



## JUTA'S WEEKLY STATUTES BULLETIN

*(Bulletin 39 of 2016, based on Gazettes received during the week 23 to 30 September 2016)*

### JUTA'S WEEKLY E-MAIL SERVICE

ISSN 1022 - 6397

#### ACT

**IMMIGRATION AMENDMENT ACT 8 OF 2016** (GG 40302 of 27 September 2016)<sup>1</sup>

*Date of commencement:* to be proclaimed

*Amends* ss. 32 and 50 of the Immigration Act 13 of 2002

#### PROCLAMATIONS AND NOTICES

##### **Companies and Intellectual Property Commission (CIPC):**

Notice of closure of offices from 10:00 on Friday 23 December 2016 to Monday 2 January 2017 published (GN 1194 in GG 40312 of 30 September 2016) (p164)

##### **Department of Mineral Resources:**

Mine Health and Safety Inspectorate: Guideline for the Compilation of a Mandatory Code of Practice for Prevention of Fires at Mines published with effect from 28 February 2017 (GN R1199 in GG 40313 of 30 September 2016) (p25)

##### **Statistics South Africa:**

Consumer Price Index, Rate (Base Dec 2012 = 100): August 2016: 5,9 published (GenN 628 in GG 40312 of 30 September 2016) (p209)

##### **MERCHANDISE MARKS ACT 17 OF 1941**

Proposed prohibition of the use of the Trade Invest Africa logo published for comment (GN 1159 in GG 40306 of 28 September 2016) (p4)

##### **INCOME TAX ACT 58 OF 1962**

Regulations in terms of s. 12T (8) on the requirements for tax free investments amended with effect from 1 October 2016 (GN R1161 in GG 40308 of 28 September 2016) (p4)

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<sup>1</sup> UmTsetfoso Wekuchibiyela Kungena Nekuphuma Kuleli 8 wa 2016

**HEALTH PROFESSIONS ACT 56 OF 1974**

Lists of approved facilities for the purposes of performing community service by health professionals in the year 2017 published (GN 1164 in GG 40312 of 30 September 2016) (p28)

**SMALL CLAIMS COURTS ACT 61 OF 1984**

Establishment of small claims courts for the areas of Estcourt and Weenen and withdrawal of GN 1646 of 20 July 1990 published (GN 1182 in GG 40312 of 30 September 2016) (p106)

Establishment of small claims courts for the areas of Lichtenburg and Coligny and withdrawal of GN 1012 in GG 34811 of 9 December 2011 published (GN 1183 in GG 40312 of 30 September 2016) (p107)

Establishment of a small claims court for the area of Ezakheni published (GN 1184 in GG 40312 of 30 September 2016) (p108)

**AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990**

Standards and requirements regarding control of the export of table grapes amended with effect from seven days after publication (GenN 622 in GG 40312 of 30 September 2016) (p165)

**OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993**

Notice of direction regarding first aid training published (GN R1198 in GG 40313 of 30 September 2016) (p24)

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993**

Compensation Fund: Notice of bank accounts for the members of the public to be aware of published (GenN 626 in GG 40312 of 30 September 2016) (p206)

**MARKETING OF AGRICULTURAL PRODUCTS ACT 47 OF 1996**

Establishment of statutory measure and determination of levies on dried fruit published (GN R1195 in GG 40313 of 30 September 2016) (p11)

Establishment of statutory measure: registration of certain persons in respect of dried fruit published (GN R1196 in GG 40313 of 30 September 2016) (p15)

Establishment of statutory measure: records and returns in respect of dried fruit published (GN R1197 in GG 40313 of 30 September 2016) (p19)

Establishment of statutory measure and determination of guideline prices: levies relating to wheat and barley [winter cereal] published with effect from 1 October 2016 (GN R1204 in GG 40318 of 30 September 2016) (p4)

Establishment of statutory measure and determination of guideline prices: levies relating to wheat and barley published with effect from 1 October 2016 (GN R1205 in GG 40318 of 30 September 2016) (p14)

**EMPLOYMENT EQUITY ACT 55 OF 1998**

Draft Code of Good Practice on the Preparation, Implementation and Monitoring of Employment Equity Plans published for comment (GN 1202 in GG 40316 of 30 September 2016) (p4)

**COMPETITION ACT 89 OF 1998****Competition Commission:**

Terms of reference for market inquiry into the Liquefied Petroleum Gas (LPG) sector amended (GN 1160 in GG 40307 of 28 September 2016) (p4)

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South African Petroleum Industry Association (SAPIA): Grant of conditional exemption extended from 30 September 2016 to 31 December 2016  
(GN 1203 in *GG* 40317 of 30 September 2016) (p4)

### **PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

Descriptions submitted in terms of s. 15 (1) by:

- Free State Provincial Government: Department of Provincial Treasury  
(GN 1168 in *GG* 40312 of 30 September 2016) (p77)
- Free State Provincial Government: Office of the Premier  
(GN 1169 in *GG* 40312 of 30 September 2016) (p79)
- Free State Provincial Government: Department of Co-operative Governance and Traditional Affairs (GN 1170 in *GG* 40312 of 30 September 2016) (p81)
- Free State Provincial Government: Department of Agriculture and Rural Development (GN 1171 in *GG* 40312 of 30 September 2016) (p83)
- Free State Provincial Government: Department of Education  
(GN 1172 in *GG* 40312 of 30 September 2016) (p85)
- Free State Provincial Government: Department of Economic, Small Business Development, Tourism and Environmental Affairs  
(GN 1173 in *GG* 40312 of 30 September 2016) (p87)
- Free State Provincial Government: Department of Police, Roads and Transport  
(GN 1174 in *GG* 40312 of 30 September 2016) (p89)
- Free State Provincial Government: Department of Sport, Arts, Culture and Recreation (GN 1175 in *GG* 40312 of 30 September 2016) (p91)
- Free State Provincial Government: Department of Public Works and Infrastructure  
(GN 1176 in *GG* 40312 of 30 September 2016) (p93)
- Free State Provincial Government: Department of Human Settlements  
(GN 1177 in *GG* 40312 of 30 September 2016) (p95)
- Free State Provincial Government: Department of Health  
(GN 1178 in *GG* 40312 of 30 September 2016) (p97)
- Free State Provincial Government: Department of Social Development  
(GN 1179 in *GG* 40312 of 30 September 2016) (p100)
- Free State Provincial Government: Department of Public Works and Infrastructure  
(GN 1180 in *GG* 40312 of 30 September 2016) (p102)
- Free State Provincial Government: Department of Human Settlements  
(GN 1181 in *GG* 40312 of 30 September 2016) (p104)
- Department of Correctional Services  
(GN 1185 in *GG* 40312 of 30 September 2016) (p109)
- Limpopo Provincial Government: Department of Education  
(GN 1186 in *GG* 40312 of 30 September 2016) (p113)
- Department of Justice and Constitutional Development  
(GenN 625 in *GG* 40312 of 30 September 2016) (p202)

### **INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA ACT 13 OF 2000**

#### **Independent Communications Authority of South Africa (ICASA):**

Application by Neotel (Pty) Ltd for the transfer of control of its Individual Electronic Communications Service (I-ECS) and Individual Electronic Communications Network Service

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(I-ECNS) Licence and various Radio Frequency Spectrum licences to K2016272836 (South Africa) (Pty) Ltd (Liquid Telecom) published for comment (GenN 619 in GG 40303 of 27 September 2016) (p4)

Application for amendment of radio frequency licence by KTH Media FM (Pty) Ltd (East Coast Radio) published for comment (GenN 620 in GG 40304 of 27 September 2016) (p4)

Discussion document on Equipment Type Approval Exemption published for comment (GenN 621 in GG 40309 of 28 September 2016) (p4)

#### **PROPERTY VALUERS PROFESSION ACT 47 OF 2000**

Rules for the Property Valuers Profession, 2008, Sixth Amendment published with effect from 1 November 2016 (BN 162 in GG 40312 of 30 September 2016) (p215)

#### **NATIONAL RAILWAY SAFETY REGULATOR ACT 16 OF 2002**

Railway Safety Regulator (RSR): Notification of the publication of railway safety regulator standards published (GenN 631 in GG 40312 of 30 September 2016) (p212)

#### **LIQUOR ACT 59 OF 2003**

Final Liquor Policy Paper published (GN 1208 in GG 40321 of 30 September 2016) (p4)

#### **NATIONAL HEALTH ACT 61 OF 2003**

Proposed Regulations Relating to Artificial Fertilisation of Persons, 2016 published for comment (GN 1165 in GG 40312 of 30 September 2016) (p30)

#### **ELECTRONIC COMMUNICATIONS ACT 36 OF 2005**

Independent Communications Authority of South Africa (ICASA): Application for amendment of Radio Frequency Spectrum Licence by KTH Media FM (Pty) Ltd (East Coast Radio) published for comment (GenN 620 in GG 40304 of 27 September 2016) (p4)

#### **NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT 5 OF 2008**

Regulations relating to the payment of levy and fees with regard to compulsory specifications amended (GN R1200 in GG 40313 of 30 September 2016) (p91)

Compulsory specification for electric motor-operated hand-held tools, transportable tools and lawn and garden machinery (VC 9105) published with effect from six months after the date of publication (GN R1201 in GG 40313 of 30 September 2016) (p107)

#### **SOCIAL HOUSING ACT 16 OF 2008**

Rules relating to the Accreditation of Social Housing Institutions published (GenN 624 in GG 40312 of 30 September 2016) (p170)

#### **USE OF OFFICIAL LANGUAGES ACT 12 OF 2012**

Notice of exemption of the Development Bank of Southern Africa from establishing a language unit published (GN 1162 in GG 40312 of 30 September 2016) (p23)

Competition Tribunal of South Africa Language Policy published (GenN 623 in GG 40312 of 30 September 2016) (p166)

Draft Language Policy: Department of Transport;

#### **LEGAL METROLOGY ACT 9 OF 2014**

Regulations relating to the Tariff of Fees Charged for Services Rendered in terms of the Act by the National Regulator for Compulsory Specifications (NRCS) amended (GN in GG 40313 of 30 September 2016) (p103)

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**BILLS**

Draft Liquor Amendment Bill, 2016 published for comment  
(GN 1206 in *GG* 40319 of 30 September 2016) (p4)

Draft National Gambling Amendment Bill, 2016 published for comment  
(GN 1207 in *GG* 40320 of 30 September 2016) (p4)

**PROVINCIAL LEGISLATION****EASTERN CAPE**

Spatial Planning and Land Use Management Act 16 of 2013: Port St Johns Local Municipality: By-law on Municipal Land Use Planning published with effect from the date that the Act comes into operation in the municipal area of the Municipality  
(PN 213 in *PG* 3738 of 26 September 2016) (p11)

Spatial Planning and Land Use Management Act 16 of 2013: Umzimvubu Local Municipality: By-law on Spatial Planning and Land Use Management published  
(PN 217 in *PG* 3738 of 26 September 2016) (p101)

National Road Traffic Act 93 of 1996: Appointment of Registering Authorities published with effect from 1 June 2016 (PN 221 in *PG* 3740 of 30 September 2016) (p4)

**FREE STATE**

Local Government: Municipal Systems Act 32 of 2000: Tswelopele Local Municipality: Notice of promulgation of Standard By-laws: Building Regulations Amendment By-law as published under PN 173 in *PG* 79 of 9 December 2011; and Informal Settlements Amendment By-law as published under PN 194 in *PG* 81 of 9 December 2011 and adoption as published under *PG* 43 of 28 September 2012 published (PN 228 & 229 in *PG* 73 of 30 September 2016) (p2)

Local Government: Municipal Systems Act 32 of 2000: Tswelopele Local Municipality: General Street and Traffic Enforcement By-law published (PN 230 in *PG* 73 of 30 September 2016) (p3)

Local Government: Municipal Systems Act 32 of 2000: Tswelopele Local Municipality: Adoption of the Standard Water Restrictions By-law as published under PN 192 in *PG* 84 of 9 December 2011 published (PN 231 in *PG* 73 of 30 September 2016) (p8)

Tswelopele Local Municipality: Water Management By-laws; and Control of Street Vendors, Peddlers or Hawkers By-law, 2016 published and previous by-laws repealed  
(PNs 232 & 233 in *PG* 73 of 30 September 2016) (pp 9 & 15)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Metsimaholo Local Municipality: Credit Control and Debt Collection By-law published with effect from 1 July 2016 (PN 234 in *PG* 73 of 30 September 2016) (p20)

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Property Rates Act 6 of 2004: Metsimaholo Local Municipality: Rates By-law published with effect from 1 July 2016  
(PN 235 in *PG* 73 of 30 September 2016) (p27)

**KWAZULU-NATAL**

Local Government: Municipal Structures Act 117 of 1998: eThekweni Metropolitan Municipality: Designation of eight additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 71 in *PG* 1732 of 29 September 2016) (p11)

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Local Government: Municipal Structures Act 117 of 1998: uMngeni Local Municipality: Designation of one additional Executive Committee Member as full-time Councillor published for comment (GenN 72 in *PG* 1732 of 29 September 2016) (p12)

Local Government: Municipal Structures Act 117 of 1998: Ray Nkonyeni Local Municipality: Designation of eight additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 73 in *PG* 1732 of 29 September 2016) (p13)

Local Government: Municipal Structures Act 117 of 1998: Ulundi Local Municipality: Designation of seven additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 74 in *PG* 1732 of 29 September 2016) (p14)

Local Government: Municipal Structures Act 117 of 1998: Ugu District Municipality: Designation of five additional Executive Committee Members as full-time Councillors published for comment (GenN 75 in *PG* 1732 of 29 September 2016) (p15)

Local Government: Municipal Structures Act 117 of 1998: Alfred Duma Local Municipality: Designation of seven additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 76 in *PG* 1732 of 29 September 2016) (p16)

Local Government: Municipal Structures Act 117 of 1998: KwaDukuza Local Municipality: Designation of eight additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 77 in *PG* 1732 of 29 September 2016) (p17)

Local Government: Municipal Structures Act 117 of 1998: Newcastle Local Municipality: Designation of seven additional Executive Committee Members as well as the Chief Whip and Chairperson of the Municipal Public Accounts Committee as full-time Councillors published for comment (GenN 78 in *PG* 1732 of 29 September 2016) (p18)

Local Government: Municipal Structures Act 117 of 1998: Mandeni Local Municipality: Designation of two additional Executive Committee Members as full-time Councillors published for comment (GenN 79 in *PG* 1732 of 29 September 2016) (p19)

## **LIMPOPO**

Local Government: Municipal Structures Act 117 of 1998: Names of traditional leaders to serve in proceedings of district and local municipal councils for a period of five years (2016-2021) published (PN 111 in *PG* 2752 of 26 September 2016) (p4)

## **MPUMALANGA**

Spatial Planning and Land Use Management Act 16 of 2013: Nkomazi Local Municipality: Notice of establishment and commencement of a single Municipal Planning Tribunal (MPT) (LAN 95 in *PG* 2736 of 30 September 2016) (p34)

## **NORTH WEST**

Local Government: Municipal Systems Act 32 of 2000: City of Matlosana Local Municipality: Notice of intention to amend the draft Electricity By-Law published for comment (LAN 161 in *PG* 7695 of 27 September 2016) (p28)

North West Directorate of Entrepreneurial Development in Natural Resources Act, Repeal Act 3 of 2014 (LAN 170 in *PG* 7695 of 27 September 2016) (p61)

*Date of commencement:* 1 April 2016

*Repeals:* North West Directorate of Entrepreneurial Development in Natural Resources Utilisation Act 5 of 2003

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Constitution of the Republic of South Africa, 1996: Commission of inquiry into the traditional leadership disputes in respect of the Bakgatla ba Kgafela Community Dispute, Batlhako ba Leema and Bapo I and II Community Disputes respectively published (Proc 46 in *PG* 7696 of 27 September 2016) (p4)

**WESTERN CAPE**

Western Cape Liquor Act 4 of 2008: Invitation for nominations of persons to be appointed as the Presiding Officer of the Liquor Licensing Tribunal of the Western Cape Liquor Authority published (PN 387 in *PG* 7683 of 30 September 2016) (p1336)

Western Cape Land Use Planning Act 3 of 2014: Oudtshoorn Local Municipality: By-law on Municipal Land Use Planning published with effect from the date that the Western Cape Land Use Planning Act 3 of 2014 comes into operation in the municipal area of the Municipality (LAN 54147 in *PG* 7684 of 30 September 2016) (p2)

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