



JUTA'S WEEKLY E-MAIL SERVICE

(Bulletin 5 of 2013, based on Gazettes received during the week dated 25 January to 1 February 2013)

JUTA'S WEEKLY STATUTES BULLETIN

ISSN 1022 - 6397

ACTS

CONSTITUTION SEVENTEENTH AMENDMENT ACT OF 2012

(GG 36128 of 1 February 2013)*

Date of commencement: to be proclaimed

Amends ss. 165, 166, 167, 168, 172 & 178 and *substitutes* ss. 169, 170, 173 & 175 of the Constitution of the Republic of South Africa, 1996

FINANCIAL MARKETS ACT 19 OF 2012 (GG 36121 of 1 February 2013)†

Date of commencement: to be proclaimed

Repeals the Securities Services Act 36 of 2004; *amends* s. 45 (1) of the Financial Advisory and Intermediary Services Act 37 of 2002; *substitutes* s. 5 of the Collective Investment Schemes Control Act 45 of 2002; *amends* s. 18 of the Competition Act 89 of 1998; *deletes* s. 8, *amends* ss. 6A & 6D & *substitutes* s. 6H of the Financial Institutions (Protection of Funds) Act 28 of 2001; *amends* ss. 1, 5, 69 & 116 of the Companies Act 71 of 2008; *substitutes* s. 35A of the Insolvency Act 24 of 1936 and *amends* s. 8 of the National Payment System Act 78 of 1998

TAXATION LAWS AMENDMENT ACT 22 OF 2012 (GG 36122 of 1 February 2013)‡

Date of commencement: 1 February 2013, unless otherwise indicated

Amends s. 9 of the Transfer Duty Act 40 of 1949; *amends* ss. 1, 6*quat*, 6*quin*, 6A, 8, 8E, 9C, 9D, 9H, 9I, 10, 10B, 11, 12B, 12C, 12E, 12H, 12I, 12M, 12N, 12O, 13*quat*, 18, 20, 20C, 22, 22B, 23, 23B, 23D, 23I, 23H, 23K, 24B, 24I, 24J, 24JA, 25BA, 26B, 28, 29A, 31, 37B, 41, 42, 44, 45, 46, 47, 64B, 64C, 64E, 64EA, 64F, 64FA, 64G, 64H & 64J, the heading to Part III, paras. 1, 2, 3, 3A, 4, 5 & 6 of the Second Schedule, paras. 2 & 7 of the Seventh Schedule and paras. 1, 3, 8, 10, 11, 12, 13, 19, 20, 23, 32, 38, 40, 42, 43, 43A, 56, 61, 64A, 64B, 65, 66, 67A, 67B, 74, 75, 76, 76A, 76B & 78 of the Eighth Schedule to Act 58 of 1962, *repeals* ss. 6*sex*, 9E, 12G, 23E, 23J, 35 & 37H, Part IA of Chapter II, para. 2B of the Second Schedule, paras. 67A, 67AB & 78 of the Eighth Schedule, *inserts* ss. 6B, 7B, 8EA, 10C, 12P, 19, 23L, 24BA, 24JB, 24O, 25BB, 29B, 40CA, 43 & 64EB, Parts IA & IVA in Chapter II and para. 12A in the Eighth

* Sewentiende Wysigingswet op die Grondwet van 2012

† umTsetfo Wetimakethe temnotfo, 2012

‡ Wysigingswet op Belastingswette 22 van 2012

Schedule, *substitutes* ss. 8E, 9H, 12L, 20C & 40C, para. 2A of the Second Schedule, para. 64B of the Eighth Schedule and paras. 2, 3 & 6 of the Tenth Schedule and adds the Eleventh Schedule to the Income Tax Act 58 of 1962; *amends* ss. 47B & 116 of the Customs and Excise Act 91 of 1964; *amends* s. 10 of the Income Tax Act 101 of 1990; *amends* ss. 1, 8, 12, 16, 18 & 21 and *inserts* s. 40C in the Value-Added Tax Act 89 of 1991; *amends* s. 4 of the Unemployment Insurance Contributions Act 4 of 2002; *amends* ss. 1, 2 & 8 of the Securities Transfer Tax Act 25 of 2007; *amends* s. 13 of the Revenue Laws Amendment Act 60 of 2008; *amends* s. 13 of the Taxation Laws Amendment Act 17 of 2009; *amends* ss. 2, 48, 121 & 128 and *repeals* s. 111 of the Taxation Laws Amendment Act 7 of 2010; and *amends* ss. 3, 7, 28, 29, 32, 43, 49, 50, 54, 70, 72, 116, 119, 121, 129, 132 & 149 and *repeals* s. 21 of the Taxation Laws Amendment Act 24 of 2011

PROCLAMATIONS AND NOTICES

Statistics South Africa:

Consumer Price Index, Rate (Base 2 000 = 100), Rate: December 2012: 5,7 published (GenN 47 in GG 36102 of 1 February 2013) (p40)

MERCHANDISE MARKS ACT 17 OF 1941

Final prohibition of the use of the Tshwane Metropolitan Police Service emblem and name published (GenN 51 in GG 36102 of 1 February 2013) (p37)

MAGISTRATES' COURTS ACT 32 OF 1944

Amounts determined by GN R1411 in GG 19435 of 30 October 1998 for the purposes of certain provisions of the Act amended with effect from 1 February 2013 (GN R63 in GG 36111 of 30 January 2013) (p4)

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

Regulations relating to a transparent pricing system for medicines and scheduled substances: Guidelines for pharmaco-economic submissions published with effect from 1 April 2013 (GN R68 in GG 36118 of 1 February 2013) (p3)

PLANT IMPROVEMENT ACT 53 OF 1976

Regulations relating to application of the Act amended (GN R54 in GG 36103 of 1 February 2013) (p3)

CRIMINAL PROCEDURE ACT 51 OF 1977

Amounts for the purposes of certain provisions determined and GN R239 in GG 24393 of 14 February 2003 repealed with effect from 1 February 2013 (GN R62 in GG 36111 of 30 January 2013) (p2)

BANKS ACT 94 OF 1990

Designation of ('Ithala Limited' a wholly owned subsidiary of Ithala Development Finance Corporation Limited) as an institution of which the activities do not fall within the meaning of 'the business of a bank' for the period 1 January 2013 to 31 December 2013 and GN 54 in GG 34963 of 27 January 2012 substituted (GN R58 in GG 36103 of 1 February 2013) (p29)

LABOUR RELATIONS ACT 66 OF 1995

MEIBC: Call for submissions by parties affected by the proposed extension in terms of s. 32 (2) read with s. 32 (5) of the Main Collective Re-Enacting and Amending Agreement of the Metal and Engineering Industries Bargaining Council: Labour Court Case (JR 3062/2011) published (GN 69 in GG 36120 of 1 February 2013) (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)

BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

Sectoral Determination 6: Private Security Sector, South Africa corrected (GN R61 in *GG* 36110 of 30 January 2013) (p2)

POSTAL SERVICES ACT 124 OF 1998

Fees and charges for postal services published with effect from 1 April 2013 (GenN 40 in *GG* 36109 of 29 January 2013) (p3)

NATIONAL HERITAGE RESOURCES ACT 25 OF 1999

Provisional protection of the Pietermaritzburg shipwreck site near Millers Point as a national heritage resource published (GN 59 in *GG* 36102 of 1 February 2013) (p6)

FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT 37 OF 2002

Amendment Notice of the Exemption of ABSA Insurance and Financial Advisers, 2013 published with effect from 1 January 2013 (BN 8 in *GG* 36113 of 31 January 2013) (p3)

Notice on Exemption of Associated Compliance (Pty) Ltd from Fees Payable to Registrar, 2013 published (BN 9 in *GG* 36113 of 31 January 2013) (p4)

Exemption of Innovation Group (Pty) Ltd, 2013 published (BN 10 in *GG* 36114 of 31 January 2013) (p3)

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004

Non-detriment findings published for comment (GenN 54 in *GG* 36117 of 1 February 2013) (p3)

FURTHER EDUCATION AND TRAINING COLLEGES ACT 16 OF 2006

Proposed amendments to the Policy and Procedures for Measurement of Research Output of Public Higher Education Institutions, 2003 published for comment (GN 60 in *GG* 36102 of 1 February 2013) (p8)

PROVINCIAL LEGISLATION**EASTERN CAPE**

Gambling and Betting Act 5 of 1997: White paper on amendments to the Gambling and Betting Act published (GenN 14 in *PG* 2888 of 30 January 2013) (p3)

Draft Eastern Cape Gambling and Betting Amendment Bill, 2013 together with Memorandum on the Objects and Principles of the Bill published for comment (GenN 15 in *PG* 2888 of 30 January 2013) (p20)

FREE STATE

Free State Nature Conservation Ordinance 8 of 1969: Norms and standards for the keeping and management of Bontebok (*Damaliscus pygargus pygargus*) in the Free State published (PN 118 in *PG* 75 of 1 February 2013) (p2)

Free State Nature Conservation Ordinance 8 of 1969: Activities regarding listed large predators by land owners, Foreign clients and the exportation and transportation of such hunting trophies published (PN 119 in *PG* 75 of 1 February 2013) (p7)

Free State Nature Conservation Ordinance 8 of 1969: Activities regarding white and black Rhinoceros published (PN 120 in *PG* 75 of 1 February 2013) (p10)

GAUTENG

Mogale City Local Municipality: By-laws relating to the Management and Control of Informal Settlements published (LAN 80 in *PG* 20 of 29 January 2013) (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)

MPUMALANGA

Mpumalanga Gambling Act 5 of 1995: Draft amendments to the Mpumalanga Gambling Rules published for comment (GenN 9 in *PG* 2127 of 22 January 2013) (p5)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Steve Tshwete Local Municipality: Electricity By-laws published and the Standard Electricity By-laws published under AN 1627 of 11 September 1985 repealed (LAN 9 in *PG* 2131 of 30 January 2013) (p3)

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

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)