



JUTA'S WEEKLY STATUTES BULLETIN

(Bulletin 21 of 2019 based on Gazettes received during the week 17 to 24 May 2019)

JUTA'S WEEKLY E-MAIL SERVICE

ISSN 1022 - 6397

ACTS

CUSTOMS AND EXCISE AMENDMENT ACT 13 OF 2019 (GG 42480 of 23 May 2019)¹

Date of commencement: 1 June 2019

Inserts s. 54AA in the Customs and Excise Act 91 of 1964

CARBON TAX ACT 15 OF 2019 (GG 42483 of 23 May 2019)²

Date of commencement: 1 June 2019

Amends ss. 1 and *inserts* s. 54A in the Customs and Excise Act 91 of 1964

FINANCIAL MATTERS AMENDMENT ACT 18 OF 2019 (GG 42482 of 23 May 2019)³

Date of commencement: 1 June 2019

Amends s. 83 of the Insolvency Act 24 of 1936; *amends* ss. 1, 3, 4, 10, 11 & 12 and *inserts* s. 4B and certain words in the Military Pensions Act 84 of 1976; *amends* ss. 1 & 12 of the Banks Act 94 of 1990; and *amends* s. 24A of Government Employees Pension Law, 1996

PUBLIC AUDIT EXCESS FEE ACT 20 OF 2019 (GG 42481 of 23 May 2019)⁴

Date of commencement: to be determined

PROCLAMATIONS AND NOTICES

CUSTOMS AND EXCISE ACT 91 OF 1964

Schedule 1 amended

(GN Rs 747, 751, 752 & 753 in GG 42475 of 24 May 2019) (pp 13, 19, 21 & 23)

Schedule 2 amended (GN Rs 749 & 750 in GG 42475 of 24 May 2019) (pp 17 & 18)

Schedule 4 amended (GN R748 in GG 42475 of 24 May 2019) (p15)

¹ Wysigingswet op Doeane- en Aksyns 13 van 2019

² Wet op Koolstofbelasting 15 van 2019

³ Wysigingswet op Finansiële Aangeleenthede 18 van 2019

⁴ Wet op Openbare Oudit Oorskrydingsgelde 20 van 2019

MEDICINES AND RELATED SUBSTANCES ACT 101 OF 1965**South African Health Regulatory Authority (SAHPRA):**

Schedules amended (GN R755 in GG 42477 of 23 May 2019) (p4)

Exclusion of certain preparations containing cannabidiol (CBD) from the operation of certain provisions published (GN R756 in GG 42477 of 23 May 2019) (p16)

Fees payable to the Chief Executive Officer or the Director-General published and GN 784 in GG 39154 of 1 September 2015 withdrawn (GN 695 in GG 42474 of 24 May 2019) (p48)

Exemption of medical devices and *in-vitro* diagnostics (IVDS) from the provisions of ss. 18A and 18B of the Act published (GN 696 in GG 42474 of 24 May 2019) (p56) ⁵

PAN SOUTH AFRICAN LANGUAGE BOARD ACT 59 OF 1995

Draft rules for national and provincial language bodies published for comment (GN 688 in GG 42474 of 24 May 2019) (p15)

ROAD ACCIDENT FUND ACT 56 OF 1996

Notice of adjustment of medical tariff provided for in s. 17 (4B) (b) published with effect from 1 April 2019 (BN 78 in GG 42474 of 24 May 2019) (p187)

BASIC CONDITIONS OF EMPLOYMENT ACT 75 OF 1997

Determination in terms of s. 50 published (GN 692 in GG 42474 of 24 May 2019) (p42)

EMPLOYMENT OF EDUCATORS ACT 76 OF 1998

Improvement in conditions of service: Annual cost-of-living adjustment for educators employed in terms of the Act published with effect from 1 April 2019 (GN 689 in GG 42474 of 24 May 2019) (p32)

PUBLIC FINANCE MANAGEMENT ACT 1 OF 1999

Schedule 3 amended (GN 693 in GG 42474 of 24 May 2019) (p46)

PROPERTY VALUERS PROFESSION ACT 47 OF 2000

Fees and charges published with effect from 1 April 2019 (GenN 282 in GG 42474 of 24 May 2019) (p176)

INTERNATIONAL TRADE ADMINISTRATION ACT 71 OF 2002**International Trade Administration Commission of South Africa:**

Notice of expiry of certain anti-dumping duties published (GenN 284 in GG 42474 of 24 May 2019) (p181)

Renewal of the policy directive on the exportation of ferrous and non-ferrous waste and scrap metal from 21 September 2018 until 30 June 2019 published (GenN 285 in GG 42485 of 24 May 2019) (p4)

Renewal of Policy Directive on the Exportation of Ferrous and Non-Ferrous Waste and Scrap Metal (GenN 285 in GG 42485 of 24 May 2019) (p4)

NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS ACT 57 OF 2003

Declaration of the Addo Elephant Marine Protected Area in terms of s. 22A of the Act and withdrawal of GN 696 in GG 26432 of 4 June 2004 (GN R757 in GG 42478 of 23 May 2019) (p4)

⁵ Also published in GN R685 in GG 42465 of 17 May 2019

Declaration of the Aliwal Shoal Marine Protected Area in terms of s. 22A of the Act and withdrawal of GN 697 in GG 26433 of 4 June 2004, with effect from 1 August 2019 (GN R759 in GG 42478 of 23 May 2019) (p12)

Declaration of the iSimangaliso Marine Protected Area in terms of s. 22A of the Act and amendment of GN 1429 in GG 21948 of 29 December 2000, with effect from 1 August 2019 (GN R772 in GG 42478 of 23 May 2019) (p64)

Declaration of the following marine protected areas in terms of s. 22A of the Act, with effect from 1 August 2019:

- Agulhas Bank Complex Marine Protected Area
- Agulhas Muds Marine Protected Area
- Agulhas Front Marine Protected Area
- Benguela Muds Marine Protected Area
- Amathole Offshore Marine Protected Area
- Childs Bank Marine Protected Area
- Browns Bank Corals Marine Protected Area
- Cape Canyon Marine Protected Area
- Namaqua Fossil Forest Marine Protected Area
- Namaqua National Park Marine Protected Area
- Orange Shelf Edge Marine Protected Area
- Port Elizabeth Corals Marine Protected Area
- Protea Banks Marine Protected Area
- Southeast Atlantic Seamounts Marine Protected Area
- Robben Island Marine Protected Area
- Southwest Indian Seamount Marine Protected Area
- uThukela Marine Protected Area

(GN Rs 758, 760-771 & 773-776 in GG 42478 of 23 May 2019) (pp 8, 16, 20, 24, 28, 32, 36, 40, 44, 48, 52, 56, 60, 68, 72, 76 & 80)

Addo Elephant National Park Marine Protected Area Regulations published and GN 696 in GG 26433 of 4 June 2004 repealed, with effect from 1 August 2019 (GN R777 in GG 42479 of 23 May 2019) (p4)

Aliwal Shoal Marine Protected Area Regulations published and GN 697 in GG 26433 of 4 June 2004 repealed, with effect from 1 August 2019 (GN R781 in GG 42479 of 23 May 2019) (p66)

iSimangaliso Marine Protected Area Regulations published and GN 1429 in GG 21948 of 29 December 2000 amended, with effect from 1 August 2019 (GN R788 in GG 42479 of 23 May 2019) (p165)

Marine Protected Area Regulations published, with effect from 1 August 2019:

- Amathole Offshore Marine Protected Area Regulations
- Agulhas Front Marine Protected Area Regulations
- Agulhas Bank Complex Marine Protected Area Regulations
- Benguela Muds Marine Protected Area Regulations
- Browns Bank Corals Marine Protected Area Regulations
- Cape Canyon Marine Protected Area Regulations

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- Childs Bank Marine Protected Area Regulations
- Namaqua Fossil Forest Marine Protected Area Regulations
- Namaqua National Park Marine Protected Area Regulations
- Port Elizabeth Corals Marine Protected Area Regulations
- uThukela Marine Protected Area Regulations
- Orange Shelf Edge Marine Protected Area Regulations
- Southeast Atlantic Seamounts Marine Protected Area Regulations
- Protea Banks Marine Protected Area Regulations
- Robben Island Marine Protected Area Regulations
- Southwest Indian Seamount Marine Protected Area Regulations
- Agulhas Muds Marine Protected Area Regulations

(GN Rs 778-780, 782-787 & 789-796 in GG 42479 of 23 May 2019) (pp 26, 41, 52, 87, 99, 111, 122, 136, 148, 193, 206, 226, 237, 250, 267, 284 & 295)

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

Notice of intention to amend the list of activities which result in atmospheric emissions which have or may have a significant detrimental effect on the environment, including health, social conditions, economic conditions, ecological conditions or cultural heritage published for comment (GN 686 in GG 42472 of 22 May 2019) (p4)

Listed activities and associated minimum emission standards identified in terms of s. 21 of the Act published in GN 893 in GG 37054 of 22 November 2013 amended (GN 687 in GG 42472 of 22 May 2019) (p6)

HOUSING ACT 107 OF 1997 & HOUSING DEVELOPMENT AGENCY ACT 23 OF 2008

Proposed Priority Housing Development Areas published for comment in GN 671 in GG 42464 of 17 May 2019 corrected (GN 690 in GG 42474 of 24 May 2019) (p41)

STANDARDS ACT 8 OF 2008

Amendment of South African National Standards published (GenN 283 in GG 42474 of 24 May 2019) (p177)

CIVIL AVIATION ACT 13 OF 2009

Notice of publication for comment of proposed amendments to the Civil Aviation Regulations, 2011 published (GN R754 in GG 42475 of 24 May 2019) (p25)

TAXATION LAWS AMENDMENT ACT 17 OF 2009

Allocations to metropolitan municipalities of general fuel levy revenue published (GN 694 in GG 42474 of 24 May 2019) (p47)

PROVINCIAL LEGISLATION

EASTERN CAPE

Local Government: Municipal Property Rates Act 6 of 2004: Mhlontlo Local Municipality: Draft Property Rates By-law and Tariff Policy published (LAN 101 in PG 4243 of 20 May 2019) (pp 14 & 34)

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FREE STATE

Constitution of the Republic of South Africa, 1996 and National Environmental Management Waste Act 59 of 2008: Mantsopa Local Municipality: Waste Management By-laws published with effect from a date to be determined by the Municipality (PN 10 in PG 14 of 17 May 2019) (p2)
Public Finance Management Act 1 of 1999 and Division of Revenue Act 16 of 2019: Mangaung Metropolitan Municipality: Planned expenditure from the Human Settlements Development Grant with level 1 and 2 accreditations published (PN 11 in PG 15 of 17 May 2019) (p2)

GAUTENG

Gauteng Provincial Adjustments Appropriation Act 3 of 2019
(GenN 799 in PG 160 of 22 May 2019) (p3)

Date of commencement: 22 May 2019

Financial Management of the Gauteng Provincial Legislature Repeal Act 4 of 2019
(PN 509 in PG 160 of 22 May 2019) (p28)

Date of commencement: 22 May 2019

Repeals: Gauteng Provincial Legislature Act 7 of 2009

Gauteng Provincial Legislature Money Bills Amendment Procedure and Related Matters Act 5 of 2019 (PN 508 in PG 160 of 22 May 2019) (p20)

Date of commencement: to be determined

Gauteng Finance Management Supplementary Amendment Act 6 of 2019
(GenN 800 in PG 160 of 22 May 2019) (p12)

Date of commencement: to be determined

Amends: Gauteng Finance Management Supplementary Act 1 of 2000

KWAZULU-NATAL

Disaster Management Act 57 of 2002: Declaration of a Provincial state of disaster in various municipalities as a result of inclement weather published
(PN 60 in PG 2075 of 20 May 2019) (p3)

KwaZulu-Natal Traditional Leadership and Governance Act 5 of 2005: Recognition of *amaKhosi* and *iBambabukhosi* in various districts published (PN 61 in PG 2076 of 22 May 2019) (p3)

Local Government: Municipal Structures Act 117 of 1998: uMkhanyakude District Municipality: Designation of three additional Executive Committee members as full-time councillors published
(PN 65 in PG 2077 of 22 May 2019) (p3)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Mtubatuba Local Municipality: Municipal Standing Rules and Orders, 2018 published and previous by-laws repealed (PN 66 in PG 2080 of 23 May 2019) (p24)

Constitution of the Republic of South Africa, 1996 and Local Government: Municipal Systems Act 32 of 2000: Mtubatuba Local Municipality: Traffic and Crime Prevention By-laws, 2018 and Nuisances and Behaviour in Public Places By-law, 2018 published and previous by-laws repealed (PN 66 in PG 2080 of 23 May 2019) (pp 46 & 80)

LIMPOPO

Local Government: Municipal Systems Act 32 of 2000: Modimolle Mookgophang Local Municipality: Tariff By-law, Credit Control and Debt Collection By-law and Property Rates By-law published and previous Tariff By-laws, Credit Control and Debt Collection By-laws and Property Rates By-laws under the disestablished municipalities repealed
(PNs 73-75 in PG 2998 of 17 May 2019) (pp 22, 28 & 54)

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Local Government: Municipal Property Rates Act 6 of 2004: Maruleng Local Municipality: Draft Rates Policy 2019-2020 and By-law published for comment (LAN 57 in PG 3001 of 24 May 2019) (p26)

Local Government: Municipal Systems Act 32 of 2000 and Spatial Planning and Land Use Management Act 16 of 2013: Ba-Phalaborwa Local Municipality: Notice of draft Spatial Development Framework 2019 published for comment (LAN 62 in PG 3001 of 24 May 2019) (p30)

MPUMALANGA

Mpumalanga Nature Conservation Act 10 of 1998: Open Season: Ordinary Game published (PN 72 in PG 3045 of 24 May 2019) (p17)

Division of Revenue Bill, 2018: Budget of each hospital for the 2019/20 Medium Term Expenditure Framework (MTEF) published (PN 73 in PG 3045 of 24 May 2019) (p23)

Division of Revenue Bill, 2019: Transfers of funds to schools for the 2019 Medium Term Expenditure Framework (MTEF) published (PN 74 in PG 3045 of 24 May 2019) (p64)

NORTHERN CAPE

Division of Revenue Act 16 of 2019: Northern Cape Provincial Treasury: Allocations to municipalities for the 2019/20 financial year published (GenN 52 in PG 2267 of 20 May 2019) (p12)

NORTH WEST

North West Arts and Culture Council Repeal Act 4 of 2019 (PN 79 in PG 8008 of 21 May 2019) (p56)

Date of commencement: 21 May 2019

Repeals: North West Arts and Culture Council Act 8 of 2000

Local Government: Municipal Finance Management Act 56 of 2003: Consolidated Statement on performance of municipalities: 3rd quarter ending 31 March 2019 published (ON 2 in PG 8009 of 21 May 2019) (p3)

WESTERN CAPE

Western Cape Community Safety Act 3 of 2013: Overstrand Local Municipality: Notice of an investigation by the Office of the Western Cape Provincial Ombudsman concerning allegations that the South African Police Service (SAPS) is unable to perform its mandate, due to an insufficient allocation of resources, resulting in inefficiency of delivery services published (PN 62 in PG 8097 of 14 May 2019) (p2)

Division of Revenue Act 16 of 2019: Western Cape Provincial Treasury: Allocations to schools, hospitals and public entities as reflected in the 2019 budget published (PN 65 in PG 8100 of 17 May 2019) (p2)

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

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