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GOVERNEMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

R. 176

5 March 2021

**AGRICULTURAL PESTS ACT, 1983
(ACT No. 36 OF 1983)****Control Measures relating to Asian citrus psyllid (*Diaphorina citri*)
and
Citrus greening: Asian and American strains (*Candidatus Liberibacter
asiaticus* and *Candidatus Liberibacter americanus*)**

The Minister of Agriculture, Land Reform and Rural Development, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby prescribe the Control Measures set out in the Schedule.


AT DIDIZA**Minister of Agriculture, Land Reform and Rural Development**

SCHEDULE

Definitions

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

“authority” means any officer of the Department Agriculture, Land Reform and Rural Development in the national, provincial or local sphere of government or any person authorized by the Department Agriculture, Land Reform and Rural Development;

“executive officer” means an officer designated in terms of section 2 of the Agricultural Pests Act, 1983 (Act No.36 of 1983);

“official control” means the active enforcement of mandatory phytosanitary regulations and the application of mandatory phytosanitary procedures with the objective of eradication or containment of quarantine pests or for the management of regulated non-quarantine pests;

“phytosanitary actions” means an official operation, such as inspection, testing, surveillance or treatment, undertaken to implement phytosanitary measures;

“phytosanitary measure” means any legislation, regulation or official procedure as provided for under this regulation having the purpose to prevent the introduction or spread of quarantine pests or to limit the economic impact of regulated non-quarantine pests;

“phytosanitary procedure” means any official method for implementing phytosanitary measures including the performance of inspections, tests, surveillance or treatments in connection with regulated pests;

“phytosanitary regulation” means an official rule to prevent the introduction or spread of quarantine pests, or to limit the economic impact of regulated non-quarantine pests, including establishment of procedures for phytosanitary certification;

“plant” refers to any live or dead part of a plant and any derivation of a plant;

“quarantine area” means an area within which a quarantine pest is present and is being officially controlled;

“quarantine pest” means a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled;

“regulated article” means any plant, plant product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures;

“regulated pest” means a quarantine pest or a regulated non-quarantine pest;

“the Act” means the Agricultural Pests Act, 1983 (Act No. 36 of 1983).

Compulsory notification

2. (1) Every user of land within the Republic shall immediately notify the authority of any occurrence or suspected occurrence of regulated pests listed in Table 1.

(2) Any individual or organization or institution that has identified or recorded regulated pests listed in Table 1 to be present in a pest free area shall immediately report it to the authority.

Responsibilities of the authority

3. (1) Upon notification of the occurrence or suspected occurrence of regulated pests listed in Table 1, the authority shall immediately within 6 days take the necessary phytosanitary measures and/or phytosanitary actions to identify and confirm the presence of regulated pests specified in Table 1 in an area and to prevent the spread.

(2) The authority may at any time if it deems necessary revoke and/or amend the phytosanitary measures and/or phytosanitary actions taken to manage or control regulated pests specified in Table 1.

Issuance of an official order

4. (1) The authority shall issue an official order which shall be complied with in terms of section 7 of the Act in any area infested/infected or suspected infested/infected with regulated pests specified in Table 1.

(2) Official orders may relate to:

(a) demarcate a quarantine area;

(b) destroy regulated articles listed in Table 2 that tested positive for regulated plant pathogens listed in Table 1;

(c) prohibit the movement of regulated articles listed in Table 2 from a quarantine area;

(d) treat all regulated articles listed in Table 2 occurring in the quarantine area to prevent spread of the regulated pests listed in Table 1.

(3) Official order must remain in force until the phytosanitary measures have been implemented successfully or eradication has been declared successful.

Quarantine area

5. (1) Any area infested/infected or suspected infested/infested with regulated pests specified in Table 1 will be quarantined;

(2) A quarantine area may be removed from quarantined status:

(i) after the regulated pests specified in Table 1 have been declared eradicated;

(ii) when there has been no detection of a regulated insect pest specified in Table 1 in such area for six months;

(iii) when no regulated articles specified in Table 2 infected with regulated plant pathogens specified in Table 1 have been detected for a period of at least 3 years.

Prohibition relating to the removal and the keeping of infested/infected plants

6. (1) No user of land shall remove any infested/infected or suspected infested/infested regulated article specified in Table 2 from:

(a) any quarantined area;

(b) an area where an order has been issued.

(2) No user of land shall keep or plant or cultivate any regulated article specified in Table 2 that is infected with plant pathogens specified in Table 1.

(3) No user of land shall keep or plant or cultivate any regulated article specified in Table 2 that is infested with an insect pest specified in Table 1 without effectively treating for the insect pest.

Movement of regulated articles

7. (1) No user of land shall move any regulated article as specified in Table 2 from a quarantined area to any other area within the Republic without authorisation.

(2) The movement of any regulated article as specified in Table 2 from the quarantined area may be authorised by means of a permit when the regulated article is certified by the authority to be free from the regulated pests specified in Table 1.

Destruction of regulated articles

8. (1) If the authority has established that regulated articles have been kept or cultivated, removed or conveyed contrary to the provisions of these Control Measures, the authority may-

- (a) destroy such regulated articles;
- (b) order that the user of land or owner of land destroy such regulated articles;
- (c) subject a person in question to an offence in terms of section 13 of the Act.

Responsibility of user of land or owner of land or organization or institution

9. (1) Any user of land or owner of land or organization or institution must take all reasonable measures as prescribed or specified in the relevant guidelines or action plans to manage, eradicate and control the regulated pests specified in Table 1.

Issuance of guideline or action plan

10. (1) The authority may where it deems appropriate, issue action plans or guidelines, reasonable measures or operational procedures for the implementation of these regulations and for the management, eradication and control of regulated pests specified in Table 1.

Application for a removal permit

11. (1) An application for a removal permit which may be issued by the authority under a control measure in order to exempt a user of land or owner of land or organization or institution from the prohibition or obligation contained in such control measure shall be made on a form which is obtainable from the executive officer of the Act for this purpose.

(2) Such application form shall-

- (a) be completed by the user of land or owner of land or organization or institution requiring such permit;
- (b) after having been thus completed, be submitted to the authority ;
- (c) a removal permit will be valid for 30 days.

Exemption from a prohibition

12. (1) The authority may by means of a removal permit, exempt a user of a land from a prohibition of these control measures-

- (a) If the authority is satisfied that the necessary phytosanitary procedures and phytosanitary actions have been taken to reduce the risk of introduction and spread of regulated pests specified in Table 1;
- (b) If the authority is satisfied that the regulated article specified in Table 2 for which the removal permit is required is obtained from a mother plant grown in a structure which prevents infection or infestation by the regulated pests specified in Table 1; and
- (c) If the authority is satisfied that the regulated article listed in Table 2 is originating from a specified or demarcated area managed to be free from regulated pests specified in Table 1 and necessary phytosanitary procedures and phytosanitary actions have been taken.

TABLE 1**Regulated pests**

| Scientific name | Common name |
|---|---|
| <i>Diaphorina citri</i> | Asian citrus psyllid: insect pest |
| <i>Candidatus Liberibacter asiaticus</i> | Citrus greening (Asian strain) or Huanglongbing: plant pathogen |
| <i>Candidatus Liberibacter americanus</i> | Citrus greening (American strain): plant pathogen |

TABLE 2**Regulated articles:**

the listed host plant or parts of host plants, excluding seeds and excluding fruit without leaves

| Scientific name | Common name |
|---|-------------------------------|
| <i>Citrus</i> | All types |
| <i>Fortunella</i> | Kumquat |
| <i>Poncirus</i> | Trifoliolate |
| <i>Murraya</i> | Curry Leaf and Orange Jasmine |
| <i>Choisya</i> | Mexican Orange Blossom |
| Species and hybrids of the above genera | |

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

R. 177

5 March 2021

**PUBLICATION OF INCREASED AMOUNTS IN TERMS OF REGULATION 8(2)(a) OF
THE REGULATIONS RELATING TO ASSISTANCE TO VICTIMS IN RESPECT OF
BASIC EDUCATION: PROMOTION OF NATIONAL UNITY AND RECONCILIATION
ACT, 1995**

The accounting officer appointed by the Minister in terms of section 42(6) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), hereby publishes in terms of regulation 8(2) of the Regulations relating to Assistance to Victims in respect of Basic Education, 2014, for the purposes of the regulations mentioned in Column 1 of the Schedule hereto, the increased amounts mentioned opposite thereto in Column 2 of the Schedule, with effect from 1 January 2021.

MS K PILLAY**ACTING ACCOUNTING OFFICER**

SCHEDULE

| COLUMN 1 Regulation | COLUMN 2 Increased Amount |
|--------------------------------------|--|
| Regulation 5(1)(a) | R7 935,00 |
| Regulation 5(1)(b) | R31 738,00 |
| Regulation 5(1)(c) | R3 928,00 |
| Regulation 5(1)(d) | R4 760,00 |
| Regulation 6(1)(a) | R14 283,00 |
| Regulation 6(1)(b) | R31 738,00 |
| Regulation 6(1)(c) | R3 928,00 |
| Regulation 6(1)(d) | R4 760,00 |
| Regulation 7(1)(a) | R23 804,00 |
| Regulation 7(1)(b) | R31 738,00 |
| Regulation 7(1)(c) | R4 760,00 |
| Regulation 7(1)(d) | R5 554,00 |
| Regulation 9(1)(a) | R209 468,00 |

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

R. 177

5 Maart 2021

**PUBLIKASIE VAN VERHOOGDE BEDRAE INGEVOLGE REGULASIE 8(2)(a) VAN
DIE REGULASIES BETREFFENDE BYSTAND AAN SLAGOFFERS TEN OPSIGTE
VAN BASIESE ONDERWYS: WET OP DIE BEVORDERING VAN NASIONALE
EENHEID EN VERSOENING, 1995**

Die rekenpligtige beampte aangestel deur die Minister ingevolge artikel 42(6) van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995), publiseer hiermee ingevolge regulasie 8(2) van die Regulasies betreffende Bystand aan Slagoffers ten opsigte van Basiese Onderwys, 2014, vir doeleindes van die regulasies genoem in Kolom 1 van die Bylae, die verhoogde teenoorstaande bedrae genoem in Kolom 2 van die Bylae, met ingang van 1 Januarie 2021.

ME K PILLAY

WAARNEMENDE REKENPLIGTIGE BEAMPTE

BYLAE

| KOLOM 1 | KOLOM 2 |
|-------------------|-------------------------|
| Regulasie | Verhoogde bedrag |
| Regulasie 5(1)(a) | R7 935,00 |
| Regulasie 5(1)(b) | R31 738,00 |
| Regulasie 5(1)(c) | R3 928,00 |
| Regulasie 5(1)(d) | R4 760,00 |
| Regulasie 6(1)(a) | R14 283,00 |
| Regulasie 6(1)(b) | R31 738,00 |
| Regulasie 6(1)(c) | R3 928,00 |
| Regulasie 6(1)(d) | R4 760,00 |
| Regulasie 7(1)(a) | R23 804,00 |
| Regulasie 7(1)(b) | R31 738,00 |
| Regulasie 7(1)(c) | R4 760,00 |
| Regulasie 7(1)(d) | R5 554,00 |
| Regulasie 9(1)(a) | R209 468,00 |

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

R. 178

5 March 2021

**PUBLICATION OF INCREASED AMOUNTS IN TERMS OF REGULATION 9(2)(a) OF
THE REGULATIONS RELATING TO ASSISTANCE TO VICTIMS IN RESPECT OF
HIGHER EDUCATION AND TRAINING: PROMOTION OF NATIONAL UNITY AND
RECONCILIATION ACT, 1995**

The accounting officer appointed by the Minister in terms of section 42(6) of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), hereby publishes in terms of regulation 9(2) of the Regulations relating to Assistance to Victims in respect of Higher Education and Training, 2014, for the purposes of the Regulations mentioned in Column 1 of the Schedule hereto, the increased amounts mentioned opposite thereto in Column 2 of the Schedule, with effect from 1 January 2021.

**MS K PILLAY
ACTING ACCOUNTING OFFICER**

SCHEDULE

| COLUMN 1 Regulation | COLUMN 2 Increased Amount |
|-----------------------------|---|
| Regulation 5(1)(b) | R4 760,00 |
| Regulation 6(1)(b) | R25 389,00 |
| Regulation 6(1)(c) | R9 521,00 |
| Regulation 6(1)(d) | R4 760,00 |
| Regulation 7(1)(b) | R49 193,00 |
| Regulation 7(1)(c) | R7 935,00 |
| Regulation 7(1)(d) | R7 935,00 |
| Regulation 8(1)(c) | R2 380,00 |
| Regulation 8A(1)(a) | R2 176,00 per month R21 767,00 per annum |
| Regulation 8A(1)(b)(i) | R9 523,00 |
| Regulation 8A(1)(b)(ii) | R4 081,00 |
| Regulation 8B(6)(a) and (b) | R41 990,00 |
| Regulation 8C(1) | R55 987,00 |
| Regulation 10(1)(a) | R314 201,00 |

NOTE: In terms of Government Notice No. R. 1373 of 14 December 2018, regulation 5(1)(a), regulation 6(1)(a)(i), regulation 6(1)(a)(ii), regulation 7(1)(a), regulation 8(1)(a) and regulation 8(1)(b) have been amended to provide for payment of the actual amounts charged in respect of tuition fees.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

R. 178

5 Maart 2021

**PUBLIKASIE VAN VERHOOGDE BEDRAE INGEVOLGE REGULASIE 9(2)(a) VAN
DIE REGULASIES BETREFFENDE BYSTAND AAN SLAGOFFERS TEN OPSIGTE
VAN HOËR ONDERWYS EN OPLEIDING: WET OP DIE BEVORDERING VAN
NASIONALE EENHEID EN VERSOENING, 1995**

Die rekenpligtige beampte aangestel deur die Minister ingevolge artikel 42(6) van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995), publiseer hiermee ingevolge regulasie 9(2) van die Regulasies betreffende Bystand aan Slagoffers ten opsigte van Hoër Onderwys en Opleiding, 2014, vir doeleindes van die Regulasies genoem in Kolom 1 van die Bylae, die verhoogde teenoorstaande bedrae genoem in Kolom 2 van die Bylae, met ingang van 1 Januarie 2021.

**ME K PILLAY
WAARNEMENDE REKENPLIGTIGE BEAMPTE**

BYLAE

| KOLOM 1 Regulasie | KOLOM 2 Verhoogde bedrag |
|------------------------------------|--|
| Regulasie 5(1)(b) | R4 760,00 |
| Regulasie 6(1)(b) | R25 389,00 |
| Regulasie 6(1)(c) | R9 521,00 |
| Regulasie 6(1)(d) | R4 760,00 |
| Regulasie 7(1)(b) | R49 193,00 |
| Regulasie 7(1)(c) | R7 935,00 |
| Regulasie 7(1)(d) | R7 935,00 |
| Regulasie 8(1)(c) | R2 380,00 |
| Regulasie 8A(1)(a) | R2 176,00 per maand R21 767,00 per jaar |
| Regulasie 8A(1)(b)(i) | R9 523,00 |
| Regulasie 8A(1)(b)(ii) | R4 081,00 |
| Regulasie 8B(6)(a) en (b) | R41 990,00 |
| Regulasie 8C(1) | R55 987,00 |
| Regulasie 10(1)(a) | R314 201,00 |

NOTA: Ingevolge Goewermentskennisgewing No. R. 1373 van 14 Desember 2018 is regulasie 5(1)(a), regulasie 6(1)(a)(i), regulasie 6(1)(a)(ii), regulasie 7(1)(a), regulasie 8(1)(a) en regulasie 8(1)(b) gewysig om voorsiening te maak vir die betaling van die werklike fooie wat gehef word.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

R. 179

5 March 2021

by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996
(ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. 12 OF 2018**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. 12 of 2018, by—

- (a) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation;
- (b) the substitution for paragraph 1 of the Schedule of the following paragraph:

"1. The procurement of or contracting for goods, works or services by or on behalf of the Agency and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost effective;
- (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury;
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Agency;
- (c) conducted by or facilitated through the improper conduct of—
 - (i) officials or employees of the Agency; or
 - (ii) contractors, suppliers or service providers of the Agency

or any other person or entity, to corruptly or unduly benefit themselves or any other person or entity, and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Agency or the State in relation to the appointment of contractors, suppliers and service providers in respect of the following contract numbers:

- (aa) Contract Number: RAL/T682/2015;
- (bb) Contract Number RAL/T740/2015;
- (cc) Contract Number RAL/T694/2015;
- (dd) Contract Number RAL/T695/2015;
- (ee) Contract Number RAL/T687/2015;
- (ff) Contract Number RAL/T699/2015;
- (gg) Contract Number RAL/ACCESS CONTROL;
- (hh) Contract Number RAL/PUBLIC RELATION;
- (ii) Contract Number RAL/T652/2015;
- (jj) Contract Number RAL/T653/2015;
- (kk) Contract Number RAL/T349D/2015;
- (ll) Contract Number RAL/T646/2015;
- (mm) Contract Number RAL/T657/2015;
- (nn) Contract Number RAL/T535C/2015;
- (oo) Contract Number RAL/BERMUDA ROADS/03/2015;
- (pp) Contract Number RAL/C824/2016;
- (qq) Contract Number RAL/C816/2016;
- (rr) Contract Number RAL/C539C/2016;
- (ss) Contract Number RAL/630B/2016;
- (tt) Contract Number RAL/C638/2016;
- (uu) Contract Number RAL/C822/2016;
- (vv) Contract Number RAL/T757/2015;
- (ww) Contract Number RAL/T758/2015; and
- (xx) Contract Number RAL/2016/PR/Communications.”; and

(c) the substitution for paragraph 3 of the Schedule of the following paragraph:

“3. Maladministration in the affairs of the Agency and any losses or prejudice suffered by the Agency, or the State as a result of such maladministration in relation to the—

- (a) increase of the fees of the Chairperson of the Agency's Board; and
- (b) fees or salary payments made to Board members of the Agency's Board in respect of Board fees, contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury;
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Agency,including the causes of such maladministration and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Agency or the State.”.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 19th day of February Two thousand and twenty one.

CM Ramaphosa
President

By Order of the President-in-Cabinet:

RO Lamola
Minister of the Cabinet

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

R. 179

5 Maart 2021

VAN DIE

PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996
(WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. 12 VAN 2018**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. 12 van 2018 deur—

(a) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie;

(b) die vervanging van paragraaf 1 van die Bylae met die volgende paragraaf:

"1. Die verkryging van of kontraktering vir goedere of dienste deur of namens die Agentskap en betalings wat in verband daarmee gemaak is op wyse wat—

(a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie;

(b) teenstrydig was met toepaslike—

(i) wetgewing;

(ii) handleidings, riglyne, omsendbriewe, praktyknotas of instruksies wat deur die Nasionale Tesourie of die relevante Plaaslike Tesourie uitgevaardig is;

(iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van of wat op die Agentskap van toepassing is;

(c) gedoen of gefasiliteer was deur die onbehoorlike optrede van—

(i) beamptes of werknemers van die Agentskap; of

(ii) kontrakteurs, verskaffers of diensleweraars van die Agentskap of enige ander person of entiteit, om hulself of andere op 'n korrupte of onbehoorlike wyse te bevoordeel, en verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat deur die Agentskap of die Staat aangegaan was ten opsigte van die aanstelling van kontrakteurs, verskaffers en diensleweraars ten opsigte van die volgende kontraknommers:

- (aa) Kontraknommer : RAL/T682/2015;
- (bb) Kontraknommer RAL/T740/2015;
- (cc) Kontraknommer RAL/T694/2015;
- (dd) Kontraknommer RAL/T695/2015;
- (ee) Kontraknommer RAL/T687/2015;
- (ff) Kontraknommer RAL/T699/2015;
- (gg) Kontraknommer RAL/ACCESS CONTROL;
- (hh) Kontraknommer RAL/PUBLIC RELATION;
- (ii) Kontraknommer RAL/T652/2015;
- (jj) Kontraknommer RAL/T653/2015;
- (kk) Kontraknommer RAL/T349D/2015;
- (ll) Kontrak Nommer RAL/T646/2015;
- (mm) Kontraknommer RAL/T657/2015;
- (nn) Kontraknommer RAL/T535C/2015;
- (oo) Kontraknommer RAL/BERMUDA ROADS/03/2015;
- (pp) Kontraknommer RAL/C824/2016;
- (qq) Kontraknommer RAL/C816/2016;
- (rr) Kontraknommer RAL/C539C/2016;
- (ss) Kontraknommer RAL/630B/2016;
- (tt) Kontraknommer RAL/C638/2016;
- (uu) Kontraknommer RAL/C822/2016;
- (vv) Kontraknommer RAL/T757/2015;
- (ww) Kontraknommer RAL/T758/2015; en
- (xx) Kontraknommer RAL/2016/PR/Communications.”;en

(c) die vervanging van paragraaf 3 van die Bylae met die volgende paragraaf:

“3. Wanadministrasie in die werksaamhede van die Agentskap en enige verliese of nadeel gely deur die Agentskap of die Staat as gevolg van die wanadministrasie met betrekking tot die—

- (a) verhoging van die fooie van die Voorsitter van die Agentskapsraad; en
- (b) fooie of salarisbetalings aan Raadslede van die Agentskap gemaak vir Raadsfooie, strydig met voorgeskrewe—
- (i) wetgewing;
- (ii) handleidings, riglyne, praktyksvoorskrifte, omsendbriewe of instruksies wat deur die Nasionale Tesourie of die relevante Provinsiale Tesourie uitgevaardig is;
- (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Agentskap van toepassing is, insluitend die oorsake van sodanige wanadministrasie en verwante ongemagtigde of vrugtelose en verspilde uitgawes wat deur die Agentskap of die Staat aangegaan is.”.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 19de dag van Februarie Tweeduisend-en-een-en- twintig.

CM Ramaphosa
President

Op las van die President-in-Kabinet:

RO Lamola
Minister van die Kabinet

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

R. 180

5 March 2021

by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996:
REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as “the Act”), have been made in respect of the affairs of the Mogalakwena Local Municipality situated in the Limpopo Province (hereinafter referred to as “the Municipality”);

AND WHEREAS the Municipality or the State may have suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Municipality;
- (b) improper or unlawful conduct by officials or employees of the Municipality;
- (c) unlawful appropriation or expenditure of public money or property;

- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; or
- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 April 2016 and the date of publication of this Proclamation or which took place prior to 1 April 2016 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 19th day of February Two thousand and twenty one

CM Ramaphosa
President

By Order of the President-in-Cabinet:

RO Lamola
Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for goods, works or services by or on behalf of the Municipality and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost-effective; or
- (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by, or losses suffered by, the Municipality or the State in relation to:

- (aa) Tender number: 04-2017/2018 (Bulk Masterplan: Phase 2A bulk water supply zone 1 - WF2A and WF8 infrastructure (boreholes and pipelines));
- (bb) Tender number: 05-2017/2018 (Bulk Masterplan: Phase 2A bulk water supply zone 1 - Gravity bulk connection to reservoirs);
- (cc) Tender number: 06-2017/2018 (Bulk Masterplan: Phase 2A bulk water supply zone 1 - WF2 raising mains, storage and bulk supply);
- (dd) Tender number: 25-2016/2017 (Construction of VIP toilets);
- (ee) waste removal and collection services;
- (ff) landfill services and the hiring of equipment;
- (gg) bush clearing and grass cutting services; and
- (hh) legal services.

2. The recruitment, selection and appointment of personnel of the Municipality—

- (a) in a manner that was contrary to—
 - (i) applicable legislation;
 - (ii) policies, procedures, prescripts, instructions or practices of, or applicable to, the Municipality; or
 - (iii) the applicable post structures, minimum post requirements and remuneration structures; and
- (b) for positions that they are not qualified for.

3. Any unlawful or improper conduct by—
- (a) officials or employees of the Municipality;
 - (b) contractors, suppliers or service providers of the Municipality; or
 - (c) any other person or entity,
- in relation to the allegations set out in paragraphs 1 and 2 of this Schedule.

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

R. 180

5 Maart 2021

van die
PRESIDENT van die REPUBLIEK van SUID AFRIKA

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996:
VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE
ONDERSOEKEENHEID**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as “die Wet”), gemaak is in verband met die aangeleenthede van die Mogalakwena Plaaslike Munisipaliteit geleë in die Limpopo Provinsie (hierna na verwys as “die Munisipaliteit”);

EN AANGESIEN die Munisipaliteit of die Staat verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld ten opsigte van die Munisipaliteit, vir ondersoek na die Spesiale Ondersoekeenhede ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, die opdrag van die Spesiale Ondersoekeenhede is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Munisipaliteit;

- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die Munisipaliteit;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;
- (e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (f) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Munisipaliteit; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 April 2016 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 April 2016 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Munisipaliteit of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 19de dag van Februarie Twee duisend-en-een-en- twintig

CM Ramaphosa
President

Op las van die President-in-Kabinet

RO Lamola
Minister van die Kabinet

BYLAE

1. Die aanskaffing van, of kontraktering vir goedere, werke of dienste deur of namens die Munisipaliteit en betalings ten opsigte daarvan gemaak op 'n wyse wat—

- (a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of
- (b) strydig was met toepaslike—
 - (i) wetgewing;
 - (ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of die betrokke Provinsiale Tesourie uitgevaardig is; of
 - (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat aangegaan is, of verliese wat gelyk is, deur die Munisipaliteit of Staat met betrekking tot:

- (aa) Tender nommer: 04-2017/2018 ("Bulk Masterplan: Phase 2A bulk water supply zone 1 - WF2A and WF8 infrastructure (boreholes and pipelines)");
- (bb) Tender nommer: 05-2017/2018 ("Bulk Masterplan: Phase 2A bulk water supply zone 1 - Gravity bulk connection to reservoirs");
- (cc) Tender nommer: 06-2017/2018 ("Bulk Masterplan: Phase 2A bulk water supply zone 1 - WF2 raising mains, storage and bulk supply");
- (dd) Tender nommer: 25-2016/2017 (Konstruksie van BBP toilette);
- (ee) afvalverwydering en versamelingsdienste;
- (ff) stortingsterrein dienste en die huur van toerusting;
- (gg) bosopruiming- en grassnydienste; en
- (hh) regsdiens.

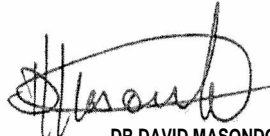
2. Die werwing, keuring en aanstelling van personeel van die Munisipaliteit—

- (a) op 'n wyse wat strydig was met—
 - (i) toepaslike wetgewing;
 - (ii) beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is; of
 - (iii) die toepaslike posstrukture, minimum posvereistes en vergoedingstrukture; en
- (b) vir posisies waarvoor hulle nie gekwalifiseer is nie.

3. Enige onwettige of onbehoorlike gedrag deur—
- (a) beamptes of werknemers van die Munisipaliteit;
 - (b) kontrakteurs, verskaffers of diensverskaffers van die Munisipaliteit; of
 - (c) enige ander person of entiteit,
- met betrekking tot die bewerings uiteengesit in paragrawe 1 en 2 van hierdie Bylae.

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1663)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.


DR DAVID MASONDO
 DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution of the following:

| Heading / Subheading | CD | Article Description | Statistical Unit | Rate of Duty | | | | | |
|-------------------------|----|--|---------------------|--------------|------------|------------|------------|------------|------------|
| | | | | General | EU | EFTA | SADC | MERCOSUR | AfCFTA |
| 1701.12 | 2 | -- Beet sugar | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.13 | 9 | -- Cane sugar specified in Subheading Note 2 to this Chapter | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.14 | 5 | -- Other cane sugar | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.91 | 2 | -- Containing added flavouring or colouring matter | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.99 | 3 | -- Other | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |

R. 181

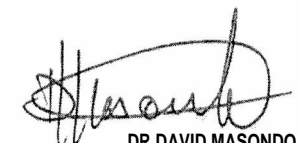
5 March 2021

SOUTH AFRICAN REVENUE SERVICE

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1663)**

R. 181

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


DR DAVID MASONDO
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende:

| Pos / Subpos | TS | Artikel Beskrywing | Statistiese Eenheid | Skaal van Reg | | | | | |
|-----------------|----|--|------------------------|---------------|------------|------------|------------|------------|------------|
| | | | | Algemeen | EU | EFTA | SAOG | MERCOSUR | AfCFTA |
| 1701.12 | 2 | -- Beetsuiker | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.13 | 9 | -- Rietsuiker in Subposopmerking 2 by hierdie Hoofstuk vermeld | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.14 | 5 | -- Ander rietsuiker | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.91 | 2 | -- Wat bygevoegde geursel of kleursel bevat | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |
| 1701.99 | 3 | -- Ander | kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg | 414,85c/kg |

SUID-AFRIKAANSE INKOMSTEDIENS

STAATSKOERANT, 5 MAART 2021

5 March 2021

No. 44230 43

DEPARTMENT OF TRANSPORT

R. 182

5 March 2021

CIVIL AVIATION REGULATIONS, 2011

The Minister of Transport intends, in terms of section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009) and on the recommendation of the Civil Aviation Regulations Committee (CARCom), to amend the Civil Aviation Regulations, 2011, by the amendment of the following Parts set out in Schedules below:

| | | | |
|-------------|------|----------|---|
| Schedule 1: | Part | 1 and 43 | General maintenance rules |
| Schedule 2: | Part | 67 | Medical Certification |
| Schedule 3: | Part | 93 | Routes and areas of operation and aerodrome facilities for aeroplanes |
| Schedule 4: | Part | 121 | Flight Tracking |
| Schedule 5: | Part | 135 | Routes and areas of operation and aerodrome facilities for aeroplanes |

The Director of Civil Aviation intends, in terms of section 163 of the Civil Aviation Act and on Recommendation of CARCom, to amend the Technical Standards by the amendment of the Following parts set out in the Schedules below:

| | | | |
|-------------|---------|-----|-----------------------|
| Schedule 6: | SA CATS | 61 | Insertion of Appendix |
| Schedule 7: | SA CATS | 91 | Signals |
| Schedule 8: | SA CATS | 121 | Flight Tracking |
| Schedule 9: | SA CATS | 135 | Flight Tracking |

Electronic copies of the draft Amendments are available in the South African Civil Aviation Authority website at www.caa.co.za and may also be requested from Zama Madonsela at MadonselaZ@caa.co.za

Interested persons are hereby invited to submit written comments on these draft amendments on or before the **05 April 2021** to the Chairperson: CARCom, for the attention of.

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1685
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Tel: 011 545 - 1095