

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette *No. 11712* *Regulasiekoerant*

Vol. 708 **14 June Junie 2024** **No. 50827**

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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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government printing
Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works* (*GPW*).

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*'. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as **@gpw.gov.za**

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at **www.gpwonline.co.za**
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: **Annamarie.DuToit@gpw.gov.za**

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: **Bonakele.Mbhele@gpw.gov.za**

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: **Daniel.Legoabe@gpw.gov.za**

Closing times for **ORDINARY WEEKLY** *REGULATION GAZETTE* 2024

*The closing time is **15:00** sharp on the following days:*

- **28 December 2023,** Thursday for the issue of Friday **05 January 2024**
- **05 January,** Friday for the issue of Friday **12 January 2024**
- **12 January,** Friday for the issue of Friday **19 January 2024**
- **19 January,** Friday for the issue of Friday **26 January 2024**
- **26 January,** Friday for the issue of Friday **02 February 2024**
- **02 February,** Friday for the issue of Friday **09 February 2024**
- **09 February,** Friday for the issue of Friday **16 February 2024**
- **16 February,** Friday for the issue of Friday **23 February 2024**
- **23 February,** Friday for the issue of Friday **01 March 2024**
- **01 March,** Friday for the issue of Friday **08 March 2024**
- **08 March,** Friday for the issue of Friday **15 March 2024**
- **14 March,** Thursday for the issue of Friday **22 March 2024**
- **20 March,** Wednesday for the issue of Thursday **28 March 2024**
- **27 March,** Wednesday for the issue of Friday **05 April 2024**
- **05 April,** Friday for the issue of Friday **12 April 2024**
- **12 April,** Friday for the issue of Friday **19 April 2024**
- **19 April,** Friday for the issue of Friday **26 April 2024**
- **25 April,** Thursday for the issue of Friday **03 May 2024**
- **03 May,** Friday for the issue of Friday **10 May 2024**
- **10 May,** Friday for the issue of Friday **17 May 2024**
- **17 May,** Friday for the issue of Friday **24 May 2024**
- **24 May,** Friday for the issue of Friday **31 May 2024**
- **31 May ,** Friday for the issue of Friday **07 June 2024**
- **07 June,** Friday for the issue of Friday **14 June 2024**
- **13 June,** Thursday for the issue of Friday **21 June 2024**
- **21 June,** Friday for the issue of Friday **28 June 2024**
- **28 June,** Friday for the issue of Friday **05 July 2024**
- **05 July,** Friday for the issue of Friday **12 July 2024**
- **12 July,** Friday for the issue of Friday **19 July 2024**
- **19 July,** Friday for the issue of Friday **26 July 2024**
- **26 July,** Friday for the issue of Friday **02 August 2024**
- **01 August,** Thursday for the issue of Thursday **08 August 2024**
- **08 August,** Thursday for the issue of Friday **16 August 2024**
- **16 August,** Friday for the issue of Friday **23 August 2024**
- **23 August,** Friday for the issue of Friday **30 August 2024**
- **30 August,** Friday for the issue of Friday **06 September 2024**
- **06 September,** Friday for the issue of Friday **13 September 2024**
- **13 September,** Friday for the issue of Friday **20 September 2024**
- **19 September,** Thursday for the issue of Friday **27 September 2024**
- **27 September,** Friday for the issue of Friday **04 October 2024**
- **04 October,** Friday for the issue of Friday **11 October 2024**
- **11 October,** Friday for the issue of Friday **18 October 2024**
- **18 October,** Friday for the issue of Friday **25 October 2024**
- **25 October,** Friday for the issue of Friday **01 November 2024**
- **01 November,** Friday for the issue of Friday **08 November 2024**
- **08 November,** Friday for the issue of Friday **15 November 2024**
- **15 November,** Friday for the issue of Friday **22 November 2024**
- **22 November,** Friday for the issue of Friday **29 November 2024**
- **29 November,** Friday for the issue of Friday **06 December 2024**
- **06 December,** Friday for the issue of Friday **13 December 2024**
- **12 December,** Thursday for the issue of Friday **20 December 2024**
- **18 December,** Wednesday for the issue of Friday **27 December 2024**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	**Page Space**	**New Price (R)**
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R**3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works** (**GPW**) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

Closing Times for Acceptance of Notices

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

   All re-submissions will be subject to the standard cut-off times.
   All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	*Before 10h00 on publication date*	*Before 10h00 on publication date*
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days **after** submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.

5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat* / *Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.

6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.

7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.

8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.

   8.1. Each of the following documents must be attached to the email as a separate attachment:

      8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.

         8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form

         8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.

      8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*

      8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order**. Non-Government Printing Works** account customer needs to submit the proof of payment for the notice

      8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications)*.

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.

10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE.**

11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.

12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.

    13.1. ***Take note:*** **GPW**'s annual tariff increase takes place on ***1 April*** therefore any quotations issued, accepted and submitted for publication up to ***31 March*** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.

14. Each quotation has a unique number.

15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.

    15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.

    15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS**:

    16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.

    16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.

        16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. **APPLICABLE ONLY TO CASH CUSTOMERS:**

    17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.

18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).

19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

    19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Approval of notices

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

Government Printer Indemnified Against Liability

27. The Government Printer will assume no liability in respect of—

27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

Liability of advertiser

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

Customer inquiries

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.
GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.
Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.

30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Payment of cost

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.

32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.

33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.

34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.

35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.

36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.

37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

Proof of publication

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.

39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	**Postal Address:**	**GPW Banking Details:**
Government Printing Works	Private Bag X85	**Bank:** ABSA Bosman Street
149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
Pretoria	0001	**Branch Code:** 632-005

For Gazette and Notice submissions: Gazette Submissions:	**E-mail:** submit.egazette@gpw.gov.za
For queries and quotations, contact: Gazette Contact Centre:	**E-mail:** info.egazette@gpw.gov.za
	Tel: 012-748 6200
Contact person for subscribers: Mrs M. Toka:	**E-mail:** subscriptions@gpw.gov.za
	Tel: 012-748-6066 / 6060 / 6058
	Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. R. 4973 **14 June 2024**

LABOUR RELATIONS ACT, 1995

NOTICE OF INTENTION TO CANCEL THE REGISTRATION OF A TRADE UNION

I, Mongwadi Mary Ngwetjana, Deputy Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **South African State and Allied Workers Union (SASAWU)(LR2/6/2/935)** for the following reasons:

- The organisation failed to comply with the provisions of section 98, 99 and 100 of the Act, and
- The organisation ceased to function in terms of its constitution

This Office is of the view that the trade union ceased to function as a genuine trade union as envisaged in the LRA.

The organisation and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2024/110.**

Written representations must be lodged to me, c/o the Department of Employment and Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – email address: registrar.labourrelations@labour.gov.za ; mary.ngwetjana@labour.gov.za], within 60 days of the date of this notice.

DEPUTY REGISTRAR OF LABOUR RELATIONS

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. R. 4974 **14 June 2024**

LABOUR RELATIONS ACT,1995

APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING COUNCIL

I Lehlohonolo Daniel Molefe, Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, give notice that an application for the variation of its registered scope has been received from the **Furniture Bargaining Council.**

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

(a) the application has not complied with the provisions of section 29 of the Act, read with the changes required by the context;

(b) the sector and area in respect of which the application is made is not appropriate; and

(c) the application is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who objects must lodge his/her written objection with me, c/o the Department of Employment and Labour , Laboria House,215 Francis Baard Street, Pretoria (postal address: Private Bag x117, Pretoria, 0001), email address alfred.katane@labour.gov.za; mary.ngwetjana@labour.gov.za within 30 days of the date of this notice. A copy of the objective must be served on the applicant within the said period and I must be satisfied that a copy of the objection has been served on the applicant.

The applicant may respond to the objection within 14 days of the expiry of the 30-day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

TABLE

Name of the bargaining council:

Furniture Bargaining Council

Address of the bargaining council:

Furniture Bargaining Council
North Block, 39 Empire Road, Parktown Extension, Johannesburg
P O Box 32789
BRAAMFONTEIN
2017
Tel: 011 242 9200

Date on which application was lodged:

23 May 2024

Intention of the application

The intention of the application is to vary the scope of the council by including in the definition of furniture, the following amendment:
Replace the wording "but excluding the manufacturing of bedding made mainly of metal and/or plastic material" with the wording "including the manufacturing of bedding and bed frames, irrespective of the materials used".

Interest in respect of which the application is made:

The Furniture, Bedding and Upholstery Manufacturing Industry as defined hereunder, in the Provinces of the Gauteng, North West, Mpumalanga, Limpopo and Free State.

"**Furniture, Bedding, and Upholstery Manufacturing Industry"** or "Industry" means, without in any way limiting the ordinary meaning of the expression, the industry in which employers and their employees are associated for the manufacture, either in whole or as a complete unit or in part as a component or components of all types of furniture and bedding as well as upholstery and/or re-upholstery and will, inter alia, include the following;

1. Furniture

Repairing, staining, spraying, polishing, re-polishing, making loose covers and/or cushions, wood machining, veneering, woodturning, carving, assembling, painting, wood bending, laminating, cutting, edging, drilling and routering. Furniture manufacturing will also include the manufacturing, installation, repairing, polishing, re-polishing, staining, spraying of pianos, organs, movable room/office partitions, kitchen cupboards, kitchen cupboard tops, kitchen cupboard components (irrespective of material used), attached wall cupboards, built-in cupboards, built-in cupboard components, doors and door frames of buildings or rooms (the latter doors and door frames exclude doors and door frames manufactured from iron, steel and other metal materials), free standing bars or built-in bar counters, cane, wicker or grass furniture,

cabinets including cabinets for musical instruments and radios, wireless or television cabinets, bathroom cupboards, any other cupboard tops and furniture for tea-rooms, restaurants, offices, churches, schools, libraries, other educational institutions, conference centres, theatres, shop fitting, office fitting and bank fitting, which includes the manufacture and/or fixing of shop fronts, window enclosures, showcases, counters, including point of sales counters, screens, interior fittings and fixtures and any form of shelving, irrespective of the materials used and includes any part of an establishment's business carrying out the manufacture of furniture as defined above, whether or not that part is discrete or ancillary to any other business of the employer.

2. Bedding

The manufacturing, repairing, covering, re-covering of mattress bases, mattresses, spring mattresses, overlays, bolsters, pillows, cushions for studio couches, spring units, box-spring mattresses and studio couches, including the manufacturing of bedding and bed frames, irrespective of the materials used.

"Studio Couch" means an article of furniture, which is designed for seating and for conversion into a double bed or two or more beds and of which the frames are constructed mainly of metal and the seating and/or sleeping surfaces consist of mattresses and/or cushions.

3. Upholstery

The upholstering or re-upholstering of any furniture, or item of furniture, bedding, pelmets and mattress bases.

Representativeness of the Council:

Total number of employees falling within the new scope of the Council and who belong to trade unions which are party to the Council:

6 033

Total number of employers falling within the new scope of the Council and who belong to the employers' organisations which are party to the Council:

268

Total number of employees employed within the new scope of the Council by the employers that belong to the employers' organisations which are party to the Council:

8 445

Total number of employers within the new scope of the Council:

510

Total number of employees employed within the new scope of the Council:

11 424

DEPUTY REGISTRAR OF LABOUR RELATIONS

DATE: 3 June 2024

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 4975 **14 June 2024**

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT, 1993 (ACT NO. 87 OF 1993)

DECLARATION OF CERTAIN CHEMICAL GOODS AS CONTROLLED GOODS AND CONTROL MEASURES APPLICABLE TO SUCH GOODS

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act or the Chemical Weapons Convention, as the case may be, shall have the meaning so assigned and, unless the context otherwise indicates-

"antiplant agent" means any chemical listed in Annexure F to this Notice, which can defoliate plants or which can destroy crops or plants or which can sterilise the soil to prevent plant growth;

"Chemical Weapons Convention" means the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, as ratified by the Government of the Republic of South Africa on 14 September 1995 and published for general information as Government Notice No. 754 on 2 May 1997;

"development" means all phases before production, and includes conceptualisation, research, analysis, testing, configuration or pilot production schemes;

"discrete organic chemical" means any chemical belonging to a class of chemical compounds consisting of all compounds of carbon, except for its oxides, sulphides and metal carbides or carbonates, identifiable by chemical structure, by structural formula, if known, and by the Chemical Abstracts Service (CAS) registry number, if assigned, and not contained in the chemicals listed in Annexures A, B or C to this Notice;

"riot control agent" means any toxic chemical, which is not among the toxic chemicals listed in Annexures A, B, C or D to this Notice, which can produce rapidly in humans sensory irritation or disabling physical effects, which disappear within a short time following the termination of exposure;

"manufacture", in relation to a chemical, includes development and production;

"precursor" means any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical. This includes any key component of a binary or multicomponent chemical system;

"PSF discrete organic chemical" means any discrete organic chemical containing one or more of the elements phosphorus, sulphur or fluorine;

"Purposes not prohibited under the Chemical Weapons Convention" means-

(a) industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
(b) protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
(c) military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare; and
(d) law enforcement including for domestic riot control purposes;

"services" includes freight forwarding, storing and stockpiling (if not part of the manufacture and transfer processes), transporting, maintaining (repairing, overhauling, refurbishing), trading, consulting, disposing, and technical assistance;

"toxic chemical" means any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals. This includes all such chemicals, regardless of their origin or of their method of production, and regardless of whether they are produced in facilities, in munitions or elsewhere;

"the Act" means the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended;

"use", in relation to a chemical, means the depletion of reserves by adding a chemical to formulations, as a constituent in a mixture, in a scrubber of unwanted chemicals, as a starting material in a process, as a component of a reaction or as a catalyst.

Declaration

2. I, Ebrahim Patel, Minister of Trade, Industry and Competition, under section 13(1) of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended, and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction (hereinafter referred to as „the Council"), hereby declare the goods listed in paragraph 4 of, and in the Annexures to this Notice to be controlled goods.

3. I hereby—

(a) in terms of section 13(2)(a) and (e) of the Act and pursuant to South Africa's obligations under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, further prohibit-

(i) the development, production, acquisition, stockpiling or retention of chemical weapons or the transfer, whether direct or indirect, of chemical weapons to any person;

(ii) the use of chemical weapons;

(iii) engagement in any military preparations to use chemical weapons;

(iv) the assistance, encouragement or induction, in any way, of any person to engage in any activity prohibited under the Chemical Weapons Convention;

(v) the use of riot control agents as a method of warfare; and

(vi) the export or re-export of the toxic chemicals or precursors listed in Annexures A and B, whether in substantially pure form or in a mixture with any other substance, to countries which are not States Parties to the Chemical Weapons Convention.

(b) in terms of section 13(2)(b) of the Act, determine that the import, export, re export or transit (including transhipment) of the controlled goods, as listed in Annexures A, B, C and E to this Notice, shall take place under a permit issued by the Council: A permit is not required for quantities of 5 milligrams or less of saxitoxin, if the transfer is made for medical or diagnostic purposes, in which case a notification to that effect shall be made to the Council before the transfer, as per requirements stipulated under Section 3(i) of this notice ;

Note:
For items listed in Annexure E to this Notice whether in substantially pure form or in a mixture with any other substance, a permit is not required for products identified as consumer goods packaged for retail sale for personal use or packaged for individual use

(c) in terms of section 13(2)(b) of the Act, determine that the transit (including transhipment), export or re-export of the controlled goods, as listed in Annexures D and F to this Notice, shall take place under a permit issued by the Council;

(d) in terms of section 13(2)(b) of the Act, determine that the internal (intranational) transfer of chemicals listed in Annexure A to this Notice, shall take place under a permit issued by the Council;

(e) in terms of section 13(2)(c) of the Act, determine that the Council may require a State-to-State assurance or an end-user or end-use certificate for the export or re-export of the controlled goods listed in the Annexures to this Notice;

(f) in terms of section 13(2)(c) of the Act, determine that the Council shall require an end-user or end-use certificate for the export or re-export of the controlled

goods listed in Annexure C to this Notice, whether in substantially pure form or in a mixture with any other substance in a concentration of greater than or equal to 30 per cent by weight, to countries which are not States Parties to the Chemical Weapons Convention;

(g) in terms of section 13(2)(c) of the Act, determine that the Council shall require an end-user or end-use certificate for the export or re-export of the controlled goods listed in Annexure E to this Notice, whether in substantially pure form or in a mixture with any other substance except in products identified as consumer goods packaged for retail sale for personal use or packaged for individual use;

(h) in terms of section 13(2)(f) of the Act, determine that the manufacture of, and provision of services with respect to, controlled goods listed in Annexure A to this Notice shall take place under a permit issued by the Council; and

(i) in terms of section 13(3)(b) of the Act determine that the Council should, not less than 60 days before the transfer of controlled goods listed in Annexure A to or from another State Party, be notified of the transfer.

CONTROLLED GOODS

4. The following goods are controlled goods at the control thresholds indicated in paragraph 5 of this Notice:

(a) The toxic chemicals and precursors listed in Annexures A, B and C, which may be used for purposes that are not prohibited as indicated in paragraph 9 of Article II of the Chemical Weapons Convention: Provided that the types and quantities are consistent with such purposes, whether in substantially pure form or in a mixture. Whenever, in Annexures A and B, reference to groups of dialkylated chemicals is followed by a list of alkyl groups in parentheses, all chemicals possible by all possible combinations of alkyl groups listed in the parentheses are considered to be controlled goods, except those explicitly exempted in Annexure B;

(b) the toxic chemicals listed in Annexure D, whether in substantially pure form or in a mixture;

(c) the riot control agents listed in Annexure E, whether in substantially pure form or in a mixture, except

(i) goods containing capsaicin packaged for retail sale for personal use or packaged for individual use; and

(ii) goods containing riot control agents packaged for food production or medical purposes;

Note:
The goods containing riot control agents, whether in a substantially pure form or in a mixture with any other substance, for riot control and law enforcement purposes, are controlled, and subject to sections 3(b) and 3(g) above.

(d) the antiplant agents listed in Annexure F, whether in substantially pure form or in a mixture;

(e) any chemical facility that produces, acquires, consumes or stores any quantity of the toxic chemicals and precursors listed in Annexure A. As indicated in paragraph 8 of Part VI of the Verification Annex of the Chemical Weapons Convention, the production of the toxic chemicals and precursors listed in Annexure A shall only be carried out at a single small-scale facility. The toxic chemicals and precursors shall only be applied for research, medical, pharmaceutical or protective purposes, and the aggregate amount of such chemicals for such purposes at any given time should be less than or equal to one metric tonne;

(f) any chemical facility that produced, processed or consumed during the previous calendar year or anticipates to produce, process or consume in the next calendar year 10 grams or more of the toxic chemical BZ listed in Annexure B, one kilogram or more of the toxic chemicals Amiton or PFIB

listed in Annexure B or 10 kilograms or more of any precursor listed in Annexure B;

(g) any chemical facility that produced during the previous calendar year or anticipates to produce in the next calendar year 100 kilograms or more of any toxic chemical listed in Annexure C;

(h) any chemical facility that produced by chemical synthesis, an aggregate quantity of 100 metric tonnes or more of any number of discrete organic chemicals or their salts, or an aggregate quantity of 15 metric tonnes or more of any single PSF discrete organic chemical or its salts, during the previous calendar year. For the purposes of this paragraph, polymeric and oligomeric substances are not regarded as discrete organic chemicals. For the purposes of this paragraph, chemical facilities that-

(i) produce explosives or hydrocarbons exclusively, are exempted;

(ii) produce polymeric and oligomeric substances exclusively, are exempted;

(iii) produce any discrete organic chemicals or PSF discrete organic chemicals, as well as hydrocarbons, explosives or polymeric and oligomeric substances, are not exempted; and

(iv) process chemicals or blend or formulate chemicals into products such as insecticides, paints or detergents, where no chemical reactions take place, are exempted;

(i) the technology required for the production of the controlled goods listed in Annexure A and the toxic chemicals listed in Annexure B; and

(j) the manufacturing of, and provision of services with respect to controlled goods listed in Annexure A.

CONTROL THRESHOLDS

5. The control thresholds of controlled goods for the purposes of declarations shall be as follows:

(1) (a) All quantities of the toxic chemicals and precursors listed in Annexure A, whether in substantially pure form or in a mixture with any other substance;

(b) an aggregate quantity per calendar year of-

(i) the toxic chemical BZ listed in Annexure B greater than or equal to 10 grams, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to one per cent by weight;

(ii) the toxic chemicals Amiton and PFIB listed in Annexure B greater than or equal to one kilogram, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to one per cent by weight; or

(iii) the precursors listed in Annexure B greater than or equal to 10 kilograms, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

(c) an aggregate quantity per calendar year of the toxic chemicals and precursors listed in Annexure C greater than or equal to 100 kilograms, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

(d) an aggregate quantity per calendar year of all discrete organic chemicals or their salts produced within a chemical plant site greater than or equal to 100 metric tonnes in substantially pure form;

(e) an aggregate quantity per calendar year of all PSF discrete organic chemicals or their salts produced within a chemical facility greater than or equal to 15 metric tonnes in substantially pure form;

(f) an aggregate quantity per calendar year of the toxic chemicals listed in Annexure D greater than or equal to one metric tonne, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

(g) an aggregate quantity per calendar year of the riot control agents listed in Annexure E greater than or equal to 100 kilograms, whether in substantially pure form or in a mixture with any other substance, except in products identified as consumer goods packaged for retail sale for personal use or packaged for individual use; and

(h) any quantity per calendar year of the antiplant agents listed in Annexure F, whether in substantially pure form or in a mixture with any other substance.

(2) For the purposes of subparagraphs (1) (a), (b) and (c), all threshold quantities shall include quantities of controlled chemicals generated as by-products or as components of waste or effluent streams in a chemical production process.

6. The control thresholds of controlled goods for the purposes of transfers shall be as follows:

(a) All quantities of the toxic chemicals and precursors listed in Annexure A, whether in substantially pure form or in a mixture with any other substance;

(b) All quantities of toxic chemicals and precursors listed in Annexure B.

Note:

The toxic chemical BZ listed in Annexure B whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to one per cent by weight;

(i) The toxic chemicals Amiton and PFIB listed in Annexure B whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to one per cent by weight; or

(ii) The precursors listed in Annexure B whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

(c) an aggregate of the toxic chemicals and precursors listed in Annexure C greater than or equal to 25 kilograms per calendar year, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

Note:

(i) Transfers below 25 kilograms do not require a permit; however, they are subject to notification requirements to the Council within 21 calendar days of such transfer.

(d) an aggregate quantity of the toxic chemicals listed in Annexure D greater than or equal to 100 kilograms per calendar year, whether in substantially pure form or in a mixture with any other substance in a concentration greater than or equal to 30 per cent by weight;

(e) any quantity of the riot control agents listed in Annexure E, whether in substantially pure form or in a mixture with any other substance, except in products identified as consumer goods packaged for retail sale for personal use or packaged for individual use.

Note:

(i) Riot control agents packaged as consumer products for personal and individual use but used for riot control purposes by policing or security are not exempted; and

(f) any quantity of the antiplant agents listed in Annexure F, whether in substantially pure form or in a mixture with any other substance.

7. Products containing chemicals listed in Annexure B may be exported to countries that are not States Parties to the Chemical Weapons Convention: Provided that the said products contain—

(a) one per cent or less of the toxic chemicals listed in Annexure B; or

(b) 10 per cent or less of the precursors listed in Annexure B; and

(c) are identified as consumer goods packaged for retail sale for personal use or packaged for individual use.

8. Products containing chemicals listed in Annexure C may be exported without a permit to countries that are not States Parties to the Chemical Weapons Convention: Provided that the said products contain less than 30 per cent of a chemical listed in Annexure C and are identified as consumer goods packaged for retail sale for personal use or packaged for individual use.

Applications

9. The applications for the permits contemplated in paragraph 3 of this Notice should be submitted through the Non-Proliferation Council Registration and Permit Online System:

https://npcos.thedtic.gov.za/fcDTiNPApplicantPortal/Account/LogOn.

Repeal

10. Government Notice No. 320 of 08 April 2021 is hereby repealed.

MR EBRAHIM PATEL 7/6/2024

MINISTER OF TRADE, INDUSTRY AND COMPETITION

ANNEXURE A

Schedule 1 of the Chemical Weapons Convention

(Chemical Abstracts Service Registry Number)

A. Toxic Chemicals:

(1) O-Alkyl (<C10, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates

e.g. Sarin: O-Isopropyl methylphosphonofluoridate (107-44-8)

Soman: O-Pinacolyl methylphosphonofluoridate (96-64-0)

(2) O-Alkyl (<C10, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates

e.g. Tabun: O-Ethyl N,N-dimethyl phosphoramidocyanidate (77-81-6)

(3) O-Alkyl (H or <C10, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated or protonated salts

e.g. VX: O-Ethyl S-2-diisopropylaminoethyl methyl phosphonothiolate (50782-69-9)

(4) Sulfur mustards:

2-Chloroethylchloromethylsulfide (2625-76-5)
Mustard gas: Bis(2-chloroethyl)sulfide (505-60-2)
Bis(2-chloroethylthio)methane (63869-13-6)
Sesquimustard: 1,2-Bis(2-chloroethylthio)ethane (3563-36-8)
1,3-Bis(2-chloroethylthio)-n-propane (63905-10-2)
1,4-Bis(2-chloroethylthio)-n-butane (142868-93-7)
1,5-Bis(2-chloroethylthio)-n-pentane (142868-94-8)
Bis(2-chloroethylthiomethyl)ether (63918-90-1)
O-Mustard: Bis(2-chloroethylthioethyl)ether (63918-89-8)

(5) Lewisites:

Lewisite 1: 2-Chlorovinyldichloroarsine (541-25-3)

Lewisite 2: Bis(2-chlorovinyl)chloroarsine (40334-69-8)

Lewisite 3: Tris(2-chlorovinyl)arsine (40334-70-1)

(6) Nitrogen mustards:

HN1: Bis(2-chloroethyl)ethylamine (538-07-8)

HN2: Bis(2-chloroethyl)methylamine (51-75-2)

HN3: Tris(2-chloroethyl)amine (555-77-1)

(7) Saxitoxin
(35523-89-8)

(8) Ricin
(9009-86-3)

(13) P-alkyl (H or ≤C10, incl. cycloalkyl) N-(1-(dialkyl(≤C10, incl. cycloalkyl)amino))alkylidene(H or ≤C10, incl. cycloalkyl) phosphonamidic fluorides and corresponding alkylated or protonated salts

e.g. N-(1-(di-n-decylamino)-n-decylidene)-P-decylphosphonamidic fluoride (2387495-99-8)

Methyl-(1-(diethylamino)ethylidene)phosphonamidofluoridate (2387496-12-8)

(14) alkyl (H or ≤C10, incl. cycloalkyl) N-(1-(dialkyl(≤C10, incl. cycloalkyl)amino))alkylidene(H or ≤C10, incl. cycloalkyl) O-phosphoramidofluoridates and corresponding alkylated or protonated salts

e.g. O-n-Decyl N-(1-(di-n-decylamino)-n-decylidene)phosphoramidofluoridate (2387496-00-4)

Methyl (1-(diethylamino)ethylidene)phosphoramidofluoridate (2387496-04-8)

Ethyl (1-(diethylamino)ethylidene)phosphoramidofluoridate (2387496-06-0)

(15) Methyl-(bis(diethylamino)methylene)phosphonamidofluoridate (2387496-14-0)

(16) Carbamates (quaternaries and bisquaternaries of dimethylcarbamoyloxypyridines) Quaternaries of dimethylcarbamoyloxypyridines:

1-[N,N-dialkyl(≤C10)-N-(n- (hydroxyl, cyano, acetoxy)alkyl(≤C10)) ammonio]-n-[N- (3-dimethylcarbamoxy- - α dialkyl(≤C10) ammonio]decane picolinyl)-N,N dibromide (n=1-8)

e.g. 1-[N,N-dimethyl-N-(2-hydroxy)ethylammonio]-10-[N-(3-dimethylcarbamoxy- α - picolinyl)-N,N-dimethylammonio]decane dibromide (77104-62-2)

Bisquaternaries of dimethylcarbamoyloxypyridines: 1,n-Bis[N-(3-dimethylcarbamoxy-α-picolyl)-N,N-dialkyl(≤C10) ammonio]- alkane-(2,(n- 1)-dione) dibromide (n=2-12)

e.g.1,10-Bis[N-(3-dimethylcarbamoxy-α-picolyl)-N-ethyl-N-methylammonio]decane- 2,9-dione dibromide B. (77104-00-8)

Precursors:

(9) Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldifluorides

e.g. DF: Methylphosphonyldifluoride (676-99-3)

(10) O-Alkyl (H or <C10, incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated or protonated salts

e.g. QL: O-Ethyl O-2-diisopropylaminoethyl

		methylphosphonite	(57856-11-8)
(11)	Chlorosarin:	O-Isopropyl methylphosphonochloridate	(1445-76-7)
(12)	Chlorosoman:	O-Pinacolyl methylphosphonochloridate	(7040-57-5)

ANNEXURE B

Schedule 2 of the Chemical Weapons Convention

(Chemical Abstracts Service Registry Number)

A. Toxic chemicals:

(1) Amiton:
O,O-Diethyl S-[2-(diethylamino) ethyl] phosphorothiolate and corresponding alkylated or protonated salts (78-53-5)

(2) PFIB:
1,1,3,3,3-Pentafluoro-2-(trifluoromethyl)-1-propene (382-21-8)

(3) BZ:
3-Quinuclidinyl benzilate (6581-06-2)

B. Precursors:

(1) Chemicals, except for those listed in Schedule 1, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms, such as

Methylphosphonyl dichloride	(676-97-1)
Dimethyl methylphosphonate	(756-79-6)
Diethyl ethylphosphonate	(78-38-6)
Ethylphosphinyl dichloride	(1498-40-4)
Ethylphosphonyl dichloride	(1066-50-8)
Methylphosphinyl dichloride	(676-83-5)
Ethylphosphinyl difluoride	(430-78-4)
Methylphosphinyl difluoride	(753-59-3)

Methylphosphonic acid (993-13-5)
Methylphosphonothioic dichloride (676-98-2)
Diethyl methylphosphonite (15715-41-0) Dimethyl ethylphosphonate (6163-75-3)

Exemption:
Fonofos:
O-Ethyl S-phenyl ethylphosphonothiolothionate (944-22-9)

(2) N,N-Dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) phosphoramidic dihalides

(3) Dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl N,N- dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl)- phosphoramidates, such as

Diethyl N,N-dimethylphosphoramidate (2404-03-7)

(4) Arsenic trichloride (7784-34-1)

(5) 2,2-Diphenyl-2-hydroxyacetic acid (Benzilic acid) (76-93-7)

(6) Quinuclidin-3-ol (1619-34-7)

(10) N,N-Dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethyl-2-chlorides and corresponding protonated salts, such as

N,N-Diisopropyl-(beta)-aminoethyl chloride (96-79-7)
N,N-Diisopropyl-2-aminoethyl chloride hydrochloride (4261-68-1)
N,N-Dimethylaminophosphoryl dichloride (676-98-2)

(11) N,N-Dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethane-2-ols and corresponding protonated salts, such as

	N,N-Diisopropyl-(beta)-aminoethanol	(96-80-0)
	Exemptions:	
	N,N-Dimethylaminoethanol	(108-01-0)
	and corresponding protonated salts	
	Protonated salts of N,N-Diethylaminoethanol	(100-37-8)
(12)	N,N-Dialkyl (Methyl, Ethyl, n-Propyl or Isopropyl) aminoethane-2-thiols and corresponding protonated salts, such as	
	N,N-Diisopropyl-(beta)-aminoethane thiol	(5842-07-9)
(13)	Thiodiglycol:	
	Bis (2-hydroxyethyl) sulphide	(111-48-8)
(14)	Pinacolyl alcohol:	
	3,3-Dimethylbutan-2-ol	(464-07-3)

ANNEXURE C

Schedule 3 of the Chemical Weapons Convention

		(Chemical Abstracts Service Registry Number)
A.	Toxic chemicals:	
(1)	Phosgene: Carbonyl dichloride	(75-44-5)
(2)	Cyanogen chloride	(506-77-4)
(3)	Hydrogen cyanide	(74-90-8)
(4)	Chloropicrin: Trichloronitromethane	(76-06-2)
B.	**Precursors:**	
(5)	Phosphorus oxychloride	(10025-87-3)
(6)	Phosphorus trichloride	(7719-12-2)
(7)	Phosphorus pentachloride	(10026-13-8)
(8)	Trimethyl phosphite	(121-45-9)
(9)	Triethyl phosphite	(122-52-1)
(10)	Dimethyl phosphite	(868-85-9)
(11)	Diethyl phosphite	(762-04-9)
(12)	Sulphur monochloride	(10025-67-9)

(13)	Sulphur dichloride	(10545-99-0)
(14)	Thionyl chloride	(7719-09-7)
(15)	Ethyldiethanolamine	(139-87-7)
(16)	Methyldiethanolamine	(105-59-9)
(17)	Triethanolamine	(102-71-6)

ANNEXURE D

		(Chemical Abstracts Service Registry Number)
Toxic chemicals:		
(1)	3-Hydroxy-1-methylpiperidine	(3554-74-3)
(2)	Potassium fluoride	(7789-23-3)
(3)	2-Chloroethanol	(107-07-3)
(4)	Dimethylamine	(124-40-3)
(5)	Dimethylamine hydrochloride	(506-59-2)
(6)	Hydrogen fluoride	(7664-39-3)
(7)	Methyl benzilate	(76-89-1)
(8)	3-Quinuclidone	(3731-38-2)
(9)	Pinacolone	(75-97-8)
(10)	Potassium cyanide	(151-50-8)
(11)	Potassium bifluoride	(7789-29-9)
(12)	Ammonium bifluoride	(1341-49-7)
(13)	Sodium bifluoride	(1333-83-1)
(14)	Sodium fluoride	(7681-49-4)
(15)	Sodium cyanide	(143-33-9)

(16)	Phosphorus pentasulphide	(1314-80-3)
(17)	Di-isopropylamine	(108-18-9)
(18)	Diethylaminoethanol	(100-37-8)
(19)	Sodium sulphide	(1313-82-2)
(20)	Triethanolamine hydrochloride	(637-39-8)
(21)	Triisopropyl phosphite	(116-17-6)
(22)	O,O-Diethyl phosphorothioate	(2465-65-8)
(23)	O,O-Diethyl phosphorodithioate	(298-06-6)
(24)	Sodium hexafluorosilicate	(16893-85-9)

ANNEXURE E

(Chemical Abstracts Service Registry Number)

Riot Control Agents

Riot control agents as follows:

(1) α-Bromobenzeneacetonitrile, (Bromobenzyl cyanide), (CA) (5798-79-8)

(2) 2-Chloro-1-phenyl-ethanone, (Phenylacyl chloride), (ω-chloroacetophenone), (CN) (532-27-4)

(3) [(2-chlorophenyl)-methylene] propanedinitrile, (o-Chlorobenzylidenemalonitrile), (CS) (2698-41-1)

(4) Dibenz (b,f)-1,4-oxazephine, (CR) (257-07-8)

(5) Diphenylaminochloroarsine, (10-Chloro-5,10-dihydrophen- arsazine), (Phenarsazine chloride), (Adamsite), (DM) (578-94-9)

(6) N-nonanylmorpholine, (MPA) (5299-64-9)

(7) trans-8-Methyl-N-vanillyl-6-nonenamide, (Capsaicin), (Pepper Spray), [N-(4-hydroxy-3-methoxy benzyl)-8-methyl-non-trans-6-enamide], (404-86-4)

(8) Ethyl bromoacetate, (EBA) (105-36-2)

(9) Pelargonic acid vanillylamide (2444-46-4)

(10) Phenyl chloride (108-90-7)

(11) Mixture of OC and CS

(12) Oleoresin capsicum (OC) (8023-77-6)

(13) 8-Methyl-N-vanillylnonamide (dihydrocapsaicin) (19408-84-5)

(14) N-Vanillyl-9-methyldec-7-(E)-enamide (homocapsaicin) (58493-48-4)

(15) N-Vanillyl-9-methyldecanamide (homodihydrocapsaicin) (20279-06-5)

(16) N-Vanillyl-7-methyloctanamide (nordihydrocapsaicin) (28789-35-7)

(17) 2'-Chloroacetophenone (2142-68-9)

(18) 3'-Chloroacetophenone (99-02-5)

(19) α-Chlorobenzylidenemalononitrile (18270-61-6)

(20) Cis-4-acetylaminodicyclohexylmethane (37794-87-9)

(21) N,N'-Bis (isopropyl) ethylenediimine (E,E 28227-41-0; Z,Z 185245-09-4)

(22) N,N'-Bis (tert-butyl) ethylenediimine (30834-74-3; E,E 28227-42-1)

ANNEXURE F

(Chemical Abstracts Service Registry Number)

Anti-plant agents:

Anti-plant agents as follows:

(1)	Butyl 2-chloro-4-fluorophenoxyacetate (LNF)	(1692-85-9)
(2)	Mixtures of 2,4,5-T and 2,4-D where:	
	2,4,5-T: 2,4,5-Trichlorophenoxyacetic acid	(93-76-5)
	2,4-D; 2,4-Dichlorophenoxyacetic acid	(94-75-7)
(3)	Mixtures of Picloram where:	
	Picloram: 4-Amino-3,5,6-trichloropicolinic acid	(1918-02-1)
(4)	Dimethylarsinic acid (Cacodylic acid)	(75-60-5)

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 4976 **14 June 2024**

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT, 1993 (ACT NO. 87 OF 1993)

DECLARATION OF CERTAIN MISSILE TECHNOLOGY AND RELATED ITEMS AS CONTROLLED GOODS, AND CONTROL MEASURES APPLICABLE TO SUCH GOODS

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act bears the meaning so assigned and, unless the context otherwise indicates–

"component parts" means an integral part of plants, systems, subsystems, assemblies, equipment without which the plant, system, assemblies or equipment will not perform their intended function or achieve the characteristics or performance level that make the plants, systems, subsystems, assemblies, equipment controlled goods;

"fabrication" includes production, prototyping, installation, commissioning and contractual after-sales servicing;

"manufacture" includes research, development and fabrication;

"Missile Technology Control Regime" is an informal political understanding amongst states that seek to limit the proliferation of missiles and missile technology and weapon of mass destruction by controlling the exports of goods and technologies that could make a contribution to delivery systems (other than manned aircraft) for such weapons;

"Production facilities" Means "production equipment" and specially designed "software" therefor integrated into installations for "development" or for one or more phases of "production";

"services" includes freight forwarding, storing and stockpiling (if not part of the manufacture and transfer processes), transporting, maintaining (repairing, overhauling, refurbishing), trading, consulting, disposing, and technical assistance;

"the Act" means the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended;

Declaration

2. I, Mr Ebrahim Patel, Minister of Trade, Industry and Competition, under section 13(1) of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended, and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction, hereinafter referred to as the Council, hereby declare—

(a) the goods listed in the Missile Technology Control Regime MTCR/TEM/2022/Annex on 21 October 2022, herein referred to as the MTCR Annex, as published on the Council website at http://non-proliferation.thedtic.gov.za/, to be controlled goods;

(b) that the implementation of controls contained herein, on the controlled goods, would also be subject to consideration of the applicable guidelines as determined by the Missile Technology Control Regime;

(c) the services with regard to goods indicated in paragraph 3(e) of this notice to be controlled; and

(d) component parts to be controlled goods.

3. I hereby—

(a) in terms of section 13(2)(a) of the Act, further prohibit the import, export, re-export or transit of Category I production facilities listed in the MTCR Annex;

(b) in terms of section 13(2)(b) of the Act, further determine that the import, export, re-export or transit (including transhipment) of the controlled goods listed in paragraph 4 of this notice shall take place only under a permit issued by the Council;

(c) in terms of section 13(2)(c) of the Act, determine that the Council may require a State-to-State assurance, or an end user or end use certificate for the export or re-export of the controlled goods listed in the MTCR Annex;

(d) in terms of section 13(2)(d) of the Act, determine that all import, export, re-export or transit of such goods of controlled goods within the Republic of South Africa be declared to the Council within 21 calendar days of such transfer; and

(e) in terms of section 13(2)(f) of the Act, determine that the manufacture of, and provision of services with respect to the controlled goods listed in paragraphs 1, 2, 19 and 20 of the MTCR Annex, shall take place under a permit issued by the Council.

Controlled goods

4. The list of missile-related controlled goods and related technology is contained in the MTCR Annex, as published on the Council website at http://non-proliferation.thedtic.gov.za/.

Guidelines

5. The implementation of controls contained herein on the controlled goods would also be subject to consideration of the Missile Technology Control Regime Guidelines published as Guidelines for Sensitive Missile-Relevant Transfers on the Council website at http://non-proliferation.thedtic.gov.za/, and any other obligation required in terms of section 6(1) of the Act.

Applications

6. The applications for the permits contemplated in paragraph 3 of this Notice should be submitted through the Non-Proliferation Council Registration and Permit Online System:
https://npcos.thedtic.gov.za/fcDTiNPApplicantPortal/Account/LogOn

Repeal

7. Government Notice No. 318 of 08 April 2021 is hereby repealed.

7/6/2024

MR EBRAHIM PATEL
MINISTER OF TRADE, INDUSTRY AND COMPETITION

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 4977 **14 June 2024**

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT, 1993 (ACT NO. 87 OF 1993)

DECLARATION OF NUCLEAR-RELATED DUAL-USE EQUIPMENT, MATERIALS, SOFTWARE AND RELATED TECHNOLOGY AS CONTROLLED GOODS, AND CONTROL MEASURES APPLICABLE TO SUCH GOODS

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act bears the meaning so assigned and, unless the context otherwise indicates–

"component parts" means an integral part of plants, systems, subsystems, assemblies, equipment without which the plant, system, assemblies or equipment will not perform their intended function or achieve the characteristics or performance level that make the plants, systems, subsystems, assemblies or equipment controlled goods;

"fabrication" includes production, prototyping, installation, commissioning and contractual after-sales servicing;

"manufacture" includes research, development and fabrication;

"Nuclear Suppliers Group" is a group of nuclear supplier countries that seeks to contribute to the non-proliferation of nuclear weapons through the implementation of two sets of guidelines for nuclear exports and nuclear-related exports;

"services" includes freight forwarding, storing and stockpiling (if not part of the manufacture and transfer processes), transporting, maintaining (repairing, overhauling, refurbishing), trading, consulting, disposing, and technical assistance;

"the Act" means the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993), as amended, and

Declaration

2. I, Mr Ebrahim Patel, Minister of Trade, Industry and Competition, under section 13(1) of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended, and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction, hereinafter referred to as the Council, hereby declare—

(a) all the goods listed in the Annex: List of Nuclear-Related Dual-Use Equipment, Materials, Software, and Related Technology as contained in the International Atomic Energy Agency (IAEA) INFCIRC/254/Rev.12/Part 2a (Corrected) dated 29 July 2022, hereinafter referred to as the NSG Part 2 Guidelines, as published on the Council website at http://non-proliferation.thedtic.gov.za/, to be controlled goods;

(b) that the implementation of controls contained herein, on the controlled goods, shall be subject to consideration of the Nuclear Suppliers Group Guidelines for Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software, and related Technology, as contained in the NSG Part 2 Guidelines, as published on the Council website at http://non-proliferation.thedtic.gov.za/, and any other obligation required in terms of section 6(1) of the Act;

(c) the services with regard to goods indicated in paragraph 3(c) of this notice to be controlled;

(d) the component parts contemplated in Item 4 of the General Note of the NSG Part 2 Guidelines to be controlled goods; and

(e) the import, export and transit of items listed on NSG Part 2 Guidelines shall take place under a permit issued by the Council.

3. I hereby—

(a) in terms of section 13(2)(b) of the Act, further determine that the import, export, re-export and transit (including transshipment) of the controlled goods, as listed in the NSG Part 2 Guidelines, may only take place under a permit issued by the Council;

(b) in terms of section 13(2)(c) of the Act, determine that the Council may require a State-to-State assurance or an end-user or end-use certificate for the export or re-export of controlled goods as listed in the NSG Part 2 Guidelines;

(c) in terms of section 13(2)(d) of the Act, determine that all import, export, re-export or transit of controlled goods within the Republic of South Africa be declared to the Council within 21 calendar days of such import, export, re-export or transit of such goods; and

(d) in terms of section 13(2)(f) of the Act, determine that the manufacture of, and provision of, services with regard to controlled goods listed in Items 2.E.1, 3.B.5, 3.E.1, 4.B.2, and 4.E.1 of the NSG Part 2 Guidelines, shall take place under a permit issued by the Council.

Controlled goods

4. The list of nuclear-related dual-use equipment, materials, software and related technology items is contained in the INFCIRC/254/Rev.12/Part 2a (Corrected) dated 29 July 2022, as published on the Council website at http://non-proliferation.thedtic.gov.za/.

Applications

5. The applications for the permits contemplated in paragraph 2 and 3 of this Notice should be submitted through the Non-Proliferation Council Registration and Permit Online System: https://npcos.thedtic.gov.za/fcDTiNPApplicantPortal/Account/LogOn

Repeal

6. Government Notice No. 319 of 08 April 2021 is hereby repealed.

7/6/2024

MR EBRAHIM PATEL

MINISTER OF TRADE, INDUSTRY AND COMPETITION

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 4978 **14 June 2024**

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT, 1993

(ACT NO. 87 OF 1993)

DECLARATION OF CERTAIN BIOLOGICAL GOODS AND TECHNOLOGIES AS CONTROLLED GOODS AND CONTROL MEASURES APPLICABLE TO SUCH GOODS

Definitions

1. In this Notice any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

"Biological and Toxin Weapons Convention" means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, added as a schedule to the Act;

"biological weapons" means microbial or other biological agents or toxins, regardless of the origin or method of production thereof, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes, and weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict;

"development" means all phases before production, and includes conceptualisation, research, analysis, testing, configuration or pilot production schemes;

"services" includes freight forwarding, storing and stockpiling (if not part of the manufacture and transfer processes), transporting, maintaining (repairing, overhauling, refurbishing), trading, consulting, disposing, and technical assistance;

"the Act" means the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993);

Declaration

2. I, Ebrahim Patel, Minister of Trade, Industry and Competition, under section 13(1) of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended, and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction, (hereinafter referred to as the "Council"), hereby declare microbial or other biological agents, toxins and related equipment and technology that may be used in the manufacture of biological and toxin weapons as listed in Annexures A and B to this Notice, to be controlled goods.

3. I hereby declare—

(a) in terms of section 13(2)*(a)* and *(e)* of the Act and pursuant to South Africa's obligations under the Biological and Toxin Weapons Convention, further prohibit—

(i) the import, export, re-export, transit (including transshipment), possession, development, manufacture, production, acquisition in any manner, use, operation, stockpiling, maintenance, transport, disposal, sale, and retention of biological weapons;

(ii) any person to assist, encourage or to induce any State, group of States, international organisations or non-State actors to manufacture or otherwise acquire biological weapons;

(b) in terms of section 13(2)*(b)* of the Act, determine that the export, re-export or transit (including transshipment) of controlled goods listed in the annexures to this Notice, shall take place under a permit issued by the Council. A permit is not required for quantities of 5 milligrams or less of saxitoxin, if the transfer is made for medical or diagnostic purposes, in which case a notification to that effect shall be made to the Council 21 days before the transfer.

(c) in terms of section 13(2)*(c)* of the Act, determine that the Council may

require a State-to-State assurance or an end-user or end-use certificate for the export or re-export of controlled goods listed in the annexures to this Notice; and

(d) in terms of section 13(2)*(d)* of the Act, determine that all transport of controlled goods within the Republic of South Africa be declared to the Council within 21 calendar days of such transportation. The agents, as listed in Annexure A in an inactivated form, are exempted from permit requirements specified in section 3(b) above, however the notification requirement still applies for the transportation.

(e) For the export, re-export and transit (including transshipment) and domestic transfer of the agents listed in Annexure A in an inactivated form, an inactivation/ destruction certificate should be provided.

Application forms

4. The applications for the permits contemplated in paragraph 3 of this Notice should be submitted through the Non-Proliferation Council Registration and Permit Online System: https://npcos.thedtic.gov.za/fcDTiNPApplicantPortal/Account/LogOn.

Repeal

5. Government Notice No. 494 of 29 March 2019 is hereby repealed.

7/6/2024

MR EBRAHIM PATEL

MINISTER OF TRADE, INDUSTRY AND COMPETITION

ANNEXURE A

i) **HUMAN PATHOGENS, ZOONOSES AND TOXINS, AS FOLLOWS:**

a. Viruses, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Chikungunya virus;
- Eastern equine encephalitis virus;
- Western equine encephalitis virus;
- Venezuelan equine encephalitis virus;
- Oropouche virus;
- Rocio virus;
- Dengue fever virus;
- Yellow fever virus;
- Japanese encephalitis virus;
- Tick-borne encephalitis complex viruses, including Russian Spring-Summer encephalitis, Kyasanur Forest, Louping ill, Omsk haemorrhagic fever and Powassan;
- St Louis encephalitis virus;
- Murray Valley encephalitis virus;

- Rift Valley fever virus;
- Crimean-Congo haemorrhagic fever virus;
- Hantaviruses, including Hantaan, Seoul, Dobrava, Puumala and Sin Nombre;
- Arenaviruses, associated with haemorrhagic fevers including Lassa fever, Junin, Machupo, Lymphocytic choriomeningitis, Sabia, Flexal, Dandenong, Lujo and Guanarito;
- Variola virus;
- Monkey pox virus;
- Ebola virus;
- Marburg virus;
- Hendra virus;
- Nipah virus.

b. Rickettsiae, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Coxiella burnetii;
- Bartonella quintana (Rochalimaea quintana, Rickettsia quintana);
- Rickettsia prowazekii;
- Rickettsia rickettsii.

c. Bacteria, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Bacillus anthracis;
- Brucella abortus;
- Brucella melitensis;
- Brucella suis;
- Chlamydia psittaci;
- Clostridium botulinum;
- Clostridium perfringens, epsilon toxin producing types;
- Clostridium tetani;
- Enterohaemorrhagic Escherichia coli, serotype 0157 and other verotoxin producing serotypes;
- Francisella tularensis;
- Legionella pneumophila;
- Burkholderia mallei (Pseudomonas mallei);
- Burkholderia pseudomallei (Pseudomonas pseudomallei);
- Salmonella typhi;
- Shigella dysenteriae;

- Vibrio cholerae;
- Yersinia pestis;
- Yersinia pseudotuberculosis.

d. Toxins, as follows, and subunits of toxins thereof:

- Abrin;
- Botulinum toxins;
- Cholera toxin;
- Clostridium perfringens toxins;
- Conotoxins;
- Modeccin;
- Ricin;
- Saxitoxin;
- Shiga toxins;
- Staphylococcus aureus toxins;
- Tetanus toxin;
- Tetrodotoxin;
- Trichothecene mycotoxins, such as T-2 toxin, HT-2 toxin and Diacetoxyscirpenol toxin;

- Verotoxins;
- Microcystin (Cyanginosin);
- Aflatoxins;
- Volkensin;
- Viscum album Lectin 1 (Viscumin);

Except:

1. Any goods in the form of a vaccine or toxoid.
   A vaccine is a medicinal or veterinary product in a pharmaceutical formulation licensed by, or having marketing or clinical trial authorisation from, the relevant South African regulatory authorities, which is intended to stimulate a protective immunological response in humans or animals in order to prevent disease in those to whom or to which it is administered.

2. Botulinum toxins and Conotoxins meeting all of the following criteria:
   a) are pharmaceutical formulations designed for testing and human administration in the treatment of medical conditions;
   b) are pre-packaged for distribution as clinical or medical products; and
   c) are authorised by the relevant South African regulatory authority to be marketed as clinical or medical products

e. Fungi, as follows:

- Coccidioides immitis;
- Coccidioides posadasii.

II. ANIMAL PATHOGENS, AS FOLLOWS:

1. Viruses, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such cultures, as follows:

- African swine fever virus;
- African horse sickness virus;
- Avian influenza virus, which can be:
    1. Uncharacterised; or
    2. Defined as having high pathogenicity, as follows:
        i. Type A viruses with an IVPI (intravenous pathogenicity index) in six-week-old chickens of greater than 1.2; or
        ii. Type A viruses, H5 or H7 subtype, for which nucleotide sequencing has demonstrated multiple basic amino acids at the cleavage site of haemagglutinin;
- Bluetongue virus;
- Foot-and-mouth disease virus;
- Goat pox virus;
- Porcine herpesvirus (Aujeszky's disease);

- Swine fever virus (Hog cholera virus);
- Lyssaviruses;
- Newcastle disease virus;
- 'Peste des petits ruminants' virus;
- Porcine enterovirus type 9 (swine vesicular disease virus);
- Rinderpest virus;
- Sheep pox virus;
- Teschen disease virus;
- Vesicular stomatitis virus;
- Lumpy skin disease.

2. *Mycoplasma mycoides* subspecies *mycoides* SC (small colony), whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such *Mycoplasma mycoides (mycoides* SC).

3. *Mycoplasma capricolum* subspecies *capripneumoniae* ("strain F38")

Except:

Any goods in the form of a vaccine or toxoid.

III. PLANT PATHOGENS, AS FOLLOWS:

a. Bacteria, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Xanthomonas albilineans;

- Xanthomonas campestris pv. citri, including strains referred to as Xanthomonas campestris pv. citri types A, B, C, D, E or otherwise classified as Xanthomonas citri, Xanthomonas campestris pv. aurantifolia, Xanthomonas campestris pv. citrumelo, Xanthomonas axonopodis pv. citri, Xanthomonas axonopodis pv. citrumelo, Xanthomonas axonopodis pv. aurantifolii;

- Xanthomonas oryzae pv. oryzae;

- Xylella fastidiosa;

- Clavibacter michiganensis subspecies sepedonicus (Corynebacterium michiganensis subspecies sepedonicum or Corynebacterium sepedonicum);

- Ralstonia solanacearum races 2 and 3 (Pseudomonas solanacearum races 2 and 3 or Burholderia solanacearum races 2 and 3).

b. Fungi, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Colletotrichum kahawae (Colletotrichum coffeanum var. virulans);

- Cochliobolus miyabeanus (Helminthosporium oryzae);
- Deuterophomonas tracheiphila (syn. Phoma tracheiphila);
- Microcyclus ulei (syn. Dothidella ulei);
- Monilia rorei (syn. Moniliophthora rorei);
- Puccinia graminis (syn. Puccinia graminis f. sp. tritici);
- Puccinia striiformis (syn. Puccinia glumarum);
- Magnaporthe grisea (Pyricularia grisea/Pyricularia oryzae).

c. Viruses, whether natural, synthetic, enhanced or modified, either in the form of isolated live cultures or as material, including living material which has been deliberately inoculated or contaminated with such cultures, as follows:

- Banana bunchy top virus;
- Potato Andean latent tymovirus;
- Potato spindle tuber viroid.

IV. GENETICALLY MODIFIED MICRO-ORGANISMS AND GENETIC ELEMENTS, AS FOLLOWS:

a. Genetically modified micro-organisms or genetic elements that contain nucleic acid sequences associated with pathogenicity, or may lead to pathogenicity of non-pathogenic sequences in organisms specified in **(I.a)** to **(I.c)** or **(II)** or **(III)**.

b. Genetically modified micro-organisms or genetic elements that contain nucleic acid sequences coding for any of the toxins specified in **(I.d)** or subunits of toxins thereof.

ANNEXURE B

1. EQUIPMENT CAPABLE OF USE IN HANDLING BIOLOGICAL MATERIALS, AS FOLLOWS:

a) Complete biological containment facilities at Biosafety Level 3 or 4 containment level (BSL3/4).

Technical Note:

Biosafety Level 3 or 4 containment levels are as specified in Government Notice No. R. 178 of 02 March 2012 promulgated in terms of the National Health Act, 2003 (Act No. 61 of 2003)

b) Major components that can be used to build a functional Biosafety Level 3 or 4 facility as follows:

i) Safe-change filter-housings [Bag-in-Bag-out (BIBO)] with in-situ filter test system and filtration efficiency greater than 99,99% at Most Penetrating Particle Size (MPPS) (Leakage less than 0.01%);

ii) Effluent Decontamination Systems (EDS) (thermal or chemical process).

c) Fermenters, roller/cassette type incubators capable of cultivating biological agents as follows:

i) Fermenters controlling the release of aerosols and are capable of sterilisation/decontamination in-situ;

ii) Incubators that are fitted with disposable/sterilisable sealed culture flasks/bottles/cassettes that have aerosol control devices fitted.

d) Autoclaves with internal effluent/condensate decontamination and/or sterilisation systems. The autoclaves must be the double door type (as per BSL3/4 laboratory use) or attachable to Biosafety Cabinet Class III isolators.

Technical Note:

In this control, 'sterilisation' denotes the elimination of all viable microbes from the equipment through the use of either physical (e.g. steam) or chemical agents. 'Decontamination' denotes the destruction of potential microbial infectivity in the equipment through the use of chemical agents with a germicidal effect.

e) Freeze-drying equipment with condensate collection systems to safely collect potentially contaminated condensate or with disinfection systems (such as EDS) including vacuum line HEPA (High Efficiency Particulate Arrestor/Air) filtration.

f) Spray Drying equipment that comply with all of the following:
   i) capacity to control/contain aerosols;
   ii) all internal areas that are in contact with the biological agent are sterilisable / decontaminatable / disposable;
   iii) used in conjunction with a containment system (BSL3/4 or Class III Cabinet).

g) Milling equipment with all of the following:
   i) capacity to grind biological material to a powder;
   ii) capacity to control aerosols; and
   iii) sterilise/decontaminate internal areas/components.

h) Biological safety cabinets or isolators, which allow manual operations to be performed within, whilst providing an environment equivalent to Class III biological protection.

The Biological safety cabinets or isolators shall comply with all of the following:

i) exhaust air ducted to the outside atmosphere or treated (HEPA filtered and activated carbon adsorption) to safely recirculate within the working environment;
ii) airflow velocity through the glove ports of at least 0.75m/s, when all gloves are detached;
iii) smooth, rigid, flat and chemically resistant work floor;
iv) fitted with pressure and/or airflow quantity controls, and/or
    - Interlocking door pass-through chamber, and/or
    - Disinfectant dunk tank, and/or
    - Fitted gaseous decontamination system (for example, formaldehyde gas generator).

Technical Note:

Isolators include flexible isolators, drying boxes, anaerobic chambers and glove boxes that can protect the operator from biological agents and toxins (direct contact and/or aerosols exposures) with condensate collection systems to safely collect potentially contaminated condensate or with disinfection systems (such as EDS) including vacuum line HEPA filtration.

i) Chambers designed for aerosol challenge testing with micro-organisms, viruses or toxins and equipped with any of the following:

    i) capacity of 1 m^3 or greater;
    ii) operating under negative pressure and having controllable airflows;
    iii) equipped with HEPA filtration on the chambers exhaust;
    iv) fitted with a nebuliser capable for aerosolising controlled biological agents;
    v) having at least one aerosol sample collector, capable of being controlled from outside of the chamber or live animal attachment/introduction capabilities.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. R. 4979 **14 June 2024**

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION ACT, 1993 (ACT NO. 87 OF 1993)

DECLARATION OF CERTAIN NUCLEAR-RELATED DUAL-USE EQUIPMENT, MATERIALS AND SOFTWARE AND RELATED TECHNOLOGY AS CONTROLLED GOODS, AND CONTROL MEASURES APPLICABLE TO SUCH GOODS

Definitions

1. In this Notice a word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates—

"component parts" means an integral part of plants, systems, assemblies or equipment without which the plant, system, assemblies or equipment will not perform their intended function or achieve the characteristics or performance level that make the plants, systems, assemblies or equipment controlled goods;

"design research" means an experimental or theoretical work that is undertaken principally to acquire new knowledge of the fundamental principles of phenomena and observable facts and that is not primarily directed towards a specific practical aim or objective;

"development" means—

(a) design;
(b) design research;
(c) design analysis;
(d) design concepts;
(e) assembly and testing of prototypes;
(f) pilot production schemes;
(g) design data;
(h) process of transforming design data into a product;
(i) configuration design;
(j) integration design; and
(k) layouts;

"fabrication" includes production, prototyping, installation, commissioning and contractual after-sales servicing;

"manufacture" includes research, development and fabrication;

"microprogram" means a sequence of elementary instructions, maintained in a special storage, the execution of which is initiated by the introduction of its reference instruction into an instruction register;

"Nuclear Suppliers Group" means a group of nuclear supplier countries that seeks to contribute to the non-proliferation of nuclear weapons through the implementation of two sets of guidelines for nuclear exports and nuclear-related exports;

"other elements" means all elements other than hydrogen, uranium and plutonium;

"program" means a sequence of instructions to carry out a process in a form, or convertible into a form, executable by an electronic computer;

"services" includes freight forwarding, storing and stockpiling (if not part of the manufacture and transfer processes), transporting, maintaining (repairing, overhauling, refurbishing), trading, consulting, disposing, and technical assistance;

"software" means a collection of one or more programs or microprograms fixed in any tangible medium of expression;

"the Act" means the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993), as amended.

Declaration

2. I, Mr Ebrahim Patel, Minister of Trade, Industry and Competition, under section 13(1) of the Non-Proliferation of Weapons of Mass Destruction Act, 1993 (Act No. 87 of 1993) as amended, and on the recommendation of the South African Council for the Non-Proliferation of Weapons of Mass Destruction, hereinafter referred to as the Council, hereby declare—

(a) the goods listed in paragraph 4(1) of this notice to be controlled;

(b) the services with regard to goods listed in paragraph 4(1) of this notice to be controlled; and

(c) that the implementation of controls contained herein on the controlled goods shall be subject to the consideration of the Nuclear Suppliers Group Guidelines for Isotope Separation Activities Involving "Other Elements" as published on the Council website at http://non-proliferation.thedtic.gov.za/ and any other obligation required in terms of section 6(1) of the Act.

3. I hereby—

(a) in terms of section 13(2)(b) of the Act, further determine that the import, export, re-export or transit (including transhipment) of the controlled goods listed in paragraph 4(1) of this notice shall take place only under a permit issued by the Council;

(b) in terms of section 13(2)(c) of the Act, determine that the Council may require a State-to-State assurance or an end-user or end-use certificate for the export or re-export of such controlled goods;

(c) in terms of section 13(2)(d) of the Act, determine that all import, export, re-export or transit of controlled goods within the Republic of South Africa be declared to the Council within 21 calendar days of such import, export, re-export or transit; and

(d) in terms of section 13(2)(f) of the Act, determine that the manufacture of, and provision of services with regard to, such controlled goods shall take place under a permit issued by the Council.

Controlled goods

4. (1) Nuclear-related dual-use equipment, materials and software, and related technology, which can be used in their entirety or in part for the separation of uranium isotopes, are as follows:

(a) Equipment, assemblies and components of any plant or component parts of such plants, including the separating elements, which match all of the following conditions:

(i) Designed for the separation of other elements;

(ii) can be used directly or is modified to separate uranium isotopes; and

(iii) are made of materials resistant to uranium hexafluoride (UF_6).

(b) software that is designed for the use of equipment indicated in paragraph (a); and

(c) technology directly applicable to the development, production or use of equipment, materials or software as indicated in paragraph (a) or (b).

(2) Plants, equipment and technology specially designed or prepared for the separation of uranium isotopes have, in many instances, a direct relationship to plants, equipment and technology designed or prepared for the isotope separation of other elements. Control over plants, equipment and technology for the isotope separation of other elements is, in terms of the Act, complementary to control over plants, equipment and technology specially designed or prepared for the processing, use or production of special nuclear material in terms of the Nuclear Energy Act, 1999 (Act No. 46 of 1999).

Applications

5. The applications for the permits contemplated in paragraph 3 of this Notice should be submitted through the Non-Proliferation Council Registration and Permit Online System:

https://npcos.thedtic.gov.za/fcDTiNPApplicantPortal/Account/LogOn

Repeal

6. Government Notice No. 493 of 29 March 2019 is hereby repealed.

MR EBRAHIM PATEL 7/6/2024

MINISTER OF TRADE, INDUSTRY AND COMPETITION

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