



# JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 9 of 2016, based on Gazettes received during the week 26 February to 4 March 2016)

## JUTA'S WEEKLY E-MAIL SERVICE

ISSN 1022 - 6397

### ACTS

#### **DIVISION OF REVENUE AMENDMENT ACT 15 OF 2015** (GG 39755 of 26 February 2016) <sup>1</sup>

*Date of commencement:* 26 February 2016

*Amends* Schedules 1 to 6 inclusive to the Division of Revenue Act 1 of 2015

#### **ADJUSTMENTS APPROPRIATIONS ACT 21 OF 2015** (GG 39756 of 26 February 2016) <sup>2</sup>

*Date of commencement:* 26 February 2016

### PROCLAMATIONS AND NOTICES

#### **DEEDS REGISTRIES ACT 47 OF 1937**

Regulations relating to fees amended with effect from one month after publication (GN 200 in GG 39757 of 29 February 2016) (p4)

Amendment of definition of area of the deeds registry at Pietermaritzburg as published in GN 1044 in GG 32680 of 4 November 2009 to exclude the area of the Matatiele Local Municipality published (GN 206 in GG 39762 of 1 March 2016) (p4)

Amendment of definition of area of the Deeds Registry at Mthatha as published in GN 1045 in GG 32680 of 4 November 2009 to include the area of the Matatiele Local Municipality published (GN 207 in GG 39762 of 1 March 2016) (p5)

#### **INCOME TAX ACT 58 OF 1962**

Regulations in terms of s. 12T (8) on the requirements for tax free investments amended (GN R209 in GG 39765 of 1 March 2016) (p4)

#### **FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972**

Proposed regulations relating to the fortification of certain foodstuffs published for comment (GN 217 in GG 39776 of 3 March 2016) (p4)

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<sup>1</sup> uMthetho oChibiyela Ukwabiwa kweziMali 15 ka 2015

<sup>2</sup> Molao wa Diphetoho tsa Tekanyetso 21 ya 2015

**PRESCRIBED RATE OF INTEREST ACT 55 OF 1975**

Rate of interest for the purposes of s. 1 (1) prescribed and GN R554 in GG 37831 of 18 July 2014 withdrawn with effect from 1 March 2016 (GN 226 in GG 39785 of 4 March 2016) (p4)

**PETROLEUM PRODUCTS ACT 120 OF 1977**

Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 2 March 2016 (GN R203 in GG 39761 of 1 March 2016) (p4)

Amendment of regulations in respect of petroleum products published with effect from 2 March 2016 (GN R204 in GG 39761 of 1 March 2016) (p5)

Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published with effect from 2 March 2016 (GN R205 in GG 39761 of 1 March 2016) (p7)

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993**

Compensation Fund: Classification of industries published (GN 224 in GG 39784 of 4 March 2016) (p4)

**NATIONAL EDUCATION POLICY ACT 27 OF 1996**

Approval of the amendments to the policy document *A Résumé of subjects for the Senior Certificate, Report 550* regarding the promotion requirements based on the combination of credits obtained in different qualifications published (GN 218 in GG 39775 of 4 March 2016) (p4)

**SOUTH AFRICAN SCHOOLS ACT 84 OF 1996**

Determination of minimum outcomes and standards and a national process and procedures for the assessment of learner achievement as stipulated in the policy document *A Résumé of subjects for the Senior Certificate, Report 550* published (GN 219 in GG 39775 of 4 March 2016) (p5)

**WATER SERVICES ACT 108 OF 1997**

Extension of comment period for proposed revision of the norms and standards in respect of tariffs for water service authorities and bulk water service providers published for comment in GenN 1153 in GG 39411 of 13 November 2015 published (GenN 96 in GG 39781 of 4 March 2016) (p45)

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

South African National Roads Agency SOC Ltd: Tolls for the different categories of road users and classes of motor vehicles and the rebates thereon and increases and reductions thereof published and GN 177 in GG 39695 of 15 February 2016 and all previous toll tariff notices in respect of the specified toll roads repealed and replaced from a date 14 days from publication (GN 197 in GG 39754 of 26 February 2016) (p4)

**NATIONAL WATER ACT 36 OF 1998**

Extension of comment period for proposed revision of the pricing strategy for water use charges in terms of s. 56 (1) published for comment in GenN 1154 in GG 39411 of 13 November 2015 (GenN 96 in GG 39781 of 4 March 2016) (p45)

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**PUBLIC FINANCE MANAGEMENT ACT 1 OF 1999**

Exemption of arts and culture public entities from s. 55 (1) (b) (GRAP 103 in respect of initial measurement and subsequent measurement) for the financial years 2015/16 and 2016/17 published (GenN 97 in *GG* 39777 of 4 March 2016) (p4)

**PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000**

KwaZulu-Natal Department of Agriculture and Rural Development: Section 14 manual published (*GG* 39766 of 1 March 2016) (p3)

**SOUTH AFRICAN WEATHER SERVICE ACT 8 OF 2001**

Proposed regulations regarding fees for the provision of aviation meteorological services published for comment (GN 216 in *GG* 39772 of 3 March 2016) (p4)

**FINANCIAL INTELLIGENCE CENTRE ACT 38 OF 2001**

Directive 04/2016: Updating of registration related information to access the new registration and reporting platform of the Financial Intelligence Centre published (GN 220 in *GG* 39779 of 4 March 2016) (p4)

**BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003**

Codes of Good Practice on Broad-Based Black Economic Empowerment: Draft Amended ICT Sector Code published for comment and *GG* 39726 of 24 February 2016 replaced (GN 201 in *GG* 39758 of 29 February 2016) (p4)

**ELECTRONIC COMMUNICATIONS ACT 36 OF 2005**

Policy Direction to the Independent Communications Authority of South Africa on Effective Competition in Broadband Markets and the Reduction of Data Costs published (GN 225 in *GG* 39781 of 4 March 2016) (p10)

Independent Communications Authority of South Africa (ICASA): Application for amendment of an Individual Commercial Sound Broadcasting Service Licence by Primedia (Pty) Ltd 94.7 Highveld Stereo published for comment (GenN 87 in *GG* 39773 of 3 March 2016) (p4)

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT 5 OF 2008**

Proposed amendment to the compulsory specification for hot water storage tanks for domestic use (VC 9006) published for comment (GN R212 in *GG* 39771 of 3 March 2016) (p4)

Proposed compulsory specification for live lobsters (VC 9104) published for comment (GN R213 in *GG* 39771 of 3 March 2016) (p12)

Proposed amendment to the compulsory specification for pneumatic tyres for commercial vehicles and their trailers published for comment (GN R214 in *GG* 39771 of 3 March 2016) (p21)

Proposed amendment to the compulsory specification for pneumatic tyres for passenger cars and their trailers published for comment (GN R215 in *GG* 39771 of 3 March 2016) (p24)

**TAX ADMINISTRATION ACT 28 OF 2011**

Regulations for purposes of para. (a) of the definition of 'international tax standard' in s. 1 specifying the changes to the OECD Standard for Automatic Exchange of Financial Account Information in Tax Matters published (GN R210 in *GG* 39767 of 2 March 2016) (p4)

**USE OF OFFICIAL LANGUAGES ACT 12 OF 2012**

Language Policy of the Department of Home Affairs published (GN 208 in *GG* 39764 of 1 March 2016) (p4)

National Treasury's Language Policy published (GN 211 in *GG* 39770 of 3 March 2016) (p4)

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Department of Water and Sanitation: Proposed Language Policy published for comment (GN 221 in *GG* 39780 of 4 March 2016) (p4)

Department of Women: Proposed Language Policy published for comment (GenN 83 in *GG* 39769 of 3 March 2016) (p4)

National Department of Human Settlements (NDHS): Proposed Language Policy published for comment (GenN 84 in *GG* 39781 of 4 March 2016) (p13)

#### **TAXATION LAWS AMENDMENT ACT 25 OF 2015**

Independent Commission for the Remuneration of Public Office Bearers: Recommendations to the President for the amendment of the Political Office-Bearers Pension Fund published (GN 202 in *GG* 39759 of 29 February 2016) (p4)

#### **BILL**

Deeds Registries Amendment Bill, 2016, memorandum on the objects of the Bill published for comment (GenN 92 in *GG* 39781 of 4 March 2016) (p30)

### **PROVINCIAL LEGISLATION**

#### **EASTERN CAPE**

Disaster Management Act 57 of 2002: Joe Gqabi District Municipality: Extension of the Declaration of a Local State of Drought Disaster: Local Municipalities: Elundini; Gariep; Maletswai; and Senqu published (PN 22 in *PG* 3606 of 4 March 2016) (p4)

Disaster Management Act 57 of 2002: Joe Gqabi District Municipality: Extension of the Declaration of Local State of Organic Pollution Disaster: Ugie Town in the Elundini Local Municipality area published (PN 23 in *PG* 3606 of 4 March 2016) (p5)

National Environmental Management: Protected Areas Act 57 of 2003: Declaration of nature reserves and protected environments: Baviaanskloof Nature Reserve; Sam Knott Nature Reserve; Skilderkrantz Nature Reserve; and Cedarville Protected Environment published (PN 24 in *PG* 3607 of 4 March 2016) (p4)

Camdeboo Local Municipality; Kouga Local Municipality; Great Kei Local Municipality; Matatiele Local Municipality; Intsika Yethu Local Municipality; Ndlambe Local Municipality; Mbizana Local Municipality; Mbhashe Local Municipality; Engcobo Local Municipality; Inxubu Yethemba Local Municipality; Amahlathi Local Municipality: By-law on Spatial Planning and Land Use Management published (LANs 18-28 in *PGs* 3608-3617 & 3619 of 4 March 2016) (p4)

Eastern Cape Consumer Protection Bill, 2016 published for comment (PN 25 in *PG* 3618 of 4 March 2016) (p4)

#### **FREE STATE**

Remuneration of Public Office Bearers Act 20 of 1998: Notice of commencement date of Determination of salaries and allowances of Members of the Executive Council and the Members of the Provincial Legislature as published under Proc 10 of *GG* 39750 of 26 February 2016 published and PN 151 in *PG* 107 of 18 February 2015 repealed with effect from 1 April 2015 (PN 209 in *PG* 154 of 1 March 2016) (p2)

#### **GAUTENG**

Local Government: Municipal Structures Act 117 of 1998: Transitional measures to facilitate the disestablishment of existing municipalities and the establishment of a new municipality published (GenN 273 in *PG* 67 of 29 February 2016) (p4)

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: City of Tshwane

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Metropolitan Municipality: Land Use Management By-law, 2016 published with effect from 2 March 2016 (LAN 327 in *PG* 72 of 2 March 2016) (p4)

#### **KWAZULU-NATAL**

Nquthu Local Municipality: Spatial Planning and Land Use Management By-law, 2015 published (MN 2 in *PG* 1619 of 26 February 2016)<sup>3</sup> (p4)

Ubuhlebezwe Local Municipality: Planning and Land Use Management By-law, 2016 published (MN 3 in *PG* 1619 of 26 February 2016) (p101)

KwaDukuza Local Municipality: Spatial Planning and Land Use Management By-law, 2016 published (MN 4 in *PG* 1619 of 26 February 2016)<sup>4</sup> (p198)

Nongoma Local Municipality: Spatial Planning and Land Use Management By-law, 2016 published (MN 5 in *PG* 1619 of 26 February 2016)<sup>5</sup> (p301)

KwaSani and Ndwedwe Local Municipalities: Planning and Land Use Management By-law, 2015 published (MNs 6 & 7 in *PG* 1619 of 26 February 2016) (pp 400 & 495)

Umzimkhulu Local Municipality: Planning and Land Use Management By-law, 2016 published (MN 8 in *PG* 1619 of 26 February 2016)<sup>6</sup> (p597)

National Environmental Management: Protected Areas Act 57 of 2003: Notice of intention to request the MEC for Economic Development to re-declare certain nature reserves, designate a wilderness area and declare a new nature reserve published for comment (GenN 6 in *PG* 1621 of 3 March 2016) (p10)

KwaZulu-Natal Gaming and Betting Regulations, 2012: Determination of 'other events or contingencies' upon which bets may be struck published (PN 62 in *PG* 1621 of 3 March 2016) (p17)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Big Five False Bay Local Municipality: Debt Collection By-laws published and previous by-laws repealed (MN 26 in *PG* 1621 of 3 March 2016) (p20)

Ezinqoleni Local Municipality: Municipal Planning and Land Use Management By-law, 2016 published (MN 27 in *PG* 1622 of 4 March 2016) (p4)

Spatial Planning and Land Use Management Act 16 of 2013: uMdoni Local Municipality: Amendment to the Planning and Land Use Management By-law, 2016 as published under MN 2 in *PG* 1612 of 19 February 2016 published (MN 28 in *PG* 1623 of 4 March 2016) (p4)

Dannhauser Local Municipality: Spatial Planning and Land Use Management By-law, 2016 published (MN 29 in *PG* 1624 of 4 March 2016) (p4)

Endumeni Local Municipality: Date of commencement for the Planning and Land Use Management By-law, 2015: 1 March 2016 published (MN 30 in *PG* 1625 of 4 March 2016) (p4)

Spatial Planning and Land Use Management Act 16 of 2013: Umzumbe Local Municipality: Amendment to the Planning and Land Use Management By-law, 2016 as published under MN 3 in *PG* 1612 of 19 February 2016 published (MN 31 in *PG* 1626 of 4 March 2016) (p4)

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<sup>3</sup> Also published under MN 32 in *PG* 1627 of 4 March 2016

<sup>4</sup> Also published under MN 35 in *PG* 1630 of 4 March 2016

<sup>5</sup> Also published under MN 34 in *PG* 1629 of 4 March 2016

<sup>6</sup> Also published under MN 33 in *PG* 1628 of 4 March 2016

**LIMPOPO**

Limpopo Economic Development Agency Bill, 2016 together with the memorandum on the objects of the Bill published for comment (PN 13 in *PG* 2678 of 26 February 2016) (p4)

Limpopo Adjustments Appropriation Act, 2015 (PN 17 in *PG* 2680 of 4 March 2016) (p4)  
*Date of commencement:* 4 March 2016

Local Government: Municipal Systems Act 32 of 2000: Thabazimbi Local Municipality: Land Use Management By-law, 2015 published (LAN 27 in *PG* 2681 of 4 March 2016) (p4)

**MPUMALANGA**

National Environmental Management Act 107 of 1998: Environmental Implementation Plan (2015-2020) published (PN 15 in *PG* 2657 of 29 February 2016) (p4)

Local Government: Municipal Systems Act 32 of 2000: Dr JS Moroka Local Municipality: Draft By-laws: Management, Maintenance and Control of Taxi Rank Facilities By-law and Control of undertakings that sell liquor to the public By-law published for comment (LANs 22-24 in *PG* 2659 of 4 March 2016) (pp 4, 5 & 6)

Notice of Business and Street Tradings and Liquor Selling By-laws published for comment (LAN 25 in *PG* 2659 of 4 March 2016) (p6)

**NORTHERN CAPE**

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013: Thembelihle Local Municipality: By-law on Municipal Land Use Planning published (GenN 14 in *PG* 1990 of 29 February 2016) (p10)

Spatial Planning and Land Use Management Act 16 of 2013: ZF Mgcawu District Municipality: Notice of agreement to establish a Joint Municipal Planning Tribunal with Mier; Kai !Garib; Tsantsabane; Kgatelopele; and !Kheis Local Municipalities published (GenN 15 in *PG* 1990 of 29 February 2016) (p58)

Spatial Planning and Land Use Management Act 16 of 2013: Erratum: Notice of commencement of the ZF Mgcawu Joint Municipal Planning Tribunal as published under GenN 199 in *PG* 1979 of 14 December 2015 corrected (ON 2 in *PG* 1990 of 29 February 2016)<sup>7</sup> (p59)

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013: Gamagara Local Municipality: Spatial Planning and Land Use Management By-law published (GenN 16 in *PG* 1991 of 29 February 2016) (p4)

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013: Nama Khoi Local Municipality: By-law on Municipal Land Use Planning published (GenN 17 in *PG* 1991 of 29 February 2016)<sup>8</sup> (p50)

Spatial Planning and Land Use Management Act 16 of 2013: Notice of agreement to establish a District Municipal Planning Tribunal between Ga-Segonyana; Gamagara; Joe Morolong Local Municipalities; and John Taolo Gaetsewe District Municipality published (GenN 18 in *PG* 1991 of 29 February 2016)<sup>9</sup> (p94)

Spatial Planning and Land Use Management Act 16 of 2013: Notice of agreement to establish a Joint Municipal Planning Tribunal between ZF Mgcawu District Municipality; !Kheis; Kai !Garib; Mier; Tsantsabane; and Kgatelopele Local Municipalities published (GenN 21 in *PG* 1992 of 1 March 2016) (p4)

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<sup>7</sup> Also published under GenN 19 in *PG* 1991 of 29 February 2016

<sup>8</sup> Also published under GenN 24 in *PG* 1994 of 4 March 2016

<sup>9</sup> Also published under GenN 20 in *PG* 1991 of 29 February 2016

Spatial Planning and Land Use Management Act 16 of 2013: Establishment of a District Municipal Planning Tribunal between John Taolo Gaetsewe District Municipality; Ga-Segonyana; Gamagara; and Joe Morolong Local Municipalities published (MN 3 in *PG* 1994 of 4 March 2016) (48)

#### **NORTH WEST**

Spatial Planning and Land Use Management Act 16 of 2013: City of Matlosana Local Municipality: Draft By-law on Spatial Planning and Land Use Management published (LAN 31 in *PG* 7622 of 3 March 2016) (p4)

#### **WESTERN CAPE**

Constitution of the Republic of South Africa, 1996: Theewaterskloof Local Municipality: By-law on Rules of Order for the Internal Arrangements of the Municipal Council published and Rules of order regulating the conduct of meetings as published in *PG* 6555 of 22 August 2008 repealed (PN 39 in *PG* 7568 of 22 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Cape Winelands District Municipality (DC2): Draft Establishment Ninth Amendment Notice published for comment (PN 50 in *PG* 7571 of 24 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Witzenberg Local Municipality (WCO22): Draft Establishment Sixth Amendment Notice published for comment (PN 51 in *PG* 7571 of 24 February 2016) (p4)

Local Government: Municipal Structures Act 117 of 1998: Drakenstein Local Municipality (WCO23): Draft Establishment Sixth Amendment Notice published for comment (PN 52 in *PG* 7571 of 24 February 2016) (p6)

Local Government: Municipal Structures Act 117 of 1998: Stellenbosch Local Municipality (WCO24): Draft Establishment Eighth Amendment Notice published for comment (PN 53 in *PG* 7571 of 24 February 2016) (p8)

Local Government: Municipal Structures Act 117 of 1998: Breede Valley Local Municipality (WCO25): Draft Establishment Seventh Amendment Notice published for comment (PN 54 in *PG* 7571 of 24 February 2016) (p10)

Local Government: Municipal Structures Act 117 of 1998: Langeberg Local Municipality (WCO26): Draft Establishment Seventh Amendment Notice published for comment (PN 55 in *PG* 7571 of 24 February 2016) (p12)

Local Government: Municipal Structures Act 117 of 1998: City of Cape Town Metropolitan Municipality: Draft Establishment Seventh Amendment Notice published for comment (PN 56 in *PG* 7572 of 24 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Eden District Municipality (DC4): Draft Establishment Seventh Amendment Notice published for comment (PN 57 in *PG* 7573 of 24 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Hessequa Local Municipality (WCO42): Draft Establishment Sixth Amendment Notice published for comment (PN 58 in *PG* 7573 of 24 February 2016) (p4)

Local Government: Municipal Structures Act 117 of 1998: Mossel Bay Local Municipality (WCO43): Draft Establishment Sixth Amendment Notice published for comment (PN 59 in *PG* 7573 of 24 February 2016) (p6)

Local Government: Municipal Structures Act 117 of 1998: George Local Municipality (WCO44): Draft Establishment Seventh Amendment Notice published for comment (PN 60 in *PG* 7573 of 24 February 2016) (p8)

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Local Government: Municipal Structures Act 117 of 1998: Oudtshoorn Local Municipality (WCO45): Draft Establishment Fifth Amendment Notice published for comment (PN 61 in *PG* 7573 of 24 February 2016) (p9)

Local Government: Municipal Structures Act 117 of 1998: Knysna Local Municipality (WCO48): Draft Establishment Sixth Amendment Notice published for comment (PN 62 in *PG* 7573 of 24 February 2016) (p10)

Local Government: Municipal Structures Act 117 of 1998: Overberg District Municipality (DC3): Draft Establishment Sixth Amendment Notice published for comment (PN 63 in *PG* 7574 of 24 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Theewaterskloof Local Municipality (WCO31): Draft Establishment Sixth Amendment Notice published for comment (PN 64 in *PG* 7574 of 24 February 2016) (p4)

Local Government: Municipal Structures Act 117 of 1998: Overstrand Local Municipality (WCO32): Draft Establishment Sixth Amendment Notice published for comment (PN 65 in *PG* 7574 of 24 February 2016) (p6)

Local Government: Municipal Structures Act 117 of 1998: Cape Agulhas Local Municipality (WCO33): Draft Establishment Sixth Amendment Notice published for comment (PN 66 in *PG* 7574 of 24 February 2016) (p8)

Local Government: Municipal Structures Act 117 of 1998: Swellendam Local Municipality (WCO34): Draft Establishment Sixth Amendment Notice published for comment (PN 67 in *PG* 7574 of 24 February 2016) (p10)

Local Government: Municipal Structures Act 117 of 1998: West Coast District Municipality (DC1): Draft Establishment Seventh Amendment Notice published for comment (PN 68 in *PG* 7575 of 24 February 2016) (p2)

Local Government: Municipal Structures Act 117 of 1998: Saldanha Bay Local Municipality (WCO14): Draft Establishment Sixth Amendment Notice published for comment (PN 69 in *PG* 7575 of 24 February 2016) (p4)

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