



JUTA'S WEEKLY E-MAIL SERVICE

(Bulletin 50 of 2013, based on Gazettes received during the week dated
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JUTA'S WEEKLY STATUTES BULLETIN

ISSN 1022 - 6397

ACTS

GEOMATICS PROFESSION ACT 19 OF 2013 (GG 37142 of 10 December 2013)^{*}

Date of commencement: to be proclaimed

Repeals the Professional and Technical Surveyors' Act 40 of 1984, the Professional Land Surveyors' and Technical Surveyors' Amendment Act 37 of 1986, the Professional Land Surveyors' and Technical Surveyors' Amendment Act 66 of 1987 and the Professional Land Surveyors' and Technical Surveyors' Amendment Act 34 of 1993 and *amends* ss. 1, 2A, 9 & 12 of the Land Survey Act 8 of 1997

BASIC CONDITIONS OF EMPLOYMENT AMENDMENT ACT 20 OF 2013

(GG 37139 of 9 December 2013)[†]

Date of commencement: to be proclaimed

Amends ss. 1, 46, 55, 68, 69, 70, 74, 77 & 93 and Schedule Two; *inserts* s. 33A; *substitutes* ss. 43, 44, 45, 47 & 73; and *repeals* ss. 71 and 72 of the Basic Conditions of Employment Act 75 of 1997

AFRICA INSTITUTE OF SOUTH AFRICA ACT REPEAL ACT 21 OF 2013

(GG 37143 of 10 December 2013)[‡]

Date of commencement: to be proclaimed

Repeals the Africa Institute of South Africa Act 68 of 2001

BANKS AMENDMENT ACT 22 OF 2013 (GG 37144 of 10 December 2013)[§]

Date of commencement: 10 December 2013

Amends ss. 1, 2, 5, 6, 10, 13, 15, 16, 17, 18, 22, 23, 24, 30, 32, 38, 43, 44, 51, 52, 54, 55, 56, 60, 61, 62, 63, 64, 65, 68, 69, 70, 70A, 79, 84, 86, 87, 89, 91; *substitutes* ss. 27, 28, 47, 57, 58, 72 & 88 and *inserts* s. 64C in the Banks Act 94 of 1990

^{*} Wet op Geomatikaprofessie 19 van 2013

[†] Wysigingswet op Basiese Diensvoorwaardes 20 van 2013

[‡] uMthetho oChitha uMthetho wesiKhungo se-Afrika saseNingizimu Afrika 21 ka 2013

[§] Wysigingswet op Banke 22 van 2013

MERCHANT SHIPPING (INTERNATIONAL OIL POLLUTION COMPENSATION FUND) ACT 24 OF 2013 (GG 37145 of 10 December 2013)***Date of commencement:* to be proclaimed**MERCHANT SHIPPING (CIVIL LIABILITY CONVENTION) ACT 25 OF 2013** (GG 37146 of 10 December 2013)^{††}*Date of commencement:* to be proclaimed*Repeals* ss. 13, 14 & 15 of the Marine Pollution (Control and Civil Liability) Act 6 of 1981**ADJUSTMENTS APPROPRIATION ACT 27 OF 2013** (GG 37147 of 10 December 2013)^{‡‡}*Date of commencement:* 10 December 2013**INTELLECTUAL PROPERTY LAWS AMENDMENT ACT 28 OF 2013** (GG 37148 of 10 December 2013)^{§§}*Date of commencement:* to be proclaimed*Amends* s. 1 and *inserts* ss. 8A-D in the Performers' Protection Act 11 of 1967, *amends* ss. 1 & 39 and *inserts* Chapter 2A (ss. 28A-N) & s. 39A in the Copyright Act 98 of 1978, *amends* ss. 1, 2 & 69 and *inserts* Part XIIA (ss. 43A-K) in the Trade Marks Act 194 of 1993 and *amends* ss. 1 & 54 and *inserts* ss. 53A-K & 54A in the Designs Act 195 of 1993**TAXATION LAWS AMENDMENT ACT 31 OF 2013** (GG 37158 of 12 December 2013)^{****}*Date of commencement:* 12 December 2013, unless otherwise indicated*Amends* ss. 1 & 9 of the Transfer Duty Act 40 of 1949, *amends* s. 4 of the Estate Duty Act 45 of 1955, *substitutes* ss. 6A, 8F, 24JB, 40C & 40CA, *repeals* ss. 9B, 9G, 11B, 14, 14*bis*, 18, 24B & 24F & para. 42A of the Eighth Schedule, *inserts* ss. 8FA, 12Q, 12R, 12S, 23M & 23N, Part IVB (ss. 50A-H) in Chapter II, Part IVC (ss. 51A-H) in Chapter II & para. 12D in the Seventh Schedule and *amends* ss. 1, 5, 6A, 7, 8, 8C, 8EA, 8F, 8FA, 9, 9C, 9D, 9H, 9I, 10, 10A, 10B, 10C, 11, 11D, 11E, 12B, 12C, 12D, 12DA, 12E, 12J, 12K, 12L, 12M, 12N, 12Q, 13, 13*bis*, 13*ter*, 13*quat*, 18A, 19, 20, 22, 23, 23C, 23I, 23K, 23L, 23M, 23N, 24BA, 24I, 24J, 24JA, 24O, 25BA, 25BB, 25D, 28, 29A, 29B, 30, 30A, 30B, 31, 36, 37A, 37B, 37C, 40CA, 41, 42, 43, 44, 45, 46, 47, 49B, 64B, 64C, 64D, 64EB, 64F, 64FA, 64G, 64H & 64J and paras. 11 & 12 of the First Schedule, paras. 2C, 5 & 6 of the Second Schedule, paras. 3, 7 & 10 of the Sixth Schedule, paras. 1, 2, 5, 7, 9, 12A, 12B & 12C of the Seventh Schedule, paras. 11, 12A, 13, 16, 20, 31, 32, 35, 38, 43, 53, 56, 57, 57A, 61, 62, 64, 64B, 67C, 68, 75, 76, 77 & 80 of the Eighth Schedule, paras. 4 & 10 of Part I of the Ninth Schedule, para. 3 of Part II of the Ninth Schedule, and paras. 1, 2, 3, 5, 6, 7 & 8 of the Tenth Schedule and the Eleventh Schedule to the Income Tax Act 58 of 1962, *amends* s. 72 and *substitutes* s. 73 of the Customs and Excise Act 91 of 1964, *amends* ss. 1, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18B, 20, 22, 23, 24 & 44 and Schedule 1 to the Value-Added Tax Act 89 of 1991, *repeals* the Demutualisation Levy Act 50 of 1998, *amends* s. 8 of the Securities Transfer Tax Act 25 of 2007, *amends* ss. 5, 6A & 7 and Schedules 1 & 2 to the Mineral and Petroleum Resources Royalty Act 28 of 2008, *amends* ss. 13 & 70 of the Taxation Laws Amendment Act 24 of 2011, *amends* ss. 2, 9, 17, 19, 22, 50, 53, 54, 83, 89, 98, 99, 106, 109, 117, 170 & 171 and *repeals* ss. 69, 102, 112 & 139 of the Taxation Laws Amendment Act 22 of 2012

** Wet op Handelskeepvaart (Internasionale Skadevergoedingsfonds vir Oliebesoedeling) 24 van 2013

†† Wet op Handelskeepvaart (Siviele Aanspreeklikheidskonvensie) 25 van 2013

‡‡ Molao wa Dipeakanyetšo tša Tekanyetšo 27 ya 2013

§§ Wysigingswet op Intellektuele Eiendomsreg 28 van 2013

**** Wysigingswet op Belastingwette 31 van 2013

PROCLAMATIONS AND NOTICES**MERCHANDISE MARKS ACT 17 OF 1941**

Proposed designation of the 2014 African Nations Championship South Africa (CHAN 2014) as a protected event published for comment (GN R973 in *GG* 37138 of 10 December 2013) (p3)

STATE ATTORNEY ACT 56 OF 1957

Establishment of Polokwane Branch Office of State Attorney published (GN R989 in *GG* 37141 of 11 December 2013) (p2)

INCOME TAX ACT 58 OF 1962

Regulations in terms of section 12L of the Income Tax Act, 1962, on the allowance for energy efficiency savings published with effect from 1 November 2013 (GN R971 in *GG* 37136 of 9 December 2013) (p3)

CUSTOMS AND EXCISE ACT 91 OF 1964

Amendment of rules (DAR/131) published (GN R975 in *GG* 37124 of 13 December 2013) (p5)

Schedule 6 amended with effect from 1 January 2011

(GN R997 in *GG* 37150 of 13 December 2013) (p3)

Schedule 6 amended (GN R998 in *GG* 37150 of 13 December 2013) (p5)

Schedule 6 amended with effect from 1 April 2013

(GN R999 in *GG* 37150 of 13 December 2013) (p7)

Schedule 6 amended with effect from 1 November 2009

(GN R1000 in *GG* 37150 of 13 December 2013) (p8)

BANKS ACT 94 OF 1990

Consent for a foreign institution to establish a representative office within the Republic of South Africa published with effect from 18 October 2013 (GenN 1211 in *GG* 37123 of 13 December 2013) (p73)

Consent for a foreign institution to establish a representative office within the Republic of South Africa published with effect from 17 September 2013

(GenN 1212 in *GG* 37123 of 13 December 2013) (p74)

Withdrawal of consent for a foreign institution to maintain a representative office within the Republic of South Africa published with effect from 30 September 2013

(GenN 1213 in *GG* 37123 of 13 December 2013) (p75)

PUBLIC SERVICE ACT, 1994 (PROCLAMATION 103 OF 1994)

Establishment of National Intellectual Property Management Office as specialised service delivery unit within the Department of Science and Technology published

(GN 979 in *GG* 37123 of 13 December 2013) (p24)

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

National Route 17: Springs and Ermelo Toll Road: Publication of date and time from which the toll tariffs published in GN 544 in *GG* 34412 of 1 July 2011 shall become payable published

(GN 950 in *GG* 37111 of 4 December 2013) (p3)

NATIONAL RESEARCH FOUNDATION ACT 23 OF 1998

Withdrawal of GN 480 in *GG* 36637 of 12 July 2013 and declaration of research institutions published (GN 986 in *GG* 37123 of 13 December 2013) (p52)

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)

PUBLIC FINANCE MANAGEMENT ACT 1 OF 1999

Exemption of Telkom SA SOC Limited from provisions of the Act published (GN 985 in *GG* 37123 of 13 December 2013) (p51)

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Description submitted in terms of s. 15 (1) by the Department of Sport and Recreation published (GN 984 in *GG* 37123 of 13 December 2013) (p47)

ENGINEERING PROFESSION ACT 46 OF 2000

Engineering Council of South Africa (ECSA):

Rules regarding requirements for recognition as a voluntary association published in terms of s. 36 (1) of the Act (BN 255 in *GG* 37123 of 13 December 2013) (p78)

Code of Conduct for Registered Persons published and rules of conduct for registered persons published in BN 15 in *GG* 28605 of 17 March 2006 repealed (BN 256 in *GG* 37123 of 13 December 2013) (p89)

COLLECTIVE INVESTMENT SCHEMES CONTROL ACT 45 OF 2002

Financial Services Board (FSB): Conditions for Foreign Collective Investment Schemes, 2013 published and conditions in respect of a collective investment scheme carried on outside but promoted in the Republic published in GenN 2076 in *GG* 25283 of 1 August 2003 repealed with effect from 1 January 2014 (BN 257 in *GG* 37123 of 13 December 2013) (p95)

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

Entities identified by the United Nations Security Council published (Procs 54-56 in *GG* 37114 of 10 December 2013) (pp 3, 9 & 14)

DIAMOND EXPORT LEVY (ADMINISTRATION) ACT 14 OF 2007

Rules published under GN R1169 in *GG* 31560 of 31 October 2008 amended (GN R976 in *GG* 37124 of 13 December 2013) (p8)

CONSUMER PROTECTION ACT 68 OF 2008

National Consumer Commission (NCC): Notice of intention to recognise as authoritative a registry in which persons may register pre-emptive blocks against direct marketing and request for all interested parties with existing registries/databases to submit proposals published (GN R977 in *GG* 37124 of 13 December 2013) (p19)

CIVILIAN SECRETARIAT FOR POLICE SERVICE ACT 2 OF 2011

Date of commencement of ss. 4 (2) and (3) and 14: 1 April 2014 (Proc 57 in *GG* 37151 of 13 December 2013) (p3)

FINANCIAL MARKETS ACT 19 OF 2012

Notice of approval of proposed amendments to the JSE Interest Rate and Derivatives Rules published with effect from 13 December 2013 (BN 258 in *GG* 37161 of 13 December 2013) (p2)

Notice of approval of proposed amendments to the JSE Listing and Debt Listing Requirements published with effect from 15 January 2014 (BN 259 in *GG* 37162 of 13 December 2013) (p2)

BILLS

Broad-Based Black Economic Empowerment Amendment Bill, 2012 [[B42C-2012](#)] & [[B42D-2012](#)]

Judicial Matters Amendment Bill, 2013 [[B7A-2013](#)], [[B7C-2013](#)] & [[B7D-2013](#)]

South African Post Office SOC Ltd Amendment Bill, 2013 [[B24A-2013](#)] & [[B24B-2013](#)]

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Draft Financial Sector Regulation Bill, 2013 published for comment
(GN R988 in *GG* 37140 of 11 December 2013) (p3)

Draft Development Bank of Southern Africa Amendment Bill, 2014 published for comment
(GN 1012 in *GG* 37163 of 13 December 2013) (p3)

PROVINCIAL LEGISLATION

EASTERN CAPE

Local Government: Municipal Systems Act 32 of 2000: Camdeboo Municipality: Public Nuisances and Keeping of Animals By-law; Public Amenities By-law and Street Trading By-law amended (LANs 270, 271 & 272 in *PG* 3084 of 4 December 2013) (pp 3, 7 & 8)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Camdeboo Municipality: By-law relating to Roads and Streets published and previous by-laws repealed (LAN 273 in *PG* 3084 of 4 December 2013) (p10)

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 220 in *PG* 3056 of 17 October, will not materially affect the representation of voters in councils of municipalities 2013 published (GenN 284 in *PG* 3091 of 10 December 2013) (p3)

National Environmental Management: Protected Areas Act 57 of 2003: Draft declaration of the Noorsveld Protected Environment published for comment (GenN 287 in *PG* 3094 of 13 December 2013) (p3)

National Road Traffic Act 93 of 1996: Nyandeni Local Municipality: Registration Authority for all areas under the jurisdiction of the Nyandeni Local Authority with effect from 1 January 2014 published (GenN 288 in *PG* 3095 of 13 December 2013) (p2)

FREE STATE

Free State Gambling and Liquor Act 6 of 2010: Determination of date: Lapsing of liquor licences: 31 January 2011 as published under PN 234 in *PG* 130 of 21 January 2011 revoked (PN 112 in *PG* 76 of 13 December 2013) (p2)

GAUTENG

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 2914 in *PG* 303 of 17 October 2013, will in certain municipalities and will not in others, materially affect the representation of voters in councils of municipalities published (GenN 3451 in *PG* 358 of 10 December 2013) (p3)

KWAZULU-NATAL

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed of how re-determination of municipal boundaries published under GenN 57 in *PG* 1042 of 23 October 2013, and withdrawn and replaced by GenN 58 in *PG* 1044 of 24 October 2013, will effect the representation of voters in councils published (GenN 63 in *PG* 1066 of 10 December 2013) (p3)

Local Government: Municipal Structures Act 117 of 1998: uMhlathuze Municipality: Proposed designation of the Chairpersons of the Municipal Public Accounts Committee and the By-laws Committee as full-time Councillors published for comment (MN 72 in *PG* 1068 of 13 December 2013) (p3)

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LIMPOPO

Limpopo Consumer Protection Bill together with the Memorandum on the Objects of the Bill published for comment (PN 478 in *PG* 2289 of 13 December 2013) (p3)

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 414 in *PG* 2267 of 17 October, will not materially affect the representation of voters in councils of municipalities 2013 published (GenN 477 in *PG* 2287 of 10 December 2013) (p3)

MPUMALANGA

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 368 in *PG* 2222 of 17 October 2013, will not materially affect the representation of voters in councils of municipalities published (GenN 442 in *PG* 2238 of 10 December 2013) (p3)

NORTHERN CAPE

Disaster Management Act 57 of 2002: John Taolo Gaetsewe District Municipality; Namakwa District Municipality and Frances Baard District Municipality: Declaration of a Provincial State of Disaster in respect of drought published (GenN 132 in *PG* 1758 of 9 December 2013) (p3)

Disaster Management Act 57 of 2002: Z F Mgcawu District Municipality: Declaration of a Provincial State of Disaster in respect of black frost: !Kheis Local Municipality; //Khara Hais Local Municipality and Kai! Garib Municipality published (GenN 133 in *PG* 1758 of 9 December 2013) (p4)

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 115 in *PG* 1743 of 17 October 2013, will not materially affect the representation of voters in councils of municipalities published (GenN 134 in *PG* 1760 of 10 December 2013) (p3)

Northern Cape Planning and Development Act 7 of 1998: Phokwane Local Municipality: Notice of intention to review 2008-Spatial Development Framework/Land Development Plan published (GenN 135 in *PG* 1759 of 16 December 2013) (p3)

NORTH WEST

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 481 in *PG* 7181 of 17 October, will not materially affect the representation of voters in councils of municipalities 2013 published (GenN 573 in *PG* 7201 of 10 December 2013) (p3)

Local Government: Municipal Property Rates Act 6 of 2004: Ramotshere Moiloa Local Municipality: Levying rates and tariffs published (LAN 253 in *PG* 7202 of 13 December 2013) (p3)

Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Property Rates Act 6 of 2004: Ramotshere Moiloa Local Municipality: Rates By-law published and previous by-laws repealed (LAN 254 in *PG* 7202 of 13 December 2013) (p4)

WESTERN CAPE

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Western Cape Provincial School Education Act 12 of 1997: Regulations on the Duties of School Attendance Officers, 2013 published (PN 402 in *PG* 7205 of 2 December 2013) (p2)

Local Government: Municipal Systems Act 32 of 2000: Bergrivier Municipality: Advertising and Signage By-law, 2009 amended (LAN 56129 in *PG* 7208 of 6 December 2013) (p3214)

Local Government: Municipal Structures Act 117 of 1998: George Municipality: Rules of Order regulating the Conduct of Meetings of the Municipal Council published (LAN 56131 in *PG* 7208 of 6 December 2013) (p3235)

Constitution of the Republic of South Africa, 1996: Bergrivier Municipality: Air Pollution Control By-law published (LAN 56134 in *PG* 7208 of 6 December 2013) (p3218)

Constitution of the Republic of South Africa, 1996: City of Cape Town: Informal Trading Amendment By-law, 2013 published (LAN 56160 in *PG* 7208 of 6 December 2013) (p3364)

Constitution of the Republic of South Africa, 1996: City of Cape Town: Constitution of Transport for Cape Town By-law, 2013 published (LAN 56162 in *PG* 7208 of 6 December 2013) (p3296)

Local Government: Municipal Demarcation Act 27 of 1998; Constitution Twelfth Amendment Act, 2005 and Cross-Boundary Municipalities Laws Repeal and Related Matters Act 23 of 2005: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under GenN 339 in *PG* 7185 of 15 October, will not materially affect the representation of voters in councils of municipalities 2013 published (PN 417 in *PG* 7209 of 10 December 2013) (p2)

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

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