



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 34 of 2017 based on Gazettes received during the week 18 to 25 August 2017)

JUTA'S WEEKLY E-MAIL SERVICE

ISSN 1022 - 6397

ACT

FINANCIAL SECTOR REGULATION ACT 9 OF 2017 (GG 41060 of 22 August 2017)¹

Date of commencement: to be proclaimed

Repeals the Financial Services Board Act 97 of 1990, the Policy Board for Financial Services and Regulation Act 141 of 1993, the Inspection of Financial Institutions Act 80 of 1998 and the Financial Services Ombud Schemes Act 37 of 2004; *amends* ss. 35A & 83 of the Insolvency Act 24 of 1936; *amends* ss. 1, 2, 18, 19, 26, 30C, 30Q, 30R, 30S, 30T, 36 & 37 and the arrangement of sections, *inserts* ss. 1A, 1B, 30AA, *repeals* ss. 3, 25, 33, 33A & 34 and *substitutes* s. 30D of the Pension Funds Act 24 of 1956; *amends* ss. 1, 3, 33, 47 & 48 and the arrangement of sections, *inserts* ss. 1A & 1B, *repeals* ss. 4, 32, 44 & 45 and *substitutes* the word 'Authority' for the word 'registrar', wherever it occurs in the Friendly Societies Act 25 of 1956; *amends* ss. 3, 10, 11 & 12 of the South African Reserve Bank Act 90 of 1989; *amends* ss. 1, 4, 5, 6, 23, 52, 69A, 84, 90 & 91 and the arrangement of sections, *inserts* s. 1A, *repeals* ss. 3, 8, 9, 10 & 91A and *substitutes* the word 'Authority' for the word 'Registrar', wherever it occurs in the Banks Act 94 of 1990; *amends* s. 1 of the Financial Supervision of the Road Accident Fund Act 8 of 1993; *amends* ss. 1, 3, 4, 21, 91 & 92 and the arrangement of sections, *inserts* s. 1A and *repeals* ss. 2, 6, 7 & 8 of the Mutual Banks Act 124 of 1993; *amends* ss. 1, 4, 9, 10, 11, 22, 26, 62, 66 & 67, Schedule 1 and the arrangement of sections, *inserts* ss. 1A & 1B, *repeals* ss. 5 & 68 and *substitutes* s. 2 of the Long-term Insurance Act 52 of 1998; *amends* ss. 1, 4, 9, 10, 11, 21, 25, 55 & 65 and Schedules 1 & 3 and the arrangement of sections, *inserts* ss. 1A & 1B, *repeals* ss. 5 & 66 and *substitutes* s. 2 of the Short-term Insurance Act 53 of 1998; *amends* ss. 1 & 5 and *repeals* ss. 4A, 6, 6A-6I, 7, 9 & 9A of the Financial Institutions (Protection of Funds) Act 28 of 2001; *amends* s. 45E of the Financial Intelligence Centre Act 38 of 2001; *amends* ss. 1, 3, 4, 6A, 8, 9, 13, 20, 21, 22, 23, 35 & 45 and the arrangement of sections, *inserts* ss. 1A, 1B & 20A, *repeals* ss. 2, 14A, 26, 32, 41 & 44 and *substitutes* ss. 6, 14 & 39 of the Financial Advisory and Intermediary Services Act 37 of 2002; *amends* ss. 1, 15, 15A, 63, 66, 99, 112, 114 & 115 and the arrangement of sections, *inserts* ss. 1A & 1B and *repeals* ss. 7, 14, 15B, 18, 22, 23 & 24 of the Collective Investment Schemes Control Act 45 of 2002; *amends* ss. 1 & 134 of the National Credit Act 34 of 2005; *amends* ss. 1, 2, 4, 5, 44, 48,

¹ Molao wa Taolo ya Lephata la Ditšhelete 9 ya 2017

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49, 55 & 57 and the arrangement of sections, *inserts* ss. 1A & 1B and Chapter VIIIA (ss. 40A-40F), *repeals* ss. 41, 43, 75 & 76, and *substitutes* ss. 3, 45, 46, 47, 50, 77, 78, 79, 82, 85 & 87, the word 'Authority' for the word 'supervisor', wherever it occurs, and the long title of the Co-operative Banks Act 40 of 2007; *amends* ss. 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 25, 27, 28, 29, 30, 33, 35, 36, 39, 47, 48, 49, 50, 51, 53, 54, 55, 56, 57, 58, 60, 61, 62, 63, 64, 65, 66, 67, 71, 74, 75, 76, 77, 78, 82, 90, 91, 96, 98, 105, 108, 109 & 110 and the arrangement of sections, *deletes* the heading preceding s. 99, *inserts* ss. 1A, 6A-6C, 49A & 56A, *repeals* ss. 86, 95, 97 & 99, and *substitutes* ss. 52, 59, 69, 83, 84, 85, 88 & 94, the long title and the headings preceding ss. 47, 50 and 94 and of Chapter VIII, and the word 'Authority' for the word 'registrar', wherever it occurs, except in s. 1 (1) & 1A (1) of the Financial Markets Act 19 of 2012; and *amends* ss. 1, 5, 23, 24 & 34 and the arrangement of sections, *inserts* ss. 1A & 1B and *repeals* ss. 21, 22, 25, 26, 27, 28, 30, 31 & 33 of the Credit Rating Services Act 24 of 2012

PROCLAMATIONS AND NOTICES

Department of Economic Development:

Memorandum of understanding between the Competition Commission and the Broad Based Black Economic Empowerment Commission published (GN 857 in GG 41064 of 25 August 2017) (p19)

Memorandum of understanding between the South African Bureau of Standards and the Competition Commission published (GN 858 in GG 41064 of 25 August 2017) (p34)

Department of Trade and Industry:

Draft Intellectual Property Policy of the Republic of South Africa Phase 1 (2017) published for comment (GenN 636 in GG 41064 of 25 August 2017) (p315)

Department of Transport:

Draft Green Transport Strategy: (2017-2050) published (GN 886 in GG 41064 of 25 August 2017) (p189)

CURRENCY AND EXCHANGES ACT 9 OF 1933

South African Reserve Bank: Appointment of an authorised dealer in foreign exchange with limited authority for the purposes of the Exchange Control Regulations published (GN 885 in GG 41064 of 25 August 2017) (p188)

PENSION FUNDS ACT 24 OF 1956

Regulations amended with effect from 1 September 2017 (GN 863 in GG 41064 of 25 August 2017) (p157)

CUSTOMS AND EXCISE ACT 91 OF 1964

Schedule 1 amended

(GN Rs 899 & 901-905 in GG 41065 of 25 August 2017) (pp 138, 144, 146, 148, 150 & 152)

Schedule 3 amended (GN R900 in GG 41065 of 25 August 2017) (p140)

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965

General Regulations published and General Regulations published in GN R510 in GG 24727 of 10 April 2003 repealed (GN 859 in GG 41064 of 25 August 2017) (p47)

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT 54 OF 1972

Regulations governing the maximum limits for veterinary medicine and stock remedy residues that may be present in foodstuffs amended (GN 860 in GG 41064 of 25 August 2017) (p132)

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HEALTH PROFESSIONS ACT 56 OF 1974

Proposed Regulations relating to the Conduct of Inquiries into Alleged Unprofessional Conduct: Amendment published for comment (GN 861 in GG 41064 of 25 August 2017) (p134)

BANKS ACT 94 OF 1990

Designation of Ithala SOC Limited, a wholly owned subsidiary of Ithala Development Finance Corporation Limited, as an institution of which the activities do not fall within the meaning of 'the business of a bank' for the period 1 October 2017 to 30 September 2019 published and GenN 744 in GG 40402 of 4 November 2016 substituted (GenN 633 in GG 41064 of 25 August 2017) (p305)

AGRICULTURAL PRODUCT STANDARDS ACT 119 OF 1990

Notice of publication for comment of proposed Regulations relating to the grading, packing and marking of popcorn intended for sale in the Republic of South Africa published (GN 854 in GG 41064 of 25 August 2017) (p15)

Notice of proposed amendments to the Regulations relating to the classification, packing and marking of vinegar intended for sale in the Republic of South Africa published for comment (GN 855 in GG 41064 of 25 August 2017) (p16)

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

Inclusion of noise monitoring by means of personal dosimetry in Regulation 7 of the Noise Induced Hearing Loss Regulations published (GN R889 in GG 41065 of 25 August 2017) (p59)

LABOUR RELATIONS ACT 66 OF 1995**Motor Industry Bargaining Council (MIBCO):**

Cancellation of extension to non-parties of the Consolidated Amending Administrative Collective Agreement published in GN R783 in GG 40116 of 1 July 2016 and of renewal of period of operation of the Administrative Collective Agreement published in GN R215 in GG 40674 of 10 March 2017 published with effect from 4 September 2017 and extension to non-parties of the Collective Administrative Agreement published with effect from 4 September 2017 to 31 August 2019 (GN R888 in GG 41065 of 25 August 2017) (pp 12 & 13)

Cancellation of extension to non-parties of the Autoworkers' Provident Fund Agreement published in GN R784 in GG 40116 of 1 July 2016 published with effect from 4 September 2017 and extension to non-parties of the Auto Workers' Provident Fund Collective Agreement published with effect from 4 September 2017 to 31 August 2019 (GN R890 in GG 41065 of 25 August 2017) (pp 60 & 61)

Cancellation of extension to non-parties of the Motor Industry Provident Fund Agreement published in GN R785 in GG 40116 of 1 July 2016 with effect from 4 September 2017 and extension to non-parties of the Motor Industry Provident Fund Collective Agreement published with effect from 4 September 2017 to 31 August 2019 (GN R891 in GG 41065 of 25 August 2017) (pp 84 & 85)

NATIONAL EDUCATION POLICY ACT 27 OF 1996

Granting of concession to learners following the technical pathway who enrolled for Grade 10 in 2016 to deviate from the current programme requirements published (GN 856 in GG 41064 of 25 August 2017) (p17)

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MINE HEALTH AND SAFETY ACT 29 OF 1996**Regulations in terms of the Mine Health and Safety Act 29 of 1996:**

Regulations relating to forms (Chapter 21) amended
(GN R893 in GG 41065 of 25 August 2017) (p112)

Regulations relating to machinery and equipment (Chapter 8) amended
(GN R894 in GG 41065 of 25 August 2017) (p121)

Regulations relating to lifts and chairlifts (Chapter 8) amended
(GN R896 in GG 41065 of 25 August 2017) (p135)²

Regulations in terms of the Minerals Act 50 of 1991:

Chapter 21 (Electricity) repealed with effect from the date on which the new electricity regulations are published in the *Government Gazette*
(GN R895 in GG 41065 of 25 August 2017) (p133)³

Chapter 1 (Definitions) amended
(GN Rs 897 and 898 in GG 41065 of 25 August 2017) (pp 136 & 137)

SKILLS DEVELOPMENT ACT 97 OF 1998

Proposed amendments to Standard Constitution of SETA Regulations published for comment
(GN 852 in GG 41058 of 22 August 2017) (p4)

PROMOTION OF ACCESS TO INFORMATION ACT 2 OF 2000

Descriptions submitted in terms of s. 15 (1) by the:

- Limpopo Provincial Government: Department of Agriculture and Rural Development
- Limpopo Provincial Government: Department of Social Development
- Department of International Relations and Cooperation
- Eastern Cape Provincial Treasury

published (GenNs 621-624 in GG 41064 of 25 August 2017) (pp 271, 274, 277 & 280)

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA ACT 13 OF 2000

Independent Communications Authority of South Africa: Discussion document regarding the inquiry into subscription television broadcasting services published for comment
(GenN 642 in GG 41070 of 25 August 2017) (p4)

DIPLOMATIC IMMUNITIES AND PRIVILEGES ACT 37 OF 2001

Recognition of immunities and privileges of the First Lady of the Republic of Zimbabwe, Dr Grace Mugabe, published in terms of s. 7 (2) (GN 850 in GG 41056 of 20 August 2017) (p4)

INTERNATIONAL TRADE ADMINISTRATION ACT 71 OF 2002

Automotive Production and Development Programme (APDP) Regulations published in GN R96 in GG 36147 of 15 February 2013 amended (GN R887 in GG 41065 of 25 August 2017) (p11)

² Schedule containing amendments has been omitted

³ See also GN R331 in GG 38708 of 24 April 2015

AUDITING PROFESSION ACT 26 OF 2005**Independent Regulatory Board for Auditors (IRBA):**

Notice of publication of proposed amendments to the disciplinary rules of the Act published (BN 144 in GG 41064 of 25 August 2017) (p353)

Registration of Registered Auditors and Registered Candidate Auditors: Processes and Documents to be prescribed published (BN 146 in GG 41064 of 25 August 2017) (p371)

ELECTRONIC COMMUNICATIONS ACT 36 OF 2005**Independent Communications Authority of South Africa:**

Notice of availability of reasons for decision in respect of application for amendment of e.tv (Pty) Ltd Individual Commercial Free to Air Television Broadcasting Service Licence published (GenN 620 in GG 41059 of 22 August 2017) (p4)

Application for renewal of an Individual Commercial Sound Broadcasting Service and Radio Frequency Spectrum Licences by Capricorn FM (Pty) Ltd published for comment (GenN 638 in GG 41067 of 24 August 2017) (p4)

Applications for transfer of an Individual Electronic Communications Service and Individual Electronic Communications Network Service Licences from Conekt Business Group (Pty) Ltd to Qkon Service Provider (Pty) Ltd published for comment (GenN 641 in GG 41069 of 25 August 2017) (p4)

BILLS

Administrative Adjudication of Road Traffic Offences Amendment Bill, 2015 [[B38A-2015](#)] & [[B38B-2015](#)]

The South African National Roads Agency Limited and National Roads Amendment Bill, 2017 [[B20-2017](#)]

PROVINCIAL LEGISLATION**EASTERN CAPE**

Disaster Management Act 57 of 2002: Joe Gqabi District Municipality: Extension of the declaration of a local state of disaster due to damaged road network published (PN 160 in PG 3896 of 18 August 2017) (p3)

Eastern Cape Gambling Act 5 of 1997: Adjustment of the licences and fees as set out in Parts A and B of Schedule II to the Act published for comment (PN 162 in PG 3898 of 18 August 2017) (p3)

Eastern Cape Finance Act 3 of 2017 (PN 164 in PG 3900 of 21 August 2017) (p13)
Date of commencement: 21 August 2017

Local Government: Municipal Property Rates Act 6 of 2004: Blue Crane Route Local Municipality: Promulgation of 2017/2018 property rates tariffs published with effect from 1 July 2017 (LAN 124 in PG 3900 of 21 August 2017) (p17)

Local Government: Municipal Systems Act 32 of 2000: Buffalo City Metropolitan Municipality: Tariff By-law published and previous By-laws repealed with effect from 1 July 2017 (LAN 125 in PG 3900 of 21 August 2017) (p18)

Traditional Leadership and Governance Act 1 of 2017: Recognition of various iiNkosi and iiNkosana to be in charge of traditional councils and administrative areas of jurisdiction published (PN 165 in PG 3901 of 22 August 2017) (p3)

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GAUTENG

Gauteng Provincial Appropriation Act 1 of 2017 (PremN 3 in *PG* 208 of 18 August 2017) (p3)
Date of commencement: 18 August 2017

KWAZULU-NATAL

Local Government: Municipal Property Rates Act 6 of 2004: Nquthu Local Municipality: Municipal Property Rates By-law published with effect from 1 July 2017 (MN 111 in *PG* 1869 of 24 August 2017) (p126)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Nquthu Local Municipality: Credit Control By-law, 2017 published and existing Credit Control and Debt Collection By-laws repealed (MN 111 in *PG* 1869 of 24 August 2017) (p132)

Local Government: Municipal Property Rates Act 6 of 2004: uMfolozi Local Municipality: Resolution levying property rates for the financial year 1 July 2017 to 30 June 2018 published with effect from 1 July 2017 (MN 113 in *PG* 1869 of 24 August 2017) (p154)

KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005: Notice to dissolve all KwaZulu-Natal Local Houses of Traditional Leaders and meetings to re-constitute the said Local Houses of Traditional Leaders published (PNs 94 & 95 in *PG* 1870 of 24 August 2017) (pp 4 & 6)

KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005: Notice determining the number of members the KwaZulu-Natal Provincial House of Traditional Leaders may elect from each Local House of Traditional Leaders, and setting a date for the election of such members published (PN 96 in *PG* 1870 of 24 August 2017) (p8)

LIMPOPO

Spatial Planning and Land Use Management Act 16 of 2013: Greater Giyani Local Municipality: Spatial Planning and Land Use Management By-law published and Land Use Applications By-law repealed (PN 83 in *PG* 2846 of 18 August 2017) (p18)

Local Government: Municipal Systems Act 32 of 2000: Thulamela Local Municipality: Notice of intention to compile a Municipal Spatial Development Framework (SDF) published (LAN 103 in *PG* 2846 of 18 August 2017) (p134)

Constitution of the Republic of South Africa, 1996 and Spatial Planning and Land Use Management Act 16 of 2013: Musina Local Municipality: Spatial Planning and Land Use By-law published with effect from the date that the Act comes into operation in the municipal area of the Municipality (PN 84 in *PG* 2847 of 25 August 2017) (p17)

Spatial Planning and Land Use Management Act 16 of 2013: Blouberg Local Municipality: By-law on Spatial Planning and Land Use Management published (PN 85 in *PG* 2847 of 25 August 2017) (p147)

Local Government: Municipal Systems Act 32 of 2000 and Local Government: Municipal Finance Management Act 56 of 2003: Polokwane Local Municipality: Erratum: Tariffs in Schedule 1 and 5 as published under LAN 65 in *PG* 2821 of 16 June 2017 published (LAN 109 in *PG* 2847 of 25 August 2017) (p270)

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 2003: Greater Tzaneen Local Municipality: Spatial Planning and Land Use Management By-law published (LAN 110 in *PG* 2847 of 25 August 2017) (p276)

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MPUMALANGA

Local Government: Municipal Systems Act 32 of 2000, Local Government: Municipal Finance Management Act 56 of 2003 and Local Government: Municipal Property Rates Act 6 of 2004: Thaba Chweu Local Municipality: Notice of general rates in respect of the financial year 1 July 2017 to 30 June 2018 published (PN 100 in *PG* 2841 of 25 August 2017) (p14)

Local Government: Municipal Property Rates Act 6 of 2004: Msukaligwa Local Municipality: Municipal Property Rates By-Law and resolution levying property rates for the financial year 1 July 2017 to 30 June 2018 published with effect from 1 July 2017 (LANs 85 & 86 in *PG* 2841 of 25 August 2017) (pp 20 & 23)

NORTHERN CAPE

Local Government: Municipal Property Rates Act 6 of 2004: Dawid Kruiper Local Municipality: Tariffs for 2017/2018 financial year published with effect from 1 July 2017 (GenN 92 in *PG* 2125 of 21 August 2017) (p13)

Northern Cape Appropriation Act 1 of 2017 (GenN 97 in *PG* 2125 of 21 August 2017) (p18)
Date of commencement: 21 August 2017

Northern Cape Adjustment Appropriation Act 2 of 2016 (GenN 98 in *PG* 2125 of 21 August 2017) (p41)
Date of commencement: 21 August 2017

Local Government: Municipal Property Rates Act 6 of 2004: Hantam Local Municipality: Tariffs for the 2017/2018 financial year published with effect from 1 July 2017 (MN 27 in *PG* 2125 of 21 August 2017) (p49)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Property Rates Act 6 of 2004: Hantam Local Municipality: Property Rates By-law, 2018 published (MN 27 in *PG* 2125 of 21 August 2017) (p51)

NORTH WEST

North West Gambling Act 2 of 2001: Draft North-West Gambling Amendment Regulations, 2017 published for comment (PN 164 in *PG* 7795 of 21 August 2017) (p3)

Public Service Act, 1994 (Proclamation 103 of 1994) and Constitution of the Republic of South Africa, 1996: Transfer of administration of the North-West Development Corporation Act 6 of 1995 and the North West Development Corporation (PTY) LTD from Finance, Economic and Enterprise Development, to the Office of the Premier published with effect from 1 April 2017 (Proc 32 in *PG* 7797 of 22 August 2017) (p3)

Constitution of the Republic of South Africa, 1996: Commission of inquiry into the traditional leadership disputes in respect of the Bakgatla Ba Kgafela, Batlhako Ba Leema and Bapo I and II Community Disputes respectively published under Proc 19 in *PG* 7657 of 15 June 2016 extended with an additional period effective from 10 March 2017 to 31 August 2017 published (Proc 33 in *PG* 7797 of 22 August 2017) (p4)

North West Biodiversity Management Act 4 of 2016: North West Biodiversity Amendment Bill, 2017 published for comment together with the memorandum on the objects of the Bill (PN 171 in *PG* 7801 of 25 August 2017) (p3)

WESTERN CAPE

Disaster Management Act 57 of 2002: City of Cape Town Metropolitan Municipality: Extension of the declaration of a local state of disaster in the Imizamo-Yethu informal settlement situated in Hout Bay for a period of one month published (LAN 54876 in *PG* 7809 of 18 August 2017) (p739)

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Local Government: Municipal Systems Act 32 of 2000; Spatial Planning and Land Use Management Act 16 of 2013; Western Cape Land Use Planning Act 3 of 2014; and Stellenbosch By-law on Municipal Land Use Planning: Stellenbosch Local Municipality: Notice of adoption of the 2017/2018 Municipal Spatial Development Framework (MSDF) for WC024 published (LAN 54891 in *PG* 7809 of 18 August 2017) (p743)

Laingsburg Plaaslike Munisipaliteit: Stadsbeplanning beleid insake huiswinkels gepubliseer (POK 54877 in *PK* 7809 van 18 Augustus 2017) (bl749)

Western Cape Provincial School Education Act 12 of 1997: Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2017 published with effect from 18 August 2017 (PN 156 in *PG* 7810 of 17 August 2017) (p2)

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