



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

ISSN 1022 - 6397

ACTS

PERFORMING ANIMALS PROTECTION AMENDMENT ACT 4 OF 2016

(GG 40555 of 19 January 2017) 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

Date of commencement: 19 January 2017

HIGHER EDUCATION AMENDMENT ACT 9 OF 2016 (GG 40548 of 17 January 2017) 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

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

¹ Wysigingswet op Beskerming van Gedresseerde Diere 4 van 2016

² Molao wa Matlotlo 4 ya 2016

³ Wysigingswet op Hoër Onderwys 9 van 2016

⁴ Mulayo wa Ndingakhombo ya vho Fhelelwaho nga Mushumo wo Khwiniswaho 10 ya 2016

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)

DIVISION OF REVENUE AMENDMENT ACT 11 OF 2016 (GG 40558 of 19 January 2017) 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

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

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

Date of commencement: 19 January 2017

TAXATION LAWS AMENDMENT ACT 15 OF 2016 (GG 40562 of 19 January 2017) 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, 6quat, 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, 13quat, 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

⁵ Molao Phetošo wa Karoganyo ya Letseno 11 ya 2016

⁶ Molao wa Diphetoho tsa Kabo 12 ya 2016

⁷ Wet op Skale en Monetêre Bedrae en Wysiging van Inkomstewette 13 van 2016

⁸ Wet op Skale en Monetêre Bedrae en Wysiging van Inkomstewette (Administrasie) 14 van 2016

⁹ Wysigingswet op Belastingwette 15 van 2016

TAX ADMINISTRATION LAWS AMENDMENT ACT 16 OF 2016(GG 40563 of 19 January 2017) 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*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*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)

¹⁰ Wysigingswet op Belastingadministrasiewette 16 van 2016

¹¹ uMthetho oChibiyela amaLungelo abaNtwana 17 ka 2016

¹² uMthetho wesiBili oChibiyela amaLungelo abaNtwana 18 ka 2016

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

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)

¹³ See also GN 1599 in GG 40517 of 21 December 2016

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)

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