



JUTA'S WEEKLY E-MAIL SERVICE

(Bulletin 14 of 2012, based on Gazettes received during the week dated 23 to 30 March 2012)

JUTA'S WEEKLY STATUTES BULLETIN

ISSN 1022 - 6397

ACTS

SKILLS DEVELOPMENT AMENDMENT ACT 26 OF 2011 (GG 35191 of 28 March 2012)^{*}

Date of commencement: to be determined by the Minister

Amends ss. 1, 2, 3, 5, 9, 9A, 10A, 20, 22, 26H, 32 & 36, Schedule 2A and the long title; *inserts* ss. 9B, 11A, 11B, 11C, 13A and 13B; *substitutes* ss. 11, 13 & 23 and the heading to Chapter 6; and *repeals* ss. 24, 25, 26, 26K, 26L, 26M and 26N and Schedule 4 to the Skills Development Act 97 of 1998

ADDITIONAL ADJUSTMENTS APPROPRIATION ACT (2011/12 FINANCIAL YEAR) 1 OF 2012 (GG 35184 of 26 March 2012)[†]

Date of commencement: 26 March 2012

FINANCE ACT 2 OF 2012 (GG 35185 of 27 March 2012)[‡]

Date of commencement: 27 March 2012

PROCLAMATIONS AND NOTICES

Statistics South Africa:

Consumer Price Index, Rate (Base 2 000 = 100), Rate: February 2012: 6,1 published (GenN 263 in GG 35173 of 30 March 2012) (p54)

INCOME TAX ACT 58 OF 1962

Approval of protocol amending the Agreement between the Government of the Republic of South Africa and the Government of Malaysia for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income published with effect from 6 March 2012 (GN 257 in GG 35190 of 29 March 2012) (p2)

Regulations prescribing the circumstances under which section 23K (2) of the Income Tax Act, 1962, does not apply and apply in respect of reorganisation transactions entered into on or after 31 March 2012 published (GN R255 in GG 35188 of 28 March 2012) (p3)

^{*} Umthetho Ochibiyela ukuThuthukiswa KwaMakhono, 2011

[†] Molaokoketšo wa Dipeakanyetšo tša Tekanyetšo (Ngwaga wa ditšhelete wa 2011/12), 2012

[‡] Nawu wa swa Timali, 2012

CUSTOMS AND EXCISE ACT 91 OF 1964

Amendment of rules (DAR/102) published (GN R232 in GG 35178 of 23 March 2012) (p3)

PERISHABLE PRODUCTS EXPORT CONTROL ACT 9 OF 1983

Levies on perishable products published with effect from 1 April 2012 (BN 44 in GG 35173 of 30 March 2012) (p55)

SMALL CLAIMS COURTS ACT 61 OF 1984

Establishment of small claims court for the area of Cala published (GN 249 in GG 35173 of 30 March 2012) (p35)

Establishment of small claims courts for the areas of Senekal and Marquard and withdrawal of GN 1089 of 25 August 1989 published (GN 250 in GG 35173 of 30 March 2012) (p36)

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

Explanatory Notes on the Electrical Installation Regulations, 2009 published (GenN 258 in GG 35180 of 26 March 2012) (p3)

COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

Increase of maximum amount of earnings on which the assessment of an employer shall be calculated published for comment (GenN 252 in GG 35168 of 23 March 2012) (p3)

Increase of monthly pensions published for comment (GenN 253 in GG 35168 of 23 March 2012) (p4)

Intention to amend Schedule 3 published for comment (GenN 235 in GG 35164 of 27 March 2012) (p3)

Intention to amend Schedule 4 published for comment (GenN 254 in GG 35168 of 23 March 2012) (p18)

PUBLIC SERVICE ACT, 1994 (PROCLAMATION 103 OF 1994)

Schedule 1 amended with effect from the date determined by the President by proclamation for the coming into operation of the Independent Police Investigative Directorate Act 1 of 2011[§] (Proc 22 in GG 35173 of 30 March 2012) (p7)

LABOUR RELATIONS ACT 66 OF 1995

Essential Services Committee: Investigation as to whether the services in the private health sector of emergency health services and the provision of emergency health facilities to the community or part thereof, nursing, medical and paramedical services, and the support services of catering, medical records, security, porters and reception, pharmaceutical and dispensary, medicine quality control laboratory, forensics, laundry work, clinical engineering, hospital engineering, waste removal, mortuary services, pest control should be declared essential services published for comment (GN 251 in GG 35173 of 30 March 2011) (p37)

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT 74 OF 1996

Referral of matters to existing special investigating unit and special tribunal in respect of the affairs of the Provincial Treasury, the Department of Health and Social Development, the Department of Roads and Transport, the Department of Education and the Department of Public Works of the Limpopo Province published (Proc R21 in GG 35179 of 23 March 2012) (p3)

[§] Determined to be 1 April 2012 - See Proc R3 in GG 35018 of 10 February 2012

SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED AND NATIONAL ROADS ACT 7 OF 1998

Draft South African National Roads Agency Limited and National Roads Act, Regulations, 2012 published for comment (GN R252 in GG 35182 of 27 March 2012) (p3)

SKILLS DEVELOPMENT ACT 97 OF 1998

Establishment of sector education and training authorities (SETAs) published in GN R1057 in GG 33756 of 11 November 2010 corrected (GN R230 in GG 35162 of 20 March 2012) (p2)

SOUTH AFRICA GEOGRAPHICAL NAMES COUNCIL ACT 118 OF 1998

Proposed renaming of State residences published for comment (GenN 255 in GG 35170 of 26 March 2012) (p3)

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Description submitted in terms of s. 14 by the Limpopo Department of Economic Development, Environment and Tourism published (GG 35163 of 23 March 2012) (p3)

PROPERTY VALUERS PROFESSION ACT 47 OF 2000

First Amendment to the Rules for the Property Valuers Profession published with effect from 1 April 2012 (BN 45 in GG 35173 of 30 March 2012) (p58)

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

Codes of Good Practice on Broad-Based Black Economic Empowerment: Draft agricultural sector code (AgriBEE) published for comment (GenN 251 in GG 35167 of 26 March 2012) (p3)

SOCIAL ASSISTANCE ACT 13 OF 2004

Increase in respect of social grants with effect from 1 April 2012 (GN 256 in GG 35189 of 29 March 2012) (p3)

PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORIST AND RELATED ACTIVITIES ACT 33 OF 2004

Entities identified by the United Nations Security Council published (Proc 24 in GG 35187 of 28 March 2012) (p3)

ELECTRONIC COMMUNICATIONS ACT 36 OF 2005

Registration for a class community satellite television broadcasting service licence by Mzansi Community Satellite Television published (GenN 256 in GG 35171 of 26 March 2012) (p3)

NATIONAL QUALIFICATIONS FRAMEWORK ACT 67 OF 2008

Proposed National Senior Certificate for Adults (NASCA): A qualification at Level 4 on the National Qualifications Framework (NQF) published for comment (GenN 257 in GG 35172 of 26 March 2012) (p3)

CIVIL AVIATION ACT 13 OF 2009

Date of commencement of ss. 117 to 121 and ss. 125 to 127: 29 March 2012 (Proc 23 in GG 35183 of 27 March 2012) (p3)

ABBREVIATIONS: GG (*Government Gazette*), GenN (General Notice), GN (Government Notice), BN (Board Notice), Proc (Proclamation), PG (*Provincial Gazette*), PN (Provincial Notice), PremN (Premier's Notice), ON (Official Notice), LAN (Local Authority Notice), MN (Municipal Notice)

PROVINCIAL LEGISLATION**EASTERN CAPE**

House of Traditional Leaders Act 1 of 1995: Determination of dates for community meetings and sittings of electoral colleges to nominate and elect members to the House of Traditional Leaders (Eastern Cape) published (PN 22 in *PG* 2728 of 29 March 2012) (p3)

FREE STATE

Free State Nature Conservation Ordinance 8 of 1969: Draft policy regarding hunting of lions, white and black Rhinoceros for trophy hunting purposes and the exportation and transportation of such trophies published for comment (PNs 259 & 260 in *PG* 106 of 23 March 2012) (pp 2 & 5)

Free State Nature Conservation Ordinance 8 of 1969: Proposed policy regarding the norms and standards for the keeping and management of Bontebok (*Damaliscus pygargus pygargus*) in the Free State published for comment (PN 261 in *PG* 106 of 23 March 2012) (p 8)

Interpretation Act 33 of 1957: Uniform Patient Fee Schedule (UPFS) 2012 Tariffs published with effect from 1 April 2012 (PN 262 in *PG* 107 of 23 March 2012) (p2)

Special Adjustment Appropriation Act 1 of 2012** (PremN 1 in *PG* 110 of 30 March 2012)

Date of commencement: 30 March 2012

Appropriation Act 2 of 2012†† (PremN 2 in *PG* 111 of 30 March 2012)

Date of commencement: 30 March 2012

Finance Act 3 of 2012‡‡ (PremN 3 in *PG* 112 of 30 March 2012)

Date of commencement: 30 March 2011

GAUTENG

Gauteng Gambling Act 4 of 1995: Gauteng Gambling Amendment Regulations, 2011 published (GenN 664 in *PG* 84 of 23 March 2012) (p3)

Constitution of the Republic of South Africa, 1996: Transfer of Functions: MEC Health and Social Development and MEC Agriculture and Rural Development will respectively change to MEC Health and MEC Agriculture, Rural and Social Development published with the effect from 1 April 2012 (Proc 1 in *PG* 90 of 29 March 2012) (p3)

National Environmental Management: Protected Areas Act 57 of 2003: Intention to declare nature reserves: Alice Glockner and Suikerbosrand published for comment (GenNs 769 & 771 in *PG* 93 of 29 March 2012) (pp 3 & 7)

National Environmental Management: Protected Areas Act 57 of 2003: Intention to amend boundries of a nature reserve: Marievale published for comment (GenN 770 in *PG* 93 of 29 March 2012) (p5)

National Environmental Management: Waste Act 59 of 2008: Draft : Gauteng Integrated Waste Management Plans Regulations, 2010 published for comment (GenN 772 in *PG* 93 of 29 March 2012) (p9)

** Spesiale Aansuiweringsbegrotingswet 1 van 2012

†† Begrotingswet 2 van 2012

‡‡ Finansieswet 3 van 2012

KWAZULU-NATAL

Local Government: Municipal Structures Act 117 of 1998: eThekweni Municipality: Proposed designation of the Chairperson of the Municipal Public Accounts Committee as full-time Councillor published for comment (PN 38 in PG 723 of 23 March 2012) (p3)

KwaZulu-Natal Planning and Development Act 6 of 2008: Nongoma Municipality: Delegations published (PN 39 in PG 724 of 26 March 2012) (p3)

NORTHERN CAPE

Northern Cape Consumer Protection Act 1 of 2012^{§§}
(PremN 3 in PG 1584 of 28 March 2012) (p5)

Date of commencement: 1 April 2012 (Proc 2 in PG 1584 of 28 March 2012) (p3)

Repeals: Northern Cape Consumer Affairs (Unfair Business Practices) Act 7 of 1996

Government Immovable Asset Management Act 19 of 2007: Withdrawal of assignment: Assignment of powers to the member of the Executive Council responsible for Public Works with effect from 17 September 2010 as published under Proc 5 in PG 1464 of 13 September 2010 published with effect from 27 March 2012 (PremN 4 in PG 1585 of 27 March 2012) (p3)

Northern Cape Traditional Leadership, Governance and Houses of Traditional Leaders Act 2 of 2007: Northern Cape Traditional Leaders, Governance and Houses of Traditional Leaders Regulations amended^{***} (PremN 5 in PG 1586 of 28 March 2012) (p3)

WESTERN CAPE

Constitution of the Republic of South Africa, 1996: Hessequa Municipality: By-law relating to the Prevention of Public Nuisances and Nuisances Arising from the Keeping of Animals published and previous by-laws revoked (LAN 24410 in PG 6970 of 23 March 2012) (p342)

Western Cape Liquor Act 4 of 2008^{†††} (Proc 2 in PG 6971 of 23 March 2012) (p2)

Date of commencement: 1 April 2012, unless otherwise indicated

Repeals: Liquor Act 27 of 1989, in so far as it applies in the province

Western Cape Liquor Amendment Act 10 of 2010^{†††} (Proc 2 in PG 6971 of 23 March 2012) (p2)

Date of commencement: 1 April 2012, unless otherwise indicated

Amends: Western Cape Liquor Act 4 of 2008

Western Cape Liquor Act 4 of 2008: Western Cape Liquor Regulations, 2011:

Date of commencement 1 April 2012, unless otherwise indicated

(PN 1 in PG 6971 of 23 March 2012) (p2)

Western Cape Liquor Act 4 of 2008: Western Cape Liquor Regulations, 2011 amended
(PN 84 in PG 6975 of 30 March 2012) (p2)

This information is also available on the daily legalbrief at www.legalbrief.co.za

§§ Noord-Kaapse Verbruikersbeskermingswet 1 van 2012

*** There are no regulations that are in force in terms of this Act

††† Wes-Kaapse Drankwet 4 van 2008

††† Wes-Kaapse Drankwysigingswet 10 van 2010