



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 20 of 2016, based on Gazettes received during the week 13 to 20 May 2016)

JUTA'S WEEKLY E-MAIL SERVICE

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ACT

REVENUE LAWS AMENDMENT ACT 2 OF 2016 (GG 40006 of 20 May 2016)¹

Date of commencement: 20 May 2016, unless otherwise indicated

Amends the Income Tax Act 58 of 1962 and the Taxation Laws Amendment Act 25 of 2015

DIVISION OF REVENUE ACT 3 OF 2016 (GG 39995 of 18 May 2016)²

Date of commencement: 18 May 2016

Repeals the Division of Revenue Act 1 of 2015, except ss. 16 and 26, with effect from 18 May 2016 and ss. 16 and 26 of the Division of Revenue Act 1 of 2015 with effect from 1 July 2016

PROCLAMATIONS AND NOTICES

MERCHANDISE MARKS ACT 17 OF 1941

Proposed prohibition of the use of the Broad-based Black Economic Empowerment (B-BBEE) Commission logo published for comment (GN 527 in GG 39989 of 16 May 2016) (p4)

COMMISSIONS ACT 8 OF 1947

Call for submissions to the Commission of Inquiry into Higher Education and Training (the Fees Commission) published (GN 556 in GG 40003 of 20 May 2016) (p4)

CUSTOMS AND EXCISE ACT 91 OF 1964

Schedule 4 amended (GN R557 in GG 40004 of 20 May 2016) (p19)

BANKS ACT 94 OF 1990

Regulations relating to Banks amended with effect from 1 July 2016 (GenN 297 in GG 40002 of 20 May 2016) (p4)

VALUE-ADDED TAX ACT 89 OF 1991

Schedule 1 amended (GN R558 in GG 40004 of 20 May 2016) (p21)

¹ Wysigingswet op Inkomstewette 2 van 2016

² Molao wa Karoganyo ya Letseno 3 ya 2016

MARKETING OF AGRICULTURAL PRODUCTS ACT 47 OF 1996

Application for statutory levies on wheat and barley in terms of the Act published for comment by directly affected groups in the winter cereal industry (GenN 288 in *GG* 40001 of 20 May 2016) (p83)

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT 74 OF 1996

Referral of matters to existing special investigating unit and special tribunal in respect of the affairs of the following bodies published:

- Amahlathi Local Municipality (Proc R31 in *GG* 40004 of 20 May 2016) (p9)
- the Independent Development Trust (IDT), the Department of Basic Education (DBE) and the Department of Education for the Free State Province (DEFS) (Proc R32 in *GG* 40004 of 20 May 2016) (p13)

BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

Determinations in terms of s. 50 published (GNs 537-539 in *GG* 40001 of 20 May 2016) (pp 44, 48 & 52)

SOUTH AFRICAN MARITIME SAFETY AUTHORITY ACT 5 OF 1998

Determination of levies and revocation of GenNs [sic] 559 and 560 of 19 May 2016³ published with effect from 20 June 2016 (GN 559 in *GG* 40005 of 19 May 2016) (p4)

SOUTH AFRICAN MARITIME SAFETY AUTHORITY LEVIES ACT 6 OF 1998

Determination of levies and revocation of GenN [sic] 807 in *GG* 32460 of 30 July 2009⁴ published with effect from 20 June 2016 (GN 560 in *GG* 40005 of 19 May 2016) (p7)

SOUTH AFRICAN CIVIL AVIATION AUTHORITY LEVIES ACT 41 OF 1998

Proposed amendment of the determination made by the South African Civil Aviation Authority to impose a fuel levy on the sale of aviation fuel published for comment (GN R528 in *GG* 39993 of 18 May 2016) (p4) & (GN R531 in *GG* 39999 of 19 May 2016) (p4)

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

Consolidated Environmental Implementation and Management Plan (EIMP) 2015/2020 for the Department of Environmental Affairs published (GN 530 in *GG* 39998 of 19 May 2016) (p4)

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Description submitted in terms of s. 15 (1) by the South African Police Services (GN 536 in *GG* 40001 of 20 May 2016) (p23)

LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT 32 OF 2000

Proposed upper limit of total remuneration packages payable to municipal managers and managers directly accountable to municipal managers published for comment and *GG* 39991 of 17 May 2016⁵ withdrawn and replaced (GenN 287 in *GG* 40000 of 19 May 2016) (p4)

³ It is submitted that the circular reference is an oversight and that the intention was to revoke the determination published in GenN 920 in *GG* 36819 of 6 September 2013

⁴ It is submitted that the revocation of GN 807 in *GG* 32460 of 30 July 2009 is an oversight as the aforementioned notice was revoked by GenN 920 in *GG* 36819 of 6 September 2013 with effect from 1 November 2013. The intention may have been to revoke GenN 921 in *GG* 36819 of 6 September 2013

⁵ In which GenN 285 published said limits without an invitation to comment

GAS REGULATOR LEVIES ACT 75 OF 2002

Levy and interest payable on the piped-gas industry for the 2016/17 financial year published (GenN 283 in *GG* 39990 of 17 May 2016) (p5)

TRADITIONAL LEADERSHIP AND GOVERNANCE FRAMEWORK ACT 41 OF 2003

Recognition of the Queenship of Balobedu published (GN 555 in *GG* 40001 of 20 May 2016) (p82)

BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT 53 OF 2003

B-BBEE Codes of Good Practice: Proposed Industrial Development Corporation (IDC) Broad-based Black Economic Empowerment Facilitator Status published for comment (GenN 286 in *GG* 39997 of 19 May 2016) (p4)

PETROLEUM PIPELINES LEVIES ACT 28 OF 2004

Levy and interest payable on the petroleum pipelines industry for the 2016/17 financial year published (GenN 282 in *GG* 39990 of 17 May 2016) (p4)

NATIONAL ENERGY REGULATOR ACT 40 OF 2004

National Energy Regulator of South Africa (NERSA): Invitation to public hearings on the Multi Year Price Determination (MYPD) Methodology published (GenN 284 in *GG* 39990 of 17 May 2016) (p6)

USE OF OFFICIAL LANGUAGES ACT 12 OF 2012

Draft language policy of the National Credit Regulator (NCR) published (GenN 296 in *GG* 40001 of 20 May 2016) (p96)

FINANCIAL MARKETS ACT 19 OF 2012

Notice of approval of amendments to the STRATE Rules published (BN 62 in *GG* 40001 of 20 May 2016) (p103)

PROVINCIAL LEGISLATION**EASTERN CAPE**

Local Government: Municipal Demarcation Act 27 of 1998 and Local Government: Municipal Structures Act 117 of 1998: Transitional measures to facilitate the restructuring of municipalities affected by the re-determination of boundaries published (PN 74 in *PG* 3662 of 3 May 2016) (p4)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Property Rates Act 6 of 2004: Matatiele Local Municipality: Property Rates By-law published with effect from 11 May 2016 (GenN 17 in *PG* 3670 of 17 May 2016) (p4)

Constitution of the Republic of South Africa, 1996: Matatiele Local Municipality: Aerodrome By-law published and previous by-laws repealed (GenN 18 in *PG* 3670 of 17 May 2016) (p17)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Property Rates Act 6 of 2004: Matatiele Local Municipality: Electricity By-law, 2016 published (GenN 19 in *PG* 3670 of 17 May 2016) (p24)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Property Rates Act 6 of 2004: Matatiele Local Municipality: By-law on the Management and Control of Informal Settlement, 2016 published and previous by-laws repealed (GenN 20 in *PG* 3670 of 17 May 2016) (p60)

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)

Matatiele Local Municipality: Library and Information Service By-laws, 2016 published and previous by-laws repealed (GenN 21 in *PG* 3670 of 17 May 2016) (p73)

KWAZULU-NATAL

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Mkhambathini Local Municipality: Tariff By-law published with effect from 1 July 2014 (GenN 11 in *PG* 1671 of 18 May 2016) (p4)

National Road Traffic Act 93 of 1996: Notice of relocation of the Bergville Registering Authority (NB) to Lot 116, corner of Golf and R74 Road, Bergville published with effect from 20 May 2016 (PN 98 in *PG* 1672 of 19 May 2016) (p9)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Endumeni Local Municipality: Fire Prevention By-laws, 2015 published (MN 51 in *PG* 1672 of 19 May 2016) (p10)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Endumeni Local Municipality: Parking By-law, 2015; Refuse Removal and Disposal By-law, 2015; and Cemeteries By-law, 2015 published and previous by-laws repealed (MNs 52, 53 & 55 in *PG* 1672 of 19 May 2016) (pp 54, 77 & 98)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Endumeni Local Municipality: Stormwater Management By-laws, 2015 published (MNs 56 & 57 in *PG* 1672 of 19 May 2016) (pp 123 & 136)

LIMPOPO

Spatial Planning and Land Use Management Act 16 of 2013: Greater Sekhukhune District Municipality: Agreement on the Modalities for the Establishment of the Planning Tribunal published with effect from 14 days from date of publication (LAN 79 in *PG* 2708 of 20 May 2016) (p199)

MPUMALANGA

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Delimitation of municipal ward: Mangaung Metropolitan Municipality (MAN) as published under PN 69 in *PG* 2598 of 11 November 2015 withdrawn (PN 41 in *PG* 2692 of 16 May 2016) (p4)

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Variation and confirmation of delimitation of municipal wards: Mbombela/Umjindi (New) Local Municipality (MP326) as published under PN 2 in *PG* 2620 of 4 December 2015 amended (PN 42 in *PG* 2693 of 16 May 2016) (p4)

NORTHERN CAPE

Northern Cape Sport and Recreation Authority Act 4 of 2015 (PremN 3 in *PG* 2013 of 16 May 2016) (p13)

Date of commencement: to be proclaimed

Spatial Planning and Land Use Management Act 16 of 2013: Ga-Segonyana Local Municipality: Notice of commencement of the development of the Spatial Development Framework (SDF) published with effect from 1 April 2016 (MN 18 in *PG* 2013 of 16 May 2016) (p40)

Spatial Planning and Land Use Management Act 16 of 2013: Agreement for the establishment of a District Municipal Planning Tribunal between Pixley Ka Seme District Municipality; Ubuntu; Renosterberg; Thembelihle; Siyathemba; Umsobomvu; Emthanjeni; Kareeberg; and Siyancuma Local Municipalities published (MN 19 in *PG* 2013 of 16 May 2016) (p41)

Local Government: Municipal Structures Act 117 of 1998: Municipal Demarcation Board: Variation and confirmation of delimitation of municipal wards: Emthanjeni Local Municipality

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(NC073); Kai !Garib Local Municipality (NC082); Tsantsabane Local Municipality (NC085); Kgatelopele Local Municipality (NC086); Sol Plaatjie Local Municipality (NC091); Dikgatlong Local Municipality (NC092); Magareng Local Municipality (NC093); Phokwane Local Municipality (NC094); Ga-Segonyana Local Municipality (NC452); and Gamagara Local Municipality (NC453) as published under GenN 140 in *PG* 1956 of 28 September 2015 amended (GenN 43 in *PG* 2014 of 16 May 2016) (p4)

NORTH WEST

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Rustenburg Local Municipality: Promulgation of By-laws: By-law relating to Public Cemeteries; By-laws relating to Open Spaces; and By-laws relating to Swimming Pools and Spa-Baths published and previous By-laws repealed (PN 87 in *PG* 7646 of 18 May 2016) (pp 4, 20 & 37)

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

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