



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 2 of 2016, based on Gazettes received during the week 8 to 15 January 2016)

JUTA'S WEEKLY E-MAIL SERVICE

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ACTS

MEDICINES AND RELATED SUBSTANCES AMENDMENT ACT 14 OF 2015

(GG 39585 of 8 January 2016)¹

Date of commencement: immediately after the commencement of the Medicines and Related Substances Amendment Act 72 of 2008

Amends ss. 1, 2, 3, 14, 15, 16, 18, 19, 20, 22A, 22B, 22C, 22H, 28, 29, 30, 31, 35; *inserts* ss. 2A-I; *repeals* s. 4 and *substitutes* ss. 13, 18A & 36 and certain words in the Medicines and Related Substances Act 101 of 1965; and *repeals* s. 44 of the Medicines and Related Substances Amendment Act 72 of 2008

TAX ADMINISTRATION LAWS AMENDMENT ACT 23 OF 2015

(GG 39586 of 8 January 2016)²

Date of commencement: 8 January 2016, unless otherwise indicated

Amends ss. 3, 35A, 61 & 64K and the heading to and paras. 1, 5, 9, 11A, 11C, 13, 14, 17, 19, 20 and 30 of the Fourth Schedule, *repeals* paras. 11B and 18 of the Fourth Schedule and *substitutes* para. 29 of the Fourth Schedule to the Income Tax Act 58 of 1962; *amends* ss. 1, 4, 27 & 99 and *repeals* s. 4D of the Excise Duty Act 91 of 1964; *amends* ss. 16, 20, 21 & 41 of the Value-Added Tax Act 89 of 1991; *amends* ss. 1 & 6 of the Skills Development Levies Act 9 of 1999; *amends* s. 21 of the Taxation Laws Second Amendment Act 4 of 2008; *amends* s. 14 of the Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008; *amends* ss. 1, 3, 6, 11, 22, 26, 34, 36, 46, 47, 49, 51, 68, 69, 70, 93, 98, 99, 111, 135, 146, 177, 179, 185, 187, 190, 191, 212, 213, 225, 226, 227, 229, 235, 251, 252, 256, 257 & 270, *inserts* s. 42A and *substitutes* ss. 105 & 236 of the Tax Administration Act 28 of 2011; *amends* ss. 1, 24, 25, 39, 182, 185 & 202 and *substitutes* s. 67 of the Customs Duty Act 30 of 2014; *amends* ss. 1, 21, 49, 65, 67, 69, 71, 110, 112, 113, 115, 171, 205, 211, 233, 259, 299, 313, 332, 350, 359, 368, 372, 373, 412, 418, 432, 439, 444, 451, 458, 460, 580, 581, 590, 600, 626, 627, 695, 761, 762, 780, 789, 823, 825, 832, 877, 896 & 913, *repeals* ss. 214, 235 & 396 and *substitutes*

¹ Wysigingswet op Medisyne en Verwante Stowwe 14 van 2015

² Wysigingswet op Belastingadministrasiewette 23 van 2015

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)

s. 421 of the Customs Control Act 31 of 2014; and *amends* ss. 32 & 52 of the Tax Administration Laws Amendment Act 44 of 2014

JUDICIAL MATTERS AMENDMENT ACT 24 OF 2015 (GG 39587 of 8 January 2016)³

Date of commencement: 8 January 2016 except ss 5, 12, 13, 14, 16, 17, 18 and 19: to be proclaimed

Amends s. 9 of the Magistrates' Courts Act 32 of 1944; *repeals* s. 384 of the Criminal Procedure Act 56 of 1955; *substitutes* s. 1 of the Prescribed Rate of Interest Act 55 of 1975; *amends* s. 13 of the Magistrates Act 90 of 1993; *amends* s. 36 of the Judicial Service Commission Act 9 of 1994; *amends* s. 1 and *substitutes* s. 91A of the Promotion of Access to Information Act 2 of 2000; *amends* s. 1 and *substitutes* s. 9A of the Promotion of Administrative Justice Act 3 of 2000; *amends* ss. 16 & 31 of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000; *amends* s. 7 and *substitutes* s. 14 of the Judges' Remuneration and Conditions of Employment Act 47 of 2001; *amends* ss. 65 & 66 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007; *amends* ss. 1, 12 & 13 of the South African Judicial Education Institute Act 14 of 2008; *amends* ss. 96 & 98 of the Child Justice Act 75 of 2008; and *amends* ss. 15 and 43 of the Prevention and Combating of Trafficking in Persons Act 7 of 2013

TAXATION LAWS AMENDMENT ACT 25 OF 2015 (GG 39588 of 8 January 2016)⁴

Date of commencement: 8 January 2016, unless otherwise indicated

Amends s. 2 of the Transfer Duty Act 40 of 1949; *amends* s. 3 of the Estate Duty Act 45 of 1955; *amends* ss. 1, 6, 6B (in the Afrikaans text), 6*quat*, 6*quin*, 8, 8F, 8FA, 9, 9C, 9D, 9H, 10, 10A, 11, 12B, 12C, 12E, 12I, 12J, 12L, 12O, 12P, 12Q, 12R, 12T, 13, 13*bis*, 13*quat*, 15, 18A, 19, 20C, 22, 23H, 23K, 23N, 24, 24C, 24D, 24I, 24JA, 24P, 25BB, 27, 28, 29A, 30, 30C, 31, 35A, 38, 41, 42, 44, 45, 46, 47, 48C, 49D, 49E, 50A, 50D, 56 (in the Afrikaans text), 64D, 64EB & 64F, paras. 11, 13, 14, 19 & 20 of the First Schedule, paras. 3, 3A, 4, 5 & 6 of the Second Schedule, paras. 1, 3, 10, 11 & 13 of the Sixth Schedule, paras. 1, 2, 6, 7, 9, 11, 12, 12A & 12D of the Seventh Schedule, paras. 2, 3, 4, 11, 12A, 13, 20, 29, 31, 35, 40, 41, 43, 55, 64B, 65, 66, 67, 76B & 80 of the Eighth Schedule and para. 8 of the Tenth Schedule, *inserts* ss. 9HA & 40E and para. 64C in the Eighth Schedule and *substitutes* ss. 24O, 25, 25A & 40C, paras. 7 & 9 of the First Schedule, para. 57A of the Eighth Schedule and the Eleventh Schedule to the Income Tax Act 58 of 1962; *amends* s. 20 of the Customs and Excise Act 91 of 1964; *amends* ss. 1, 8, 9, 10, 11, 12, 15, 18 & 21 of the Value-Added Tax Act 89 of 1991; *amends* ss. 1 & 8 of the Securities Transfer Tax Act 25 of 2007; *amends* ss. 3 & 7 of the Rates and Monetary Amounts and Amendment of Revenue Laws Act 23 of 2013; *amends* ss. 4 & 10 of the Employment Tax Incentive Act 26 of 2013; *amends* ss. 4, 13, 15, 16, 21, 62 & 99 of the Taxation Laws Amendment Act 31 of 2013; and *amends* ss. 16 of Act 43 of 2014, 22, 47, 64 & 65, *repeals* ss. 119 & 120 and *substitutes* ss. 121, 127, 128 & 132 of the Taxation Laws Amendment Act 43 of 2014

³ Wysigingswet op Geregtelike Aangeleenthede 24 van 2015

⁴ Wysigingswet op Belastingwette 25 van 2015

PROCLAMATIONS AND NOTICES**MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965**

Notice regarding the determination of the annual single exit price adjustment (SEPA) of medicines and scheduled substances for the year 2016 published (GN 24 in GG 39594 of 13 January 2016) (p4)

Information to be provided by manufacturers and/or importers of medicines and scheduled substances when applying for the single exit price adjustment (SEPA) for 2016 published (GN 25 in GG 39594 of 13 January 2016) (p5)

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

Standards and requirements regarding control of the export of apples amended with effect from 1 April 2016 (GN 27 in GG 39598 of 15 January 2016) (p8)

Standards and requirements regarding control of the export of pears amended with effect from 1 April 2016 (GenN 8 in GG 39598 of 15 January 2016) (p30)

Service fee in respect of abattoirs that participate in the classification and marking of meat published in GenN 1203 in GG 39504 of 11 December 2015 corrected (GenN 9 in GG 39598 of 15 January 2016) (p31)

SKILLS DEVELOPMENT ACT 97 OF 1998

Regulation 4 (4) of the Sector Education and Training Authorities (SETAs) Grant Regulations regarding monies received by a SETA and related matters repromulgated (GN 23 in GG 39592 of 13 January 2016) (p4)

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT 10 OF 2004

Draft amendment of the norms and standards for the marking of rhinoceros and rhinoceros horn, and for the hunting of rhinoceros for trophy hunting purposes published for comment (GenN 5 in GG 39589 of 12 January 2016) (p4)

SUPERIOR COURTS ACT 10 OF 2013

Regulations on the Criteria for the Determination of the Judicial Establishment of the Supreme Court of Appeal and Divisions of the High Court of South Africa, 2015 published (GN R26 in GG 39595 of 14 January 2016) (p4)

BILL

Draft Perishable Products Export Control Bill, 2015 published for comment (GenNs 6 & 7 in GG 39593 of 15 January 2016) (pp 4 & 40)

PROVINCIAL LEGISLATION**GAUTENG**

Draft Gauteng Provincial Languages Act, 2015 together with Memorandum on the objects of the bill published for comment (LAN 19 in PG 6 of 14 January 2016) (p4)

KWAZULU-NATAL

Local Government: Municipal Systems Act 32 of 2000: uMgungundlovu District Municipality: Richmond; uMshwathi; uMngeni; Mpofana; Impendle; and Mkhambathini Municipalities: Impendle Municipality, Mkhambathini Municipality, uMngeni Municipality, Mpofana Municipality, and uMshwathi Municipality Planning and Land Use Management By-law, 2015 published (MNs 1, 2 & 4-7 in PG 1579 of 15 January 2016) (pp 4, 101, 299, 400, 500 & 602)

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Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013: Endumeni Local Municipality: Planning and Land Use Management By-law, 2015 published (MN 3 in *PG* 1579 of 15 January 2016) (p199)

Hibiscus Coast Local Municipality: Planning and Land Use Management By-law, 2015 published⁵ (MN 8 in *PG* 1580 of 15 January 2016) (p4)

uMhlabuyalingana Local Municipality: Waste Management By-laws published and previous by-laws repealed⁶ (MN 9 in *PG* 1581 of 14 January 2016) (p4)

MPUMALANGA

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and National Environmental Management: Waste Act 59 of 2008: Emalahleni Local Municipality: Waste Management By-laws published and Solid Waste Management By-laws as published under LAN 64 of 2008 repealed (PN 1 in *PG* 2632 of 13 January 2016) (p4)

Constitution of the Republic of South Africa, 1996; Local Government: Municipal Systems Act 32 of 2000 and National Environmental Management Act 107 of 1998: Emalahleni Local Municipality: Noise Control By-law published and previous by-laws repealed (PN 2 in *PG* 2632 of 13 January 2016) (p70)

Steve Tshwete Local Municipality: Municipal By-law on Spatial Planning and Land Use Management published with effect from the date that the Spatial Planning and Land Use Management Act 16 of 2013⁷ comes into operation in the municipal area of the Municipality (LAN 2 in *PG* 2633 of 15 January 2016) (p4)

WESTERN CAPE

Western Cape Provincial School Education Act 12 of 1997: Amendments to Regulations relating to the Education Council for the Province of the Western Cape published with effect from 1 January 2016, except for regulations 2(b) and 3(d), 1 January 2018 (PN 435 in *PG* 7549 of 14 December 2015) (p2)

Saldanha Bay Industrial Development Zone Licencing Company Bill, 2016 [B 5-2015] together with the Memorandum on the objects of the bill published for comment (PN 1 in *PG* 7552 of 7 January 2016) (p2)

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

⁵ *Editorial note*: It is unclear whether these by-laws come into operation on 15 January 2016 or on a date to be determined by the Municipality. We have contacted the relevant municipality for clarification.

⁶ *Editorial note*: It is unclear whether these by-laws come into operation on 14 January 2016 or on a date to be determined by the Municipality. We have contacted the relevant municipality for clarification.

⁷ Date of commencement: 1 July 2015 (Proc 26 in *GG* 38828 of 27 May 2015)