

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Regulation Gazette **No. 11758** *Regulasiekoerant*

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N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

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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

DEPARTMENT OF TRANSPORT

NO. R. 5492 **1 November 2024**

MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)

DRAFT MERCHANT SHIPPING (SEAFARER INSURANCE AND LABOUR RELATED MATTERS) REGULATIONS, 2024

The Minister of Transport intends, in terms of section 356(2)(a) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and on the recommendation of the South African Maritime Safety Authority to repeal the Merchant Shipping (Seafarer Recruitment and Placement) Regulations, 2017 published by GN R 986 in Government Gazette 41108 of 11 November 2017, the Merchant Shipping (Seafarer Compensation) Regulations, 1998 published by GNR.1654 in Government Gazette No. 19604 of 18 December 1998, the Provisions Regulations, 1961 published by GNR. 896 of 27 October 1961, the Distressed Seamen's Regulations, 1961 published by GNR. 895 of 27 October 1961 and the Bedding, Towels, Mess Utensils and Other Articles for Personal Use Regulations, 1961 GNR. 897 of 27 October 1961 and the Seamen's Welfare Regulations, 1961 published by GNR. 898 of 27 October 1961, the Merchant Shipping (Seamen's Documents) Regulations, 2000 published by Government Notice No. R. 432 Government Gazette 21136 / RG 6796 of 5 May 2000 and promulgate the Draft Merchant Shipping (Seafarer, Insurance and Labour Related Matters) Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Draft Regulations, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186, Hatfield, 0028
Email: bncanywa@samsa.org.za
Tel: 012 366 4783
Cell: 081 505 2461

DEPARTMENT OF TRANSPORT

NO. R. 5493 **1 November 2024**

MERCHANT SHIPPING ACT, 1951 (ACT NO. 57 OF 1951)

THE DRAFT LIFE-SAVING APPLIANCES REGULATIONS, 2024

The Minister of Transport intends, in terms of section 356(2)(a) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and on the recommendation of the South African Maritime Safety Authority to review the Life-Saving Appliances Regulations, 1968 and promulgate Draft Life-Saving Appliances Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Life-Saving Appliances Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186
Hatfield
0028
Email: bncanywa@samsa.org.za
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Cell: 081 505 2461

DEPARTMENT OF TRANSPORT

NO. R. 5494 **1 November 2024**

MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS) ACT, 1986

DRAFT MARINE POLLUTION (BCH CODE) REGULATIONS, 2024

The Minister of Transport intends, in terms of the Marine Pollution (Prevention of Pollution from Ships) Act 1986, section 3 to repeal the Marine Pollution (BCH Code) Regulations, 1998 published by GNR. 134 in Government Gazette No. 18631 of 23 January 1998 and promulgate the Draft Marine Pollution (BCH Code) Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Draft Marine Pollution (BCH Code) Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186
Hatfield, 0028
Email: bncanywa@samsa.org.za
Tel: 012 366 4783
Cell: 081 505 2461

DEPARTMENT OF TRANSPORT

NO. R. 5495 **1 November 2024**

MERCHANT SHIPPING ACT, 1951 (ACT No. 57 OF 1951)
MARINE POLLUTION (PREVENTION OF POLLUTION FROM SHIPS) ACT, 1986 (ACT No. 2 of 1986)

DRAFT MERCHANT SHIPPING/MARINE POLLUTION (IBC CODE) REGULATIONS, 2024

The Minister of Transport intends, in terms of section 356(2)(a) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and section 3 of the Marine Pollution (Prevention of Pollution from Ships) Act, 1986 (Act No. 2 of 1986) to repeal the Merchant Shipping/Marine Pollution (IBC Code) Regulations, 1998 published by GNR. 133 in Government Gazette 18631 (RG 6082) of 23 January 1998 and promulgate the Draft Merchant Shipping/Marine Pollution (IBC Code) Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Draft Merchant Shipping/Marine Pollution (IBC Code) Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186
Hatfield, 0028
Email: bncanywa@samsa.org.za
Tel: 012 366 4783
Cell: 081 505 2461

DEPARTMENT OF TRANSPORT

NO. R. 5496 **1 November 2024**

MERCHANT SHIPPING ACT, 1951 (ACT No. 57 OF 1951)

DRAFT MERCHANT SHIPPING (IGC CODE) REGULATIONS, 2024

The Minister of Transport intends, in terms of section 356(2)(a) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) to repeal the Merchant Shipping (IGC Code) Regulations, 1998 published by GNR. 132 in Government Gazette 18631 (RG 6082) of 23 January 1998 and promulgate the Draft Merchant Shipping (IGC Code) Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Draft Merchant Shipping (IGC Code) Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186
Hatfield, 0028
Email: bncanywa@samsa.org.za
Tel: 012 366 4783
Cell: 081 505 2461

DEPARTMENT OF TRANSPORT

NO. R. 5497 **1 November 2024**

MARINE OIL POLLUTION (PREPAREDNESS, RESPONSE AND COOPERATION) BILL, 2022

DRAFT MARINE OIL POLLUTION (PREPAREDNESS, RESPONSE AND COOPERATION) Administration Regulations, 2024

The Minister of Transport intends, in anticipation of the promulgation into an Act of Parliament of the Marine Oil Pollution (Preparedness, Response and Cooperation) Bill, Bill 10 of 2022 as introduced in the National Assembly (proposed section 76); explanatory summary of Bill and prior notice of its introduction published in Government Gazette No. 45983 of 28 February 2022, to introduce and promulgate the Draft Marine Oil Pollution (Preparedness, Response and Cooperation) Administration Regulations, 2024, as set out in the Schedule published in the South African Maritime Safety Authority website at Draft Regulations (samsa.org.za).

To facilitate stakeholder engagement on the Draft Marine Oil Pollution (Preparedness, Response and Cooperation) Administration Regulations, 2024, SAMSA will conduct various workshops around the country, including the following:

DATE	REGION	VENUE
13 November 2024	Western Region (Cape Town)	Southern Sun Cape Sun Strand Street, Cape Town
19 November 2024	Southern Region (Gqeberha)	Town Lodge Port Elizabeth Cnr Beach Road & Lodge Road Summerstrand, Gqeberha
27 December 2024	Eastern Region (Durban)	Garden Court Marine Parade 167 OR Tambo Parade, Durban

Electronic copies of the Draft Regulations are accessible on the SAMSA website at https://www.samsa.org.za/Pages/SAMSADraftRegulation.aspx and may also be requested from Bulelani Ncanywa at bncanywa@samsa.org.za

Interested persons are hereby invited to submit written comments on these draft regulations on or before the **02 December 2024** to the Chief Executive Officer: SAMSA, for the attention of:

Bulelani Ncanywa
P O Box 13186
Hatfield, 0028
Email: bncanywa@samsa.org.za
Tel: 012 366 4783
Cell: 081 505 2461

PROCLAMATION 208 OF 2024

by the

PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT: AFRICAN EXPLORATION MINING AND FINANCE CORPORATION SOC LIMITED

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the African Exploration Mining and Finance Corporation SOC Limited (hereinafter referred to as "the AEMFC");

AND WHEREAS the AEMFC or the State suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the AEMFC, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

(a) serious maladministration in connection with the affairs of the AEMFC;

(b) improper or unlawful conduct by the employees or officials of the AEMFC;

(c) unlawful appropriation or expenditure of public money or property;

(d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;

(e) intentional or negligent loss of public money or damage to public property;

(f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates

to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the AEMFC; or

(g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 January 2016 and the date of publication of this Proclamation or which took place prior to 1 January 2016 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the AEMFC or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 14th day of October Two thousand and twenty four.

CM Ramaphosa
President

By Order of the President-in-Cabinet:

T Simelane
Minister of the Cabinet

SCHEDULE

1. The procurement of or contracting for—

(a) coal insourcing in 2017 in terms of bid number AE/VLAK/022/2017;

(b) coal insourcing in 2018;

(c) asset-based financier services in terms of bid number AE/001/2018;

(d) the construction of a clean water diversion and a stream/wetland crossing at Vlakfontein Mine in terms of bid number AE/VLAK030/2018;

(e) diesel supply in terms of bid number AE/VLAK003/2017; and

(f) the review of mining contractor tenders in 2016,

by or on behalf of the AEMFC, and payments which were made in respect thereof in

a manner that was—

(i) not fair, equitable, transparent, competitive or cost-effective; or

(ii) contrary to applicable—

(aa) legislation;

(bb) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or

(cc) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the AEMFC,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the AEMFC or the State.

2. Any unlawful or improper conduct by the employees or officials of the AEMFC or applicable service providers, or any other person or entity in relation to the allegations set out in paragraph 1 of this Schedule.

PROKLAMASIE 206 VAN 2024

van die

PRESIDENT van die REPUBLIEK van SUID AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID: "AFRICAN EXPLORATION MINING AND FINANCE CORPORATION SOC LIMITED"

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as "die Wet"), gemaak is in verband met die aangeleenthede van die "African Exploration Mining and Finance Corporation SOC Limited" (hierna na verwys as "die AEMFC");

EN AANGESIEN die AEMFC of die Staat verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld ten opsigte van die "AEMFC", vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

(a) ernstige wanadministrasie in verband met die aangeleenthede van die AEMFC;

(b) onbehoorlike of onregmatige optrede deur werknemers of beamptes van die AEMFC;

(c) onregmatige bewilliging of besteding van publieke geld of eiendom;

(d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling,

transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;

(e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;

(f) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die AEMFC; of

(g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 2016 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2016 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die AEMFC of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 14 dag van Oktober Twee duisend-vier-en-twintig.

CM Ramaphosa
President

Op las van die President-in-Kabinet

T Simelane
Minister van die Kabinet

BYLAE

1. Die verkryging van of kontraktering vir–

(a) steenkool deur binne-verkryging in 2017 ingevolge bodnommer AE/VLAK/022/2017;

(b) steenkool deur binne-verkryging in 2018;

(c) batesgebaseerde finansieringsdienste ingevolge bodnommer AE/001/2018;

(d) die konstruksie van 'n skoon water afleiding en 'n stroom/nat landkruising by Vlakfontein Myn, ingevolge bodnommer BID AE/VLAK030/2018;

(e) dieselvoorsiening ingevolge bodnommer BID AE/VLAK003/2017; en

(*f)* die hersiening van mynkontrakteurstenders in 2016,

deur of namens die AEMFC en betalings wat ten opsigte daarvan gemaak is op 'n wyse wat—

(i) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of

(ii) strydig was met toepaslike—

(aa) wetgewing;

(bb) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie; of

(cc) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die AEMFC van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat deur die AEMFC of die Staat aangegaan is.

2. Enige onwettige of onbehoorlike optrede deur werknemers of beamptes van die AEMFC of betrokke diensverskaffers, of enige ander persoon of entiteit, met betrekking tot die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

PROCLAMATION 209 OF 2024

by the

PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT: DIHLABENG LOCAL MUNICIPALITY

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the Dihlabeng Local Municipality (hereinafter referred to as "the Municipality");

AND WHEREAS the Municipality or the State suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, by means of the accompanying proclamation in English and Afrikaans, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

(*a*) serious maladministration in connection with the affairs of the Municipality;

(*b*) improper or unlawful conduct by the employees or officials of the Municipality;

(*c*) unlawful appropriation or expenditure of public money or property;

(*d*) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;

(*e*) intentional or negligent loss of public money or damage to public property;

(*f*) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to

the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; or

(*g*) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 July 2014 and the date of publication of the Proclamation or which took place prior to 1 July 2014 or after the date of publication of the Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule to the Proclamation or involve the same persons, entities or contracts investigated under authority of the Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 14th day of October Two thousand and twenty four.

CM Ramaphosa
President

T Simelane
Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for goods and services in terms of Tender Number PW42/2014 and Bid Number 76/2018, by or on behalf of the Municipality, and payments made in respect thereof in a manner that was—

(*a*) not fair, competitive, transparent, equitable or cost-effective;

(*b*) contrary to applicable—

(i) legislation;

(ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or

(iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to, the Municipality;

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or the State as a result thereof.

2. Any unlawful or improper conduct by employees or officials of the Municipality or the service providers in question, their employees or any other person or entity, relating to the allegations set out in paragraph 1 of this Schedule.

PROKLAMASIE 209 VAN 2024

van die

PRESIDENT van die REPUBLIEK van SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID: DIHLABENG PLAASLIKE MUNISIPALITEIT

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as “die Wet"), gemaak is in verband met die aangeleenthede van die Dihlabeng Plaaslike Munisipaliteit (hierna na verwys as “die Munisipaliteit”);

EN AANGESIEN die Staat of die Munisipaliteit verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleenthede in die Bylae vermeld ten opsigte van die Munisipaliteit, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

(*a*) ernstige wanadministrasie in verband met die aangeleenthede van die Munisipaliteit;

(*b*) onbehoorlike of onregmatige optrede deur werknemers of beamptes van die Munisipaliteit;

(*c*) onregmatige bewilliging of besteding van publieke geld of eiendom;

(*d*) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie,

maatreël of praktyk wat op Staatseiendom betrekking het;

(*e*) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;

(*f*) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Munisipaliteit; of

(*g*) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Julie 2014 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Julie 2014 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Staat of die Munisipaliteit gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 14 dag van Oktober Twee duisend-en-vier-en-twintig.

CM Ramaphosa
President

Op las van die President-in-Kabinet:
T Simelane
Minister van die Kabinet

BYLAE

1. Die verkryging van, of kontraktering vir goedere en dienste ingevolge Tendernommer PW42/2014 en Bodnommer 76/2018 deur of namens die Munisipaliteit, en betalings ten opsigte daarvan gemaak op ‘n wyse wat—

(*a*) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie;

(*b*) strydig was met toepaslike—

(i) wetgewing;

(ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of die toespaslike Provinsiale Tesourie uitgevaardig is; of

(iii) handleidings, kodes, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is;

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Munisipaliteit of die Staat as gevolg daarvan aangegaan is.

2. Enige onwettige of onbehoorlike optrede deur werknemers of beamptes van die Munisipaliteit of die betrokke diensverskaffers, hul werknemers of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

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