# JUTA-Law-(Jpeg)-5K-for-web

# JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 3 of 2017, based on Gazettes received during the week 13 to 20 January 2017)

JUTA'S WEEKLY E-MAIL SERVICE

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ACTS

PERFORMING ANIMALS PROTECTION AMENDMENT ACT 4 OF 2016
(*GG* 40555 of 19 January 2017) [[1]](#footnote-1)

*Date of commencement*: to be proclaimed

*Repeals* ss. 2 & 3, *inserts* ss. 3A to 3P inclusive & 11B, *amends* ss. 4, 7 & 11 and *substitutes* ss. 5 & 8 and certain expressions in the Performing Animals Protection Act 24 of 1935

FINANCE ACT 7 OF 2016 (*GG* 40556 of 19 January 2017) [[2]](#footnote-2)

*Date of commencement*: 19 January 2017

HIGHER EDUCATION AMENDMENT ACT 9 OF 2016 (*GG* 40548 of 17 January 2017) [[3]](#footnote-3)

*Date of commencement*: to be determined

*Amends* ss. 1, 3, 7, 20, 21, 23, 27, 31, 34, 39, 41, 44, 45A, 47, 49B, 50, 51, 53, 54, 57, 65B, 65D, 66, 68 & 69 and the Arrangement of Act, *substitutes* ss. 2, 42, 45, 45B, 49, 49A, 49D and the long title, *repeals* ss. 38A to 38O inclusive, 41A & 70, *inserts* a new Chapter 6 heading, ss. 49BA, 49F to 49J inclusive, Chapter 6A (ss. 49K-49W inclusive) and ss. 65AB & 65BA and *deletes* the existing Chapter 6 heading in the Higher Education Act 101 of 1997

UNEMPLOYMENT INSURANCE AMENDMENT ACT 10 OF 2016
(*GG* 40557 of 19 January 2017) [[4]](#footnote-4)

*Date of commencement*: 19 January 2017

*Substitutes* s. 3, *amends* ss. 5, 7, 12, 13, 14, 17, 20, 24, 25, 30, 33, 36A, 50 & 56 and Schedule 2 and *repeals* ss. 38, 39, 40 & 41 of the Unemployment Insurance Act 63 of 2001

DIVISION OF REVENUE AMENDMENT ACT 11 OF 2016 (*GG* 40558 of 19 January 2017) [[5]](#footnote-5)

*Date of commencement*: 19 January 2017

Amends Schedules 1, 4, 5 & 6 to the Division of Revenue Act 3 of 2016

ADJUSTMENTS APPROPRIATION ACT 12 OF 2016 (*GG* 40559 of 19 January 2017) [[6]](#footnote-6)

*Date of commencement*: 19 January 2017

RATES AND MONETARY AMOUNTS AND AMENDMENT OF REVENUE LAWS ACT 13 OF 2016 (*GG* 40560 of 19 January 2017) [[7]](#footnote-7)

*Date of commencement*: 19 January 2017, unless otherwise indicated

*Amends* s. 2 of the Transfer Duty Act 40 of 1949, *amends* ss. 5, 6, 6A, 9D, 29A & 29B, para. 9 of the Seventh Schedule, para. 5 of the Eighth Schedule and para. 10 of the Eighth Schedule to the Income Tax Act 58 of 1962 and *amends* Schedule 1 to the Customs and Excise Act 91 of 1964

RATES AND MONETARY AMOUNTS AND AMENDMENT OF REVENUE LAWS (ADMINISTRATION) ACT 14 OF 2016 (*GG* 40561 of 19 January 2017) [[8]](#footnote-8)

*Date of commencement*: 19 January 2017

TAXATION LAWS AMENDMENT ACT 15 OF 2016 (*GG* 40562 of 19 January 2017) [[9]](#footnote-9)

*Date of commencement*: 19 January 2017, unless otherwise indicated

*Amends* s. 2 of the Transfer Duty Act 40 of 1949, *amends* ss. 4A & 11 and the First Schedule to the Estate Duty Act 45 of 1955, *amends* ss. 1, 5, 6, 6A, 6B, 6*quat,* 7A, 8C, 8E, 8EA, 8F, 8FA, 9, 9C, 9D, 9H, 9HA, 10, 10A, 10B, 11, 11D, 12B, 12E, 12H, 12I, 12J, 12P, 12R, 12S, 13, 13*quat*, 20, 22, 23M, 23N, 23O, 24I, 24J, 24JB, 25, 25BB, 28, 29A, 30, 36, 37D, 41, 44, 50D, 50E, 50F & 56, paras. 1 & 4 of the Second Schedule, paras. 1 & 7 of the Sixth Schedule, paras. 7, 9 & 12D of the Seventh Schedule, paras. 11, 38, 43, 47, 49, 50, 66 & 76B of the Eighth Schedule and para. 4 of Part I of the Ninth Schedule; *inserts* ss. 7C & 12U, para. 2A in the Seventh Schedule and para. 64D in the Eighth Schedule, *substitutes* s. 50G and para. 64A of the Eighth Schedule and *repeals* Part IVC of Chapter II of the Income Tax Act 58 of 1962, *inserts* s. 119B in the Customs and Excise Act 91 of 1964, *amends* ss. 1, 7 & 15 and Schedule 1 and *repeals* s. 77 of the Value-Added Tax Act 89 of 1991, *substitutes* s. 3 of the Skills Development Levies Act 9 of 1999, *amends* s. 6 of the Unemployment Insurance Contributions Act 4 of 2002, *amends* ss. 1 & 2 of the Securities Transfer Tax Act 25 of 2007, *amends* s. 3 of the Mineral and Petroleum Resources Royalty Act 28 of 2008, *amends* ss. 1, 4, 7 & 9 and *substitutes* s. 12 of the Employment Tax Incentive Act 26 of 2013, *amends* ss. 13, 15 & 62 of the Taxation Laws Amendment Act 31 of 2013, *amends* s. 47 of the Taxation Laws Amendment Act 43 of 2014, and *amends* ss. 63, 103, 104, 108 & 128 of the Taxation Laws Amendment Act 25 of 2015

TAX ADMINISTRATION LAWS AMENDMENT ACT 16 OF 2016
(*GG* 40563 of 19 January 2017) [[10]](#footnote-10)

*Date of commencement*: 19 January 2017, unless otherwise indicated

*Amends* ss. 3, 35A, 64K & 102, paras. 1, 2, 9, 10, 11, 19, 20 & 28 of the Fourth Schedule and para. 3 of the Seventh Schedule, *substitutes* para. 11A of the Fourth Schedule and *repeals* para. 11C of the Fourth Schedule to the Income Tax Act 58 of 1962, *amends* ss. 21A, 76B, 105 & 113 and *substitutes* ss. 35A, 54 & 76C of the Customs and Excise Act 91 of 1964, *amends* ss. 1, 8, 11, 16, 18, 44, 55 & 86A and Schedule 1 to the Value-Added Tax Act 89 of 1991, *amends* ss. 1, 6, 14, 16 & 19; inserts ss. 5A & 6A; *repeals* ss. 15, 18A & Part IV; *substitutes* the Arrangement of Sections, ss. 5 & 8 and the headings to Part III & Part V of the Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008, *amends* ss. 1, 11, 14, 15, 16, 20, 69, 97, 99, 100, 104, 118, 151, 221, 223 & 270; and *substitutes* ss. 194 & 226 and para. 189 of Schedule 1 to the Tax Administration Act 28 of 2011, *amends* ss. 95, 171 & 175 and *repeals* s. 172 of the Customs Duty Act 30 of 2014, *amends* ss. 1, 91, 94, 194, 204, 308, 576, 600, 626, 687 & 929 and *substitutes* s. 63 of the Customs Control Act 31 of 2014 and *amends* s. 19 of the Tax Administration Laws Amendment Act 44 of 2014

CHILDREN'S AMENDMENT ACT 17 OF 2016 (*GG* 40564 of 19 January 2017) [[11]](#footnote-11)

*Date of commencement*: to be proclaimed

*Amends* ss. 1, 120, 122, 128, 150, 155, 159, 230 & 242 and the Table of Contents and *inserts* s. 152A in the Children's Act 38 of 2005

CHILDREN'S SECOND AMENDMENT ACT 18 OF 2016 (*GG* 40565 of 19 January 2017) [[12]](#footnote-12)

*Date of commencement*: to be proclaimed

*Amends* ss. 1, 151, 152, 171 & 176 of the Children's Act 38 of 2005

PROCLAMATIONS AND NOTICES

AIR TRAFFIC AND NAVIGATION SERVICES COMPANY ACT 45 OF 1993

Air traffic service charges published in GenN 959 in *GG* 40526 of 30 December 2016 corrected (GenN 29 in *GG* 40552 of 20 January 2017) (p85)

LABOUR RELATIONS ACT 66 OF 1995

Motor Industry Bargaining Council (MIBCO): Application for the renewal of period of operation of Administrative Collective Agreement published for comment
(GN R30 in *GG* 40553 of 20 January 2017) (p17)

PUBLIC SERVICE COMMISSION ACT 46 OF 1997

Public Service Commission Rules on Conducting Investigations published and Rules of Public Service Commission: Lodging of Complaints regarding Public Service withdrawn
(GenN 22 in *GG* 40552 of 20 January 2017) (p61)

COMPETITION ACT 89 OF 1998

South African Petroleum Industry Association (SAPIA): Grant of conditional exemption extended to 31 December 2017 (GN 22 in *GG* 40552 of 20 January 2017) (p12)[[13]](#footnote-13)

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 5 OF 2000

Preferential Procurement Regulations, 2017 published and Preferential Procurement Regulations, 2011 published in GN R502 in *GG* 34350 of 8 June 2011 repealed with effect from 1 April 2017 (GN R32 in *GG* 40553 of 20 January 2017) (p20)

LOCAL GOVERNMENT: MUNICIPAL FINANCE MANAGEMENT ACT 56 OF 2003

Amendment to the Municipal Supply Chain Management Regulations published
(GN R31 in *GG* 40553 of 20 January 2017) (p19)

ELECTRONIC COMMUNICATIONS ACT 36 OF 2005

Independent Communications Authority of South Africa (ICASA):

Extension of comment period on draft update of the National Radio Frequency Plan published for comment in GenN 861 in *GG* 40480 of 9 December 2016 published
(GenN 31 in *GG* 40567 of 20 January 2017) (p4)

PROVINCIAL LEGISLATION

EASTERN CAPE

Notice of extension to comment on the Eastern Cape Liquor Authority Bill, 2016 as published under PN 233 in *PG* 3754 of 24 October 2016 published
(PN 5 in *PG* 3788 of 18 January 2017) (p4)

GAUTENG

Gauteng Gambling Act 4 of 1995: Gauteng Gambling Amendment Regulations, 2017 published for comment (GenN 49 in *PG* 7 of 16 January 2017) (p4)

Gauteng Unauthorised Expenditure Act 5 of 2016 (PremN 1 in *PG* 10 of 18 January 2017) (p4)
*Date of commencement*: 18 January 2017

Gauteng Unauthorised Expenditure Act 4 of 2016: Correction notice published and Gauteng Unauthorised Expenditure Act 5 of 2016 as published under PremN 3 in *PG* 406 of 20 December 2016 withdrawn and replaced (PremN 2 in *PG* 11 of 19 January 2017) (p4)

KWAZULU-NATAL

Mthonjaneni Local Municipality: Planning and Land Use Management By-law, 2015 published (MN 2 in *PG* 1783 of 19 January 2017) (p79)

uMhlabuyalingana Local Municipality: Planning and Land Use Management By-law, 2016 published (MN 3 in *PG* 1783 of 19 January 2017) (p179)

Nkandla Local Municipality: Spatial Planning and Land Use Management By-law, 2016 published (MN 4 in *PG* 1783 of 19 January 2017) (p282)

AbaQulusi Local Municipality: Planning and Land Use Management By-law, 2016 published
(MN 5 in *PG* 1783 of 19 January 2017) (p378)

uPhongolo Local Municipality: Planning and Land Use Management By-Laws, 2015 published with effect from a date to be determined by the Municipal Manager by notice in the *Gazette*
(MN 6 in *PG* 1783 of 19 January 2017) (p480)

Spatial Planning and Land Use Management Act 16 of 2013 and Spatial Planning and Land Use Management Regulations: Ulundi Local Municipality: Planning and Land Use Management By-law, 2015 published with effect from a date to be determined by the Municipal Manager by notice in the *Gazette* (MN 7 in *PG* 1783 of 19 January 2017) (p583)

Directorate Planning and Development: eDumbe Local Municipality: Planning and Land Use Management By-Laws, 2015 published with effect from a date to be determined by the Municipal Manager by notice in the *Gazette* (MN 8 in *PG* 1783 of 19 January 2017) (p681)

uMfolozi Local Municipality: Planning and Land Use Management By-Law, 2016 published
(MN 9 in *PG* 1783 of 19 January 2017) (p775)

MPUMALANGA

Mpumalanga Nature Conservation Act 10 of 1998: Open Season: Ordinary Game published
(PN 7 in *PG* 2772 of 20 January 2017) (p18)

NORTHERN CAPE

National Road Traffic Act 93 of 1996: Schedule of fees in respect of registration and licencing of motor vehicles published with effect from 1 April 2017
(Proc 1 in *PG* 2068 of 16 January 2017) (p4)

NORTH WEST

Local Government: Municipal Structures Act 117 of 1998: Rustenburg Local Municipality: Rules of Order By-law 1 of 2010 published and Rules of Order By-law 1 of 2005 as published under LAN 381 in *PG* 6215 of 27 September 2005 repealed (PN 9 in *PG* 7725 of 17 January 2017) (p4)

WESTERN CAPE

Disaster Management Act 57 of 2002: Central Karoo District Municipality: Extension of declaration of a local drought disaster published
(LAN 54320 in *PG* 7714 of 13 January 2017) (p7)

Western Cape Liquor Act 4 of 2008: Draft amendment of Western Cape Liquor Regulations, 2011 published for comment (PN 21 in *PG* 7719 of 19 January 2017) (p2)

This information is also available on the daily legalbrief at [www.legalbrief.co.za](http://www.legalbrief.co.za)

1. Wysigingswet op Beskerming van Gedresseerde Diere 4 van 2016 [↑](#footnote-ref-1)
2. Molao wa Matlotlo 4 ya 2016 [↑](#footnote-ref-2)
3. Wysigingswet op Hoër Onderwys 9 van 2016 [↑](#footnote-ref-3)
4. Mulayo wa Ndindakhombo ya vho Fhelelwaho nga Mushumo wo Khwiniswaho 10 ya 2016 [↑](#footnote-ref-4)
5. Molao Phetošo wa Karoganyo ya Letseno 11 ya 2016 [↑](#footnote-ref-5)
6. Molao wa Diphetoho tsa Kabo 12 ya 2016 [↑](#footnote-ref-6)
7. Wet op Skale en Monetêre Bedrae en Wysiging van Inkomstewette 13 van 2016 [↑](#footnote-ref-7)
8. Wet op Skale en Monetêre Bedrae en Wysiging van Inkomstewette (Administrasie) 14 van 2016 [↑](#footnote-ref-8)
9. Wysigingswet op Belastingwette 15 van 2016 [↑](#footnote-ref-9)
10. Wysigingswet op Belastingadministrasiewette 16 van 2016 [↑](#footnote-ref-10)
11. uMthetho oChibiyela amaLungelo abaNtwana 17 ka 2016 [↑](#footnote-ref-11)
12. uMthetho wesiBili oChibiyela amaLungelo abaNtwana 18 ka 2016 [↑](#footnote-ref-12)
13. See also GN 1599 in *GG* 40517 of 21 December 2016 [↑](#footnote-ref-13)