



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 43 of 2015, based on Gazettes received during the week 16 to 23 October 2015)

JUTA'S WEEKLY E-MAIL SERVICE

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ACT

MERCHANT SHIPPING AMENDMENT ACT 12 OF 2015 (GG 39303 of 20 October 2015)¹

Date of commencement: to be proclaimed

Amends ss. 2, 101, 102, 111, 114, 117, 121, 130, 131, 162, 169, 172, 188, 341, 353, 355, 356 & 356bis; *inserts* ss. 111A & 158A; *repeals* ss. 93 to 100 inclusive; *substitutes* the heading to Chapter IV, ss. 91, 92, 110, 116, 145 & 352, and the expressions 'master or seafarer', 'master or seafarers' and 'masters and seafarers' for the expressions 'master, seaman or apprentice-officer', 'master, seamen or apprentice officers' and 'masters, seamen and apprentice officers', respectively, the word 'seafarer' for the expressions 'seaman or apprentice-officer' and 'seaman and apprentice-officer' and for the word 'seaman', the word 'seafarers' for the expressions 'seamen or apprentice-officers', 'seamen and apprentice-officers' and 'seamen, apprentice-officers' and for the word 'seamen' and the word 'seafarer's' for the word 'seaman's', wherever such words and expressions occur; and adds the Seventh and Eighth Schedules to the Merchant Shipping Act 57 of 1951

PROCLAMATIONS AND NOTICES

Department of Higher Education and Training:

Framework for the Annual Report on Skills Supply and Demand in South Africa published (GN 1007 in GG 39319 of 23 October 2015) (p4)

Department of Transport:

National Learner Transport Policy: June 2015 published (GN 997 in GG 39314 of 23 October 2015) (p4)

HEALTH PROFESSIONS ACT 56 OF 1974

Proposed amendment to regulations relating to the specialities and subspecialities in medicine and dentistry published for comment (GN 992 in GG 39304 of 20 October 2015) (p4)

¹ Wysigingswet op Handelskeepvaart 12 van 2015

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

Standards and requirements regarding control of the export of litchis amended with effect from seven days after publication (GenN 1006 in *GG* 39324 of 23 October 2015) (p120)

SOUTH AFRICAN POLICE SERVICE ACT 68 OF 1995

Institution of the 'The South African Police Service Centenary Medal, 1913 to 2013' published (GN 995 in *GG* 39312 of 23 October 2015) (p4)

MARKETING OF AGRICULTURAL PRODUCTS ACT 47 OF 1996

Establishment of statutory measure for the registration of producers, exporters and processors of pomegranates published with effect from 1 January 2016 (GN R1020 in *GG* 39325 of 23 October 2015) (p7)

Establishment of statutory measure for records and returns relating to trees as well as production and marketing information of pomegranates published with effect from 1 January 2016 (GN R1021 in *GG* 39325 of 23 October 2015) (p10)

Establishment of statutory measure and determination of levies on pomegranate and pomegranate products published with effect from 1 January 2016 (GN R1022 in *GG* 39325 of 23 October 2015) (p13)

ROAD ACCIDENT FUND ACT 56 OF 1996

Adjustment of statutory limit in respect of claims for loss of income and loss of support published with effect from 31 October 2015 (BN 234 in *GG* 39324 of 23 October 2015) (p185)

LAND SURVEY ACT 8 OF 1997

Scale of fees which shall be charged for products and services provided by the offices of the Chief Surveyor-General, Surveyors-General and National Geospatial Information (Surveys and Mapping) published and GenN 364 in *GG* 33157 of 4 May 2010 and GenN 283 in *GG* 35212 of 5 April 2012 repealed and replaced with effect from 30 days after publication (GN 1016 in *GG* 39324 of 23 October 2015) (p92)²

HIGHER EDUCATION ACT 101 OF 1997

Mangosuthu University of Technology Statute published (GN 998 in *GG* 39315 of 23 October 2015) (p4)

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

Determination of date on which the once-off discount for payment of outstanding tolls on the Gauteng Freeway Improvement Project (GFIP) toll roads will become operative as contemplated in GN 524 in *GG* 38884 of 17 June 2015 published (GN 993 in *GG* 39306 of 21 October 2015) (p4)

NATIONAL WATER ACT 36 OF 1998

Draft regulations on afforestation genus exchanges published for comment (GenN 1027 in *GG* 39324 of 23 October 2015) (p177)

SKILLS DEVELOPMENT ACT 97 OF 1998

Draft Policy on Artisan Recognition of Prior Learning published for comment (GN 996 in *GG* 39313 of 23 October 2015) (p4)

² Also published in GN 971 in *GG* 39296 of 16 October 2015

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

Notice of publication for comment of draft National Social Infrastructure Guideline published (GenN 1008 in *GG* 39324 of 23 October 2015) (p130)

PUBLIC FINANCE MANAGEMENT ACT 1 OF 1999

Exemption of IDC and its subsidiaries from s. 52 and all provisions of the Act, respectively, published (GN 1014 in *GG* 39324 of 23 October 2015) (p90)

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

Codes of Good Practice on Broad-Based Black Economic Empowerment: Property sector code published (GN 1008 in *GG* 39320 of 23 October 2015) (p4)³

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

Entities identified by the United Nations Security Council published (Proc 41 in *GG* 39307 of 21 October 2015) (p4)

ELECTRONIC COMMUNICATIONS ACT 36 OF 2005

Independent Communications Authority of South Africa (ICASA):

Draft amended End-user and Subscriber Service Charter Regulations 2015 published for comment (GenN 1002 in *GG* 39309 of 21 October 2015) (p4)

Radio Frequency Spectrum Regulations, 2015: Extension of comment period on Information Memorandum for the purpose of providing information to prospective applicants intending to apply for radio frequency spectrum licences for the purposes of providing national broadband wireless access services published for comment in GenN 914 in *GG* 39203 of 11 September 2015 published (GenN 1000 in *GG* 39301 of 16 October 2015) (p4)

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA AMENDMENT ACT 3 OF 2006 (sic)

Independent Communications Authority of South Africa (ICASA): Discussion Paper on the Framework for Dynamic and Opportunistic Spectrum Management 2015 published for comment (GenN 1001 in *GG* 39302 of 19 October 2015) (p4)

NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT 5 OF 2008

Compulsory Specification for Replacement Brake Lining Assemblies for Road Vehicles withdrawn and replaced with effect from six months from the date of publication (GN 1018 in *GG* 39324 of 23 October 2015) (p106)

Compulsory Specification for Personal Protective Equipment: Safety Footwear (VC 9002) amended with effect from six months from the date of publication (GN 1019 in *GG* 39324 of 23 October 2015) (p111)

Compulsory Specification for Circuit-Breakers (VC 8036) amended with effect from six months from the date of publication (GenN 1023 in *GG* 39324 of 23 October 2015) (p168)

³ See also GenN 450 in *GG* 35400 of 1 June 2012

NATIONAL QUALIFICATIONS FRAMEWORK ACT 67 OF 2008

South African Qualifications Authority (SAQA):

Professional Body Recognition and Professional Designation Registration: Evaluation Reports for:

- South African Council for Social Service Professions (SACSSP): Social Worker (SW), Social Auxiliary Worker (SAW)
- Council of Equine and Equestrian Professionals of South Africa (CEEPSA): Equine Practitioner, Equestrian Practitioner
- South African Chemical Institute (SACI): Professional Chemist (PrChemSA)
- Institute of Commercial Forensic Practitioners (ICFP): Commercial Forensic Practitioner South Africa [FP(SA)]
- South African Council for Professional and Technical Surveyors (PLATO): Geomatics Technician, Geomatics Technologist, Geomatics Professional

published (GNs 1000-1004 in *GG* 39317 of 23 October 2015) (pp 4, 14, 19, 25 & 31)

Notice of intention to recommend the recognition of professional bodies and the registration of designation/s on the NQF published for comment (GN 1005 in *GG* 39317 of 23 October 2015) (p38)

CIVIL AVIATION ACT 13 OF 2009

Notice of publication for comment of proposed amendment to the Civil Aviation Regulations, 2011 published (GN R999 in *GG* 39316 of 23 October 2015) (p4)

USE OF OFFICIAL LANGUAGES ACT 12 OF 2012

Language Policy for the Financial Services Board published (GN 1009 in *GG* 39324 of 23 October 2015) (p13)

Draft Language Policy of the South African Police Service published for comment (GN 994 in *GG* 39308 of 21 October 2015) (p4)

FINANCIAL MARKETS ACT 19 OF 2012

Notice of approval of amendments to the Strate Rules published with effect from 23 October 2015 (BN 235 in *GG* 39324 of 23 October 2015) (p186)

Notice of publication for comment of proposed amendments to the Strate Rules published (BN 236 in *GG* 39324 of 23 October 2015) (p187)

PREVENTION AND COMBATING OF TRAFFICKING IN PERSONS ACT 7 OF 2013

Regulations published (GN R1006 in *GG* 39318 of 23 October 2015) (p4)

BILLS

Division of Revenue Amendment Bill, 2015 [\[B27-2015\]](#)

Adjustments Appropriation Bill, 2015 [\[B28-2015\]](#)

Films and Publications Amendment Bill, 2014, notice of intention to introduce and explanatory summary published for comment (GenN 1005 in *GG* 39322 of 23 October 2015) (p4)

Tax Administration Laws Amendment Bill, 2015, notice of intention to introduce and explanatory summary published for comment (GenN 1003 in *GG* 39310 of 22 October 2015) (p4)

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**

Local Government: Municipal Structures Act 117 of 1998: Amendment notice to the Determination of number of councillors of municipal councils published (PN 151 in *PG* 3523 of 16 October 2015) (p4)

Local Government: Municipal Demarcation Act 27 of 1998: Electoral Commission: Notice of view expressed that re-determination of municipal boundaries, as published under PN 92 in *PG* 3483 of 27 August 2015, will not materially affect the representation of voters in councils of municipalities published (PN 152 in *PG* 3523 of 16 October 2015) (p6)

Local Government: Municipal Demarcation Act 27 of 1998: Municipal Demarcation Board: Confirmation of determination and re-determination of municipal boundaries of municipalities published (PN 153 in *PG* 3526 of 21 October 2015) (p4)

FREE STATE

Municipal Systems Act 32 of 2000: Setsoto Local Municipality: Adoption of the By-law on Municipal Land Use Planning published and previous by-laws repealed with effect from a date that the Spatial Planning and Land Use Management Act comes into operation in the municipal area of the Municipality (*PG* 108 of 23 October 2015) (p3)

GAUTENG

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Delimitation of municipal wards: Merafong City Local Municipality (GT484); Mogale City Local Municipality (GT481); and Westonaria Local Municipality (GT[483]) published for comment (PNs 299-301 in *PGs* 456-458 of 19 October 2015) (p4)

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Variation and confirmation of delimitation of municipal wards: City of Johannesburg Metropolitan Municipality (JHB); and City of Tshwane Metropolitan Municipality (TSH) published (PN 302 & 304 in *PGs* 459 & 461 of 19 October 2015) (p4)

KWAZULU-NATAL

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Delimitation of municipal wards: uMuziwabantu Local Municipality (KZN214); Msunduzi Local Municipality (KZN225); Richmond Local Municipality (KZN227); (KZN238); Msinga Local Municipality (KZN244); eDumbe Local Municipality (KZN261); AbaQulusi Local Municipality (KZN263); Umhlabuyalingana Local Municipality (KZN271); Mtubatuba Local Municipality (KZN275); Mfolozi Local Municipality (KZN281); uMhlathuze Local Municipality (KZN282); KwaDukuza Local Municipality (KZN292); Ubuhlebezwe Local Municipality (KZN434); Umzimkhulu Local Municipality (KZN435); and (KZN436) corrected (PN 159 in *PG* 1529 of 19 October 2015) (pp 4, 6, 15, 17, 22, 25, 27, 29, 32, 37, 42, 44, 50, 53 & 55)

Local Government: Municipal Systems Act 32 of 2000: eThekweni Municipality: Child Care Facilities By-law 2015 published and City of Durban: Childminder Service By-law repealed with effect from six months from the date of publication or such earlier date as may be determined by the publication of a commencement notice (MN 200 in *PG* 1530 of 22 October 2015) (p4)

MPUMALANGA

Local Government: Municipal Property Rates Act 6 of 2004: Nkomazi Local Municipality: Charges for property rates for the 2015/2016 financial year published with effect from 1 July 2015 (LAN 124 in *PG* 2591 of 23 October 2015) (p4)

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NORTHERN CAPE

Spatial Planning and Land Use Management Act 16 of 2013: Kai !Garib Municipality; Kamiesberg Municipality; Siyancuma Municipality; Renosterberg Local Municipality; !Kheis Municipality; and Kareeberg Municipality: By-law on Municipal Land Use Planning published and various by-laws repealed (GenNs 146-147 & 149-152 in *PG* 1961 of 19 December 2015) (pp 6, 49, 136, 178, 220 & 264)

Spatial Planning and Land Use Management Act 16 of 2013: Mier Municipality and Karoo Hoogland Municipality: Nama Khoi By-law on Municipal Land Use Planning published and various by-laws repealed (GenNs 148 & 154 in *PG* 1961 of 19 December 2015) (pp 91 & 361)

Spatial Planning and Land Use Management Act 16 of 2013: Kgatelopele Local Municipality and Khai-Ma Local Municipality: Spatial Planning and Land Use Management By-law published and various by-laws repealed (GenNs 153 & 155 in *PG* 1961 of 19 October 2015) (pp 308 & 405)

WESTERN CAPE

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013: Stellenbosch Municipality: Land Use Planning By-law published with effect from the date that the Western Cape Land Use Planning Act 3 of 2014 comes into operation in the municipal area of the Municipality and various by-laws repealed (PN 354 in *PG* 7512 of 20 October 2015) (p2)

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

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