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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

NO. R. 1283

04 OCTOBER 2019

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

REGULATIONS REGARDING THE CLASSIFICATION, PACKING AND MARKING OF PROCESSED MEAT PRODUCTS INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA

The Minister of Agriculture, Land Reform and Rural Development has under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) –

- (a) made the regulations in this Schedule; and
- (b) determined that the said regulations shall come into operation 6 months after date of publication thereof.

SCHEDULE

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Definitions

1. (1) Any word or expression in these regulations to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates –

"address" means a physical address and includes the street or road number or name and the name of the town, village or suburb and, in the case of a farm, the name or number of the farm and of the magisterial district in which it is situated, or in the case of imported foodstuffs, if otherwise, the name and address as provided for in the Codex Alimentarius Commission's document entitled: *General Standard for the Labelling of Pre-packaged Foods, CODEX STAN 1-1985*;

"batch" means a definite quantity of processed meat produced essentially under the same conditions, and not exceeding a period of 24 hours;

"batter" means liquid preparation from water, ground cereals with or without spices, salt, sugar, starch and other ingredients or additive (or both) to the extent permitted for in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"best before date" or **"best quality before date"** means the date which signifies the end of period under any stated storage conditions during which the unopened product will remain fully marketable and will retain any specific qualities for which implied or express claims have been made, however, beyond the date the food may still be acceptable for consumption;

"breeding" means dry breadcrumbs or other dry preparations, coarse or fine (mainly from cereals with colourants) that are used for the coating of processed meat products;

"cereal" means a product derived from the grain or edible seed of any cultivated grasses of the family Poaceae, which may be used as a food, such as but not limited to wheat, rice, oats, barley, rye, maize and millet;

"coated processed meat product" means a product of which the surface has been covered with a pre-dust, batter or breeding or any combination thereof;

"comminuted processed meat product" means a product comprising of meat pieces that have been reduced in size by either mincing, grinding, chopping, flaking, dicing or emulsifying, with or without other ingredients, which is then either filled into a casing, formed into a mould or preformed;

"container" means the immediate container manufactured from any suitable material into which the processed meat products are packed for final sale, and includes wrappers, gift packs and hamper packs when such is offered to the consumer;

"cured" or **"cured meat"** means a product with added curing agents (i.e. nitrites or nitrates);

"edible offal" means –

- (a) in the case of poultry: giblets (the heart, neck, the clean and stripped gizzard, the liver without the gall bladder) that are fit for human consumption; and
- (b) in the case of animals (including wild game) other than poultry: blood, blood plasma, brain, cow-heels, diaphragm, gut (casings), demusked head, kidneys, omentum, pancreas, pluck (oesophagus, trachea, lungs, heart, pericardium, associated lymph nodes, pillars of the diaphragm and liver or part thereof (without the gall bladder)), spleen, tail, thymus, tongue, cleaned tripe, trotters and udder (in the case of a heifer) that are fit for human consumption;

"EU SADC EPA" means the European Union and Southern African Development Community Economic Partnership Agreement signed on 10 June 2016 between the member states of the European Union and the Southern African Development Community region of which the Republic of South Africa forms part;

"Executive Officer" means the officer designated under section 2 (1) of the Act;

"fat" means edible lipids from animal or plant origin, or a combination thereof;

"food additive" means a food additive as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"foodstuff" means a foodstuff as defined in the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"geographical indication" (GI) means an indication (name) as defined in the regulations relating to the protection of geographical indications used on agricultural products intended for sale in the Republic of South Africa published under the Act;

"hamper pack" or "gift pack" means packaging (e.g. an open carton wrapped in transparent plastic, a sealed transparent plastic bag, etc.) other than an outer container containing multiple containers of processed meat products of the same class or sub-class, or of different classes and/or sub-classes, normally presented for sale during but not limited to certain special occasions, events or holiday periods (e.g. a Christmas hamper, back to school hamper, etc.);

"heat treated" means processed meat product has been subjected to a heat treatment which results in a core temperature of at least 72 °C during processing, for the appropriate time;

"ingredient" means an ingredient as defined in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);

"inspector" means the executive officer of the Act or an officer under his or her control, or an assignee or an employee of an assignee;

"international agreement" means any bilateral or multilateral treaty, convention, or agreement to which the Republic of South Africa is a party/ signatory, and any arrangement between the Republic of South Africa and another country, concerning the protection of geographical indications;

"label" means any tag, brand, mark, pictorial, graphic or other descriptive matter, which is written, printed, stenciled, marked, embossed, impressed upon, or permanently attached to a container of a processed meat product;

"lean meat content (%)" means mass percent of nitrogen represented by subtracting the nitrogen contribution from non-meat proteinaceous material present in the product, from the total percent nitrogen analyzed, multiplied by a factor of 30;

"lean meat equivalent (%)" (LME %) means percent protein nitrogen (N) multiplied by a factor of 30 (LME % = percent protein x 4.8; Protein = Protein N% x 6.25): Provided that –

- (a) LME % is expressed as a percent of the product mass as offered for sale; and
- (b) the percent protein nitrogen content may be from a plant or animal source or both;

"main panel" means that part of the container or label that bears the brand name or trade mark of the product in greatest prominence or any other part of the container or label that bears the brand name or trade mark in equal prominence;

"meat" means the clean, sound and wholesome skeletal musculature and fatty tissue of any animal species, including bird or wild game species, used as a foodstuff, together with any connective tissue, residual/intrinsic blood, bone, fat and cartilage that occurs naturally in the skeletal musculature of the dressed carcass and head, excluding the musculature of the lips, snout, scalp and ears;

"meat analogue" (also known as meat substitute, mock meat, faux meat or imitation meat) means products that –

- (a) approximates the aesthetic qualities (primary texture, flavour and appearance) and/or chemical characteristics of specific type of meat; and

- (b) are made from non-meat ingredients, sometimes without dairy products and are available in different forms (coarse ground-meat analogues, emulsified meat analogues and loose fill, etc.);

"mechanically recovered meat" (MRM) means pulped material consisting predominantly of muscular tissue, collagen, marrow and fat recovered by a process whereby bone and meat are mechanically separated of which the calcium content shall not exceed 1.5% [Please note: MRM is synonymous with mechanically separated meat (MSM), mechanically deboned meat (MDM) and mechanically boned meat (MBM)];

"outer container" means a container which contains more than one container of a raw processed meat product, and includes hamper packs or gift packs, but excludes any type of outer container in which raw processed meat products are transported (e.g. crate, lugs etc.);

"partial heat treated" means processing of any processed meat product to a core temperature of below 72 °C;

"pork rind" means the scalded and dehaired skin of pig, which contains mainly connective tissue proteins;

"pre-dust" means a blend of finely ground breadcrumbs or other dry preparations (mainly from cereals) with other ingredients that is used as the first coating layer to improve breading adhesion;

"primary sample" means a randomly selected number of containers from a batch as set out in item 15;

"processed meat" means meat that has undergone any action that substantially altered its original state (including, but not limited to, heating, smoking, curing, fermenting, maturing, drying, marinating (surface application), extraction or extrusion or any combination of all these processes), but excludes raw processed meat;

"processed meat products" means the categories and classes of products referred to in regulation 4;

"raw (fresh) processed meat product" means a raw meat product obtained from any animal or bird species fit for human consumption and that resembles a cut, joint, slice, portion or carcass of meat, cured or uncured, or a combination thereof, pre-packaged or not pre-packed, that has not undergone any heat treatment and where any added ingredient and/or additive and added water, including brine, is retained in or on the product as sold and includes such products presented for sale in the frozen state;

"reformed processed meat product" means a product of which the individual visible meat pieces are no smaller than 13 mm, with or without the addition of finely comminuted meat and other permitted ingredients, of which the soluble protein bind the meat pieces together and upon cutting, has the typical appearance of meat muscle;

"registered trade mark" means a registered trade mark as defined in the Trade Marks Act, 1993 (Act No. 194 of 1993);

"scale label" means a label that is printed by an electronic scale (weighing machine) mainly for the purpose of indicating the weight and price of the product, but which may also include other information about the product concerned such as e.g. an abbreviated description of the product, best before date, country of origin, etc.;

"smoking process" means a process of flavouring, browning, cooking or preserving processed meat products by exposing it to smoke from burning or smouldering material, for example wood;

"the Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"total meat content (%)" means lean meat percent (including mechanically recovered meat, except where it is specifically excluded), plus fat percent;

"total meat equivalent (%)" (TME) means lean meat equivalent plus any fat or edible oils, edible offal or combination thereof, expressed as a percent of product mass as offered for sale;

"uncured" or **"uncured meat"** means a product without added curing agents (i.e. nitrites or nitrates);

"use by date" or **"expiration date"** means the date which signifies the end of the period under any stated storage conditions, after which the product should not be sold or consumed due to safety and quality reasons; and

"whole muscle processed meat product" means a meat product with whole muscle still intact and which might have been subjected to a process resulting in protein extraction and might, in addition, have been placed into a mould to shape the product, but does not include individually quick-frozen (IQF) injected chickens with the formulated solution.

Scope of regulations

2. (1) These regulations shall apply only to the categories and classes of processed meat products referred to in regulation 4 and intended for sale in the Republic of South Africa to which and under circumstances in which a prohibition in terms of section 3 of the Act regarding the sale of processed meat products apply.

(2) These regulations shall not apply to the following foodstuffs:

- (a) Canned meat products as defined in the compulsory specification for the manufacture, production, processing and treatment of canned meat products published under the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).
- (b) Raw (fresh) processed meat products.
- (c) Meat analogue products or non-meat based products that in general appearance, presentation and intended use correspond to processed meat products (e.g. vegan or vegetarian type processed products).

Restrictions on the sale of processed meat products

3. (1) No person shall sell processed meat products in the Republic of South Africa –

- (a) unless such products are classified according to the categories and classes specified in regulation 4;
- (b) unless such products comply with the general standards specified in regulation 5;
- (c) unless such products comply with the specific compositional standards for each class concerned as specified in regulation 6;
- (d) unless the containers and outer containers in which such products are packed, comply with the requirements specified in regulation 7;
- (e) unless such products are marked with the particulars and in the manner specified in regulations 8 to 13; and
- (f) if such products are marked with any restricted particulars or in a manner which is prohibited in terms of regulation 14.

(2) The Executive Officer may grant written exemption, entirely or partially, to any person on such conditions as he or she deems necessary, from the provisions of subregulation (1).

Categories and classes of processed meat products

4. (1) The categories of processed meat products are as follows:

- (a) Whole muscle processed meat products.

- (b) Comminuted processed meat products.
- (c) Reformed processed meat products.
- (d) Coated processed meat products.
- (e) Unspecified processed meat products.
- (f) Geographical Indication (GI) processed meat products.

(2) The categories whole muscle processed meat products, comminuted processed meat products and reformed processed meat products listed in subregulation (1) shall be classified as follows:

- (a) **Whole muscle processed meat products:**
 - (i) Whole muscle, cured, heat treated products.
 - (ii) Whole muscle, uncured, heat treated or partial heat treated products.
 - (iii) Whole muscle, uncured, no or partial heat treated and dried products.
 - (iv) Whole muscle, cured, no or partial heat treated products.
 - (v) Whole muscle, cured, no or partial heat and dried products.
- (b) **Comminuted processed meat products:**
 - (i) Comminuted, cured, heat treated products.
 - (ii) Comminuted, uncured, no or partial heat treated and dried products.
 - (iii) Comminuted, cured, no or partial heat treated, dried and fermented products.
 - (iv) Comminuted, uncured and heat treated products.
- (c) **Reformed processed meat products:**
 - (i) Reformed, uncured, no or partial heat treated products.
 - (ii) Reformed, cured, heat treated products.
 - (iii) Reformed cured, no or partial heat treated products.

General standards for processed meat products

5. (1) All categories and classes of processed meat products shall be prepared from ingredients that are fit for human consumption, and shall comply with the compositional standards for the category and/or class (or subclass where applicable) concerned as set out in regulation 6.

(2) The percent indicated in Tables 1, 2 and 3 in regulation 6 apply to all ingredients that form part of the meat component of the final packaged product. Any sauces, marinades, vegetables, or other similar added ingredients which form part of the final packaged product shall be excluded when verifying compliance: Provided that if such additions form part of the final packaged product, the principle of QUID (quantitative ingredient declaration) will apply to the ingredient declaration on the labelling of the final packaged product.

(3) Processed meat products may contain food additives to the extent permitted for in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), as well as other foodstuffs.

Specific compositional standards for processed meat products

6. (1) All classes of whole muscle processed meat products –
- (a) shall contain no added pork rinds;
 - (b) shall contain no added gelatin;
 - (c) shall contain no added defeathered skin;
 - (d) shall contain no mechanically recovered meat;
 - (e) may contain bone, rind, show pieces, batter or crumbs;
 - (f) may be smoked or unsmoked as well as cured or uncured; and
 - (g) shall comply with the compositional specifications as set out in Table 1.

TABLE 1

STANDARDS FOR CLASSES OF WHOLE MUSCLE PROCESSED MEAT PRODUCTS

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed and calculated)	Minimum lean meat content (%) (analysed)	Maximum fat content (%) (analysed)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7
1. Whole muscle, cured and heat treated products <i>Note:</i> <i>Pickled tongue (edible offal), although not part of the meat definition, is included in both sub-classes.</i>	Whole muscle, cured, heat treated products	90	70	50	30	Cooked silverside Country ham Edible whole muscle offal (i.e. pickled tongue) Gammon Pastrami Roast beef (cured)
	Whole muscle, dry cure, heat treated products	95	90	60	30	
2. Whole muscle, uncured and heat treated or partial heat treated products	-	90	80	60	30	Carpaccio Roast beef (uncured) Roast pork
3. Whole muscle, uncured, no or partial heat treated and dried products	Whole muscle, uncured, no or partial heat treated and air dried products	*	100	50	50	Uncured biltong
	Whole muscle, uncured, no or partial heat treated and air dried products undergoing a lengthy maturation period (minimum 21 days)	*	100	70	30	

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed and calculated)	Minimum lean meat content (%) (analysed)	Maximum fat content (%) (analysed)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7
4. Whole muscle, cured and no or partial heat treated products	Whole muscle, dry cured, no or partial heat treated products	95	90	60	30	Bacon Gammon (partial heat treated)
	Whole muscle, cured and no or partial heat treated products	90	80	30	50	Kasseler Pickled tongue (partial heat treated)
5. Whole muscle, cured, no or partial heat treated and dried products	Whole muscle, cured, no or partial heat treated and air dried products	*	100	50	50	Cured biltong Koppa Pancetta Smoked beef
	Whole muscle, dry cured, no or partial heat treated and dried products	*	100	50	50	

* No specification

- No specification for the Sub-class

- (2) (a) All classes of comminuted processed meat products shall comply with the compositional specifications as set out in Table 2.
- (b) When defeathered chicken skin is used in combination with pork rind in comminuted processed meat products, the combined percent shall not exceed the maximum percent prescribed for added defeathered chicken skin in column 9 of Table 2: Provided that the contribution of the pork rind shall be within the limit prescribed in column 7 of the said Table.

TABLE 2

STANDARDS FOR CLASSES OF COMMINUTED PROCESSED MEAT PRODUCTS

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed)	Minimum lean meat content (%) (analysed and calculated)	Maximum fat content (%) (analysed)	Maximum added pork rinds (%)	Maximum added gelatin (%)	Added defeathered chicken skin maximum (%)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7	8	9	10
1. Comminuted, cured and heat treated products	Comminuted, cured and heat treated products	60	25	15	30	15	0	40	Emulsified products: Meat Loaf Polony Russian Vienna Bockwurst Debriziners Frankfurters Rookwors Smokies Wieners
	Liver spreads, pâté and terrines <i>Note: Gelatin is only for the topping of terrines and not added to the mix. The minimum level of liver to be present in the recipe is 10%.</i>	60	20	15	40	20	5	40	The product name shall be linked to the source of the edible offal.

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed)	Minimum lean meat content (%) (analysed and calculated)	Maximum fat content (%) (analysed)	Maximum added pork rinds (%)	Maximum added gelatin (%)	Added defeathered chicken skin maximum (%)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7	8	9	10
	Products in aspic: Brawn	60	25	15	15	20	10	40	
	Product in aspic: Suetze, Other products containing cured meat pieces in aspic <i>Note:</i> <i>No minimum TME applies.</i>	*	15	*	50	20	15	40	
	Products made from blood <i>Note:</i> <i>No minimum TME applies.</i>	*	60	10	50	50	5	0	The product name shall be linked to the source of the edible offal.
2. Commi-nuted, uncured, no or partial heat treated and dried products	-	*	80	55	50	0	0	0	Biltong wheels or discs Dried wors

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed)	Minimum lean meat content (%) (analysed and calculated)	Maximum fat content (%) (analysed)	Maximum added pork rinds (%)	Maximum added gelatin (%)	Added defeathered chicken skin maximum (%)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7	8	9	10
3. Comminuted, cured, no or partial heat treated, dried and fermented products	-	90	80	30	40	10	0	10	Cabanossi Cervelat Metwurst Salami Teewurst
4. Comminuted, uncured and heat treated products <i>Note: Brawn produced from uncured meat is included and may contain no more than 10% added gelatine</i>	-	60	25	15	30	15	0	40	Blanched pork sausages Chicken viennas (uncured) Fully cooked burgers Polonies

* No specification

- No specification for the Sub-class

- (3) (a) All classes of reformed processed meat products shall –
- (i) contain no added gelatin; and
- (ii) comply with the compositional specifications as set out in Table 3.
- (b) When defeathered chicken skin is used in combination with pork rind in reformed processed meat products, the combined percent shall not exceed the maximum percent prescribed for added defeathered chicken skin in column 8 of Table 3: Provided that the contribution of the pork rind shall be within the limit prescribed in column 7 of the said Table.

TABLE 3

STANDARDS FOR CLASSES OF REFORMED PROCESSED MEAT PRODUCTS

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed)	Minimum lean meat content (%) (analysed and calculated)	Maximum fat content (%) (analysed)	Maximum added pork rinds (%)	Maximum added defeathered chicken skin (%)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7	8	9
1. Reformed, uncured and no or partial heat treated products	-	60	50	25	30	15	40	Reformed nuggets Schnitzels
2. Reformed, cured and heat treated products	Reformed, cured, heat treated products from single species	60	33	20	20	10	10	Reformed hams Reformed chicken Turkey rolls
	Reformed, cured, heat treated products from mixed species							

Class	Sub-class	Minimum total meat equivalent (%)	Minimum total meat content (%) (analysed)	Minimum lean meat content (%) (analysed and calculated)	Maximum fat content (%) (analysed)	Maximum added pork rinds (%)	Maximum added defeathered chicken skin (%)	Product name (Includes but not limited to the following examples)
1	2	3	4	5	6	7	8	9
3. Reformed, cured and no or partial heat treated products	-	60	20	10	30	5	15	Reformed bacon Reformed kasseler chops

- No specification for the Sub-class

- (4) Coated processed meat products shall –
- (a) consist of a minimum core of 50 percent of any of the products falling within the categories of whole muscle processed meat products, comminuted processed meat products, reformed processed meat products or unspecified processed meat products of which the surface has been covered with pre-dust, batter or breading (or any combination thereof); and
 - (b) have a maximum of 50 percent coating: Provided that the coating shall consist of pre-dust, batter or breading (or any combination thereof).
- (5) Unspecified processed meat products shall –
- (a)
 - (i) consist of processed meat products which are not defined in subregulations (1), (2), (3) and (4); and
 - (ii) have a minimum total meat equivalent of 60%, and the fat content (analysed) shall not exceed 30%.
 - (b) The proposed compositional standards and product name for every 'unspecified processed meat product' shall be submitted in writing to the Executive Officer for written approval prior to importing or selling such product in the Republic of South Africa.
 - (c) The Executive Officer may consult persons with specialised knowledge and experience regarding the proposed compositional standards received: Provided that –
 - (i) the secrecy provisions set out in section 9 of the Act shall be adhered to;
 - (ii) the persons consulted shall not have any direct or indirect personal interest in the product concerned; and
 - (iii) the credentials of the persons consulted may be made available to the seller, manufacturer and/or brand owner on request.
- (6) Geographical Indication (GI) processed meat products shall consist of –
- (a) the imported processed meat products listed in Annexure A which enjoy protection under the EU SADC EPA and which comply with the compositional standards registered for the GI named processed meat product concerned in the country of origin within European Union;
 - (b) any imported GI named processed meat products other than those enjoying protection under the EU SADC EPA which originate from a World Trade Organisation (WTO) member country and which comply with the compositional standards registered for the GI named processed meat product concerned in the country of origin; and
 - (c) any locally manufactured processed meat products enjoying protection as registered GIs in the Republic of South Africa which comply with the compositional standards registered for the named processed meat product concerned.

Requirements for containers and outer containers

7. (1) A container in which processed meat products are packed shall –
- (a) be made from a material that –
 - (i) is suitable for this purpose;

- (ii) will protect the contents thereof from contamination; and
 - (iii) will not impart any undesirable flavour to the contents thereof;
- (b) be so strong that it will not be damaged or deformed during normal storage, handling and transport practices;
 - (c) be intact; and
 - (d) be closed properly in a manner permitted by the nature thereof.

(2) If containers containing processed meat products are packed in outer containers, such outer containers shall –

- (a) be intact, clean, neat, suitable and strong enough; and
- (b) not impart any undesirable taste or flavour to the contents thereof.

Marking of containers and outer containers

8. (1) Each container and outer container containing processed meat products shall be clearly and legibly marked directly on the container, or on the label attached thereto, and at least in English with the following particulars:

- (a) **The appropriate product name**, as specified in regulation 9, prominently on the main panel in letters of the same type, colour and font, and on a contrasting background in a letter size of at least 3 mm in height for lower case vowels.
- (b) **The additions to the product name** where applicable, as specified in regulation 10, prominently on the main panel in letters of the same type, colour and font, and on a contrasting background in a letter size of at least 3 mm in height for lower case vowels: Provided that the difference in letter size between the smallest letter in the product name and smallest letter in the additions to the product name indication shall not exceed 2 mm.
- (c) **The name and address** of the manufacturer, packer, importer, seller or person or entity on whose behalf the product has been packed in a letter size of at least 1 mm in height.
- (d) **The date marking (i.e. "best before" or "best quality before date" or "use by" or "expiration" date)** or the **batch code** or **batch number**, for the purpose of traceability and batch identification as specified in regulation 11.
- (e) **The country of origin**, as specified in regulation 12 in a letter size of at least 1 mm in height: Provided that in the case where processed meat products originating from two or more countries are packed in an outer container, all the countries of origin shall be declared on such outer container.

(2) Notwithstanding the provisions in subregulation (1), processed meat products labelled with a scale label only shall be marked at least with the following particulars:

- (a) The information referred to in subregulation (1) (a), (b), (d) and (e) in a letter size of at least 1 mm in height.
- (b) The name and telephone number of the manufacturer, packer, importer, seller or person or entity on whose behalf the product has been packed in a letter size of at least 1 mm in height.

Indicating the appropriate product name

9. (1) The product name of a processed meat product shall –

- (a) subject to the provisions of sub-regulation (2) be –
- (i) the most appropriate name for the class, or where applicable the sub-class, concerned (refer to the examples in the last columns of Tables 1, 2 and 3); or
 - (ii) in the case of the category “unspecified processed meat products” the name and/or description approved by the Executive Officer in terms of regulation 6(5)(b).
- (b) Where necessary, the product name shall also include a description about but not limited to the style, cut, physical condition, type of treatment it has undergone, type of packing medium, etc.: Provided that the description’s sole purpose shall be to assist the consumer in making an informed decision about the product and to avoid any possible misleading or confusion about its true nature.

(2) In the case of processed meat products enjoying protection as GIs the product name shall, subject to the provisions of sub-regulation (3) be as follows:

- (a) The registered GI name listed in Annexure A for the particular processed meat product concerned in the case of processed meat products enjoying protection under the EU SADC EPA.
- (b) The GI name registered for the processed meat product concerned in the country of origin in the case of imported processed meat products originating from a World Trade Organisation (WTO) member country, excluding those countries that are members of the European Union.
- (c) The GI name registered for the processed meat product concerned in the Republic of South Africa in the case of locally manufactured products.

(3) No word or expression may be bigger than the product name unless it is –

- (a) a registered trade mark or brand name;
- (b) a word or wording used to communicate to the consumer that a particular processed meat product is new, has been produced according to a new recipe and/or is on promotion for a maximum period of 12 months (examples include: ‘new’, ‘try me I’m new’, ‘new recipe’, ‘on promotion’, ‘on sale’, etc.);
- (c) the nett mass indication as prescribed by the Legal Metrology Act, 2014 (Act No. 9 of 2014); and
- (d) a GI designation (e.g. “Protected Designation of Origin”, “Protected Geographical Indication”, etc.) and/or its corresponding acronym (e.g. “PDO”, “PGI”, etc.) used to indicate that the processed meat product concerned is a registered and protected GI in the country of origin concerned.

Additions to the product name

10. (1) If a flavouring has been added to a processed meat product in order to render a distinctive flavour thereto, the appropriate product name shall either be preceded by the expression “X Flavoured” or followed by the expression “with X Flavour” or “with X Flavouring”, where “X” indicates the name(s) of the flavouring(s) used, unless the flavourant concerned has been added with the intention to enhance the flavour of a specific meat ingredient or other added foodstuff concerned.

(2) If a foodstuff has been added to a processed meat product in order to render a distinctive taste thereto, the appropriate product name shall be followed by the expression “with X” or wording having a similar meaning, where “X” indicates the generic name(s) of the foodstuff(s) added (e.g. “Vienna with chilli”

or "Chilli Vienna", etc.); Provided that the requirements on Quantitative Ingredient Declarations (QUID), as specified in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), shall be complied with.

(3) Words communicating the intended use or purpose of the processed meat product concerned may be indicated as part of the product name, or on its own on the container (or both), e.g. 'breakfast sausage', 'frying bacon', etc.

(4) If a processed meat product has been subjected to a smoking process and/or the application of a primary smoke condensate product (i.e. a product produced by controlled pyrolysis of hardwood), the expression "smoked" or "X smoked" (where "X" indicates the word 'wood' only or the name of a specific type of wood used for smoking) shall either form part of the product name or be indicated in close proximity to the product name on the main panel of the container.

Batch identification

11. (1) For the purpose of traceability and batch identification each container containing a processed meat product shall be clearly marked with the batch code or batch number or date marking in such a way that the specific batch is easily identifiable and traceable: Provided that in the case of processed meat products presented for sale in a deli display fridge or counter as sliced, cut or whole, the "use by" date shall at least appear on each container.

- (2) (a) If a date marking appears on a container –
- (i) it shall be preceded by the appropriate wording "best before" or "best quality before date" and/or "use by", depending on the nature of the processed meat product concerned;
 - (ii) abbreviations of the preceding wording shall not be allowed, except in the case of "best before" where the abbreviation "BB" may be used;
 - (iii) the date sequence shall be "day-month-year" (i.e. "dd/mm/yyyy") when numbers only are used: Provided that in the case of imported products where an altered date sequence is used, the month shall be indicated in letters, either written out in full or abbreviated, and the year shall be written out in full; and
 - (iv) it shall not be removed or altered by any person.
- (b) If processed meat products are packed in an outer container which will during normal usage be discarded by the consumer, the date marking shall, if indicated, appear on each individual container that will be retained by the consumer until consumption.

Country of origin

12. (1) The country of origin shall be declared as follows on every container:
- (a) "Product of (name of country)" if all the main ingredients, processing and labour used to make the product are from one specific country; or
 - (b) "Produced in (name of country)", "Processed in (name of country)", "Manufactured in (name of country)", "Made in (name of country)", or wording having a similar meaning, when the product is processed in a second country which changes its nature.
- (2) The words "Packed in (name of country)" may be used in addition to the requirements of subregulation (1)(a) or (b).

Processed meat products presented for sale in a display fridge

13. When sliced, cut or whole processed meat products are displayed for sale in for example a deli display fridge or counter, the appropriate product name shall be indicated conspicuously in the immediate vicinity of each class or sub-class of processed meat product concerned.

Restricted particulars on containers and outer containers

14. (1) (a) No product name other than the name applicable to the category and the class or sub-class of processed meat product contained in a container, shall be marked on such a container: Provided that product names of other classes or sub-classes of processed meat products from the same manufacturer indicated for the sole purpose of promotion and/or comparative claims shall be allowed on the side panel or back panel of a container and shall be accompanied by wording such as but not limited to "also try these products in our range", etc.

(b) No word or expression which so nearly resembles the product name of a processed meat product that it could be misleading with regard to the composition shall be marked on the container or outer container.

(2) No registered trade mark or brand name which may possibly, directly or by implication, be misleading or create a false impression of the contents of a container or outer container containing processed meat shall appear on such a container or outer container.

(3) No word, mark, illustration, depiction or other method of expression that constitutes a misrepresentation or directly or by implication creates or may create a misleading impression regarding the quality, nature, class, origin or composition of a processed meat product shall be marked on a container or outer container thereof.

(4) No claim regarding the absence of any substance that does not normally occur in processed meat products in general, or in a specific class of processed meat product, shall be marked on the container or outer container thereof except in cases where it is allowed for in the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

(5) The words 'fresh', 'freshly', 'natural', 'nature's', 'pure', 'traditional', 'original', 'authentic', 'real', 'genuine', 'home made', 'selected', 'premium', 'finest', 'quality' or 'best', or any other words, statements, phrases, logos or expressions having a similar meaning, whether directly or by implication, shall not appear on a container or outer container containing processed meat products, unless the criteria on the use of such terms, as set out in the guidance notes compiled by the United Kingdom's Food Standards Agency, have been complied with.

(6) No claim which compares the total fat, saturated fat, cholesterol, sugar, sodium or salt, or energy value of two or more similar processed meat products by using words such as "reduced", "less than", "fewer", "light" and "lite", or words having a similar meaning, shall be made on the container or outer container thereof, unless the following conditions are complied with:

(a) The processed meat product shall be compared with a different version of the same or similar product.

(b) The processed meat product being compared shall be clearly marked on the container with the following information:

(i) A statement of the amount of difference in the energy value or relevant nutrient content, expressed as a percent.

(ii) The identity of the processed meat product to which it is being compared in close proximity to or as part of the comparative claim.

(c) The comparison shall be based on a relative difference of at least 25% in the energy value or nutrient content of an equivalent mass or volume.

- (d) The processed meat product shall be marked with the prescribed nutritional information declaration required in terms of the regulations published under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).
- (7) The provisions of this regulation shall also apply to –
- (a) particulars that are marked on a notice board displayed at or in the immediate vicinity of processed meat products that are kept or displayed for sale; and
- (b) all advertisements for processed meat products.

Obtaining a primary sample

15. (1) (a) Samples drawn from a batch for the purpose of analysis shall, depending of the capacity of the container, consist of the corresponding number of containers set out in column 2 of Table 4 below:

TABLE 4

MINIMUM SIZE OF A PRIMARY SAMPLE

Capacity of the container	Minimum size of primary sample
1	2
(i) ≤ 250 g	(i) The minimum number of containers that will result in a combined total mass of at least 250 g.
(ii) > 250 g ≤ 2 kg	(ii) The minimum number of containers that will result in a combined total mass of at least 1 kg.
(iii) > 2 kg	(iii) One container.

- (b) The number of containers so obtained shall constitute a primary sample.
- (c) Each container in the primary sample shall be placed in a plastic bag (or any other suitable outer container) that has been properly closed and sealed to ensure the product is tamper-proof.
- (d) Each sample shall be clearly and adequately labelled to ensure traceability and correct identification.
- (e) An inspector may increase the number of containers that constitute a primary sample to also provide additional samples to perform e.g. counter analysis by a different (second) laboratory, etc.

Methods of analysis

16. (1) The test samples shall be prepared in accordance with the latest version of the Association of Analytical Communities' (AOAC) methods on the preparation of test samples for meat and meat products, i.e. AOAC 983.18, or any other international recognised alternative method.

(2) The determination of the composition of processed meat products shall be done in accordance with the methods set out in Table 5 below, or any other international recognised alternative methods providing equivalent results: Provided that at all times the most recently published version of the listed methods or their alternatives shall be used:

TABLE 5
RECOMMENDED METHODS OF ANALYSIS

Parameter	Test Method	Principle	Type
Lean meat content	AOAC 928.08	Nitrogen determination, calculation	I
	ISO 937:1978 [Protein (conversion factor 6.25)]	Titrimetry, digestion Kjeldahl	II
Fat content	ISO 1443-1973 (Codex general method for processed meat and poultry products)	Gravimetry (Extraction)	I
	AOAC 960.39	Soxhlet Ether Extraction	-
Moisture content	ISO 1442:1997	Moisture determination	-
	AOAC 985.14	Moisture in Meat and Meat Product	-
Determination of calcium content for Mechanically Recovered Meat (MRM) only	PEARSON – Pearson's Chemical Analysis of Foods (8th edition), 1981 H. Egan, R.S. Kirk and R. Sawyer – Longman Scientific. Pages 27-28	Determination of calcium by atomic absorption spectrophotometry	-
	AOAC 983.19	Determination of calcium in Mechanically Separated Poultry and Beef	-

Offences and penalties

17. Any person who contravenes or fails to comply with the provisions of these regulations shall be guilty of an offence and upon conviction be liable to a fine or to imprisonment in accordance with section 11 of the Act.

ANNEXURE A

LIST OF IMPORTED GI PROCESSED MEAT PRODUCTS PROTECTED UNDER THE EU SADC EPA

Country	GI name
Austria	<ul style="list-style-type: none"> • Tiroler Speck
France	<ul style="list-style-type: none"> • Canard à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy) • Jambon de Bayonne
Germany	<ul style="list-style-type: none"> • Nürnberger Bratwürste/ Nürnberger Rostbratwürste
Italy	<ul style="list-style-type: none"> • Cotechino Modena • Mortadella Bologna • Prosciutto di Modena • Prosciutto di San Daniele • Speck Alto Adige/ Südtiroler Markenspeck/ Südtiroler Speck • Zampone Modena
Portugal	<ul style="list-style-type: none"> • Chouriça de Carne de Vinhais/ Linguiça de Vinhais • Presunto de Barrancos • Salpicão de Vinhais
Spain	<ul style="list-style-type: none"> • Dehesa de Extremadura • Guijuelo • Jamón de Huelva • Jamón de Teruel • Salchichón de Vic/ Llonganissa de Vic • Sobrasada de Mallorca • Dehesa de Extremadura

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1284

04 OCTOBER 2019

**PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000
RULES OF PROCEDURE FOR APPLICATION TO COURT IN TERMS OF THE
PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

The Rules Board for Courts of Law has under section 79 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), with the approval of the Minister of Justice and Correctional Services, made the rules in the schedule.

SCHEDULE

1. Definitions

In these rules -

- (a) any word or expression to which a meaning has been assigned in the Act shall bear the meaning so assigned; and
- (b) any word or expression to which a meaning has been assigned in the rules governing the procedures of the court in which an application in terms of these rules is brought, shall bear the meaning so assigned, and unless the context otherwise indicates -

“Act” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000);

“High Court Rules” means the Rules Regulating the Conduct of the Proceedings of the Several Provincial and Local Divisions of the High Court of South Africa;

“Magistrates’ Courts Rules” means the Rules Regulating the Conduct of the Proceedings of the Magistrates’ Courts of South Africa.

2. Procedure in an application to court in terms of the Act

(1) The procedure prescribed in these rules must be followed in all applications contemplated in section 78 of the Act.

(2) Save as otherwise provided for in these rules, the rules governing the procedures in the court to which an application contemplated in section 78 of the Act is brought shall apply.

(3) An application contemplated in section 78 of the Act must be brought within 180 days from the date of the applicable event in sections 78(2) and (3): Provided that the court may condone non-compliance with the 180 day period within which to bring such application, where the interests of justice so require.

3. Applications

(1) An application contemplated in section 78 of the Act must be -

(a) brought in accordance with, and be governed by –

- (i) rule 6 of the High Court Rules, when brought in the High Court; or
- (ii) rule 55 of the Magistrates' Courts Rules, when brought in a Magistrate's Court; and

(b) served on –

- (i) the information officer of a public body; or
 - (ii) the head of a private body, as the case may be,
- and on the requester and any known third parties, where applicable.

(2) The affidavit in support of an application contemplated in section 78 must state whether the internal appeal procedure contemplated in section 74 of the Act is applicable.

(3) If the internal appeal procedure contemplated in section 74 of the Act is applicable, the affidavit must –

- (a) state whether such internal appeal procedure has been exhausted; and
- (b) provide particulars of the manner in which and date upon which the internal appeal procedure was exhausted and, if not, the reasons for failing to exhaust such procedure.

(4) Upon receipt of the application the information officer of a public body or head of a private body must provide a copy of the application, under cover of a written notice, to all other parties affected by the application who have not been cited therein.

4. Ex Parte Representations

(1) Unless directed otherwise by the court *ex parte* representations contemplated in section 80(3)(a) of the Act must be made under oath or affirmation of the truth thereof in writing, and where applicable, supported by documentary proof.

(2) The court receiving the representations referred to in subrule (1) may order that appropriate steps be taken to bring the representations to the attention of the other parties to the application.

5. Repeal of rules

The Promotion of Access to Information Rules published under Government Notice No. R. 965 of 9 October 2009 are hereby repealed.

6. Short title

These rules shall be called the Promotion of Access to Information Rules.

7. Commencement

These rules come into operation on **4 November 2019**.

I-PROMOTION OF ACCESS TO INFORMATION ACT 2 KA-2000**IMIGAQO EMAKUQHUTYWE NGAYO XA KUSENZIWA ISICELO ENKUNDLENI
NGOKWE-PROMOTION OF ACCESS TO INFORMATION ACT 2 KA-2000**

Ngokugunyazwa sisiqendu 79 se*Promotion of Access to Information Act 2 ka-2000*, nangemvume yoMphathiswa Wobulungisa Nophuhliso LoMgaqo-siseko, iBhodi Yemigaqo Yeenkundla Zomthetho iqulunqe le migaqo ekwiSihlomelelo.

ISIHLOMELO**1. Ukuchazwa kwamagama**

Kule migaqo—

(a) naliphi na igama okanye ibinzana elinikwe intsingiselo kulo Mthetho liza kuba naloo ntsingiselo elinikwe yona; kwaye

(b) naliphi na igama okanye ibinzana elinikwe intsingiselo kwimigaqo elawula indlela emakuqhutywe ngayo enkundleni kuze kwenziwe isicelo ngokwale migaqo, liza kuba naloo ntsingiselo elinikwe yona, kuze kuthi ke ngaphandle kokuba okunye okubhaliweyo kubonisa ngenye indlela—

“**uMthetho**” kube yi*Promotion of Access to Information Act 2 ka-2000*);

“**iMigaqo YeNkundla Ephakamileyo**” yiMigaqo Elawula Ukuqhutywa Kwamatyala KumaCandelo Aliqela Amaphondo EeNkundla Eziphakamileyo;

“**iMigaqo YeeNkundla ZeeMantyi**” yiMigaqo Elawula Ukuqhutywa Kwamatyala KwiiNkundla ZeeMantyi ZoMzantsi-Afrika.

2. Indlela emakuqhutywe ngayo xa kusenziwa isicelo ngokwalo Mthetho

(1) Indlela emakuqhutywe ngayo exelwe kule migaqo mayilandelwe kuzo zonke izicelo ezixelwe kwisiqendu 78 salo Mthetho.

(2) Ngaphandle kokuba kuyalelwe ngenye indlela kule migaqo, kuza kusebenza imigaqo elawula ukuqhutywa kwamatyala ekwenziwa kuwo isicelo esixelwe kwisiqendu 78.

(3) Isicelo esixelwe kwisiqendu 78 salo Mthetho masenziwe zingekapheli iintsuku ezili-180 ukususela kumhla wesiganeko esenzekileyo ngokwisiqendu 78(2) nesesi- (3), kodwa ke inkundla inokuthi ikubethe ngoyaba ukungagcinwa komqathango weentsuku ezili-180, ukuba ukwenziwa kobulungisa kufunisa ukuba ubethwe ngoyaba.

3. Izicelo

(1) Isicelo esixelwe kwisiqendu 78 salo Mthetho—

(a) masenziwe kwaye silawulwe—

(i) nguMgaqo 6 weMigaqo Yeenkundla Eziphakamileyo, ukuba siziswa kwiNkundla Ephakamileyo; okanye

(ii) nguMgaqo 55 weMigaqo YeeNkundla ZeeMantyi, ukuba siziswa kwiNkundla yeMantyi; size

(b) sinikwe—

(i) igosa lengcombolo lequmrhu likarhulumente; okanye

(ii) intloko yequmrhu elizimeleyo,

sinikwe nomenzi-sicelo kwakunye nabanye abantu abaziwayo ukuba bakho.

(2) Inkcazelo ebhaliweyo yafungelwa ehambisana nesicelo esixelwe kwisiqendu 78 mayixele ukuba iyasebenza kusini na inkqubo yokubhena yangaphakathi exelwe kwisiqendu 74 salo Mthetho.

(3) Ukuba iyasebenza inkqubo yokubhena yangaphakathi exelwe kwisiqendu 74 salo Mthetho, inkcazelo ebhaliweyo yafungelwa—

(a) mayixele ukuba isetyenziswe yonke kusini na loo nkqubo yokubhena yangaphakathi; kwaye

(b) mayinike iinkcukacha zokuba loo nkqubo yokubhena yangaphakathi isetyenziswe yonke njani, nangawuphi umhla, kuze kuthi ukuba akwenziwanga njalo, inike izizathu zokuba ibe ayisetyenziswanga yonke.

(4) Lisakusifumana isicelo, igosa lengcombolo lequmrhu likarhulumente okanye intloko lequmrhu elizimeleyo malinike bonke abanye abachatshazelwayo sisicelo abangakhankanywanga, libanike ikopi yesicelo ehambisana nesaziso esibhaliweyo.

4. Ukuzithethelela kwizicelo ezingenamntu omakaphendule

(1) Ngaphandle kokuba kuyalelwe ngenye indlela yinkundla, ukuzithethelela kwizicelo ezingenamntu omakaphendule okuxelwe kwisiqendu 80(3)(a) salo Mthetho makwenziwe phantsi kwesifungo okanye phantsi kwesibhambathiso sokutheth' inyaniso esibhaliweyo, kuze kwiimeko ekufanelekileyo kuzo, kuxhaswe bubungqina obungamaxwebhu.

(2) Inkundla eyamkela ukuzithethelela ekuthethwe ngako kumgaqwana (1) inokuyalela ukuba kuthatyathwe amanyathelo afanelekileyo okwenza ukuba nabanye ababandakanyekileyo kwisicelo bazi ngako.

5. Ukutshitshiswa kwemigaqo

Imigaqo ye*Promotion of Access to Information* eyapapashwa kwiSihlokomiso SikaRhulumente esinguNombolo R. 965 sikaOktobha 9, 2009, iyatshitshiswa.

6. Igama layo

Le migaqo iza kubizwa ngokuba yiMigaqo ye*Promotion of Access to Information*.

7. Ukuqalisa kwayo ukusebenza

Le migaqo iqalisa ukusebenza ngo-4 Novemba 2019.

**PROMOTION OF ADMINISTRATIVE JUSTICE ACT, 2000
ADMINISTRATIVE REVIEW RULES**

The Rules Board for Courts of Law has under section 7 of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), with the approval of the Minister of Justice and Correctional Services, made the rules in the Schedule.

SCHEDULE

Definitions

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

“applicant” means a person, whether natural or juristic, who institutes proceedings for judicial review in terms of these rules;

“days” means court days;

“High Court Rules” means the Uniform Rules of the High Court;

“Magistrates’ Courts Rules” means the Rules Regulating the Conduct of Proceedings of the Magistrates’ Courts of South Africa;

“the Act” means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);

“the Promotion of Access to Information Act” means the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

Application to High Court where no record, or incomplete record, has been furnished

2. (1) An application for judicial review in terms of the Act that is instituted in the High Court, in circumstances where no record or only part of the record has been furnished, shall be brought in terms of rule 6 or 53 of the High Court Rules, at the election of the applicant, as the case may be.

(2) Where an application is brought in terms of rule 53 of the High Court Rules –

- (a) it shall, despite rule 53(1) of the High Court Rules, not be necessary when the application for judicial review is directed at a decision of a tribunal or board, to cite the chairperson of such tribunal or board as a respondent;

- (b) the record to be produced in terms of rule 53(1)(b) of the High Court Rules shall include all documents and reports, and any other material in whatever form, which were before the administrator at the time of the making of the decision in question: Provided that where any document, report or other material has already been furnished by the administrator to the applicant, whether in terms of the Promotion of Access to Information Act or otherwise, it will be sufficient for any such document, report or material to be identified by the administrator in a schedule in such a way that it is readily identifiable; and
 - (c) the application shall otherwise proceed in terms of rule 53 of the High Court Rules, with the relevant High Court Rules applying to the application to the same extent as in any application proceedings brought in terms of that rule.
- (3) Where an application has been brought in terms of rule 6 of the High Court Rules –
 - (a) the applicant shall make any portion of the record of proceedings with which it may previously have been furnished by the administrator available to every respondent who opposes the application within 10 days of receipt of a notice of opposition from such respondent, and the time allowed by rule 6 of the High Court Rules for a respondent to deliver an answering affidavit shall be reckoned from the date on which the record of proceedings is provided to such respondent; and
 - (b) the application shall otherwise proceed in terms of rule 6 of the High Court Rules, with the relevant High Court Rules applying to the application to the same extent as in any application proceedings brought in terms of that rule.

Applications to High Court where record has been furnished

3. (1) An application for judicial review in terms of the Act which is instituted in the High Court, in circumstances where the administrator has already provided the applicant with the record of the proceedings sought to be reviewed or set aside, whether in terms of the Promotion of Access to Information Act or otherwise, shall be brought in terms of rule 6 of the High Court Rules: Provided that where there is reason for the applicant to believe that the full record of proceedings may not have been provided by the administrator, the applicant may proceed in terms of rule 53 of the High Court Rules, at its election, but shall indicate in its founding affidavit why there is reason to believe that the full record has not been provided.

- (2) Where an application is brought in terms of rule 6 of the High Court Rules –
 - (a) the applicant shall make the record of proceedings with which it was previously furnished by the administrator available to every respondent who opposes the

application within 10 days of receipt of a notice of opposition from such respondent, and the time allowed by rule 6 of the High Court Rules for a respondent to deliver an answering affidavit shall be reckoned from the date on which the record of proceedings is provided to such respondent; and

(b) the application shall otherwise proceed in terms of rule 6 of the High Court Rules, with the relevant High Court Rules applying to the application to the same extent as in any application proceedings brought in terms of that rule.

(3) Where an application is brought under rule 53 of the High Court Rules in terms of the proviso to sub-rule (1), rule 2(2) shall apply to that application.

Application to Magistrates' Court

4. (1) An application for judicial review brought in terms of the Act before a Magistrates' Court having jurisdiction in terms of the Act –

(a) may be brought in accordance with the procedure set out in rule 53 of the High Court Rules or in terms of rule 55 of the Magistrates' Courts Rules if no record or an incomplete record has been furnished by the administrator; and

(b) shall be brought in terms of rule 55 of the Magistrates' Courts Rules, in the event of the record already having been furnished by the administrator: Provided that where there is reason for the applicant to believe that the full record of proceedings may not have been provided by the administrator, the applicant may proceed in accordance with the procedure set out in rule 53 of the High Court Rules, at its election, but shall indicate in its founding affidavit why there is reason to believe that the full record has not been provided.

(2) When an application is brought in accordance with the procedure set out in rule 53 of the High Court Rules, whether in terms of paragraph (a) of subrule (1) or the proviso to paragraph (b) of subrule (1) –

(a) rule 2(2)(a) and (b) shall apply;

(b) the application shall otherwise proceed in accordance with the procedure set out in rule 53 of the High Court Rules; and

(c) except to the extent indicated in paragraphs (a) and (b), the Magistrates' Courts Rules shall apply to the application to the same extent as in any application brought in the Magistrates' Court.

(3) When an application is brought in terms of rule 55 of the Magistrates' Courts Rules, whether in terms of rule 4(1)(a) or (b) –

- (a) rule 2(3)(a) shall apply, but the reference in that rule to rule 6 of the High Court Rules shall be regarded as a reference to rule 55 of the Magistrates' Courts Rules; and
- (b) the application shall otherwise proceed in terms of rule 55 of the Magistrates' Courts Rules, with the relevant Magistrates' Courts Rules applying to the application to the same extent as in any application proceedings brought in terms of that rule.

Condonation

5. Where an application for judicial review is brought in terms of rule 2, 3 or 4, a court has the same powers of condonation in respect of those rules as a court would have under the High Court Rules or the Magistrates' Courts Rules, as the case may be.

Repeal

6. The Rules of Procedure for Judicial Review of Administrative Action, promulgated by Government Notice No. R. 966 of 9 October 2009, are hereby repealed.

Title and commencement

7. These Rules are called the Administrative Review Rules, 2019, and come into operation on **4 November 2019**.

**I-PROMOTION OF ADMINISTRATIVE JUSTICE ACT KA-2000
IMIGAQO YOKUQWALASELWA NGOKUTSHA KWESIGQIBO ESENZIWEYO**

Ngokugunyazwa sisiqendu 7 se*Promotion of Administrative Action Justice Act* 3 ka-2000, nangemvume yoMphathiswa Wobulungisa Neenkonzolungiso-zimilo, iBhodi Yemigaqo Yeenkundla Zomthetho iqulunqe imigaqo ekwiSihlomelelo.

ISIHLOMELO

Ukuchazwa kwamagama

1. Kule migaqo, naliphi na igama okanye ibinzana elinikwe intsingiselo kulo Mthetho liya kuba naloo ntsingiselo, kwaye ngaphandle kokuba okunye okubhaliweyo kubonisa ngenye indlela—

“umenzi-sicelo” ngumntu, enoba ngumntu omnye okanye yinkampani, oqalis' inyathelo lomthetho lokuba kuqwalaselwe ngokutsha isigqibo esenziweyo ngokwale migaqo;

“iintsuku” ziintsuku esebenza ngazo inkundla;

“iMigaqo YeNkundla Ephakamileyo” yiMigaqo Efanayo Yokusebenza KweeNkundla Eziphakamileyo;

“iMigaqo Yokusebenza KweeNkundla zeeMantyi” yiMigaqo Elawula Ukusingathwa Kwamatyala KwiiNkundla ZeeMantyi ZoMzantsi-Afrika;

“lo Mthetho” yi*Promotion of Administrative Justice Act* 3 ka-2000;

“i*Promotion of Access to Information Act*” yi*Promotion of Access to Information Act* 2 ka-2000.

Ukwenz' isicelo kwiNkundla Ephakamileyo apho kunganikwanga rekhodi epheleleyo, okanye kunikwe irekhodi engaphelelanga

2. (1) Isicelo sokuqwalaselwa ngokutsha kwesigqibo ngokwalo Mthetho xa sifakwe kwiNkundla Ephakamileyo, kwimeko apho kungekho rekhodi inikiweyo okanye kunikwe irekhodi engaphelelanga, eso sicelo masingeniswe ngokoMgaqo 6 okanye ngokoMgaqo 53 weMigaqo YeNkundla Ephakamileyo, kukhethe umenzi-sicelo.

(2) Xa kusenziwa isicelo ngokoMgaqo 53 weMigaqo YeNkundla Ephakamileyo—

(a) kungakhathaliseki ukuba uthini na uMgaqo 53(1) weMigaqo YeNkundla Ephakamileyo, xa isicelo sokuqwalaselwa ngokutsha kwesigqibo kusesesigqibo sabachopheli-matyala okanye sebhodi, akuyi kuba yimfuneko ukumqoka kumaxwebhu usihlalo wabo bachopheli-matyala okanye waloo bhodi njengomntu omakaphendule;

(b) irekhodi emayivezwe ngokoMgaqo 53(1) weMigaqo YeeNkundla Eziphakamileyo mayiquke onke amaxwebhu neengxelo, kunye nayo nayiphi na enye ingcombolo nokuba iluhlobo luni, eyayiphambi komlawuli ngexesha lokwenziwa kweso sigqibo, kodwa ke, xa naluphi na uxwebhu okanye ingxelo okanye ingcombolo sele eyidlulisele umlawuli kumenzi-sicelo, kungakhathaliseki ukuba ukwenze oko ngokwe*Promotion of Access to Information Act* okanye ngenye indlela, kuya kuba kokwaneleyo ngolo xwebhu okanye ingxelo okanye ingcombolo ukuba yalathwe kwisihlomelo ngendlela eyenza ukuba iqondakale lula; kwaye

(c) isicelo siza kuqhubeka ngokoMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo, ize iMigaqo yeeNkundla Eziphakamileyo echaphazelekayo isebenze kweso sicelo ngendlela efanayo naleyo yesicelo esenziwa ngokwalo mgqo.

(3) Xa isicelo sisenziwa ngokoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo—

(a) umenzi-sicelo makathi nayiphi na inxalenye yerekhodi yokuqhutywa kwetyala ayinikwe ngumlawuli kwixesha elingaphambili ayenze ifumaneke kummangalelwa ngamnye osichasayo isicelo, zingekapheli iintsuku ezili-10 esifumene isaziso esivela kuloo mmangalelwa sokusichasa isicelo; liya kuthi ke ixesha elivunyelwa nguMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo lokuba ummangalelwa athumele inkcazelo ebhaliweyo yafungelwa libalwe ukususela kumhla ummangalelwa ayinikwa ngawo irekhodi yokuqhutywa kwetyala; kwaye

(b) isicelo masiqhubeke ngokoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo, ize iMigaqo YeeNkundla Eziphakamileyo echaphazelekayo isebenze kweso sicelo ngendlela efanayo naleyo yesicelo esenziwa ngokwalo mgqo.

Ukwenz' isicelo kwiNkundla Ephakamileyo xa irekhodi ikhutshiwe

3. (1) Isicelo sokuqwalaselwa ngokutsha kwesigqibo ngokwalo Mthetho esifakwa kwiNkundla Ephakamileyo, kwimeko apo umlawuli sele emnikile umenzi-sicelo irekhodi yokuqhutywa kwetyala afuna ukuba iqwalaselwe ngokutsha okanye ikhatywe, kungakhathaliseki ukuba ufuna kwenziwe oko ngokwe*Promotion of Access*

to *Information Act* okanye ngenye indlela, masenziwe ngokoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo, kodwa ke, xa umenzi-sicelo enesizathu sokukholelwa ukuba kunokwenzeka ukuba umlawuli akayikhuphanga irekhodi epheleleyo yokuqhutywa kwetyala, umenzi-sicelo unokuthi aqhubeke ngokoMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo, ukuba ufuna ngolo hlobo, kodwa makaxele kwinkcazelo yakhe yokuqala ebhaliweyo yafungelwa ukuba kungani ekholelwa ukuba ayikhutshwanga irekhodi epheleleyo.

- (2) Xa isicelo sisenziwa ngokoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo—
- (a) umenzi-sicelo makathi irekhodi yokuqhutywa kwetyala ayinikwe ngumlawuli kwixesha elingaphambili ayenze ifumaneke kummangalelwa ngamnye osichasayo isicelo, zingekapheli iintsuku ezili-10 esifumene isaziso esivela kuloo mmangalelwa sokusichasa isicelo; liya kuthi ke ixesha elivunyelwa nguMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo lokuba ummangalelwa athumele inkcazelo ebhaliweyo yafungelwa libalwe ukususela kumhla ummangalelwa ayinikwa ngawo irekhodi yokuqhutywa kwetyala; kwaye
 - (b) isicelo masiqhubeke ngokoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo, ize iMigaqo YeeNkundla Eziphakamileyo echaphazelekayo isebenze kweso sicelo ngendlela efanayo naleyo yesicelo esenziwa ngokwalo mgqaqo.
- (3) Xa isicelo sisenziwa ngokoMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo ngokomqathango okumgaqwana (1), kuya kusebenza uMgaqo 2(2) kweso sicelo.

Isicelo esiya kwiNkundla yeMantyi

4. (1) Isicelo sokuqwalaselwa ngokutsha kwesigqibo esenziwe ngokwalo Mthetho phambi kweNkundla yeMantyi enegunya lokusichophela ngokwalo Mthetho—
- (a) sinokwenziwa ngokwenkqubo echazwe kuMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo okanye ngokoMgaqo 55 weMigaqo YeeNkundla ZeeMantyi ukuba akukhutshwa rekhodi ngumlawuli okanye ukhuphe irekhodi engaphelilanga; kwaye
 - (b) masenziwe ngokoMgaqo 55 weMigaqo YeeNkundla ZeeMantyi, ukuba irekhodi sele ikhutshiwe ngumlawuli, kodwa ke, xa umenzi-sicelo enesizathu sokukholelwa ukuba kunokwenzeka ukuba irekhodi epheleleyo yokuqhutywa kwetyala ayikhutshwanga ngumlawuli, umenzi-sicelo unokuthi aqhubeke ngokwenkqubo exelwe kuMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo, xa efuna ngolo hlobo, kodwa makaxele kwinkcazelo yakhe ebhaliweyo yafungelwa eyeyokuqala isizathu sokukholelwa ukuba ayikhutshwanga irekhodi epheleleyo.

(2) Xa isicelo sisenziwa ngokwenkqubo exelwe kumGaqo 53 weMigaqo YeeNkundla Eziphakamileyo, enoba kungokwesiqendu (a) somgaqwana (1) okanye ngokomqathango wesiqendu (b) somgaqwana (1) —

(a) kuza kusebenza uMgaqo 2(2)(a) no-(b);

(b) isicelo siza kuqhubeka ngokwenkqubo exelwe kuMgaqo 53 weMigaqo YeeNkundla Eziphakamileyo; kwaye

(c) ngaphandle koko kuxelwe kwisiqendu (a) no-(b), iMigaqo YeeNkundla ZeeMantyi iza kusebenza kwisicelo ngokufanayo nakwesinye isicelo esenziwa kwiNkundla yeMantyi.

(3) Xa isicelo sisenziwa ngokoMgaqo 55 weMigaqo YeeNkundla ZeeMantyi, kungakhathaliseki ukuba senziwa ngokoMgaqo 4(1)(a) okanye (b)—

(a) kuza kusebenza uMgaqo 2(3), kodwa kuloo mgaqo xa kuthethwa ngoMgaqo 6 weMigaqo YeeNkundla Eziphakamileyo kuza kuthathwa ngokuthi kuthethwa ngoMgaqo 55 weMigaqo YeeNkundla ZeeMantyi; kwaye

(b) isicelo siza kuqhubeka ngokoMgaqo 55 weMigaqo YeeNkundla ZeeMantyi, kusebenze iMigaqo YeeNkundla ZeeMantyi echaphazelekayo njengakuso nasiphi na esinye isicelo esenziwe ngokwaloo mgaqo.

Ukukubetha ngoyaba ukungagcinwa kwemigaqo

5. Xa isicelo sokuqwalaselwa ngokutsha kwesigqibo sisenziwa ngokoMgaqo 2, 3 okanye 4, inkundla inamagunya okukubetha ngoyaba ukungagcinwa kwemigaqo ngendlela ebiya kuba nawo loo magunya ngokweMigaqo YeeNkundla Eziphakamileyo okanye ngokweMigaqo YeeNkundla ZeeMantyi.

Ukutshitshiswa kwemigaqo

6. Imigaqo Yokuqwalaselwa Ngokutsha Kwesigqibo eyayipapashwe kwiSihlokomiso SikaRhulumente esinguNombolo R. 966 sikaOktobha 9, 2009, iyatshitshiswa.

Igama layo nokuqalisa kwayo ukusebenza

7. Le Migaqo ibizwa ngokuba yiMigaqo Yokuqwalaselwa Ngokutsha Kwesigqibo ka-2019, kwaye iqalisa ukusebenza ngomhla ka-4 Novemba 2019.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1285

04 OCTOBER 2019

AMENDMENT OF REGULATIONS RELATING TO ASSISTANCE TO VICTIMS IN RESPECT OF HIGHER EDUCATION AND TRAINING: PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995

The President has, under section 27(2) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), made the Regulations in the Schedule.

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the Regulations published by Government Notice No. R. 852 of 3 November 2014 as amended by Government Notices No. R. 691 of 18 July 2017 and No. R 1373 of 14 December 2018.

Amendment of regulation 2 of the Regulations

2. Regulation 2 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) Assistance to a victim or a relative or dependant of a victim may only be provided in respect of higher education and training offered at a public higher education and training institution."

Amendment of regulation 5 of the Regulations

3. Regulation 5 of the Regulations is hereby amended by—

(a) the deletion of the word "maximum" before the word "transport" in subregulation (1)(b); and

- (b) the deletion of paragraph (a) of subregulation (3).

Amendment of regulation 6 of the Regulations

4. Regulation 6 of the Regulations is hereby amended by—

- (a) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

“(c) payment of a transport allowance of R8 816,00 per annum; and;”;

- (b) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

“(d) payment of an allowance of R4 407,00 per annum for the purchasing of textbooks.”; and

- (c) the deletion of subregulation (3).

Amendment of regulation 7 of the Regulations

5. Regulation 7 of the Regulations is hereby amended by—

- (a) the substitution for paragraph (c) of subregulation (1) of the following paragraph:

“(c) payment of a transport allowance of R7 347,00 per annum; and;”;

- (b) the substitution for paragraph (d) of subregulation (1) of the following paragraph:

“(d) payment of an allowance of R7 347,00 per annum for the purchasing of textbooks.”; and

- (c) the deletion of subregulation (3).

Amendment of regulation 8A of the Regulations

6. Regulation 8A of the Regulations is hereby amended by the substitution for paragraph (b)(i) of subregulation (1) of the following paragraph:

“(b)(i) payment of a once-off allowance of R8 818,00 to purchase a device;”.

Amendment of regulation 16 of the Regulations

7. Regulation 16 of the Regulations is hereby amended by—

(a) the substitution for paragraph (a) of subregulation (5) of the following paragraph:

“The administrator may make an advance payment to a beneficiary in respect of the assistance provided for in subregulation (2)(b)(vi) and (ix) before a beneficiary has incurred any expenses in this regard, if it appears to the administrator to be advisable and, if, in the case of the assistance provided for in subregulation (2)(b)(ix), the administrator is satisfied, upon submission of proof by the beneficiary, that these expenses will be incurred.”; and

(b) the substitution for the expression “text books” which appear after the word “purchase” in paragraph (c) of subregulation (5), of the expression “an assistive device”.

Amendment of regulation 17 of the Regulations

8. Regulation 17 of the Regulations is hereby amended by—

(a) the substitution for subregulation (1) of the following subregulation:

“(1) (a) The fund administrator must, for purposes of the payments to be made in terms of regulation 16, make regular advance payments to the Department.

(b) The fund administrator must make the first advance payment referred to in paragraph (a), not later than 15 January 2020.”;

(b) the deletion of subregulation (2); and

(c) the deletion of subregulation (3).

Amendment of regulation 22 of the Regulations

9. Regulation 22 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

“These Regulations apply for a period of six years, which period is calculated from 7 November 2014.”.

Insertion of regulation 22A in the Regulations

10. The following regulation is hereby inserted in the Regulations after regulation 22:

“Transitional arrangements

22A. Regulation 2(2), as amended by these Regulations, is not applicable to a beneficiary who has registered with a private higher education and training institution before the date of amendment of that regulation.”.

Commencement

11. (1) These Regulations, except regulation 9 which substitutes regulation 22(1) of the Regulations, come into operation on 1 January 2020.

(2) Regulation 9 of these Regulations comes into operation on 7 November 2019.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken “die Regulasies” die Regulasies by Goewermentskennisgewing No. R. 852 van 3 November 2014, gepubliseer, soos gewysig deur Goewermentskennisgewings No. 691 van 18 Julie 2017 en No. R 1373 van 14 Desember 2018.

Wysiging van regulasie 2 van die Regulasies

2. Regulasie 2 van die Regulasies word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Bystand aan ‘n slagoffer of ‘n familielid of afhanklike van ‘n slagoffer mag slegs verleen word ten opsigte van hoër onderwys en opleiding aangebied by ‘n openbare inrigting vir hoër onderwys en opleiding.”.

Wysiging van regulasie 5 van die Regulasies

3. Regulasie 5 van die Regulasies word hierby gewysig deur—

- (a) die skapping van die woord “maksimum” wat voor die woord “vervoertoelaag” in subregulasie (1)(b) voorkom; en
- (b) die skapping van paragraaf (a) van subregulasie (3).

Wysiging van regulasie 6 van die Regulasies

4. Regulasie 6 van die Regulasies word hierby gewysig deur—

- (a) die vervanging van paragraaf (c) van subregulasie (1) deur die volgende paragraaf:

“(c) betaling van ‘n vervoertoelaag van R8 816,00 per jaar; en;”;

- (b) die vervanging van paragraaf (d) van subregulasie (1) deur die volgende paragraaf:

“(d) betaling van ‘n toelaag van R4 407,00 per jaar vir die aankoop van handboeke.”; en

- (c) die skapping van subregulasie (3).

Wysiging van regulasie 7 van die Regulasies

5. Regulasie 7 van die Regulasies word hierby gewysig deur—

- (a) die vervanging van paragraaf (c) van subregulasie (1) deur die volgende paragraaf:

“(c) betaling van ‘n vervoertoelaag van R7 347,00 per jaar; en;”;

- (b) die vervanging van paragraaf (d) van subregulasie (1) deur die volgende paragraaf:

“(d) betaling van ‘n toelaag van R7 347,00 per jaar vir die aankoop van handboeke.”; en

(c) die skraping van subregulasie (3).

Wysiging van regulasie 8A van die Regulasies

6. Regulasie 8A van die Regulasies word hierby gewysig deur die vervanging van paragraaf (b)(i) van subregulasie (1) deur die volgende paragraaf:

“(b)(i) betaling van ‘n eenmalige toelaag van R8 818,00 vir die aankoop van ‘n toestel.”.

Wysiging van regulasie 16 van die Regulasies

7. Regulasie 16 van die Regulasies word hierby gewysig deur—

(a) die vervanging van paragraaf (a) van subregulasie (5) deur die volgende paragraaf:

“Die administrateur mag ‘n vooruitbetaling aan ‘n begunstigde maak ten opsigte van die bystand waarvoor in subregulasie (2)(b)(vi) en (ix) voorsiening gemaak word, alvorens ‘n begunstigde enige uitgawes in hierdie verband aangegaan het, indien dit vir die administrateur dienstig blyk en indien, in die geval van die bystand waarvoor in subregulasie (2)(b)(ix) voorsiening gemaak word, die administrateur by voorlegging van bewys deur die begunstigde, oortuig is dat daardie uitgawes aangegaan sal word.”; en

(b) die vervanging van die woord “handboeke”, wat na die woord “aankoop” in paragraaf (c) van subregulasie (5), voorkom, deur die woord “hulptoestel”.

Wysiging van regulasie 17 van die Regulasies

8. Regulasie 17 van die Regulasies word hierby gewysig deur—

(a) die vervanging van subregulasie (1) deur die volgende subregulasie:

“(1) (a) Die fondsadministrateur moet, vir doeleindes van die betalings wat ingevolge regulasie 16 gemaak moet word, gereelde vooruitbetalings aan die Departement maak.

(b) Die fondsadministrateur moet die eerste vooruitbetaling waarna in paragraaf (a) verwys word, nie later nie as 15 Januarie 2020 betaal.”;

(b) die skapping van subregulasie (2); en

(c) die skapping van subregulasie (3).

Wysiging van regulasie 22 van die Regulasies

9. Regulasie 22 van die Regulasies word hierby gewysig deur die vervanging van subregulasie (1) deur die volgende subregulasie:

“Hierdie Regulasies is van toepassing vir ‘n tydperk van ses jaar, bereken vanaf 7 November 2014.”.

Invoeging van regulasie 22A in die Regulasies

10. Die volgende regulasie word hierby in die Regulasies na regulasie 22 ingevoeg:

“Oorgangsmaatreels

22A. Regulasie 2(2), soos gewysig deur hierdie Regulasies, is nie van toepassing op ‘n begunstigde wat, voor die datum van die wysiging van daardie regulasie, by ‘n privaat inrigting vir hoër onderwys en opleiding geregistreer het nie.”.

Inwerkingtreding

11. (1) Hierdie Regulasies, met die uitsondering van regulasie 9 wat regulasie 22(1) van die Regulasies vervang, tree in werking op 1 Januarie 2020.

(2) Regulasie 9 van hierdie Regulasies tree in werking op 7 November 2019.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1286

04 OCTOBER 2019

**AMENDMENT OF REGULATIONS RELATING TO ASSISTANCE TO VICTIMS IN
RESPECT OF BASIC EDUCATION: PROMOTION OF NATIONAL UNITY AND
RECONCILIATION ACT, 1995**

The President has, under section 27(2) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), made the Regulations in the Schedule.

SCHEDULE

Definitions

1. In this Schedule “the Regulations” means the Regulations published by Government Notice No. R. 853 of 3 November 2014.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the substitution for the definition of “administrator” of the following definition:

“**administrator**” means an official in the Department designated by the Director-General for the purposes of dealing with applications for assistance in terms of these Regulations and matters related thereto;” and

(b) by the deletion of the definition of “National Student Financial Aid Scheme”.

Amendment of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended by the deletion of subregulations (2) and (3).

Amendment of regulation 16 of the Regulations

4. Regulation 16 of the Regulations is hereby amended by the substitution for paragraph (b) of subregulation (3) of the following paragraph:

“(b) proof of payment of the assistance in terms of the Regulations by the Department.”.

Amendment of regulation 21 of the Regulations

5. Subregulation (1) of regulation 21 of the Regulations is hereby substituted for the following subregulation:

“(1) These Regulations apply for a period of six years, calculated from 7 November 2014.”.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken “die Regulasies” die Regulasies afgekondig by Goewermentskennisgewing No. R. 853 van 3 November 2014.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

(a) deur die vervanging van die definisie van “administrateur” deur die volgende definisie:

“**administrateur**” ‘n beampte in die Departement deur die Direkteur-Generaal aangewys vir doeleindes van die hantering van aansoeke om bystand ingevolge hierdie Regulasies en aangeleenthede wat daarmee in verband staan;” en

(b) deur die skraping van die definisie van “Nasionale Skema vir Finansiële Bystand vir Studente”.

Wysiging van regulasie 3 van die Regulasies

3. Regulasie 3 van die Regulasies word hierby gewysig deur die skraping van subregulasies (2) en (3).

Wysiging van regulasie 16 van die Regulasies

4. Regulasie 16 van die Regulasies word hierby gewysig deur die vervanging van paragraaf (b) van subregulasie (3) deur die volgende paragraaf:

“(b) bewys van betaling van die bystand ingevolge die Regulasies deur die Departement.”.

Wysiging van regulasie 21 van die Regulasies

5. Subregulasie (1) van regulasie 21 van die Regulasies word hierby vervang deur die volgende subregulasie:

“(1) Hierdie Regulasies is van toepassing vir ‘n tydperk van ses jaar bereken vanaf 7 November 2014.”.

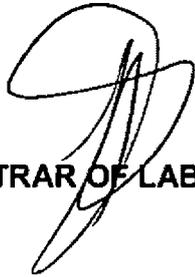
DEPARTMENT OF LABOUR

NO. R. 1287

04 OCTOBER 2019

**LABOUR RELATIONS ACT, 1995
REGISTRATION OF A TRADE UNION**

I, Lehlohonolo Daniel Molefe, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that **Blyvoor Workers Union (BWU) (LR 2/6/2/2899)** (has been registered as a trade union with effect from 17 September 2019.....

**REGISTRAR OF LABOUR RELATIONS**

DEPARTMENT OF LABOUR

NO. R. 1288

04 OCTOBER 2019

LABOUR RELATIONS ACT, 1995**CORRECTION NOTICE****BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY:
EXTENSION OF WAGE AND TASK GRADE COLLECTIVE AGREEMENT TO
NON-PARTIES**

The following correction to Government Notice No. R. 1073 appearing in *Government Gazette* No. 42637 of 16 August 2019 is hereby published for general information:

1. Please replace the published Appendix B on page 32 of the gazette with the following attached Appendix B.

CHAPTER IV: APPENDICES TO AGREEMENT

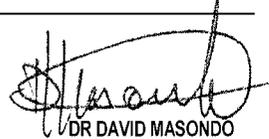
Add new jobs to the Task Grade Wage Rates Table (Appendix B)

Insert new jobs which are as follows under the respective task grades:

APPENDIX B					
Task Grade Wage Rates					
Task Grade	Occupational Group	Job Title	Hourly Rate as per promulgation date up to 31 August 2019 adjusted by 7.5%	Hourly Rate from 01 September 2019 to 31 August 2020 adjusted by 7.5%	Hourly Rate from 1 September 2020 to 31 August 2021 adjusted by 7.5% or CPI whichever is the greater
2	Rail Construction	Perway Construction Hand	35,26	37,90	40,74
	Site Support	Materials Tester Assistant			
3	Tailings	Reclamation Attendant	36,24	38,96	41,88
		Mudguard			
4	Site Support	Wedge Welder	37,59	40,41	43,44
		Materials Tester			
5	Site Support	Extrusion Welder	42,58	45,77	49,20
6	Site Support	Senior Materials Tester (Field)	48,35	51,98	55,88
		Senior Materials Tester (Lab)			
	Supervisors	Team Leader			

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1/387)**

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.


DR DAVID MASONDO
 DEPUTY MINISTER OF FINANCE

NO. R. 1289

SCHEDULE

By the deletion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.02	7312.10.20	01.08	82	Stranded wire, of iron or steel, not electrically insulated, of a diameter of 12,7 mm or more (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper or tin and that identifiable as conveyor belt cord)	301.00-399.00; 401.00-499.00	China	113,25%
215.02	7312.10.25	03.08	85	Ropes and cables, of iron or steel, not electrically insulated, of a diameter exceeding 32 mm (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper and that identifiable as conveyor belt cord), (excluding that imported from Bridon International Limited)	301.00-399.00; 401.00-499.00	United Kingdom	76,17%
215.02	7312.10.25	04.08	85	Ropes and cables, of iron or steel, not electrically insulated, of a diameter exceeding 32 mm (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper and that identifiable as conveyor belt cord), (excluding that imported from Bridon International GmbH and Pfeifer Drako)	301.00-399.00; 401.00-499.00	Germany	93%
215.02	7312.10.40	03.08	85	Ropes and cables, of iron or steel, not electrically insulated, of a diameter exceeding 32 mm (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper and that identifiable as conveyor belt cord), (excluding that imported from Bridon International Limited)	301.00-399.00; 401.00-499.00	United Kingdom	76,17%
215.02	7312.10.40	04.08	87	Ropes and cables, of iron or steel, not electrically insulated, of a diameter exceeding 32 mm (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper and that identifiable as conveyor belt cord), (excluding that imported from Bridon International GmbH and Pfeifer Drako)	301.00-399.00; 401.00-499.00	Germany	93%

By the insertion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.02	7312.10.17	01.08	86	Stranded wire, of iron or steel, not electrically insulated, of a diameter of 12,7 mm or more (excluding that of wire of stainless steel, that of wire plated, coated or clad with copper and that identifiable as conveyor belt cord)	301.00-399.00; 401.00-499.00	China	113,25%

SOUTH AFRICAN REVENUE SERVICE

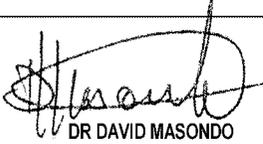
04 OCTOBER 2019

By the insertion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.02	7312.10.24	01.08	83	Ropes and cables, of iron or steel, not electrically insulated, not plated, coated or clad, of a diameter exceeding 32 mm (excluding that of wire of stainless steel and that identifiable as conveyor belt cord), (excluding that imported from Bridon International Limited)	301.00-399.00; 401.00-499.00	United Kingdom	76,17%
215.02	7312.10.24	02.08	88	Ropes and cables, of iron or steel, not electrically insulated, not plated, coated or clad, of a diameter exceeding 32 mm (excluding that of wire of stainless steel and that identifiable as conveyor belt cord), (excluding that imported from Bridon International Limited GmbH and Pfeifer Drako)	301.00-399.00; 401.00-499.00	Germany	93%
215.02	7312.10.30	01.08	84	Ropes and cables, of iron or steel, not electrically insulated, plated, coated or clad with zinc, of a diameter exceeding 32 mm (excluding that of wire of stainless steel and that identifiable as conveyor belt cord), (excluding that imported from Bridon International Limited)	301.00-399.00; 401.00-499.00	United Kingdom	76,17%
215.02	7312.10.30	02.08	89	Ropes and cables, of iron or steel, not electrically insulated, plated, coated or clad with zinc, of a diameter exceeding 32 mm (excluding that of wire of stainless steel and that identifiable as conveyor belt cord), (excluding that imported from Bridon International GmbH and Pfeifer Drako)	301.00-399.00; 401.00-499.00	Germany	93%

**DOEANE- EN AKSYNSWET, 1964
WYSIGING VAN BYLAE NO. 2 (NO. 2/1/387)**

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 2 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


DR DAVID MASONDO
ADJUNKMINISTER VAN FINANSIES

NO. R. 1289

BYLAE

Deur die skraping van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitem	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.02	7312.10.20	01.08	82	Stringdraad, van yster of staal, nie elektries geïsoleer nie, met 'n dwarsdeursnee van 12,7 mm of meer (uitgesonderd dié van draad wat geplateer, bestryk of bedek is met koper of tin en dié wat uitkenbaar is as endlosebandkoord)	301.00-399.00; 401.00-499.00	China	113,25%
215.02	7312.10.25	03.08	85	Toue en kables, van yster of staal, nie elektries geïsoleer nie, met 'n dwarsdeursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal, dié van draad wat geplateer, bestryk of bedek is met koper en dié wat uitkenbaar is as endlosebandkoord), (uitgesonderd dié ingevoer vanaf Bridon International Limited)	301.00-399.00; 401.00-499.00	Verenigde Koninkryk	76,17%
215.02	7312.10.25	04.08	85	Toue en kables, van yster of staal, nie elektries geïsoleer nie, met 'n dwarsdeursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal, dié van draad wat geplateer, bestryk of bedek is met koper en dié wat uitkenbaar is as endlosebandkoord), (uitgesonderd dié ingevoer vanaf Bridon International GmbH en Pfeifer Drako)	301.00-399.00; 401.00-499.00	Duitsland	93%
215.02	7312.10.40	03.08	85	Toue en kables, van yster of staal, nie elektries geïsoleer nie, met 'n dwarsdeursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal, dié van draad wat geplateer, bestryk of bedek is met koper en dié wat uitkenbaar is as endlosebandkoord), (uitgesonderd dié ingevoer vanaf Bridon International Limited)	301.00-399.00; 401.00-499.00	Verenigde Koninkryk	76,17%
215.02	7312.10.40	04.08	87	Toue en kables, van yster of staal, nie elektries geïsoleer nie, met 'n dwarsdeursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal, dié van draad wat geplateer, bestryk of bedek is met koper en dié wat uitkenbaar is as endlosebandkoord), (uitgesonderd dié ingevoer vanaf Bridon International GmbH en Pfeifer Drako)	301.00-399.00; 401.00-499.00	Duitsland	93%

Deur die invoeging van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitem	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.02	7312.10.17	01.08	86	Stringdraad, van yster of staal, nie elektries geïsoleer nie, met 'n deursnee van 12,7 mm of meer (uitgesonderd dié van draad van vlekvrystaal, dié van draad wat geplateer, bestryk of bedek is met koper en uitkenbaar is as endlosebandkoord)	301.00-399.00; 401.00-499.00	China	113,25%

SUID-AFRIKAANSE INKOMSTEDIENS

04 OKTOBER 2019

STAATSKOERANT, 4 OKTOBER 2019

No. 42740 63

Deur die invoeging van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitems	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.02	7312.10.24	01.08	83	Toue en kables, van yster of staal, nie elektries geïsoleer nie, nie geplateer, bestryk of bedek nie, met 'n deursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal en dié wat uitkenbaar is as endlosebandkoord), (uitgesonderd dié ingevoer vanaf Bridon International Limited)	301.00-399.00; 401.00-499.00	Verenigde Koninkryk	76,17%
215.02	7312.10.24	02.08	88	Toue en kables, van yster of staal, nie elektries geïsoleer nie, nie geplateer, bestryk of bedek nie, met 'n deursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal en dié wat uitkenbaar is as endlosebandkoord) (uitgesonderd dié ingevoer vanaf Bridon International Limited en Pfeifer Drako)	301.00-399.00; 401.00-499.00	Duitsland	93%
215.02	7312.10.30	01.08	84	Toue en kables, van yster of staal, nie elektries geïsoleer nie, wat geplateer, bestryk of bedek is met sink, met 'n deursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal en dié wat uitkenbaar is as endlosebandkoord) (uitgesonderd dié ingevoer vanaf Bridon International Limited)	301.00-399.00; 401.00-499.00	Verenigde Koninkryk	76,17%
215.02	7312.10.30	02.08	89	Toue en kables, van yster of staal, nie elektries geïsoleer nie, wat geplateer, bestryk of bedek is met sink, met 'n deursnee van meer as 32 mm (uitgesonderd dié van draad van vlekvrystaal en dié wat uitkenbaar is as endlosebandkoord) (uitgesonderd dié ingevoer vanaf Bridon International GmbH en Pfeifer Drako)	301.00-399.00; 401.00-499.00	Duitsland	93%

SOUTH AFRICAN REVENUE SERVICE

NO. R. 1290

04 OCTOBER 2019

GENERAL EXPLANATORY NOTE:

- [] Words that are between square brackets and in bold typeface, indicate deletions from the existing rules
- _____ Words that are underlined with a solid line, indicate insertions in the existing rules

CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES (DAR 188)

Under sections 38 and 120 of the Customs and Excise Act, 1964, the rules published in Government Notice R.1874 of 8 December 1995 are amended to the extent set out in the Schedule hereto.



EDWARD CHRISTIAN KIESWETTER

COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE

SCHEDULE

Amendment of rule 38.14A

Rule 38.14A of the Rules to the Customs and Excise Act, 1964 (Act No. 91 of 1964), is hereby amended –

- (a) by the insertion in paragraph (a), after the definition of “declarant”, of the following definition:
- “participating country” means a country participating in the SACU UCR implementation, namely Eswatini or Botswana, as the case may be;” and
- (b) by the substitution for paragraph (b) of the following paragraph:

- “(b) When completing a bill of entry a declarant must, in the case of –
- (i) an export from the Republic, generate and use a SACU UCR for the relevant consignment irrespective of the country of destination;
 - (ii) an import into the Republic from **[Swaziland]** a participating country, use the SACU UCR generated in **[Swaziland]** that participating country for that consignment; or
 - (iii) the transit of goods through the Republic to **[Swaziland]** a participating country –
 - (aa) generate and use a SACU UCR for that consignment; or
 - (bb) if a UCR has already been generated in any **[other]** country other than a participating country for that consignment, use that UCR; or
 - (iv) the transit of goods **[from Swaziland]** via a participating country through the Republic –
 - (aa) use the SACU UCR generated in **[Swaziland]** that participating country for that consignment; or
 - (bb) if a UCR has already been generated in any **[other]** country other than a participating country for that consignment, use that UCR.”.