



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 50 of 2014, based on Gazettes received during the week 5 to 12 December 2014)

JUTA'S WEEKLY E-MAIL SERVICE

ISSN 1022 - 6397

ACTS

ADJUSTMENTS APPROPRIATION ACT 37 OF 2014 (GG 38313 of 9 December 2014)*

Date of commencement: 9 December 2014

DIVISION OF REVENUE AMENDMENT ACT 38 OF 2014 (GG 38314 of 9 December 2014)†

Date of commencement: 9 December 2014

Amends Schedules 1, 4, 5 & 6 to the Division of Revenue Act 10 of 2014

LEGAL AID ACT 39 OF 2014 (GG 38315 of 9 December 2014)‡

Date of commencement: to be proclaimed

Repeals the Legal Aid Act 22 of 1969; *amends* ss. 73, 77, 143 & 309D of the Criminal Procedure Act 51 of 1977; *amends* ss. 1, 3, 4A, 6 & 8 of the Attorneys Act 53 of 1979; *amends* s. 149 of the Labour Relations Act 66 of 1995; *amends* s. 30 of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000; *amends* s. 15 of the Mental Health Care Act 17 of 2002; *amends* s. 55 of the Children's Act 38 of 2005 and *amends* ss. 1, 80, 82, 83 & 89 of the Child Justice Act 75 of 2008

ATTORNEYS AMENDMENT ACT 40 OF 2014 (GG 38316 of 9 December 2014)§

Date of commencement: to be proclaimed

Amends ss. 1, 2, 3, 4, 4A, 5, 8, 9, 10, 13B, 14, 15, 16, 19, 20, 23, 43, 49, 57, 69, 71, 74, 75, 78, 82, 83 & 86, *substitutes* ss. 24 & 56, *inserts* s. 86A and *repeals* ss. 55, 77, 84 & 84A of the Attorneys Act 53 of 1979; *amends* s. 1 of the Admission of Advocates Act 74 of 1964; *repeals* the Attorneys, Notaries and Conveyancers Admission Act 23 of 1934 (Transkei) in so far as it is still applicable in the territory which comprised the former Republic of Transkei; *repeals* the Attorneys Act 53 of 1979 (Ciskei) in so far as it is still applicable in the territory which comprised the former Republic of Ciskei; *repeals* the Attorneys, Notaries and Conveyancers Act

* Molao wa Dipeakanyetšo tša Tekanyetšo 37 ya 2014

† Nawu wa ku Aviwa ka Mali ya Tiko 38 ya 2014

‡ Thuso ya Molao Afrika Borwa 39 ya 2014

§ Wysigingswet op Prokureurs 40 van 2014

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29 of 1984 (Bophuthatswana) in so far as it is still applicable in the territory which comprised the former Republic of Bophuthatswana and *repeals* the Attorneys Act 42 of 1987 (Venda) in so far as it is still applicable in the territory which comprised the former Republic of Venda

PROCLAMATIONS AND NOTICES

Department of Telecommunications and Postal Services:

Extension of the closing date for consultation on the proposed National Integrated ICT Policy Discussion Paper published for comment in GN 902 in *GG* 38203 of 14 November 2014 published (GN 1018 in *GG* 38326 of 12 December 2014) (p3)

Independent Communications Authority of South Africa:

Notice of public hearings to be held in respect of an application received for the acquisition of Neotel by Vodacom published (GenN 1143 in *GG* 38329 of 12 December 2014) (p3)

CURRENCY AND EXCHANGES ACT 9 OF 1933

South African Reserve Bank: Appointment of authorised dealers in foreign exchange with limited authority for the purposes of the Exchange Control Regulations published (GNs 996 & 997 in *GG* 38291 of 12 December 2014) (p4)

MAGISTRATES' COURTS ACT 32 OF 1944

Appointment of Nerina One-Stop Youth Justice Centre as a place for the holding of a court published and GN 59 in *GG* 29558 of 2 February 2007 withdrawn (GN 1021 in *GG* 38334 of 12 December 2014) (p3)

Nerina One-Stop Child Justice Centre established and area of jurisdiction defined (GN 1022 in *GG* 38334 of 12 December 2014) (p5)

INCOME TAX ACT 58 OF 1962

S. 12I Tax Allowance Programmes published (GNs 1005 & 1006 in *GG* 38290 of 12 December 2014) (pp 27 & 28)

INCOME TAX ACT 58 OF 1962

Notice in terms of s. 13*quat* of area demarcated by Emfuleni Local Municipality as urban development zone published (GN 1023 in *GG* 38335 of 12 December 2014) (p2)

PHARMACY ACT 53 OF 1974

Proposed scopes of practice and qualifications for specialist pharmacists published for comment (BN 152 in *GG* 38327 of 12 December 2014) (p3)

Proposed Good Pharmacy Education Standards published for comment (BN 153 in *GG* 38327 of 12 December 2014) (p74)

SMALL CLAIMS COURTS ACT 61 OF 1984

Establishment of a small claims court for the area of Nkandla published (GN 990 in *GG* 38302 of 8 December 2014) (p3)

Establishment of a small claims court for the area of Pofadder published (GN 991 in *GG* 38302 of 8 December 2014) (p4)

Establishment of small claims courts for the areas of Moorreesburg and Piketberg and withdrawal of GN 70 of 18 January 1991 published (GN 992 in *GG* 38302 of 8 December 2014) (p5)

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AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

Service fee in respect of abattoirs that participate in the classification and marking of meat published with effect from 1 January 2015

(GenN 1112 in *GG* 38290 of 12 December 2014) (p40)

PUBLIC SERVICE ACT, 1994 (PROCLAMATION 103 OF 1994)

Schedule 2 (KwaZulu-Natal) amended (Proc 83 in *GG* 38290 of 12 December 2014) (p8)

INTERIM PROTECTION OF INFORMAL LAND RIGHTS ACT 31 OF 1996

Application of provisions of Act extended from 31 December 2014 to 31 December 2015

(GN 1007 in *GG* 38290 of 12 December 2014) (p22)

BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

Amendment Regulations published in GN R949 in *GG* 38250 of 26 November 2014 corrected

(GN R1010 in *GG* 38312 of 11 December 2014) (p3)

NATIONAL WATER ACT 36 OF 1998

Draft Regulations requiring that the Taking of Water for Irrigation Purposes be Limited, Monitored, Measured and Recorded published for comment

(GenN 1141 in *GG* 38311 of 12 December 2014) (p3)

COMPETITION ACT 89 OF 1998

Notifications of decisions to approve mergers published

(GenNs 1123-1132 in *GG* 38290 of 12 December 2014) (pp 64-67)

Notification of complaint referrals published

(GenNs 1133-1137 in *GG* 38290 of 12 December 2014 (pp 67-68)

HOUSING CONSUMERS PROTECTION MEASURES ACT 95 OF 1998

National Home Builders Registration Council (NHBRC):

Notice of intention to repeal Home Building Manual Parts 1, 2 & 3 of February 1999 published for comment (BN 150 in *GG* 38290 of 12 December 2014) (p69)

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

National Appeal Regulations, 2014 published and Chapter 7 of the Environmental Impact Assessment Regulations, 2010 repealed (GN R993 in *GG* 38303 of 8 December 2014) (p3)

National Exemption Regulations, 2014 published and Chapter 5 of the Environmental Impact Assessment Regulations, 2010 repealed (GN R994 in *GG* 38303 of 8 December 2014) (p11)

Draft Section 24H Registration Authority Regulations, 2014 published for comment

(GenN 1142 in *GG* 38325 of 12 December 2014) (p3)

RECOGNITION OF CUSTOMARY MARRIAGES ACT 120 OF 1998

Period for registration of customary marriages in terms of s. 4 (3) (a) and (b) extended to 31 December 2016 (GNs 1000 & 1001 in *GG* 38290 of 12 December 2014) (p18)

PUBLIC FINANCE MANAGEMENT ACT 1 OF 1999

Appointment of a Ministerial Committee to develop a Strategic Policy Framework for Disability in the Post-School Education and Training System published

(GN 999 in *GG* 38290 of 12 December 2014) (p14)

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PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Description submitted in terms of s. 15 (1) by the South African Human Rights Commission published (GN 1002 in GG 38290 of 12 December 2014) (p19)

Limpopo Department of Safety, Security and Liaison: Section 14 manual published (GG 38309 of 12 December 2014) (p3)

Makhado Local Municipality (NP344): Section 14 manual published (GG 38318 of 10 December 2014) (p3)

ENGINEERING PROFESSION ACT 46 OF 2000

Engineering Council of South Africa (ECSA): Guideline for Services and Processes for Estimating Fees for Registered Persons, 2015 published and BN 243 in GG 37102 of 4 December 2013 repealed with effect from 1 January 2015 (BN 151 in GG 38324 of 12 December 2014) (p3)

PROJECT AND CONSTRUCTION MANAGEMENT PROFESSIONS ACT 48 OF 2000

South African Council for the Project and Construction Management Professions (SACPCMP): Rules relating to the payment of annual fees for registered persons published with effect from 1 January 2015 (BN 155 in GG 38333 of 12 December 2014) (p3)

DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT 37 OF 2001

Agreement between the Government of the Republic of South Africa and the African Tax Administration Forum ('ATAF') for the hosting of the Secretariat of ATAF in the Republic of South Africa published (GN 1009 in GG 38310 of 12 December 2014) (p3)

PETROLEUM PIPELINES ACT 60 OF 2003

Petroleum Pipelines Act: Rules, 2014 published and Petroleum Pipelines Act Rules, 2009 published in GN R1072 in GG 32704 of 13 November 2009 repealed (GenN 1140 in GG 38308 of 12 December 2014) (p3)

ELECTRONIC COMMUNICATIONS ACT 36 OF 2005

Draft Radio Frequency Spectrum Licence Fee Amendment Regulations, 2014 published for comment (GenN 1107 in GG 38300 of 8 December 2014) (p3)

Draft Radio Frequency Spectrum Regulations, 2015 published for comment (GenN 1108 in GG 38301 of 8 December 2014) (p3)

Draft Radio Frequency Spectrum Regulations: Explanatory document published (GenN 1109 in GG 38301 of 8 December 2014) (p104)

CRIMINAL LAW (SEXUAL OFFENCES AND RELATED MATTERS) AMENDMENT ACT 32 OF 2007

Establishment of additional services for victims of sexual offences and compulsory HIV testing of alleged sex offenders published (GN 1020 in GG 38332 of 12 December 2014) (p3)

NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT 24 OF 2008

Draft Dumping at Sea Regulations published for comment (GenN 1110 in GG 38290 of 12 December 2014) (p29)

NATIONAL LAND TRANSPORT ACT 5 OF 2009

Draft minimum requirements for the preparation of integrated transport plans published in GN R954 in GG 38256 of 28 November 2014 corrected (GN R1008 in GG 38305 of 9 December 2014) (p3)

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SHERIFFS AMENDMENT ACT 14 OF 2012

Date of commencement of ss. 7, 8, and 9: 1 March 2015
(Proc R84 in *GG* 38307 of 11 December 2014)

Amends ss. 9 & 11 and *substitutes* s. 12 in the Sheriffs Act 90 of 1986

FINANCIAL MARKETS ACT 19 OF 2012

Notice of approval of amendments to the JSE Listing Requirements published with effect from 9 January 2015 (BN 147 in *GG* 38284 of 9 December 2014) (p2)

SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013

Draft Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015 published for comment
(GenN 1144 in *GG* 38331 of 12 December 2014) (p3)

BILLS

Criminal Law (Sexual Offences and Related Matters) Amendment Act Amendment Bill, 2014
[\[B18-2014\]](#)

Invitation to comment on draft Financial Sector Regulation Bill, 2014 published
(GenN 1145 in *GG* 38336 of 12 December 2014) (p3)

PROVINCIAL LEGISLATION**EASTERN CAPE**

Traditional Leadership and Governance Act 4 of 2005: Recognition of various iNkosi and iNkosana to be in charge of traditional councils and administrative areas of jurisdiction published (PN 58 in *PG* 3316 of 11 December 2014) (p3)

FREE STATE

Local Government: Municipal Structures Act 117 of 1998: Masilonyana Local Municipality: Determination of number of councillors as published under PN 91 in *PG* 62 of 10 October 2014 corrected (PN 117 in *PG* 81 of 5 December 2014) (p5)

Adjustment Appropriation Act 3 of 2014** (PremN 3 in *PG* 83 of 5 December 2014)
Date of commencement: 5 December 2014

GAUTENG

Local Government: Municipal Property Rates Act 6 of 2004: Westonaria Local Municipality: Public notice of tariffs for 2014/2015 published with effect from 1 July 2014
(LAN 1830 in *PG* 359 of 10 December 2014) (p69)

Local Government: Municipal Structures Act 117 of 1998: Determination of number of Councillors of Municipalities published (GenN 4050 in *PG* 362 of 5 December 2014) (p3)

Gauteng School Education Act 6 of 1995 and South African Schools Act 84 of 1996: Amendment Regulations relating to Governing Bodies of Public Schools, 2015 published for comment
(GenN 4051 in *PG* 363 of 5 December 2014) (p2)

** Aansuiweringsbegrotingswet 3 van 2014

Constitution of the Republic of South Africa, 1996; Rationalisation of Local Government Affairs Act 10 of 1998; Local Government: Municipal Structures Act 117 of 1998 and Local Government: Municipal Systems Act 32 of 2000: City of Tshwane Metropolitan Municipality: Notice of intention to make By-laws in respect of the establishment of Ward Committees published (GenN 4053 in *PG* 365 of 9 December 2014) (p3)

KWAZULU-NATAL

KwaZulu-Natal Heritage Act 4 of 2008: Notice of intention to amend the Schedule published for comment (PN 121 in *PG* 1159 of 19 June 2014) (p18)

Local Government: Municipal Finance Management Act 56 of 2003 and Local Government: Municipal Property Rates Act 6 of 2004: KwaDukuza Municipality: Notice of resolution on levying of rates 2014/2015 published (MN 43 in *PG* 1159 of 19 June 2014) (p19)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Endumeni Municipality: Notice of date of commencement: By-law relating to Municipal Facilities and Public Amenities, 2007 as published under MN 111 in *PG* 631 of 8 September 2011; By-law relating to the Control of Public Nuisances, 2012 as published under MN 9 in *PG* 897 of 15 February 2013; Keeping of Animals By-law, 2012 as published under MN 27 in *PG* 928 of 16 April 2013; Trading By-law, 2012 as published under MN 89 in *PG* 997 of 29 July 2013; and By-law for the Control and Discharge of Fireworks, 2013 as published under MN 3 in *PG* 1087 of 30 January 2014 published with effect from 1 July 2014 (MN 44 in *PG* 1159 of 19 June 2014) (p21)

Local Government: Municipal Property Rates Act 6 of 2004: Endumeni Municipality: Assessment of general rates for the financial year 1 July 2014 to 30 June 2015 published (MN 45 in *PG* 1159 of 19 June 2014) (p24)

Local Government: Municipal Finance Management Act 56 of 2003 and Local Government: Municipal Property Rates Act 6 of 2004: uMlalazi Municipality: Notice of resolution on levying of rates for the financial year 2014/2015 published with effect from 1 July 2014 (MN 46 in *PG* 1159 of 19 June 2014) (p27)

Local Government: Municipal Property Rates Act 6 of 2004: Okhahlamba Local Municipality: Municipal Property Rates By-law published with effect from 1 July 2014 (MN 47 in *PG* 1159 of 19 June 2014) (p29)

Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Property Rates Act 6 of 2004: Okhahlamba Local Municipality: Tariff By-law published with effect from 1 July 2014 (MN 49 in *PG* 1159 of 19 June 2014) (p33)

LIMPOPO

National Environmental Management: Protected Areas Act 57 of 2003: Notice of intention to declare various land parcels as nature reserves published for comment (GenN 447 in *PG* 2449 of 5 December 2014) (p3)

MPUMALANGA

Mpumalanga Nature Conservation Act 10 of 1998: Open Season: Ordinary Game published (ON 1 in *PG* 2394 of 5 December 2014) (p3)

NORTH WEST

Local Government: Municipal Systems Act 32 of 2000: Tlokwe City Council: Adoption of By-laws: Blacklisting By-law; Deposit By-law; Short Term Risks and Liabilities By-law; and Whistle Blowing By-law published (LANs 258-261 in *PG* 7380 of 9 December 2014) (pp 16, 39, 44 & 50)

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Local Government: Municipal Systems Act 32 of 2000: Tlokwe City Council: Budget By-law; and Municipal Tariffs By-law amended (LANs 262 & 263 in *PG* 7380 of 9 December 2014) (pp 55 & 56)

WESTERN CAPE

Western Cape Community Safety Act 3 of 2013: Draft Western Cape Provincial Police Ombudsman Regulations, 2014 published for comment (PN 323 in *PG* 7337 of 2 December 2014) (p2)

Nature Conservation Ordinance 19 of 1974: Hunting Seasons, daily bag limits and hunting by the use of prohibited hunting methods, 2015 published (PN 324 in *PG* 7338 of 5 December 2014) (p2058)

National Environmental Management: Integrated Coastal Management Act 24 of 2008: Notice of proposed official public launch sites for the Western Cape published for comment (PN 336 in *PG* 7338 of 5 December 2014) (p2069)

Local Government: Municipal Property Rates Act 6 of 2004: Prince Albert Municipality: Notice of approval of Property Tax Rates for the 2014/2015 financial year published (LAN 51985 in *PG* 7338 of 5 December 2014) (p2074)

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Western Cape Liquor Act 4 of 2008: Beaufort West Municipality: Liquor Trading Hours By-laws published (LAN 51972 in *PG* 7338 of 5 December 2014) (p2086)

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Western Cape Liquor Act 4 of 2008: Laingsburg Municipality: Liquor Trading Hours By-laws published (LAN 51993 in *PG* 7338 of 5 December 2014) (p2094)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Structures Act 117 of 1998: Witzenberg Municipality: Impoundment of Animals By-law published and previous by-laws repealed (LAN 51978 in *PG* 7338 of 5 December 2014) (p2097)

Constitution of the Republic of South Africa, 1996: Swellendam Local Municipality: By-law relating to the Prevention of Public Nuisances published and By-law for the Prevention and Suppression of Nuisances Swellendam Municipal Area as published under PN 6751 of 28 May 2010; Prevention/suppression of Nuisances Swellendam alone as published under PN 285 of 1972; Prevention/suppression of Nuisances Barrydale alone as published under PN 125 of 1974 and PN 621 of 1994; Animals Barrydale alone as published under PN 862 of 1989; Keeping of bees Barrydale alone as published under PN 275 of 1955; Cleanliness of premises Swellendam alone as published under PN 409 of 1976; Cleanliness of premises Barrydale alone as published under PN 124 of 1974 and PN 603 of 1988; Dilapidated buildings/unsightly/objectionable structures Barrydale alone as published under PN 126 of 1974; Control of Loudspeakers Barrydale alone as published under PN 277 of 1955; and Control over Loudspeakers Swellendam alone as published under PN 29 of 1955 revoked (LAN 51988 in *PG* 7338 of 5 December 2014) (p2139)

Constitution of the Republic of South Africa, 1996: Swellendam Local Municipality: Air Pollution Control By-law published and previous by-laws repealed (LAN 51987 in *PG* 7338 of 5 December 2014) (p2162)

Constitution of the Republic of South Africa, 1996 and Western Cape Liquor Act 4 of 2008: Knysna Municipality: Control of Undertakings that Sell Liquor By-law, 2014 published and Liquor Trading Days and Hours By-law repealed (LAN 51967 in *PG* 7338 of 5 December 2014) (p2181)

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Local Government: Municipal Structures Act 117 of 1998: Knysna Municipality: By-law on the Prevention of Public Nuisances and the Keeping of animals, poultry, pigeons and bees published and Nuisances By-law, Brenton Local Council as published under PN 461 of 1999; Animals By-law, Brenton Local Council as published under PN 469 of 1999; By-law regarding refuse in streets as published under PN 402 of 1943; By-law relating to the use of stoeps and verandahs as published under PN 386 of 1971; By-law relating to the cleanliness of premises as published under PN 427 of 1973; By-law relating to the keeping of bees as published under PN 388 of 1984; By-law relating to the dumping of rubbish and waste, Sedgefield Municipality as published under PN 388 of 1968; By-law relating to the cleanliness of premises, Sedgefield Municipality as published under PN 650 of 1986; and Nuisances By-law, Sedgefield Municipality as published under PN 140 of 1994 repealed (LAN 51968 in *PG* 7338 of 5 December 2014) (p2189)

Constitution of the Republic of South Africa, 1996: Knysna Municipality: Public Amenities By-laws published and previous by-laws repealed (LAN 51969 in *PG* 7338 of 5 December 2014) (p2198)

Constitution of the Republic of South Africa, 1996: Knysna Municipality: Integrated Waste Management By-law, 2014 published and previous by-laws repealed (LAN 51970 in *PG* 7338 of 5 December 2014) (p2217)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Swellendam Municipality: Fireworks By-law published and previous by-laws revoked (LAN 51986 in *PG* 7338 of 5 December 2014) (p2235)

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