



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 6 of 2018 based on Gazettes received during the week 2 to 9 February 2018)

JUTA'S WEEKLY E-MAIL SERVICE

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PROCLAMATIONS AND NOTICES

Department of Agriculture, Forestry and Fisheries (DAFF):

Notice of publication for comment of draft Conservation Agriculture policy and notice of consultation workshops published (GN 84 in GG 41432 of 9 February 2018) (p15)

COMMISSIONS ACT 8 OF 1947

Provisions of the Act declared to be applicable to the Judicial Commission of Inquiry into allegations of state capture, corruption and fraud in the Public Sector including Organs of State established in terms of Proc 3 in GG 41403 of 25 January 2018 and Regulations of the Judicial Commission of Inquiry into allegations of state capture, corruption and fraud in the Public Sector including Organs of State published (GN 105 in GG 41436 of 9 February 2018) (p4)

INCOME TAX ACT 58 OF 1962

Protocol amending the convention between the Government of the Republic of South Africa and the Government of the Federative Republic of Brazil for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income published with effect from 10 February 2018 (GN 92 in GG 41432 of 9 February 2018) (p108)

CUSTOMS AND EXCISE ACT 91 OF 1964

Schedule 3 amended (GN R103 in GG 41433 of 9 February 2018) (p136)

Schedule 4 amended (GN Rs 100 & 101 in GG 41433 of 9 February 2018) (pp 130 & 132)

Schedule 6 amended (GN R102 in GG 41433 of 9 February 2018) (p134)

PETROLEUM PRODUCTS ACT 120 OF 1977

Regulations in respect of the maximum retail price of Liquefied Petroleum Gas supplied to residential customers published with effect from 7 February 2018 (GN R79 in GG 41426 of 6 February 2018) (p3)

Amendment of regulations in respect of petroleum products published with effect from 7 February 2018 (GN R80 in GG 41426 of 6 February 2018) (p5)

Regulations in respect of the single maximum national retail price for illuminating paraffin published with effect from 7 February 2018 (GN R81 in GG 41426 of 6 February 2018) (p7)

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COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT 130 OF 1993

Regulations on payment of funeral expenses to dependants of deceased employees published (GN 82 in GG 41427 of 6 February 2018) (p4)

NATIONAL EDUCATION POLICY ACT 27 OF 1996

Call for comment on and amendment of closing date for public comment on Draft Rural Education Policy published in GN 1406 in GG 41321 of 15 December 2017 and GN 36 in GG 41399 of 26 January 2018 published (GN 85 in GG 41432 of 9 February 2018) (p17)

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT 74 OF 1996

Referral of matters to existing Special Investigating Unit in respect of the affairs of the:

- Agriculture Sector Education and Training Authority (Proc R4 in GG 41433 of 9 February 2018) (p11)
- Tshwane South Technical and Vocational Education and Training College (Proc R5 in GG 41433 of 9 February 2018) (p17)
- Raymond Mhlaba Local Municipality (Proc R6 in GG 41433 of 9 February 2018) (p23)
- Greater Sekhukhune District Municipality and the Elias Motsoaledi Local Municipality published in Proc R59 in GG 40348 of 14 October 2016 amended (Proc R7 in GG 41433 of 9 February 2018) (p27)

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

Appointment of the Environmental Assessment Practitioners Association of South Africa as the Single Registration Authority published in terms of s. 24H of the Act and commencement of Section 24H Registration Authority Regulations, 2016, except reg. 14 which takes effect in 24 months (GN 104 of GG 41434 of 8 February 2018) (p4)

Proposed National Guideline on Minimum Information Requirements for Preparing Environmental Impact Assessments for Mining Activities that Require Environmental Authorisation published for comment (GN 86 in GG 41432 of 9 February 2018) (p19)

FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT 37 OF 2002

Determination of Fees payable to the Registrar of Financial Services Providers, 2017 published and GN R1586 in GG 40515 of 23 December 2016 repealed with effect from one month after publication (GN 89 in GG 41432 of 9 February 2018) (p101)

AUDITING PROFESSION ACT 26 OF 2005

Independent Regulatory Board for Auditors (IRBA): Notice of publication of amendments to the IRBA Code of Professional Conduct for Registered Auditors (IRBA Code) relating to the long association of personnel with an audit or assurance client published with effect from date of publication for audits of financial statements for periods beginning on or after 15 December 2018, and with effect from 15 December 2018 for other assurance engagements (BN 18 in GG 41432 of 9 February 2018) (p121)

NATIONAL QUALIFICATIONS FRAMEWORK ACT 67 OF 2008

Proposed occupational qualifications for registration on the qualifications sub-framework for trades and occupations published for comment (GN 78 in GG 41424 of 5 February 2018) (p4)

FINANCIAL MARKETS ACT 19 OF 2012

Financial Markets Act Regulations published (GN R98 in GG 41433 of 9 February 2018) (p31)

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FINANCIAL SECTOR REGULATION ACT 9 OF 2017

Dates of commencement of s. 290 in respect of the amendments to the Financial Markets Act 19 of 2012 in Schedule 4, as follows: item 60 (in respect of ss. 84 and 85): 1 April 2018; items 3 (in respect of s. 1A (8)), 9 (in respect of s. 7 (3) (c) (v)), 26 (f) (in respect of s. 47 (3) (c) (iii)), 29 (in respect of s. 49A (3) (c)), 35 (b) (in respect of s. 54 (3) (c) (iii)) and 38 (in respect of s. 56A (3) (b)): 1 April 2019; and all other items and parts of items other than those listed as commencing on 1 April 2018 and 1 April 2019: 9 February 2018 (GN R99 in GG 41433 of 9 February 2018) (p127)

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, 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

BILL

Draft Division of Revenue Bill, 2018, notice of intention to introduce and [explanatory summary](#) published for comment (GN 88 in GG 41432 of 9 February 2018) (p100)

PROVINCIAL LEGISLATION**EASTERN CAPE**

Disaster Management Act 57 of 2002: Kouga Local Municipality (EC108): Renewal of declaration of a local state of disaster due to prevailing drought conditions published (LAN 20 in PG 3994 of 7 February 2018) (p3)

FREE STATE

Division of Revenue Act 3 of 2017: Free State Provincial Treasury: Adjusted Budget Allocations for Hospitals, Schools, Municipalities and Public Entities published (PN 229 in PG 113 of 9 February 2018) (p2)

GAUTENG

Promotion of Access to Information Act 2 of 2000: Gauteng Provincial Government Department of Economic Development ('the GDED'): Manual on the Promotion of Access to Information for the 2018/2019 financial year published (PN 111 in PG 24 of 7 February 2018) (p209)

National Road Traffic Act 93 of 1996: Appointment of a registering authority published with effect from 7 February 2018 (GenN 223 in PG 24 of 7 February 2018) (p96)

KWAZULU-NATAL

KwaZulu-Natal Unauthorised Expenditure Act 5 of 2017¹

(Notice 1 in PG 1923 of 7 February 2018) (p3)

Date of commencement: 7 February 2018

KwaZulu-Natal Joint Municipal Pension Fund (Retirement) Act 6 of 2017²

(Notice 2 in PG 1923 of 7 February 2018) (p9)

¹ KwaZulu-Natal Wet op die Magtiging van Ongemagtigde Uitgawes 5 van 2017

² Wet op KwaZulu-Natal Gemeenskaplike Munisipale Pensioenfonds (Aftreding) 6 van 2017

Date of commencement: 7 February 2018

Repeals: Natal Joint Municipal Pension Fund (Retirement) Ordinance 27 of 1974

KwaZulu-Natal Joint Municipal Pension Fund (Superannuation) Act 7 of 2017³

(Notice 3 in *PG* 1923 of 7 February 2018) (p38)

Date of commencement: 7 February 2018

Repeals: Local Government Superannuation Ordinance 24 of 1973 and

Regulations governing the Natal Joint Municipal Pension Fund (Superannuation) published under PN 246 of 1974

KwaZulu-Natal Joint Municipal Provident Fund Act 8 of 2017⁴

(Notice 4 in *PG* 1923 of 7 February 2018) (p67)

Date of commencement: 7 February 2018

Repeals: KwaZulu-Natal Joint Municipal Provident Fund Act 4 of 1995

KwaZulu-Natal Umzimkhulu Alignment Act 9 of 2017⁵

(Notice 5 in *PG* 1923 of 7 February 2018) (p91)

Date of commencement: 7 February 2018

Repeals: Cape Local Authorities Gas Ordinance 7 of 1912; East London Chamber of Commerce Act Amendment Private Ordinance 8 of 1913; City of Port Elizabeth Municipal Ordinance 13 of 1913; Agricultural Societies Loans Ordinance 23 of 1918; Poor Relief and Charitable Institutions Ordinance 4 of 1919; East London Municipal Ordinance 11 of 1919; Graaf-Reinet College Ordinance 4 of 1924; Poor Relief and Charitable Institutions Amendment Ordinance, 1924[sic]; Cremation Ordinance 6 of 1926; Public Bodies (Audit) Ordinance 24 of 1930; Local Authorities (Investment of Funds) Ordinance 23 of 1935; Local Authorities (Audit) Ordinance 17 of 1938; Pounds Ordinance 18 of 1938; Land Expropriation (Provincial Administration) Ordinance 9 of 1939; City of Port Elizabeth Trackless Tram Private Ordinance 11 of 1941; Valuation Ordinance 26 of 1944; Commissions Ordinance 1 of 1945; Hospital Ordinance 18 of 1946; City of East London Extension of Boundaries Ordinance 2 of 1948; City of Port Elizabeth Trackless Tram Amendment (Private) Ordinance 21 of 1950; Hospitals Amendment Ordinance 15 of 1955; Hospitals Amendment Ordinance 3 of 1956; Ambulance Personnel Transfer and Pensions Ordinance 11 of 1955; Education Ordinance 20 of 1956; Problem Animal Control Ordinance 26 of 1957; Local Authorities (Development according to Community) Ordinance 6 of 1963; Prescription (Local Authorities) Ordinance 16 of 1964; Provincial Restaurant Ordinance 23 of 1964; Delegation of Powers Ordinance 13 of 1964; East Griqualand Divisional Council Ordinance 11 of 1968; Public Resorts Ordinance 20 of 1971; Gibbon Bequest Ordinance 12 of 1972; Division of Kaffraria Establishment Ordinance 10 of 1974; Nature and Environmental Conservation Ordinance 19 of 1974; Municipal Ordinance 20 of 1974; Divisional Councils Ordinance 18 of 1976; Roads Ordinance 19 of 1976; Civil Defence Ordinance 8 of 1977; Recovery of Payments by Statutory Bodies Ordinance 15 of 1977; Committees of Inquiry Ordinance 13 of 1978; Dog Tax Ordinance 19 of 1978; Nature Reserve Validation Ordinance 3 of 1982; Land Use Planning Ordinance 15 of 1985; Prohibition of Dog Races Ordinance 11 of 1986; Property Valuation Ordinance 148 of 1993; Proclamation made in terms of the Authority of the Governor General of the Union of South Africa, Proc 142 of 15 November 1910, Proc 196 of 26 November 1920, Proc 70 of 23 April 1937; Proclamation made in terms of s. 25 (1) of the Native Administration Act, 1927, Proc 116 of 13 May 1949, Proc R5 of 11 January 1963, Proc

³ KwaZulu-Natal Wet op Gemeenskaplike Munisipale Pensioenfonds (Superannuasie) 7 van 2017

⁴ KwaZulu-Natal Wet op Gemeenskaplike Munisipale Voorsorgfonds 8 van 2017

⁵ KwaZulu-Natal Wet op die Berigting van Umzimkhulu 9 van 2017

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R196 of 8 September 1967; Proclamation made in terms of s. 4 of the Native Trust and Land Act, Proc R293 of 16 November 1962, Proclamation made in terms of s. 25 (1) of the Bantu Administration Act, 1927, Proc R192 of 8 September 1967, Proc R300 of 18 October 1968, Proc R33 of 28 February 1971, Proc R322 of 15 December 1972; Regulations relating to Township Establishment and Land Use (made in terms of s. 66 (1) of the Black Communities Development Act, 1984, Proc R1897 of 12 September 1986; Transitional Arrangements: Policing Services (made in terms of s. 235 (7) of the Constitution of the Republic of South Africa Act, 1993, Proc 133 of 4 August 1994; Proclamation made in terms of s. 235 (8) of the Constitution of the Republic of South Africa Act, 1993, Proc 153 of 31 October 1994; ss. 1, 2(7), (7)bis, (7)ter and (8) of the Black Administration Act 38 of 1927; Seashore Act 21 of 1935; Advertising on Roads and Ribbon Development Act 21 of 1940; Animals Protection Act 71 of 1962; Aged Persons Act 81 of 1967; Removal of Restrictions Act 84 of 1967; Physical Planning Act 88 of 1967; Mountain Catchment Areas Act 63 of 1970; Abuse of Dependence-producing Substance and Rehabilitation Centres Act 41 of 1971; National Road Safety Act 9 of 1972; Local Government Transition Act 209 of 1993; Transkeian Animal Husbandry Improvement Account Act 6 of 1965; Transkeian Artificial Insemination of Animals Act 3 of 1968; Transkeian Taxation Act 8 of 1969; Local Authorities Act 17 of 1976; Administration (Amendment) Act 25 of 1976; Animal Diseases and Parasites Act 28 of 1978; Municipalities (Audit) Act 29 of 1978; Valuation Act 30 of 1978; Agricultural Pests Act 33 of 1978; Plant Improvement Act 14 of 1979; Municipalities Act 24 of 1979; Animal Slaughter; Meat and Animal Products Hygiene Act 18 of 1981; Chief's Court Act 6 of 1983; Health Laws (Amendment) Act (Transkei) 25 of 1985; Transkei Sports Council Decree 6 of 1989; Transkei Sports and Educational Aid Trust Decree 8 of 1989; Lotteries Decree 14 of 1989; Orderly Control of Gambling Decree 4 of 1980; Casinos Decree 17 of 1990; Environmental Conservation Decree 9 of 1992; Provincial Exchequer Act (Eastern Cape) 1 of 1994; Provincial Commissions Act (Eastern Cape) 3 of 1994; Provincial Public Protector Act (Eastern Cape) 4 of 1994; House of Traditional Leaders Act (Eastern Cape) 1 of 1995; Adjustments Appropriation Act (Eastern Cape) 2 of 1995; Appropriation Act (Eastern Cape) 3 of 1995; Education Laws Amendment (Conduct of Matriculation Examinations) Act 4 of 1995; Promotion of Youth Affairs Act (Eastern Cape) 6 of 1995; Provincial Exchequer Amendment Act (Eastern Cape) 8 of 1995; Ciskei Fund-Raising Laws Act (Eastern Cape) 10 of 1995; Property Valuation Ordinance (1993) Amendment Act (Eastern Cape) 11 of 1995; Adjustments Appropriation Act (Eastern Cape) 1 of 1996; Appropriation Act 2 of 1996; Remuneration and Allowances of Members of the Provincial Legislature Act (Eastern Cape) 3 of 1996; Adjustments Appropriation Act (Eastern Cape) 1 of 1997; Eastern Cape Development Corporation Act 2 of 1997; Businesses Act (Extension of Application of the Businesses Act, 1991) 3 of 1997; Appropriation Act (Eastern Cape) 4 of 1997; Eastern Cape Gambling and Betting Act 5 of 1997; Road Traffic (Transitional Provisions) Act (Eastern Cape) 6 of 1997; House of Traditional Leaders Amendment Act (Eastern Cape) 7 of 1997; Regulation of Development in Rural Areas Act (Eastern Cape) 8 of 1997; Gambling and Betting Amendment Act (Eastern Cape) 9 of 1997; Adjustments Appropriation Act (Eastern Cape) 1 of 1998; Interim Appropriation Act (Eastern Cape) 2 of 1998; Second Adjustments Appropriation Act (Eastern Cape) 3 of 1998; Appropriation Act (Eastern Cape) 4 of 1998; Consumer Affairs (Unfair Business Practices) Act (Eastern Cape) 5 of 1998; Gambling and Betting Amendment Act (Eastern Cape) 6 of 1998; Eastern Cape Schools Education Act 1 of 1999; Adjustments Appropriation Act (Eastern Cape) 2 of 1999; Road Traffic Act (Eastern Cape) 3 of 1999; Appropriation Act (Eastern Cape) 4 of 1999; Gambling and Betting Amendment Act (Eastern Cape) 5 of 1999; Finance and Administration Act 7 of 1999; Agricultural Development Act 8 of 1999; Eastern Cape Rural Finance Corporation Act 9 of 1999; Eastern Cape Provincial Health Act 10 of 1999; Passenger Transportation (Interim Provisions) Act (Eastern Cape) 11 of 1999; Gambling and Betting Amendment Act (Eastern Cape) 3 of 2000; Appropriation Act 4 of 2000; Determination of Types

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of Municipalities Act 5 of 2000; Eastern Cape Land Disposal Act 7 of 2000; Provincial Tender Board Amendment Act (Eastern Cape) 1 of 2001; Adjustments Appropriation Act (Eastern Cape) 2 of 2001; Appropriation Act (Eastern Cape) 4 of 2001; Promotion of Youth Affairs Amendment Act 5 of 2001; Application of Health Standards in Traditional Circumcision Act 6 of 2001; Meat Safety Act 7 of 2001; Animal Identification Act 8 of 2001; House of Traditional Leaders Amendment Act (Eastern Cape) 9 of 2001; Adjustment Appropriation Act (Eastern Cape) 10 of 2001; Interim Appropriation Act 1 of 2002; Second Adjustment Appropriation Act 2 of 2002; Provincial Legislature Finance and Administration Act, Repeal Act 4 of 2002; Appropriation Act 5 of 2002; Corporations Transitional Provisions Amendment Act 6 of 2002; Gambling and Betting (Fees and Taxes) Amendment Act 7 of 2002; Gambling and Betting Amendment Act (Eastern Cape) 8 of 2002; Adjustments Appropriation Act 9 of 2002; Livestock Improvement Act 10 of 2002; Second Adjustments Appropriation Act 1 of 2003; Appropriation Act 2 of 2003; Eastern Cape Roads Act 3 of 2003; Adjustments Appropriation Act (Eastern Cape) 3[sic] of 2003; Education and Training of Nurses and Midwives Act (Eastern Cape) 4 of 2003; Eastern Cape Tourism Board (Extension of Term of Office of Members) 5 of 2003; Libraries and Information Service Act (Eastern Cape) 6 of 2003; Provincial Archives and Record Services Act 7 of 2003; Eastern Cape Tourism Act 8 of 2003; Eastern Cape Heritage Resources Act 9 of 2003; Eastern Cape Liquor Act 10 of 2003; Provincial Parks Board Act (Eastern Cape) 12 of 2003; Second Adjustments Appropriation Act 1 of 2004; Appropriation Act 2 of 2004; Adjustments Appropriation Act (Eastern Cape) 3 of 2004; Exhumations Act (Eastern Cape) 4 of 2004; Eastern Cape Schools Education Amendment Act 5 of 2004; Provincial Tender Board Repeal Act (Eastern Cape) 6 of 2004; Museums Act (Eastern Cape) 7 of 2004; Adjustments Appropriation Act 1 of 2005; Appropriation Act (Eastern Cape) 2 of 2005; House of Traditional Leaders Amendment Act 3 of 2005; Traditional Leadership and Governance Act (Eastern Cape) 4 of 2005; Second Adjustments Appropriation Act 5 of 2005; Adjustments Appropriation Act 1 of 2006; and Appropriation Act (Eastern Cape) 2 of 2006

KwaZulu-Natal Adjustments Appropriation Act 10 of 2017⁶

(Notice 6 in *PG* 1923 of 7 February 2018) (p140)

Date of commencement: 7 February 2018

Local Government: Municipal Structures Act 117 of 1998: Jozini Local Municipality: Notice of designation of the Deputy-Mayor and Whip as full-time councillors published (GenN 4 in *PG* 1924 of 7 February 2018) (p3)

National Road Traffic Act 93 of 1996: Relocation of the Umzimkhulu Registering Authority published with effect from 5 February 2018 (PN 8 in *PG* 1925 of 8 February 2018) (p31)

Local Government: eThekweni Municipality: Rules of Order Amendment By-law, 2017 published (MN 3 in *PG* 1925 of 8 February 2018) (p215)

Local Government: Municipal Systems Act 32 of 2000: eThekweni Municipality: Rules of Order Amendment By-laws enacted by resolution of s. 12 of the Act published (MN 4 in *PG* 1925 of 8 February 2018) (p242)

MPUMALANGA

Ehlanzeni District Municipality: Municipal Health Service By-laws: Correction notice to PN 3 in *PG* 2887 published (PN 11 in *PG* 2894 of 9 February 2018) (p18)

⁶ KwaZulu-Natal Aansuiwerings Begrotingswet 10 van 2017

National Road Traffic Act 93 of 1996: Notice of registration of testing station of Sukumamfazi Testing Station with infrastructure number 4148019Z as a B Grade testing station and authority to appoint examiner of vehicles published (GenN 15 in PG 2896 of 8 February 2018) (p3)

NORTH WEST

Spatial Planning and Land Use Management Act 16 of 2013: JB Marks Local Municipality: Notice of establishment and commencement of a Municipal Planning Tribunal published (PN 19 in PG 7847 of 6 February 2018) (p25)

WESTERN CAPE

Constitution of the Republic of South Africa, 1996: Langeberg Local Municipality: Standard By-law relating to Electricity Supply published and LAN 20115 in PG 6205 of 11 February 2005 repealed (LAN 55221 in PG 7867 of 26 January 2018) (p2)

Hessequa Local Municipality: Draft Integrated Zoning Scheme By-law published (LAN 55222 in PG 7868 of 31 January 2018) (p2)

Western Cape Provincial School Education Act 12 of 1997: Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2017: Amendment, 2018 published (PN 13 in PG 7869 of 29 January 2018) (p2)

Local Government: Municipal Finance Management Act 56 of 2003: Second Quarter Consolidated Statement: 2017/18 Local Government: Capital and Operating Budgets published (PN 14 in PG 7870 of 30 January 2018) (p2)

Local Government: Municipal Systems Act 32 of 2000: Stellenbosch Local Municipality: Electricity Supply By-law published and previous by-laws repealed (LAN 55228 in PG 7871 of 30 January 2018) (p2)

Western Cape Gambling and Racing Act 4 of 1996: Draft Western Cape Gambling and Racing Regulations (Fees and Costs), 2016: Amendment, 2018 published for comment (PN 15 in PG 7872 of 31 January 2018) (p2)

Western Cape Provincial Road Traffic Administration Act 6 of 2012: Registration and Licence Fees for Motor Vehicles Regulations, 2018 published and PN 22 in PG 7720 of 23 January 2017 repealed with effect from 1 April 2018 (PN 16 in PG 7873 of 1 February 2018) (p2)

Disaster Management Act 57 of 2002: Swartland Local Municipality: Extension of declaration of a local state of drought disaster from 8 February 2018 to 9 March 2018 published (LAN 55229 in PG 7874 of 2 February 2018) (p67)

Western Cape Health Facility Boards and Committees Act 4 of 2016 and Regulations Relating to the Procedures for the Nomination of Members for Appointment to Boards and Committees, 2017: Western Cape Department of Health: Invitation to nominate members to committees for primary health care facilities published (PN 20 in PG 7878 of 5 February 2018) (p2)

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