



## JUTA'S WEEKLY E-MAIL SERVICE

*(Bulletin 9 based on Gazettes received during the week dated 18 to 25 February 2011)*

### JUTA'S WEEKLY STATUTES BULLETIN

ISSN 1022 - 6397

#### PROCLAMATIONS AND NOTICES

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

Notice in terms of the licensing of the Third Generation (3G) and 1800 MHz Radio Frequency Band in South Africa published (GenN 94 in GG 34040 of 22 February 2011) (p3)

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

Consumer Price Index, Rate (Base 2 000 = 100), Rate: January 2011: 3,7 published (GenN 102 in GG 34034 of 25 February 2011) (p70)

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

Determination of the rate per kilometre in respect of motor vehicles for the purposes of s. 8 (1)(b)(ii) and (iii) published (GN 159 in GG 34047 of 25 February 2011) (p3)

##### **FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972**

Regulations relating to trans-fat foodstuffs published with effect from six months after publication (GN R127 in GG 34029 of 17 February 2011) (p3)

Authorisation of enforcement by local authority published and GN Rs 411 of 1974, 215 of 1975, 1323 of 1975, 2226 of 1978, 2371 of 1978, 2121 of 1979, 2840 of 1979, 82 of 1980, 2423 of 1980, 2601 of 1980, 2052 of 1981, 78 of 1982, 214 of 1984, 395 of 1985, 267 of 1987, 1855 of 1988 and 1129 of 1991 withdrawn (GN R128 in GG 34029 of 17 February 2011) (p7)

##### **HEALTH PROFESSIONS ACT 56 OF 1974**

Proposed rules relating to fees payable to Council published for comment (BN 32 in GG 34034 of 25 February 2011) (p71)

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

Rules, forms and particulars which shall be furnished in item 3 as published under GN 268 in GG 33085 of 20 April 2010 repealed and replaced (GN 150 in GG 34041 of 23 February 2011) (p3)

##### **LABOUR RELATIONS ACT 66 OF 1995**

MIBCO: Extension to non-parties of Auto Workers' Provident Fund collective amending agreement published (GN R132 in GG 34035 of 25 February 2011) (p16)

MIBCO: Extension to non-parties of Motor Industry Provident Fund collective amending agreement published (GN R133 in GG 34035 of 25 February 2011) (p22)

##### **SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT 74 OF 1996**

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Referral of matters to existing special investigating unit and special tribunal in respect of the affairs of the National Department of Rural Development and Land Reform published (Proc R8 in GG 34031 of 18 February 2011) (p3)

#### **BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997**

Code of Good Practice for employment and conditions of work for Expanded Public Works Programmes published and GN R64 in GG 23045 of 25 January 2002 superseded (GN 129 in GG 34032 of 18 February 2011) (p3)

#### **CORRECTIONAL SERVICES ACT 111 OF 1998**

Delegation of competency to person published (GN 135 in GG 34034 of 25 February 2011) (p7)

#### **LOCAL GOVERNMENT: MUNICIPAL ELECTORAL ACT 27 OF 2000**

Municipal Electoral Regulations amended (GN R152 in GG 34045 of 23 February 2011) (p3)

#### **SOUTH AFRICAN WEATHER SERVICE ACT 8 OF 2001**

Notice of intention to make regulations and draft regulations regarding fees for the provision of aviation meteorological services published for comment (GenN 104 in GG 34042 of 21 February 2011) (p3)

#### **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004**

Proposed prohibited activities involving specimens of certain Encephalartos species published for comment (GenN 92 in GG 34026 of 15 February 2011) (p3)

#### **CONSUMER PROTECTION ACT 68 OF 2008**

National Consumer Commission: Draft enforcement guidelines published for comment (GenN 93 in GG 34039 of 18 February 2011) (p3)

#### **TRANSPORT LAWS REPEAL ACT 10 OF 2010**

*Date of commencement:* 16 February 2011 (Proc 7 in GG 34030 of 16 February 2011)

*Repeals* Railways and Harbours Strike and Service Amendment Act 7 of 1914, Railway Construction Act 37 of 1939, Railway Construction Act 17 of 1945, Railway Expropriation Act 37 of 1955, Merchant Shipping (Certificates of Competency) Amendment Act 48 of 1957, Railway Construction Act 49 of 1957, National Roads and Transport (Co-ordination) Amendment Act 51 of 1957, Railway Construction Act 21 of 1960, National Roads and Transport (Co-ordination) Amendment Act 19 of 1962, Railway Construction Act 2 of 1964, Railways and Harbours Acts Amendment Act 54 of 1964, Railways and Harbours Acts Amendment Act 18 of 1966, Railway Construction Act 38 of 1968, Railway Purchase Act 25 of 1971, Transport (Co-ordination) Amendment Act 59 of 1971, Railway Construction Act 82 of 1971, Second Railway Construction Act 83 of 1971, Railways and Harbours Acts Amendment Act 33 of 1972, Railway Construction Act 77 of 1972, Sishen-Saldanha Bay Railway Construction Act 28 of 1973, Railways and Harbours Acts Amendment Act 47 of 1973, Railway Construction Act 71 of 1973, Railways and Harbours Acts Amendment Act 44 of 1974, National Road Safety Amendment Act 46 of 1974, Railways and Harbours Acts Amendment Act 46 of 1975, Railways and Harbours Acts Amendment Act 8 of 1976, National Road Safety Amendment Act 40 of 1976, Sishen-Saldanha Bay Railway Construction Amendment Act 72 of 1976, Saldanha Bay Harbour Acquisition and Equipment Act 99 of 1976, Railway and Harbour Purchase Act 47 of 1977, Railways and Harbours Acts Amendment Act 69 of 1977, Transport (Co-ordination) Amendment Act 73 of 1977, Railways and Harbours Acts Amendment Act 64 of 1978, Railways and Harbours Acts Amendment Act 80 of 1979, Railway Construction Act 65 of 1980, Railway Construction Act 30 of 1981, Second Railway Construction Act 61 of 1981, Railway Construction Act 7 of 1982, Second Railway Construction Act 75 of 1982, South African Transport Services Amendment Act 13 of 1983, South African Transport Services Amendment Act 5 of 1984, Second South African Transport Services Amendment Act 93 of 1984, South African Transport Services Amendment

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Act 44 of 1985, Railway Construction Act 75 of 1985, Second Railway Construction Act 94 of 1985, South African Transport Services Amendment Act 46 of 1986 and the South African Transport Amendment Act 91 of 1987 and s. 1 of the Railways and Harbours Service and Superannuation Fund Acts Amendment Act 27 of 1930, ss. 1 & 2 of the Railways and Harbours Service and Superannuation Fund Acts Amendment Act 19 of 1931, ss. 10 & 14 of the Railways and Harbours Acts Amendment Act 49 of 1949, s. 7 of the Railways and Harbours Acts Amendment Act 63 of 1951, s. 1 of the Railways and Harbours Acts Amendment Act 45 of 1952, s. 4 of the Railways and Harbours Acts Amendment Act 62 of 1962, ss. 2 (1) & (2) of the Railways and Harbours Acts Amendment Act 7 of 1963, ss. 6, 7, 8 to 10, 19, 70 to 74 & 75 of the Railways and Harbours Acts Amendment Act 6 of 1965, s. 9 of the Railways and Harbours Acts Amendment Act 8 of 1968, ss. 1, 2 & 6 of the Railways and Harbours Acts Amendment Act 32 of 1969, s. 2 of the Second Railways and Harbours Act Amendment Act 89 of 1976, ss. 6, 7, 8, 9, 10, 18, 19 & 20 of the South African Transport Services Amendment Act 6 of 1982, ss. 1, 2, 3, 4 & 5 of the Transnet Limited Amendment Act 52 of 1991 and ss. 1 and 2 of the Transport Second General Amendment Act 82 of 1995

#### **LOCAL GOVERNMENT: MUNICIPAL ELECTORAL AMENDMENT ACT 14 OF 2010<sup>i</sup>**

*Date of commencement:* 28 February 2011 (Proc R9 in GG 34049 of 25 February 2011) (p3)

*Amends* ss. 11, 14, 17, 21, 39 & 48, *substitutes* ss. 55, 64 & 65 and *inserts* s. 14A & Schedule 3 in the Local Government: Municipal Electoral Act 27 of 2000

#### **BILLS**

Appropriation Bill, 2011 [B3-2011]

Division of Revenue Bill, 2011 [B4-2011]

Extension of comment period on draft Land Tenure Security Bill, 2011, published for comment in GenN 1118 in GG 33894 of 24 December 2010 (GenN 109 in GG 34050 of 25 February 2011) (p2)

#### **PROVINCIAL LEGISLATION**

##### **EASTERN CAPE**

Eastern Cape General Law Amendment Bill, 2011 published for comment within 14 days of publication (PN 10 in PG 2524 of 23 February 2011) (p3)

##### **GAUTENG**

Unauthorised Expenditure Act 3 of 2010 <sup>ii</sup>† (PremN 2 in PG 32 of 25 February 2011)

*Date of commencement:* 25 February 2011

Gauteng Traditional Leadership and Governance Act 4 of 2010 <sup>iii</sup>‡ (PremN 3 in PG 32 of 25 February 2011)

*Date of commencement:* to be proclaimed

Provincial Adjustment Appropriation Act 5 of 2010 <sup>iv</sup>§ (PremN 4 in PG 32 of 25 February 2011)

*Date of commencement:* 25 February 2011

Hospital Ordinance 14 of 1958: Draft amendment regulations: Revision of the Uniform Patient Fee Schedule relating to Ambulances, 2011; Revision of the Uniform Patient Fee Schedule relating to Hospital Mortuary, 2011; Revision of the Uniform Patient Fee Schedule to the Classification of and Fees Payable by Patients at Provincial Hospitals, 2011; and Revision of Uniform Patient Fee Schedule relating to the Classification of and Fees payable by Patients at Provincial Hospitals (Folateng Wards), 2011 published for comment on or before 28 March 2011 (GenN 574 in PG 34 of 25 February 2011) (p3)

##### **KWAZULU-NATAL**

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Planning and Development Act 6 of 2008: uPhongolo Local Municipality: Fee structure for applications published (PN 24 in *PG* 554 of 24 February 2011) (p13)

#### **NORTHERN CAPE**

Northern Cape Traditional Leadership, Governance and Houses of Traditional Leaders Act 2 of 2007 and Northern Cape Traditional Leadership, Governance and Houses of Traditional Leaders Regulations, 2008: Calling and setting a date for the election and reconstitution of Traditional Councils: Date for election to be 1 September 2011 published (Proc 5 in *PG* 1498 of 25 February 2011) (p2)

#### **WESTERN CAPE**

George Municipality: Notice of Draft Architectural and Urban Design Guidelines for the George Municipal area published (LAN 22927 in *PG* 6849 of 25 February 2011) (p275)

Local Government: Municipal Structures Act 117 of 1998: City of Cape Town Establishment Fifth Amendment Notice with effect from the date of the next general election of municipal councils published (PN 47 in *PG* 6850 of 25 February 2011) (p2)

Local Government: Municipal Structures Act 117 of 1998: West Coast District Municipality (DC1) Establishment Sixth Amendment Notice, Matzikama Municipality (WCO11) Establishment Fifth Amendment Notice, Cederberg Municipality (WCO12) Establishment Fifth Amendment Notice, Saldanha Bay Municipality (WCO14) Establishment Fifth Amendment Notice and Swartland Municipality (WCO15) Establishment Fifth Amendment Notice with effect from the date of the next general election of municipal councils published (PNs 48-52 in *PG* 6851 of 25 February 2011) (pp 2, 7, 8, 9 & 10)

Local Government: Municipal Structures Act 117 of 1998: Cape Winelands District Municipality (DC2) Establishment Seventh Amendment Notice, Witzenberg Municipality (WCO22) Establishment Fifth Amendment Notice, Stellenbosch Municipality (WCO24) Establishment Fifth Amendment Notice, Breede Valley Municipality (WCO25) Establishment Fifth Amendment Notice and Langeberg Municipality (WCO26) Establishment Sixth Amendment Notice with effect from the date of the next general election of municipal councils published (PNs 53-57 in *PG* 6852 of 25 February 2011) (pp 2, 7, 8, 9 & 10)

Local Government: Municipal Structures Act 117 of 1998: Overberg District Municipality (DC3) Establishment Fifth Amendment Notice, Theewaterskloof Municipality (WCO31) Establishment Fifth Amendment Notice, Overstrand Municipality (WCO32) Establishment Fifth Amendment Notice, Cape Agulhas Municipality (WCO33) Establishment Fifth Amendment Notice, Swellendam Municipality (WCO34) Establishment Fifth Amendment Notice with effect from the date of the next general election of municipal councils published (PNs 58-62 in *PG* 6853 of 25 February 2011) (pp 2, 7, 8, 9 & 10)

Local Government: Municipal Structures Act 117 of 1998: Eden District Municipality (DC4) Establishment Sixth Amendment Notice, Kannaland Municipality (WCO41) Establishment Sixth Amendment Notice, Mossel Bay Municipality (WCO43) Establishment Fifth Amendment Notice, George Municipality (WCO44) Establishment Fifth Amendment Notice, Oudshoorn Municipality (WCO45) Establishment Fourth Amendment Notice, Bitou Municipality (WCO47) Establishment Sixth Amendment Notice and Knysna Municipality (WCO48) Establishment Fifth Amendment Notice with effect from the date of the next general election of municipal councils published (PNs 63-69 in *PG* 6854 of 25 February 2011) (pp 2, 7, 8, 9 & 10)

Local Government: Municipal Structures Act 117 of 1998: Central Karoo District Municipality (DC5) Fourth Establishment Amendment Notice, Laingsburg Municipality (WCO51) Establishment Sixth Amendment Notice, Prince Albert Municipality Establishment Sixth Amendment Notice and Beaufort West Municipality (WCO53) Establishment Fifth Amendment Notice with effect from the date of the next general election of municipal councils published (PNs 70-73 in *PG* 6855 of 25 February 2011) (pp 2, 6 & 7)

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<sup>i</sup>GG 33827 of 1 December 2010 withdrawn and superseded by GG 34009

<sup>ii</sup>Published in English only

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