives must be underpinned by sound commercial logic and must be well structured and focused with deliverable growth objectives. We further acknowledge that to realise the sustainability, competitiveness and inclusive growth of our sector requires the empowerment and transformation of the sector.
- 4.2 Empowerment and transformation make good business sense as these will bring innovation into the Tourism Sector through the introduction of new role players. This will attract new markets and stimulate new products development.

5. OBJECTIVES OF THE AMENDED TOURISM B-BBEE SECTOR CODE

- 5.1 The Amended Tourism B-BBEE Sector Code has been developed to advance the objectives of the Broad-Based Black Economic Empowerment Amendment Act No.46 of 2013 within the Tourism Sector;
- 5.2 The Code also constitute a framework and establish the principles upon which B-BBEE will be implemented in the Tourism Sector;
- 5.3 Represents a partnership programme as outlined in government's strategy for Broad-Based Black Economic Empowerment;
- 5.4 Provides the basis for the sector's engagement with other stakeholders including government and the private sector, labour and civil society.

6. DEVELOPMENT OF THE AMENDED TOURISM B-BBEE SECTOR CODE

- 6.1 The Tourism B-BBEE Charter Council (the Council) was formally established by the Minister of Tourism to further the objectives of transformation within the Tourism Sector. **[In May 2019, the Ministry of Trade and Industry (the dti) mandated the Tourism B-BBEE Charter Council]** to align the Amended Tourism B-BBEE Sector Code to the Amended Generic Codes of Good Practice (GCGP).
- 6.2 As a result, the Council **[developed a Draft Amended Tourism B-BBEE Sector Code which was published in the Government Gazette in September 2019 for further comments and inputs by tourism stakeholders]. embarked on a nationwide consultative process to solicit views and inputs from various stakeholders in the sector, which culminated in the development of the Draft Amended Tourism B-BBEE Sector Code.** The Tourism B-BBEE Sector Code as published is the only basis for the application and recognition of B-BBEE initiatives in the Tourism Sector.
- 6.3 **[On 25 September 2019, the Council embarked on a nationwide consultative process to solicit views and inputs from various stakeholders in the tourism sector]**. The participation of all stakeholders was encouraged and obtained in the form of public hearings and written

submissions from various constituencies which formed the basis for the development of the Amended Tourism B-BBEE Sector Code for the tourism sector.

- 6.4 The development of the Amended Tourism B-BBEE Sector Code was based on the definitions, principles and methodologies of transformation outlined in the B-BBEE Amendment Act No. 46 of 2013, the Amended Codes of Good Practice for B-BBEE gazetted on **[09 May 2019) 11 October 2013, Gazette No. [42496] 36928. and Codes of Good Practice for QSEs gazetted on 06 May 2015, Gazette No. 38766.**

7. OBJECTIVES OF THIS STATEMENT TSC000

- 7.1 Specify the measurement principles and sector specific principles of Broad-Based Black Economic Empowerment (B-BBEE) within the Tourism Sector;
- 7.2 Specify the application of the Tourism B-BBEE Sector Code and the basis for measurement under the Amended Tourism B-BBEE Sector Code;
- 7.3 Indicate the qualifying threshold for a Measured Entity to qualify as an Exempted Micro-Enterprise (EME) or Qualifying Small Enterprise (QSE) within the Tourism Sector;
- 7.4 Specify the method of measuring Start-Up Enterprises;
- 7.5 Specify the elements of B-BBEE measurable under the Large Enterprises Scorecard and Qualifying Small Enterprises Scorecard of the Amended Tourism B-BBEE Sector Code;
- 7.6 Specify the basis for determining compliance by Entities with the Amended Tourism B-BBEE Sector Code; and
- 7.7 Provide for the Effective Date of the Amended Tourism B-BBEE Sector Code.

8. KEY MEASUREMENT PRINCIPLES

- 8.1 The fundamental principle for measuring B-BBEE compliance is that substance takes precedence over legal form.
- 8.2 In interpreting the provisions of the Amended Tourism B-BBEE Sector Code any reasonable interpretation consistent with the objectives of the B-BBEE Act as Amended and the B-BBEE Strategy must take precedence.
- 8.3 The basis for measuring B-BBEE initiatives under the Tourism B-BBEE Sector Code is the B-BBEE compliance of the measured entity at the date of the measurement.
- 8.4 Any misrepresentation or attempt to misrepresent a Measured Entity's true B-BBEE Status will be dealt with in accordance with the provisions as set out in the B-BBEE Act as Amended, and may lead to the disqualification of the entire scorecard of the entities concerned.
- 8.5 Initiatives which split, separate or divide a Measured Entity with the intent of ensuring eligibility as an Exempted Micro-Enterprise, a Qualifying Small Enterprise or a Start-Up Enterprise will constitute an offense and will be dealt with in accordance with the provisions as set out in the B-BBEE Act as Amended.
- 8.6 **[When determining eligibility as an Exempted Micro-Enterprise, a Qualifying Small Enterprise or a Large Enterprise, only the Revenue of the Measured Entity will be considered, unless the Measured Entity is seeking a consolidated verification that includes its subsidiaries.]**
- 8.7 Any representation made by an Entity about its B-BBEE compliance must be supported by Suitable Evidence or Documentation. A Measured Entity that does not provide Suitable Evidence or Documentation supporting any initiative must not receive any recognition for that initiative.

8.8 Wherever a Standard Valuation Method applies to measuring an indicator, the same standard should apply, as far as reasonably possible, consistently in all other applicable calculations in this statement.

8.9 Where a matter is not expressly dealt with in terms of **[the] this Draft** Amended Tourism B-BBEE Sector Code the Amended Generic Codes of Good Practice will take precedence. In all other matters the Amended Tourism B-BBEE Sector Code will take precedence.

9. SCOPE OF APPLICATION OF THE AMENDED TOURISM B-BBEE SECTOR CODE

The Amended Tourism B-BBEE Code applies to all privately owned enterprises and public institutions within the Tourism Sector and all parts of the value chain in that sector, inter alia:

9.1 Accommodation:

- 9.1.1 Hotels;
- 9.1.2 Resort properties and timeshare;
- 9.1.3 Bed and breakfast (B&B's);
- 9.1.4 Guest houses;
- 9.1.5 Game lodges; and
- 9.1.6 Backpackers and hostels.

9.2 Hospitality and Related Services:

- 9.2.1 Restaurants (not attached to hotels);
- 9.2.2 Conference venues (not attached to hotels);
- 9.2.3 Professional catering;
- 9.2.4 Attractions, Casinos; and
- 9.2.5 Consulting and professional services companies.

9.3 Travel and related services:

- 9.3.1 Tour wholesalers;
- 9.3.2 Tour operators;
- 9.3.3 Travel agents;

- 9.3.4 Tourist guides;
- 9.3.5 Car rental companies; and
- 9.3.6 Coach Operators.

10. PRIORITY ELEMENTS AND SUB-MINIMUM REQUIREMENTS

10.1 The priority Elements are as follows:

10.1.1 Ownership:

The sub-minimum requirement for Ownership is 40% of Net Value (40% of the 8 points) based on the Time Based Graduation Factor provided in Annexe TSC100 (E).

10.1.2 Skills Development:

The sub-minimum requirement for Skills Development is 40% of the total weighting points (excluding bonus points) for Skills Development.

10.1.3 Enterprise and Supplier Development:

The sub-minimum **[requirement]** for Enterprise and Supplier Development is 40% of the total weighting points (excluding bonus points) of each of the three broad categories, within the Enterprise and Supplier Development element, namely Preferential Procurement; Supplier Development and Enterprise Development. For the avoidance of doubt this means that the Measured Entity must achieve at least:

- (i) **[11] 10** points under the Preferential Procurement category;
- (ii) 4 points under the Supplier Development category;
- (iii) 2 points under the Enterprise Development category;

11. COMPLIANCE TO PRIORITY ELEMENTS

11.1 A Large Enterprise is required to comply with all the Priority Elements;

11.2 A Qualifying Small Enterprise is required to comply with Ownership as a compulsory element, and either Skills Development or Enterprise and Supplier Development, **[with the exclusion of Black Owned QSEs in terms of paragraph 14.3 below.]**

12. DISCOUNTING PRINCIPLE EFFECT

- 12.1 Non-compliance with the 40% sub-minimum requirements of any of the priority elements, as per paragraph 10.1 above, will result in the following outcomes for both Large Enterprises and Qualifying Small Enterprises:
- 12.1.1 The actual points scored by the Measured Entity and the consequent level that the Measured Entity would have achieved were it not for non-compliance with the 40% sub-minimum requirements will be recognised by the Verification Agency ("the B-BBEE Status Level");
- 12.1.2 Notwithstanding the recognition in 12.1.1 above, the Measured Entity's B-BBEE Status Level and corresponding B-BBEE Recognition Level will be discounted by one level down until the next applicable verification period in which the Measured Entity can demonstrate compliance with the 40% sub-minimum requirements.
- 12.2 **[The requirement to submit data to the Department of Labour under the Employment Equity Act No. 55 of 1998 is only applicable to designated employers who employ 50 or more employees or who exceed the turnover threshold specified by the Department of Labour. However, for the purpose of measurement, both Large Enterprises and Qualifying Small Enterprises that employ less than 50 employees are required to submit sufficient evidence for verification purposes.]**

13. ELIGIBILITY AS AN EXEMPTED MICRO-ENTERPRISE (EME)

- 13.1 Any enterprise with a total annual Revenue of R5 Million or less qualifies as an Exempted Micro-Enterprise.
- 13.2 **[Start-Up enterprises are ordinarily regarded as Exempted Micro Enterprises, unless tendering for a contract in excess of the threshold for EMEs, in which case the corresponding scorecard will apply.]**
- 13.3 An Exempted Micro-Enterprise is deemed to have a B-BBEE Status of "Level Four Contributor" having a B-BBEE recognition level of 100% under paragraph 19.1.
- 13.4 Enhanced B-BBEE recognition level for an Exempted Micro-Enterprise:
- 13.4.1 Despite paragraph 13.2 an EME which is 100% Black Owned **[measured using the flow-through principle]** qualifies for elevation to "Level One Contributor" having a B-BBEE recognition level of 135%.

- 13.4.2 Despite paragraphs 13.2 and 13.4.1, an EME which is at least 51% Black Owned **[measured using the flow-through principle]** qualifies for elevation to “Level Two Contributor” having a B-BBEE recognition level of 125%.
- 13.5 Despite paragraphs 13.2 and 13.3, an EME is allowed to be measured in terms of the QSE scorecard should they wish to maximise their points and move to a higher B-BBEE recognition level.
- 13.6 An EME is only required to obtain a sworn affidavit on an annual basis, confirming the following:
- 13.6.1 Total annual Revenue of R5 Million or less; and
- 13.6.2 Level of Black Ownership.
- 13.7 Any misrepresentation in terms of Paragraph 13.6 above constitutes a criminal offence as set out in the B-BBEE Act as Amended.

14. ELIGIBILITY AS A QUALIFYING SMALL ENTERPRISE (QSE)

- 14.1 A Measured Entity with a total annual Revenue of more than R 5 Million but less than R45 million qualifies as a Qualifying Small Enterprise.
- 14.2 A QSE must comply with all of the elements of the Qualifying Small Enterprise Scorecard (Code TSC 600) for the purposes of measurement.
- 14.3 Enhanced B-BBEE recognition level for QSE:
- 14.3.1 **[Despite paragraph 14.2 above, a QSE which is 100% Black Owned measured using the flow-through principle qualifies for elevation to B-BBEE level one contributor having a B-BBEE recognition level of 135%]. A QSE which is 100% Black Owned qualifies for Level One B-BBEE recognition.**
- 14.3.2 **[Despite paragraph 14.2, A QSE which is 51% Black Owned measured using the flow-through principle qualifies for elevation to B-BBEE level one contributor having a B-BBEE recognition level of 125]. A QSE which is at least 51% Black Owned qualifies for a Level Two B-BBEE recognition level.**
- 14.3.3 A QSE that is 51% Black Owned or 100% Black Owned is only required to obtain a sworn affidavit on an annual basis, confirming the following:
- 14.3.3.1 Total annual Revenue of more than R 5 Million but less than R45 Million; and
- 14.3.3.2 Level of Black Ownership.

14.3.3.3 Empowering Supplier status.

- 14.4 Any misrepresentation in terms of Paragraph 14.3 above constitutes a criminal offence as set out in the B-BBEE Act as Amended.
- 14.5 For the avoidance of doubt, all QSE's other than those referred to in paragraph 14.3.3, will be required to obtain a verification certificate to substantiate their B-BBEE status.
- 15. [ELEGIBILITY AS A LARGE ENTERPRISE (LE)]**
- 15.1 [Any enterprise with an annual total revenue of R 45 Million and more qualifies as a Large Enterprise.]**
- 15.2 [A large Enterprise must comply with all the elements of B-BBEE for the purposes of measurement.]**
- 16. ELEGIBILITY OF JOINT VENTURES AND START-UP ENTERPRISES**
- 16.1 [The measurement of Unincorporated Joint Ventures will be done as follows:]**
- 16.1.1 [Unincorporated Joint Ventures are required to compile a consolidated verification certificate. A consolidated verification will consolidate the verified compliance data of joint venture partners in accordance with paragraph 16.2 below as if those measured entities were a single measured entity.]**
- 16.2 [The consolidation of compliance data shall be based on a weighting in accordance with the joint venture agreement relevant to the specific joint venture. Therefore, should two companies enter into an Unincorporated Joint Venture their respective scores in terms of the Amended Tourism B-BBEE Sector Code will be weighted according to their proportionate share in the joint venture and added together for a combined score out of 100.]**
- 16.2.1 [Should a company qualify in terms of the Qualifying Small Enterprise Scorecard, its B-BBEE score out of 100 must be used to calculate the consolidated score.]**
- 16.2.2 [51% Black Owned EMEs and 51% Black Owned QSEs will qualify for a score of 95 points while 100% Black owed EMEs and 100% Black Owned QSEs will qualify for a score of 100 points.]**

- 16.2.3 [EME's other than those in paragraph 16.2.2 above will qualify for a score of 85 points.]
- 16.2.4 [The JV B-BBEE Certificate is valid for 12 months and only applicable to a specific project.]
- 16.2.5 [Notwithstanding the B-BBEE Status Level attributed to the JV in terms of the above mechanism the Black Ownership of the respective partners may be flowed through to the JV in proportion to the respective JV partners' economic interest and voting rights as determined by the JV agreement.]
- 16.3 [Start-up Enterprise are deemed to have qualifying B-BBEE status in accordance with the principle of paragraph 13 of this Statement.
- 16.4 Despite paragraph 16.3, a Start-up may be measured in terms of the QSE scorecard or the Large Enterprise scorecard should they choose to.]
A Start-Up Enterprise must be measured as an Exempted Micro-Enterprise under this statement for the first year following the commencement of its operations. This provision applies regardless of the expected total Revenue of the Start-Up Enterprise.
- 16.2 A Start-up Enterprise is deemed to have the qualifying B-BBEE Status in accordance with the principles of paragraph 13 of this Statement.
- 16.3 In order to qualify as a Start-up Enterprise, the enterprise must provide confirmation of its status in accordance with paragraph 13.5.
- 16.5 Despite paragraph 16.4 and 15.2, a Start-up Enterprise must submit a QSE scorecard when tendering for any contract, or seeking any other economic activity covered by Section 10 of the Act, with a value higher than R 5 Million but less than R45 Million. For contracts of R45 Million or more they should submit the Large Enterprises scorecard. The preparation of such scorecards must use annualised data.
- 17. THE ELEMENTS IN TERMS OF THE LARGE ENTERPRISES SCORECARD**
- 17.1 The Ownership Element, as set out in Code series TSC100, measures effective ownership of entities by Black People.
- 17.2 The Management Control element, as set out in Code series TSC200, measures the effective control of entities by Black People.

- 17.3 The Skills Development element, as set out in Code series TSC300, measures the extent to which employers carry out initiatives designed to develop the competencies of Black Employees and Black People internally and externally.
- 17.4 The Enterprise and Supplier Development element, as set out in Code series TSC400, measures the extent to which entities buy goods and services from Empowering Suppliers with strong B-BBEE recognition levels. This element also measures the extent to which enterprises carry out supplier development and enterprise development initiatives intended to assist and accelerate the growth and sustainability of enterprises that are at least 51% Black Owned.
- 17.5 The Socio-Economic Development element as set out in Code series TSC500, measures the extent to which entities carry out initiatives that contribute towards Socio-Economic Development or sector specific initiatives that promote access to the economy for Black People.

18. THE LARGE ENTERPRISES AND QSE SCORECARDS

- 18.1 The following table represents the Large Enterprise Scorecard

| Element | Weighting | Code Series Reference |
|-------------------------------------|--------------------|-----------------------|
| Ownership | 27 points | TSC100 |
| Management Control | 19 points | TSC200 |
| Skills Development | [20] | TSC300 |
| Enterprise and Supplier Development | [43 points] | TSC400 |
| Socio-Economic Development | 5 points | TSC500 |

18.2 The following table represents Qualifying Small Enterprise Scorecard

| Element | Weighting | Code Series Reference |
|-------------------------------------|-----------|-----------------------|
| Ownership | 26 points | TSC601 |
| Management Control | 15 points | TSC602 |
| Skills Development | 25 points | TSC603 |
| Enterprise and Supplier Development | 30 points | TSC604 |
| Socio-Economic Development | 5 points | TSC605 |

19. B-BBEE RECOGNITION LEVELS

19.1 Based on the overall performance of a Measured Entity using either the Large Enterprise Scorecard or Qualifying Small Enterprise Scorecard, the Measured Entity will receive one of the following B-BBEE Statuses with the corresponding B-BBEE Recognition Level:

| B-BBEE Status | Qualification | B-BBEE Recognition Level |
|---------------------------|--------------------------------------|--------------------------|
| Level One Contributor | ≥100 points on the Scorecard | 135% |
| Level Two Contributor | ≥95 but <100 points on the Scorecard | 125% |
| Level Three Contributor | ≥90 but <95 points on the Scorecard | 110% |
| Level Four Contributor | ≥80 but <90 points on the Scorecard | 100% |
| Level Five Contributor | ≥75 but <80 points on the Scorecard | 80% |
| Level Six Contributor | ≥70 but <75 points on the Scorecard | 60% |
| Level Seven Contributor | ≥55 but <70 points on the Scorecard | 50% |
| Level Eight Contributor | ≥40 but <55 points on the Scorecard | 10% |
| Non-Compliant Contributor | <40 points on the Scorecard | 0% |

20. ENHANCED RECOGNITION FOR CERTAIN CATEGORIES OF BLACK PEOPLE

20.1 Throughout the Code, various criteria appear which advance the interests of certain categories of Black People. These include:

- 20.2 Black Women should form between 40% and 50% of the beneficiaries of the relevant elements of the scorecard;
- 20.3 Black People with disabilities, Black Youth, Black People living in rural areas and Black Unemployed People form part of the beneficiaries of the relevant Elements of the Scorecard.

21. VERIFICATION OF TOURISM ENTERPRISES

- 21.1 Save for those entities that are entitled to furnish a sworn affidavit as proof of their B-BBEE Status, the B-BBEE verification of tourism enterprises shall be performed by B-BBEE Verification Professionals or Rating Agencies accredited by the Minister of the Department of Trade and Industry to perform B-BBEE verification.
- 21.2 Measured Entities that are governed by the Amended Tourism B-BBEE Sector Code must submit on an annual basis their B-BBEE verification certificates and B-BBEE verification report or, where relevant, sworn affidavit, to the Tourism B-BBEE Charter Council. **[The Tourism B-BBEE Charter Council will issue practice notes on how B-BBEE verification certificates, verification reports and sworn affidavits should be submitted to the Council].**

22. ADJUSTMENT OF THRESHOLDS

- 22.1 The Minister may, by notice in the Gazette, adjust the thresholds in paragraphs 13 to 14. Any such changes apply to compliance reports of measured entities prepared for measured periods that commence after the gazetting of the adjustment.

22.2 DURATION AND TRANSITIONAL PERIOD FOR THE TOURISM B-BBEE SECTOR CODE

- 22.2.1 The Amended Tourism B-BBEE Sector Code remains in effect until expressly amended, substituted or repealed under Section 9 of the B-BBEE Act as Amended.
- 22.2.2 The Minister may review the Amended Tourism B-BBEE Sector Code at any stage, and regular reviews will take place to monitor the implementation of B-BBEE throughout the Tourism sector.
- 22.2.3 **[The Tourism B-BBEE Sector Code is effective from the date of gazette, and thus there is no transitional period.]**

**AMENDED CODE SERIES TSC100: MEASUREMENT OF THE OWNERSHIP ELEMENT OF
BROAD-BASED BLACK ECONOMIC EMPOWERMENT IN THE TOURISM SECTOR**

STATEMENT TSC100: THE GENERAL PRINCIPLES FOR MEASURING OWNERSHIP

**Issued under Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of 2003
as amended by Act No. 46 of 2013**

Arrangement of this Statement

| Para | Subject | Page |
|-------------|---|-------------|
| 1. | Objectives of this Statement | 18 |
| 2. | The Ownership Scorecard | 18 |
| 3. | Key measurement principles | 20 |
| 3.1 | General Principles | 20 |
| 3.2 | Sub-Minimum Requirements | 20 |
| 3.3 | Flow-Through Principles | 21 |
| 3.4 | Modified Flow-Through Principle | 21 |
| 3.5 | Exclusion of Specified Entities when Determining Ownership | 22 |
| 3.6 | B-BBEE Facilitator Status | 22 |
| 3.7 | Mandated Investments | 22 |
| 3.8 | Recognition of Ownership after the Sale or Loss of Shares by Black Participants | 23 |
| 3.9 | Broad-Based Ownership Schemes and Employee Share Ownership Programme | 24 |
| 3.10 | Private Equity Funds | 24 |
| 3.11 | Non-Profit Companies | 26 |
| 3.12 | Trusts | 27 |
| 3.13 | Options and Share Warrants | 27 |
| 3.14 | Equity Instruments Carrying Preference Rights | 27 |
| 4 | Annexe TSC100 (A) | 28 |
| 5 | Annexe TSC100 (B) | 29 |
| 6 | Annexe TSC100 (C) | 31 |
| 7 | Annexe TSC100 (D) | 33 |
| 8 | Annexe TSC100 (E) | 36 |

1. OBJECTIVES OF THIS STATEMENT

- 1.1 specify the scorecard for measuring the Ownership Element of Broad-Based Black Economic Empowerment (B-BBEE);
- 1.2 define the key measurement principles;
- 1.3 specify the specific measurement principles applicable to various types of entities;
- 1.4 specify the specific measurement principles applicable to various types of Equity Instruments;
- 1.5 Specify the formula for measuring Voting Rights, Economic Interest, and Realisation points.

2. THE OWNERSHIP SCORECARD

The following table represents the criteria used for deriving a score for Ownership under this Statement:

| Indicator | Measurement Category & Criteria | Weighting Points | Compliance Target | |
|-------------------------------|--|------------------|----------------------------|--|
| 2.1 Voting Rights | 2.1.1 Exercisable Voting Rights in the Entity in the hands of Black People; | 4 | 30% | |
| | 2.1.2 Exercisable Voting Rights in the Entity in the hands of Black Women. | 2 | 15% | |
| 2.2 Economic Interest | 2.2.1 Economic Interest in the Entity to which Black People are entitled; | 4 | 30% | |
| | 2.2.2 Economic Interest in the Entity to which Black Women are entitled; | 2 | 15% | |
| | 2.2.3 Economic Interest of any of the following Black Natural People in the Measured Entity. | | | |
| | 2.2.3.1 Black Designated Groups; 2.2.3.2 Black Participants in Employee Share Ownership Programmes; 2.2.3.3 Black People in Broad-Based Ownership Schemes; 2.2.3.4 Black Participants in Co-operatives. | 3 | 3% | |
| | 2.2.4 Black New Entrants | 4 | 10% | |
| 2.3 Realisation Points | 2.3.1 Net Value | 8 | Refer to Annexe TSC100 (E) | |

3. KEY MEASUREMENT PRINCIPLES

3.1 GENERAL PRINCIPLES:

- 3.1.1 An entity receives points for participation by Black People in its rights of Ownership, using the Ownership scorecard in paragraph 2. Black People may hold their rights of Ownership in a measured entity as direct Participants or as participants through some form of entity such as:
- 3.1.1.1 a Company as defined in the Companies Act of 2008 as Amended;
 - 3.1.1.2 a Close corporation;
 - 3.1.1.3 a Co-operative;
 - 3.1.1.4 a Trust;
 - 3.1.1.5 a Broad-Based Ownership Scheme;
 - 3.1.1.6 an Employee Share Ownership Programme;
 - 3.1.1.7 a Partnership or other Association of Natural Persons; and
 - 3.1.1.8 any form of Juristic Person recognised under South African law.
- 3.1.2 The rights of ownership held by Black People in South African Multinationals are measurable against the value of their South African operations only. The Exclusion Principle must be applied with reference to the value of the measured entity's foreign operations when calculating its ownership score.
- 3.1.3 The Equity Equivalent target for the Amended Tourism B-BBEE Sector Code shall be based on 30% of the SA operation or 4% of the annual revenue. All the other principles on Equity Equivalent are applicable to the Amended Tourism B-BBEE Sector Code.

3.2 SUB-MINIMUM REQUIREMENTS

- 3.2.1 A measured entity is required to achieve a minimum of 40% on Net Value points (8 points) based on Annexe TSC100 (E) paragraph 4 of this Statement.
- 3.2.2 Non-compliance with this sub-minimum target, as per paragraph 3.2.1, will result in the achieved B-BBEE Status Level being discounted in accordance with paragraph 12 in Statement TSC000.

3.3 FLOW-THROUGH PRINCIPLE

- 3.3.1 As a general principle, when measuring the rights of ownership of any category of Black People in a measured entity, only rights held by Natural Persons are relevant. If the rights of ownership of Black People pass through a Juristic Person, then the rights of ownership of Black People in that Juristic Person are measurable. This principle applies across every tier of ownership in a multi-tiered chain of ownership until that chain ends with a Black Person holding rights of ownership.
- 3.3.2 The method of applying the Flow-Through Principle across one or more intervening Juristic Persons is as follows:
- 3.3.2.1 Multiply the percentage of the participant's rights of ownership in the Juristic Persons through which those rights pass by the percentage rights of ownership of each of those Juristic Persons successively to the measured entity; and
- 3.3.2.2 The result of this calculation represents the percentage of rights of ownership held by the participant.

3.4 MODIFIED FLOW-THROUGH PRINCIPLE

- 3.4.1 A measured entity applying this Modified Flow-Through Principle cannot benefit from the Exclusion Principle in relation to Mandated Investments.
- 3.4.2 Subject to 3.4.3.2 below the Modified Flow-Through Principle applies to a B-BBEE Owned or Controlled Company in the ownership of the measured entity.
- 3.4.3 In calculating Exercisable Voting Rights under paragraph 2.1.1, and Economic Interest under paragraph 2.2.1 of the Ownership scorecard the following applies:
- 3.4.3.1 Where in the chain of ownership, Black People have a flow-through level of participation of at least 51%, and then only once in the entire ownership structure of the measured entity, such Black participation may be treated as if it were 100% Black.
- 3.4.3.2 Notwithstanding 3.4.3.1 above the Modified Flow-Through Principle may not be applied at the level of the measured entity itself.
- 3.4.4 The Modified Flow-Through Principle may only be applied in the calculation of the indicators in paragraphs 2.1.1 and 2.2.1 of Statement TSC100 and paragraphs 1.1.1 and 1.2.1 of Statement TSC601 of the respective ownership scorecards. In all other instances, the Flow-Through Principle applies.

3.5 EXCLUSION OF SPECIFIED ENTITIES WHEN DETERMINING OWNERSHIP

- 3.5.1 When determining ownership in a measured entity, ownership held by Organs of State or Public Entities must be excluded.
- 3.5.2 The exclusion of ownership held by Organs of State or Public Entities is to be effected before any other ownership discounting methods are to be applied.
- 3.5.3 In calculating their ownership score, measured entities must apply the Exclusion Principle to any portion of their ownership held by Organs of State or Public Entities.

3.6 B-BBEE FACILITATOR STATUS

- 3.6.1 Despite paragraphs 3.5.1 and 3.5.3 above, the Minister may by notice in the gazette, designate certain Organs of State or Public Entities as B-BBEE Facilitators. In calculating their Ownership score, measured entities must treat B-BBEE Facilitators as having rights of ownership held:
- 3.6.1.1 100% by Black People;
- 3.6.1.2 40% by Black women;
- 3.6.1.3 20% by Black Designated Groups;
- 3.6.1.4 without any acquisition debts; and
- 3.6.1.5 without any third-party rights.

3.7 MANDATED INVESTMENTS

- 3.7.1 When determining ownership in a measured entity, rights of ownership of Mandated Investments may be excluded.
- 3.7.2 The maximum percentage of the ownership of any measured entity that may be so excluded is 40%.
- 3.7.3 A measured entity electing not to exclude Mandated Investments when it is entitled to do so, may either treat all that ownership as Non-Black or obtain a competent person's report estimating the extent of Black Rights of ownership measurable in the Measured Entity and originating from those Mandated Investments.
- 3.7.4 A measured entity cannot selectively include or exclude Mandated Investments and therefore an election to exclude one Mandated Investment is an election to exclude all Mandated Investments and vice versa.

3.7.5 A measured entity applying the Exclusion Principle to Mandated Investments cannot benefit from the Modified Flow-Through Principle.

3.8 RECOGNITION OF OWNERSHIP AFTER THE SALE OR LOSS OF SHARES BY BLACK PARTICIPANTS

3.8.1 A measured entity is allowed to recognise a portion of Black Ownership after a Black Participant has exited through the sale or loss of shares subject to the following criteria:

3.8.1.1 the Black Participant has held shares for a minimum period of 3 years;

3.8.1.2 net value based on the Time Based Graduation Factor as per annexe 100 (E) must have been created in the hands of Black People and;

3.8.1.3 transformation has taken place within the measured entity using the B-BBEE Recognition Level from the period of entry of Black Participants to the exiting period.

3.8.2 Black participation arising from continued recognition of Black Ownership cannot contribute more than 40% of the score on the ownership scorecard.

3.8.3 A written agreement between the Measured Entity, the Black Participant, and where applicable, a Lender must record the original terms of the ownership transaction and any related financing arrangements, where applicable.

3.8.4 In the case of a loss of shares by the Black Participant, the following additional rules apply:

3.8.4.1 The period over which the continued recognition points are allocated or recognised after the loss of shares will not exceed the period over which the shares were held.

3.8.5 The ownership points under this paragraph that are attributable to the measured entity will be calculated by multiplying the following elements:

3.8.5.1 the percentage of rights of ownership for each of the indicators in the ownership scorecard that were attributable to the Black Participants immediately before his or her sale or loss of shares;

3.8.5.2 the Deemed Value percentage provided for in paragraph 3 of Annexe TSC100(E) undertaken for the Equity Instruments sold or lost by the Black Participant on the date of the sale or loss. The value of the Entity is measurable as at the date of sale or loss of shares; and

3.8.5.3 the most recently determined B-BBEE Recognition Level of the Measured Entity (which must be less than 1-year old) based on its applicable Scorecard result for all Elements other than ownership determined using Statement TSC000.

3.9 BROAD-BASED OWNERSHIP SCHEMES AND EMPLOYEE SHARE OWNERSHIP PROGRAMME

- 3.9.1 Black Participants in Broad-Based Ownership Schemes and Employee Share Ownership Programmes holding rights of ownership in a measured entity may contribute:
- 3.9.1.1 a maximum of 40% of the total points on the Ownership scorecard of the measured entity if they meet the qualification criteria set out in Annexe TSC100 (B) and Annexe TSC100 (C);
- 3.9.1.2 100% of the total points on the Ownership scorecard of the Measured Entity if they meet the additional qualification criteria set out in Annexe TSC100 (B) and Annexe TSC100 (C).

3.10 PRIVATE EQUITY FUNDS

- 3.10.1 A measured entity may treat any of its ownership arising from a Private Equity Fund as if that ownership were held by Black People, where the Private Equity Fund meets the following criteria:
- 3.10.1.1 At least 51% of any of the Private Equity Fund Managers' Exercisable Voting Rights associated with the Equity Instruments through which the Private Equity Fund holds rights of ownership must be held by Black People;
- 3.10.1.2 At least 51% of the Private Equity Fund's Executive Management and Senior Management must be Black People;
- 3.10.1.3 At least 51% of the profits made by the Private Equity Fund Manager after realising any investment made by it, must by written agreement, accrue to Black People;
- 3.10.2 The term profit in this instance is deemed as profit from the operations of the Private Equity Fund Manager and the carried interest that the Private Equity Fund Manager (and/or its associated entities, provided that at least 51% of the profits of the associated entities accrue to the Private Equity Fund Manager) receives after realising any investment made by it;
- 3.10.3 The Private Equity Fund Manager must be a B-BBEE Owned Company as defined;
- 3.10.4 The Private Equity Fund Manager must seek to invest at least 51% of the value of funds under management in companies that have at least a 30% direct Black shareholding using the Flow - Through Principle.
- 3.10.5 The Private Equity Fund Manager can facilitate direct Black shareholding at the time of entering into the transaction should the target company not meet the requirement of at least 30% Black shareholding at the time that the transaction is concluded.

- 3.10.6 This determination will be made at each measurement date and the status given to the Private Equity Fund Manager will be applicable for a period of 12 months;
- 3.10.7 In recognition of the fact that it is currently a challenge for Private Equity Fund Managers to find companies to invest in that already have a significant Black shareholding, in practice it should be allowed to achieve the 51% target over a period of time based on the formulation detailed below. (It must be noted that this formulation is in line with that of the Net Value calculation above.)
- 3.10.8 Within a year from the commencement date, more than 5% of the sale of funds invested by the Private Equity Fund must at all times be invested in enterprises that have at least 30% direct Black shareholding;
- 3.10.9 Within two years from the commencement date, more than 10% of the value of funds invested by the Private Equity Fund must at all times be invested in enterprises that have at least 30% direct Black shareholding;
- 3.10.10 From the first day of the third year and the last day of the fourth year from the commencement date, more than 20% of the value of funds invested by the Private Equity Fund must at all times be invested in enterprises that have at least 30% direct Black shareholding;
- 3.10.11 From the first day of the fifth year and the last day of the sixth year from the commencement date, more than 30% of the value of the funds invested by the Private Equity Fund must at all times be invested in enterprises that have at least 30% direct Black shareholding;
- 3.10.12 From the first day of the seventh year and the last day of the eighth year from the commencement date, more than 40% of the value of the funds invested by the Private Equity Fund must at all times be invested in the enterprises that have at least 30% direct Black shareholding;
- 3.10.13 From the first day of the ninth year and beyond from the commencement date, at least 51% of the value of the funds invested by the Private Equity Fund must at all times be invested in enterprises that have at least 30% direct Black shareholding;
- 3.10.14 It should be noted that the measurement of at least 51% of the value of funds invested by any Private Equity Fund that must be invested in enterprises with at least 30% direct Black shareholding is to be measured with reference to the cost of the investment made by the Private Equity Fund;

- 3.10.15 In the case of Private Equity Funds that were fully invested prior to 1 November 2015, investments by the fund managers will be considered as being made by Black People if the Private Equity Fund Manager entities meet the following criteria:
- 3.10.15.1 At least 51% of any of the Private Equity Fund Manager's Exercisable Voting Rights associated with the Equity rights of ownership in a Measured Entity, must be held by Black People;
- 3.10.15.2 At least 51% of the profits accruing to the Private Equity Fund Manager after realizing any investment made by it, must by written agreement, accrued to Black People; and
- 3.10.15.3 Private Equity Fund Manager must be a B-BBEE Owned Company.

3.11 NON-PROFIT COMPANIES

- 3.11.1 A measured entity may elect to include or exclude Non-Profit Companies for the purposes of measuring ownership in terms of this Statement;
- 3.11.2 When a measured entity elects to exclude such companies, the maximum percentage of the ownership of any such measured entity that may be so excluded is 40%;
- 3.11.3 A measured entity electing not to exclude Non-Profit Companies when it is entitled to do so, may either treat all of that ownership as Non-Black or obtain a competent person's report estimating the extent of Black Rights of ownership measurable in the measured entity and originating from those Non-Profit Companies;
- 3.11.4 A Non-Profit Company that houses a Broad-Based Ownership Scheme or an Employee Share Ownership Programme is subject to the provisions governing those types of schemes and not to paragraphs 3.11.1 to 3.11.3;
- 3.11.5 Black Participants in a Non-Profit Company or a company limited by guarantee that houses a Broad-Based Ownership Scheme or an Employee Share Ownership Programme holding rights of ownership in a measured entity may contribute:
- 3.11.5.1 A maximum of 40% of the total points on the Ownership scorecard of the measured entity if they meet the qualification criteria for Broad-Based Ownership Schemes and Employee Share Ownership Programmes set out in TSC 100 (B) and Annexe TSC100 (C) respectively.
- 3.11.5.2 100% of the total points on the Ownership scorecard of the measured entity if they meet the additional qualification criteria set out for Broad-Based Ownership Schemes and Employee Share Ownership Programmes in Annexe TSC100 (B) and Annexe TSC100 (C) respectively.

3.12 TRUSTS

- 3.12.1 Black Participants in a Trust holding rights of ownership in a measured entity may contribute:
- 3.12.1.1 A maximum of 40% of the total points on the Ownership scorecard of the measured entity if the Trust meets the qualification criteria for Trusts set out in Annexe TSC100 (D).
- 3.12.1.2 100% of the total points on the Ownership scorecard of the measured entity if the Trust meets the additional qualification criteria set out for Trusts in Annexe TSC100 (D).

3.13 OPTIONS AND SHARE WARRANTS

- 3.13.1 Exercisable Voting Rights and Economic Interest will be recognised where a participant holds an instrument granting the holder the right to acquire an Equity Instrument or part thereof at a future date, if the following requirements are met:
- 3.13.1.1 The Exercisable Voting Rights attached to that instrument are irrevocably transferred to the holder for the option period and are exercisable by the holder before acquiring the Equity Instrument;
- 3.13.1.2 The value of any Economic Interest is irrevocably transferred to the holder for the option period and paid to the holder of that instrument before the exercise of that right; and
- 3.13.1.3 The value of the instrument must be determined by using a Standard Valuation Method for calculating the Net Value.

3.14 EQUITY INSTRUMENTS CARRYING PREFERENCE RIGHTS

- 3.14.1 An Equity Instrument carrying preferential rights is measurable in the same manner as an ordinary Equity Instrument.
- 3.14.2 An Equity Instrument carrying preferential rights that have the characteristics of a debt, regardless of whether the debt is that of an entity or of a participant, must be treated as an ordinary loan. If the debt is that of a Black Participant, it may be subject to measurement under Net Value.
- 3.14.3 In evaluating an instrument that has a hybrid nature including the characteristics of a debt, only that portion that represents a debt will be measured under current equity interest. The remainder is measurable as an ordinary equity instrument.

4. ANNEXE TSC100 (A)

EXAMPLES OF MANDATED INVESTMENTS

| Description of Investment | Portion Subject to Exclusion Principle |
|--|---|
| Investments made by or for a South African collective investment scheme as defined in the Collective Investments Scheme Control Act of 2002 of South Africa. | full value |
| Investments made by or for a South African pension fund as defined in the Pension Fund Act of 1956 of South Africa. | full value |
| Investments made by or for a South African medical scheme as defined in the Medical Schemes Act of 1998 of South Africa out of member's funds. | portion recorded as made out of member's fund |
| Investments made by or for South African long-term insurers as defined in the Long-Term Insurance Act of 1998 of South Africa out of policyholder funds. | portion recorded as made out of policyholder funds |
| Investments made by or for a friendly society as defined in the Friendly Societies Act of 1956 of South Africa. | full value |
| Investments made by or for a South African bank as defined in the Banks Act of 1990 of South Africa out of depositors funds as opposed to own reserves. | depositor portion determined by apportioning investment in the ratio that depositor funds to own reserves |
| Investments made by or for a South African mutual bank as defined in the Mutual Banks Act of 1993 of South Africa out of depositor funds as opposed to own reserves. | depositor portion determined by apportioning investment in the ratio that depositor funds to own reserves |

ANNEXE TSC100 (B)**1. RULES FOR BROAD-BASED OWNERSHIP SCHEMES**

- 1.1 The following rules apply to Broad-Based Ownership Schemes:
- 1.1.1 the Management Fees of the scheme must not exceed 15% of the total Economic Interest received by the scheme in any year;
 - 1.1.2 the constitution of the scheme must record the rules governing any portion of Economic Interest received and reserved for future distribution or application;
 - 1.1.3 the constitution of the scheme must define the Participants and the proportion of their claim to receive distributions;
 - 1.1.3.1 a written record of the name of the Participants or the use of a defined class of natural person satisfies the requirement for identification;
 - 1.1.3.2 a written record of fixed percentages of claim or the use of a formula for calculating claims satisfies the need for defining proportion of benefit; and
 - 1.1.4 the fiduciaries of the scheme must have no discretion on the above mentioned terms of the constitution;
 - 1.1.5 at least 85% of the value of benefits allocated by the scheme must accrue to Black People;
 - 1.1.6 at least 50% of the fiduciaries of the scheme must be independent persons having no employment with or direct or indirect beneficial interest in the scheme;
 - 1.1.7 at least 50% of the fiduciaries of the scheme must be Black People and at least 25% must be Black Women;
 - 1.1.8 the chairperson of the scheme must be independent;
 - 1.1.9 the constitution or other relevant statutory documents, of the scheme must be made available, on request, to any Participant in an official language in which that person is familiar;
 - 1.1.10 On winding-up or termination of the scheme, all accumulated Economic Interest must be transferred to the beneficiaries or an entity with similar objectives.

2. ADDITIONAL CRITERIA APPLICABLE TO BROAD-BASED OWNERSHIP SCHEMES

- 2.1 For a measured entity to obtain the maximum points on its Ownership scorecard, the following additional requirements must be met by a Broad-Based Ownership Scheme:
- 2.1.1 a track-record of operating as a Broad-Based Ownership Scheme, or in the absence of such a track-record demonstrable evidence of full operational capacity to operate as a Broad-Based Ownership Scheme; and
- 2.1.1.1 operational capacity must be evidenced by suitably qualified and experienced staff in sufficient number, experienced professional advisors, operating premises, and all other necessary requirements for operating a business.

ANNEXE TSC100 (C)**1. RULES FOR EMPLOYEE SHARE OWNERSHIP PROGRAMMES**

- 1.1 The following rules apply to Employee Share Ownership Programmes;
- 1.1.1 The constitution of the scheme must define the Participants and the proportion of their claim to receive distributions;
- 1.1.1.1 a written record of the name of the Participants or the use of a defined class of a Natural Person satisfies the requirement for identification;
- 1.1.1.2 a written record of fixed percentages of claim or the use of a formula for calculating claims satisfies the need for defining proportion of benefit; and
- 1.1.2 The fiduciaries of the scheme must have no discretion on the above mentioned terms of the constitution; and
- 1.1.3 The Participants must take part in:
- 1.1.3.1 Appointing at least 50% of the fiduciaries of the scheme;
- 1.1.3.2 Managing the scheme at a level similar to the management role of shareholders in a company having shareholding;
- 1.1.4 The constitution, or other relevant statutory documents, of the scheme must be made available, on request, to any Participant in an official language in which that person is familiar;
- 1.1.5 The scheme fiduciaries must present the financial reports of the scheme to Participants yearly at an annual general meeting of the scheme; and
- 1.1.6 All accumulated Economic Interest of the scheme is payable to the Participants at the earlier of a date or event specified in the scheme constitution or on the termination or winding-up of the scheme.

2. ADDITIONAL CRITERIA APPLICABLE TO EMPLOYEE SHARE OWNERSHIP PROGRAMMES

- 2.1 For a measured entity to obtain the maximum points on its Ownership scorecard, the following additional requirements must be met by an Employee Share Ownership Programme:
- 2.1.1 a track-record of operating as a Broad-Based Ownership Scheme or Employee Share Ownership Scheme, or in the absence of such a track-record demonstrable evidence of full operational capacity to operate as an Employee Share Ownership Programme;
- 2.1.1.1 operational capacity must be evidenced by suitably qualified and experienced staff in sufficient number, experienced professional advisors, operating premises and all other necessary requirements for operating a business.

ANNEXE TSC100 (D)**1. RULES FOR TRUSTS (INCLUDING FAMILY TRUSTS)**

- 1.1 The qualification criteria for the recognition of Trusts are as follows:
- 1.1.1 The trust deed must define the beneficiaries and the proportion of their entitlement to receive distributions;
- 1.1.1.1 a written record of the names of the beneficiaries or the use of a defined class of Natural Person satisfies the requirement for identification;
- 1.1.1.2 a written record of fixed percentages of entitlement or the use of a formula for calculating entitlement satisfies the need for defining proportion of benefit;
- 1.1.2 The trustees must have no discretion on the above mentioned terms of the trust deed except where it is a family trust. In case of a family trust only the trustees may have a discretion with respect to the above mentioned terms and then only within the confines of the discretion awarded them by the trust deed; and
- 1.1.3 On winding-up or termination of the trust, all accumulated Economic Interest must be transferred to the beneficiaries or to an entity representing the interest of the Participants or class of beneficiaries.

2. ADDITIONAL CRITERIA APPLICABLE TO TRUSTS

- 2.1 For a measured entity to obtain the maximum points on its Ownership scorecard from shareholding by a Trust, the Measured Entity must be in possession of a certificate issued by a competent person to the effect:
- 2.1.1 that the Trust was created for a legitimate commercial reason which must be fully disclosed; and
- 2.1.2 that the terms of the Trust do not directly or indirectly seek to circumvent the provisions of the Codes and the Act.

3. RULES FOR DISCRETIONARY JURISTIC PERSONS

- 3.1 The terms of a constitution, Memorandum of Incorporation (MOI) or the trust deed of a Juristic Person, whichever the case may be, may notwithstanding the Rules for Broad-Based Ownership Schemes, Employee Share Ownership Programmes and the Rules for Trusts (Annexe TSC100 B; C & D), provide for a discretion to the fiduciaries to distribute, in their sole and unfettered discretion, such portions of the juristic person's income and capital as they deem fit from time to time to such beneficiaries or members of a defined class of beneficiaries as they may decide in their sole and unfettered discretion from time to time;
- 3.2 The discretion to the fiduciaries referred to in 3.1. above must be exercised in accordance with the terms of the constitution, MOI or trust deed. Subject to compliance with the remainder of the rules and additional rules as embodied in Annexe TSC100 B, C and D, such discretion will not disqualify the juristic person from qualifying for recognition under the Ownership Scorecard;
- 3.3. Where such a discretion or a partial discretion exists, the race and gender composition of rights of ownership that flow through the Juristic Person must be determined with reference to the wording of the constitution, MOI or trust deed having regard to the race and gender of Participants thereof and their proportion of entitlement to income or that of certain classes of Participants (where applicable);
- 3.3.1 where the wording of the constitution, MOI or trust deed is clear on the racial or gender composition of Participants - the constitution, MOI or trust deed, which ever the case may be, will serve as sufficient evidence to those facts it is clear on;
- 3.3.2 where the determination of race and gender of Participants are not practically determinable from a pure reading of the trust deed, reliance may be placed on a competent person's report estimating the rights of ownership that flows through the juristic person. Such report may have regard to various factors which could include where appropriate:
- 3.3.2.1 *ad hoc* distributions to Participants of income and capital during the measurement period;
- 3.3.2.2 official estimating records such as publicly available municipal records, university or school enrolment records and the South African census reports;

- 3.3.3 where the determination of race and gender of Participants are indeterminable notwithstanding the mechanisms provided for in paragraphs 3.3.1 and 3.3.2 the Participants must be regarded as non-black.
- 3.4 Participants in Juristic Person's with these discretionary terms seldom have the right to vote at general meetings of the Juristic Person. Their rights are represented by the fiduciaries who make decisions on their behalf. For this reason, the Economic Interest of such Participants as determined in paragraph 3.3 above will serve as a proxy for their Voting Rights.

ANNEXE TSC100 (E)**1. MEASUREMENT OF VOTING RIGHTS**

- 1.1 The calculation of the Ownership indicators provided for in paragraphs 2.1.1 and 2.1.2 of the Ownership scorecard is as follows:

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved for the entity for the measured Ownership indicator;

B is the percentage that Exercisable Voting Rights in the hands of the category of Participants who are Black People in that entity holds to all Voting Rights held by all Participants of that entity;

C is the percentage compliance Target for Exercisable Voting Rights for the applicable measured Ownership indicator in paragraph 2.1 of the Ownership scorecard;

D is the Weighting points allocated to the applicable measured Ownership indicator in paragraph 2.1 of the Ownership scorecard.

- 1.2 If an entity gains a score in the formula above that is more than the weighting points in paragraph 2.1, that entity will only receive the weighing points.

2. MEASUREMENT OF ECONOMIC INTEREST

2.1 The calculation of the Ownership indicators provided for in paragraphs 2.2.1, 2.2.2, 2.2.3 and 2.2.4 of the Ownership scorecard is as follows:

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved for the entity for the measured Ownership indicator;

B is the percentage that Economic Interest to which Participants who fall within the category of Black People in that entity holds to all Economic Interest held by all Participants of that entity;

C is the percentage compliance Target for Economic Interest for the applicable measured Ownership indicator in paragraph 2.2 of the Ownership scorecard;

D is the weighting points allocated to the applicable measured Ownership indicator in paragraph 2.2 of the Ownership scorecard.

2.2 If an entity gains a score in the formula above that is more than the weighting points in paragraph 2.2, that entity will only receive the weighting points.

3. CALCULATION OF DEEMED VALUE

3.1 In calculating the "Deemed Value" referred to in Formula 4 below, the following formula applies:

$$A = \frac{B - C}{D}$$

Where

A is the Deemed Value

B for the purposes of formula 4 below is the value of the Equity Instruments relevant to the calculation, determined on the Date of Measurement;

B for the purpose of formula 5 below is the value of the Equity Instruments relevant to the calculation, determined on the date of sale or loss;

C for the purposes of formula 4 below is the carrying value of any Acquisition Debts of the relevant Black Participants on the Date of Measurement;

C for the purpose of Formula 5 is the carrying value of any Acquisition Debts of the relevant Black Participants on the date of sale or loss;

D for the purpose of Formula 4 below is the value of the Measured Entity on the Date of Measurement

D for the purpose of Formula 5 below the value of the Measured Entity (inclusive of the black Equity Instruments sold or lost) on the date of sale or loss

D for the purpose of the Exclusion Principle is the value of the measurable portion of the Measured Entity on the Date of Measurement

4. NET VALUE

4.1 The "Net Value" points in paragraph 2.3.1 are the lower result of formula A and formula B below:

Formula A

$$A = B \times \left(\frac{1}{30\% \times C} \right) \times 8$$

Where

A is the score under paragraph 2.3.1 of the Ownership scorecard

B is the Deemed Value for all Black Participants in the measured entity determined using formula 3 above;

C is the Time-Based Graduation Factor of the Economic Interest compliance target outlined below:

- **10%** for the first year after the Current Equity Interest Date.
- **20%** for the second year after the Current Equity Interest Date.
- **40%** from the first day of the third year after the Current Equity Interest Date to the last day of the fourth year after the Current Equity Interest Date.
- **60%** from the first day of the fifth year after the Current Equity Interest Date to the last day of the sixth year after the Current Equity Interest Date.
- **80%** from the first day of the seventh year after the Current Equity Interest Date to the last day of the eighth year after the Current Equity Interest Date.
- **100%** from the first day of the ninth year after the Current Equity Interest Date to the last day of the tenth year after the Current Equity Interest Date.

Formula B

$$A = \frac{B}{C} \times 8$$

Where

A is the score under paragraph 2.3.1 of the Ownership scorecard.

B is the percentage Economic Interest in the measured entity of Black Participants measured using the Flow-Through Principle.

C is the target for the Ownership indicator in paragraph 2.2.1 of the Ownership scorecard.

- 4.2 If an entity gains a score in the formula above that is more than the weighting points in paragraph 2.3.1, that entity will only receive the weighting points.

5. CALCULATION OF THE RECOGNITION OF OWNERSHIP AFTER THE SALE OR LOSS OF SHARES BY BLACK PARTICIPANTS:

The calculations in paragraphs 3.8.1 and 3.8.4 use the following formula:

$$A = B \times C \times D$$

Where

A is the percentage of rights of ownership that survive the sale or loss of an Equity Instrument by a Black Participant in paragraph 3.8 of the statement;

B is the percentage of rights of ownership for each of indicators in the Ownership scorecard that were attributable to the Black Participants immediately before his or her sale or loss of shares;

C is the Deemed Value percentage provided for in paragraph 3 above undertaken for the Equity Instruments sold or lost by the Black Participant on the date of the sale or loss. The value of the entity is measurable as at the date of sale or loss of shares;

D is the most recently determined B-BBEE Recognition Level of the measured entity (which must be less than 1-year old) based on its applicable Scorecard result for all Elements other than ownership determined using Statement TSC000.

**AMENDED CODE SERIES TSC200: MEASUREMENT OF THE MANAGEMENT CONTROL
ELEMENT OF BROAD-BASED BLACK ECONOMIC EMPOWERMENT
STATEMENT TSC200: THE GENERAL PRINCIPLES FOR MEASURING
MANAGEMENT CONTROL**

**Issued under the Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of
2003 as amended by Act No. 46 of 2013**

Arrangement of this Statement

| Para | Subject | Page |
|-------------|--|-------------|
| 1. | Objectives of this Statement | 42 |
| 2. | Management Control Scorecard | 42 |
| 3. | Key Measurement Principles | 43 |
| 4. | Measurement of the Management Control criteria | 44 |
| 5. | Annexe TSC200 (A) | 45 |
| 6. | Annexe TSC200 (B) | 46 |
| 7. | Annexe TSC200 (C) | 49 |

1. OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the scorecard for measuring Management Control contributions to B-BBEE;
- 1.2 Define the key measurement principles for measuring the Management Control contributions to B-BBEE; and
- 1.3 Define the formula for calculating the score for Management Control.

2. MANAGEMENT CONTROL SCORECARD

The following table represents the criteria used for deriving a score for Management Control under this statement.

| Measurement Category & Criteria | Weighting Points | Compliance Targets |
|---|------------------|--------------------|
| 2.1 Board Participation: | | |
| 2.1.1 Exercisable Voting Rights of Black Board Members as a percentage of all Board Members; | 2 | 50% |
| 2.1.2 Exercisable Voting Rights of Black Female Board Members as a percentage of all Board Members; | 1 | 30% |
| 2.1.3 Black Executive Directors as a percentage of all Executive Directors; | 2 | 50% |
| 2.1.4 Black Female Executive Directors as a percentage of all Executive Directors. | 1 | 30% |
| 2.2 Other Executive Management: | | |
| 2.2.1 Black Executive Management as a percentage of all Other Executive Management; | 2 | 60% |
| 2.2.2 Black Female Executive Management as a percentage of all Other Executive Management. | 1 | 30% |

| | | |
|---|---|---|
| 2.3 Senior Management | | |
| 2.3.1 Black Employees in Senior Management as a percentage of all Senior Management; | 2 | 60% |
| 2.3.2 Black Female Employees in Senior Management as a percentage of all Senior Management. | 1 | 30% |
| 2.4 Middle Management | | |
| 2.4.1 Black Employees in Middle Management as a percentage at all Middle Management; | 2 | 75% |
| 2.4.2 Black Female Employees in Middle Management as a percentage of all Middle Management. | 1 | 38% |
| 2.5 Junior Management | | |
| 2.5.1 Black Employees in Junior Management as a percentage of all Junior Management; | 1 | 80% |
| 2.5.2 Black Female Employees in Junior Management as a percentage of all Junior Management. | 1 | 40% |
| 2.6 Employees with disabilities | | |
| 2.6.1 Black Employees with Disabilities as a percentage of all Employees. | 2 | 2% |
| 2.7 Bonus Points | | |
| 2.7.1 Number of Black Employees with Disabilities over and above the 2% target for Black Employees with Disabilities in terms of 2.6.1, as a percentage of all Employees. | 2 | 1% (<i>over and above 2% target in 2.6.1</i>) |

3. KEY MEASUREMENT PRINCIPLES

- 3.1 A measured entity receives points for its achievement towards the targets for participation of Black People and Black Women at Board, Executive Management, Senior Management, Middle Management, Junior Management, and Black Employees with Disabilities.
- 3.2 A measured entity must use the current payroll data as at Measurement Date in calculating its score under the Management Control scorecard.

- 3.3 If a measured entity does not distinguish between Other Executive Management and Senior Management, then Executive Management is measurable as a single indicator with a weighting of 6 points under paragraphs 2.2.1 and 2.2.2 split as 4 and 2 points respectively.
- 3.4 Defining Executive Management:
- 3.4.1 Executive Management positions include the following: Chief Executive Officer, Chief Operating Officer, Chief Financial Officer and Other Executive Managers that serve on the Board of Directors are defined as "Top Management" in terms of the Employment Equity Regulations and include the 'Executive Directors' and 'Other Executive Management' of the measured entity.
- 3.4.2 Other Executive Management' positions therefore refer to Executive Management that do not serve on the board, such as Human Resource Executive, Transformation Executive and other people holding similar positions. They are measurable under 2.2.1 and 2.2.2 of the Management Control Scorecard.
- 3.4.3 Executive Directors are only measurable under 2.1 of the Management Control scorecard and not 2.2.

4. MEASUREMENT OF THE MANAGEMENT CONTROL CRITERIA

The criteria in the Management Control scorecard is measured in terms of the formula set out in Annexe TSC200 (A), (B) and (C).

5. ANNEXE TSC200 (A)

5.1 MEASUREMENT OF MANAGEMENT CONTROL INDICATORS

The Management Control criteria provided for in paragraphs 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 is calculated as follows:

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved by a measured entity in respect of the measurement of the criteria specified in paragraph 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 of the Management Control scorecard;

B in the case of paragraph 2.1, is the Voting Rights in the hands of Black Members of the Board as a percentage of Voting Rights of all members of the Board in the measured entity; or

B in the case of paragraph 2.2, is the percentage of Black Employees in the Other Executive Management category of the measured entity; or

B in the case of paragraph 2.3, 2.4 and 2.5, is the percentage of Black Employees for each of the indicators in those paragraphs as calculated in Annexe TSC200 (B); or

B in the case of paragraph 2.6, is the percentage of Black Employees with a Disability as a percentage of all Employees;

B in the case of paragraph 2.7, is the percentage of Black Employees with a Disability above the 2% target in 2.6 for such Employees, as a percentage of all Employees;

C is the percentage Compliance Target in respect of the applicable criteria being measured as specified in paragraph 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 of the Management Control scorecard;

D means the Weighting points allocated to the applicable criteria being measured as specified in paragraph 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 of the Management Control scorecard.

6. ANNEXE TSC200 (B)

6.1 MEASUREMENT OF THE 'BLACK PEOPLE' INDICATORS OF SENIOR MANAGEMENT, MIDDLE MANAGEMENT, AND JUNIOR MANAGEMENT.

Subject to the limitations in clause 3 Annexe TSC200 (B) below, the calculation of the Management Control indicators provided for in paragraphs 2.3.1, 2.4.1, and 2.5.1 of the Management Control scorecard are as follows:

$$A = AM + CM + IM + AF + CF + IF$$

Where:

A is the percentage of Black Employees that is "**B**" in the formula in Annexe TSC200 (A) for each of the indicators in paragraphs 2.3.1, 2.4.1 and 2.5.1.

AM is the percentage of Employees in the measurement category that are African Males;

CM is the percentage of Employees in the measurement category that are Coloured Males;

IM is the percentage of Employees in the measurement category that are Indian Males;

AF is the percentage of Employees in the measurement category that are African Females;

CF is the percentage of Employees in the measurement category that are Coloured Females;

IF is the percentage of Employees in the measurement category that are Indian Females.

6.2 MEASUREMENT OF THE 'BLACK FEMALE' INDICATORS OF SENIOR MANAGEMENT, MIDDLE MANAGEMENT AND JUNIOR MANAGEMENT

Subject to the limitations in clause 3 Annexe TSC200 (B) below, the calculation of the Management Control indicators provided for in paragraphs 2.3.2, 2.4.2, and 2.5.2 of the Management Control scorecard are as follows:

$$A = AF + CF + IF$$

Where:

A is the percentage of Black Female Employees that is "**B**" in the formula in Annexe TSC200 (A) for each of the indicators in paragraphs 2.3.2, 2.4.2 and 2.5.2;

AF is the percentage of Employees in the measurement category that are African Females;

CF is the percentage of Employees in the measurement category that are Coloured Females;

IF is the percentage of Employees in the measurement category that are Indian Females.

6.3 LIMITATION OF **AM**, **CM**, **IM**, **AF**, **CF** and **IF**

6.3.1 **AM**, **CM**, **IM**, **AF**, **CF** and **IF** wherever they occur in the formulae above, are always limited to a proportion of the respective Target in paragraphs 2.3.1, 2.3.2, 2.4.1, 2.4.2, 2.5.1. and 2.5.2. The proportion to be applied to such Target to determine the limitation on each of **AM**, **CM**, **IM**, **AF**, **CF** and **IF** are the respective proportion which each of them contribute to the Black People component (or where applicable Black Female component) of the overall Economically Active Population (EAP) as published in the Commission for Employment Equity (CEE) Report, and as amended from time to time in terms of the Employment Equity Regulations (see Annexe TSC200(C) for an example).

6.3.2 The word '*overall*' as used above in relation to EAP statistics refers to the EAP of the labour force as a whole, whether nationally or for a particular province, whichever the case may be in accordance with the Employment Equity Act and its Regulations. Therefore, even though the CEE Report also reports on the EAP breakdown nationally and provincially per Senior, Middle and Junior management the term '*overall*' is used to indicate that this further breakdown per employment category, should not be used.

7. ANNEXE TSC200 (C)

7.1 EXAMPLE FOR DETERMINING LIMITATION OF AM, CM, IM, AF, CF and IF

The example below illustrates how the limitation of the target for each of the race sub-categories is determined with respect to the 'Black People' indicator of Senior Management (par. 2.3.1):

Step 1: Determine the profile of the overall national EAP distribution per race and gender as per the CEE Report*

| | African Male | Coloured Male | Indian Male | White Male | African Female | Coloured Female | Indian Female | White Female | Total |
|--|--------------|---------------|-------------|------------|----------------|-----------------|---------------|--------------|-------|
| National EAP distribution by race and gender as per CEE Report | 40.70% | 5.80% | 1.90% | 6.40% | 34.20% | 5.00% | 1.10% | 4.90% | 100% |

* In this example the overall national EAP statistics are used.

Step 2: Calculate the total Black People component of the EAP as per the CEE Report in step 1*

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Black People Component |
|--|--------------|---------------|-------------|----------------|-----------------|---------------|------------------------|
| Black People component of national EAP | 40.70% | 5.80% | 1.90% | 34.20% | 5.00% | 1.10% | 88.70% |

*If one were calculating the limitation applicable to the female sub-race groups if one were measuring the 'Black Female' indicator of Senior Management, then Step 2 would reference the Black Female sub-race groups only.

Step 3: Calculate the proportion if each Black race and gender sub-group constitutes of the total Black People component determined as per Step 2

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Total |
|---|--------------|---------------|-------------|----------------|-----------------|---------------|-------|
| Proportion of each race and gender sub-group of Black People component of EAP | 45.89% | 6.54% | 2.14% | 38.56% | 5.64% | 1.24% | 100% |

Step 4: Apply the proportion calculated in step 3 to the Target for Senior Managers (par. 2.3.1) i.e. 60%

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Senior Management Target |
|--|---------------------|----------------------|--------------------|-----------------------|------------------------|----------------------|---------------------------------|
| Limit each race and gender sub-group of Black People may contribute to Senior Management's Target | 27.53% | 3.92% | 1.29% | 23.13% | 3.38% | 0.74% | 60% |

For calculating the score for par. 2.3.1 of the Management Control Scorecard **AM, CM, IM, AF, CF** and **IF** are therefore limited to the percentages as calculated per Step 4 above.

**AMENDED CODE SERIES TSC300: MEASUREMENT OF THE SKILLS DEVELOPMENT
ELEMENT OF BROAD-BASED BLACK ECONOMIC EMPOWERMENT**

STATEMENT TSC300: THE GENERAL PRINCIPLES FOR MEASURING SKILLS DEVELOPMENT

**Issued under Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of
2003 as amended by Act No.46 of 2013**

Arrangement of this Statement

| Para | Subject | Pages |
|-------------|--|--------------|
| 1. | Objectives of this Statement | 52 |
| 2. | The Skills Development Scorecard | 52 |
| 3. | Key Measurement Principles | 54 |
| 4. | Sub-minimum and Discounting Principles | 55 |
| 5. | General Principles | 55 |
| 6. | Legitimate Training Expenses | 57 |
| 7. | Measurement of Skills Development Indicators | 57 |
| 8. | Annexe TSC300 (A) | 58 |
| 9. | Annexe TSC300 (B) | 61 |
| 10. | Annexe TSC300 (C) | 63 |
| 11. | Annexe TSC300 (D) | 65 |

1. OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the scorecard for measuring the Skills Development Element of B-BBEE;
- 1.2 Define the key measurement principles associated with the Skills Development Element; and
- 1.3 Indicate the formula for measuring the Skills Development Element.

2. THE SKILLS DEVELOPMENT ELEMENT SCORECARD

- 2.1 The following table represents the criteria used for deriving a score for Skills Development under this Statement:

CONTINUES ON PAGE 130 - PART 2

ARTIKEL 107
ARTIKEL 108

ARTIKEL 109
ARTIKEL 110



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PART 2 OF 3

| Measurement Category & Criteria | Weighting points | Compliance Target |
|---|------------------|-------------------|
| 2.1.1 Skills Development Expenditure on any programme specified in the Learning Programme Matrix for Black People as a percentage of the Leviale Amount | | |
| 2.1.1.1 Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black People in any of the following three tourism sub-sectors as a percentage of Leviale Amount: 2.1.1.1.1 Accommodation; 2.1.1.1.2 Hospitality and related services; 2.1.1.1.3 Travel and related services. | [6] | [4%] |
| [2.1.2 [Skills development expenditure on Busarles for Black Students at Higher Education Institutions.] | [5] | [3%] |
| 2.1.3 Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black People with Disabilities in any of the above three tourism sub-sectors as a percentage of Leviale Amount. | [2] | 0.3% |
| 2.1.4 Learnerships, Apprenticeships, and Internships | | |
| 2.1.4.1 Number of Black [People] Employees participating in Learnerships, Apprenticeships and Internships paid for by the Measured Entity as a percentage of total Employees. | [7] | [6%] |
| 2.1.2.2 Number of black Unemployed Learners participating in Learnerships, Apprenticeships and Internships paid for by the Measured Entity as a percentage of number of total Employees. | | |
| 2.1.5 Bonus points: | | |
| 2.1.5.1 Number of Black People Absorbed by the Measured Entity and Industry Entity at the end of the Internship, Learnerships and Apprenticeship programme under Paragraph 2.1.4.1 | [6] | 100% |

- 2.2 [The compliance targets for 2.1.1.1,2.1.1.2 and 2.1.3 of the Skills Development scorecard are based on the overall demographic representation of Black People as defined in the Regulations of the Employment Equity Act and Commission of Employment Equity Report as amended from time to time.]
- 2.3 [In determining a measured entity's score, the targets should be further broken down into specific criteria according to the different race sub-groups within the definition of Black in accordance with the regulations of the Employment Equity Act and Commission of Employment Equity Report requirement on equitable representation and weighted accordingly.]
3. **KEY MEASUREMENT PRINCIPLES**
- 3.1. The following criteria must be fulfilled in order for the measured entity to receive points on the Skills Development element scorecard:
- 3.1.1 Workplace Skills Plan, an Annual Training Report and Pivotal Report which are approved by Culture, Arts, Tourism, Hospitality and Sports Sector Education and Training Authority (CATHSSETA);
- 3.1.2 Implementation of Priority Skills programme generally, and more specifically for Black People; and
- 3.1.3 Implementation of tourism critical skills programme covering accommodation, hospitality or travel and related services identified by the Culture, Arts, Tourism, Hospitality and Sports Sector Education and Training Authority (CATHSSETA).
- 3.2. The [4%] compliance target under paragraph 2.1.1.1 includes external training expenditure for **[Unemployed] Black People. that are not employed by the measured entity.**
- 3.3. **[Initiatives implemented under paragraph 2.1.1.1 cannot be counted under paragraph 2.1.2 and vice versa.]**
- 3.4. A trainee tracking tool has to be developed in order for the measured entity to score under paragraph 2.1.5.1.
- 3.5. If less than 100% of the trainees are absorbed under paragraph 2.1.5.1, the percentage achieved or absorbed will be recognised.
- 3.6. **Skills Development Expenditure on Black People that are counted under the Skills Development scorecard may not be counted again under any other B-BBEE element of the QSE or Large Enterprise Scorecard.**

4. SUBMINIMUM AND DISCOUNTING PRINCIPLE

- 4.1 A measured entity must achieve a minimum of 40% of the total weighting points (excluding bonus points) set out in the Skills Development Element.
- 4.2 Non-compliance to the threshold targets will result in the overall achieved B-BBEE status level being discounted in accordance with paragraph 12 of Statement TSC000.

5. GENERAL PRINCIPLES

- 5.1 Skills Development must:
- 5.1.1 contribute to the achievement of the country's economic growth and social development goals that will enrich the creation of decent work and sustainable livelihoods.
- 5.1.2 promote the development of an industrial skills base in critical sectors of production and value-added manufacturing, which are largely labour-intensive industries.
- 5.1.3 support Professional, Vocational, Technical and Academic Learning programmes, achieved by means of professional placements, work-integrated learning, Apprenticeships, Learnerships and Internships, that meet the critical needs for economic growth and development.
- 5.1.4 strengthen the skills and human resource base by encouraging the support of skills development initiatives with an emphasis on skills development and career pathing for all working people in order to support employment creation.
- 5.2. Recognisable Skills Development Expenditure includes any Legitimate Training Expenses incurred for any Learning Programme offered by a measured entity to Black People, Black People with Disabilities or Black Unemployed Learners, evidenced by an invoice or appropriate internal accounting record.
- 5.3. Skills Development Expenditure arising from Informal training or Category F and G Learning Programmes under the Learning Programmes Matrix cannot in aggregate represent more than **[25]15%** of the total value of Skills Development Expenditure.
- 5.4. The following Legitimate Training Expenses incurred by the Measured Entity cannot in aggregate represent more than 15% of the total value of Skills Development Expenditure:
- 5.4.1 accommodation of learners;
- 5.4.2 catering for learners at learning site;
- 5.4.3 travelling of learners to and from the learning site; and

- 5.4.4 [cost to the measured entity of employing a Skills Development Facilitator or Training Manager. This does not apply to skills development expenditure recognised in paragraph 2.1.2.]
- 5.5 Salaries or wages paid to an Employee of the measured entity participating as a learner in any Learning Programme only constitute Skills Development Expenditure if the Learning Programme is a Learnership, Internship or Apprenticeship (Category B, C and D of the Learning Programme Matrix) [or stipend linked to a bursary programme in terms of paragraph 2.1.2] **Salaries or wages so paid to the Employee are only claimable for the period over which that Employee was participating in the Learnership, Internship or Apprenticeship during the measurement period.**
- 5.6 Expenses on scholarships and bursaries for **[Black People] Employees** do not constitute Skills Development Expenditure if the Measured Entity can recover any portion of those expenses from the Employee or if the grant of the scholarship or bursary is conditional. **[A bursary or scholarship scheme is a grant made to or for students who are registered at educational institutions established by or registered with the Department of Basic Education or the Department of Higher Education and Training. Examples of legitimate training costs for a bursary or scholarship includes: payment of school, college or university fees, or a portion thereof, funding for text books or other learning materials, funding for subsistence or accommodation during the period of study].** Despite the afore ongoing, if the right of recovery or the condition involves either of the following obligations of the Employee, the expenses are recognisable:
- 5.6.1 the obligation of successful completion in their studies within the time period allocated; or
- 5.6.2 the obligation of continued employment by the measured entity for a period following successful completion of their studies is not more than the period of their studies.
- 5.7 Mandatory sectoral training does not qualify as Skills Development contribution i.e. health and safety training (non-exhaustive list).
- 5.8 Training that is not locally available and therefore provided outside the country or that are provided locally but then only by foreign service providers, that are in line with the Learning Programme Matrix under Annexure TSC300 (A) is measurable if it **meets [South African Qualification**

Authority Recognition] the criteria in the Learning Programme Matrix. References in the matrix to terms such as 'statutory occupational or professional body', 'accredited body' and 'registered formal institution of learning' will in such cases include the foreign service provider whether it is actually accredited, registered or formally approved as a statutory occupational or professional body in South Africa or abroad, or not.

6. LEGITIMATE RECOGNISABLE TRAINING EXPENSES

6.1 Legitimate Recognisable Training Expenses include but is not necessarily limited to:

6.1.1 costs of training materials;

6.1.2 costs of trainers;

6.1.3 costs of training facilities including costs of catering;

6.1.4 scholarships and bursaries;

6.1.5 course fees;

6.1.6 accommodation and travel; and

6.1.7 Administration costs such as the organization of training including, where appropriate, the cost of the Measured Entity of employing a Skills Development Facilitator or a Training Manager.

7. MEASUREMENT OF SKILLS DEVELOPMENT INDICATORS

The formulae and example that explains the method of measurement of the criteria in the Skills Development scorecard is set out in Annexe TSC300 (B), (C) and (D).

8. ANNEXE TSC300 (A)

| Cat | Programme | Narrative Description | Delivery Mode | Learning Site | Learning Achievement |
|-----|--------------------------|--|--|---|---|
| A | Bursaries or Scholarship | Institution-based theoretical instruction alone – formally assessed by [educational institutions established by or registered with the Department of Basic Education or the Department of Higher Education and Training.] | Institutional instruction | Institutions such as universities and colleges, schools, ABET providers | Recognised theoretical knowledge resulting in the achievement of a degree, diploma or certificate issued by an accredited or registered formal institution of learning. |
| B | Internships | Institution-based theoretical instruction as well as some practical learning with an employer or in a simulated work environment – formally assessed through the institution. | Mixed mode delivery with institutional instruction as well as supervised learning in an appropriate workplace or simulated work environment. | Institutions such as universities and colleges, schools, ABET providers and workplace | Theoretical knowledge and workplace experience with set requirements resulting in the achievement of a degree, diploma or certificate issued by an accredited or registered formal institution of learning. |
| C | Learnerships | Recognised or registered | Structured learning in the | Workplace | Occupational or professional |

| | | | | | |
|----------|----------------------------------|---|--|-------------------------------------|---|
| | | structured experiential learning in the workplace that is required after the achievement of a qualification – formally assessed by a statutory occupational or professional body. | workplace with mentoring or coaching. | | knowledge and experience formally recognised through registration or licensing. |
| D | Learnerships or Apprenticeship . | Occupationally-directed instructional and work-based learning programme that requires a formal contract – formally assessed by an accredited body. | Institutional instruction together with structured, supervised experiential learning in the workplace. | Institutions and workplace | Theoretical knowledge and workplace learning, resulting in the achievement of a South African Qualifications Authority registered qualification, a certificate or other similar occupational or professional qualification issued by an accredited or registered formal institution of learning |
| E | Work – integrated learning. | Occupationally-directed instructional and work-based | Structured, supervised experiential learning in the | Workplace, institutional as well as | Credits awarded for registered unit standards, continued professional |

| | | | | | |
|----------|--------------------|---|--|--|--|
| | | learning programme that does not require a formal contract – formally assessed by an accredited body. | workplace which may include some institutional instruction. | ABET providers | development, improved performance or skills (e.g. evidence of outputs based on Performance Development Programme). |
| F | Informal training. | Occupationally-directed informal instructional programmes. | Structured, information sharing or direct instruction involving workshops, seminars and conferences and short courses. | Institutions, conferences and meetings | Continuing professional development, attendance certificates and credits against registered unit standard (in some instances). |
| G | Informal training. | Work-based informal programmes. | Informal training | Workplace | Increased understanding of job or work context or improved performance of skills. |

9. ANNEXE TSC300 (B)

9.1 MEASUREMENT OF SKILLS DEVELOPMENT INDICATORS

The Skills Development criteria provided for in paragraphs 2.1.1, 2.1.2 and 2.1.3 of the scorecard are calculated as follows:

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved by a measured entity in respect of the measurement of the Skills Development criteria specified in paragraphs 2.1.1, 2.1.2 and 2.1.3

B in the case of paragraph 2.1.1.1, is the amount of Skills Development Expenditure on Black People expressed as a percentage of the Leviable Amount of the measured entity, as calculated in Annexe TSC300(C); **or**

B in the case of paragraph 2.1.1.2, is the amount of Skills Development Expenditure on Black People with Disabilities expressed as a percentage of the Leviable Amount of the Measured Entity; **or**

B in the case of paragraph 2.1.2.1, is the number of Black Employees that are on Learnerships, Apprenticeships and Internships, expressed as a percentage of the total number of Employees of the measured entity, as calculated in Annexe TSC300(C); **or**

B in the case of paragraph 2.1.2.2 is the number of Black Unemployed Learners participating Learnerships, Apprenticeships and Internships, expressed as a percentage of the total number of Employees of the measured entity, as calculated in Annexe TSC300(C); **or**

B in the case of paragraph 2.1.3 is the number of Black People that completed a learnership programme during the measurement period and who was subsequently absorbed by the measured entity, expressed as a percentage of the total number of learnership programmes that Black People were enrolled for and that ended during the measurement period.

C is the percentage compliance target in respect of the applicable criteria being measured as specified in paragraph 2.1.1, 2.1.2, and 2.1.3 of the Skills Development scorecard

D is the Weighting for the applicable criteria being measured as specified in paragraph 2.1.1, 2.1.2, and 2.1.3 of the Skills Development scorecard

10. ANNEXE TSC300 (C)

10.1 MEASUREMENT OF THE EAP ADJUSTED INDICATORS OF THE SKILLS DEVELOPMENT SCORECARD.

Subject to the limitations in clause 2 of this Annexe TSC300 (C) below, the calculation of the Skills Development indicators provided for in paragraphs 2.1.1.1, 2.1.2.1, and 2.1.2.2 of the Skills Development scorecard are as follows:

$$A = AM + CM + IM + AF + CF + IF$$

Where

A is the percentage spend on Black People (indicator 2.1.1.1) or percentage of Black People (indicator 2.1.2.1 and 2.1.2.2), that is "**B**" in the formula in Annexe TSC300 (B) for each of these indicators;

AM is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are African Males;

CM is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are Coloured Males;

IM is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are Indian Males;

AF is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are African Females;

CF is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are Coloured Females;

IF is the percentage of spend (indicator 2.1.1.1) or people (indicator 2.1.2.1 and 2.1.2.2) in the measurement category that are Indian Females.

10.2. LIMITATION OF *AM*, *CM*, *IM*, *AF*, *CF* and *IF*

10.2.1 *AM*, *CM*, *IM*, *AF*, *CF* and *IF* wherever they occur in the formulae above, are always limited to a proportion of the respective target in paragraphs 2.1.1.1, 2.1.2.1, and 2.1.2.2 of the Skills Development scorecard. The proportion to be applied to such target to determine the limitation on each of *AM*, *CM*, *IM*, *AF*, *CF* and *IF* are the respective proportion which each of them contribute to the Black People component of the overall EAP as published in the Commission for Employment Equity Report, and as amended from time to time in terms of the Employment Equity Regulations (see Annexe TSC300 (D) for an example).

10.2.2 The word '*overall*' as used above in relation to 'national' or 'provincial' EAP statistics refers to the EAP of the labour force as a whole, whether nationally or for a particular province, whichever the case may be in accordance with the Employment Equity Act and its Regulations. Therefore, even though the CEE reports on the EAP breakdown nationally and provincially per Senior, Middle and Junior management the term '*overall*' is used to indicate that this further breakdown per employment category, should not be used.

11. ANNEXE TSC300 (D)

11.1 EXAMPLE FOR DETERMINING LIMITATION OF AM, CM, IM, AF, CF and IF

The example below illustrates how the limitation of the target for each of the race sub-categories is determined with respect to the Black People indicator of Skills Development Expenditure (par. 2.1.1.1):

*Step 1: Determine the profile of the **overall national EAP distribution*** per race and gender as per the CEE Report*

| | African Male | Coloured Male | Indian Male | White Male | African Female | Coloured Female | Indian Female | White Female | Total |
|--|--------------|---------------|-------------|------------|----------------|-----------------|---------------|--------------|-------|
| National EAP distribution by race and gender as per CEE Report | 40.70% | 5.80% | 1.90% | 6.40% | 34.20% | 5.00% | 1.10% | 4.90% | 100% |

** In this example the overall national EAP statistics are used.*

*Step 2: Calculate the total **Black People** component of the EAP as per the CEE Report in step 1*

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Black People Component |
|--|--------------|---------------|-------------|----------------|-----------------|---------------|------------------------|
| Black People component of national EAP | 40.70% | 5.80% | 1.90% | 34.20% | 5.00% | 1.10% | 88.70% |

Step 3: Calculate the proportion if each Black race and gender sub-group constitutes of the total Black People component determined as per Step 2

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Total |
|---|--------------|---------------|-------------|----------------|-----------------|---------------|-------|
| Proportion of each race and gender sub-group of Black People component of EAP | 45.89% | 6.54% | 2.14% | 38.56% | 5.64% | 1.24% | 100% |

Step 4: Apply the proportion calculated in step 3 to the Target for Skills Development Expenditure on Black People (par. 2.1.1.1) i.e. 6%

| | African Male | Coloured Male | Indian Male | African Female | Coloured Female | Indian Female | Target for par. 2.1.1.1 |
|---|--------------|---------------|-------------|----------------|-----------------|---------------|-------------------------|
| Limit each race and gender sub-group of Black People may contribute to Senior Management's Target | 2.75% | 0.40% | 0.13% | 2.31% | 0.34% | 0.07% | 6% |

For calculating the score for par. 2.1.1.1 of the Skills Development scorecard **AM, CM, IM, AF, CF** and **IF** are therefore limited to the percentages as calculated per step 4 above.

**AMENDED CODE SERIES TSC400: MEASUREMENT OF THE ENTERPRISE AND SUPPLIER
DEVELOPMENT ELEMENT OF BROAD-BASED BLACK ECONOMIC EMPOWERMENT**

**STATEMENT TSC400: THE GENERAL PRINCIPLES FOR MEASURING ENTERPRISE AND
SUPPLIER DEVELOPMENT**

**Issued under Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of
2003 as amended by Act No. 46 of 2013**

Arrangement of this Statement

| Para | Subject | Page |
|-------------|---|-------------|
| 1. | Objective of this Statement | 68 |
| 2. | Enterprise and Supplier Development Scorecard | 68 |
| 3. | Key Measurement Principles | 70 |
| 4. | General Principles | 72 |
| 5. | Total Measured Procurement Spend | 75 |
| 6. | Exclusion from Total Measured Procurement Spend | 76 |
| 7. | Measurement of B-BBEE Procurement Spend | 77 |
| 8. | Calculation of Preferential Procurement Contributions to B-BBEE | 78 |
| 9. | Enterprise and Supplier Development Contributions | 78 |
| 10. | Measurement of Enterprise Development and Supplier Development Contributions | 80 |
| 11. | Annexe TSC400 (A) | 81 |
| 12. | Annexe TSC400 (B) | 83 |
| 13. | Annexe TSC400 (C) | 85 |

1. OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the scorecard for measuring Preferential Procurement, Qualifying Enterprise and Supplier Development Contributions;
- 1.2 Specify the key measurement principles applicable to calculating Preferential Procurement contributions; Qualifying Enterprise Development and Supplier Development contributions;
- 1.3 Define the principles applicable when calculating B-BBEE Procurement Spend, Enterprise Development and Supplier Development spends; and
- 1.4 Indicate the formula for calculating the individual criteria specified in the Enterprise and Supplier Development scorecard.

2. ENTERPRISE AND SUPPLIER DEVELOPMENT SCORECARD

The following table represents the criteria for deriving a score for Enterprise and Supplier Development under this Statement.

| Measurement Category & Criteria | Weighting Points | Compliance targets |
|---|------------------|--------------------|
| 2.1 PREFERENTIAL PROCUREMENT | | |
| 2.1.1 B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend; | 5 | 80% |
| 2.1.2 B-BBEE Procurement Spend from all Empowering Suppliers that are Qualifying Small Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend; | [4] | 15% |
| 2.1.3 B-BBEE Procurement Spend from all Exempted Micro-Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend; | 4 | 15% |

| | | | |
|-----------------------------------|---|------------|--------------|
| 2.1.4 | B-BBEE Procurement Spend from Empowering Suppliers that are at least 51% Black Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend; | [11] | [50%] |
| 2.1.5 | B-BBEE Procurement Spend from Empowering Suppliers that are 30% Black Women Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend. | 4 | 12% |
| Bonus points | | | |
| 2.1.6 | [B-BBEE Procurement Spend from Empowering Designated Group Suppliers that are at least 51% Black Owned.] | [2] | [2%] |
| 2.2 SUPPLIER DEVELOPMENT | | | |
| 2.2.1 | Annual value of all Qualifying Supplier Development Contributions made by the Measured Entity as a percentage of the Target. | 10 | 3% of NPAT |
| 2.3 ENTERPRISE DEVELOPMENT | | | |
| 2.3.1 | Annual value of all Qualifying Enterprise Development Contributions and Sector Specific Programmes made by the Measured Entity as a percentage of the Target. | 5 | 0.5% of NPAT |
| 2.4 Bonus Points | | | |
| 2.4.1 | Bonus point for graduation of one or more Enterprise Development Beneficiaries to graduate to the Supplier Development level. | 1 | Yes |
| 2.4.2 | Bonus point for creating one or more jobs directly as a result of Supplier Development and | 1 | Yes |

| | | |
|--|--|--|
| Enterprise Development Contributions by the Measured Entity. | | |
|--|--|--|

3. KEY MEASUREMENT PRINCIPLES

3.1 The Enterprise and Supplier Development scorecard consists of:

3.1.1 Preferential Procurement;

3.1.2 Supplier Development; and

3.1.3 Enterprise Development.

3.2 Enterprise Development and Supplier Development contributions will be recognised as a percentage of annual Net Profit After Tax (NPAT) of the measured entity. **For the avoidance of doubt, if the Measured Entity made a loss during its Measurement Period, then Qualifying Enterprise Development and Supplier Development Contributions of nominal value will earn the Measured Entity the full points under paragraphs 2.2 and 2.3 respectively.**

3.2.1 [The NPAT or average target applies unless:]

3.2.1.1 [The company does not make a profit last year or on average over the last five years.]

3.2.1.2 [The Net Profit Margin is less than a quarter of the norm in the industry.]

3.2.1.3 [If the turnover is to be used, the target will be set at:]

3.2.1.3.1 [0.5% (ED) or 3% (SD) x Indicative Profit Margin (NPAT/Turnover) x Turnover.]

3.3 SUB-MINIMUM AND DISCOUNTING PRINCIPLE

3.3.1 A measured entity must achieve a minimum of 40% of the total weighting points (excluding bonus points) of each of the three broad categories, within the Enterprise and Supplier Development element, namely Preferential Procurement; Supplier Development and Enterprise Development. For the avoidance of doubt this means that the measured entity must achieve at least:

(i) **10 [11]** points under the Preferential Procurement category;

(ii) 4 points under the Supplier Development category;

(iii) 2 points under the Enterprise Development category;

3.3.2 Non-compliance to the threshold targets will result in the overall achieved B-BBEE Status Level being discounted in accordance with paragraph 12 of Statement TSC000.

- 3.3.3 Non-compliance to the threshold targets as per paragraph 3.3.1(i), (ii) and (iii) above will result in the measured entity being disqualified from earning any of the 2 bonus points in paragraph 2.4.
- 3.3.4 An Empowering Supplier within the context of B-BBEE in the tourism sector is a B-BBEE compliant entity, which complies with all South African regulatory requirements, including but not limited to Employment Equity Act, Skills Development Act, and Skills Development Levies Act and which meets at least **four** if it is a Large Entity or **two** if it is a QSE of the following criteria:
- (a) At least 25% of cost of sales excluding labour cost and depreciation must be procured from local producers or local supplier in South Africa.
 - (b) At least 85% of Total Labour Cost should be paid to SA employees by service industry entities.
 - (c) Job creation – at least 50% of jobs created during the Measurement Period are for Black People provided that the number of Black Employees since the immediate prior verified B-BBEE Measurement is maintained.
 - (d) At least 51% of Total Measured Procurement Spend must be from SA suppliers.
 - (e) Skills transfer by Senior and Top Management (as defined by the Employment Equity regulations) spend at least 12 days per annum in assisting 51% Black Owned EMEs and QSEs to increase their operational and/or financial capacity. Exempted Micro Enterprises and Start-ups are automatically recognized as Empowering Suppliers.
- 3.3.5 The weighting points in the Enterprise and Supplier Development scorecard represent the maximum number of points possible for each of the criteria.
- 3.4 If a measured entity procures goods and services from a supplier that is:
- 3.4.1 a recipient of Qualifying Supplier Development Contributions from a measured entity under Code series 400 that has a minimum 3-year contract with the measured entity, the recognisable B-BBEE Procurement Spend that can be attributed to that supplier is multiplied by a factor of 1.2;
 - 3.4.2 a 51% Black Owned QSE or EME which is not a supplier development beneficiary but that has a minimum 3-year contract with the measured entity, the recognisable B-BBEE Procurement Spend that can be attributed to that Supplier is multiplied by a factor of 1.2;
 - 3.4.3 **a first time Supplier to the Measured Entity, the recognisable B-BBEE Procurement Spend that can be attributed to that Supplier is multiplied by a factor of 1.2;**

- 3.4.4 **[A supplier to the measured entity that is at least 51% Black Owned or at least 51% Black Woman Owned utilising the Flow-Through principle, the recognisable B-BBEE procurement spend that can be attributed to that supplier is multiplied by a factor of 1.2]**
- 3.5 Procurement of goods and services and any other activities that fall under 2.1 will not qualify for scoring under 2.2 and 2.3 and vice versa.
- 3.6 Beneficiaries of Supplier Development and Enterprise Development contributions are EMEs, QSEs **[or Large Enterprises]** which are at least 51% Black Owned or at least 51% Black Woman Owned **[utilizing the Flow-Through principle. However, in terms of Large Entities this is based on the provision that at the first instance of receiving assistance from the measured entity, it was identified that such suppliers were EMEs or QSEs. This recognition for Large Entities will only be allowed for 5 years from the first time of receiving assistance from the measured entity. This recognition for Large enterprises will not be allowed for 5 years from the first time of receiving assistance from the measured entity.]**
- 3.7 **[A Supplier Development beneficiary is part of the measured entities supply chain, whereas an Enterprise Development beneficiary is not.]**
- 3.8 **[B-BBEE procurement spend from Large Enterprises suppliers which are at least 51% Black Owned or at least 51% Black Women Owned utilizing the Flow-Through principle can be recognised under point indicator 2.1.2 and 2.1.3 of the Enterprise and Supplier Development scorecard (Empowering Supplier). However, this is based on the provision that at the first instance of procured goods and service, it was identified such suppliers were EMEs and QSEs. This recognition for Large Enterprises under point indicator 2.1.2 and 2.1.3 will only be allowed for 5 years from the first time of procuring goods and services from such suppliers.]**

4. GENERAL PRINCIPLES

- 4.1 To strengthen local procurement in order to help build South Africa's industrial base in critical sectors of production and value adding manufacturing which are largely labor-intensive industries.
- 4.2 To increase local procurement through capacity building achieved by incentivising appropriate local supplier development programmes by businesses supplying imported goods and services.
- 4.3 The imports provisions do not apply to the designated sectors and products for local production, as and when published.

- 4.4 To actively support procurement from 51% Black Owned QSEs and EMEs by identifying opportunities to increase procurement from local suppliers in order to support employment creation.
- 4.5 To support procurement from **51%** Black Owned and **30%** Black Woman owned businesses in order to increase the participation of these businesses in the mainstream economy.
- 4.6 To promote the use of the 51% Black Owned professional service providers and Entrepreneurs as Suppliers.
- 4.7 Measured entities receive recognition for any Enterprise Development and Supplier Development contributions that are quantifiable as a monetary value using a Standard Valuation Method.
- 4.8 Measured Entities are encouraged to align their Enterprise Development and Supplier Development initiatives with the designated sectors of government's localisation and value adding programmes.
- 4.9 Measured Entities are encouraged to align their Enterprise Development and Supplier Development initiatives with their supply chain requirements thereby linking Enterprise Development and Supplier Development with Preferential Procurement.
- 4.10 Qualifying Enterprise Development and Supplier Development contributions of any measured entity are recognisable on an annual basis.
- 4.10.1 Contributions, programmes and/or initiatives that span over multiple years, the total contribution amount may be divided by the number of years, and the average per year is then to be utilised for the annual contribution.
- 4.11 Measured Entities are encouraged to develop and implement an Enterprise Development plan and Supplier Development plan for a beneficiary of their Enterprise Development and Supplier Development contributions. The plan should include.
- 4.11.1 Clear Objectives;
- 4.11.2 Priority interventions;
- 4.11.3 Key performance indicators; and
- 4.11.4 A concise implementation plan with clearly articulated milestones.
- 4.12 Measured Entities will not get recognition for the same activities undertaken under 2.2 and 2.3, they will only get recognition for one of the two i.e. 2.2 or 2.3.

- 4.13 No portion of the value of any Enterprise Development and Supplier Development contribution that is payable to the beneficiary after the last day of the Measurement Period can form part of any calculation under this statement.

5. TOTAL MEASURED PROCUREMENT SPEND

The following procurement is measurable within Total Measured Procurement Spend;

- 5.1 Cost of sales: all goods and services procured that comprise the cost of the sales of the Measured Entity,
- 5.2 Operational expenditure: all goods and services procured that comprise the operational expenditure of the Measured Entity,
- 5.3 Capital expenditure: all capital expenditure incurred by the Measured Entity.
- 5.4 Public sector procurement:**
 - 5.4.1 all goods and services procured from Organs of State and Public Entities. Despite this, procurement by a measured entity from a local government authority, which is a reseller of that service, is measurable at the B-BBEE Recognition Level of the primary supplier of the service; and
 - 5.4.2 in any event, any procurement of any goods or services from any Organ of State or Public Entity that enjoys a statutory or regulated monopoly in the supply of such goods or services is excluded.
- 5.5 **Monopolistic procurement:** all goods and services procured from suppliers that enjoy a monopolistic position,
- 5.6 **Third-party procurement:** all procurement for a third-party or a client, where the cost of that procurement is an expense recorded in the measured entity's annual financial statements,
- 5.7 **Labour brokers and independent contractors:** any procurement of the Measured Entity that is Outsourced Labor Expenditure,
- 5.8 **Pension and medical aid contributions:** payments made to any post retirement funding scheme or to a medical aid or similar medical insurer by a measured entity for its Employees, excluding any portions of such payments which are a contribution to a capital investment of the Employee. The scheme or insurer must issue a certificate dividing payments between the capital investment portion and the balance to establish the amount that is measurable within Total Measured Procurement Spend,
- 5.9 **Trade commissions:** any commission or similar payments payable by a measured entity to any other person pursuant to the business or trade of the measured entity,

- 5.10 Empowerment related expenditure:** all goods and services procured in carrying out B-BBEE. The Total Measured Procurement Spend does not include the actual contribution portion recognised under section 2.2 and 2.3 of this statement and Code series TSC500 but does include any expenditure incurred in facilitating those contributions,
- 5.11 Imports:** all goods and services that are imported or procured from a non-South African source, and
- 5.12 Intra-group procurement:** all goods and services procured from subsidiaries or holding companies of the measured entity (BEE credentials of the entity supplying goods and/or services must be confirmed by way of a valid BEE certificate).

6. EXCLUSIONS FROM TOTAL MEASURED PROCUREMENT SPEND

The following list provides permissible exclusions from Total Measured Procurement Spend recognisable in terms of paragraph 5:

- 6.1 Taxation:** any amount payable to any person which represents a lawful tax or levy imposed by an Organ of State authorised to impose such tax or levy, including rates imposed by a municipality or other local government,
- 6.2 Salaries, wages, remunerations, and emoluments:** any amount payable to an Employee as an element of their salary or wage and any emolument or similar payment paid to a director of a Measured Entity,
- 6.3 Pass-through third-party procurement:** all procurement for a third-party or a client that is recorded as an expense in the third-party or client's annual financial statements but is not recorded as such in the Measured Entity's annual financial statements.
- 6.4 Empowerment related procurement:**
- 6.4.1** Investments in or loans to an Associated Enterprise;
- 6.4.2** Investments, loans or donations qualifying for recognition under any statement under Code series TSC400 or TSC500;
- 6.5 Imports: the following imported goods and services:**
- 6.5.1** imported capital goods or components for value-added production in South Africa provided that:
- 6.5.1.1** there is not sufficient existing local production of such capital goods or components; and
- 6.5.1.2** importing those capital goods or components promotes further value-added production within South Africa;

- 6.5.2 imported goods and services other than those listed in paragraph 6.5.1 if there is not sufficient local production of those goods or services including, but not limited to, imported goods or services that;
- 6.5.2.1 carry a brand different to the local produced goods or services; or
- 6.5.2.2 have different technical specifications to the locally produced goods or services.
- 6.5.3 The exclusion of imports listed under 6.5.2 are subject to the measured entity having developed and implemented an Enterprise Development or Supplier Development plan for imported goods and services. This plan should include:
- 6.5.3.1 Clear Objectives;
- 6.5.3.2 Priority interventions;
- 6.5.3.3 Key performance indicators; and
- 6.5.3.4 A concise implementation plan with clearly articulated milestones
- 6.5.4 The Department of Trade and Industry will from time to time consult with the industry and issue practice notes with regard to the provisions on import exclusions.
- 6.6 Intra-group procurement:** where the measured entity is conducting a consolidated verification of itself as holding entity together with its subsidiaries, then all intra-group procurement of goods and services amongst the group entities forming part of the consolidated verification are excluded.

7. MEASUREMENT OF B-BBEE PROCUREMENT SPEND

- 7.1 B-BBEE Procurement Spend is the value of the procurement falling within paragraph 5 and not excluded by paragraph 6. If a supplier falls within a category of supplier listed in paragraph 3.6, the value of procurement from that supplier is multiplied by the applicable factor listed in that paragraph.
- 7.2 B-BBEE Procurement Spend can be measured in terms of formula "A" in Annexe TSC400 (A).
- 7.3 The B-BBEE Procurement Spend for a measured entity in respect of a Supplier is calculated by multiplying the spend contemplated by paragraph 5 (and not excluded in paragraph 6) in respect of that Supplier by the Supplier's B-BBEE Recognition Level.
- 7.4 A Measured Entity's Total Procurement Spend is the total of all amounts calculated in terms of paragraph 7.3.

8. THE CALCULATION OF PREFERENTIAL PROCUREMENT CONTRIBUTIONS TO B-BBEE

- 8.1 A measured entity receives a score for procurement in proportion to the extent that it meets the compliance target.
- 8.2 The measured entity's score for Preferential Procurement contributions to B-BBEE under the preferential procurement scorecard can be calculated in terms of Formula "B" in Annex TSC400 (A).

9. ENTERPRISE DEVELOPMENT AND SUPPLIER DEVELOPMENT CONTRIBUTIONS

The following is a non-exhaustive list of Enterprise Development and Supplier Development contributions:

- 9.1 investments in beneficiary entities;
- 9.2 loans made to beneficiary entities;
- 9.3 guarantees given or security provided on behalf of beneficiary entities;
- 9.4 credit facilities made available to qualifying beneficiary entities;
- 9.5 grant contributions to qualifying beneficiary entities;
- 9.6 direct costs incurred by a measured entity in assisting and hastening development of qualifying beneficiary entities;
- 9.7 overhead costs of a measured entity directly attributable to qualifying enterprise development and Supplier Development contributions;
- 9.8 preferential credit terms granted by a measured entity to qualifying beneficiary entities;
- 9.9 preferential terms granted by a measured entity in respect of its supply of goods and services to qualifying beneficiary entities;
- 9.10 contributions made towards the settlement of the cost of services relating to the operational or financial capacity and/or efficiency levels of a qualifying beneficiary entity including, without limitation:
- 9.10.1 professional and consulting services;
- 9.10.2 licensing and/or registration fees;
- 9.10.3 industry specific levies and/or other such fees; and
- 9.10.4 IT services;
- 9.11 discounts given to qualifying beneficiary entities in relation to the acquisition and maintenance costs associated with the grant to those qualifying beneficiary entities of franchise, licence, agency, distribution or other similar business rights.

- 9.12 the creation or development of capacity and expertise for qualifying beneficiary entities needed to manufacture or produce goods or service previously not manufactured, produced or provided in the Republic of South Africa as provided for in Government's economic growth and local supplier development policies and initiatives.
- 9.13 the creation or development of new projects promoting beneficiation by the measured entity for the benefit of qualifying beneficiary entities.
- 9.14 facilitating access to credit for qualifying beneficiary entities without access to traditional credit facilities owing to a lack of credit history, high-risk or lack of collateral on the part of the qualifying beneficiary entity.
- 9.15 provision by the measured entity, of preferential credit facilities to a qualifying beneficiary entity. Examples of such contributions include without limitation:
- 9.15.1 provisions of finance to qualifying beneficiary entities at lower than commercial rates of interest. Such contributions will be measured as the value of the differential between the actual interest rate provided to the beneficiary entity and the applicable rate;
- 9.15.2 relaxed security requirements or absence of security requirements for qualifying beneficiary entities unable to provide security for loans. Such contributions shall be measured as being 3% (three percent) of any positive differential between the initial capital value of the loan and the value of security taken; and
- 9.15.3 settlement of accounts with qualifying beneficiary entities over a shorter period of time in relation to the measured entity's normal payment period, provided the shorter period is no longer than 15 days after date of invoice. Preferential payment terms that extend beyond 15 days will not qualify as qualifying Enterprise Development and Supplier Development contributions;
- 9.16 the provision of seed or development capital to qualifying beneficiary entities.
- 9.17 provision of training or mentoring by suitably qualified entities or individuals to qualifying beneficiary entities which will assist such entities to increase their operational or financial capacity; and
- 9.18 provision of training or mentoring to qualifying beneficiary entities by the measured entity itself;
- 9.18.1 such contributions are measurable by quantifying the cost of time (excluding travel or commuting time) spent by staff or management of the measured entity in carrying out such initiatives;
- 9.18.2 a clear justification, commensurate with the seniority and expertise of the trainer or mentor, must support any claim for time costs occurred;

- 9.19 Training or mentoring provided as per 9.17 and 9.18 above may not be double counted under the Skills Development scorecard once claimed as qualifying Enterprise and Supplier Development contribution and *vice versa*.
- 9.20 the maintenance by the measured entity of an Enterprise Development and Supplier Development unit which focuses exclusively on support of qualifying beneficiary entities or candidate beneficiary entities.
- 9.20.1 only that portion of salaries and wages attributable to time spent by the staff in, and the other expenses that relates to, promoting or implementing qualifying enterprise and Supplier Development contributions, qualify for recognition.
- 9.21 payments made by the measured entity to suitably qualified and experienced third parties to perform Enterprise Development and Supplier Development on the measured entity's behalf.
- 9.21.1 for the avoidance of doubt such contributions are regarded as having been initiated and implemented once they become payable to the third party;

10. MEASUREMENT OF ENTERPRISE DEVELOPMENT AND SUPPLIER DEVELOPMENT CONTRIBUTIONS

- 10.1 A measured entity receives a score for Enterprise Development and Supplier Development in proportion to the extent that it meets the compliance target.
- 10.2 Qualifying contributions are measurable using the Formula "A" in Annexe TSC400 (C) read together with Annexe TSC400 (B).

11. ANNEXE TSC400 (A)**11.1 A: B-BBEE PROCUREMENT SPEND:**

| |
|---|
| Formula A A = the sum of (B x C) |
| <p>Where</p> <p>A is the calculated total B-BBEE Procurement Spend for the measured entity. It is equal to the sum of the result of the product of B and C for each Supplier of the Measured Entity not excluded under the exclusion from Total Measured Procurement Spend;</p> <p>B is the value of procurement falling within Total Measured Procurement Spend and not excluded under the exclusion from Total Measured Procurement Spend from each supplier of the Measured Entity for the Measurement Period;</p> <p>C is the latest B-BBEE Procurement Recognition Level of each Supplier of the measured entity that can be supported by a B-BBEE verification certificate (or sworn affidavit in the case of 51% or 100% Black Owned EME's and QSE's), that was valid at any time from the commencement of the Measurement Period up to the issuing of the measured entity's B-BBEE verification certificate.</p> |

B: THE CALCULATION OF PREFERENTIAL PROCUREMENT CONTRIBUTIONS TO B-BBEE:Formula **B**

$$A = \frac{B \times D}{C}$$

Where

A is the calculated preferential procurement score for 2.1.1, 2.1.2, 2.1.3, 2.1.4 and 2.1.5 respectively in the Preferential Procurement scorecard under statement TSC400 for the measured entity;

B is the total B-BBEE Procurement Spend of the measured entity calculated for each of the indicators of the Preferential Procurement scorecard (par 2.1.1, 2.1.2, 2.1.3, 2.1.4 and 2.1.5) respectively, expressed as a percentage of the Total Measured Procurement Spend of that measured entity;

C for par 2.1.1; 2.1.2; 2.1.3; 2.1.4 and 2.1.5 is the compliance target for this indicator of the Preferential Procurement scorecard;

D is the Weighting points allocated to each of the indicators of the Preferential Procurement scorecard (par 2.1.1, 2.1.2, 2.1.3, 2.1.4 and 2.1.5) respectively.

12. ANNEXE TSC400 (B)

12.1 ENTERPRISE DEVELOPMENT AND SUPPLIER DEVELOPMENT BENEFIT FACTOR MATRIX

| Qualifying Contribution type | Contribution Amount | Benefit Factor |
|--|--|--------------------------|
| Grant and Related Contributions | | |
| Grant Contribution | Full Grant Amount | 100% |
| Direct Cost incurred in supporting Enterprise Development and Supplier Development. | Verifiable Cost (including both monetary and non-monetary) | 100% |
| Discounts in addition to normal business practices supporting Enterprise Development and Supplier Development. | Discount Amount (in addition to normal business discount) | 100% |
| Overhead Costs incurred in supporting Enterprise Development and Supplier Development (including people appointed in Enterprise Development and Supplier Development). | Verifiable Cost (including both monetary and non-monetary) | 70% |
| Loans and Related Contributions | | |
| Interest-Free Loan with no security requirements supporting Enterprise Development and Supplier Development. | Outstanding Loan Amount | 70% |
| Standard Loan to Enterprise Development and Supplier Development Beneficiaries. | Outstanding Loan Amount | 50% |
| Guarantees provided on behalf of a beneficiary entity. | Guarantee Amount | 3% [50%] |
| Lower Interest Rate. | Outstanding loan amount | Prime Rate – Actual Rate |

| Equity Investments and Related Contributions | | |
|--|--|---|
| Minority Investment in Enterprise Development and Supplier Development Beneficiaries. | Investment Amount | 100% [70%] |
| Enterprise Development and Supplier Development Investment with lower dividend to financier. | Investment Amount | Dividend Rate of Ordinary Shareholders – Actual Dividend Rate of Contributor |
| Contributions made in the form of human resource capacity | | |
| Professional services rendered at no cost and supporting Enterprise Development and Supplier Development. | Commercial hourly rate of professional | 60% |
| Professional services rendered at discount and supporting Enterprise Development and Supplier Development. | Value of discount based on commercial hourly rate of professional | 60% |
| Time of employees of Measured Entity productively deployed in assisting beneficiaries. | Monthly salary divided by 160 | 60% |
| Other Contributions | | |
| Shorter payment periods for 2.2 of this statement (Supplier Development). | Percentage of invoiced amount multiplied by 15% (being an approximation of the cost of short term funding) | Percentage being 15 days less the number of days from invoice to payment. The Maximum points that can be scored is 15% of 10 points |

13. ANNEXE TCS400 (C)**13.1 A: QUALIFYING ENTERPRISE AND SUPPLIER DEVELOPMENT CONTRIBUTIONS ARE MEASURABLE ON THE FOLLOWING BASIS:**

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved for the Enterprise and Supplier Development indicators (paragraph 2.2 and 2.3) in respect of Qualifying Enterprise or Supplier Development contributions made by the Measured Entity.

B in the case of 2.2 and 2.3 is the annual value of all Qualifying Enterprise or Supplier Development contributions, whichever the case may be, that have become payable by the measured entity during the Measurement Period.

C is the compliance targets for the Enterprise and Supplier Development indicators (paragraph 2.2 and 2.3) respectively.

D is the weighting points allocated to the Enterprise and Supplier Development indicators (paragraph 2.2 and 2.3) respectively.

**CODE SERIES TSC500: MEASUREMENT OF THE SOCIO-ECONOMIC DEVELOPMENT ELEMENTS OF
BROAD-BASED BLACK ECONOMIC EMPOWERMENT**

**STATEMENT TSC500: THE GENERAL PRINCIPLES FOR MEASURING THE SOCIO- ECONOMIC
DEVELOPMENT ELEMENT**

**Issued under Section 9 (1) of the Broad-Based Black Economic Empowerment Act No. 53 of 2003 as
amended by Act No. 46 of 2013**

Arrangement of this Statement

| Para | Subject | Page |
|-------------|---|-------------|
| 1. | Objectives of this Statement | 87 |
| 2. | The Socio Economic Development Scorecard | 87 |
| 3. | Key Measurement Principles | 88 |
| 4. | Measurement of Socio-Economic Development contributions | 90 |
| 5. | The Benefit Factor Matrix | 90 |
| 6. | Annexe TSC 500(A) | 91 |
| 7. | Annexe TSC 500(B) | 93 |

1. OBJECTIVES OF THIS STATEMENT

The objectives of this Statement are to specify:

- 1.1 the Socio-Economic Development (SED) and Sector Specific contributions scorecard;
- 1.2 the key measurement principles applicable when calculating qualifying Socio-Economic contributions; and
- 1.3 the formula for calculating the individual criteria specified in the Socio-Economic Development scorecard.

2. THE SOCIO-ECONOMIC DEVELOPMENT SCORECARD

- 2.1 The target of 1% of NPAT for indicator 2.4.1 on the Socio-Economic Development scorecard is based on the Net Profit After Tax (NPAT) of the measured entity for the Measurement Period unless:
 - 2.1.1 the measured entity did not make a profit during the Measurement Period; or
 - 2.1.2 the net profit margin (NPAT/Revenue) of the measured entity for the Measurement Period, was less than a quarter of the industry norm during the Measurement Period.
- 2.2 Where either of the factors in 2.1.1 or 2.1.2 is present then the average NPAT of the measured entity over the last five years will be the basis for determining the targets unless:
 - 2.2.1 the measured entity did not make a profit on average over the last five years; or
 - 2.2.2 the average net profit margin of the measured entity over the last five years was less than a quarter of the industry norm for the net profit margin during the Measurement Period.
- 2.3 Where either of the factors in 2.1.1 to 2.1.2 are present concurrently with either of the factors in 2.2.1 to 2.2.2 then the Indicative NPAT of the measured entity for the Measurement Period, will be the basis for determining the targets.
 - 2.3.1 the Indicative NPAT is the Revenue of the measured entity for the Measurement Period, multiplied by a quarter of the industry norm net profit margin for the Measurement Period;
 - 2.3.2 the industry norm net profit margin must be determined with reference to the quarterly statistics supplied by Statistics South Africa or such other verifiable data that might be available for the particular sector the measured entity operates within.

- 2.4 The following table represents the criteria and method used for deriving a score for Socio-Economic Development under this Statement:

| Measurement Category & Criteria | Weighting Points | Compliance Target |
|---|-------------------------|--------------------------|
| 2.4.1 Annual value of all Qualifying Socio-Economic Contributions by the measured entity as a percentage of the target. | 5 | 1% of NPAT |
| Bonus Points | | |
| 2.4.2 Status as TOMSA levy collector. | 3 | Yes |

- 2.5 The weighting points in the Socio-Economic Development scorecard represent the maximum number of points possible for each of the criteria.

3. KEY MEASUREMENT PRINCIPLES

3.1. General principles:

- 3.1.1 Measured entities receive recognition for any Socio-Economic Development contributions or Socio-Economic Project contributions that are quantifiable as a monetary value using a Standard Valuation Method.
- 3.1.2 Qualifying Socio-Economic Development contributions of any measured entity are recognisable annually;
- 3.1.3 No portion of the value of any qualifying Socio-Economic Development contribution that is payable to the beneficiary after the last day of the Measurement Period can form part of any calculation under this statement;
- 3.1.4 Social wages paid to Employees only qualify as Socio-Economic Development contributions where they are extraneous to the normal remuneration package of the Employee and where they are evidenced by some form of record or agreement.

3.2 Socio-Economic Development Contributions:

- 3.2.1 Socio-Economic Development contributions consist of monetary or non-monetary contributions actually initiated and implemented in favour of beneficiaries by a measured entity with the specific objective of facilitating sustainable access to the economy for targeted beneficiaries.
- 3.2.2 The full value of Socio-Economic Development contribution made to beneficiaries is recognisable if at least 75% of the value directly benefits Black People.
- 3.2.3 If less than 75% of the full value of Socio-Economic Development contributions directly benefits Black People, the value of the contribution made multiplied by the percentage that benefits Black People, is recognisable.
- 3.2.4 The following is a non-exhaustive list of Socio-Economic Development contributions:
- 3.2.4.1 grant contributions to beneficiaries of Socio-Economic Development contributions;
 - 3.2.4.2 guarantees given or security provided for beneficiaries;
 - 3.2.4.3 direct costs incurred by a measured entity in assisting beneficiaries;
 - 3.2.4.4 overhead costs of a measured entity directly attributable to Socio-Economic Development contributions;
 - 3.2.4.5 developmental capital advanced to beneficiary communities;
 - 3.2.4.6 preferential terms grant by a measured entity for its supply of goods or services to beneficiary communities;
 - 3.2.4.7 contributions made by the measured entity to third parties to perform Socio-Economic Development on the measured entity's behalf;
 - 3.2.4.7.1 for the avoidance of doubt such contributions are regarded as having been initiated and implemented once they become payable to the third party;
 - 3.2.4.8 provision of training or mentoring to beneficiary communities which will assist them to increase their financial capacity;
 - 3.2.4.8.1 such contributions are measurable by quantifying the cost of time (excluding travel or commuting time) spent by staff or management of the measured entity in carrying out such initiatives;
 - 3.2.4.8.2 a clear justification must support any claim for time costs incurred, commensurate with the seniority and expertise of the trainer or mentor).
 - 3.2.4.9 the maintenance by the measured entity of a socio-economic development unit which focuses only on support of beneficiaries and beneficiary communities;

3.2.4.9.1 only that portion of salaries and wages attributable to time spent by the staff in, and the other expenses related to, promoting and implementing socio-economic development, constitute contributions.

4. MEASUREMENT OF SOCIO-ECONOMIC DEVELOPMENT CONTRIBUTIONS

Qualifying Socio-Economic Development contributions are measurable using the formula in Annexe TSC500 (B) read together with Annexe TSC500 (A).

5. THE BENEFIT FACTOR MATRIX

The Minister may from time to time, by notice in the gazette, revise or substitute the Benefit Factor Matrix. Any changes will only be applicable to compliance reports prepared for measured entities for Measurement Periods that commences after the gazetting of the adjustment.

6. ANNEXE TSC500 (A)

6.1 BENEFIT FACTOR MATRIX

| Qualifying Contribution type | Contribution Amount | Benefit Factor |
|--|---|----------------|
| Grant and Related Contributions | | |
| Grant Contribution | Full Grant Amount | 100% |
| Direct Cost incurred in supporting Socio-Economic Development, sector specific initiatives or qualifying Socio-Economic contributions. | Verifiable Cost (including both monetary and non-monetary). | 100% |
| Discounts in addition to normal business practices supporting Socio-Economic Development, sector specific initiatives or qualifying Socio-Economic contributions. | Discount Amount (in addition to normal business discount). | 100% |
| Overhead costs incurred in supporting Socio-Economic Development, sector specific initiatives or qualifying Socio-Economic contributions. | Verifiable Cost (including both monetary and non-monetary). | 80% |
| Contributions made in the form of human resource capacity | | |
| Professional services rendered at no cost supporting Socio-Economic Development, sector specific initiatives or qualifying Socio-Economic Development contributions. | Commercial hourly rate of professional. | 80% |
| Professional services rendered at a discount supporting Socio-Economic Development, sector specific initiatives or qualifying Socio-Economic contributions. | Value of discount based on commercial hourly rate professional. | 80% |

| | | |
|--|--------------------------------|-----|
| Time of employees of measured entity productively deployed in assisting beneficiaries and supporting socio-economic development, sector specific initiatives or qualifying Socio-Economic contributions. | Monthly salary divided by 160. | 80% |
|--|--------------------------------|-----|

7. ANNEXE TSC500 (B)**7.1 A: Qualifying contributions of indicators 2.4.1 are measurable on the following basis:**

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved in respect of the indicator in 2.4.1, whichever the case may be, of the Socio-Economic Development scorecard.

B is the value of all qualifying Socio-Economic contributions of the measured entity relevant to that indicator that have become payable during the Measurement Period.

C is the compliance target in respect of the qualifying Socio-Economic contributions as specified in the Socio-Economic Development scorecard for indicator 2.4.1.

D is the weighting point allocated to indicator 2.4.1 under the Socio-Economic Development scorecard in Statement TSC500.

**CODE SERIES TSC600: THE TOURISM SECTOR QUALIFYING SMALL ENTERPRISE
SCORECARD**

**STATEMENT TSC600: THE TOURISM SECTOR QUALIFYING SMALL ENTERPRISE
SCORECARD**

**Issued under Section 9 of the Broad-Based Black Economic Empowerment Act No. 53 of 2003
as amended by Act No.46 of 2013**

Arrangement of this Statement

| Para | Subject | Page |
|-------------|-------------------------------------|-------------|
| TSC 601 | Ownership | 95 |
| TSC 602 | Management Control | 96 |
| TSC 603 | Skills Development | 98 |
| TSC 604 | Enterprise and Supplier Development | 100 |
| TSC 605 | Socio-Economic Development | 102 |

STATEMENT TSC 601 - OWNERSHIP FOR QSE

1. THE QSE OWNERSHIP SCORECARD

The following table represents the indicators and methods for calculating a score for Ownership under this Statement:

| Indicator | Measurement Category & Criteria | Weighting Points | Compliance Target |
|------------------------|---|------------------|----------------------------|
| 1.1 Voting Rights | 1.1.1 Exercisable Voting Rights in the Entity in the hands of Black People; | 5 | 30% Vote |
| | 1.1.2 Exercisable Voting Rights in the entity in the hands of Black Women; | 2 | 15% |
| 1.2 Economic Interest | 1.2.1 Economic Interest in the entity to which Black People are entitled; | 5 | 30% |
| | 1.2.2 Economic Interest in the entity to which Black Women are entitled; | 3 | 15% |
| | 1.2.3 Economic Interest of Black New Entrants or Black Designated Groups. | 3 | 3% |
| 1.3 Realisation Points | 1.3 Net Value | 8 | Refer to Annexe TSC100 (E) |

2. MEASUREMENT OF QSE OWNERSHIP ELEMENT

The measurement of the QSE Ownership Scorecard shall adhere to all principles, definitions, calculations and measurement methodologies contained in Statement TSC 100 for measuring of the Ownership element. For the avoidance of doubt, the Modified Flow-Through Principle applies to the measurement of paragraph 1.1.1 and 1.2.1 of the QSE Ownership scorecard.

STATEMENT TSC 602 - MANAGEMENT CONTROL FOR QSE

1. THE QSE MANAGEMENT CONTROL SCORECARD

The following table represents the criteria used for deriving a score for Management Control under this Statement.

| Measurement Category & Criteria | Weighting Points | Compliance Targets |
|---|------------------|--------------------|
| 1. Executive Management: | | |
| 1.1 Black representation at Executive Management; | 5 | 60% |
| 1.2 Black female representation at Executive Management. | 2 | 30% |
| 2. Senior, Middle and Junior Management: | | |
| 2.1 Black representation at Senior, Middle and Junior management; | 6 | 60% |
| 2.2 Black female representation at senior, Middle and Junior management. | 2 | 30% |
| 3. Bonus Points | | |
| 3.1 Number of Black Employees with Disabilities as a percentage of all Employees. | 2 | 1% |

2. KEY MEASUREMENT PRINCIPLES

- 2.1 Save as expressly provided for differently in this statement the key measurement principles and sub-minimum requirements under statement TSC 200 are applicable to this Statement.
- 2.2 For the purpose of the QSE scorecard, Executive Management include other Executive Management as described under the general principles of Statement TSC 200.

- 2.3 The demographic representation of Black People as defined in the Regulations of Employment Equity Act and Commission on Employment Equity report are not applicable to the calculation of scores under the QSE Scorecard.
- 2.4 A measured entity must use the recent payroll data in calculating its score under the Management Control scorecard.

STATEMENT TSC 603 - SKILLS DEVELOPMENT FOR QSE**1. THE QSE SKILLS DEVELOPMENT SCORECARD**

The following table represents the criteria used for deriving a score for Skills Development under this Statement.

| Measurement Category and Criteria | Weighting points | Compliance Target |
|---|-------------------------|--------------------------|
| 1. Skills Development Expenditure on any programme specified in the Learning Programme Matrix for Black People as a percentage of the Leviable Amount | | |
| 1.1 Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black People in any of the following three tourism sub-sectors as a percentage of Leviable Amount: 1.1.1 Accommodation; 1.1.2 Hospitality and related services; and 1.1.3 Travel and related services. | 10 | 3% |
| 1.2 Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for Black Females in any of the following three tourism sub-sectors as a percentage of Leviable Amount: 1.2.1 Accommodation; 1.2.2 Hospitality and related services; and 1.2.3 Travel and related services. | 9 | 1.5% |
| 2. Learnerships, Apprenticeships, and Internships | | |
| 2.1 Number of Black People participating in Learnerships, Apprenticeships and Internships paid for by the measured entity as a percentage of total Employees. | 6 | 2.5% |
| 3. Bonus points: | | |
| 3.1 Number of Black People Absorbed by the measured entity at the end of the Learnership, Apprenticeship or Internship programme. | 5 | 100% |

2. KEY MEASUREMENT PRINCIPLES

- 2.1 Save as expressly provided for differently in this statement the key measurement principles and sub-minimum requirements under Statement TSC300 are applicable to this Statement.
- 2.2 The demographic representation of Black People as defined in the Regulations of Employment Equity Act and Commission on Employment Equity report are not applicable to the QSE Scorecard.
- 2.3 Where required by law, the following criteria must be fulfilled in order for the measured entity to receive points on the QSE Skills Development Element scorecard:
- 2.3.1 Workplace Skills Plan, an Annual Training Report and Pivotal Report which are approved by CATHSSETA; and
- 2.3.2 Implementation of Priority Skills programme generally, and more specifically for Black People.
- 2.3.3 The learning matrix under code series TSC300 is applicable to this statement.
- 2.4 The requirements in paragraph 2.3 above is not applicable to businesses that are not required by law to comply with the Skills Development Act.

STATEMENT TSC 604 - ENTERPRISE AND SUPPLIER DEVELOPMENT FOR QSE**1. THE QSE ENTERPRISE AND SUPPLIER DEVELOPMENT SCORECARD**

The following table represents the criteria used for deriving a score for Enterprise and Supplier Development under this Statement.

| Criteria | Weighting Points | Compliance targets |
|--|-------------------------|---------------------------|
| 1. PREFERENTIAL PROCUREMENT | | |
| 1.1 B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend; | 8 | 60% |
| 1.2 B-BBEE Procurement Spend from Empowering Suppliers that are at least 51% Black Owned based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend. | 12 | 30% |
| 2. SUPPLIER DEVELOPMENT | | |
| 2.1 Annual value of all Qualifying Supplier Development Contributions made by the measured entity as a percentage of the target. | 5 | 2% of NPAT |
| 3. ENTERPRISE DEVELOPMENT | | |
| 3.1 Annual value of all Qualifying Enterprise Development Contributions made by the measured entity as a percentage of the target. | 5 | 1% of NPAT |

2. KEY MEASUREMENT PRINCIPLES

- 2.1 The key measurement principles and sub-minimum requirements under Statement TSC400 are applicable to this Statement.
- 2.2 Any interpretation or calculation of a QSE's score for Enterprise and Supplier Development must be made in accordance with Statement TSC400

STATEMENT TSC 605 - SOCIO-ECONOMIC DEVELOPMENT FOR QSE

1. THE QSE SOCIO-ECONOMIC DEVELOPMENT SCORECARD

The following table represents the criteria used for deriving a score for Socio-Economic Development under this Statement.

| Measurement category & criteria | Weighting Points | Compliance Target |
|--|------------------|-------------------|
| 1. Annual value of all qualifying Socio-Economic Development Contributions by the Measured Entity as a percentage of the target. | 5 | 1% of NPAT |
| Bonus Points | | |
| 2. Status as TOMSA levy collector. | 3 | Yes |

2. KEY MEASUREMENT PRINCIPLES

2.1 The key measurement principles under Statement TSC500 are applicable to this Statement.

2.2 Any interpretation or calculation of a QSE's score for Socio-Economic Development must be made in accordance with Statement TSC500

SCHEDULE 1

INTERPRETATION AND DEFINITIONS

Part 1: Interpretation

The Amended Tourism B-BBEE Sector Code must be interpreted according to the following provisions unless the context requires a different meaning:

1. In interpreting the provisions of the Amended Tourism B-BBEE Sector Code any reasonable interpretation consistent with the objectives of the B-BBEE Amendment Act, the B-BBEE Strategy and Amended B-BBEE Codes of Good Practice must take precedence.
2. Words "importing persons" shall where the context so requires or admits, include individuals, firms, partnerships, trusts, corporations, governmental bodies, authorities, agencies, unincorporated bodies of persons or associations and any organisation having legal capacity.
3. The Tourism B-BBEE Charter Council may from time to time issue best practice notes to clarify or explain some of the provisions contained in the Amended Tourism B-BBEE Sector Code. These practice notes may not contradict the terms it attempts to clarify. Neither may this mechanism be used to add new provisions to the existing Amended Tourism B-BBEE Sector Code.

Part 2: Definitions

In this Amended Tourism B-BBEE Sector Code unless the context otherwise requires:

Expressions, definitions and qualifications used in the Amended Tourism B-BBEE Sector Code have the meaning assigned to them in the Amended Tourism B-BBEE Sector Code gazetted under Section 9 (1) of the Broad-Based Black Economic Empowerment Amendment Act No. 46 of 2013, unless otherwise specified hereunder.

| | |
|----------------------------------|--|
| <p>“Absorbtion”</p> | <p><u>means a measure of the Measured Entity’s ability to have successfully secured formal permanent or long-term contract employment for the Learner or to assist the Learner’s proceed with further education and training. Where the Learner was already employed by the Measured Entity when he commenced the Learnership and merely continues with his/her existing employment after the Learnership, it will not qualify as Absorption. [means a measure of the measured entity’s ability to successfully secure a long term contract of employment for the employee, learner, intern or apprentice.]</u></p> |
| <p>“Acquisition Debt”</p> | <p>means the debts of:</p> <ul style="list-style-type: none"> (a) Black Participants incurred in financing their purchase of their equity instruments in the measured entity; and (b) Juristic persons or trusts found in the chain of ownership between the eventual Black Participants and the measured entity for the same purpose as those in (a). (c) Debt that substitutes or replaces the debt in (a) and (b) above is still Acquisition Debt notwithstanding the fact that it may be owed to a different financier. |
| <p>“Act”</p> | <p>means the Broad-Based Black Economic Empowerment Act</p> |

| | |
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| | No. 46 of 2013. The term "B-BBEE Act" has a corresponding meaning. |
| "Apprenticeship" | means an agreement between an apprentice and an employer for a set period of time during which the apprentice works and receives training in the workplace. |
| "Associated Enterprise" | means an Entity with which a Seller has concluded a qualifying transaction. |
| "B-BBEE" | means Broad-Based Black Economic Empowerment. |
| "B-BBEE Compliant Entity" | means a measured entity that has achieved at least a Level 1 to Level 8 B-BBEE Status Level as per statement TSC000; |
| "B-BBEE Controlled Company" | means a juristic person, having shareholding or similar members interest, in which Black Participants enjoy a right to Exercisable Voting Rights that is at least 51% of the total such rights measured using the Flow-Through Principle. |
| "B-BBEE Owned Company" | means a juristic person, having shareholding or similar members interest, that is B-BBEE controlled, in which Black participants enjoy a right to Economic Interest at least 51% of the total such rights measured using the Flow Through Principle. |
| "B-BBEE Recognition Level" | means the percentage of B-BBEE Recognition Levels as determined: <ul style="list-style-type: none"> (a) For entities that are neither Qualifying Small Enterprises nor Exempted Micro-Enterprises, using Statement TSC000; (b) For Qualifying Small Enterprises, using the Statement TSC000; and (c) For Exempted Micro-Enterprises, the applicable deemed B-BBEE Recognition under Statement TSC000. |
| "B-BBEE Status" | means the B-BBEE status of a measured entity as determined under Statement TSC000. |

| | |
|---|--|
| “B-BBEE Strategy” | means the B-BBEE Strategy as contemplated in Section 11 of the B-BBEE Act No. 46 of 2013. |
| “B-BBEE Verification Professional Regulator” | means a body appointed by the Minister of Trade and Industry for the accreditation of rating agencies or the authorisation of B-BBEE verification professionals. |
| “Benefit Factor” | means a factor specified in the Benefit Factor Matrix applicable to fixing the monetary value of Enterprise Development and Supplier Development and Socio Economic Development contributions claimable under Statement TSC400 and TSC500. |
| “Benefit Matrix Factor” | means the Benefit Factor Matrix for Enterprise Development and Supplier Development and Socio-Economic Development contributions claimable under Statement TSC400 and TSC500. |
| “Black Designated Groups” | <p>means:</p> <ul style="list-style-type: none"> (a) Unemployed Black People not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black People who are youth as defined in the National Youth Commission Act of 1996; (c) Black People who are persons with disabilities as defined in the Codes of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black People living in rural and under developed areas’ (e) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act No. 18 of 2011. |
| “Black New Entrants” | means Black Participants who hold rights of ownership in a Measured Entity and who, before holding Equity Instruments in the measured entity, which have not held equity |

| | |
|---------------------------------------|--|
| | instruments in any entity which has a total value of more than R50,000,000, measured using a Standard Valuation Method. |
| “Black People” | <p>Is a generic term which means African, Coloureds and Indians.</p> <p>(a) Who are citizens of the Republic of South Africa by birth or descend; or</p> <p>(b) Who became citizens of the Republic of South Africa by naturalisation-</p> <p>(i) Before 27 April 1994; or</p> <p>(ii) On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to the date.</p> |
| “Broad-Based Ownership Scheme” | means an ownership scheme which meets the rules set out in Annexe TSC100 (B). |
| “Certified Learning Programme” | <p>means any Learning Programme for which the measured entity has:</p> <p>(a) Any form of independent written certificate as referred to in the “Learning Achievements” column of the Learning Programme Matrix; or if it does not have such certification;</p> <p>(b) An enrolment certificate issued by the independent person responsible for the issue of the certification referred in Statement TSC300 confirming the employee has:</p> <p>(i) Enrolled for, is attending and is making satisfactory progress in the Learning Programme; or</p> <p>(ii) Enrolled for but not attended the Learning; or</p> <p>(iii) Attended the Training Programme but has failed an evaluation of their learning progress.</p> |

| | |
|---------------------------------|---|
| "Charter" | means the Tourism B-BBEE Sector Charter as gazetted under Section 12 of the B-BBEE Act as Amended. |
| "Codes of Good Practice" | means the Broad-Based Black Economic Empowerment Codes of Good Practice, 11 October 2013 (Gazette No.32698) as amended. The term 'Generic Codes' or 'Amended Codes' has a corresponding meaning. |
| "Companies Act" | means the Companies Act, No. 71 of 2008 as Amended or substituted. |
| ["Company limited by guarantee" | Means a Company Limited by Quarantee as referred in the Company's Act No. 71 of 2008.] |
| "Competent Person" | means a person who has acquired through training, qualification and experience the knowledge and skills necessary for undertaking any task assigned to them under the Code. |
| "Core Skills" | means skills that are: (a) Value-adding to the activities of the measured entity in line with its core business; (b) In areas the measured entity cannot outsource; or (c) Within the production/operational part of the measured entity's value-chain; as opposed to the supply side; services or downstream operations. |
| "Critical Skills" | means those skills identified as being critical by CATHSSETA. |
| "Current Equity Interest Date" | <u>means the later occurring of the date of commencement of the old Tourism Sector Code (Gazette 32259, 22 May 2009) and the date upon which the earliest of all still operative transactions undertaken by the Measured Entity in order to achieve black rights of ownership, became effective and unconditional. Current Equity Interest date: [Means the later occurring of the date of commencement of statement 100 and the date upon</u> |

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| | which the transaction undertaken by the measured entity in order to achieve black rights of ownership became effective and unconditional.] |
| “Designated Group Suppliers” | <p>[means a supplier to the measured entity that is at least 51% owned by one or more of the following categories of ownership within its strure:</p> <p>(a) Unemployed Black People not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black People who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black People who are persons with disabilities as defined in the Codes of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black military veterans who qualifies to be called a military veteran in terms of the Military Veteran Act No. 18 of 2011.]</p> |
| “EAP” | Economically Active Population as determined by Statistics South Africa. The operative EAP for the purposes of any calculation under the Codes will be the most recently published EAP. |
| “Economic Interest” | means a claim against an entity representing a return on ownership of the entity similar in nature to a dividend right, measured using the Flow-Through and, where applicable, the Modified Flow-Through Principles. |
| “Employment Equity Act” | means the Employment Equity Act No. 55 of 1998, as Amended. |

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| “Employment Equity Regulations” | means the regulations under the Employment Equity Act. |
| “Elements” | means the measurable quantitative or qualitative elements of B-BBEE compliance in the Large Enterprise Scorecard and the Amende Tourism B-BBEE Sector Code. |
| “Employed Learner” | In terms of section 18 (1) of the Skills Development Act it means a learner that was in the employment of the employer party to the learnership agreement concerned when the agreement was concluded. The learner’s contract of employment is therefore not affected by the agreement. |
| “Employee with a Disability” | has the meaning defined in the Codes of Good Practice on key aspects of disability in the workplace issued under Section 54 of the Employment Equity Act; align with the Employment Equity Act. |
| “Employee” | bears the meaning as defined in the Employment Equity Act. |
| “Employee Share Ownership Programme”; | means a worker or employee scheme as per Annexe TSC100 (c). |
| “Empowering Supplier” | <p>means a B-BBEE compliant entity, which complies with all regulatory requirements of the Employment Equity Act, Skills Development Act, and Skills Development Levies Act and which meets at least four if it is a Large Enterprise or two if it is a QSE of the following criteria:</p> <ul style="list-style-type: none"> (a) At least 25% of cost of sales excluding labour cost and depreciation must be procured from local producers or local supplier in South Africa. (b) At least 85% of Total Labour Cost should be paid to South African Employees by service industry entities. (c) <u>Job creation – at least 50% of jobs created during the Measurement Period are for Black People provided that the number of Black Employees since the</u> |

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| | <p><u>immediate prior verified B-BBEE Measurement is maintained.</u></p> <p>(d) At least 51% of total measured procurement spend must be from South African Suppliers.</p> <p>(e) Skills transfer by Senior and Top Management (as defined by the Employment Equity regulations) spend at least 12 days per annum in assisting 51% Black Owned EMEs and QSEs to increase their operational and/or financial capacity.</p> |
| “Enterprise Development Contributions” | <p><u>means monetary or non-monetary contributions as per Statement TSC400 read together with Annexe TSC400 (B) carried out for the benefit of any Entity that is measureable in terms of this Tourism Sector Codes, with the objective of contributing to the development, sustainability and financial and operational independence of that Entity. Enterprise development contributions: [Means monetary or non-monetary contributions as per Statement TSC400 read together with Annexe TSC400 (B) carried out for the benefit of any entity that is measureable in terms of this Amended Tourism B-BBEE Sector Code, with the objective of contributing to the following development, sustainability and operational independence of those beneficiaries: Enterprise Development contributions to EMEs or QSEs which are at least 51% Black Owned or at least 51% Black Women Owned.]</u></p> |
| “Entity” | <p>means a legal entity or a Natural or a Juristic Person conducting a business, trade or profession in the Republic of South Africa.</p> |

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| <p>“Entrepreneur”</p> | <p>means a person who starts and/ or operates a business which includes identifying opportunities in the market, taking risks with a view of being rewarded with profits.</p> |
| <p>“Equity Equivalent Contribution”</p> | <p>means an equity equivalent contribution made by a Multinational under an Equity Equivalent Investment Programme.</p> |
| <p>“Equity Equivalent Investment Programme”</p> | <p>means a public programme or scheme of any government department, provincial or local government in the Republic of South Africa or any other programme approved by the Minister as an Equity Equivalent Investment Programme.</p> |
| <p>“Equity Instrument”</p> | <p>means the instrument by which a participant holds rights of ownership in an entity.</p> |
| <p>“Equivalency Percentage”</p> | <p>means a percentage ownership performance for all the indicators in the Associated Enterprise’s Ownership scorecard arising from a qualifying transaction included in the Ownership scorecard of the beneficiary entity.</p> |
| <p>“Exclusion Principle”</p> | <p>is a measurement principle used when calculating the points for the various indicators of the Ownership scorecard that allows for the deduction of a number of rights of ownership (whether it be voting rights or economic interest), from the total of such rights issued by the measured entity, before expressing those rights of ownership held by Black Participants, as a percentage of all such rights of ownership issued. Code TSC100 and its statements allows, as directed by those statements, for the exclusion of four categories of rights of ownership:</p> <ul style="list-style-type: none"> a) those held by Organs of State and Public Entities; b) those held as Mandated Investments; c) those held by Non-Profit Companies or Public Benefit Organisations; |

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| | d) rights of ownership that equates to the value of the foreign operations of a Multinational Business operating in South Africa or a South African Multinational Business; The exclusions of Ownership held through the entities in (a) to (c) above is to be effected before any exclusion in terms of (d) is to be applied. |
| “Executive Members of the Board” | means those members of the Board who are executive directors as defined in the King Report, as amended from time to time. |
| “Exempted Micro Enterprise” | means an Entity with a total annual Revenue of R 5 Million or less. |
| “Exercisable Voting Rights” | means a voting right of a participant that is not subject to any limit. |
| “Global Practice” | means a globally and informally applied practice of a Multinational, restricting alienation of equity in or the sale of businesses in its regional operations. The practice must have existed before the promulgation of the Act. |
| “Grant Contribution” | means the monetary value of qualifying contributions made by the measured entity to a beneficiary in the form of grants, donations, discounts and other similar quantifiable benefits which are not recoverable by the measured entity. |
| “Group Structure” | means an ownership arrangement whereby one or more measured entities that are juristic persons are subsidiaries of another measured entity that would qualify as a holding company. |
| “Higher Education Institution” | means a higher education institution as defined under the higher Education Act of 1997. |
| “Indicator Percentage” | means the percentage compliance of the Associated Entity for all the indicators of the Associated Enterprises Ownership scorecard. The calculation of indicator percentages follows |

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| | the rules in Statement TSC100 using the actual percentage compliance for each indicator and not the resulting scores. |
| “Internship” | means an opportunity to integrate career related experience into an undergraduate education by participating in planned, supervised work. |
| “Junior Management” | means an employee of the measured entity who is a member of the occupational category of “Junior Management” as determined using the Employment Equity Regulations. |
| “Learnership” | means a work-based route to a qualification. It is a workplace education and training programme comprising both structured practical workplace (on-the-job) experience and structured theoretical training. |
| “Large Enterprises” | means an entity that qualifies for measurement under the Large Enterprise scorecard with a total annual Revenue of more than R 45 Million. |
| “Learning Programmes” | means any learning programme set out in the learning Programme Matrix. |
| “Learning Programme Matrix” | means the Learning Programme Matrix annexed as Annexe TSC300 (A) in Statement TSC300. |
| “Leviable Amount” | bears the meaning as defined in the Skills Development Levies Act of 1999 as determined using the Fourth Schedule to the Income Tax Act. |
| “Long term contract of employment” | [Means a legal agreement between an individual and an entity that this individual would work for until his or her mandatory date of retirement.] |
| “Management Fees” | means the total Economic Interest received by a Broad-Based Ownership Scheme or Black participants in any year less the amounts distributed or applied to beneficiaries and the amounts reserved for the future distribution or application. |

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| “Mandated Investment” | means any investments made by or through any third party regulated by South African legislation on behalf of the actual owner of the funds, pursuant to a mandate given by the owner to a third party, which mandate is governed by that legislation. Some examples of domestic mandated investments and the portions of those investments subject to the exclusion principle are contained in Annexe TSC100 (A) attached to Statement TSC100. |
| “Measured Entity” | means an Entity as well as an organ of state or public entity subject to measurement under the Codes. |
| “Measurement Period” | <p>means, subject to the following, the financial period of the measured entity:</p> <ul style="list-style-type: none"> (a) The financial period of a Measured Entity is a period of 12 consecutive calendar months; (b) Where however the measured entity amended its financial reporting period from one year to another the financial period may, for that particular year in question, be more or less than 12 consecutive months. In such exceptional cases the measured entity may at its discretion elect to be measured for the amended financial period (however many months it may include) or the 12 months ending on the last day of the amended financial period. For purposes of determining its classification as an EME, QSE or Large enterprise the measured entity must however, irrespective of the election it exercises above, do so with reference to the 12 months ending on the last day of the amended financial period; (c) Measured entities for which verification is required may not be measured for a Measurement Period that has ended more than 12 months prior to the commencement of the verification thereof; |

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| | <p>(d) For EME's and QSE's that are allowed to merely make an affidavit, the Measurement Period must be the 12 consecutive calendar months that immediately precedes the last day of the most recently completed financial period;</p> <p>(e) The Measurement Period is the period over which the 'Skills Development', 'Enterprise and Supplier Development' and 'Socio-Economic Development' elements must be measured.</p> |
| <p>"Measurement Date"</p> | <p>means the last day of the Measurement Period or such later date agreed upon with the measured entity that is as close as practically possible to the commencement of the verification or to the making of the sworn affidavit which ever the case may be. The term 'Date of Measurement' has a corresponding meaning.</p> <p>(The 'Ownership' and 'Management Control' elements must be measured as at the Measurement Date. For the avoidance of doubt - these two elements may not be measured on different dates.)</p> |
| <p>"51% Black Owned"</p> | <p>means an entity in which :</p> <p>(a) Black People hold at least 51% of the exercisable voting rights as determined under indicator 2.1.2 of Code series TSC100;</p> <p>(b) Black People hold at least 51% of the Economic Interest as determined under indicator 2.2.2 of Code series TSC100; and</p> <p>(c) Has earned all the points for Net Value under Statement TSC100;</p> |

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| “100% Black Owned” | <p>means an Entity in which :</p> <p>(a) Black People hold 100% of the exercisable voting rights as determined under indicator 2.1.2 of Code series TSC100;</p> <p>(b) Black People hold at least 100% of the Economic Interest as determined under indicator 2.2.1 of Code series TSC100; and</p> <p>(c) Has earned all the points for Net Value under Statement TSC100.</p> |
| “51% Black Women Owned” | <p>means an Entity in which:</p> <p>(a) Black Women hold at least 51% of the exercisable voting rights as determined under indicator 2.1.2 of Code series TSC100;</p> <p>(b) Black Women hold at least 51% of the Economic Interest as determined under indicator 2.1.2 of Code series TSC100; and</p> <p>(c) Has earned all the points for Net Value under Statement TSC100.</p> |
| “30% Black Women Owned” | <p>means an entity in which:</p> <p>(a) Black Women hold more than 30% of the exercisable voting rights determined under indicator 2.2.2 of Code series TSC100</p> <p>(b) Black Women hold more than 30% of the Economic Interest as determined under indicator 2.2.2 of Code series TSC100; and</p> <p>(c) Has earning all the points for Net Value under Statement TSC100.</p> |
| “Middle Management” | <p>means an employee of the measured entity who is a member of the occupational category of “Middle Management” as determined using the Employment Equity Regulations.</p> |

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| “Multinational Business” | means a measured entity with a business in the Republic of South African and elsewhere which maintains its international headquarters outside the Republic. |
| “National Skills Development Strategy” | means the national skills development strategy referred to in section 5(1) (a) (ii) of the Skills Development Act. |
| “Net Profit After Tax” | means the operating profit of a measured entity after tax. It incorporated both the equity / loss figures and abnormal items, but excludes extra ordinary items as determined by the International Financial Reporting Standard (<i>IFRIS</i>) and Generally Accepted Accounting Practices (GAAP) as amended from time to time. |
| “Net Profit Before Tax” | means the operating profit of a measured entity before tax. It incorporated both the equity / loss figures and abnormal items, but excludes extra ordinary items as determined by the International Financial Reporting Standard (<i>IFRIS</i>) and Generally Accepted Accounting Practices (GAAP) as amended from time to time. |
| “Net Value” | means the points resulting from the application of paragraph 4 of Annexe TSC100 (E) of statement TSC100. |
| “New Enterprise” | [means an early stage business which is similar to a start-up. However, an early stage business is typically three years old or less.] |
| “Non-Profit Organisation” | means a non-profit organisation registered under the Non-Profit Organisation Act of 1997. |
| “Original Codes” | means the Broad-Based Black Economic Empowerment Codes of Good Practice, 9 February 2007 (Gazette No.29617). |
| “Old Tourism Sector Code” | means the Tourism B-BBEE Sector Code, 22 May 2009 (Gazette No. 32259). The term ‘Old TSC’ has a corresponding meaning. |

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| “Organ of State” | has the meaning assigned to it in the Preferential Procurement Policy Framework Act No. 5 of 2000. |
| “Outsourced Labour Expenditure” | means any expenditure incurred in: (a) Procuring the services of or from a labour broker; and (b) Procuring the services of any person who received any remuneration or to whom any remuneration accrues because of any services rendered by such person to or behalf of a labour broker. |
| “Participant” | means a natural person holding rights of ownership in a measured entity. |
| “People with Disability” | [has the meaning ascribed to it in the Employment Equity Act No. 55 of 1998 as amended from time to time.] |
| “Pivotal Report” | means a report on ‘Professional, Vocational, Technical and Academic Learning’ programmes that meet the critical needs for economic growth and social development, generally combining course work at universities, universities of technology and colleges with structured learning at work. |
| “Priority Skills” | means Core, Critical and Scarce Skills as well as any skills specifically identified: (a) In a Sector Skills Plan issued by the Department of Labour of the Republic of South Africa; (b) National Skills Development Strategy III; (c) New Growth Path; and (d) National Development Plan. |
| “Private Equity Fund” | means a third party fund through which investments are made on behalf of the actual owner of the funds pursuant to a mandate given by that person to the private equity fund. |
| “Public Entity” | has the meaning assigned to it in the Public Finance Management Act No.1 of 1999. |
| “Public Benefit Organisation” | means an entity as defined in Section 30 of the Income Tax Act of 1962. |

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| “Qualifying Beneficiary Entities” | means recipients of Qualifying Enterprise and Supplier Development Contributions. |
| “Qualifying Enterprise and Supplier Development Contributions” | means a collective term describing Enterprise Development and Supplier Development Contributions targeting EME’s and QSE’s which are at least 51% Black Owned. [Qualifying Enterprise and Supplier Development contributions: Means collective term describing Enterprise Development and Supplier Development contributions targeting EMEs and QSEs which are at least 51% Black Owned or at least 51% Black Women Owned, Black Youth in rural and underdeveloped areas in Statement 400.] |
| “Qualifying Small Enterprise” | means an entity that qualifies for measurement under the Qualifying Small Enterprise scorecard with a total annual Revenue of more than R 5 Million but less than R45 Million. The abbreviation ‘QSE’ has a corresponding meaning. |
| “Qualifying Socio-Economic | is a collective term for Socio-Economic Development Contributions. |
| “Qualifying Transaction” | means a sale of business, valuable business assets or shares that results in the creation of specialised skills or productive capacity to Black People. |
| “Related Enterprise” | means an entity controlled by a measured entity whether directly or indirectly controlled by the natural persons who have direct or indirect control over that measured entity or the immediate family of those natural persons. |
| “Revenue” | has the meaning ascribed to it in the International Financial Reporting Standard (<i>IFRS</i> , <i>International Accounting Standard 18</i>) as amended from time to time. [It is the gross inflow of economic benefits during the period arising from the course of the ordinary activities of an entity |

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| | <p>when those inflows result in increases in equity, other than increases relating to contributions from equity participants. IAS 18 applies to accounting for revenue arising from the following transactions and events: the sale of goods; the rendering of services; and the use by others of entity assets yielding interest, royalties and dividends.]</p> |
| “Rights of Ownership” | is a collective term for the right to Economic Interest and the right to Exercisable Voting Rights. |
| “Scarce Skills” | are those skills identified as being scarce by CATHSSETA. |
| “Sector Code” | means a code in statement 003 on Gazette no.38766 which is applicable to a particular sector. |
| “Sector Specific Contributions” | Qualifying Socio-Economic Development contributions and/or initiatives as well as Qualifying Enterprise Development contributions and/or initiatives approved by the Tourism Sector Charter Council for the sub-sector in which the measured entity operates. Such contributions are extraneous to the measured entity’s regular business activities and do not form part of any legal obligation upon the enterprise. |
| “Seller” | means the entity or the person concluding a Qualifying Transaction with the Associated Enterprise. |
| “Senior Management” | means an employee of the measured entity who is a member of the occupational category of “Senior Management” as determined using the Employment Equity Regulations. |
| “Skills Development Expenditure” | comprises the legitimate training expenses that a measured entity incurs on skills development. It excludes the skills development levy payable by the measured entity under the Skills Development Levies Act. |

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| “Socio-Economic Development Contributions” | <p>means monetary or non-monetary contribution implemented for communities, natural persons or groups of natural persons that are Black People. The objective of Socio-Economic Development contributions is the promotion of sustainable access for the beneficiaries to the economy. Socio-Economic Development contributions commonly take the following forms:</p> <ul style="list-style-type: none"> (a) Development programmes for women, youth, people with disabilities, people living in rural areas; (b) Support of healthcare and HIV/AIDS programmes; (c) Support for education programmes, resources and materials at primary, secondary and tertiary education level, as well as bursaries and scholarships; (d) Community training skills development for unemployed people and adult basic education and training; or (e) Support of arts, cultural or sporting development programmes. |
| “Socio-Economic Project Contributions” | <p>means monetary or non-monetary contributions carried out for the benefit of any projects approved for this purpose by any organ of state or sectors including without limitation:</p> <ul style="list-style-type: none"> (a) Projects focusing on environmental conservation, awareness, education and waste management; (b) Projects targeting infrastructural development or reconstruction in underdeveloped areas; rural communities or geographical areas identified in the government's integrated sustainable rural development or urban renewal programmes; and (c) New projects promoting beneficiation. |

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| “Standard Valuation Method” | means a standard valuation method for an asset, an Economic Interest, or any other instrument or right relevant to measurement under Code TSC100, undertaken using normal valuation methods that represent standard market practice. |
| “Start-up Enterprise” | means a recently formed or incorporated entity that has been in operation for less than 1 year. An entity that was formed and incorporated some time ago but which has been dormant (non-operational), will qualify as a start-up enterprise for the first year after it commences operations. A start-up enterprise does not include any newly constituted enterprise which is merely a continuation of a pre-existing enterprise. |
| “Subsidiary” | has a meaning defined in section 1(3) of the Companies Act. |
| “Suitable Evidence or Documentation” | <p>means, notwithstanding any provisions to the contrary in the Verification Manual (Gazetted 31255, 18 July 2008) as amended from time to time, evidence or documentation that includes without limiting the generality of the term:</p> <p>(a) representations by the Measured Entity regarding its B-BBEE Status that can be substantiated out of audited or reviewed financial statements, an independent Competent Person’s report, other third party confirmation or where appropriate having regard to available evidence, in the absence of third party confirmation, a representation by management of the measured entity attesting to the facts.</p> <p>(i) a verification professional considering aforementioned evidence or documentation in support of any representation must apply professional judgement in evaluating the appropriateness thereof;</p> |

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| | <p>(ii) cannot dissolve itself of its responsibility to conduct a thorough verification by relying only on this type of evidence or documentation where in fact other evidence, as is required by the Verification Manual, is readily available; and</p> <p>(iii) In evaluating the appropriateness of evidence it must achieve a reasonable level of comfort with respect to any conclusion it reaches.</p> <p>(b) in the case of 51% or 100% Black Owned Exempted Micro-Enterprise and 51% or 100% Black Owned Qualifying Small Enterprise an affidavit attesting to its B-BBEE status. This is the minimum level of evidence required for these entities.</p> <p>(c) in the case of Broad-Based Ownership Schemes, Employee Share Ownership Programmes and Trusts, Verification Professionals may rely on interviews with fiduciaries (where available, independent fiduciaries) of these schemes instead of the individual Participants of these schemes to achieve a reasonable level of comfort with regard to the Rights of Ownership that flow through them.</p> |
| <p>“Supplier”</p> | <p>means any supplier or service provider to a measured entity if any portion of the supply or service provision falls within the definition of Total Measured Procurement Spend.</p> |
| <p>“Supplier Development Contributions”</p> | <p>means monetary or non-monetary contributions as per Statement TSC400 read together with Annexe TSC400(B) carried out for the benefit of Empowering Suppliers who are suppliers of the measured entity, with the objective of contributing to the development, sustainability and financial and operational independence of those Empowering Suppliers.</p> |

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| | (a) [Supplier Development contributions to suppliers that are Exempted Micro Enterprises or Qualifying Small Enterprises which are at least 51% Black Owned or at least 51% Black Women Owned.] |
| “Target” | means the targets for the various elements in the Large Enterprise Scorecard and QSE Scorecard. |
| “the Act” | means the Broad-Based Black Economic Empowerment Act No. 53 of 2003 as amended. |
| “the Codes” | means the Tourism B-BBEE Sector Code as amended. |
| “the Large Enterprises Scorecard” | means the balanced B-BBEE scorecard for Large Enterprises as contained in Statement TSC000. |
| “the PFMA” | means the Public Finance Management Act No. 1 of 1999 as amended. |
| “the QSE Scorecard” | means the QSE scorecard referred to in Statement TSC000. |
| “the Skills Development Act” | means the Skills Development Act of 1998. |
| “the Skills Development Levies Act” | means the Skills Development Levies Act of 1999. |
| “the Strategy Document” | means the document entitled “South Africa’s Economic Transformation – A Strategy for Broad-Based Black Economic Empowerment” published by the Department of Trade and Industry in March 2003 as amended or substituted under section 11 of the Act. |
| “Third Party Rights” | <p>means third party legal or commercial rights that restrict withhold or defer any benefit associated with ownership of any Equity Instrument. Third party rights include only those rights:</p> <p>(a) Created against a black participant to secure, for a lender, repayment of a loan advanced to that Participant for financing their purchase of their equity instrument in the measured entity;</p> |

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| | (b) Held against a juristic person or trust that is in the chain of ownership between the measured entity and that the eventual black participant serving the same purpose mentioned in (a) above. |
| “Total Labour Cost” | means the total amount of remuneration paid by an entity to its employees determined using section 3(4) of the Skills Development Levies Act of 1999 and the Forth Scheduled of the Income Tax Act of 1962. |
| “Tourism Sector Codes” | means this revised Tourism Sector B-BBEE Sector Code issued in terms of section 9(1) of the Act. The abbreviation “TSC” has a corresponding meaning. |
| “Transformation Charters” | means the sectoral transformation charters referred to in section 12 of the Act. |
| “Unemployed Learner” | means a learner that was not in the employment of the employer party to the Learnership, Apprenticeship or Internship concerned when the Learnership, Apprenticeship or Internship commenced. The employer and learner must therefore enter into a contract of employment. For the avoidance of doubt, the employer is not necessarily the measured entity. Refer to the Skills Development Act. |
| “Voting Right” | means a voting right attaching to an Equity Instrument owned by or held for a participant measured using the Flow through Principle or the Modified Flow-Through Principle. |
| “Weighting” | means the weightings applied to various Elements in the Large Enterprise scorecard and QSE scorecard. |
| “Workplace Skills Plan” | means the plan of a measured entity approved by CATHSSETA. |

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1242

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. MURUO-BATHONG TRADING CO-OP LTD
2. INYANDA-LWAKHO CO-OP LTD
3. MHLWENI AGRICULTURAL CO-OP LTD
4. ISINKWA SEMPILO CHALK MANUFACTURING CO-OP LTD
5. SESVUKILE CO-OP LTD
6. KOPANO-KE MAATLA CO-OP LTD
7. RED IQ CIVIL AND CONSTRUCTION CO-OP LTD
8. SIBONGILE KWA-ZULU STATIONERY CO-OP LTD
9. SIHLABELAPHAMBILI AGRICULTURAL CO-OP LTD
10. SIMAMANI CO-OP LTD
11. IKAGENG BATSWANA CO-OP LTD
12. THARI-E-SWANA TRADING CO-OP LTD
13. QONDANAZIKABANZI CO-OP LTD
14. LIFE STYLE POULTRY FARM CO-OP LTD
15. NHLEKISA CO-OP LTD
16. QALAKABUSHA CO-OP LTD
17. INQUBEKWEHLE CO-OP LTD
18. HLONIPHANI SEWING CO-OP LTD
19. SOPHILA FOOD SUPPLIER SCHEME CO-OP LTD
20. NGOKUZIKHANDLA CO-OP LTD
21. EZIKAMAKHAWULA CO-OP LTD
22. MAYENZEKE BAKING CO-OP LTD
23. MATSHILISANO CULTURAL VILLAGE CO-OP LTD
24. THUTHUKA MZANTSI AGRICULTURAL CO-OP LTD
25. INZWANO CO-OP-LTD
26. MOILETSWANE LIVESTOCK FARMERS CO-OP LTD
27. INYEZANE CO-OP LTD
28. INKWAMBASE FARMERS CO-OP LTD
29. SUCCESS POULTRY AND BEES CO-OP LTD
30. KGORA YOUTH AGRICULTURAL CO-OP LTD
31. REA LEBOGA CATERING CO-OP LTD
32. KHWEZI GOAT FARMERS AGRICULTURAL 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. 1243

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. BOITEKO POULTRY CO-OP LTD
2. FISOKUHLE SINETHEMBA CO-OP LTD
3. ASIYEPHAMBILI CO-OP LTD
4. SENZIMPILO AGRICULTURAL CO-OP LTD
5. RIXALADZA PRINTING DEVELOPMENT CO-OP LTD
6. CELOKUHLE CO-OP LTD
7. SWEET CHICKS CO-OP LTD
8. REST VALLEY SERVICE CO-OP LTD
9. ACHIB KWA ZULU NATAL CENTRAL CO-OP LTD
10. ENDOSA CLOTHING CO-OP LTD
11. MTSHAZI MULTI-PURPOSE CO-OP LTD
12. SIQALA OKUHLE CO-OP LTD
13. SILINDELWE CO-OP LTD
14. EXIHLOYENI AGRICULTURAL CO-OP LTD
15. ZAMIMPUMELELO POULTRY CO-OP LTD
16. SINENKOSITHINA TRADING CO-OP LTD
17. SEBABATSO AGRICULTURAL CO-OP LTD
18. STAR RESTAURANT CO-OP LTD
19. GREEN HARVEST SIYAZAMA AGRICULTURAL CO-OP LTD
20. KHAZIMLA CO-OP LTD
21. LOTA MAKUKHANYE AGRICULTURAL AND FARMING CO-OP LTD
22. LIKHONA CO-OP LTD
23. IVELILE CO-OP LTD
24. IMVUBELO KWANDENATHI CO-OP LTD
25. UPPER NCERA AGRICULTURAL CO-OP LTD
26. TITIRHELENI ORCHARD CO-OP LTD
27. XINWAMATI AGRICULTURAL CO-OP LTD
28. KHAYENI CO-OP LTD
29. NKWENKWEZI EKHANYAYO MULTI-PURPOSE CO-OP LTD
30. VUSUMUZI HOUSING AND DEVELOPMENT CO-OP LTD
31. LAPOLOGANG MINING CO-OP LTD
32. F. K SECURITY SERVICE 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
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Private Bag X237
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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1244

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. SIGCINE CO-OP LTD
2. VANYAMATSI FILLING STATION CO-OP LTD
3. YOUTH ON THE MOVE CO-OP LTD
4. ZULU HLANGANANI CO-OP LTD
5. KHULEKANI CO-OP LTD
6. SIPHUKUKHANYA AGRICULTURAL CO-OP LTD
7. MADZIVHANANI POVERTY FIGHTERS CO-OP LTD
8. QOPHAMLANDO CO-OP LTD
9. SIQALA SONKE CO-OP LTD
10. LIBODE CRAFT CO-OP LTD
11. MEVREWA MANUFACTURING CO-OP LTD
12. JAIRA CO-OP LTD
13. K GALAGADI CO-OP LTD
14. SIYACATHULA CO-OP LTD
15. THE GRUBB GROUP FISHERIES CO-OP LTD
16. SIYAKHA DAIRY CO-OP LTD
17. REATHUSANA SOCIAL AND HEALTH CARE CO-OP LTD
18. THABA-NCHU AGRICULTURAL PRODUCERS CO-OP LTD
19. DITLOU PDI'S PRIMARY AGRICULTURAL CO-OP LTD
20. ISIBANI WATERFALL CO-OP LTD
21. MZANTSI IMAGE BAKING AND MANUFACTURING CO-OP LTD
22. SIY AHLUMA MULTI-PURPOSE CO-OP LTD
23. SOMRAPHY'S PRINT AND ENTERTAINMENT CO-OP LTD
24. MUKULA CLEANING CO-OP LTD
25. SIYIKHONKONKE CO-OP-LTD
26. XESI CO-OP LTD
27. RAMAHLASEMA CO-OP LTD
28. AFRICAN EXPRESS BUS SERVICES CO-OP LTD
29. XHANTI LABANTU CO-OP LTD
30. OUR NEEDS CO-OP LTD
31. NICO TENT HIRE CO-OP LTD
32. KGATELOPELE BASADI ENTERPRISE CO-OP LTD

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REGISTRAR OF CO-OPERATIVES

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1245

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. NTUNJENI CO-OP LTD
2. NOMANINI CO-OP LTD
3. UKOLWENI YOUTH CO-OP LTD
4. ZAKHELE POULTRY CO-OP LTD
5. TEENS COLABORATION CO-OP LTD
6. TINGWENYA CO-OP LTD
7. TSOGA-O-SEPELE CO-OP LTD
8. SIHLANGENE AGRICULTURAL CO-OP LTD
9. JA BA MI CO-OP LTD
10. THETA TISSUES CO-OP LTD
11. SILWANOMPOFU CO-OP LTD
12. ACHIB NORTH WEST (KLERKSDORP) CO-OP LTD
13. EMPUMALANGA-YETHU CO-OP LTD
14. KHULULEKANI CO-OP LTD
15. TLHOAFALO BASADI CO-OP LTD
16. BATALIMA CO-OP LTD
17. SIYADUDULA HOUSING CO-OP LTD
18. SUNSHINE MEDICENERY PLANT CO-OP LTD
19. MAANDA ASHU CO-OP LTD
20. ACHIB NORTH WEST (POTCHEFSTROOM) CO-OP LTD
21. GAREJALENG AGRICULTURAL CO-OP LTD
22. NTSHIYABANTU FARMERS AGRICULTURAL CO-OP LTD
23. IMBALENHLE AGRICULTURAL CO-OP LTD
24. SIYADLA SIYAFUNDZA CO-OP LTD
25. UBAMBISWANO AGRICULTURAL CO-OP-LTD
26. MPUMELELO YETHU CO-OP LTD
27. THUSANO YOUTH CO-OP LTD
28. TSHWARANANG CO-OP LTD
29. ANQOBILE CO-OP LTD
30. ESCONGWENI CO-OP LTD
31. BERACAH CO-OP LTD
32. TORHA BERLYN SISAL YOUTH CO-OP LTD

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1246

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. ONKGOPOTSE PRODUCERS AND SUPPLIERS CO-OP LTD
2. SINETHEMBA MULTI PURPOSE CO-OP LTD
3. DIVERSE CONSTRUCTION CO-OP LTD
4. MAZWENI MULTI AGRICULTURAL CO-OP LTD
5. KGABO KOBALALA AGRICULTURAL CO-OP LTD
6. TSWELELANG AGRICULTURAL CO-OP LTD
7. MORNING STARS B AND B TRANSPORT AND TOURISM CO-OP LTD
8. TIGANE BRICKS MAKING CO-OP LTD
9. BAJAMENI CO-OP LTD
10. ABAHLE CO-OP LTD
11. GEO-NET CAFFE AND PAPERWORKS CO-OP LTD
12. BAPHUMELELE MULTI-PURPOSE CO-OP LTD
13. BUHLEBETHU BAKING COMFIONAL CO-OP LTD
14. ARMED SECURITY CO-OP LTD
15. ISWELIHLE BAKERY AND CATERING CO-OP LTD
16. TSHENOLO CO-OP LTD
17. TOP DRAWER CO-OP LTD
18. SISONKE WOMEN'S EMPOWERMENT CO-OP LTD
19. KWENZE ISIZWE CO-OP LTD
20. TSALANANI PIGGERY CO-OP LTD
21. BRINGTON STOCK OWNER CO-OP LTD
22. UMPHITHI SEWING CO-OP LTD
23. IMPENDLE NGQAYIZIVELE CO-OP LTD
24. IMIZAMO YAMABHIDLA CO-OP LTD
25. SIYAYEMUKELA CO-OP LTD
26. IZITHELO ZAMAJUBA 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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REGISTRAR OF CO-OPERATIVES

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1247

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. ZWELETHU AGRICULTURAL CO-OP LTD
2. LETLEPHU AGRICULTURAL CO-OP ENTERPRISE LTD
3. SPHUNGA AGRICULTURAL CO-OP LTD
4. IBHODWE AGRICULTURAL CO-OP LTD
5. ACHIB GAUTENG (TSHWANE) CO-OP LTD
6. INTAPHUKA FARMERS CO-OP LTD
7. MATABANE AGRICULTURAL CO-OP LTD
8. SAKHA UBUHLE AGRICULTURAL CO-OP LTD
9. EMAHLABATHINI CROP FARMING CO-OP LTD
10. LOANTSHA TLALA ORGANIC FARMING CO-OP LTD
11. ULUNTU AGRICULTURAL CO-OP LTD
12. SAKH'UMNOTHO AGRICULTURAL CO-OP LTD
13. QONDISISA CO-OP LTD
14. UMTHOLE CO-OP LTD
15. ZONKIZIZWE POULTRY CO-OP LTD
16. NHLAHLANE CO-OP LTD
17. NTIMBANI CO-OP LTD
18. GREEN SPIDER PDI'S CO-OP LTD
19. TSWARANANG CO-OP LTD
20. KUDLA SIZABALAZA MTHWAKU CO-OP LTD
21. VETROU ONS CO-OP LTD
22. BODIUM CO-OP LTD
23. KHWEZUMKHONO GARDEN CO-OP LTD
24. ZIBUYILE AGRICULTURAL CO-OP LTD
25. BUSHULA MAIZE CO-OP-LTD
26. CETANI COMMUNITY HERITAGE TOURISM CENTRAL CO-OP LTD
27. BASEMANZE WHOLESALER CO-OP LTD
28. ELUHWENI CATER'S CO-OP LTD
29. HLANGANANI MULTI-PURPOSE CO-OP LTD
30. CHUPA-THEBO POULTRY CO-OP LTD
31. H.V EMAXESIBENI CO-OP LTD
32. BUMBANO 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.

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1248

27 SEPTEMBER 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. MIGHTY PERFECT CO-OP LTD
2. MAKGWARANENG CO-OP LTD
3. MTHEMBENI CO-OP LTD
4. SIBONGIMPUMELELO CO-OP LTD
5. MAPHELENI AGRICULTURAL CO-OP LTD
6. FARMERS CHOICE FOODS AGRICULTURAL CO-OP LTD
7. REGOROGILE AGRICULTURAL CO-OP LTD
8. SIMOKUHLE GARDENING PAVING AND CLEANING CO-OP LTD
9. SIBONGAKONKE YOUTH CO-OP LTD
10. MAHANYISI AGRICULTURAL CO-OP LTD
11. MUDASWALI BAKERY CO-OP LTD
12. SIMTFOLILE CO-OP LTD
13. THABELA CO-OP LTD
14. MOEPO CO-OP LTD
15. ZAMELENI CO-OP LTD
16. UNTUNJAMBILI CO-OP LTD
17. UMZABALAZO FARMING CO-OP LTD
18. PHEZUKWENTABA CATERERS CO-OP LTD
19. LEHURUTSHE SHOE MANUFACTURING CO-OP LTD
20. LERATO CO-OP LTD
21. YA-RONA SACCO SAVINGS AND CREDIT CO-OP LTD
22. MASISIZANE EMAKHENI CO-OP LTD
23. MACOSA TRADING CO-OP LTD
24. UMASISAPHILA AGRICULTURAL CO-OP LTD
25. RE KA THUSA MAIZEMEAL AGRICULTURAL CO-OP LTD
26. NHLAMVUKAZI CLEANING SERVICES CO-OP LTD
27. ZWANDA YOUTH CO-OP LTD
28. LITHILI POULTRY PROJECT CO-OP LTD
29. BHOKWENI CO-OP LTD
30. UMNJUZI CO-OP LTD
31. MANTOMOLE AGRICULTURAL CO-OP LTD
32. KOOPE AGRICULTURAL CO-OP LTD
34. DUBANDLELA CO-OP LTD
36. ISUBUKU SAMANGWE AGRICULTURAL CO-OP LTD
37. STEVE TSHWETE AGRICULTURAL CO-OP LTD
38. ISINQAWWE CO-OP LTD

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1249

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. T. K COR MANUFACTURERS CO-OP LTD
2. VUTHWINGQONDO CO-OP LTD
3. DINALEDI COMMERCIAL CO-OP LTD
4. SOMISANANG CO-OP LTD
5. EMFUNDWENI CO-OP LTD
6. RAGANI BOMMA FARMERS CO-OP LTD
7. SANDLULUBE CO-OP LTD
8. ITEKENG BALEMI AGRICULTURAL CO-OP LTD
9. BHEKOKWETHU CO-OP LTD
10. NTHUTHUKO CO-OP LTD
11. SILAMBILE BOMMA CO-OP LTD
12. ROGIGANA AGRICULTURAL CO-OP LTD
13. VUKA SIZWE CULTURAL VILLAGE CO-OP LTD
14. SUMMER SUN MAYATSENG ONE CO-OP LTD
15. LONG LIFE ORGANICS CO-OP LTD
16. AFRI-GIENTS PRIMARY CO-OP LTD
17. UMKHANYO DRESSMAKING AND FASHION DESIGNERS CO-OP LTD
18. RED IQ HEALTH CARE CO-OP LTD
19. AWONGA TRADING CO-OP LTD
20. SIMANYENE AGRICULTURAL CO-OP LTD
21. INCIBIDWANE CO-OP LTD
22. SWARTKOPJE FARMING CO-OP LTD
23. MZAMO DAIRY AGRICULTURAL CO-OP LTD
24. SUREFIN KOOPERATIEF BEPERK
25. WODEHOUSE WOMEN IN AGRICULTURAL CO-OP LTD
26. PHEMBULWAZI FARMERS AGRICULTURAL CO-OP LTD
27. LAPHUMA IKHWEZI DAIRY CO-OP LTD
28. TOURS AGRICULTURAL CO-OP LTD
29. BIZ-AFRIKA KOOPERATIEF BEPERK
30. SOPHAKAMA AGRICULTURAL CO-OP LTD

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

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1250

27 SEPTEMBER 2019

CO-OPERATIVES TO BE REMOVED FROM THE REGISTER

1. NGADUMBILI CO-OP LTD
2. SEDIMOGANG WOMENS EMPOWERMENT CO-OP LTD
3. DIMPHO CO-OP LTD
4. SIMUNYE COMMUNITY CO-OP LTD
5. ITERELENG-BATSWANA CO-OP LTD
6. INKUNZEBOMVU CO-OP LTD
7. PHETOGO AGRICULTURAL CO-OP LTD
8. MAYA AGRICULTURAL CO-OP LTD
9. ZAMUKHANYA ILANGA CO-OP LTD
10. KGATELOPELE GRAIN CROPS FARMERS ASSOCIATION CO-OP LTD
11. LOXTION YOUTH @ WORK CO-OP LTD
12. FARMERS IN ACTION AGRICULTURAL CO-OP LTD
13. MAKONE SEWING AND COSTUME CO-OP LTD
14. BOSPLAAS SEWING FASHION DESIGNERS CO-OP LTD
15. MBOFHO FARMERS AGRICULTURAL CO-OP LTD
16. CAMBANE YOUTH DEVELOPMENT CO-OP LTD
17. SIZOBAKHONA CO-OP LTD
18. CONSISTANT CULTURAL GROUP CO-OP LTD
19. SAVUKA AMATHUBA CO-OP LTD
20. SEBATA BUSINESS PROJECTS CO-OP LTD
21. BADISA MEAT AGRICULTURAL CO-OP LTD
22. MOLEMOLE INDIGENOUS AGRO-PROCESSING CO-OP LTD
23. MALUTI CHERRY PACKERS CO-OP LTD
24. LECHABLE FARM CO-OP LTD
25. VUKILE AGRICULTURAL CO-OP LTD
26. CHUKUMISANI CO-OP LTD
27. REITUMETSE AGRICULTURAL CO-OP LTD
28. REATLEGILE AGRICULTURAL CO-OP LTD
29. VUSUMNDENI MANUFACTURING CO-OP LTD
30. PHELELOS CRYSTAL CLEAR CLEANING PRIMARY 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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Pretoria
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Pretoria
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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1251

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. SPHIZANTOH CO-OP LTD
2. NELLMAPIUS BUILDERS CO-OP LTD
3. NCANAMA CO-OP LTD
4. MISSIONVALLE MULTI-PURPOSE AND MANUFACTURING CO-OP LTD
5. EDGUNS CO-OP LTD
6. MSHENGU CO-OP LTD
7. LIFE BLOOD CO-OP LTD
8. UMHLATHUZE TSHWARANANG CO-OP LTD
9. ZIBILE CO-OP LTD
10. SITJHEMBANGANI CHICKEN CO-OP LTD
11. ZIMISELE KUZOLUNGA CO-OP LTD
12. KADEBONA CO-OP LTD
13. SIYAPHAMBILI SINOXOLO SEWING CO-OP LTD
14. GO-MASH CO-OP LTD
15. FUNTUZENI CO-OP LTD
16. MTHOKOZELENI CO-OP LTD
17. MARANG A LETSATSI CO-OP LTD
18. UMEHLUKO CO-OP LTD
19. AKONA DISTRIBUTION SERVICES CO-OP LTD
20. GUD-GALZ CO-OP LTD
21. BOTSHA BA RONA (BBR) CO-OP LTD
22. TUMI AND LELUKU CONSTRUCTION AND TRANSPORT CO-OP LTD
23. INDIBANO TOURS CO-OP LTD
24. THONGWANA AGRICULTURAL CO-OP LTD
25. INTAMBANANI BRICK MAKING CO-OP LTD
26. SINAKO MULTI-PROJECT CO-OP LTD
27. SIYANQOBA TSOMO AGRICULTURAL CO-OP LTD
28. WE WE PLANTERS AGRICULTURAL CO-OP LTD
29. KHASA UPHAKAME CO-OP LTD
30. SALUBINDZA 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. 1252

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. ASIPHAKAMISANE MULTI-PURPOSE CO-OP LTD
2. YANZIBA MULTI-PURPOSE CO-OP LTD
3. IQUBOYETHU CO-OP LTD
4. RIVERLEA AGRICULTURAL CO-OP LTD
5. LUGELWENI GOOSE DOWN CO-OP LTD
6. IMBUMBA MOHOKARE FARMERS AGRICULTURAL CO-OP LTD
7. VEZUBUHLE CO-OP LTD
8. NDZONDELELO MULTI-PURPOSE WARD BASE 38 CO-OP LTD
9. CABA MDENI ART AND CRAFT CO-OP LTD
10. VUK'UZIBAMBELE CO-OP LTD
11. IGUGULABASHA CO-OP LTD
12. M.M.M.K LODGE CO-OP LTD
13. REABELA MULTI-PURPOSE AGRICULTURAL CO-OP LTD
14. PLATREET COMMUNITY AGRICULTURAL CO-OP LTD
15. SINAWWE IN TRUCKING CO-OP LTD
16. MASIVUYE CO-OP LTD
17. FENSA JOSEPH CO-OP LTD
18. PSALMS 23 T/A HLANGANANI MANUFACTURES CO-OP LTD
19. JOTELA CO-OP LTD
20. ALPHA AND OMEGA TAURIS CO-OP LTD
21. EAMOGETSWE SEWING AND GARDENING CO-OP LTD
22. KHULANI MABOBODLA CO-OP LTD
23. MBASA YESIZWE TRADING CO-OP LTD
24. TSOSOLOSO -BOTSHA MULTIPURPOSE CO-OP LTD
25. KGATELOPELE-BOPHELONG TEXTILE AND DETERGENTS CO-OP LTD
26. ABAFAZI POULTRY CO-OP LTD
27. ZOTHABO CO-OP LTD
28. AMAKHOSAZANA CO-OP LTD
29. QIKELELISA CO-OP LTD
30. LA MIA FURNITURE 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. 1253

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. IKHWEHLE FARMERS CO-OP LTD
2. THABA CHICHA CO-OP LTD
3. ROYAL CATERERS AND EVENTS MANAGEMENT CO-OP LTD
4. AMEHLO ESIZWE CO-OP LTD
5. EYAKHO NAWWE CO-OP LTD
6. NSUNSUMETO ART AND CRAFTERS CO-OP LTD
7. ISGUBUDU CO-OP LTD
8. SUURBRAAK SUIWEL KOOPERASIE BEPERK
9. KODU-YAMALLA GENERAL CO-OP LTD
10. UKHOZI WOMEN'S CO-OP LTD
11. ASITATAYENI POULTRY AND VEGETABLES CO-OP LTD
12. IKEMELLENG AGRICULTURAL CO-OP LTD
13. SWAFING CO-OP LTD
14. NTSIKELELO BAKERY CO-OP LTD
15. SPHUMELELO HAIR DRESSING SALON CO-OP LTD
16. UKWAZI AMANDLA FARMERS CO-OP LTD
17. ILISO LOMAMA CO-OP LTD
18. MABUTHO CO-OP LTD
19. MATLA BORWA AGRICULTURAL FARMING CO-OP LTD
20. BOITEKO FOOD PLOT CO-OP LTD
21. MOREMELA COFFIN AND WOODWORK CO-OP LTD
22. SOUL BEAUTY SPA CO-OP LTD
23. BALASI YOUTH DEVELOPMENT CO-OP LTD
24. T.M.V CO-OP LTD
25. KWENZEKILE FARMERS ASSOCIATION CO-OP LTD
26. GAUTENG CREATIVE INDUSTRIES CO-OP LTD
27. MANDELA THUSANANG CO-OP LTD
28. SIPHATHISENATHI CO-OP LTD
29. MILLENIUM WOODWORK CO-OP LTD
30. IKAYALETHU 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. 1254

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. GUDLINTABA CO-OP LTD
2. GCUMISA FARMERS CO-OP LTD
3. DITSALA CO-OP LTD
4. B D Y M CEREMONIES CO-OP LTD
5. SIYENZA POULTRY CO-OP LTD
6. BOITUMELO SEWING CO-OP LTD
7. CHILD SURVIVAL CO-OP LTD
8. KHETHEYAKHO POULTRY AND FARMING CO-OP LTD
9. EEZY WHEEL TRANSPORT AND COMMUNITY PROJECTS PRIMARY CO-OP LTD
10. LATHITHA ILANGA CATERING CO-OP LTD
11. LINGELIHLE SMALL FARMERS CO-OP LTD
12. TSWELOPELE SEWING CO-OP LTD
13. MASANDE FARMING CO-OP LTD
14. PHIKELELA FARMERS CO-OP LTD
15. JONGISIZWE CO-OP LTD
16. MASUMA CO-OP LTD
17. BAROKA AGRICULTURAL CO-OP LTD
18. QEDINDLALA JULUKA CO-OP LTD
19. AMILAH AGRICULTURAL CO-OP LTD
20. KHUMO MULTI-PURPOSE CO-OP LTD
21. THEKWANE WEST AGRICULTURAL CO-OP LTD
22. EBOMVINI AGRI BUSINESS CO-OP LTD
23. NJOMBO CO-OP LTD
24. IMBABALA MULTI-PURPOSE CO-OP LTD
25. BATHO-PELE CO-OP LTD
26. TERESAH CLEANING SERVICES CO-OP LTD
27. UFHATISANA CO-OP LTD
28. KALAHARI LEATHER DEVELOPMENT 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. 1255

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. GCOBANI CO-OP LTD
2. LOYTE CHARLES TOURISM AND PARKS CO-OP LTD
3. SINENJONGO CO-OP LTD
4. KUMOCHA CO-OP LTD
5. MAKHARALI CO-OP LTD
6. NCEDISIZWE TOURS CO-OP LTD
7. GREENVILLE LUGELWENI CO-OP LTD
8. MANAPE CATERING AND SUPPLY CO-OP LTD
9. BAHLANGENE CO-OP LTD
10. TSWELOPELE MULTI-PURPOSE CO-OP LTD
11. TSWELLANG WOMEN BUSINESS CO-OP LTD
12. ACHIB GAUTENG (MOKGELE) CO-OP LTD
13. SIBUSISENI CO-OP LTD
14. MASIPHATHISANE AGRICULTURAL CO-OP LTD
15. HOLIHLAHLA CREATIVE LOGISTICS CO-OP LTD
16. HOLOFELANG CO-OP LTD
17. SEBOKO SEHLE CO-OP LTD
18. INHLENGETHWA CO-OP LTD
19. BHUDLU FARMING CO-OP LTD
20. UKUPHAMA CONSUMER CO-OP LTD
21. SIZANOKUTHULA CO-OP LTD
22. DLUNGWANA CITRUS CO-OP LTD
23. BUNYE BOMZANSI CO-OP LTD
24. CENTRAL YOUTH MEAT INSPECTORS CO-OP LTD
25. KEETSENG KOMANE CO-OP LTD
26. KWA-KUHLE CO-OP LTD
27. SIKHOMBISA BAKERY CO-OP LTD
28. ZIYEFENI CO-OP LTD
29. SIBAHLE-SINOTHANDO CO-OP LTD
30. DIPALESENG MASS BRICKS CO-OP LTD
31. NONSIKA PRIMARY AGRICULTURAL CO-OP LTD

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

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

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Pretoria

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Pretoria

0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1256

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. SINETHUBA CO-OP LTD
2. SINESIQI CO-OP LTD
3. S'PHUMELELE PRIMARY AGRICULTURAL CO-OP LTD
4. AMAJUBA INGAGANE UMZINYATHI CO-OP LTD
5. HLANANI PRIMARY AGRICULTURAL CO-OP LTD
6. SAISO AGRICULTURAL CO-OP LTD
7. MAMOQENA PRIMARY CO-OP LTD
8. KUTLWANO AGRICULTURAL CO-OP LTD
9. IBUTHO YOUTH FARMERS CO-OP LTD
10. THUBELIHLE AGRICULTURAL CO-OP LTD
11. EUREKA PRIMARY AGRICULTURAL CO-OP LTD
12. BOITEKO KE MATLA AGRICULTURAL CO-OP LTD
13. KWAYOCO CO-OP LTD
14. HLANGANANI CO-OP LTD
15. DIGAGABI CO-OP LTD
16. MAGOGODI AGRICULTURAL CO-OP LTD
17. MHLANGUZOSHA AGRICULTURAL CO-OP LTD
18. GOLWE ECO-TOURISM CO-OP LTD
19. VULINDLELA PRIMARY AGRICULTURAL CO-OP LTD
20. PHAKAMISANANI PROJECT CO-OP LTD
21. SENZANGAKHONA CATTLE FARMING CO-OP LTD
22. ZIBONAKALISE AGRICULTURAL CO-OP LTD
23. NZIMA AGRICULTURAL CO-OP LTD
24. BASADI IKAGENG POULTRY AND VEGGIES AGRICULTURAL CO-OP LTD
25. EMAXASIBENI CHICKEN FARM CO-OP LTD
26. BATLHARO FARMING CO-OP LTD
27. SIMBAPHANSI AGRICULTURAL CO-OP LTD
28. SIYASUTHA AGRICULTURAL CO-OP LTD
29. SENZANGOKHONO CO-OP LTD
30. MASEBENZA LIVESTOCK FARMING 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.

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Pretoria
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Pretoria
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DEPARTMENT OF TRADE AND INDUSTRY

NO. 1257

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. THINA MASIBAMBISANE AGRICULTURAL CO-OP LTD
2. KHETHUKUTHULA SICELUSIZO CO-OP LTD
3. UKUTHUTHUKA KWENHLANGANO CO-OP LTD
4. SIKHULULEKILE WOMEN'S AGRICULTURAL CO-OP LTD
5. OBANJENI CO-OP LTD
6. QUEEN KANTUZWA AGRICULTURAL CO-OP LTD
7. IKAGENG CO-OP LTD
8. MMARONA PLATINIUM CO-OP LTD
9. UBUHLEBUYEZA FARMERS AGRICULTURAL CO-OP LTD
10. MATJHABENG POULTRY CO-OP LTD
11. MAYIQHUBEKE AGRICULTURAL CO-OP LTD
12. SESIYANGENA PIGGERY PRODUCTION CO-OP LTD
13. UMTHANGALA AGRICULTURAL CO-OP LTD
14. KEA AGRICULTURAL CO-OP LTD
15. AEZA AGRICULTURAL CO-OP LTD
16. NGQOLOTHI HLANGANANI AGRICULTURAL CO-OP LTD
17. UHLAZA AGRICULTURAL CO-OP LTD
18. THREE PLUS THREE AGRICULTURAL CO-OP LTD
19. BATHO PUTHANANG BRICK MAKING CO-OP LTD
20. RIVERSDAL LANDBOU KOOPERASIE BEPERK
21. NGCULU PIGGERY PROJECTS AGRICULTURAL CO-OP LTD
22. GQOLONCI AGRICULTURAL CO-OP LTD
23. MHINGA-XIKUNDU AGRICULTURAL FARMERS CO-OP LTD
24. TWEEFONTEIN EXTENSION K AGRICULTURAL CO-OP LTD
25. MASIBEMNYE CO-OP LTD
26. DE BRUG CO-OP LTD
27. NTOMBIZODWA CO-OP LTD
28. LUFUNO YOUTH CO-OP LTD
29. BOHLWEKI HYGIENE SERVICES CO-OP LTD
30. ZIMKHITHA 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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Pretoria
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Pretoria
0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1258

27 SEPTEMBER 2019

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER

1. HEARTLAND CO-OP LTD
2. BADIRAMMOGO AGRICULTURAL CO-OP LTD
3. ABERFELDY LANDBOU KOOPERASIE BEPERK
4. SEOKODIBENG AGRICULTURAL CO-OP LTD
5. NKOMO FARMERS CO-OP LTD
6. AMANDLA ABAFAZI CO-OP LTD
7. SANQOBA LINDELANI CO-OP LTD
8. IKUSASELIHLE BLOCK MAKING CO-OP LTD
9. RATSHITAMU CO-OP LTD
10. BAMBANANI ISIBUKO CO-OP LTD
11. MAJAKATHATA COMMUNITY FARMING CO-OP LTD
12. BELMAR'S CO-OP LTD
13. SIYAZONDLA CO-OP LTD
14. ESITEZI TELECOMMUNICATION CO-OP LTD
15. SIZAKAKHULU LIVESTOCK FARMING CO-OP LTD
16. SFISOKUHLE CO-OP LTD
17. MNOTHO CO-OP LTD
18. CONQUERORS PRIMARY CO-OP LTD
19. EVERYTHING IN WOOD CO-OP LTD
20. MAYENZEKE CO-OP LTD
21. BATLOTLWA MULTI-MEDIA CO-OP LTD
22. HAMBANIKAHLE CONSTRUCTION CO-OP LTD
23. MDUMDUZI WETHU CO-OP LTD
24. PELE RE YAYA MANUFACTURING CO-OP LTD
25. WELL OF ETERNITY MULTI-PURPOSE CO-OP LTD
26. BUFFALO GROUP CO-OP LTD
27. VUSANI ISIZWE CO-OP LTD
28. INTERNATIONAL LINER TRANSPORT CO-OP LTD
29. SINOMCEBO CO-OP LTD
30. IDUTYWA VUKA FARMERS AGRICULTURAL CO-OP LTD

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

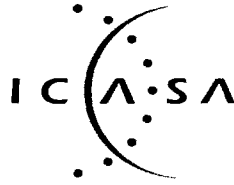
Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefore, be lodged with this office before the expiration of the period of sixty days.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
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Pretoria
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Pretoria
0001

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**NOTICE 510 OF 2019****CONSUMER ADVISORY PANEL AMENDMENT REGULATIONS, 2019**

I, Dr. Keabetswe Modimoeng, Acting Chairperson of the Independent Communications Authority of South Africa, hereby publish the Consumer Advisory Panel Amendment Regulations, 2019 in terms of section 4 (7) read with section 71 (1) and (2) of the Electronic Communications Act No. 36 of 2005 (“the ECA”), as amended.

Dr. Keabetswe Modimoeng
Acting Chairperson

THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

The Independent Communications Authority of South Africa has under section 4 (7) read with section 71 (1) and (2) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), made the regulations in the schedule.

SCHEDULE**1. Definitions**

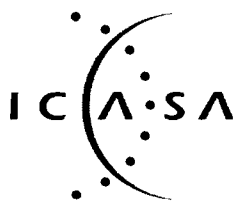
In these regulations “the Regulations” means the regulations published by Government Notice No. 241 in Government Gazette 40725 of 28 March 2017.

2. Amendment of regulation 5 of the Regulations

Regulation 5 of the Regulations is hereby amended by the deletion of paragraph (d) of sub-regulation 5.1.

3. Short title and commencement

These regulations are called the Consumer Advisory Panel Amendment Regulations, 2019 and will come into operation upon publication in the Government Gazette.



INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

EXPLANATORY MEMORANDUM ON THE AMENDMENT OF REGULATION 5 OF THE CONSUMER ADVISORY PANEL REGULATIONS, 2017

1. Introduction and Background

1.1 The Independent Communications Authority of South Africa (“the Authority”) has amended regulation 5.1 (d) of the Consumer Advisory Panel Regulations, 2017 (“Regulations”) in terms of section 4 (7) read with section 71(1) and (2) of the Electronic Communications Act No. 36 of 2005, as amended.

1.2 Regulation 5.1 (d) of the Regulations required the Chairperson of the Consumer Advisory Panel (“Panel”) to manage the budget of the Panel. However, the implementation of regulation 5.1(d) had proven to be impractical and unnecessary.

1.3 Regulation 4.5 of the Regulations provides that one of the functions of the Panel includes “*preparing an annual plan and budget for the Panel for approval by the Authority*”. The Panel therefore prepares the budget, which is ultimately approved by the Authority. It is therefore not necessary for the Chairperson of the Panel to manage the budget of the Panel. Such function falls within the Authority as it approves any budget made by the Panel.

2. Conclusion

It is on the above basis that the Authority is amending the Regulations by deletion of regulation 5.1 (d) of the Regulations.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
NOTICE 511 OF 2019

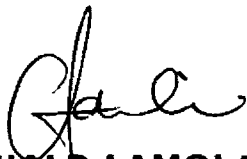
PROMOTION OF ACCESS TO INFORMATION ACT, 2000

DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)

I, Ronald Lamola, 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 –

SENQU MUNICIPALITY

As set out in the Schedule



MR RONALD LAMOLA, MP

MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES



REPUBLIC OF SOUTH AFRICA

FORM D

AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:
 (Section 15 of the Promotion of Access to Information Act 2000 (Act no. 2 of 2000))
 [Regulation 5A]

| DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 | MANNER OF ACCESS TO RECORDS (e.g. website)(SECTION 15(1)(a)) |
|--|---|
| FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i): | |
| Integrated Development Plan | Website |
| Municipal Budget | Website |
| Municipal Bylaws | Website |
| Municipal Finance Policies | Website |
| Legislation applicable to Municipalities | Website |
| Workplace Skills Plan | Website |
| Employment Equity Returns to the Department of Labour | Website |
| Annual Training Plan | Website |
| Personnel records available to the employee whose file it is | Website |
| Records of the disciplinary hearings and related matters are available to the employee concerned | Website |
| Code of conduct for employees and Councillors | Website |
| Municipal Valuation Roll | Website |
| Spatial Development Framework | Website |
| Minutes of Council Meetings | Website |
| Delegation Framework | Website |
| FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii): | |
| | |
| FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii) | |
| | |
| AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii) | |
| Municipal newsletters and Flyers | |

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
NOTICE 512 OF 2019

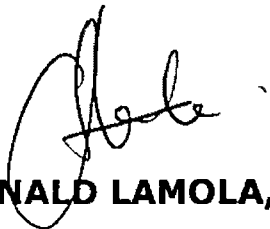
PROMOTION OF ACCESS TO INFORMATION ACT, 2000

DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)

I, Ronald Lamola, 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 DEPARTMENT OF ECONOMIC, ENVIRONMENT AND
TOURISM**

As set out in the Schedule



MR RONALD LAMOLA, MP

MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES

“FORM D”**AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:**

(Section 15 of the Promotion of Access to Information Act, 2000

(Act 2 of 2000))

[Regulation 5A]

| DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 | MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(b)) |
|---|---|
| AVAILABLE FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i) OR COPYING IN TERMS OF SECTION 15(1)(a)(ii) | |
| <ul style="list-style-type: none"> • Environmental authorisations issued in terms of the Environmental Impact Assessment Regulations. • Permits issued in terms of the Biodiversity Act. • Licenses issued in terms of the Waste Act. • Atmospheric Emission licenses issued in terms of the National Environmental Management Air Quality Act. • Municipal Integrated waste management plans. • Waste disposal sites records. • Environmental Management Programme reports for mining and prospecting. • The number of CITES permit applications received and CITES permits issued in terms of the Convention on International Trade in Endangered wild fauna and flora Species.(CITES). | <p>The records may be inspected/copied at the Department on request, addressed to the Office of the Deputy Information Officer, Department of Economic Development, Environment and Tourism, P/Bag X 9484 Polokwane 0700 Tel. No. : 015 293 8592 Fax no. : 086 218 3054 E-mail address :Ramadishamf@ledet.gov.za or paia@ledet.gov.za</p> <p>or visit our website www.limpopo.gov.za</p> |

| | |
|---|--|
| <ul style="list-style-type: none"> • The number of Biodiversity permit applications for non-CITES species received and the number of Biodiversity permits issued. • Records for protected areas, proclamation of protected areas and game control in protected areas. <p>The below records will only be issued to the owners or Directors of the company</p> <ul style="list-style-type: none"> • <p>NB. Certain sub-categories of records may not be accessible in their entirety on grounds stated in Chapter 4 of PAIA. The Department shall delete any part of a Record listed above which must be refused in terms of section 15(4) of Chapter 4 of PAIA.</p> | |
| FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii) : | |
| Tender documents. | Records can be purchased at the Cashier's office, 90 Bok Street, Office No.G2, Ground floor (Gani House)- Polokwane. Department of Economic Development, Environment and Tourism. |
| AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii) : | |
| <ul style="list-style-type: none"> • Departmental Strategic plans. • Departmental Annual Performance plan. • Service Delivery Improvement plan. • Annual reports. • Employment Equity reports. • Published research reports. • Approved organizational structures. • Departmental File plans. • Budgets. • Departmental Acts, Regulations, Policies and Procedure manuals. • Citizens' report. • Promotion of Access to Information manual. • Service standards. | <p>The records may be inspected at the Department on request, addressed to the Office of the Deputy Information Officer, Department of Economic Development, Environment and Tourism, P/Bag X 9484 Polokwane 0700 Tel. No. : 015 293 8592 Fax no. : 086 218 3054 E-mail address : Ramadishamf@ledet.gov.za or visit our website www.limpopo.gov.za</p> |

| | |
|---|--|
| <ul style="list-style-type: none">• Statement of commitment.• Departmental Events Calendar.• Copies of Speeches by the MEC.• Circulars of advertised posts and services.• Departmental forms.• Staff Contact Details Directory.• Journals and magazines• News Letters.• Promotional material.• Departmental Media statements.• Applicable Biodiversity fee structure for permits, registers, microchips and services.• Service delivery charter.• Batho-pele principles pamphlets.• Tourist sites and African Ivory Route camps. | |
|---|--|

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
NOTICE 513 OF 2019

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 DEPARTMENT OF CO-OPERATIVE GOVERNANCE, HUMAN
SETTLEMENTS AND TRADITIONAL AFFAIRS**

As set out in the Schedule



MR RONALD LAMOLA, MP

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) (SECTION 15 (1) (b)) |
|--|---|
| For inspection in terms of Section 15 (1) (a) (i) | |
| Section 14 manual made available in terms of the Promotion of Access to Information Act 2 of 2000 | Website: www.coghsta.limpopo.gov.za Departmental library |
| For purchasing in terms of Section 15 (1) (a) (ii) | |
| Photographs | Website: www.coghsta.limpopo.gov.za 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. |
| For Copying in terms of Section 15 (1) (a) (ii) | |
| Speeches | Website: www.coghsta.limpopo.gov.za Communication Services Directorate, Departmental Library |
| Departmental Circulars | Website: www.coghsta.limpopo.gov.za Information Management Directorate |
| Newsletters | Website: www.coghsta.limpopo.gov.za Communication Services Directorate, Departmental Library |
| Budget and Strategic Plans | Website: www.coghsta.limpopo.gov.za |

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|--|---|
| | <p>Budget Services Directorate</p> <p>Communication Services Directorate</p> <p>Departmental Library</p> |
| Annual Performance Plan | <p>Website: www.coghsta.limpopo.gov.za</p> <p>Departmental Library</p> |
| Departmental Contact Details | <p>Website: www.coghsta.limpopo.gov.za</p> |
| Policies, Acts and Regulations | <p>Website: www.coghsta.limpopo.gov.za</p> |
| Service Standards and norms | <p>Website: www.coghsta.limpopo.gov.za</p> <p>Service Delivery Improvement and Batho Pele Programme Directorate</p> |
| Forms | <p>Website: www.coghsta.limpopo.gov.za</p> <p>Information Management Directorate</p> |
| Financial Records Account Statements (telephone, cell phones) | <p>Departmental Expenditure and Housing Finance Directorate</p> |
| Departmental Structure | <p>Website: www.coghsta.limpopo.gov.za</p> <p>Human Resource Practices and Administration Directorate</p> |
| Registers | <p>Information Management Directorate</p> |
| Maps | <p>Website: www.coghsta.limpopo.gov.za</p> <p>Information Management Directorate</p> |
| Information Brochures | <p>Reception</p> <p>Communication Services Directorate</p> |

SOUTH AFRICAN RESERVE BANK**NOTICE 514 OF 2019****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:

Ju Yang Printing Equipment Close Corporation
(Registration number 2005/063642/23)

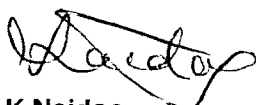
(hereinafter referred to as the Respondent)

of:

55 Shortmarket Street
Cape Town
8000

Be pleased to take notice that:

1. The Minister of Finance has, by virtue of the provisions of 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 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 Deputy Governors of the South African Reserve Bank.
2. By virtue of the functions, powers and/or duties vested in me, in my capacity as a 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 capital amount of USD61 005,17 (approximately R496 109,03), standing to the credit of the Respondent in account number 281295778 held with Standard Bank of South Africa Bank Limited, together with any interest thereon and/or 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 and order of Forfeiture is published in this Gazette.
4. The money specified in 2 above shall be disposed of by depositing it into 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 10 day of SEPT 2019.



K Naidoo
Deputy Governor
South African Reserve Bank

STATISTICS SOUTH AFRICA

NOTICE 515 OF 2019

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, Rate (**Base Dec 2016=100**)

Rate: **August 2019 – 4,3**

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 516 OF 2019

STANDARDS ACT, 2008
STANDARDS MATTERS

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

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

| Draft Standard No. and Edition | Title, scope and purport | Closing Date |
|--------------------------------|---|--------------|
| SANS 225 Ed 3 | <i>Vehicles, boats and internal combustion engines - Radio disturbance characteristics - Limits and methods of measurement for the protection of on-board receivers.</i> Contains limits and procedures for the measurement of radio disturbances in the frequency range of 150 kHz to 2 500 MHz. Applies to any electronic/electrical component intended for use in vehicles, trailers and devices. | 2019-11-16 |
| SANS 215 Ed 5 | <i>Limits and methods of measurement of radio disturbance characteristics of electrical lighting and similar equipment.</i> Applies to the emission (radiated and conducted) of radiofrequency disturbances from lighting equipment, the lighting part of multi-function equipment where this lighting part is a primary function, UV and IR radiation equipment for residential and non-residential applications, advertising signs, decorative lighting, and emergency signs. | 2019-11-16 |
| SANS 20077 Ed 1 | <i>Uniform provisions concerning the approval of parking lamps for power-driven vehicles.</i> Regulation applies to parking lamps for vehicles of categories M, N and T. | 2019-11-16 |
| SANS 3758 Ed 1 | <i>Textiles - Care labelling code using symbols.</i> This standard establishes a system of graphic symbols, intended for use in the marking of textile articles, and for providing information on the most severe treatment that does not cause irreversible damage to the article during the textile care process and specifies the use of these symbols in care-labelling. | 2019-11-19 |

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

| Draft Standard No. and Edition | Title | Scope of amendment | Closing Date |
|--------------------------------|-------------------------------------|---|--------------|
| SANS 677 Ed 3.5 | <i>Concrete non-pressure pipes.</i> | Amended to update requirements, to delete the annex on notes to purchasers. | 2019-11-12 |

SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdraw them.

| Draft Standard No. and Edition | Title | Reason for withdrawal | Closing Date |
|--------------------------------|-------|-----------------------|--------------|
| | | | |

SCHEDULE A.3: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents are being considered for withdrawal.

| Draft Standard No. and Edition | Title | Reason for withdrawal | Closing Date |
|--------------------------------|-------|-----------------------|--------------|
| | | | |

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS**SCHEDULE B.1: NEW STANDARDS**

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

| Standard No. and year | Title, scope and purport |
|------------------------------|---|
| SANS 1507-6:2019 Ed 2 | <i>Electric cables with extruded solid dielectric insulation for fixed installations (300/500 V to 1 900/3 300 V) Part 6: Service cables.</i> Covers the requirements for construction, materials, dimensions and electric properties of single phase service cables of rated operating voltage (U ₀) 600 V, with a conductor cross-sectional area up to and including 25 mm ² , for use in fixed installations. |
| SANS 61058-2-1:2019 Ed 3 | <i>Switches for appliances Part 2-1: Particular requirements for cord switches.</i> Applies to cord switches (mechanical or electronic) for appliances actuated by hand, by foot or by other human activity, to operate or control electrical appliances and other equipment for household or similar purposes with a rated voltage not exceeding 250 V and a rated current not exceeding 16 A. |
| SANS 60320-2-1:2019 Ed 2 | <i>Appliance couplers for household and similar general purposes Part 2-1: Sewing machine couplers.</i> Applicable to special purpose appliance couplers for household sewing machines. These sewing machine couplers are for alternating current only and have a rated voltage not exceeding 250 V and a rated current not exceeding 2,5 A. |
| SANS 60900:2019 Ed 3 | <i>Live working - Hand tools for use up to 1 000 V AC and 1 500 V DC.</i> Applicable to insulated, insulating and hybrid hand tools used for working live or close to live parts at nominal voltages up to 1 000 V AC and 1 500 V DC. |

SCHEDULE B.2: AMENDED STANDARDS

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

| Standard No. and year | Title, scope and purport |
|------------------------------|--|
| SANS 651-2:2019 Ed 1.1 | <i>Laundry detergents Part 2: Laundry detergent capsules for use in automatic domestic washing machines. Consolidated edition incorporating amendment No. 1.</i> Amended to update outer packaging requirements. |

SCHEDULE B.3: WITHDRAWN STANDARDS

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

| Standard No. and year | Title |
|------------------------------|---|
| SANS 16949:1999 Ed 1 | <i>Quality systems - Automotive suppliers - Particular requirements for the application of ISO 9001:1994.</i> |
| | |

SCHEDULE B.4: REINSTATEMENT OF WITHDRAWN STANDARD

¹
In terms of section 4(2) (1) the South African Bureau of Standards has established the following technical committees:

| Draft Standard No. and Edition | Title | Scope of amendment | Reason |
|---------------------------------------|--------------|---------------------------|---------------|
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| | | | |

SCHEDULE B.5: ESTABLISHMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (l) the South African Bureau of Standards has established the following technical committees:

| Technical Committee No.: | Title | Scope |
|---------------------------------|--------------|--------------|
| | | |
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SCHEDULE B.6: DISBANDMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (l) the South African Bureau of Standards has disbanded the following technical committees:

| Technical Committee No.: | Title | Scope |
|---------------------------------|--------------|--------------|
| | | |
| | | |

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

SCHEDULE 5: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 517 OF 2019

STANDARDS ACT, 2008
STANDARDS MATTERS

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

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

| Draft Standard No. and Edition | Title, scope and purport | Closing Date |
|---------------------------------------|---|---------------------|
| SANS 10005 Ed 9 | <i>The preservative treatment of timber.</i> Covers the classification of timber preservatives, hazard conditions for timber, the solvents used for timber preservatives, the preparation of timber for treatment, the various treatment processes and the use of preservative-treated timber in specific areas in South Africa | 2019-10-29 |
| SANS 60287-3-2 Ed 2 | <i>Electric cables - Calculation of the current rating Part 3-2: Sections on operating conditions - Economic optimization of power cable size.</i> Sets out a method for the selection of a cable size taking into account the initial investment costs and the future costs of energy losses during the economic life of the cable. | 2019-10-29 |
| SANS 1811 Ed 1 | <i>Thermal paper rolls.</i> Covers thermal paper, in rolls, intended for use in printing machines of the thermal type, in order to issue receipts, slips, tax invoices and other general documents | 2019-11-04 |
| SANS 1885 Ed 3 | <i>AC metal-enclosed switchgear and controlgear for rated voltages above 1 kV and up to and including 36 Kv.</i> Specifies the requirements for factory-assembled, modular design, metal-enclosed switchgear panels for indoor installation, for rated a.c. voltages above 1 kV and up to and including 36 kV, for use on three-phase systems. Enclosures may include fixed and removable components. | 2019-11-01 |
| SANS 10114-1 Ed 4 | <i>Interior lighting Part 1: Artificial lighting of interiors.</i> This part of SANS 10114 covers requirements for good lighting and also basic guidelines for, and recommendations on, the design of artificial lighting installations for general interior locations. It is primarily aimed at new installations in interior workplaces, but also applies in general to other interior locations. This part of SANS 10114 does not cover security lighting or emergency lighting installations. Reference to regulation has been removed in this edition. | 2019-11-01 |
| SANS 19600 Ed 1 | <i>Compliance management systems – Guidelines.</i> Provides guidance for establishing, developing, implementing, evaluating, maintaining and improving an effective and responsive compliance management system within an organization. | 2019-11-01 |
| SANS 60137 Ed 4 | <i>Insulated bushings for alternating voltages above 1 000 V.</i> Applicable to bushings intended for use in electrical apparatus, machinery, transformers, switchgear and installations for three-phase alternating current systems, having highest voltage for equipment above 1 000 V and power frequencies of 15 Hz up to and including 60 Hz. | 2019-11-04 |
| SANS 14520-14 Ed 3 | <i>Gaseous fire-extinguishing systems - Physical properties and system design Part 14: IG-55 extinguishant.</i> Contains specific requirements for gaseous fire-extinguishing systems, with respect to the IG-55 extinguishant. | 2019-11-10 |
| SANS 10400-D Ed 4 | <i>The application of the National Building Regulations Part D: Public safety.</i> Provides deemed-to-satisfy | 2019-11-12 |

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

| Draft Standard No. and Edition | Title | Scope of amendment | Closing Date |
|--------------------------------|---|--|--------------|
| SANS 433 Ed 2.1 | <i>Barrier creams.</i> | Amended to delete the sub-clauses on <i>Sporotrichum buermani</i> , and <i>Candida albicans</i> . | 2019-11-04 |
| SANS 868-4 Ed 1.2 | <i>Compression-ignition engine systems and machines powered by such engine systems, for use in mines and plants with explosive gas atmospheres or explosive dust atmospheres or both Part 4: Non-hazardous locations in underground coal mines.</i> | Amended to update the foreword, to update referenced standards, to update definitions, to update the clause on requirements, and to update the requirements for marking. . | 2019-11-05 |

SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdraw them.

| Draft Standard No. and Edition | Title | Reason for withdrawal | Closing Date |
|--------------------------------|-------|-----------------------|--------------|
| | | | |

SCHEDULE A.3: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents are being considered for withdrawal.

| Draft Standard No. and Edition | Title | Reason for withdrawal | Closing Date |
|--------------------------------|-------|-----------------------|--------------|
| | | | |

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS**SCHEDULE B.1: NEW STANDARDS**

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

| Standard No. and year | Title, scope and purport |
|---------------------------|---|
| SANS 20128:2019 Ed 1 | <i>Uniform provisions concerning the approval of light emitting diode (LED) Light Sources for use in approved lamp units of power-driven vehicles and their trailers.</i> Applies to LED light sources and intended for use in approved signalling lamp units of power-driven vehicles and of their trailers. |
| SANS 41012:2019 Ed 1 | <i>Facility management - Sourcing - Guidance on strategic sourcing and the development of agreements.</i> Provides guidance on sourcing and development of agreements in facility management (FM). |
| SANS 60079-0:2019 Ed 6 | <i>Explosive atmospheres Part 0: Equipment - General requirements.</i> Specifies the general requirements for construction, testing and marking of Ex Equipment and Ex Components intended for use in explosive atmospheres. |
| SANS 1137:2019 Ed 2 | <i>Standard test method for collection and measurement of dustfall (settleable particulate matter).</i> Covers a procedure for collection of dustfall and its measurement. |

| Standard No. and year | Title, scope and purport |
|------------------------|---|
| SANS 1517:2019 Ed 4 | <i>High performance engine lubricating oil for diesel engines (for API Service Category CI-4).</i> Covers one type of engine lubricating oil suitable for the crankcase lubrication of naturally aspirated, and forced induction compression-ignition engines that operate under the conditions described in API Service Category CI-4. |

SCHEDULE B.2: AMENDED STANDARDS

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

| Standard No. and year | Title, scope and purport |
|-----------------------------|---|
| SANS 1007:2019 Ed 1.1 | <i>Reciprocating internal-combustion engine-driven alternating-current low power generating sets.</i> Consolidated edition incorporating amendment No.1. Amended to update referenced standards. |
| SANS 1193:2019 Ed 2.1 | <i>Toughened safety glass for vehicles.</i> Consolidated edition incorporating amendment No.1. Amended to update referenced standards. |
| SANS 164-0:2019 Ed 1.6 | <i>Plug and socket-outlet systems for household and similar purposes for use in South Africa - Part 0: General requirements.</i> Consolidated edition incorporating amendment No.6. Amended to update the clause on requirements, and to renumber a figure and a note accordingly. |
| SANS 306-4:2019 Ed 1 | <i>Fire extinguishing installations and equipment on premises Part 4: Specification for carbon dioxide systems.</i> Consolidated edition incorporating amendment No.1. Amended to update the introduction, scope, referenced standards, the clauses on characteristics and uses of carbon dioxide, types of system, specifications, plans and approvals, commissioning and acceptance, inspection, maintenance, testing and training, total flooding systems, local application systems, system components, system operation, safety precautions, storage containers, pipework, installation of pipework, the annexes on service schedule, and on examples of calculation of carbon dioxide requirements. |
| SANS 10160-3:2019 Ed 2.1 | <i>Basis of structural design and actions for buildings and industrial structures Part 3: Wind actions.</i> Consolidated edition incorporating amendment No.1. Amended to update definitions and the table on recommended values of effective slenderness for cylinders, polygonal sections, rectangular sections, sharp-edged structural sections and lattice structures. |

SCHEDULE B.3: WITHDRAWN STANDARDS

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

| Standard No. and year | Title |
|------------------------------|--|
| SANS 60874-1:2007 Ed 3 | <i>Connectors for optical fibres and cables Part 1: Generic specification.</i> |
| SANS 60874-1-1:2007 Ed 2 | <i>Connectors for optical fibres and cables Part 1-1: Blank detail specification.</i> |
| SANS 60874-14-1:1997 Ed 1 | <i>Connectors for optical fibres and cables Part 14-1: Detail specification for fibre optic connector type SC-PC standard terminated to multimode fibre type A1a, A1b.</i> |
| SANS 60874-14-2:1997 Ed 1 | <i>Connectors for optical fibres and cables Part 14-2: Detail specification for fibre optic connector type SC-PC tuned terminated to single-mode fibre type B1.</i> |
| SANS 60874-19-2:2000 Ed 1 | <i>Installation of telecommunication cables Part 1: Fibre optic cable in buildings.</i> |
| SANS 60794-2-30:2009 Ed 2 | <i>Optical fibre cables Part 2-30: Indoor cables - Family specification for ribbon cables.</i> |
| SANS 60794-2-31:2006 Ed 1 | <i>Optical fibre cables Part 2-31: Indoor cables - Detailed specification for optical fibre ribbon cables for use in premises cabling.</i> |

SCHEDULE B.4: REINSTATEMENT OF WITHDRAWN STANDARD

In terms of section 4(2) (1) the South African Bureau of Standards has established the following technical committees:

| Draft Standard No. and Edition | Title | Scope of amendment | Reason |
|---------------------------------------|--------------|---------------------------|---------------|
| | | | |
| | | | |

SCHEDULE B.5: ESTABLISHMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (1) the South African Bureau of Standards has established the following technical committees:

| Technical Committee No.: | Title | Scope |
|---------------------------------|--------------|--------------|
| | | |
| | | |

SCHEDULE B.6: DISBANDMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (1) the South African Bureau of Standards has disbanded the following technical committees:

| Technical Committee No.: | Title | Scope |
|---------------------------------|--------------|--------------|
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If your organization is interested in participating in these committees, please send an e-mail to Dsscomments@sabs.co.za for more information.

SCHEDULE 5: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 170 OF 2019**THE SOUTH AFRICAN PHARMACY COUNCIL****NOTICE IN TERMS OF SECTION 45(2) OF THE PHARMACY ACT, 1974 (ACT NO. 53 OF 1974): CFI NOTICES 2018 - 2019**

Particulars of the following persons found guilty of unprofessional conduct by the South African Pharmacy Council after due inquiry into their conduct, are published for general information.

**TA MASANGO
REGISTRAR****SCHEDULE**

MS C DU PREEZ (P16148), a pharmacist, has been found guilty in respect of the following charge:

Count 1

Contravention of Rule 18 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that around or about 15, 24 June 2015 and 30 June 2016, and at or near President Pharmacy (Y01874), you failed to put system in place to ensure that persons employed in your pharmacy do not contravene any provisions of the Pharmacy Act and the Medicines and Related Substances Act, by selling scheduled medication in large quantities to a Palamma General Dealer in Kestell alternatively to an unregistered person.

Penalty

The Respondent was ordered to pay a fine R25 000, 00, half of which was suspended for period of 2 years on condition that the Respondent was not found guilty of any similar offence during the period of suspension.

MR D MABUNDA (P26661), an owner and a pharmacist, has been found guilty in respect of the following charges:

Count 1.

Contravention of Regulation 22 of Pharmacy Act 53 of 1974.

In that upon or about 07 August 2017 and at or near Mabunda Medisol Pharmacy (Y55107), you operated a pharmacy without a pharmacist.

Count 2

Contravention of Section 22 of the Pharmacy Act, 53 of 1974

In that since September 2013 you have failed to have a responsible pharmacist registered with the South African Pharmacy Council

Count 3

Contravention of Regulation 18 of Pharmacy Act 53 of 1974.

In that upon or about 07 August 2017 and at or near Mabunda Medisol Pharmacy (Y55107), you allowed unregistered persons to perform acts falling within the scope of practice of pharmacists.

Count 4

In that upon or about 07 August 2017 and at or near Mabunda Medisol Pharmacy (Y55107), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice resulting in the following shortcomings:

- (a) A patients' rights and responsibility poster is not visibly displayed for the purpose of identification by the public;
- (b) The temperature in the pharmacy is not controlled 24 hours a day as demonstrated by a maximum/minimum thermometer. The temperature is not recorded on a daily basis during working hours or operating hours as per SOP on temperature control;
- (c) There is no fire extinguisher or fire hose in the pharmacy in accordance with the Occupational Health and Safety Act. Alternatively, if there is a fire extinguisher or fire hose, it has not been serviced/checked within the last year as indicated on the cylinder/panel/supplier equipment's label as well as per the service contract;
- (d) The pharmacy is not designated as a non-smoking area. The pharmacy is not designated as a non-eating area, other than in areas specifically designated as eating areas;
- (e) The pharmacy has no suitable calibrated mass meter for dispensing capable of weighing at least 50mg of a substance. All the equipment in the pharmacy is not clean as per SOP. Pest control is not conducted regularly in accordance with SOP;
- (f) Expired stock is not kept separate from normal trading stock. Expired stock is not destroyed in a safe manner. An effective stock control system is not in place that ensures that there is no damaged, expired stock;
- (g) All S1 medicines sales are not recorded in a prescription book or other permanent record as required in Regulation 11(2) of Act 101 of 1965. All S2 medicine sales are not recorded in a prescription book or other permanent record as required in Regulation 11(1) of Act 101 of 1965;
- (h) Not only medicines are stored in the refrigerator. The refrigerator is not fitted with a warning system to indicate that refrigeration has failed or temperatures were above or below 2°C and 8°C;
- (i) The temperature of the refrigerator/cold room is not controlled 24 hours a day by a maximum/minimum thermometer as demonstrated by the use of either chart recorders, or electronic recorders to continuously record the temperatures. The temperature of the refrigerator is not recorded twice daily;
- (j) The pharmacist does not obtain all the relevant patient information before dispensing the prescription. The pharmacist does not evaluate the prescription to identify any possible problems before dispensing the prescription. The pharmacist does not take the necessary action if there are any problems with the prescription and/or medicine prescribed;
- (k) The pharmacist does not give advice to the patient or caregiver after the prescription has been dispensed. The pharmacist does not give advice to patients who receive Pharmacist Initiated Therapy (PIT);
- (l) There are no written standard operating procedures; and
- (m) There are no reference books or adequate reference books.

Penalty

The Respondent was fined as follows:

- (i) In respect of Count 1, an amount of R10 000, 00;
- (ii) In respect of Count 2, an amount of R10 000, 00;
- (iii) In respect of Count 3, an amount of R10 000,00;
- (iv) In respect of Count 4, an amount of R10 000,00; and
- (v) In respect of Count 4, the fine of R10 000, 00 was wholly suspended for a period of 24 (twenty-four) months on condition that the Respondent is not found guilty of the same offence during the period of suspension.

MR H J LOUW (P47310), a pharmacist's assistant (post-basic), has been found guilty in respect of the following charge:

Count 1.

Contravention of Rule 10 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

On or about or during 2008, you fraudulently and/or presented a forged certificate of registration as a pharmacist's assistant (post-basic) without such registration with the South African Pharmacy Council.

Penalty

- (a) The Respondent be removed from the roll of pharmacist's assistant for period of five years; however, the removal is suspended for period of five years on condition that the Respondent is not found guilty of the same offence during the period of suspension;
- (b) The Respondent voluntarily subject himself to the Health Committee of the South African Pharmacy Council based on his own admission that he was arrested after being found in possession of an illegal substance; and
- (c) The Respondent for the purpose of the interest of the profession and patient safety, he must consider volunteering information to South African Pharmacy Council regarding the production of and possession of fraudulent certificates.

MR N M C ZULU (P14510), an owner and a pharmacist, has been found guilty of the following charges:

Count 1

Contravention of Section 22 of the Pharmacy Act, 53 of 1974

In that since April 2013 and at NMC Pharmacy (Y52570) you have failed to have a responsible pharmacist registered with the South African Pharmacy Council

Count 2

Contravention of Regulation 22 of Pharmacy Act, 53 of 1974.

In that upon or about 06 November 2017 and at or near NMC Pharmacy (Y52570), you operated a pharmacy without a pharmacist

Count 3

In that upon or about 06 November 2017 and at or near NMC Pharmacy (Y52570), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice resulting in the following shortcomings:

- (a) All registered persons on duty are not wearing a nametag or badge indicating his/her name and designation for the purpose of identification of such person(s) to the public;
- (b) A currently valid original certificate signed by the Registrar of the SAPC for the recording of the pharmacy is not available for the purpose of identification of such to the public. All pharmacist(s) does not have valid registration card(s).
- (c) The temperature is not recorded on a daily basis during working hours or operating hours;
- (d) The pharmacy is not designated as a non-smoking area. There is no suitable semi-private area for the provision of information and advice;
- (e) Key, key card or other device or the combination of any device which allows access to a pharmacy when it is locked, is not kept on the person of the responsible pharmacist or the person of another pharmacist at all times;
- (f) Control of access to pharmacy premises, which include the design and layout of the pharmacy, is not of such a nature that only registered pharmacy personnel have direct access to medicine. There is no separate facility where extemporaneous compounding is carried out. There is no suitable separate facility that complies with GMP standards where bulk compounding is carried out;
- (g) The pharmacy has no adequate pestles and mortars, adequate spatulas, a suitable calibrated mass meter for dispensing capable of weighing at least 50mg of a substance, adequate warning labels or clearly noticeable warning indications on the hand written or computer generated label;
- (h) A list of product types requiring special storage or handling instructions is not available and consulted on receipt of stock;
- (i) Pre-packing is not done in accordance with Regulation 39 of Act 101 of 1965 with regard to temperature, humidity, area and GMP requirements. All medicines sold for human use does not comply with Regulation 10 of Act 101 of 1965 i.e. labelling requirements for human medicine;
- (j) There are illegal or counterfeit medicines on the premises. There are unregistered non-proprietary medicines on the premises;
- (k) All S1 medicines sales are not recorded in a prescription book or other permanent record as required in Regulation 35(2) of Act 101 of 1965. All S2 medicine sales are not recorded in a prescription book or other permanent record as required in Regulation 35(1) of Act 101 of 1965;
- (l) The refrigerator is not suitable and in good working order. The refrigerator is not fitted with a warning system to indicate that refrigeration has failed or temperatures were above or below 2°C and 8°C. The temperature of the refrigerator is not between 2°C and 8°C. The temperature of the refrigerator/cold room is not controlled 24 hours a day by a maximum/minimum thermometer as demonstrated by the use of either chart recorders, or electronic recorders to continuously record the temperatures;
- (m) Every prescription dispensed is not checked and signed off by a pharmacist. The original prescription does not state who the dispenser is as indicated by both the name on the trailer label and a signature on the prescription;
- (n) The pharmacist does not obtain all the relevant patient information before dispensing the prescription. The pharmacist does not evaluate the prescription to identify any possible problems before dispensing the prescription. The pharmacist does not take the necessary action if there are any problems with the prescription and/or medicine prescribed;
- (o) The pharmacist does not ensure that the patient or caregiver receive advice after the prescription has been dispensed. The pharmacist does not give advice to patients who

receive Pharmacist initiated therapy (PIT). Advice is not given to the patient in a suitable semi-private area. Support aids are not used when supplying advice. Patient information leaflets are not available at the dispensary. Procedures are not in place for monitoring the patient's progress;

- (p) There are no written standard operating procedures; and
- (q) There are no references or adequate reference book.

Penalty

The Respondent was fined as follows:

- (i) In respect of Count 1 an amount of R15 000, 00;
- (ii) In respect of Count 2 an amount of R10 000, 00;
- (iii) In respect of Count 3 an amount of R10 000, 00; and
- (iv) In respect of Count 3, the fine of R10 000, 00 was wholly suspended for a period of 24 (twenty-four) months on condition that the Respondent is not found guilty of the same offence during the period of suspension.

MS S TUTU (P35748), a pharmacist, has been found guilty of the following charge:

Count 1.

Contravention of Rule 4 (a) of the Rules relating to acts and omissions in respect of which Council may take disciplinary steps.

In that upon and about 30 June 2017 and at or near Border Chemical Corporation (Y00070), you failed to supervise a pharmacist's assistant, resulting in the dispensing of camphorated oil instead of Cough & Lung Syrup, to a 7-month old baby.

Penalty

The Respondent was fined R15 000, 00 of which fine is wholly suspended for a period of 12 (twelve) months on condition that the Respondent is not found guilty of a same offence during the period of suspension.

MS R BALCHAND (P27809), a pharmacy owner and a pharmacist's assistant (post-basic), has been found guilty of the following charges:

Count 1

Contravention of Regulation 22 of the Regulations relating to the practice of a pharmacy.

In that upon or about 16 April 2018 and at or near R-Med Pharmacy (Y55316), you conducted a pharmacy without a pharmacist.

Count 2

Contravention of Section 22 of the Pharmacy Act, 53 of 1974.

In that or since September 2014 and at or near R-Med Pharmacy (Y55316), you failed to have a Responsible Pharmacist registered with the South African Pharmacy Council.

Count 3

Contravention of Rule 18 of the Rules relating to acts or omission in respect of which Council may take disciplinary steps.

In that upon or about 16 April 2018 and at or near R-Med Pharmacy (Y55316), you allowed an unregistered person to dispense scheduled medicine.

Penalty

The Respondent was removed from the register of Pharmacist's Assistants and the pharmacy licence was recommended for removal.

MS C PETERS (P09871), a Responsible Pharmacist, was found guilty of the following charges:

Count 1

In that upon or about 30 August 2018 and at or near Atkinson The Chemist (Y00769), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice, resulting in the following shortcomings:

- (a) A patients' rights and responsibility poster were not visibly displayed for the purpose of identification by the public;
- (b) The temperature was not recorded on a daily basis during working hours or operating hours. The temperature of the refrigerator is not recorded twice daily;
- (c) The dispensary is not designated as a non-eating area, other than in areas specifically designated as eating areas. There is no sufficient security to prevent unauthorised access to medicines or a barrier with a no entry sign;
- (d) There was no suitable semiprivate and private area for the provision of information and advice. There is no suitable consultation area for the provision of information and advice. There is no suitable separate facility that complies with GMP standards where bulk compounding is carried out;
- (e) The pharmacy did not have adequate warning labels or clearly noticeable warning indications on the handwritten or computer-generated label;
- (f) Medicines were not stored according to system. Medicines sold for human use did not comply with Regulation 10 of Act 101 of 1965 with regard to labelling;
- (g) A prescription book/permanent record for schedule 6 was not kept as required in Regulation 35(1) and (2) of Act 101 of 1965;
- (h) A patient profile detailing all prescriptions and all P.I.Ts dispensed to patients is not kept for 5 years after the last entry on site;
- (i) The original prescription did not state who the dispenser was, as indicated by both the name on the trailer label and a signature on the prescription. The final price that the patient pays is not indicated on the copy for the payer;
- (j) The pharmacist did not obtain all the relevant patient information before dispensing the prescription. The pharmacist did not evaluate the prescription to identify any possible problems before dispensing the prescription. The pharmacist did not ensure that the patient or caregiver receive advice after the prescription has been dispensed. The pharmacist did not give advice to patient who receive P.I.T;
- (k) Advice was not given to the patient in a suitable semi-private area. Supports aids are not used when supplying advice;
- (l) There was no procedure in place for monitoring the patient's progress;
- (m) Standard operating procedures (SOP's) were not reviewed or updated on a regular basis and were not adapted to the operations of the pharmacy and the staff were not trained on the SOP's; and
- (n) There are no adequate references.

Count 2

Contravention of Rule 1.2.2 of the Rules relating to Good Pharmacy Practice.

In that upon or about 30 August 2018 and at or near Atkinson The Chemist (Y00769), you allowed another business (cellphone repair business) to be conducted within a pharmacy without obtaining approval from Council.

Count 3

Contravention of Rule 18 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that upon or about 30 August 2018 and at or near Atkinson The Chemist (Y00769), you allowed an unregistered person to dispense schedule 1 to 4 medicines.

Count 4

Contravention of Regulation 36 of the Regulations published under the Medicines and Related Substances Act, 101 of 1965.

In that upon or about 30 August 2018 and at or near Atkinson The Chemist (Y00769), you failed to balance or update the schedule 6 register for Ritalin.

Penalty

The Respondent was fined as follows:

- (i) In respect of Count 1 fine of R5 000, 00;
- (ii) In respect of Count 2 fine of R2 000, 00;
- (iii) In respect of Count 3 fine of R5 000, 00; and
- (iv) In respect of Count 4 fine of R5 000, 00.

MR M VERMEULEN (P37445), a pharmacist was found guilty of the following charge:

Count 1

Contravention of Rule 23 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that during June 2018 and at or near Kilburn Pharmacy (Y01540), you dispensed schedules 2 and 5 medication in a manner that has as its aim, or may be interpreted or regarded as having its aim, as the promotion of the misuse or abuse or the detrimental or injudicious or unsafe use of medicines.

Penalty

The Respondent was suspended from practicing as a pharmacist for one-year, which suspension is suspended for one year, on condition that the Respondent is not found guilty of a similar offence(s) within the said period.

MR M VLOK (P49721), a pharmacist's assistant (post-basic) was found guilty of the following charge:

Count 1

Contravention of Rule 10 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that upon or about 13 February 2018 and at or near Welkom Magistrate Court, you were found guilty of theft, which Council regards as improper and disgraceful conduct, and you were sentenced to 3 years direct imprisonment, wholly suspended for period of 5 years, on condition that you were not convicted of the offence of theft or attempted theft during the period of suspension.

Penalty

The Respondent was fined an amount of R15 000.

MR R NAIDOO (P09084), an owner and a responsible pharmacist was found guilty of the following charges:

Count 1

In that upon or about 08 October 2018 and at or near Courtyard Pharmacy (Y52481), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice, resulting in the following shortcomings:

- (a) The name of the responsible pharmacist is not displayed conspicuously at the main entrance of the pharmacy. The name of the pharmacist on duty is not displayed visibly in/or outside the pharmacy for the purpose of identification of such persons by the public. Registered persons on duty are not wearing nametag/s or badge/s indicating their names and designation for the purpose of identification of such persons to the public;
- (b) The patients' rights and responsibility poster was not visibly displayed for the purpose of identification by the public;
- (c) The floor plan is not consistent with the plans which were submitted to and approved by Council;
- (d) The temperature is not recorded on a daily basis during working hours or operating hours. The air conditioning system is not in good working condition to be effective to keep the temperature at below 25°C;
- (e) The fire extinguisher or fire hose in the pharmacy has not been serviced or checked within the last year as indicated on the cylinder/panel/supplier equipment's label as well as per the service contract;
- (f) There pharmacy is not designated as a non-smoking area and noneating area. There is no suitable semiprivate area for the provision of information and advice. There is no suitable consultation area for the provision of screening and monitoring tests;
- (g) There is not sufficient security to prevent unauthorised access to medicines, or a barrier with a no entry sign;
- (h) The pharmacy does not have a suitable calibrated mass meter for dispensing capable of weighing at least 50mg of a substance. The pharmacy does not have adequate warning labels or clearly noticeable warning indications on the handwritten or computer-generated label;
- (i) Pest control is not conducted regularly;
- (j) A list of product types requiring special storage or handling instructions is not available and consulted on receipt of stock;

- (k) Prepacking is not done in accordance with Regulation 39 of Act 101 of 1965 with regard to temperature, humidity, area and GMP requirements. Medicines sold for human use does not comply with Regulation 10 of Act 101 of 1965. There are unregistered non-proprietary medicines on the premises;
- (l) Every prescription dispensed is not checked and signed off by a pharmacist. The original prescription does not state who the dispenser was, as indicated by both the name on the trailer label and signature on the prescription. The final price that the patient pays is not indicated on the copy for the payer;
- (m) The pharmacist does not obtain relevant information before dispensing the prescriptions. The pharmacist does not evaluate the prescriptions to identify any possible problems before dispensing the prescriptions. Advice is not given to the patient in a suitable semiprivate area;
- (n) Patient information leaflets are not available at the dispensary. Procedure is not in place for monitoring the patient's progress. A pharmacist cannot be contacted 24 hours a day and their contact details are not displayed visibly at the entrance of the pharmacy;
- (o) There are no written standard operating procedures;
- (p) There are no references books;
- (q) There is no adverse drug reaction reporting system; and
- (r) The screening of patient is conducted in an open space.

Count 2

Contravention of Section 22 (2) of the Pharmacy Act, 53 of 1974.

In that upon or about 08 October 2018 and at or near Courtyard Pharmacy (Y52481), you provided pharmaceutical service in a pharmacy or in a premise regarded as a pharmacy, without recording the pharmacy licence or registering the premises with the South African Pharmacy Council.

Penalty

The Respondent was suspended, from practicing as a pharmacist, of two years which suspension is suspended for one year, on condition that the Respondent is not found guilty of a similar offence(s) within the said period.

MS T MAGWAZA (P19422), a responsible pharmacist was found guilty of the following charges:

Count 1

In that upon or about 05 June 2018 and at or near Mat's Pharmacy (Y55414), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice, resulting in the following shortcomings;

- (a) The name of the responsible pharmacist was not displayed conspicuously at the main entrance of the pharmacy. The name of the pharmacist on duty was not displayed visibly in or outside the pharmacy for the purpose of identification of such person by the public;
- (b) The temperature was not recorded on a daily basis during working or operating hours. The air conditioning system was not in good working condition to be effective to keep the temperature at and below 25°C;
- (c) The dispensary is not suitably located in the pharmacy in relation to the consultation area. The dispensary was not designated as a non-eating area. The waiting area is not situated near dispensary area and is not near areas for counselling and furnishing advice. The waiting area has a no comfortable seating available;

- (d) There is no suitable semiprivate area and suitable private area for the provision of information and advice;
- (e) Control access to pharmacy premises is of such nature that not only registered pharmacy personnel have direct access to medicine. There was no sufficient security to prevent unauthorised access to medicine or a barrier with no entry sign;
- (f) There is no separate facility for cleaning of equipment;
- (g) The pharmacy does not have adequate pestles, mortars and spatulas. The pharmacy does not have a suitable calibrated mass meter for dispensing capable of weighing at least 50mg of a substance. There are no adequate warning labels or clearly noticeable warning indications on the handwritten or computer-generated label;
- (h) There is no separate and secure receiving area, which is under cover;
- (i) There is not an up to date register of all schedule 6 purchases and sales as required by Regulation 36 of Act 101 of 1965;
- (j) The refrigerator was not suitable and not in good working order;
- (k) The pharmacist does not evaluate the prescription to identify any possible problems before dispensing the prescription. The pharmacist does not take necessary action if there are any problems with prescription and /or medicine prescribed. The pharmacist does not ensure that the patient or care giver receive advice after the prescription has been dispensed;
- (l) The pharmacist does not give advice to patients who receive pharmacist-initiated therapy. The advice was not given to the patient in a suitable semiprivate area;
- (m) There are no patient information leaflets at the dispensary. There was no procedure in place for monitoring patient's progress;
- (n) There are no written standard operating procedures;
- (o) There are inadequate reference books; and
- (p) There was no adverse drug reaction reporting system in place as per GPP.

Count 2

Contravention of Regulation 22 of the regulation relating to the practice of pharmacy published under the Pharmacy Act, 53 of 1974.

In that upon or about 05 June 2018 and at or near Mat's Pharmacy (Y55414), you conducted a pharmacy without a pharmacist.

Count 3

Contravention of Rule 18 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that upon or about 05 June 2018 and at or near Mat's Pharmacy (Y55414), you allowed two unregistered person access to schedule medicines.

Penalty

The Respondent was suspended from practicing as a pharmacist for one year.

MS P PILLAY (P19388), a pharmacist was found guilty on the following charge:

Count 1

In that in or around 2017, while being employed by the KwaZulu-Natal Department of Health, as a pharmacist stationed at Edendale Hospital Pharmacy, you assumed the position or accepted the offer to be appointed as the Responsible Pharmacist at Braid Street Express Pharmacy (Y54848) and on 22 March 2018, you abandoned your duties and responsibilities

as a Responsible Pharmacist by leaving the pharmacy (Braid Street Express Pharmacy) to be conducted without a pharmacist.

Penalty

The Respondent was sanctioned as follows:

- (a) A fine in the amount of R50 000.00; and
- (b) suspension from practicing as a pharmacist for one year, which suspension is suspended for two years, on condition that the Respondent is not found guilty of a similar offence(s) within the said period of suspension.

MS N R DAYARAM (P12906), an owner and responsible pharmacist, was found guilty of the following charge:

Count 1

In that upon or about 10 August 2017 and at or near Effingham Pharmacy and Medicine Depot (Y02602), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice, resulting in the following shortcomings:

- (a) There were no certificates to verify the name of the pharmacy, pharmacy registration number and licence number;
- (b) The name of the responsible pharmacist is not conspicuously displayed over the main entrance of the pharmacy. The name of the pharmacist on duty is not displayed conspicuously in or outside the pharmacy. The pharmacist on duty is not wearing a nametag or badge indicating his/her name and designation for the purpose of identification of such person to the public;
- (c) A current valid registration card is not available for the pharmacist. A currently valid registration card is not available for the pharmacy support personnel;
- (d) A patients' rights and responsibility poster was not conspicuously displayed for the purpose of identification by the public;
- (e) Shelves are not finished with a smooth, impermeable and washable material which is easy to maintain in a hygienic condition;
- (f) The air conditioning system was not in good working condition to be effective to keep the temperature below 25°C;
- (g) The dispensing surface area was not sufficient for the volume of prescriptions dispensed;
- (h) The pharmacy was not designated as a non-smoking area. The pharmacy was not designated as a non-eating area, other than in areas specifically designated as eating areas;
- (i) The waiting area is not situated near dispensary area and is not near areas for counselling and furnishing advice. There is no suitable semiprivate area and suitable private area for the provision of information and advice;
- (j) There was no suitable facility that complies with GMP standards where bulk compounding is carried out and where bulk pre-packing is carried out;
- (k) The pharmacy does not have adequate pestles, mortars and spatulas. The pharmacy does not have a suitable calibrated mass meter for dispensing capable of weighing at least 50mg of a substance. There are no adequate warning labels or clearly noticeable warning indications on the handwritten or computer-generated labels;
- (l) There are refuse receptacles do not have the closing lids where applicable;
- (m) Shelves are not dusted daily in accordance with SOP. The storage area was not tidy in accordance with SOP;

- (n) There were expired medicines on the shelves. Expired, damaged and contaminated stock are not kept separate from the trading stock. Expired, damaged and contaminated stock was not destroyed in a safe manner;
- (o) List of product types requiring special storage or handling instructions was not available and consulted on receipt of stock. There was no system for the correct handling of the various types of goods returned from patients;
- (p) Prepacking was not done in accordance with regulation 33 (2003) of Act 101 of 1965 with regard to temperature, humidity, area and GMP requirements. There are unregistered non-proprietary medicines on the premises;
- (q) All schedule 1 and 2 medicines sales are not recorded in a prescription book or other permanent record as required by Regulation 11 (1) & (2) (2003) of Act 101 of 1965;
- (r) There is not an up to date register of all schedule 6 purchases and sales as required in terms of Regulation 30 (2003) of Act 101 of 1965. The schedule 6 substances register was not balanced on the last day of March, June, September and December of each year or within 14 days as required in Regulation 30(2) (2003) of Act 101 of 1965;
- (s) Not only medicines are stored in the refrigerator. Medicines are not stored in the refrigerator according to system. The refrigerator was not fitted with warning system to indicate that refrigeration has failed, or temperatures were above or below 2°C and 8°C;
- (t) The original prescription does not state who the dispenser was as indicated by both the name and on the trailer label and a signature on the prescription;
- (u) The advice was not given to the patient in a suitable semiprivate area. There are no patient information leaflets at the dispensary. There was no procedure in place for monitoring patient's progress;
- (v) A pharmacist cannot be contacted 24 hours a day and their contact details are not displayed conspicuously at the main entrance of the pharmacy;
- (w) There are no written standard operating procedures; and
- (x) There are inadequate reference books.

Penalty

The Respondent was suspended from practicing as a pharmacist of one year, which suspension is suspended for one year, on condition that the Respondent is not found guilty of a similar offence(s) within the said period.

MR P RAMOSIBUDI (P10412), an owner and pharmacist, was found guilty of the following charges:

Count 1

Contravention of Section 22 of the Pharmacy Act 53 of 1974.

In that upon or about 09 February 2018 and at or near Midway Mall, 280 Corlett Drive, Kew, Johannesburg, you conducted or performed pharmaceutical services in an unlicensed or unrecorded premises.

Count 2

Contravention of Rule 18 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that upon or about 09 February 2018 and at or near Midway Mall, 280 Corlett Drive, Kew, Johannesburg you allowed unregistered persons to perform pharmaceutical services in an unregistered or unlicensed premises.

Penalty

The Respondent was suspended from practicing as a pharmacist for one year, which suspension is suspended for one year on condition that the Respondent is not found guilty of a similar offence(s) within the said period.

MS M C MASWANGANYI (P08041), an owner and pharmacist was found guilty of the following charges:

Count 1

Contravention of Regulation 22 of the Regulations relating to the practice of pharmacy published under the Pharmacy Act, Act 53 of 1974.

In that upon or about 27 January 2018 and at or near Nkowankowa Pharmacy (Y03262), you conducted a pharmacy without a pharmacist.

Count 2

Contravention of Section 22 (4) & (5) of the Pharmacy Act, 53 of 1974.

In that since 2014 to date, and at or near Nkowankowa Pharmacy (Y03262), you failed to have a Responsible Pharmacist registered with the South African Pharmacy Council.

Count 3

Contravention of Rule 18 of the Rules relating to acts or omissions in respect of which Council may take disciplinary steps.

In that upon or about 27 January 2018 and at or near Nkowankowa Pharmacy (Y03262), you allowed unregistered persons to perform acts pertaining to the scope of practice of a pharmacist.

Count 4

In that upon or about 27 January 2018 and at or near Nkowankowa Pharmacy (Y03262), you failed to exercise proper and reasonable care in respect of and control over the Rules relating to Good Pharmacy Practice, resulting in the following shortcomings:

- (a) The name of the responsible pharmacist is not displayed conspicuously at the main entrance of the pharmacy. The name of the pharmacist on duty is not displayed conspicuously in/or outside the pharmacy for the purpose of identification of such person by the public. The pharmacist on duty is not wearing a nametag or badge indicating his/her name and designation for the purpose of identification of such person to the public;
- (b) The pharmacist cannot not be contacted 24 hours a day and the contact details were not displayed conspicuously at the main entrance of the pharmacy;
- (c) The temperature in the pharmacy was not below 25°C. The temperature was not recorded on a daily basis during working hours and operating hours as per SOP on temperature control;
- (d) There was no suitable private area for the provision of information and advice. There was no separate facility for cleaning equipment;
- (e) The pharmacy does not have a suitable calibrated mass meter for dispensing capable of weighting at least 50mg of the substance. The pharmacy does not have adequate

- range of graduated, stamped glass or plastic measures, and warning labels or clearly noticeable warning indications on the handwritten or computer-generated label;
- (f) There was no separate and secure receiving and dispatch area which is under cover. Stock was not checked on receipt for quality, quantity, damaged containers, type of storage conditions and expiry dates. A list of product types requiring special storage or handling instructions was not available and consulted on receipt. There was no system for the correct handling of various types of goods returned by patients. An effective stock rotation was not in place to ensure that there was no damage and expired stock;
 - (g) There was no air conditioning system in the pharmacy;
 - (h) There was no fire extinguisher or fire hose in the pharmacy in accordance with the OHS Act. The electrical equipment used in the practice of pharmacy was not regularly maintained and safe as per manufacture's requirement;
 - (i) The workflow in the pharmacy was not efficient, organized and orderly in accordance with relevant SOP. There was insufficient security to prevent unauthorised access to medicines;
 - (j) The pharmacy was not designated as non-smoking and non- eating area;
 - (k) The store was not kept locked at all times when not in use;
 - (l) The floor was not swept daily in accordance with SOP. Shelves were not dusted daily in accordance with SOP. The storage area was untidy in accordance with SOP;
 - (m) Pest control was not conducted regularly in accordance with SOP. Storage areas was not situated to protect products from potentially harmful influences. Not all goods were stored off the floor in accordance with SOP. Supplies were not stored neatly on shelves in boxes, in accordance with SOP. Raw material known to be at risk of cross-contamination were not stored separately or quarantined;
 - (n) A system was not in place to ensure effective stock rotation. There were expired medicines on the shelves. Expired, damaged and/or contaminated stock was not clearly separated and prevented from entry into the system. Expired stock was not destroyed in a safe manner. Damaged and/or contaminated stock was not destroyed in a safe manner;
 - (o) There were no written standard operating procedures; and
 - (p) There were no references or adequate reference book.

Penalty

The Respondent was sanctioned as follows:

- (a) In respect of Counts 1 and 2, the Respondent was suspended from practicing as a pharmacist for 6 months, which suspension is suspended for one year, on condition that the Respondent is not found guilty of a similar offence(s) within the said period
- (b) In respect of Count 3, a fine of R25 000.00; and
- (c) In respect of Count 4, a fine of R25 000.00.



TA Masango
REGISTRAR

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CONTINUES ON PAGE 258 - PART 3

ARTIKEL 107
ARTIKEL 108

ARTIKEL 109
ARTIKEL 110

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PART 3 OF 3

BOARD NOTICE 171 OF 2019

THE SOUTH AFRICAN PHARMACY COUNCIL

GUIDANCE DOCUMENT FOR CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

The South African Pharmacy Council intends to publish the **GUIDANCE DOCUMENT FOR CONTINUING PROFESSIONAL DEVELOPMENT (CPD)** in terms of Regulation 5(1) of the *Regulations relating to continuing professional development* (GNR 668, published on 17 May 2019).

Interested persons are invited to submit, within 60 days of publication of this notice, substantiated comments or representations on the qualifications and scopes of practice to the Registrar, The South African Pharmacy Council, Private Bag X40040, Arcadia, 0007, or Fax 0865063010 or email: BN@sapc.za.org (for the attention of the Senior Manager: Legal Services and Professional Conduct).

SCHEDULE

- (a) Guidance document for continuing professional development (CPD).

In this notice "the Act" shall mean the Pharmacy Act, 53 of 1974 (as amended), and any expression to which a meaning has been assigned in the Act shall bear such meaning.



TA Masango
REGISTRAR

Address: 591 Belvedere Street, Arcadia, Pretoria, 0083, Private Bag X40040, Arcadia, 0007. Telephone: 0861 7272 00. Facsimile 012-321 1479/92

To obtain the full content of this Board Notice please visit the 'Proposed Legislation' section on the South African Pharmacy Council's website:
https://www.pharmcouncil.co.za/Legislation_Proposed

BOARD NOTICE 172 OF 2019
THE SOUTH AFRICAN PHARMACY COUNCIL

RULES RELATING TO GOOD PHARMACY PRACTICE

The South African Pharmacy Council hereby publishes additional minimum standards to be added to Annexure A of the *Rules relating to good pharmacy practice* which was published on 17 December 2004, Government Gazette No: 27112, Board Notice 129 of 2004, in terms of section 35A(b)(ii) of the Pharmacy Act, 53 of 1974.

SCHEDULE

Rules relating to what constitutes good pharmacy practice

1. In these rules "the Act" shall mean the Pharmacy Act, 53 of 1974, as amended, and any expression to which a meaning has been assigned in the Act shall bear such meaning.
2. The following rule to Annexure A of the *Rules relating to good pharmacy practice* is hereby added –
 - (a) Minimum Standards for Unit Dose Dispensing



TA MASANGO
REGISTRAR

MINIMUM STANDARDS FOR UNIT DOSE DISPENSING

1. Definitions

Unit dose dispensing (UDD) is a process where individual doses of different medicines are dispensed or re-dispensed into a container (UDC; see below), ready for administration to patients, involving a manual or an automated system and that includes but is not restricted to other international definitions e.g. the multi-compartment system.

Unit dose container (UDC) – is a container used for the dispensing or re-dispensing of medicines according to its administration time for a specific patient and/or a caregiver to administer and that includes but is not restricted to other international definitions e.g. multi-compartment compliance aids.

2. Preamble

The use of original packs of medicines, supported by appropriate pharmaceutical care, is recommended as the preferred intervention for the supply of medicines in the absence of a specific need for a unit dose container (UDC). UDCs may however be of value for some patients who have been assessed as having practical problems in managing their medicines and/or maintaining independent healthy living. Each patient's needs must be assessed on an individual basis and any intervention must be tailored to the patient's specific requirements.

The removal of a medicine from the manufacturer's original packaging and it being dispensed into a UDC, can affect its stability. Pharmacists and pharmacy support personnel (PSP) must recognise that any dispensing or re-dispensing of medication from the manufacturer's original packaging into a UDC may involve risks and as such, the dispenser or re-dispenser must take full responsibility for the decision to use UDD.

3. Purpose

The purpose of this standard is to provide guidelines to pharmacists and PSP when medicines are dispensed or re-dispensed as individual unit doses for a particular patient, to facilitate administration with the aim of improving adherence to therapy.

Minimum standards specifically relating to UDD and the use of UDCs are intended to guide pharmacists and PSP on the legal requirements to be taken into consideration when dispensing or re-dispensing medicines in a container as individual unit doses.

4. General considerations

- (a) All relevant legislative requirements for dispensing must be met when UDD is applied.
- (b) UDD may NOT be performed in manufacturing pharmacies, wholesale pharmacies and by licensed dispensers.

- (c) Pharmacists must be in possession of either the latest original prescription concerned or a legal copy thereof at the time of dispensing or re-dispensing medicines into UDCs.
- (d) Medicines being dispensed into an UDC may only be dispensed in a quantity that will not exceed the number of doses prescribed for 30 consecutive days from the dispensing date. Further, the expiry date of the medicine must also be taken into consideration.
- (e) The date of dispensing and the statement "Use within 30 days" must be clearly indicated on the label.
- (f) Medicines which are considered to be unstable or unsuitable when dispensed together, should not be packed into a UDC.
- (g) Under no circumstances, may medications intended for different administration times be dispensed into a single compartment (for illustrative purposes, see Fig 1 for an example).

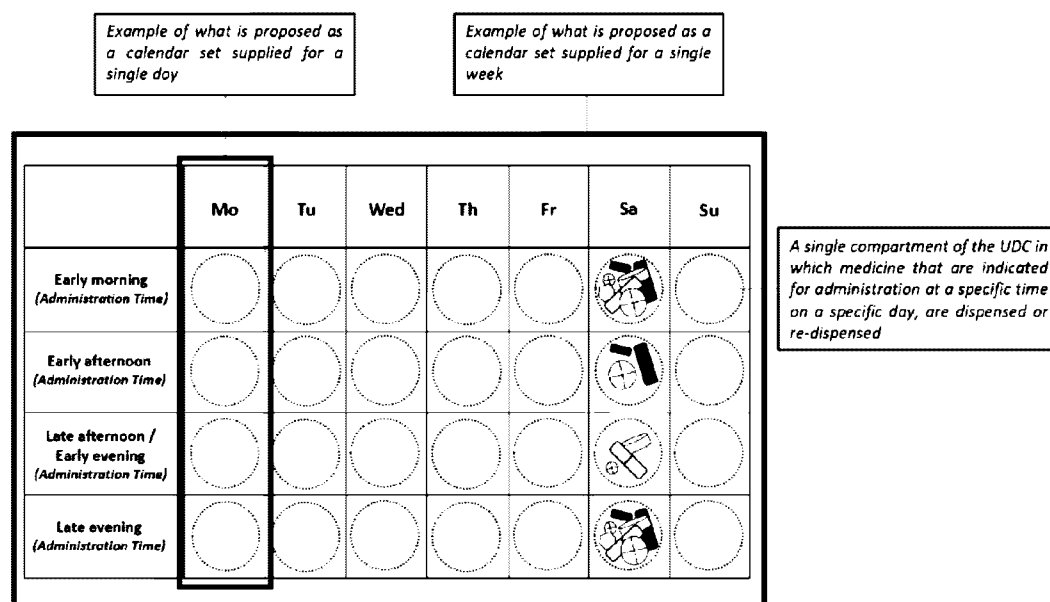


Figure 1 – Schematic layout of a Unit Dose Container (UDC)

5. Specific Considerations

5.1 The clinical needs and supportive care of the patient

- (a) In the case of a child under the age of 12 years, the guardian must give their consent, prior to supplying medicines by means of UDCs.
- (b) In the case where a person is subjected to curatorship in terms of the Mental Health Care Act 17 of 2002, the curator will be expected to give consent, prior to the patient being supplied medicines using UDCs.

- (c) The patient must give his/her informed consent prior to being supplied medicines using UDCs and he/she will have the option to opt out.
- (d) The patient, or his or her agent or caregiver, must be able to manage the medication and ensure adherence to the treatment regimen.

5.2 The types of medicines used

- (a) The following should be considered when determining the suitability of medicines for dispensing in UDC:
 - (i) the stability of the medicine;
 - (ii) cross-contamination;
 - (iii) potential for chemical and physical interactions between medicines and/or the container; and
 - (iv) the relative duration of time that the medicines will be packed together, taking into consideration that this time must not exceed 30 days.
- (b) The UDD pharmacist remains responsible for any decisions to dispense medicines into UDCs. The following is a general guideline pertaining to solid dosage forms that should NOT be dispensed into a UDC (the list is not comprehensive and should be elaborated on based on the professional discretion of the UDD pharmacist):
 - (i) Soluble, effervescent and or dispersible tablets;
 - (ii) Chewable, sub-lingual and buccal tablets;
 - (iii) Moisture sensitive and hygroscopic preparations;
 - (iv) Medicines of which the dose may vary frequently depending on test results, e.g. digoxin or unstable INR with warfarin;
 - (v) Medicines that may be harmful when being handled, e.g. cytotoxics;
 - (vi) Medicines that are subject to storage in the fridge, thermolabile medicines, and medicines that require special storage;
 - (vii) Medicines intended for "as required" use;
 - (viii) Medicines that have special administration instructions and that must be identified individually in order to ensure its safe administration, e.g. alendronate, methotrexate, high dose glucocorticoids intended for acute use, etc.; and
 - (ix) Medicines included on the list of non-substitutable medicines.

4.3 Dispensing or re-dispensing medicines into UDCs

- (a) Dispensing or re-dispensing into UDCs must be performed by pharmacists or PSP operating under the direct supervision of a pharmacist in a pharmacy;
- (b) A suitable quality control system must be in place to check and control the quality of the procedures and end results relating to the dispensing or re-dispensing of medicines into a UDC;
- (c) The premises and layout of the facility in which UDD are performed, as well as the process of UDD itself must adhere to and be in accordance with GPP;

- (i) If an automated or semi-automated system is used, the equipment must be operated according to a relevant SOP(s); and
- (ii) The UDC packaging material must be moisture resistant, airtight, and tamper evident.

5.4 Labelling and patient information

- (a) The label that accompanies a calendar set of UDCs (refer Fig 1), e.g. a UDC set supplied for one day, one week or one month, must:
 - (i) be clear, legible and indelible;
 - (ii) include the statement 'Keep out of reach of children'
 - (iii) comply with Regulation 10(6) of the General Regulations published in terms of the Medicines Act; and
 - (iv) include any cautionary and advisory instructions that might be relevant.
- (b) Each medicine, as well as its intended time of administration, must be clearly identifiable;
- (c) The instructions for the use of the container must be simple and unambiguous;
- (d) In cases where it is not possible to include all information on the UDC label, additional information must be provided in a separate information leaflet.

5.5 Record keeping

- (a) A record of each UDC prepared for a particular patient must include:
 - (i) the name, dosage form, strength and dose of each medicine **dispensed into each section or compartment of the UDC;**
 - (ii) the name of the person/s who dispensed or re-dispensed the prescription and prepared the UDC;
 - (iii) the date of dispensing or re-dispensing of the medicines into an UDC; and
 - (iv) the reference number linking the medicines dispensed or re-dispensed into the UDC to a particular patient and the relevant prescription.

5.6 Disposal of unused medicines

Patients must be advised that medicines that have been dispensed or re-dispensed into an UDC that have not been used within 30 days of the unit dose dispensing or re-dispensing date, should be returned to the pharmacy for disposal in accordance with legislation.

5.7 Standard operating procedures

The following must be included in an SOP, but will not be limited to:

- (a) an assessment of patient selection and how consent will be recorded;
- (b) an assessment of suitable medicine selection;
- (c) a description for the use of the UDD equipment, including its cleaning, maintenance and error records;
- (d) the quality assurance procedures;
- (e) the management of returned and unused medicines;
- (f) the management of uncollected, spoiled and damaged medicines;
- (g) the recall of medicine(s) packed into UDCs in the event that such a recall must be enacted;
- (h) the handling of complaints related to UDCs;
- (i) the refilling of bulk containers on completion of filling of UDCs, if necessary; and
- (j) recording of changes to the prescribed medicines, doses and frequency of dosing.

6. Knowledge

Pharmacists and/or pharmacy support personnel must ensure that they have adequate knowledge of UDD techniques and UDCs and must be able to demonstrate the use of UDCs if patients require it.

BOARD NOTICE 173 OF 2019

THE SOUTH AFRICAN PHARMACY COUNCIL

**SCOPE OF PRACTICE AND QUALIFICATION FOR
SPECIALIST PHARMACISTS IN INDUSTRIAL PHARMACY**

The South African Pharmacy Council (Council) intends to request the Minister of Health to publish the *Regulations relating specialist pharmacists* to make provision for:

- (a) *inter alia* the category of Specialist Pharmacists: Industrial Pharmacist
- (b) the scope of practice of the abovementioned specialist pharmacists; and
- (c) in terms of Sections 33 and 49(mA) to provide the required qualifications for the specialist pharmacists.

The qualifications and proposed scope of practice for the other categories of Specialist Pharmacists were published for comment in Board Notice 152 of 2014, published on 12 December 2014.

The qualification and the proposed scope of practice of the Industrial Pharmacist are published herewith for public comment prior to the said request to the Minister of Health.

SCHEDULE

- 1. Industrial Pharmacy:
 - (a) Scope of practice for the specialist pharmacist in Industrial Pharmacy; and
 - (b) Qualification for the specialist pharmacist in Industrial Pharmacy.

In this notice "the Act" shall mean the Pharmacy Act, 53 of 1974 (as amended), and any expression to which a meaning has been assigned in the Act shall bear such meaning.

Interested persons are invited to submit within 60 days of publication of this notice, substantiated comments or representations on the qualifications and scope of practice to the Registrar, The South African Pharmacy Council, Private Bag X40040, Arcadia, 0007, or Fax 0865063010 or email: BN@sapc.za.org (for the attention of the Senior Manager: Legal Services and Professional Conduct).

**TA MASANGO
REGISTRAR**

Address: 591 Belvedere Street, Arcadia, Pretoria, 0083, Private Bag X40040, Arcadia, 0007. Telephone: 0861 7272 00. Email: registrar@sapc.za.org

To obtain the full content of this Board Notice please visit the 'Proposed Legislation' section on the South African Pharmacy Council's website:
https://www.pharmcouncil.co.za/Legislation_Proposed

BOARD NOTICE 174 OF 2019

THE SOUTH AFRICAN PHARMACY COUNCIL

REGULATIONS RELATING TO CONTINUING PROFESSIONAL
DEVELOPMENT (CPD)

The South African Pharmacy Council hereby publishes in terms of Regulation 2(1)(a) of the *Regulations relating to continuing professional development* (CPD Regulations) published on 17 May 2019, GNR. 668, in terms of section 33(1)(o) of the Pharmacy Act, 53 of 1974, **the categories of persons** registered in terms of section 14 of the Pharmacy Act, **who are required to record their continuing professional development activities** as provided in the CPD Regulations.

SCHEDULE

- (a) Pharmacists who are registered as tutors, and shall be required to submit a minimum of 4 (four) Continuing Professional Development activities by December 2019;
- (b) Persons who are registered as the responsible pharmacists, and shall be required to submit a minimum of 2 (two) Continuing Professional Development activities by December 2019;
- (c) Persons who are registered as pharmacists and are:
- (i) appointed as inspectors;
 - (ii) appointed as panel members for accreditation and monitoring visits of providers of pharmacy education and training;
 - (iii) appointed as assessors, examiners, moderators, evaluators of courses;
 - (iv) Council members; and
 - (v) employed by the Office of the Registrar
- shall be required to submit a minimum of 2 (two) Continuing Professional Development activities by December 2019; and
- (d) the categories of registered persons stipulated in (c) above be required to submit a minimum of 6 (six) Continuing Professional Development activities by 31 December 2020;



TA MASANGO
REGISTRAR

BOARD NOTICE 175 OF 2019**THE SOUTH AFRICAN PHARMACY COUNCIL****RULES RELATING TO GOOD PHARMACY PRACTICE**

The South African Pharmacy Council intends to publish amendments to Annexure A of the *Rules relating to good pharmacy practice* which was published on 17 December 2004, Government Gazette No: 27112, Board Notice 129 of 2004, in terms of section 35A(b)(ii) of the Pharmacy Act, 53 of 1974.

Interested parties are invited to submit, within **60 days** of publication of this notice, substantiated comments on or representation regarding the amendments to the existing minimum standards and/or the additional minimum standards. Comments must be addressed to The Registrar, South African Pharmacy Council, Private Bag X40040, Arcadia, or fax (012) 326-1496 or email BN@sapc.za.org

SCHEDULE**Rules relating to what constitutes good pharmacy practice**

1. In these rules "the Act" shall mean the Pharmacy Act, 53 of 1974, as amended, and any expression to which a meaning has been assigned in the Act shall bear such meaning.
2. The following rules to Annexure A of the *Rules relating to good pharmacy practice* are hereby amended –
 - (a) Rule 2.31.3 Minimum Standards for trading title(s).



TA MASANGO
REGISTRAR

2.31 INFORMATION RELATING TO COMPLIANCE WITH GOOD PHARMACY PRACTICE TO BE SUBMITTED IN SUPPORT OF AN APPLICATION FOR A LICENCE FOR [A] PHARMACY PREMISES TO BE ISSUED IN TERMS OF THE REGULATIONS RELATING TO THE OWNERSHIP AND LICENSING OF PHARMACIES PUBLISHED IN TERMS OF THE PHARMACY ACT 53 OF 1974 AS AMENDED

Rule 2.31.3 Trading Title(s)

Rule 2.31.3 which reads, “The following criteria will be applied by Council in considering applications for the use of a title, trading title, name, description, brand name or logo (referred to as the 'name') used with respect to a **community or an institutional pharmacy situated in a private or a public health facility** in terms of section 35A(c) of the Pharmacy Act 53 of 1974. Council shall regard the use of following names as unacceptable—”,

to include the following criteria:

- “10. A name of a juristic person incorporated in terms of the Companies Act, 2008 (Act 71 of 2008), the Close Corporations Act, 1984 (Act 69 of 1984) or the Co-operatives Act, 2005 (Act 14 of 2005), if the owner of the pharmacy is not the juristic person to which the name is incorporated.”