

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 713 01 November November 2024 No. 51499

PART 1 OF 2

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ISSN 1682-5845

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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** *GOVERNMENT 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.

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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
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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 5500 **01 November 2024**

MINISTER
AGRICULTURE, LAND REFORM AND
RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT NO. 36 OF 1947)

PROHIBITION NOTICE REGARDING THE USE OF CERTAIN AGRICULTURAL REMEDY

I, John Steenhuisen, Minister for Agriculture acting under section 7*bis* of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) hereby prohibit the acquisition, disposal, sale or use of agricultural remedies containing Chlorpyrifos and Cartap Hydrochloride as active ingredients.

John Steenhuisen.

MR JH STEENHUISEN, MP
MINISTER: AGRICULTURE
DATE

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NOTICE OF 2024

AMENDMENT OF GAZETTE NOTICES NO. 2087 OF GAZETTE NUMBER 26799 DATED 23 SEPTEMBER 2004 (PAGE 151) AND GAZETTE NOTICE 40375 OF GAZETTE NUMBER 1330 DATED 28 OCTOBER 2016 (page 116)

Kindly note that an amendment in terms of Section 11A (4) of the Restitution of Land Rights Act No. 22 of 1994, is hereby done in the published government gazette notices No. 2087 of gazette number 26799 dated 23 September 2004 (page 151) and gazette notice 40375 of gazette number 1330 dated 28 October 2016.

The above-mentioned gazette notices are hereby corrected to include Mr. Madimetja Frans Molomo as one of the claimants on Shamane Magashula Community land claim with reference number KRP 2440, KRP 1853 and KRP 12019.

The Office of the Regional Land Claims Commissioner: Limpopo wishes to make it known to the public that it is conducting further investigation on Shamane Magashula Community land claim concerning the Farm Rietfontein 34 KS. Any party that has an interest in the afore-mentioned property is hereby invited to submit in writing within **90 days** of publication of this notice, any comment, and/ or objection to these land claims citing the reference numbers, **KRPs 2440, 1853 & 12019** to the Office of the Regional Land Claims Commissioner: Limpopo at the addresses set out below.

The Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

OR

Submissions can also be hand delivered to:
13th – 15th Floor Thabakgolo Nedbank Building,
50-58 Landros Mare Street
Polokwane

MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2024/10/10

DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

NO. 5502 **01 November 2024**

ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)

PROPOSED POLICY DIRECTION TO THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA ON PHASING OUT THE 10177, 10111 AND 107 EMERGENCY NUMBERS

1. The Minister of Communications and Digital Technologies intends to issue the proposed Policy Direction in the Schedule to the Independent Communications Authority of South Africa to consider phasing out the 10177, 10111 and 107 emergency numbers, in terms of section 3 of the Electronic Communications Act, 2005 (Act No. 36 of 2005).

2. Interested persons are invited to provide written comments on the proposed Policy Direction, within 30 working days of the date of publication, addressed to-

The Director-General, Department of Communications and Digital Technologies; For attention: Mr. T Ngobeni, Deputy Director-General: ICT Infrastructure Development and Support
Private Bag X860, Pretoria, 0001
mpaul@dcdt.gov.za; 0813478007

3. An interested person making a written submission is deemed to have consented to its disclosure to a requester, except if otherwise requested by such interested person based on one of the grounds for refusal of access to records as provided in the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

4. Comments received after the closing date may be disregarded.



MR. SOLLY MALATSI, MP
MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES
DATE:

SCHEDULE

PROPOSED POLICY DIRECTION TO THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA ON PHASING OUT THE 10177, 10111 AND 107 EMERGENCY NUMBERS

1. Background

1.1 Sections 76 to 79A of the Electronic Communications Act, 2005 (Act No. 36 of 2005) (the Act) provide for matters relevant to the 112 national public emergency number.

1.2 Section 76(7) empowers the Independent Communications Authority of South Africa (the Authority) to prescribe regulations to ensure the implementation of matters concerning the 112 national public emergency number including imposing obligations on electronic communications network service licensees and electronic communications service licensees.

1.3 The Authority prescribed the regulations contemplated in section 76(7) of the Act in 2008 (Government *Gazette* No. 31230, General Notice No. 862 of 11 July 2008) (the Regulations). Regulation 3.1 provides for different emergency numbers including 10177, 10111 and 107. Regulations 3.2 and 3.3 contemplate the use of the 112 number as the exclusive national public emergency number and the phasing out of the other emergency numbers, linked to the establishment of the first public emergency communications centre known as '112 Emergency Centres'.

1.4 Even though no public 112 Emergency Centre was established, electronic communications network service licensees use their own communications centres where the 112 - emergency number is routed to while others use Automatic Voice Response (AVR) to route the call to the relevant destination.

1.5 The policy intention is to phase out emergency numbers other than the 112 - emergency number.

1.6 To ensure that the 112 number becomes the exclusive national public emergency number, the Authority should consider amending the Regulations to delete references to public 112 Emergency Centres. Therefore, the transitional provisions in Regulations 3.2 and 3.3 should not be dependent on the establishment of the first public 112 Emergency Centre but should rather commence upon amendment of the Regulations.

2. Policy Direction

2.1 The Authority is hereby directed, in terms of section 3(2) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) (the Act) to consider phasing out the 10177, 10111 and 107 emergency numbers including the amendment of the Regulations published in Government *Gazette* No. 31230, General Notice No. 862 of 11 July 2008 for this purpose, to ensure that the 112 number becomes the exclusive national public emergency number.

DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

NO. 5503 **01 November 2024**

AMENDMENTS TO THE RULES OF THE POST OFFICE RETIREMENT FUND

I, Solly Malatsi, the Minister of Communications and Digital Technologies, acting in terms of section **10** of the Post and Telecommunication-Related Matters Act, **No. 44** of 1958, as amended, hereby promulgate amendments No. 6 and 7 here attached to the Rules of the Post Office Retirement Fund.



Hon. Solly Malatsi, MP
Minister of Communications and Digital Technologies
Date: 25/10/2024

POST OFFICE RETIREMENT FUND

Amendment No. 6

The Trustees of the Post Office Retirement Fund resolved at Pretoria on 11 October 2024 that the Rules of the Post Office Retirement Fund shall be amended as follows:

A. With effect from 1 December 2005 the RULES of the POST OFFICE RETIREMENT FUND shall be amended as follows—

(a) by the insertion in Rule 1.1 after the definition of "**QUALIFYING WIDOW**" of the following definition:

" **'QUALIFYING WIDOWER'**: the surviving partner of a female A- or B-PENSIONER who became entitled to receive PENSION BENEFITS before 1 December 2005, in a RECOGNISED MARITAL UNION which existed at the time of death of such female A- or B- PENSIONER;";

(b) by the substitution for clause 3.6(2) of ANNEX A of the following:

"(2) An annuity to a QUALIFYING WIDOW or QUALIFYING WIDOWER, as the case may be, of 75 per cent of the annuity paid to the A-PENSIONER at the time of his death.";

(c) by the substitution for clause 4.6(2) of ANNEX A of the following:

"(2) *(a)* An annuity to a QUALIFYING WIDOW or QUALIFYING WIDOWER, as the case may be, of 75 per cent of the annuity paid to the B-PENSIONER at the time of his death.

(b) If the deceased B-PENSIONER had on his retirement elected to convert a portion of his annuity into a gratuity in terms of

clause 7 of this ANNEX A, the said 75 per cent shall be applied to the annuity the B-PENSIONER would have received if a portion thereof had not been converted into a gratuity but subject to a maximum of 100 per cent of the annuity paid to the B-PENSIONER at the time of his death."; and

(d) by the substitution for clause 6.1(1) of ANNEX A of the following:

"(1) If a deceased MEMBER or PENSIONER leaves more than one QUALIFYING SPOUSE, QUALIFYING WIDOW or QUALIFYING WIDOWER, as the case may be, the Board shall decide to whom and, in the event of more than one, in what proportion the annuities shall be paid: Provided that the total of the annuities payable to QUALIFYING SPOUSES, QUALIFYING WIDOWS or QUALIFYING WIDOWERS, as the case may be, shall be equal to the annuity that would have been payable had there been only one QUALIFYING SPOUSE, QUALIFYING WIDOW or QUALIFYING WIDOWER.".

B. With effect from 1 February 2007 the RULES of the POST OFFICE RETIREMENT FUND shall be amended as follows—

(a) by the substitution in Rule 1.1 for the definition of "**DEFINED BENEFIT MEMBER**" of the following definition:

" **'DEFINED BENEFIT MEMBER'**: a MEMBER who elected to continue to receive benefits in terms of the defined benefit arrangement as set out in ANNEX A and who has not exercised an option in terms of RULE 1.7(1)*(b)*;";

(b) by the addition to Rule 1 of the following Rule 1.7:

"1.7 (1) From time to time, the TRUSTEES may decide to offer DEFINED BENEFIT MEMBERS the option to elect that their benefits shall be determined on defined contribution funding principles in accordance with the main body of these RULES. If the TRUSTEES so decide, on a date to be determined by them from time to time each DEFINED BENEFIT MEMBER may elect—

(a) that his benefits continue to be determined in accordance with the provisions of ANNEX A; or

(b) that his benefits shall be determined in accordance with a defined contribution structure in terms of the main body of the RULES.

(2) A DEFINED BENEFIT MEMBER who elects the option in (1)*(b)* above must notify the TRUSTEES in writing of his election by such date as may be decided on by the TRUSTEES. If the DEFINED BENEFIT MEMBER elects this option, the ACTUARY shall calculate his MEMBER'S OPENING BALANCE which shall be allocated to the MEMBER'S SHARE on such date as may be decided by the TRUSTEES and communicated to the MEMBER, and henceforth his benefits shall cease to be determined in accordance with ANNEX A.";

(c) by the deletion in Rule 2.2(1)*(a)(aa)* of the full stop at the end of paragraph (viii) and the insertion of a semi-colon;

(d) by the addition to Rule 2.2(1)*(a)(aa)* of the following Rule 2.2(1)*(a)(aa)*(ix):

"(ix) transfers from the Defined Benefit Reserve in terms of RULE

2.2(3)*(a)(bb)*(iv).";

(e) by the deletion in Rule 2.2(3)*(a)(bb)* of the full stop at the end of paragraph (iii) and the insertion of a semi-colon;

(f) by the addition to Rule 2.2(3)*(a)(bb)* of the following Rule 2.2(3)*(a)(bb)*(iv):

"(iv) transfers to the Share Account in respect of DEFINED BENEFIT MEMBERS who elect that their benefits shall be determined on defined contribution funding principles in terms of RULE 1.7;";

(g) by the addition to Rule 2.2(3)*(a)(bb)* of the following Rule 2.2(3)*(a)(bb)*(v):

"(v) transfers to the Risk Reserve and the Data Reserve of amounts recommended by the ACTUARY from time to time;";

(h) by the deletion in Rule 2.2(3)*(c)(aa)* of the full stop at the end of paragraph (v) and the insertion of a semi-colon;

(i) by the addition to Rule 2.2(3)*(c)(aa)* of the following Rule 2.2(3)*(c)(aa)*(vi):

"(vi) transfers from the Defined Benefit Reserve in terms of RULE 2.2(3)*(a)(bb)*(v);";

(j) by the deletion in Rule 2.2(3)*(d)(aa)* of the full stop at the end of paragraph (iii) and the insertion of a semi-colon; and

(k) by the addition to Rule 2.2(3)*(d)(aa)* of the following Rule 2.2(3)*(d)(aa)*(iv):

"(iv) transfers from the Defined Benefit Reserve in terms of RULE 2.2(3)*(a)(bb)*(v); and".

C. With effect from 1 December 2005 the RULES of the POST OFFICE RETIREMENT FUND shall be amended as follows—

(a) by the addition to Rule 2.2(3)*(c)(aa)* of the following Rule 2.2(3)*(c)(aa)*(vii):

"(vii) investment earnings transferred from the Investment Reserve from time to time, as determined by the TRUSTEES acting on the advice of the ACTUARY; and";

(b) by the addition to Rule 2.2(3)*(d)(aa)* of the following Rule 2.2(3)*(d)(aa)*(v):

"(v) investment earnings transferred from the Investment Reserve from time to time, as determined by the TRUSTEES acting on the advice of the ACTUARY.";

(c) by the deletion in Rule 2.2(3)*(f)(aa)* of the full stop at the end of paragraph (iv) and the insertion of a semi-colon;

(d) by the addition to Rule 2.2(3)*(f)(aa)* of the following Rule 2.2(3)*(f)(aa)*(v):

"(v) investment earnings transferred from the Investment Reserve from time to time, as determined by the TRUSTEES acting on the advice of the ACTUARY; and";

(e) by the deletion in Rule 2.2(3)*(b)(bb)* of the full stop at the end of paragraph (viii) and the insertion of a semi-colon;

(f) by the addition to Rule 2.2(3)*(b)(bb)* of the following Rule 2.2(3)*(b)(bb)*(ix):

"(ix) transfers to the Risk Reserve in terms of Rule 2.2(3)*(c)(aa)*(vii);";

(g) by the addition to Rule 2.2(3)*(b)(bb)* of the following Rule 2.2(3)*(b)(bb)*(x):

"(x) transfers to the Data Reserve in terms of Rule 2.2(3)*(d)(aa)*(v); and"; and

(h) by the addition to Rule 2.2(3)*(b)(bb)* of the following Rule 2.2(3)*(b)(bb)*(xi):

"(xi) transfers to the General Reserve in terms of Rule 2.2(3)*(f)(aa)*(v).".

D. With effect from 1 March 2021 the RULES of the POST OFFICE RETIREMENT FUND shall be amended by the addition to Rule 2.2(2)*(b)* of the following Rule 2.2(2)*(b)*(iv), the existing Rule 2.2(2)*(b)*(iv) becoming Rule 2.2(2)*(b)*(v):

"(iv) such administration and other expenses, or a portion thereof, relating to persons in receipt of a PENSION from the FUND, as decided by the TRUSTEES from time to time;".

E. With effect from the Effective Date (as hereinafter defined) the RULES of the POST OFFICE RETIREMENT FUND shall be amended as follows—

(a) by the substitution in Rule 1.1 for the definition of "**Approved Preservation Pension Fund**" of the following definition:

" **'APPROVED PENSION PRESERVATION FUND'**: a fund approved as such by the COMMISSIONER;";

(b) by the substitution for the phrase "APPROVED PRESERVATION PENSION FUND" in the Rules, wherever it occurs, of the phrase "APPROVED PENSION PRESERVATION FUND";

(c) by the insertion in Rule 1.1 after the definition of "**DEPENDANT**" of the following definition:

" **'EFFECTIVE DATE'**: the last day of the month coinciding with, or next following, the end of the three month period following the date on which Amendment No. 6 to the RULES is published by notice in the Government *Gazette*;";

(d) by the deletion in Rule 2.2(1)*(a)(bb)* of the full stop at the end of paragraph (x) and the insertion of a semi-colon;

(e) by the addition to Rule 2.2(1)*(a)(bb)* of the following Rule 2.2(1)*(a)(bb)*(xi):

"(xi) any amount transferred to an APPROVED RETIREMENT ANNUITY FUND or APPROVED PENSION PRESERVATION FUND in terms of RULE 14.";

(f) by the deletion in Rule 2.2(1)*(b)(bb)* of the full stop at the end of paragraph (iii) and the insertion of a semi-colon;

(g) by the addition to Rule 2.2(1)*(b)(bb)* of the following Rule 2.2(1)*(b)(bb)*(iv):

"(iv) any amount transferred to an APPROVED RETIREMENT ANNUITY FUND or APPROVED PENSION PRESERVATION FUND in terms of RULE 14.";

(h) by the deletion of Rule 2.2(2)*(b)*(v);

(i) by the deletion of Rule 6.1(2)*(a)*;

(j) by the substitution for Rule 6.1(2)*(b)* of the following:

"*(b)* subject to the provisions of RULE 6.1(3), a PENSION to his QUALIFYING SPOUSE, commencing on the PENSIONER'S death, equal to 75% of the PENSION payable immediately prior to the commencement of the PENSION to the QUALIFYING SPOUSE; and";

(k) by the addition to Rule 6.1 of the following Rule 6.1(3):

"(3) **Alternative Pensions**

Subject to the recommendation of the ACTUARY and the approval of the TRUSTEES, a PENSIONER may elect that an alternative PENSION be payable to his QUALIFYING SPOUSE on his death: Provided that—

(a) the election of an alternative PENSION must be made on RETIREMENT FROM THE FUND;

(b) the option to elect an alternative PENSION is not available to a MEMBER who on becoming PERMANENTLY DISABLED qualifies for payment of a PENSION in terms of RULE 7.3;

(c) the election of an alternative PENSION, and in particular the amount of such alternative PENSION, shall be subject to such terms and conditions as the TRUSTEES may decide; and

(d) in the event that a PENSIONER elects an alternative PENSION, his own PENSION shall be adjusted as determined by the ACTUARY having regard to the amount of the PENSION payable to his QUALIFYING SPOUSE.";

(l) by the addition to Rule 9.1 of the following Rule 9.1(6):

"(6) Each PENSIONER and C-PENSIONER in receipt of a PENSION or annuity from the FUND on the EFFECTIVE DATE, shall on such date become entitled to a once-off bonus PENSION or bonus annuity of R2 000 in lieu of the benefit of R2 000 that would have been payable on the death of such PENSIONER or C-PENSIONER in terms of the RULES as they applied immediately prior to the EFFECTIVE DATE.";

(m) by the addition of the following Rule 14:

"**14. TRANSFER TO AN APPROVED RETIREMENT ANNUITY FUND OR APPROVED PENSION PRESERVATION FUND**

Notwithstanding any other provisions of the RULES, a MEMBER who has retired from SERVICE in terms of RULE 5.1 or RULE 5.2

may at any time prior to his RETIREMENT FROM THE FUND elect to transfer his MEMBER'S SHARE and, if applicable, the amount in his Additional Voluntary Contribution Account, to an APPROVED RETIREMENT ANNUITY FUND or APPROVED PENSION PRESERVATION FUND."; and

(n) by the substitution for clause 5.6(1) of Annex A of the following:

"(1) If such death occurs within sixty months after payment of his annuity commenced, and no annuity is paid to a qualifying spouse or a qualifying child in terms of subclauses (2) or (3) below, a gratuity of the total of all outstanding annuity payments that would have been made until the expiry of said sixty month period, based on the amount of the annuity at the date of his death.".

F. With effect from the date on which Amendment No. 6 is published by notice in the Government *Gazette*, the RULES of the POST OFFICE RETIREMENT FUND shall be amended as follows—

(a) by the addition to Rule 2.2(3)*(c)(aa)* of the following Rule 2.2(3)*(c)(aa)*(viii):

"(viii) special transfers from the Stabilisation Reserve in terms of RULE 3.2(4).";

(b) by the substitution for Rule 2.2(3)*(e)(bb)*(i) of the following:

"(i) transfers to the MEMBERS' SHARES or the Defined Benefit Reserve, Risk Reserve or General Reserve in the Reserve Account in terms of RULE 3.2(4);";

(c) by the addition to Rule 2.2(3)*(f)(aa)* of the following Rule 2.2(3)*(f)(aa)*(vi):

"(vi) special transfers from the Stabilisation Reserve in terms of RULE 3.2(4).";

(d) by the substitution for Rule 3.2(4) of the following:

"(4) The TRUSTEES may from time to time on request from the PRINCIPAL OFFICER and after consultation with the ACTUARY, make special transfers of all or part of any balance in the Stabilisation Reserve in the Reserve Account as contemplated in RULE 2.2(3) to the MEMBERS' SHARES or the Defined Benefit Reserve, Risk Reserve or General Reserve in the Reserve Account, pro rata to the contributions due by the EMPLOYER in terms of (1)*(a)*, *(b)* or *(e)* above, in which case the EMPLOYER'S contributions will be reduced by the amount of such transfer."; and

(e) by the substitution for Rule 10.5 of the following:

"**PRINCIPAL OFFICER**

10.5 (1) The TRUSTEES shall appoint a principal officer and, if deemed necessary, a deputy principal officer and any other staff.

(2) The TRUSTEES must ensure that the principal officer (and if applicable, the deputy principal officer)—

(a) has the relevant qualifications and expertise relating to the management and oversight of retirement funds; and

(b) is fit and proper to hold such appointment.

(3) If no deputy principal officer has been appointed and the principal officer is absent from the Republic of South Africa or is otherwise unable to perform his duties, the TRUSTEES shall, within 90 days after the commencement of a continuing

absence or inability of the principal officer to discharge any duty, appoint another person to be its principal officer.

(4) If a deputy principal officer is appointed—

(a) the deputy principal officer shall act as principal officer when the principal officer is absent from the Republic of South Africa or is otherwise unable to perform his duties; and

(b) subject to such conditions as may be specified in writing by the TRUSTEES from time to time, the principal officer may in writing delegate any of his functions and duties to the deputy principal officer, in which case—

(i) acting in terms of his instruction from the principal officer, the deputy principal officer must perform such duties and functions in accordance with the provisions of the RULES and other applicable legislation;

(ii) any decision of the deputy principal officer shall be regarded as a decision of the principal officer unless the principal officer has stipulated that such decision must be referred to him for ratification; and

(iii) the principal officer may revoke the delegation at any time.".

Certified that the above resolution has been adopted in accordance with the provisions of the Rules of the Fund.

Chairman of Trustees	Trustee	Principal Officer

Certified that the above amendments are financially sound.
PJ Geldenhuis
Actuary to the Fund

Signature	BSC FASSA, FFA Qualifications

POST OFFICE RETIREMENT FUND

Amendment No. 7

The Trustees of the Post Office Retirement Fund resolved at Pretoria on 26 June 2024 that with effect from 1 September 2024 the Rules of the Post Office Retirement Fund shall be amended to make provision for changes in legislation by—

(1) *ensuring that the Member's Share as at 31 August 2024 will form the Member's Vested Component and may be available to the Member should he exit the Fund prior to retirement;*

(2) *ensuring that the portion of value of the benefits in terms of the Member's Vested Service as at 31 August 2024, as allowed by the legislation, will be available to the Member should he exit the Fund prior to retirement;*

(3) *ensuring that all contributions made by and on behalf of the Member that are due and payable with effect from 1 September 2024 are split between a Retirement Component or Retirement Service and a Savings Component or Savings Service as required by legislation;*

(4) *making provision for a withdrawal from the Savings Component or Savings Services should the Member so elect; and*

(5) *ensuring that Members may not access their total value of their Member's Share or Retirement Service prior to retirement.*

by—

(i) *by the substitution for the definition for "DEFERRED RETIREE" in Rule 1.1 of the following definition:*

"**DEFERRED RETIREE** means a MEMBER, other than a DEFINED BENEFIT

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MEMBER, who has retired from SERVICE in terms of Rule 5 or Rule 7.3, or a DEFINED BENEFIT MEMBER who has retired from SERVICE in terms of Rule 3.1, 3.2, 3.3, 3.4, 4.1, 4.2, 4.3, 4.4, 5.1, 5.2, 5.3, or 5.4 of ANNEX A and whose RETIREMENT FROM THE FUND does not take place on his retirement from SERVICE: Provided that any DEFERRED RETIREE in the FUND, as at 31 August 2024, shall have a SAVINGS COMPONENT, or SAVINGS SERVICE in the case of a DEFINED BENEFIT MEMBER, established for such DEFERRED RETIREE on or after 1 September 2024".'

(ii) *by the addition of the following definitions to Rule 1.1:*

"MEMBER'S INTEREST IN THE RETIREMENT COMPONENT means on or after 1 September 2024—

(a) any amount allocated to the RETIREMENT COMPONENT;

(b) any amount credited to the RETIREMENT COMPONENT;

(c) any amounts transferred into the RETIREMENT COMPONENT from the MEMBER'S SAVINGS COMPONENT or VESTED COMPONENT in the FUND;

(d) reduced by such reasonable expenses as may be determined by the TRUSTEES from time to time; and

(e) reduced by any amount deducted in terms of Rule 9.12, including any reasonable costs incurred by the FUND in giving effect to the provisions of that Rule,

increased or decreased by interest on and after the CONVERSION DATE on the total of such amounts at a rate to be decided by the TRUSTEES from time to time in consultation with the ACTUARY, having regard to the investment yield achieved by the FUND.

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MEMBER'S INTEREST IN THE SAVINGS COMPONENT means on or after 1 September 2024:

(a) any amount allocated to the SAVINGS COMPONENT;

(b) any amount credited to the SAVINGS COMPONENT;

(c) reduced by such reasonable expenses as may be determined by the TRUSTEES from time to time;

(d) less any amount reallocated into the MEMBER'S RETIREMENT COMPONENT in the FUND in terms of the agreed process with the ADMINISTRATOR;

(e) reduced by any amount deducted in terms of Rule 9.12, including any reasonable costs incurred by the FUND in giving effect to the provisions of that Rule; and

(f) less any SAVINGS WITHDRAWAL BENEFIT in terms of Rule 8.4,

increased or decreased by interest on and after the CONVERSION DATE on the total of such amounts at a rate to be decided by the TRUSTEES from time to time in consultation with the ACTUARY, having regard to the investment yield achieved by the FUND.

MEMBER'S INTEREST IN THE VESTED COMPONENT means—

(a) the value of the MEMBER'S SHARE ACCOUNT immediately prior to 1 September 2024;

(b) any amount credited to the MEMBER'S VESTED COMPONENT on or after 1 September 2024;

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(c) reduced by any amount contemplated in paragraph (a) of the definition of SAVINGS COMPONENT;

(d) reduced by such reasonable expenses as may be determined by the TRUSTEES from time to time;

(e) less any amount reallocated into the MEMBER'S RETIREMENT COMPONENT in the FUND in terms of the agreed process with the ADMINISTRATOR; and

(f) reduced by any amount deducted in terms of Rule 9.12, including any reasonable costs incurred by the FUND in giving effect to the provisions of that Rule,

increased or decreased by interest on and after the CONVERSION DATE on the total of such amounts at a rate to be decided by the TRUSTEES from time to time in consultation with the ACTUARY, having regard to the investment yield achieved by the FUND.

RETIREMENT COMPONENT means a component established as at 1 September 2024 in accordance with legislation: Provided that—

(a) two-thirds of the total retirement contributions due and payable to the FUND by or on behalf of the MEMBER will be allocated to this component on or after 1 September 2024: Provided further that, in determining the amount of the contributions allocated to this component, any charges and risk premiums deductible against such contributions must not be taken into account;

(b) any amounts transferred from a similar component of an APPROVED PENSION FUND, APPROVED PROVIDENT FUND or APPROVED PENSION PRESERVATION FUND on or after 1 September 2024 is allocated to this component; and

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(c) the total value of the MEMBER'S INTEREST IN THE RETIREMENT COMPONENT must be paid in terms of Rule 5.3(2), subject to the commutation provisions in Rule 5.3(1).

SAVINGS COMPONENT means a component established as at 1 September 2024 in accordance with legislation: Provided that—

(a) a once off amount of 10 percent of the total value of the MEMBER'S SHARE as at 31 August 2024, limited to R30 000, is allocated to this component on or after 1 September 2024;

(b) one-third of the total retirement contributions due to the FUND on or after 1 September 2024 by or on behalf of the MEMBER will be allocated to this component on or after 1 September 2024, provided that in determining the amount of the contributions allocated to this component any charges and risk premiums deductible against such contributions must not be taken into account; and

(c) any amounts transferred from a similar component of any other APPROVED PENSION FUND, APPROVED PROVIDENT FUND or APPROVED PENSION PRESERVATION FUND on or after 1 September 2024 is allocated to this component.

SAVINGS WITHDRAWAL BENEFIT means the amount that the MEMBER has elected to withdraw from his MEMBER'S INTEREST IN THE SAVINGS COMPONENT in terms of Rule 8.4.

VESTED COMPONENT means the MEMBER'S SHARE on 1 September 2024: Provided that—

(a) the MEMBER'S benefit in this VESTED COMPONENT is subject to and must be paid in accordance with the RULES of the FUND that existed immediately prior to 1 September 2024;

(b) no contributions may be made to this VESTED COMPONENT on or

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after 1 September 2024 except if the FUND receives any contributions after 1 September 2024 but these were due and payable before 1 September 2024 and are accordingly allocated to this component; and

(c) any amounts transferred from a similar component of any other APPROVED PENSION FUND, APPROVED PROVIDENT FUND or an APPROVED PENSION PRESERVATION FUND on or after 1 September 2024 is allocated to this component.";

(iii) by the substitution for the opening paragraph of Rule 2.2(1) of the following paragraph:

"The Share Account shall comprise all the MEMBERS' SHARES and in respect of each MEMBER—

(i) prior to 31 August 2024, shall mean the accumulated value as set out below as it applied prior to 1 September 2024; and

(ii) with effect from 1 September 2024 the MEMBER'S SHARE shall be made up of the MEMBER'S INTERESTS IN THE RETIREMENT COMPONENT, the MEMBER'S INTEREST IN THE SAVINGS COMPONENT and the MEMBER'S INTEREST IN THE VESTED COMPONENT as established in terms of these RULES. These components shall be credited and debited as set out below and take into account the RULES of the Fund and the relevant definitions in Rule 1.1. The opening balance in the SAVINGS COMPONENT on 1 September 2014 must be equal to the seeding amount defined in section 1 and the opening balance in the VESTED COMPONENT on 1 September 2024 shall be the MEMBER'S SHARE as of 31 August 2024, reduced by the seeding amount allocated to the SAVINGS COMPONENT";

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(iv) by the addition to Rule 3.1 of the following Rule 3.1(5):

"(5) MEMBER'S contributions and MEMBER'S additional contributions in terms of this Rule shall, with effect from 1 September 2024, be applied as follows:

(a) Two-thirds of the MEMBER'S contributions shall be allocated to his RETIREMENT COMPONENT and shall be utilised in terms of Rule 5.3(2); and

(b) one-third of the MEMBER'S contributions shall be allocated to his SAVINGS COMPONENT.";

(v) by the substituting for paragraph (b) of Rule 3.2(5) of the following paragraph:

"(b) the balance, if any, shall be applied towards the MEMBER's retirement benefit provided that with effect from 1 September 2024, it will be allocated as follows:

(i) two-thirds shall be allocated to his RETIREMENT COMPONENT and shall be utilised in terms of Rule 5.3(2);

(ii) one-third shall be allocated to his SAVINGS COMPONENT.";

(vi) by the substitution for Rule 5.1(3) of the following:

"(3) If a MEMBER other than a DEFINED BENEFIT MEMBER is dismissed by the EMPLOYER as a result of a reduction in or a reorganisation of staff, the provisions of (1) and (2) shall apply *mutatis mutandis* to the MEMBER; provided that should a MEMBER elect to receive a cash withdrawal benefit; the MEMBER'S INTEREST IN THE RETIREMENT COMPONENT may not be accessed prior to his NORMAL RETIREMENT DATE and must be transferred in terms of Rule 8.1(3).";

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(vii) by the substitution for Rule 5.3(1) of the following:

"(1) On RETIREMENT FROM THE FUND, a MEMBER, other than a DEFINED BENEFIT MEMBER, may choose to receive as a lump sum:

(a) all or part of the MEMBER'S INTEREST IN THE SAVINGS COMPONENT, if applicable, taxed in accordance with the retirement tax table;

(b) up to one third of the MEMBER'S INTEREST IN THE VESTED COMPONENT; and

(c) if two thirds of the MEMBER'S INTEREST IN THE VESTED COMPONENT plus the value of the MEMBER'S INTEREST IN THE RETIREMENT COMPONENT does not exceed the limit set by the relevant legislation from time to time, all or part of two thirds of the MEMBER'S INTEREST IN THE VESTED COMPONENT and the MEMBER'S INTEREST IN THE RETIREMENT COMPONENT, taxed in accordance with the retirement tax table.

The balance of the MEMBER'S SHARE, if any, will be made available to secure a PENSION for the MEMBER, as decided by the TRUSTEES acting on the advice of the ACTUARY.";

(viii) by the substitution for Rule 5.4 of the following:

"5.4 On RETIREMENT FROM THE FUND, a MEMBER other than a DEFINED BENEFIT MEMBER, who has retired from SERVICE in terms of this RULE 5 and who has made additional contributions in terms of RULE 3.1(3) shall become entitled to an additional benefit secured by such additional contributions, subject to RULE 5.3(1) and on such terms and conditions as the TRUSTEES determine after consultation with the ACTUARY.";

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(ix) by the substitution for Rule 7.2(1) of the following:

"(1) the MEMBER will remain a MEMBER of the FUND; contributions by and on behalf of him will continue to be payable and he will remain entitled to rights and benefits in terms of the RULES. Such contributions shall, with effect from 1 September 2024 be applied as follows:

(a) Two-thirds of the contributions shall be allocated to his RETIREMENT SERVICE; and

(b) one-third of the contributions shall be allocated to his SAVINGS SERVICE.";

(x) by the substitution for Rule 7.3(2)of the following:

"(2) At the request of the MEMBER made at the time of retirement in terms of this Rule the TRUSTEES may at their discretion commute for a cash payment:

i) all or part of his INTEREST IN THE SAVINGS COMPONENT, if applicable, taxed in accordance with the retirement tax table;

ii) two thirds of the MEMBER'S INTEREST IN THE VESTED COMPONENT, taxed in accordance with the retirement tax table;

iii) One third of the difference between the value of the PENSION and the MEMBER SHARE.

Such cash payment shall be calculated by the ACTUARY and shall vest on the first day of the month immediately following the day such MEMBER leaves the SERVICE of the EMPLOYER. The PENSION shall be reduced by the same proportion as the total cash payment stands to the value of the full PENSION, as calculated by the ACTUARY.";

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(xi) by the substitution for Rule 7.3(4) of the following:

"(4) On RETIREMENT FROM THE FUND, a MEMBER who has retired from SERVICE in terms of (1) above and who has made additional contributions in terms of Rule 3.1(3) shall become entitled to an additional benefit secured by such additional contributions, subject to Rule 5.3(1) and on such terms and conditions as the TRUSTEES may determine after consultant with the ACTUARY.";

(xii) by the substitution for the opening paragraph of Rule 8.1(1) of the following:

"(1) If a MEMBER other than a DEFINED BENEFIT MEMBER leaves SERVICE prior to his NORMAL RETIREMENT DATE, other than on retirement from SERVICE or death, and is not entitled to benefits under any other Rule, an amount equal to the MEMBER'S INTERESTS IN THE VESTED COMPONENT and the MEMBER'S INTEREST IN THE SAVINGS COMPONENT shall be paid to him, subject to Rule 8.4, and provided that the MEMBER may not receive any lump sum payment from the MEMBER'S INTEREST IN THE RETIREMENT COMPONENT.";

(xiv) by the substitution for the closing paragraph of Rule 8.1(3) of the following:

"(3) A MEMBER other than a DEFINED BENEFIT MEMBER may, upon leaving SERVICE in terms of above, elect:

(a) that all or part of the MEMBER'S INTEREST IN THE VESTED COMPONENT be paid to him as a lump sum; provided that where a part payment is taken, the balance of the MEMBER'S SHARE must be transferred out of the FUND; or

(b) that all or part of the MEMBER'S INTEREST IN THE SAVINGS COMPONENT be paid to him as a lump sum, subject to the

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requirements of Rule 8.4, with the remainder of the MEMBER'S INTERESTS IN THE SAVINGS COMPONENT, the RETIREMENT COMPONENT and THE VESTED COMPONENT becoming a deferred benefit in the FUND; or

(c) that the MEMBER'S INTERESTS IN THE RETIREMENT COMPONENT, VESTED COMPONENT and SAVINGS COMPONENTS must be transferred to similar components in another APPROVED PROVIDENT FUND, an APPROVED PENSION FUND, APPROVED RETIREMENT ANNUITY FUND or APPROVED PENSION PRESERVATION FUND; or

Provided that if a MEMBER elects option (a) or (c) above the full benefit shall be paid to him or/and transferred to another fund.";

(xv) *by the substitution for Rule 8.2 of the following:*

"8.2 A MEMBER other than a DEFINED BENEFIT MEMBER who leaves SERVICE in terms of this Rule 8 and who has made additional contributions in terms of Rule 3.1(3) shall receive an additional lump sum benefit equal to the value of such additional contributions as determined in Rule 2.2(1)(b), provided that the MEMBER may not receive any lump sum payment from his INTEREST IN THE RETIREMENT COMPONENT.";

(xvi) *by the addition of the following Rule 8.4 to the RULES:*

"**8.4 SAVINGS WITHDRAWAL BENEFIT**

8.4.1 With effect from 1 September 2024, the MEMBER may take one SAVINGS WITHDRAWAL BENEFIT from THE MEMBER'S INTEREST IN THE SAVINGS COMPONENT in

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every tax year of assessment.

8.4.2 The value of each SAVINGS WITHDRAWAL BENEFIT, before taking into account any reasonable charges or transaction costs, may not be less than R2000 or such amount as per legislation.

8.4.3 The SAVINGS WITHDRAWAL BENEFIT will be subject to income tax.

8.4.4 Where a MEMBER has multiple SAVINGS COMPONENTS in the FUND, one SAVINGS WITHDRAWAL BENEFIT per tax year of assessment may be made from each of the MEMBER'S INTEREST IN THE SAVINGS COMPONENT.

8.4.5 Where a MEMBER'S employment is terminated in any year of assessment and such MEMBER has already taken a SAVINGS WITHDRAWAL BENEFIT from the MEMBER'S INTEREST IN THE SAVINGS COMPONENT in that tax year of assessment and the value of the MEMBER'S INTEREST IN THE SAVINGS COMPONENT is less than R2000, or such amount as per legislation, such MEMBER may be allowed a second SAVINGS WITHDRAWAL BENEFIT of the total balance in the MEMBER'S INTEREST IN THE SAVINGS COMPONENT.

8.4.6 Where a MEMBER'S employment is terminated in any year of assessment and such MEMBER has already taken a SAVINGS WITHDRAWAL BENEFIT from the MEMBER'S INTEREST IN THE SAVINGS COMPONENT in that tax year of assessment and the value of the MEMBER'S INTEREST IN THE SAVINGS COMPONENT is more than

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R2000, or such amount as per legislation such MEMBER may transfer the full balance of their MEMBER'S INTEREST IN THE SAVINGS COMPONENT in terms of Rule 8.1(3)(c).";

(xvii) *by the addition of the following Rule 9.1(6) to the RULES:*

"(6) In the event that a MEMBER ceases to be a South African tax resident, the limitations and requirements as set out in the Income Tax Act, 1962 shall be applied.";

(xviii) *by the addition of the following Rule 9.8(1)(d) to the RULES:*

"(d) any such transferred benefits shall be applied under the VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable and as received.";

(xix) *by the addition of the following Rule 9.8(1)(e) to the RULES:*

"(1)(e) the Fund may also accept a transfer from an APPROVED PENSION FUND, or APPROVED PENSION PRESERVATION FUND of an amount in respect of a MEMBER who has elected to transfer to the FUND an amount awarded to such person in terms of a court order contemplated in Section 7(8) of the Divorce Act 1979. The amount so transferred shall be applied under the MEMBER'S VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable.";

(xx) *by the substitution for Rule 9.8(2)(b) of the following:*

"(2)(b) for the payment to such other fund of an amount equal to the MEMBER'S SHARE. Such amount shall be applied under the VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable.";

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(xxi) by the substitution for Rule 9.12(3) of the following:

"(3) Any compensation (including any legal costs recoverable from a MEMBER) in respect of any damage caused to the EMPLOYER by reason of any theft, dishonesty, fraud or misconduct by the MEMBER, and which the MEMBER has in writing admitted liability to the employee, or judgement has been obtained against the MEMBER in any court, may be withheld and payable in respect of the MEMBER or to the EMPLOYER concerned. The TRUSTEES shall have the right to make such proportionate deductions from the MEMBER'S INTERESTS IN THE VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT, if applicable of a MEMBER.";

(xxii) by the substitution for Rule 11.11(1) of the following:

"(1) If the EMPLOYER decides to establish a new fund or scheme for the principal purpose of providing retirement benefits for his ELIGIBLE EMPLOYEES or for certain of his ELIGIBLE EMPLOYEES, or to participate in another fund or scheme for this purpose, the TRUSTEES may, notwithstanding anything to the contrary in the RULES, apply each MEMBER'S INTERESTS IN THE VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable, as determined by the ACTUARY, to obtain benefits for the MEMBERS concerned under the new fund or scheme, in such manner as the TRUSTEES, after consultation with the ACTUARY and with the approval of the MINISTER;";

(xxiii) by the substitution for Rule 11.11(2) of the following:

"(1) In determining a MEMBER'S INTERESTS IN THE VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable in the FUND for the purposes of (1) above, the ACTUARY shall consider the equity between the groups of

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MEMBERS participating in the FUND and recommend what portion, if any, of the Reserve Account shall be transferred with the MEMBER'S INTERESTS IN THE VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT as applicable to the new fund or scheme.";

(xxiv) by the substitution for Rule 13 of the following:

"**13 Provisions applicable to a DEFERRED RETIREE**

The following provisions shall apply to a MEMBER who has retired from SERVICE in terms of Rule 5 or Rule 7.3:

(1) After the date on which the DEFERRED RETIREE retires from SERVICE of the EMPLOYER in terms of Rule 5 or Rule 7.3:

(a) contributions by, if any, and in respect of the DEFERRED RETIREE in terms of Rule 3 shall cease; and

(b) the risk death benefit referred to in Rule 6.1(1) shall not become payable if the DEFERRED RETIREE dies before RETIREMENT FROM THE FUND;

(2) If the DEFERRED RETIREE made additional contributions in terms of Rule 3.1(3), the DEFERRED RETIREE'S additional voluntary contribution account shall remain in the Share Account and shall be credited with investment earnings in terms of Rule 2.2(1)(b)(aa)(ii) until RETIREMENT FROM THE FUND.

(3) In the case of DEFERRED RETIREE who has retired from SERVICE in terms of Rule 5:

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(a) The MEMBER'S INTERESTS IN THE VESTED COMPONENT, RETIREMENT COMPONENT and SAVINGS COMPONENT of the DEFERRED RETIREE, if applicable, including any amount transferred to the FUND in terms of Rule 9.8 after becoming a DEFERRED RETIREE, shall be retained in the FUND and shall be—

(i) debited with such reasonable expenses as the TRUSTEES may determine;

(ii) credit with investment earnings in terms of Rule 2.2(1)(a)(v) and debited with any amounts transferred to the Reserve Account in terms of Rule 2.2(1)(a)(bb)(i) until RETIREMENT FROM THE FUND;

(b) the benefit referred to in (3)(a) and, if applicable, subrule (2) shall become payable in the following circumstances:

(i) The MEMBER may elect to be paid a SAVINGS WITHDRAWAL BENEFIT in accordance with the provisions of Rule 8.4 before the ELECTION DATE;

(ii) in terms of Rule 5.2 to the DEFERRED RETIREE on the ELECTION DATE; or

(iii) in terms of Rule 6.5 if the DEFERRED RETIREE dies before RETIREMENT FROM THE FUND.

(4) In the case of a DEFERRED RETIREE who has retired from SERVICE in terms of Rule 7.3:

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(a) the benefit referred to in Rule 7.3(1) and, if applicable, subrule (2) above shall become payable in terms of Rule 7.3 to the DEFERRED RETIREE on RETIREMENT FROM THE FUND; or

(b) if the DEFERRED RETIREE dies before RETIREMENT FROM THE FUND, such benefits shall be payable as would have been paid if the DEFERRED RETIREE'S RETIREMENT FROM THE FUND had taken place on the day before his death and he had elected to commute for a lump sum the maximum amount permissible in terms of Rule 7.3.";

(xxv) by the substitution for the following definitions in Rule 1 in Annex A as follows:

"**GRATUITY** means a non-recurrent benefit amount payable in terms of the STATUTES, provided that no benefit payable in respect of RETIREMENT SERVICE will be paid as a cash lump sum, subject to the provisions of Rule 7 in this Annex A.

PENSIONABLE SERVICE means the period of uninterrupted service of a MEMBER as well as any other period regarded by the Board to be pensionable up to 31 August 2024 and in respect of which contributions have been made in terms of the RULES: Provided that the period of PENSIONABLE SERVICE shall be expressed—

(i) for the purposes of calculating the period of SERVICE prior to 1 September 2024, the period of PENSIONABLE SERVICE shall be calculated in years and portions of a year. Portions of a year shall be calculated according to the proportion in which the number of days in the said portion of a year stands to 365 days, rounded off to the nearest third decimal; and

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(ii) for the purposes of calculating the period of SERVICE on or after 1 September 2024, the period of PENSIONABLE SERVICE shall be calculated in years and portions of a year. Portions of a year shall be calculated according to the proportion in which the completed months and a fraction of a month stands to 12 months, rounded off to the nearest third decimal.";

(xxvi) by the addition of the following definitions to Rule 1 in Annex A as follows:

"**RETIREMENT SERVICE** means two-thirds of PENSIONABLE SERVICE after the VESTED DATE adjusted for any QUALIFYING SERVICE added due to specific surplus or bonus distributions and reduced by any SERVICE calculated by the ACTUARY in respect of adjustments to SERVICE due to benefit payments made in terms of Section 37D of the ACT.

SAVINGS SERVICE: one-third of PENSIONABLE SERVICE after the VESTED DATE adjusted for any QUALIFYING SERVICE added due to specific surplus or bonus distributions, and any transfers from VESTED SERVICE as allowed by legislation and reduced by any SERVICE calculated by the ACTUARY in respect of cash withdrawal benefits paid to the MEMBER while in SERVICE, and adjustments to SERVICE due to benefit payments made in terms of Section 37D of the ACT.

VESTED DATE: 1 September 2024.

VESTED SERVICE: PENSIONABLE SERVICE prior to the VESTED DATE, adjusted for any SERVICE added due to specific surplus or bonus distributions, and reduced by any transfer from VESTED SERVICE to SAVINGS SERVICE as at 31 August 2024 and adjustments to SERVICE due to benefit payments made in terms of Section 37D of the ACT.";

(xxvii) by the substitution for Rule 3.1 in Annex A of the following:

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"**3.1 Retirement on reaching STATUTORY RETIREMENT AGE**

An A-MEMBER who reaches his STATUTORY RETIREMENT AGE shall retire from SERVICE on his STATUTORY RETIREMENT DATE with the following PENSION BENEFITS:

(a) A GRATUITY of 6,72 per cent of his PENSIONABLE EMOLUMENTS on retirement from SERVICE multiplied by the sum of the MEMBER'S SAVINGS SERVICE and VESTED SERVICE.

(b) A GRATUITY equal to the value of a PENSION of 1/55th of his PENSIONABLE EMOLUMENTS on retirement from SERVICE multiplied by the sum of the MEMBER'S SAVINGS SERVICE, as calculated by the ACTUARY.

(c) A PENSION equal to the sum of

- of 1/55th of his PENSIONABLE EMOLUMENTS on retirement from SERVICE multiplied for each year by the sum of the MEMBER'S RETIREMENT SERVICE and VESTED SERVICE.
- the ADDITIONAL ANNUITY AMOUNT;
- the pension that can be secured with an amount equal to 6,72 per cent of his PENSIONABLE EMOLUMENTS on retirement from SERVICE multiplied by the MEMBER'S RETIREMENT SERVICE, as calculated by the ACTUARY.";

(xxviii) by the substitution for Rule 3.2 in Annex A of the following:

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"3.2 Retirement after reaching STATUTORY RETIREMENT AGE

If an A-MEMBER who reaches his STATUTORY RETIREMENT AGE is requested by the EMPLOYER to remain in his SERVICE, and the A-MEMBER agrees, he shall remain an A-MEMBER of the FUND and further contributions by and for him shall be made to the FUND. Such MEMBER shall retire from SERVICE upon reaching the age of seventy years at the latest, with the PENSION BENEFITS calculated in terms of Rule 3.1, based on his PENSIONABLE EMOLUMENTS and the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his actual retirement from SERVICE.";

(xxix) by the substitution for Rule 3.4 in Annex A of the following:

"BENEFITS ON DISABILITY

3.4 (1) Subject to the provisions of Rule 3.4(2), an A- MEMBER who becomes disabled before reaching his STATUTORY RETIREMENT AGE shall retire from SERVICE with benefits as set out in Rule 3.1: Provided that his RETIREMENT SERVICE shall be increased by two thirds and the SAVINGS SERVICE by one third of the shortest of the following periods:

(a) One-third of the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his retirement from SERVICE as a result of disability;

(b) the period between the date of his retirement from SERVICE as a result of disability and his STATUTORY RETIREMENT DATE; or

(c) five years.

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(2) An A-MEMBER who becomes disabled before reaching his STATUTORY RETIREMENT AGE as a result of an injury arising out of and in the course of his employment, shall retire from SERVICE with benefits as set out in Rule 3.1: Provided that the MEMBER'S RETIREMENT SERVICE shall be increased by two thirds and the SAVINGS SERVICE by one third of the period contemplated in Rule 3.4(1)(b): Provided further that the TRUSTEES are satisfied that the value of the benefits is not less than the value of the benefits that would in such a case have been applicable to the MEMBER on 30 September 1991, but based on his PENSIONABLE EMOLUMENTS and the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his retirement from SERVICE.

(3) An A-MEMBER who retires from SERVICE as a result of disability shall become a PENSIONER for the purposes of the STATUTES and shall be entitled to the benefits and subject to the conditions applicable to PENSIONERS of the FUND.";

(xxx) by the substitution for Rule 3.5 in Annex A of the following:

"**BENEFITS ON DEATH OF MEMBER**

3.5 (1) Subject to the provisions of subrule (2), the FUND shall pay the following benefits if an A-MEMBER dies before reaching his STATUTORY RETIREMENT AGE:

(i) A GRATUITY of—

(a) once the MEMBER'S PENSIONABLE EMOLUMENTS at the time of his death if the sum

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of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years' and he leaves a DEPENDANT;

(b) the MEMBER'S benefit in terms of Rule 3.8(1) if the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years' and he does not leave a DEPENDANT;

(c) the total of the GRATUITY and five times the PENSION calculated in terms of Rule 3.4(1), excluding the additional annuity amount if the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is at least ten years; or

(d) a PENSION to a QUALIFYING WIDOW of half of both his PROSPECTIVE PENSION and the ADDITIONAL ANNUITY AMOUNT.

(2) If an A-MEMBER dies as a result of an injury arising out of and in the course of his employment, the FUND shall pay the following benefits:

(a) A GRATUITY of a total of the GRATUITY and five times the PENSION both calculated in terms of Rule 3.4(2), excluding the additional amount; and

(b) an annuity to a QUALIFYING WIDOW of half of both his PROSPECTIVE PENSION and the ADDITIONAL

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ANNUITY AMOUNT:

Provided that the TRUSTEES are satisfied that the value of the benefits is not less than the value of the benefits that in such a case would have been applicable to the MEMBER on 30 September 1991, but based on his PENSIONABLE EMOLUMENTS and the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his death.

(3) If an A-MEMBER dies after reaching his STATUTORY RETIREMENT AGE, but before retiring from SERVICE in terms of Rule 3.2, the benefits shall be paid as though the MEMBER had retired in terms of Rule 3.2 on the day before his death.

(4) Payment of a death benefit which is not expressed in Rule 3.5 to be paid to a particular person, shall be made in terms of Section 37C of the ACT.";

(xxxi) by the substitution for Rule 3.7(i) in Annex A of the following:

"3.7 (i) If the *services* of an A-MEMBER are terminated by the EMPLOYER as a result of the abolition of his post or a reorganisation of the EMPLOYER'S activities, the following benefits shall be paid to the MEMBER–

(a) If the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years, a GRATUITY calculated at 20,67 per cent in the case of a male A-MEMBER, and 15,33 per cent in the case of a female A- MEMBER, of the MEMBER'S PENSIONABLE EMOLUMENTS at the date of

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termination of his services multiplied by the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE; or

(b) if the sum of the RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE of such MEMBER is ten years or longer, a PENSION and GRATUITY calculated in terms of Rule 3.4(1). The MEMBER shall become an A-PENSIONER for purposes of the RULES at the date of termination of his services, and shall become entitled to benefits and subject to the conditions applicable to PENSIONERS of the FUND.";

(xxxii) by the substitution for N(2) in Rule 3.8(1)(i) in Annex A of the following:

"N(2) is the MEMBER'S period of Vested Service less qualifying service in a previous state fund;";

(xxxiii) by the substitution for Rule 3.8(1)(ii) in Annex A of the following:

"(1)(ii) [R(1) x N(1) + R(2) x N(2)] x Z x D, increased by 2,5 per cent of the said amount for each completed year of the sum of the RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE, where the said symbols have the same meanings as set out in Rule 2.5.1(a) above, save that in the case of N(1), N(2) and D, the reference to QUALIFYING SERVICE in the table shall be a reference to PENSIONABLE SERVICE, but subject to the provisions of Rule 3.10(7).";

(xxxiv) by the addition of the following (iii) to Rule 3.8(1) in Annex A:

"(iii) plus a gratuity equal to the value of the SAVINGS SERVICE, as calculated by the ACTUARY shall be added to the amount in either (i) or (ii) above.";

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(xxxv) by the substitution for Rule 4.1 in Annex A of the following:

"4.1 **Retirement on reaching the STATUTORY RETIREMENT AGE**

A B-MEMBER who has reached his STATUTORY RETIREMENT AGE shall retire from SERVICE on his STATUTORY RETIREMENT DATE with an annuity calculated at 1/50th of his PENSIONABLE EMOLUMENTS multiplied by the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE plus the ADDITIONAL ANNUITY AMOUNT.";

(xxxvi) by the substitution for Rule 4.2 in Annex A of the following:

"4.2 **Retirement after reaching the STATUTORY RETIREMENT AGE**

If a B-MEMBER who reaches his STATUTORY RETIREMENT AGE remains in the SERVICE of the EMPLOYER, he shall remain a B-MEMBER of the FUND and further contributions by and for him shall be made to the FUND. Such MEMBER shall retire from SERVICE upon reaching the age of seventy-five years at the latest, with the annuity calculated in terms of Rule 4.1, based on his PENSIONABLE EMOLUMENTS and by the sum of the B-MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his actual retirement from SERVICE. In exceptional cases the age of seventy-five years may be extended, in which case the other provisions of this Rule shall apply *mutatis mutandis.*";

(xxxvii) by the substitution for Rule 4.4 in Annex A of the following:

"**BENEFITS ON DISABILITY**

4.4 (1) Subject to the provisions of subrule (2), a B-MEMBER who becomes disabled before reaching his STATUTORY RETIREMENT AGE shall retire from SERVICE with an annuity

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calculated in terms of Rule 4.1; provided that, for this purpose, the B-MEMBER'S RETIREMENT SERVICE shall be increased with two thirds and the B-MEMBER'S SAVINGS SERVICE shall be increased by one third of the shortest of the following periods:

(i) One third of the sum of the B-MEMBER'S actual RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of the MEMBER'S retirement from SERVICE as a result of disability.

(ii) The period between the date of his retirement as a result of disability and his STATUTORY RETIREMENT DATE.

(iii) Five years.

(2) A B-MEMBER who becomes disabled before reaching his STATUTORY RETIREMENT AGE as a result of an injury arising out of and in the course of his employment, shall retire with an annuity calculated in terms of Rule 4.1; provided that the B-MEMBER'S RETIREMENT SERVICE be increased with two thirds and the SAVINGS SERVICE by one third of the period between the date of his retirement and a date five years beyond his STATUTORY RETIREMENT DATE; provided that the board be satisfied that the value of such benefits is not less than the value of the benefits that would in such a case have been applicable to the MEMBER on 30 September 1991, but based on his PENSIONABLE EMOLUMENTS and the sum of the B-MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his retirement from SERVICE.

(3) A B-MEMBER who retires as a result of disability shall become a PENSIONER for purposes of the STATUTES and shall be entitled to the benefits and subject to the conditions applicable to PENSIONERS of the FUND.";

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(xxxviii) by the substitution for Rule 4.5 in Annex A of the following:

"BENEFITS ON DEATH OF MEMBER

4.5 (1) Subject to the provisions of subrule (2), the FUND shall pay the following benefits if a B-MEMBER dies before reaching his STATUTORY RETIREMENT AGE:

(i) a GRATUITY of—

(a) Once the MEMBER'S PENSIONABLE EMOLUMENTS at the time of his death if the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years' and he leaves a DEPENDANT;

(b) the MEMBER'S benefit in terms of Rule 4.8 if the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years' and he does not leave a DEPENDANT;

(c) five times the annuity calculated in terms of Rule 4.4(1) if the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is at least ten years;

(ii) a PENSION to a QUALIFYING WIDOW of one half of both his PROSPECTIVE PENSION and the ADDITIONAL ANNUITY AMOUNT.

(2) If a B-MEMBER dies before reaching his STATUTORY

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RETIREMENT AGE as a result of an injury arising out of and in the course of his employment, the FUND shall pay the following benefits:

(i) a GRATUITY of a total of—

(a) five times the ADDITIONAL ANNUITY AMOUNT; and

(b) five times the annuity contemplated in Rule 4.4(2) but excluding the ADDITIONAL ANNUITY AMOUNT; provided that the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE shall be increased by the period between the date of his death and a date five years beyond his STATUTORY RETIREMENT DATE; provided further that the latter period shall be increased by the factor 1,264873;

(ii) An annuity to a qualifying widow of half of the annuity defined in Rule 4.4(2):

Provided further that the Board is satisfied that the value of the benefits in subrules (i) and (ii) is not less than the value of the benefits that would in such a case have been applicable to the MEMBER on 30 September 1991, but based on the MEMBER'S PENSIONABLE EMOLUMENTS and the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his death.

(3) The provisions of subrule (1) and (2) shall apply mutatis mutandis to a B-MEMBER who dies after reaching his STATUTORY RETIREMENT DATE, but before retiring from SERVICE in terms of Rule 4.2.";

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(xxxix) by the substitution for Rule 4.7(1) in Annex A with the following:

"(1) If the services of a B-MEMBER are terminated by the EMPLOYER as a result of the abolition of his post or a reorganisation of the EMPLOYER'S activities, the following benefits shall be paid to the MEMBER;

(i) If the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is less than ten years : a gratuity calculated at 20,67 per cent of the MEMBER'S PENSIONABLE EMOLUMENTS at that stage multiplied by the period of the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE.

(ii) If the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE is ten years or longer: an annuity as calculated in terms of Rule 4.4(1). The MEMBER shall become a PENSIONER for purposes of the STATUTES at the date of termination of his services and shall become entitled to benefits and subject to the conditions applicable to PENSIONERS of the FUND.";

(xxxx) by the substitution for N in Rule 4.8(1) in Annex A of the following:

"N is the MEMBER'S period of Vested Service;";

(xxxxi) by the substitution for Rule 4.8(2) in Annex A of the following:

"(2) R x Z x N x D, increased by 2,5 per cent of the said amount for each completed year of the sum of the MEMBER'S RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE, where the said symbols

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have the same meanings as set out in subrule (1), save that in the case of n and d, the reference to qualifying service shall be a reference to pensionable service subject to the provisions of rule 4.10(7).";

(xxxxii) by the addition of (3) to Rule 4.8 in Annex A as follows:

"(3) plus the value of the SAVINGS SERVICE, as calculated by the ACTUARY shall be added to the amount in either (1) or (2) above.";

(xxxxiii) by the substitution for Rule 5.1 in Annex A of the following:

"5.1 **Retirement on reaching the STATUTORY RETIREMENT AGE**

A C-MEMBER who has reached his STATUTORY RETIREMENT AGE shall retire from SERVICE on his STATUTORY RETIREMENT DATE with an annuity calculated at 1/50th of his AVERAGE TERMINAL SALARY multiplied by the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE.";

(xxxxiv) by the substitution for Rule 5.2 in Annex A of the following:

"5.2 **Retirement after reaching the STATUTORY RETIREMENT AGE**

If a C-MEMBER who reaches his STATUTORY RETIREMENT AGE is requested by the EMPLOYER to remain in his SERVICE, and the C-MEMBER agrees, he shall remain a C-MEMBER of the FUND and further contributions shall be made by and for him to the FUND. Such MEMBER shall retire from SERVICE upon reaching the age of 70 years at the latest, with a PENSION as set out in rule 3.1.1, based on his AVERAGE TERMINAL SALARY and the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE at the date of his actual retirement from SERVICE.";

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(xxxxv) by the substitution for Rule 5.4(3) in Annex A of the following:

"(3) If a C-MEMBER has retired as a result of disability, and subsequently rejoins the service of the EMPLOYER and again qualifies for membership of the FUND, he shall cease to be a PENSIONER and shall become a C-MEMBER of the FUND. On such rejoining, the MEMBER shall become entitled to benefits applicable to C-MEMBERS: Provided that any subsequent annuity be based on his full period of the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE in the FUND with exclusion of the period during which he was disabled. If the MEMBER had converted a portion of his annuity to a gratuity in terms of Rule 6.3, the period of the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE shall be reduced in consideration thereof on a basis as determined by the ACTUARY.";

(xxxxvi) by the substitution for Rule 5.7(1)(i) in Annex A of the following:

"(1)(i) If the period of QUALIFYING SERVICE of such MEMBER is less than ten years, a GRATUITY calculated at 10 per cent of his AVERAGE TERMINAL SALARY multiplied by the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE.";

(xxxxvii) by the substitution for Rule 5.7(1)(ii)(e) in Annex A of the following:

"(1)(ii)(e) It shall lapse if a C-MEMBER, who is entitled to a deferred annuity in terms of this Rule is re-employed and rejoins the FUND as a C-MEMBER. In such a case the period of the sum of his RETIREMENT SERVICE, SAVINGS SERVICE and VESTED SERVICE rendered by the MEMBER before the date of termination of his services shall be recognised as pensionable service for purposes of the STATUTES.";

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(xxxxviii) by the substitution for Rule 5.8 in Annex A of the following:

"5.8 If a C-MEMBER resigns or his services with his EMPLOYER are terminated and he does not become entitled to benefits provided for elsewhere in the RULES, he shall receive a GRATUITY calculated at 7,5 per cent of his average terminal salary on termination of his services multiplied by the sum of his VESTED SERVICE plus the value of his SAVINGS SERVICE as calculated by the ACTUARY.";

(xxxxix) by the substitution for Rule 7.1 in Annex A of the following:

"7.1 If a B-MEMBER'S SERVICE is terminated in terms of Rules 4.1 to 4.4 or 4.7(1)(ii), or if a C-MEMBER'S SERVICE is terminated in terms of Rules 5.1 to 5.4 or 5.7(1)(ii) or (iii), , the TRUSTEES may, at the request of the B-MEMBER or C-MEMBER, convert up to the maximum amount permissible in terms of the Income Tax Act, 1962, being not more than one-third of his pension based on VESTED SERVICE plus his pension based on his SAVINGS SERVICE into a GRATUITY. The amount of the GRATUITY shall be determined by the TRUSTEES after consultation with the ACTUARY. The amount of the PENSION payable to the MEMBER shall thereafter be reduced proportionally on a basis as determined by the ACTUARY."; and

(xxxxx) by the addition of Rule 10 to Annex A as follows:

"**10. Cash Withdrawals**

(a) With effect from the VESTED DATE, the MEMBER may request one payment in every tax year of assessment equal to the actuarial value, as determined by the ACTUARY, of some or all of the SAVINGS SERVICE, subject to any limitations imposed by the Income Tax Act.

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(b) Any such withdrawal will result in a reduction in the MEMBER'S SAVINGS SERVICE, as determined by the ACTUARY.

(c) The value of such withdrawal before taking into account any reasonable charges or transaction costs, may not be less than R2000 or such amount as per legislation.

(d) The benefit paid to the MEMBER will be subject to tax as determined in terms of the Income Tax Act.

(e) Where a MEMBER'S employment is terminated in any year of assessment and such MEMBER has already taken such cash withdrawal from the SAVINGS SERVICE in that tax year of assessment and the actuarial value of the SAVINGS SERVICE, as determined by the ACTUARY, is less than R2000, or such amount as per legislation, such MEMBER may be allowed a second withdrawal equal to the actuarial value, as determined by the ACTUARY, of the total SAVINGS SERVICE.

(f) Where a MEMBER'S employment is terminated in any year of assessment and such MEMBER has already taken such cash withdrawal from the SAVINGS SERVICE in that tax year of assessment and the actuarial value of the MEMBER'S SAVINGS SERVICE, as calculated by the ACTUARY, is more than R2000, or such amount as per legislation, such amount shall be transferred to a similar component in the fund to which the MEMBER'S RETIREMENT SERVICE is transferred.".

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Certified that the above resolution has been adopted in accordance with the provisions of the Rules of the Fund.



Chairperson of Trustees



Trustee



Principal Officer

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Certified that the above amendments are financially sound.

Petrus Johannes Geldenhuis

.....

Actuary to the Fund



.....

Signature

BSC, FASSA, FFA

.....

Qualifications

MAY 2024 SG

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 5504 **01 November 2024**

MARINE LIVING RESOURCES ACT, 1998
(ACT NO. 18 OF 1998)

DRAFT POLICY ON THE ALLOCATION AND MANAGEMENT OF RIGHTS TO OPERATE FISH PROCESSING ESTABLISHMENTS AND
THE DRAFT POLICY FOR THE TRANSFER OF COMMERCIAL FISHING RIGHTS

I, Dr Dion Travers George, Minister of Forestry, Fisheries and the Environment hereby publish for comment the Draft Policy on Allocation and Management of Rights to Operate a Fish Processing Establishment and the Draft Policy on the Transfer of Commercial Fishing Rights (collectively the Draft Policies), as set out in the Schedule hereto.

The Draft Policies guide the Minister or Delegated Authority in the exercise of their powers to grant a right to operate a fish processing establishment in terms of section 18 of the Marine Living Resources Act, 1998 (MLRA) or to approve the transfer of a right in terms of section 21 of the MLRA. The Draft Policies have been reviewed to provide more clarity on certain issues and address implementation challenges.

The socio-economic impact assessment study for the Draft Policy on the Transfer of Commercial Fishing Rights and the exemption certificate for the Draft Policy on Allocation and Management of Rights to Operate a Fish Processing Establishment are available for download from the Department's website at **http://www.environment.gov.za/index.php/FisheriesManagementFRAP2020-21SEIAS** and may also be requested via email by sending an email to **FRAPSEIAS_2020@dffe.gov.za**

Any person who wishes to comment on the draft policies may submit written comments to the Department in the following manner:

By post: Department of Forestry, Fisheries and the Environment
Attention: Deputy Director: **Fisheries Policy and Rights Administration**
Private Bag X2, VLAEBERG
8018
By hand: 4th Floor Foretrust Building, Martin Hammerschlag Way, Foreshore, Cape Town
By email: **FRAPpolicycomments@environment.gov.za**

Telephone queries – **Mr Msimelelo Mdledle – 066 471 1473/ 084 304 0170**

All written comments must be received by the Department within 30 calendar days of the publication of this notice in the *Government Gazette* or the publication of the related notice in the newspaper, whichever is the later date.

Comments received after this time may be disregarded.



DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

1. DRAFT POLICY ON ALLOCATION AND MANAGEMENT OF RIGHTS TO OPERATE A FISH PROCESSING ESTABLISHMENT

2. THE DRAFT POLICY ON THE TRANSFER OF COMMERCIAL FISHING RIGHTS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DRAFT POLICY FOR THE TRANSFER OF COMMERCIAL FISHING RIGHTS: 2024

THIS DRAFT POLICY MUST BE READ WITH THE GENERAL POLICY ON THE ALLOCATION OF COMMERCIAL FISHING RIGHTS: 2021 AND THE APPLICABLE FISHERY SPECIFIC POLICIES (available at www.dffe.gov.za)

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DEFINITIONS

"applicant" or "**transferor**" means a holder of a commercial fishing right issued in terms of section 18 of the Marine Living Resources Act that lodged an application for approval to transfer that commercial fishing right;

"family" means a societal group that is related by blood (kinship), adoption, foster care or the ties of marriage (civil, customary or religious), civil union or cohabitation, and goes beyond a particular physical residence;

"fronting" means a deliberate circumvention or attempted circumvention of the Broad-Based Black Economic Empowerment Act NO. 53 of 2003 as amended (B-BBEE Act and the Codes of Good practice under section 9(1) of the B-BBEE Act, issued by Notice 1019 in Government Gazette 36928 of 11 October 2013, and as amended by general notices published subsequently and the Government Gazette. It includes reliance on data or claims of compliance based on misrepresentations of facts, whether made by the party claiming compliance or by any other person;

"Minister" means the minister responsible for fisheries;

"people with disabilities" means people who have a long-term or recurring physical or mental impairment which substantially limits their prospects of entry into, o advancement in, employment;

"**person**" includes a natural or juristic person;

"right holder"- means a person that has been granted a commercial fishing right;

"same community" means the same fishing zone or area within which the transferor and the transferee have proven historical involvement in fishing, to an extent that both the transferor and the transferee remain part of the same community**;**

"South African person" means—

(a) a South African citizen according to the South African Citizenship Act, 1995 (Act No. 88 of 1995);

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(b) a company registered in terms of the Companies Act, 2008 (Act No. 71 of 2008) of which the majority of shareholders, as prescribed by the Minister, are South African persons;

(c) a close corporation in terms of the Close Corporation Act, 1984 (Act No. 69 of 1984) of which the majority of members are South African persons; or

(d) a Trust in which—

i. the majority of trustees having the controlling power at any given time are South African citizens; or

ii. a majority of the beneficial interests are held by South African citizens.

"transfer" includes the following:

(a) the division or transfer of part of a right.

(b) the transfer of a right and

(c) the transfer of a shareholding or member's interest in a right holder which results in a change in control within the right holder;

"transferee" means a person to whom a commercial fishing right is being transferred by the transferor.

ACRONYMS

MLRA	Marine Living Resources Act, 1998 (Act No. 18 of 1998)
TAC	Total Allowable Catch
TAE	Total Applied/Allowable Effort

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INTRODUCTION

1.1 Section 21 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) (MLRA) permits a commercial fishing right to be leased, divided or otherwise transferred with the approval of the Minister. For convenience, the relevant part of section 21 is quoted below:

"*21. Commercial fishing. —*

(1) Subject to the provisions of the Act, a commercial fishing right may be leased, divided or otherwise transferred.

(2) An application to transfer a commercial fishing right or part thereof shall be submitted to the Minister in the manner that the Minister may determine, and subject to the provisions of this Act and any applicable regulation, the Minister may, in writing, approve the transfer of the right or part thereof…."

1.2 In terms of section 79(1) of the MLRA, the Minister may, upon conditions that he or she deems fit, delegate any or all the powers conferred upon him or her in terms of the MLRA to the Director-General of an officer of the Department nominated by the Director-General. At the time of publication of this Policy, this delegation was granted to the Deputy Director-General: Fisheries Management (Delegated Authority).

1.3 This policy is intended to guide the application and approval process for the transfer of a commercial fishing right in terms of section 21 of the MLRA. It sets out the principles, objectives, criteria and management processes that will govern the transfer of commercial fishing rights.

1.4 This Policy is issued by the Minister and is called the Policy for the Transfer of Commercial Fishing Rights: 2024 (Transfer Policy).

1.5 The Transfer Policy repeals and replaces the Policy for the Transfer of Commercial Fishing Rights: 2009.

1.6 The Transfer Policy must be read in conjunction with the MLRA, the regulations published in terms of the MLRA; the General Policy on the Allocation of Commercial Fishing Rights: 2021 (General Policy) and relevant Sector Specific Policies.

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1.7 The Transfer Policy must, as far possible, be interpreted in a manner which is consistent with the MLRA and all other relevant regulations and policies. In the event of a discrepancy between this Policy and the MLRA or regulations published thereunder, the legislation takes precedence.

1.8 The provisions of the Transfer Policy will take precedence in the event of any conflict between the provisions of the General Policy and sector specific policies insofar as they relate to the transfer of a commercial fishing right.

2. EFFECTIVE DATE

2.1 This policy will be effective from the date it is published by the Minister in the Government Gazette for final implementation.

3. MONITORING AND EVALUATION OF THE POLICY

3.1 In order to ensure the effectiveness of the Transfer Policy to address: (**a**) the social and economic needs of the fishing industry, (**b**) affected fishers, and (**c**) the ecological sustainability of the implicated resources, the Department will monitor and evaluate the impact of the Transfer Policy by instituting a number of formal performance measuring exercises for the duration of the allocated period in the various fishing sectors where fishing rights have been allocated. It is envisaged that the Department may institute several performance measuring exercises as and when required.

4. PURPOSE

The main purpose of the Transfer Policy is to:

4.1 Outline the manner in which an application for transfer of a commercial fishing right should be submitted and evaluated in order to provide guidance, ensure consistency in the process, as well as compliance with the legal framework; and

4.2 outline the principles that seek to prevent, amongst other things, the:

4.2.1 dilution of transformation in the fishing industry,

4.2.2 the undue concentration of rights (i.e. monopoly) into the hands of one entity; and

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4.2.3 fronting.

5. OBJECTIVES

The objectives of this policy are to:

5.1 guide the decision-making process in respect of applications received with a view to give effect to the principles enshrined in section 2 of the MLRA;

5.2 outline restrictions on the transfer of commercial fishing rights;

5.3 ensure that the transfer of commercial fishing rights, where possible, facilitates broadening of economic opportunities and participation in the fishing industry to enable inclusive economic growth;

5.4 maintain or improve the transformation profile of the fishing sectors attained through the rights allocation process and/or through transfer of commercial fishing rights;

5.5 promote transformation, economic development and poverty alleviation in South Africa.

6. APPLICATION, SCOPE AND PRINCIPLES OF THE POLICY

6.1 This policy is only applicable to the transfer of commercial fishing rights or parts thereof.

6.2 This policy is also applicable to applications for the transfer of shares and members' interests in a company or close corporation respectively that result in change in control of that entity or result in the right holder entity being less transformed. This policy is not applicable to a change in minority shareholding or members' interests; to applications for a conversion from a close corporation to a company or a name change.

6.3 This policy does not deal with the transfer of exemptions. Exemptions are not transferable.

6.4 This Policy is not applicable to the transfer of Small-Scale fishing rights, mariculture (marine aquaculture) rights or fish processing establishments rights.

7. GENERAL PRINCIPLES

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7.1 No applicant shall be favoured or prejudiced in considering his or her or its application for the transfer of a commercial fishing right.

7.2 All applications will be considered on the basis of their own merit and will be subject to the requirements and procedure set out in this Transfer Policy read with the relevant legislation and application form.

7.3 The Department may subject an application for a transfer of a commercial fishing right to the same criteria that were used during the assessment and evaluation of applications for the allocation of commercial fishing rights in the particular fishing sector to which the transfer relates.

7.4 The Department may subject the Applicant, Transferee and / or the information submitted in an application for the transfer to forensic verification prior to making a recommendation on the application to the Minister or Delegated Authority. Where required, the Applicant/Transferor will be obliged to participate or cooperate with such verification process, failing which the application may be rejected.

7.5 No application for transfer will be considered unless all the requirements for the transfer as set out in section 10 of this Policy have been met. Any request for deviation from the requirements listed in this Transfer Policy must be included and motivated in the application.

7.6 The Department will not process and decide on a transfer application while there are pending fisheries related legal proceedings involving either the Applicant/Transferor or Transferee as the outcome of these proceedings may have an impact on the proposed transfer (e.g. in terms of MLRA, the Criminal Procedure Act and Prevention of Organised Crime Act**).**

7.7 To ensure healthy competitive behaviour in the fishing industry and that commercial fishing rights are not concentrated in the hands of one or more entities resulting in monopoly in the particular fishing sector, the Department will require the following transactions to be subjected to evaluation by Competition Commission as an additional requirement and a favourable report should be obtained:

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7.7.1 Applications arising out of an amalgamation, merger and acquisition; where the Right Holder holds the highest allocation in the fishing sector and seeks to acquire an additional allocation through a section 21 process;

7.7.2 the right holding entity intends to acquire majority shares in other right holding entities either in a single or multiple transactions; and

7.7.3 where the decision-maker deems it necessary to subject an application for evaluation by Competition Commission.

7.8 In the case of individual applicants, family members in the same household may not be granted more than one right in the West Coast Rock Lobster (Nearshore), Traditional Linefish, Netfish and KZN Beach Seine fishing sectors so as to broaden access to these resources.

7.9 Applicants are required to disclose their relationship with other right holders in the West Coast Rock Lobster (Nearshore), Traditional Linefish, Netfish and KZN Beach Seine fisheries as well as in other commercial fisheries.

7.10 If more than one family member of the same household applies for a transfer of a right, the Department may determine who the preferred right holder will be with due regard to the objectives and criteria set out in this policy.

7.11 In the case of individuals, a right may only be transferred to the spouse/ partner, dependent or a person in the same community and/or fishing zone. In exceptional circumstances, consideration will be given to transferring the right to a person not in the same community and/or fishing zone, provided such person has proven historical involvement in the fishing industry and would have scored the same or higher on transformation criteria as the right holder.

8. CONDITIONS OF TRANSFERS

8.1 Subject to any alternative specified period contained in a specific policy, aright transfer is not permitted within the first three (3) years of being granted and/or within the last two (2) years before the right expire, save for in exceptional circumstances where the transfer will not

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undermine the rights allocation process, and the objectives of the MLRA and the sector specific fisheries policies. Consideration will be given to the following instances:

8.1.1 an application for the transfer from a Right Holder company or close corporation which is has been placed in liquidation or business rescue;

8.1.2 an application arising from the execution of a court order;

8.1.3 an application motivated by corporate restructuring and/ or scaling down of non-core activities;

8.1.4 in a case of an individual Right Holder- death, sequestration or incapacitation.

8.2 A transfer application must in addition to all the other criteria detailed below, also demonstrate that it does not pose a paper quota holder or fronting risk.

9. TRANSFER PROCEDURE

9.1 The transfer application forms will be made available by the Department.

9.2 Both the Applicant/Transferor and the Transferee will be required to jointly complete the application form and submit in a manner determined by the Department.

9.3 The Department will consider a transfer application only if all lodgement requirements have been met. These include the following:

9.3.1 The correct application form has properly been completed;

9.3.2 the application has been submitted in the manner determined by the Department;

9.3.3 both the Applicant/Transferor and Transferee (or their authorised representatives) have signed the application form;

9.3.4 where an Applicant/Transferor and/or Transferee is represented a signed and dated letter of authorisation must be attached to the application. This letter must not be older than three (3) months;

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9.3.5 all supporting documents must be certified by a Commissioner of Oaths and the certification date must be no more than three (3) months prior to the date of submission of the application;

9.3.6 the application fee has been paid and proof of payment of the application fee is attached to the application form.

10. CRITERIA APPLICABLE TO TRANSFER OF COMMERCIAL FISHING RIGHT

10.1 When evaluating an application for a transfer between entities, the Department will consider the following:

10.1.1 Whether the Applicant/Transferor and Transferee were authorised to submit the application. For example, where the Applicant/Transferor and Transferee is a corporate entity or is otherwise represented, the application must be accompanied by proof of authorisation to make such application;

10.1.2 where a legal entity is involved that entity must be properly registered in accordance with the relevant legislation;

10.1.3 the Transferee must be a South African person as defined in section 1 of the MLRA which definition is repeated in this Transfer Policy for convenience;

10.1.4 whether the transfer will maintain or improve the transformation profile (colour, race, gender, disability and age, etc) of the affected fishing sector, and/ or the degree to which the percentage of TAC and/or TAE is held by historically disadvantaged persons;

10.1.5 whether the transfer will result in economic transformation, development and secure employment. As far as possible the transfer must seek to retain employees of the transferred right holder on terms and conditions not less favourable to the employees than those on which they were employed by the Applicant/Transferor for the duration of the right;

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10.1.6 the transfer will result in broadening of access to a fishing sector(s) and the inclusion of historically disadvantaged persons within entities;

10.1.7 whether the transfer will result in a consolidation of rights;

10.1.8 whether the transfer will result in a consolidation of rights which will result in a monopoly and/or oligopoly of the fishing industry/sector by certain persons;

10.1.9 compliance by the Transferor and/or Transferee with all the tax obligations;

10.1.10 the compliance history of the Transferor and Transferee including:

10.1.10.1 whether the Applicant/Transferor or Transferee or any of its members, shareholders or directors have been convicted of contravention of the MLRA, regulations, or conditions of a right or permit in the preceding ten years;

10.1.10.2 whether the Applicant/Transferor or Transferee have had assets forfeited to the State in respect of a violation of a provision of the MLRA or regulations, including a condition of its right or permit, in the preceding ten years;

10.1.10.3 whether the Applicant/Transferor or Transferee have had a fishing right or permit cancelled or revoked during the preceding ten years;

10.1.10.4 whether the Applicant/Transferor and/or Transferee (where applicable) is in arrears with any levies, licence fees or other payments;

10.1.10.5 whether the Applicant/Transferor or Transferee (where applicable) have outstanding catch returns or other documentation required by the Department in terms of the applicable permit conditions, MLRA or regulations;

10.1.10.6 the likelihood that the Applicant/Transferor or Transferee is a paper quota holder or a front;

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10.2 When evaluating an application between individuals, the Department will consider the following:

10.2.1 whether the Transferee is a South African person as defined in section 1 of the MLRA;

10.2.2 whether the proposed transfer of the commercial fishing right will maintain or improve the transformation profile (colour, race, gender, disability and age, etc) of the fishing sector, and/or the degree to which the percentage of TAC and/or TAE held by historically disadvantaged persons will change and/or give effect to the objectives of the MLRA;

10.2.3 the Transferee will be required to demonstrate that he or she will be personally involved in the fishery. The Transferee will be required to actively participate in the harvesting of the resource and/or the business operations. Where the Transferee is incapable of participating due to a permanent physical disability, such Transferee will be exempted from this requirement. Consideration will be given to females who may not personally be involved in the harvesting of the resource by being physical on board of the nominated vessel but who are dependant on the fishery for their livelihood;

10.2.4 Applicant/Transferor and Transferee are in good standing with their Tax obligations;

10.2.5 whether the Applicant/Transferor and Transferee has not been convicted of contravention of the MLRA, or Regulations, or permit conditions during the duration of commercial fishing right that is being transferred in the preceding ten years;

10.2.6 whether the Applicant/Transferor and Transferee has not had an asset forfeited to the State for a violation of a provision of the MLRA, the regulations or a term or condition of its permit or right in the preceding ten years;

10.2.7 whether the Applicant/Transferor and Transferee has not had a fishing right or permit cancelled or revoked during the duration of the current and/ or previous fishing rights periods;

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10.2.8 whether the Applicant/Transferor and Transferee is not in arrears with any levies, licence fees or other payments and does not have outstanding catch returns or other documentation required by the Department in terms of the applicable permit conditions or the Department's legal framework;

10.2.9 whether the Applicant/Transferor and Transferee (where applicable) has no outstanding catch returns or other documentation required by the Department in terms of the applicable permit conditions, MLRA or regulations;

10.2.10 an application is not from a paper quota Applicant/Transferor and Transferee as defined in the General Policy.

10.2.11 whether the Transferor and the Transferee are from the same household or family and the Transferee is dependent on fishing for his or her livelihood;

10.2.12 the Transferee's historical involvement in the fishing industry (confirmation letter/s from marketer/s, processor/s, vessel owner/s who held permits or licenses issued in terms of the MLRA at the time of the Transferee's involvement in fishing, etc.) and is dependent on fishing for his or her livelihood; and

10.2.13 whether the Transferee has access to a suitable vessel in that the vessel that is nominated by the Transferee meets the vessel requirements that are prescribed in the General Policy and the relevant Sector Specific Policy in which the right is being transferred. In the fisheries where management employs controls on effort to limit fishing mortality, the Department will give consideration to manage effort creep which may increase risk of hyperstability, over-estimation to stock biomass and under estimation of fishing mortality. In doing so, the Department will take into account the relevant effort management prescripts as enshrined in the General Policy, the Sector Specific Policy, and the fisheries management documents which include but not limited to approved submissions on determination of the total allowable catch (TAC), total applied (allowable) effort (TAE), or a combination thereof in terms of section 14 of the MLRA and the permit conditions for a relevant fishing sector.

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10.3 In the event that there are incomplete supporting documents, Applicants will be notified of this and afforded fourteen (14) working days to provide such outstanding documents. Failure to comply with such request will result in the Application not being processed further, the application will be returned, and applicants will be required to submit a new application.

10.4 If an Applicant/Transferor or Transferee submits falsified or misleading information or documentation or concealed material information, the Department may institute legal proceedings (civil and/or criminal) and proceedings in terms of section 28 of the MLRA.

11. PRINCIPLES APPLICABLE TO TRANSFER OF SHARES/MEMBERS' INTEREST

11.1 Approval for transfer of a commercial fishing right is required:

11.1.1 If more than half of the issued shares capital (in the case of a company) or more than 50% of members' interests (in the case of a close corporation) are transferred in a single transaction within the right holding entity this is considered a transfer.

11.1.2 If the minority shares or members' interests transferred within the right holding entity since the allocation of the right that have accumulated over time to more than 50%, this will be considered a change in control and a transfer.

11.2 In evaluating applications arising from a change in control the following will be considered:

11.2.1 The change in shareholding/members' interest relating to race, youth, gender and people with disability in the right holding entity;

11.2.2 the number (percentage) of shares/ members' interest to be sold;

11.2.3 whether the entity or person acquiring the shares/ members' interest is an existing commercial fishing Right Holder and if so in which sector;

11.2.4 the investment of the transferee entity or person acquiring the shares/members' interest in the fishing industry;

11.2.5 if the entity or person acquiring the shares or members' interest is a holder of a commercial fishing right, its/his or her fishing performance for that commercial fishing right will be considered;

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11.2.6 performance of the entity or person acquiring the shares/members' interest;

11.2.7 whether or not there is evidence that the Transferee will be a 'paper quota' and not become directly involved in the catching, processing and/or marketing of the fish caught.

11.2.8 whether or not there is evidence that the Transferee is not a "front" as defined in the General Policy 2021.

11.2.9 if the transfer of shares or members' interest results in the entity being less transformed as at the date of allocation, in addition to the above stated factors listed in paragraph 11.2.1 to 11.2.9, the Department will consider the degree to which the transformation of the Transferee and the black ownership of the Total Allowable Catch (TAC) and Total Allowable Effort (TAE) will change should the transfer be approved;

11.3 The transfer of majority shares or members' interest will not result in the new majority shareholder or member having the commercial fishing right being transferred into his/her/its name. The commercial fishing right will remain in the name of the right holding entity which was originally allocated a fishing right for the purposes of the Department's records and permitting processes. In other words, the Transferee will not replace the Right Holder by way of a transfer of majority of shares or members' interest.

11.4 In the case where shareholding or members' interest within a right holding entity is owned by a legal entity and shares/ members' interests are transferred in that legal entity but do not result in a change in control of that legal entity, right holders will be required to submit a notification of change in shareholding/ members' interests.

11.5 If the transfer of shares/members' interest does not fall within the listed scenarios set out in paragraph 11.1.1, 11.1. 2 and 11.1.3 the Right Holder will still be required to complete a notification form informing the Department of the change so that it can be recorded and acknowledged. The notification together with supporting documents as determined in it must be submitted to the Department within thirty (30) days of such change.

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11.6 The Department acknowledges that given the nature and the operations of Right Holders trading in the platform of Johannesburg Stock Exchange, as well as the challenges and practicalities of having to comply with reporting of shares traded up to a stipulated threshold. The Department in ensuring that it exercises its power to monitor and evaluate conformity with legislative prescripts in this regard will put in place a temporal arrangement where these Right Holders will be required to submit annual reports detailing all the shares traded in that particular financial year. Amongst others, the report should cover the BBBEE status and ownership of shares by South African persons within the entity throughout the reporting period. The purpose of this is to collect data of the shares traded in that platform which will then place the department at a position to set a yardstick or threshold for reporting of shares. Just the same, these Right Holders are strongly encouraged to take proactive action in ensuring that even with the nature of their business the objectives of the MLRA are adhered in that transformation is achieved.

12. APPLICATION FOR CONVERSION OF ENTITIES AND NAME CHANGE

12.1 Where an application for a name change of a legal entity or straight conversion from a close corporation to a company does not involve a change in shareholding and/or members' interest, the Right Holder is required to complete the relevant form notifying the Department of such a change and supply all supporting documents in that regard for the Department to update its records.

12.2 In circumstances where there will be change in majority shareholding/ members' interest in addition to the name change or conversion, then the application will also be considered in terms of applicable paragraphs in section 11 above.

12.3 Failure to comply with the provisions of section 21 of the MLRA or any provision of this policy may result in the institution of legal proceedings (civil or criminal), including but not limited to proceedings in terms of section 28 of the MLRA.

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13. DURATION OF TRANSFERRED RIGHTS

A commercial fishing right or part thereof transferred in terms of section 21 of the MLRA will only be valid for the remainder of the original period for which a commercial fishing right is valid.

14. FEES

14.1 Fees payable for the transfer of a commercial fishing right or a part thereof or for the applications of change in shareholding and/or members' interest will be payable in accordance with the most recent Fees Government Gazette Notice published in terms of section 25 of the MLRA.

14.2 The application fee for the transfer of a commercial fishing right or part thereof or for the applications of change in shareholding and/or members' interest is non-refundable, except where there are reasonable grounds for a refund.

15. APPEAL OF DECISIONS

In terms of Section 80 of the MLRA, any affected person may appeal to the Minister against a decision taken by any person acting under a power delegated in terms of this Act. As permitted by section 80 of the MLRA, an aggrieved person may exercise his or her or its right and appeal decisions taken by the Delegated Authority under this Policy.

16. MANAGEMENT AND ADMINISTRATION OF THE TRANSFERRED RIGHT

16.1 The transferred commercial fishing right or part thereof will be subject to the fisheries management and administration provisions as described in each of the commercial Fisheries Sector-Specific Policies and the General Policy.

17. MULTI-SECTOR INVOLVEMENT

The policy does not preclude or discourage the transfer of commercial fishing rights to or from applicants holding fishing rights in more than one fishery. However, due consideration will be given by the Department to prevent or avoid concentration of rights into the hands of a few companies which may result in monopoly and/or oligopoly.

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18. FRONTING

18.1 The Department shall take reasonable steps to prevent fronting from occurring. The Department may request verification or investigation on any matter, including the correctness of information provided by the Applicant(s).

18.2 Applicants must co-operate with the terms and conditions of the investigation, by timeously submitting responses to written requests for information or explanations, attending meetings with investigators, answering questions satisfactorily at such meetings, and where necessary, by granting investigators access to shareholders, employees, premises, vessels and documents. Failure to co-operate with the investigation, may constitute an independent ground for refusal of the application.

18.3 In terms of section 82 of the MLRA, the Department may order an enquiry into any matter identified. The Applicant/Transferor must fully co-operate with the enquiry as lack of cooperation from any of the parties will negatively affect the evaluation of the application. Failure to co-operate may constitute an independent ground for refusing the application.

APPROVAL SIGNATURE



NAME: DR D T GEORGE

DESIGNATION: MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 7/10/2024

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DRAFT POLICY ON THE ALLOCATION AND MANAGEMENT OF RIGHTS TO OPERATE FISH PROCESSING ESTABLISHMENTS: 2024 (available at www.dffe.gov.za)

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DEFINITIONS

"close corporation" means close corporation in terms of the Close Corporations Act, (Act No. 69 of 1984), of which the majority of members are South African persons;

"company" means a company registered in terms of the Companies Act, (Act No. 71 of 2008), of which the majority of shareholders, as prescribed by the Minister, are South African persons;

"corporate entity" means a close corporation, company, trust or Cooperative registered under Cooperatives Act (Act No. 14 of 2005);

"fish processing establishment" means any vehicle, vessel, premises or place where any substance or article is produced from fish by any method, including the work of cutting up, dismembering, separating parts of, cleaning, sorting, lining and preserving of fish, or where fish are canned, packed, dried, gutted, salted, iced, chilled, frozen or otherwise processed for sale in or outside the territory of the Republic;

"MLRA" means the Marine Living Resources Act (Act No. 18 of 1998);

"NRCS certificate" means a certificate issued by the National Regulatory for Compulsory Specifications (NRCS) for approval of products that have met the requirements of applicable compulsory specifications.

"right" means a right to operate Fish Processing Establishment granted in terms of section 18 of the MLRA";

"Right Holder" means a person who holds a right acquired in terms of section 18 of the MLRA;

"**SAMSA"** means South African Maritime Safety Authority;

"South African citizen" means a South African citizen in terms of the South African Citizenship Act, 1995 (Act No. 88 of 1995);

"the Department" means the Department of Forestry, Fisheries and the Environment;

"the Minister" for Department of Forestry, Fisheries and the Environment; and

"the 2021: General Policy" means the General Policy on the Allocation of Commercial Fishing Rights: 2021.

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1. INTRODUCTION

1.1. This policy on the allocation and management of rights to operate fish processing establishments ("FPEs") is issued by the Minister for the Department of Forestry, Fisheries and the Environment ("the Minister"). It shall be referred to as the "*Fish Processing Establishment Policy: 2024*" ("FPE Policy").

1.2. The Department administers the Marine Living Resources Act, 1998 (Act 18 of 1998) ("the MLRA"), regulations promulgated thereunder, and policies issued by the Minister.

1.3. The FPE Policy must be read in conjunction with the MLRA; regulations under the MLRA; the General Policy on the Allocation and Management of Fishing Rights: 2021 ("the 2021: General Policy"); other relevant Sector Specific Policies, including the Policy for the Small-Scale Fisheries Sector in South Africa: 2012 and the Policy for the Transfer of Commercial Fishing Rights: 2024. This policy must, as far as possible, be interpreted in a manner which is consistent with the MLRA, and all other relevant regulations and policies. In the event of a discrepancy or conflict between this policy and the MLRA or regulations published thereunder, the legislation takes precedence.

1.4. The FPE Policy sets out objectives, criteria and considerations that will guide the evaluation, allocation, and management of rights to operate fish processing establishments. This policy will thus guide the Delegated Authority in taking decisions on applications received in this sector.

1.5. The provisions of this FPE Policy will take precedence in the event of any conflict between the provisions of the 2021 General Policy and sector specific policies insofar as they relate to fish processing activities.

2. DESCRIPTION OF THE SECTOR

2.1. In terms of section 18(1) of the MLRA, no person is permitted to operate an FPE unless a right to do so has been granted by the Minister or person to whom this power has been delegated in terms of section 79 of the MLRA.

2.2. Section 13 of the MLRA expands on section 18 and provides that no person shall exercise any right granted in terms of section 18 or perform any other activity in terms of the MLRA unless a permit has been issued by the Minister to such person to exercise that right or perform that activity.

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2.3. Accordingly, in order lawfully to process fish a person is required to hold a right to operate an FPE and a valid permit issued in terms of section 13 of the MLRA. An exception to this is where an exemption has been granted in terms of section 81 of the MLRA and in that instance, such exempted activities must take place subject to the conditions of that exemption, if any.

2.4. Section 1 of the MLRA defines an FPE to mean any vehicle, premises or place where any substance or article is produced from fish by any method, including the work of cutting up, dismembering, separating parts of, cleaning, sorting, lining and preserving of fish, or where fish are canned, packed, dried, gutted, salted, iced, chilled, frozen or otherwise processed for sale in or outside the territory of the Republic of South Africa. A fish product is defined to mean any product, whether in a processed form or not, wholly, or partially derived from fish.

2.5. By regulating the operation of FPEs, the Department sought to curb the processing of fish that had been caught in contravention of the MLRA, without necessarily resulting in unintended over regulation or causing difficulties with the enforcement of the MLRA.

2.6. Given the broad definition of an FPE as contained in the MLRA, the Delegated Authority, acting in terms of section 81 of the MLRA, exempted certain categories of persons undertaking certain activities involved in the processing of fish as defined, from the requirement to obtain a permit and right as required by sections 13 and 18 of the MLRA. This exemption was issued on 18 September 2017 and published in GN. 1395 of 15 December 2017 ("Exemption"). Despite the Exemption, the Department having received several queries from persons involved in the drying of legally caught and purchased fish, is accordingly in the process of withdrawing and updating the Exemption to include specific conditions and to provide clarity on the exact categories that are exempted. The amended exemption, once issued, must be read together with this policy and applicable sector specific permit conditions.

3. CURRENT RESOURCE USERS AND TRANSFORMATION PROFILE OF THE SECTOR.

There are currently approximately 346 (138 land-based, 198 vessel-based and a combination 10 of land based and vessel-based) right/exemption holders across the country. Currently 68% of right holders in this sector are black-owned.

4. OBJECTIVES

4.1. The objectives and principles of allocating rights are set out in section 2 of the MLRA, and include, *inter alia*, the following:

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4.1.1. the need to utilise marine living resources to achieve economic growth, human resource development, capacity building within fisheries and mariculture branches, employment creation and a sound ecological balance consistent with the development objectives of the national government;

4.1.2. the need to promote equitable access to and involvement in all aspects of the fishing industry and, in particular, to rectify past prejudice against women, the youth and persons living with disabilities;

4.1.3. the need to recognise approaches to fisheries management which contribute to food security, socio-economic development and the alleviation of poverty;

4.1.4. achieve optimum utilisation and ecologically sustainable development of marine living resources;

4.1.5. the need to apply precautionary approaches in respect of the management and development of marine living resources;

4.1.6. the need to minimise marine pollution; and

4.1.7. any relevant obligation of the national government or the Republic in terms of any international agreement or applicable rule of international law.

5. GRANTING OF RIGHTS

5.1. General

5.1.1. Rights to operate FPEs are not allocated in respect of a shared resource and, as such, FPE rights can instead be seen as statutory permission to process fish for a specified period of time and subject to the conditions of that right. As such, it is open to a person to apply for an FPE right at any time and is not a competitive process.

5.1.2. FPE rights are granted in terms of section 18 of the MLRA. Unless otherwise determined by the Minister, only South African persons may acquire or hold such rights. Once granted, a right is valid from the date of allocation for a period specified in that right which may not exceed 15 years, whereafter the right will automatically terminate and revert to the State.

5.1.3. It is also worth noting that in terms of section 16 of the MLRA the Minister may suspend any fishing in any fishery or any specified part of it or impose restrictions to address a

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state of emergency which would, in turn, affect processing operations.

5.1.4. In terms of section 28 of the MLRA, the institution of proceedings to cancel, revoke, suspend, alter or reduce the right and/ or permit may be initiated if the holder of the right or permit:

a) "has furnished information in the application for that right, licence or permit, or has submitted any other information required in terms of this Act, which is not true, or complete;

b) contravenes or fails to comply with a condition imposed in the right, licence or permit;

c) contravenes or fails to comply with a provision of this Act;

d) is convicted of an offence in terms of this Act; or

e) fails to utilise that right, licence or permit".

5.2. **Form of Right Holder**

5.2.1. Section 18 of the MLRA provides that only South African persons may acquire or hold rights.

5.2.2. Having regard to the nature of operations the following South African persons will be considered for rights to operate FPEs:

5.2.2.1. A citizen (individual) as defined in terms of the South African Citizenship Act, 1995 (Act No. 88 of 1995);

5.2.2.2. A company where the majority of shareholders, as prescribed by the Minister, are South African persons;

5.2.2.3. Close corporation of which the majority of members are South African persons;

5.2.2.4. A trust in which the majority of trustees having the controlling power at any given time are South African citizens or a majority of the beneficial interests are held by South African citizens; and

5.2.2.5. A Co-operative registered in terms of the Co-operatives Act, 2005 (Act No. 14 of 2005), of which all the members of the co-operative who are natural persons are

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South African citizens and any member that is a juristic person has its registered office and principal place of business in the Republic.

5.3. **Conflict of interest**

Section 8 of the Public Administration Management Act 11 of 2014, states that "Conducting business with State (1) In this section and in section 9, ''employee'' includes persons contemplated in section 12A of the Public Service Act and a person performing similar functions in a municipality, (2) An employee may not (a) conduct business with the State; or (b) be a director of a public or private company conducting business with the State".

In addition, Regulation 13(c) states that "an employee shall not conduct any business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in schedule 2 and 3 of the Public Finance Management Act". Accordingly, an FPE application received from an entity where its member, director or shareholder is the employee of any organ of state will be declined, as will any application for a permit in terms of section 13 of the MLRA to exercise a right that may have been granted.

5.4. **Duration of the right**

The duration of rights will be determined by the Minister or Delegated Authority up to a maximum of 15 years.

5.5. **Transfer of rights allocated in terms of this policy**

5.5.1. Rights in this sector may not be transferred and the Policy for the Transfer of Commercial Fishing Rights (Government Gazette No 32449, 31 July 2009), or any updated versions, and consequently section 21 of the MLRA, are therefore not applicable.

5.5.2. In the event that it is intended that the fish processing business is purchased or otherwise taken over by another person including a juristic person with a different name and registration number, that person must apply for a new FPE right and permit and meet the criteria contained in this policy read with any applicable application form.

5.5.3. Where an FPE right holder is a corporate entity, shares or members' interests may be transferred or sold without the permission of the Delegated Authority. However, where such FPE right holder also hold a right in another commercial fishing sector, that commercial fishing right will be subject to the provisions of the Transfer Policy.

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5.6. **Multi-sector involvement**

Applicants for the allocation of FPE rights will not be precluded from applying if they hold rights in other local commercial/small scale fishing sectors. This means that any person can apply for a right in any fishery sector regardless of whether the applicant has applied for a right or holds a FPE right, and vice versa.

6. APPLICATION FOR AN FPE RIGHT

FPE application forms will be available from, and must be completed through, a designated FRAP FPE online portal. An IP address/ link of the online portal will be communicated.

7. EVALUATION CRITERA

Applications for the allocation of rights in the FPE sector will be screened in terms of a set of "exclusionary criteria".

7.1. **Exclusionary criteria**

In addition to the criteria described in the 2021: General Policy pertaining to the lodgment of the applications and material defects, the Delegated Authority will exclude applicants that fail to meet the following requirements/criteria

i. An applicant will be excluded, if it, a member, a director, a trustee, or a shareholder (where such shareholding or members interest exceeds 10%) or skippers of the applicant has been convicted of a serious transgression of the MLRA (without the option of the payment of a fine) during the preceding ten (10) years.

ii. An applicant will also be excluded, if it, a member, a director, a trustee, or shareholder (where such shareholding or members interest exceeds 10%) had any fishing right cancelled or revoked in terms of the MLRA. For these purposes a natural person will be treated as having had rights cancelled or revoked if that person was a shareholder, a member, a director, or a trustee of an entity which had a right cancelled or revoked.

iii. An applicant will also be excluded, if any of its Directors, Trustees, Senior Management, Shareholders or Members (where such shareholding or members interest exceeds 10%) or Skippers' fishing vessel, motor vehicle, premises or assets been detained, arrested or seized

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under the MLRA or restrained, preserved, confiscated or forfeited under the Prevention of Organised Crime Act 121 of 1998 during the preceding ten (10) years.

7.2. **Factors to be considered when FPE right is evaluated.**

7.2.1. **Access to a suitable vessel-based Fish Processing Establishment**

"An applicant for a vessel based FPE will be required to demonstrate ownership of a suitable vessel for the processing of fish. In the case where the applicant is a part-owner of the nominated vessel, consent needs to be obtained from the other part owner(s) to prevent multiple rights."

7.2.2. **Vessel suitable for processing of fish must meet the following criteria:**

i. Commercially registered with the South African Maritime Safety Authority ("SAMSA");

ii. South African flagged;

iii. South African owned; and

iv. Valid NRCS certificate to process fish using the method and species stated in the FPE application for a right.

7.2.3. **Access to a suitable land-based Fish Processing Establishment**

An applicant for a land-based FPE will be required to demonstrate access to suitable premises by means of a valid lease agreement or title deed and any other relevant documents will demonstrate access to suitable premises.

7.2.4. **Compliance**

Whether a member, a director, a trustee, or a shareholder (where such shareholding or members interest exceeds 10%) or skippers of the applicant has been convicted of a minor transgression of the MLRA (i.e. the option of a fine as opposed to direct imprisonment) during the preceding ten (10) years.

7.3. **Environmental Authorisation**

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If an applicant in the Aquaculture sector or wild capture fisheries is advised that an environmental authorisation is required for the activity, such applicant must register the Directorate: Sustainable Aquaculture Management of the Department as an interested and affected party and should forward all environmental impact reports for comments to the Directorate: Sustainable Aquaculture Management.

7.4. **Health and Safety Authorisation**

7.4.1. The Regulations published in Government Notice No. R918 of 1999 in terms of the Health Act, 1977 (Act No. 63 of 1977), set out certain general hygiene requirements for food premises and the transport of food. In terms of these Regulations, a certificate of acceptability for food premises is required before a person is authorised to handle food on such premises.

7.4.2. An applicant is required to apply in writing to the Health Services section of the local municipality in whose area of jurisdiction the food premises and or FPEs, where applicable, are situated for a certificate of acceptability. A certificate of acceptability must accompany the application to operate an FPE.

7.5. **Coastal waters discharge permit**

Section 69 of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (ICM Act) requires a person to obtain a coastal waters discharge permit prior to discharging effluent which originates from land into coastal waters. If this discharge will take place, a copy of the coastal waters discharge permit or application to obtain one must be submitted with the application.

7.6. **Environmental and land use planning laws**

An FPE must in all respects comply with all relevant and applicable environmental laws and land use planning laws, including by-laws of the municipality governing the area in which the FPE is located, and any conditions attached to any statutory approval or authorisation applicable to the FPE. A failure to do so may, amongst others, result in the Department implementing proceedings under section 28 of the MLRA.

7.7. **Valid SARS tax clearance certificate**

An applicant is required to declare the financial status of the business with the South African

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Revenue Services (SARS). A valid SARS tax clearance certificate must accompany the application.

8. DECISIONS

The Delegated Authority shall, after making its decision on an application, inform the applicant of the decision together with the reasons, therefore.

9. PAYMENT OF APPLICATION FEES

9.1. Applicable fees have been published in Government Gazette No.33518, volume No. 795, 10 September 2010, separately in terms of section 25 of the MLRA. 5.3.2 Applicants must pay the Application Fee to the Marine Living Resources Fund before the submission of their Application Form and proof of payment must be submitted with the Application Form when applying for a right.

8.2. An FPE application fee is non-refundable, except where there are reasonable grounds for a refund. Banking details are as follows:

Account Holder: Marine Living Resources Fund
Bank Name: First National Bank
Account Number: 62123256382
Branch Code: 210554
Reference Number: [Applicant must insert the commercial fishing right application number]

10. MANAGEMENT AND ADMINISTARTION MEASURES

FPE rights allocated in terms of this policy will be subjected to the fisheries management and administration provisions i.e. permit conditions and the relevant sector specific policies.

11. MONITORING AND EVALUATION OF THE POLICY

11.1. In order to ensure the effectiveness of the 2024: FPE Policy in addressing the social and economic needs of the fishing industry and affected fishers and the ecological sustainability of

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the resources, the Department will monitor and evaluate the policy by instituting a number of formal performance measuring exercises. It is envisaged that the Department may institute several performance measuring exercises as and when required.

11.2. Research and ongoing monitoring by both the Department and stakeholders will play an important role in identifying gaps, weaknesses and flaws in the policies and the implementation thereof. South Africa has not been immune from the negative impacts of climate change on fisheries resources and communities who depend on fisheries for their livelihoods. The impacts of climate change may be addressed through adoption of adaptation and mitigation measures in the sector. Research and ongoing monitoring by both the Department and stakeholders will play an important role in identifying gaps, weaknesses and flaws in existing fisheries policies and management measures.

11.3. In line with the Food and Agriculture Organization of the United Nations's Code of Conduct for Responsible Fisheries, South Africa has published the National Plan of Action for the Conservation and Management of Sharks (NPOA-Sharks) and the National Plan of Action for Reducing the Incidental Catch of Seabirds in Longline Fisheries (NPOA-Seabirds). In order to achieve the optimum utilisation and ecological sustainable development of marine living resources, South Africa will implement the National Plans of Action to ensure that the ecosystem is protected, and fishing strategies are consistent with the principles of biological sustainability and rational long-term economic use. These Plans of Action will be reviewed from time to time to assess their implementation and to identify cost-effective strategies for increasing their effectiveness.

11.4. The Department will provide useful, reliable and timely feedback on the effectiveness of the policy to all relevant stakeholders.

12. PERMIT CONDITIONS

Permit conditions for this sector will be issued annually. The permit conditions will be determined after consultation with right holders in this sector and will be revised as and when necessary, with due regard to the laws at the time such permits are issued.

13. EFFECTIVE DATE

This policy will take effect on the date of publication in the *Gazette.*

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14. APPEAL OF DECISION

In terms of Section 80 of the MLRA, any affected person may appeal to the Minister against a decision taken by any person acting under a power delegated in terms of this Act. As permitted by section 80 of the MLRA, an aggrieved person may exercise his or her or its right and appeal decisions taken by the Delegated Authority under this Policy.

15. REPEAL

This policy repeals all previous Policies on the Allocation of Rights to Operate Fish Processing Establishment and will be the exclusive Policy on Allocation of Rights to Operate Fish Processing Establishments informing the rights allocation process.



NAME: DR D T GEORGE

DESIGNATION: MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DATE: 7/10/2024

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DEPARTMENT OF HEALTH

NO. 5505 **01 November 2024**

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972

(ACT NO. 54 OF 1972)

REGULATIONS RELATING TO MAXIMUM LEVELS OF MYCOTOXINS IN FOODSTUFFS

The Minister of Health intends, in terms of Section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), to make the Regulations in the Schedule.

Interested persons are invited to submit substantive comments, within three months of the publication of this Notice, any comments or representations on the proposed draft Regulations to the Director-General: Department of Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Director: Food Control) or by e-mail to foodcontrol@health.gov.za.

DR P.A MOTSOALEDI, MP

MINISTER OF HEALTH

DATE: 31/9/2024

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SCHEDULE

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have that meaning and unless the context indicates otherwise: -

"further processing" means intended to undergo an additional processing or treatment that has been proven to reduce levels of mycotoxins before being used as an ingredient in foodstuffs, otherwise processed or offered for human consumption;

"Maximum Level (ML)" means the maximum concentration of a substance permitted based on the edible content of the foodstuff, unless otherwise specified in the Regulations.

"milk" means milk as defined in the relevant Regulations published under the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"**ready-to-eat"** means not intended to undergo an additional processing or treatment to reduce levels of mycotoxins before being used as an ingredient in foodstuffs, otherwise processed or offered for human consumption; and

"**the Act**" means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

Contaminated food

2. (1) (a) For the purpose of section 2 (1) (b) (i) of the Act, foodstuffs listed in column II of the Table of the Annexure are deemed to be contaminated, impure, or are deemed to be harmful or injurious to human health, when they contain the mycotoxin in column I in amounts exceeding the corresponding level in column iv when measured using accredited analytical method.

(b) Other internationally ratified analytical methods may be used as alternative or complementary methods, provided that their implementation provides an equivalent level of public health protection.

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(2) A person may not sell a foodstuff with levels that exceed the maximum level of mycotoxins prescribed by these Regulations, unless stipulated otherwise in other relevant national regulations or unless otherwise specified.

(3) The foodstuffs listed in column II of the Annexure include foodstuff as defined in the relevant Codex Standards and the applicable Regulations unless otherwise specified.

Sampling

3. (1) The sampling methods must be in accordance with the methods specified in the latest:

(a) Codex Recommended Methods of Analysis and Sampling CXS 193-1995; and

(b) Codex General Standard for Contaminants and Toxins in Food and Feed CXS 193-1995.

Repeal

4. Regulations governing tolerances for fungus-produced toxins in foodstuffs published under Government notice No. R. 1145 of 8 October 2004; Regulations governing tolerances for fungus-produced toxins in foodstuffs published under Government notice R.751 of 17 July 2009, and Regulations governing tolerances for fungus-produced toxins in foodstuffs amendment published under Government notice No. 987 of 05 September 2016, are hereby repealed.

Commencement

5. These Regulations comes into operation 12 months after the date of publication.

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Short title

6. These Regulations are called Regulations Relating to the Maximum Levels of Mycotoxins in Foodstuffs, 2024.

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ANNEXURE

Table 1: Maximum Levels of Mycotoxins in Foodstuffs

Mycotoxins	Foodstuff	Notes/Remarks	ML (µg/kg or µg/L)
Aflatoxins, Total (B1+B2+G1+G2)	Almonds (whole commodity)	Ready-to-eat	10
	Almonds (whole commodity)	Intended for further processing	15
	Brazil nuts (shelled)	Ready-to-eat.	10
	Brazil nuts (shelled)	Intended for further processing	15
	Hazelnuts (whole commodity)	Ready-to-eat	10
	Hazelnuts (whole commodity)	Intended for further processing	15
	Peanuts	Intended for further processing	15
	Pistachios (whole commodity)	Ready-to-eat	10
	Pistachios (whole commodity)	Intended for further processing	15
	Dried figs (whole commodity)	Ready-to-eat	10
	All other foodstuffs not specified (Ready-to-eat)	Of which Aflatoxin B1 is not more than 5µg/kg	10
	Maize grain	Destined for further processing	15
	Flour meal, semolina and flakes derived from maize		10
	Husked rice (whole commodity)		20
	Polished rice (whole commodity)		5
	Sorghum grain (whole commodity)	Destined for further processing	10

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Mycotoxins	Foodstuff	Notes/Remarks	ML (µg/kg or µg/L)
	Cereal-based food for infants and young children	Whole commodity as sold; not reconstituted or otherwise prepared for consumption	5
	Chilli pepper, nutmeg (dried/dry)	Whole/Powder/Crushed/Ground	20
Aflatoxin M1	Milk		0.5
Deoxynivalenol (DON)	Cereal-based foods for infants and young children	As sold; not reconstituted or otherwise prepared for consumption	200
	Flour, meal, semolina and flakes derived from wheat, maize or barley		1 000
	Cereal grains (wheat, maize and barley)	Destined for further processing	2 000
Fumonisins (B1+B2)	Raw maize grain (whole commodity)		4 000
	Maize flour and maize meal		2 000
Ochratoxins A	Wheat (whole commodity)		5
	Raw Barley		5
	Raw Rye		5
	Chilli pepper, paprika, nutmeg (dried/dry)	Whole/Powder/Crushed/Ground	20
Patulin	Apple juice (Excludes concentrated juice)		50

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DEPARTMENT OF HEALTH

NO. 5506 **01 November 2024**

REGULATIONS RELATING TO THE USE OF FOOD ADDITIVES IN FOODSTUFFS IN TERMS OF THE FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 No. OF 1972)

The Minister of Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) to make Regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed draft Regulations, to the Director-General of Health, Private Bag X828, Pretoria, 0001 or foodcontrol@health.gov.za (For the attention of the Director: Food Control), within three months of the date of publication of this Notice.

DR. PAKISHE AARON MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 30/9/2024

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SCHEDULE

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates: –

"acidity regulator" means a food additive, which controls the acidity or alkalinity of a foodstuff;

"anticaking agent" means a food additive, which reduces the tendency of components of foodstuff to adhere to one another;

"antifoaming agent" means a food additive, which prevents or reduces foaming;

"antioxidant" means a food additive, which prolongs the shelf-life of foodstuffs by protecting against deterioration caused by oxidation;

"bleaching agent" means a food additive (non-flour use) used to decolourise foodstuff;

"bulking agent" means a food additive, which contributes to the bulk of a foodstuff without contributing significantly to its available energy value;

"carbonating agent" means a food additive used to provide carbonation in a foodstuff;

"carrier" means food additive used to dissolve, dilute, disperse, or otherwise physically modify a food additive or nutrient without altering its function (and without exerting any technological effect itself) in order to facilitate its handling, application or use of the food additive or nutrient;

"colour" means a food additive, which adds or restores colour in a foodstuff;

"colour retention agent" means a food additive, which stabilises, retains, or intensifies the colour of a foodstuff;

"emulsifier" means a food additive, which forms or maintains a uniform emulsion of two or more phases in a foodstuff;

"emulsifying salt" means a food additive, which, in the manufacture of processed food, rearranges proteins in order to prevent fat separation;

"firming agent" means a food additive, which makes or keeps tissues of fruit or vegetables firm and crisp, or interacts with gelling agents to produce or strengthen a gel;

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"flavour enhancer" means a food additive, which enhances the existing taste and/or odour of a foodstuff;

"flour treatment agent" means a food additive, added to flour or dough to improve its baking quality or colour;

"foaming agent" means a food additive, which makes it possible to form or maintain a uniform dispersion of a gaseous phase in a liquid or solid foodstuff;

"food additive" means any substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food is for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result (directly or indirectly), in it or its by-products becoming a component of or otherwise affecting the characteristics of such foods, and does not include contaminants or substances added to food for maintaining or improving nutritional qualities;

"gelling agent" means a food additive, which gives a foodstuff texture through the formation of a gel;

"glazing agent" means a food additive, when applied to the external surface of a foodstuff, imparts a shiny appearance, or provides a protective coating;

"GSFA" means the latest version of the Codex General Standard for Food Additives as adopted by the Codex Alimentarius Commission;

"humectant" means a food additive, which prevents food from drying out by counteracting the effect of a dry atmosphere;

"ingredient" means any substance including food additives used in the manufacture or preparation of a foodstuff;

"maximum use level (ML)" means the highest concentration of the additive determined to be functionally effective in a foodstuff;

"packaging gas" means a food additive gas, introduced into a container before, during or after filling with food to protect the foodstuff from oxidation or spoilage;

"preservative" means a food additive, which prolongs the shelf-life of a foodstuff by protecting against deterioration caused by microorganisms;

"propellant" means a food additive gas, which expels a foodstuff from a container;

"raising agent" means a food additive or a combination of food additives, which liberates gas and thereby increases the volume of a dough or batter;

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"sequestrant" means a food additive, which controls the availability of a cation;
"stabiliser" means a food additive, which makes it possible to maintain a uniform dispersion of two or more components;
"sweetener" means a food additive (other than mono- or disaccharide sugar), which imparts a sweet taste to a foodstuff;
"thickener" means a food additive, which increases the viscosity of foodstuff; and
"**the Act**" means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972).

Application

2. These Regulations apply to the following food additives: -

(a) acidity regulator,
(b) anticaking agent,
(c) antifoaming agent,
(a) antioxidant,
(b) bleaching agent,
(c) bulking agent,
(d) carbonating agent,
(e) carrier,
(f) colour,
(g) colour retention agent,
(h) emulsifier,
(i) emulsifying salt,
(j) firming agent,
(k) flavour enhancer,
(l) flour treatment agent,
(m) foaming agent,
(n) gelling agent,
(o) glazing agent,
(p) humectant,
(q) packaging gas,
(r) preservative,
(s) propellant,

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(t) raising agent,
(u) sequestrant,
(v) stabiliser,
(w) sweetener and
(x) thickener in foodstuffs.

Requirements for use of food additives in foodstuffs

3. (1) For the purposes of section 2(1) (a) (i) of the Act, to the extent that it is applied, and applicable to foodstuffs-

(a) a food additive must conform to the applicable specifications of identity and purity as recommended by the Codex Alimentarius Commission or, in the absence of such specifications, with appropriate specifications developed by responsible national or international bodies; and
(b) in terms of safety, food grade quality is achieved by conformance of food additives to their specifications as a whole (not merely with individual criteria) and through their production, storage, transport, and handling in accordance with GMP.

(2) No person shall sell a food additive, or a foodstuff containing a food additive as an ingredient, other than a food additive referred to in these Regulations.

(3) No foodstuff containing a food additive as an ingredient shall exceed the maximum use level, taking into consideration accompanying notes, as specified in the General Standard for Food Additives (GSFA) in such a foodstuff.

(4) In the case where the food additive provision is attached to a specific note in the Codex GSFA which allows the Codex member to limit the use of the food additive, (e.g., Note 477 or 478,) the use of such food additive must be permitted at the ML specified in the GSFA unless otherwise specified by these Regulations or in any national legislation.

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(5) The food category system of the GSFA, used for assigning food additive provisions in these Regulations, is applicable to all foodstuffs; and it shall not be applied for legal product designations or labelling purposes.

(6) The food additives in these Regulations include, where applicable, the food additives and the ML thereof as specified in the relevant Codex commodity standards.

(7) No foodstuff listed in column I of the Annexure shall contain a food additive with a technological function listed in column II.

Carry-over of food additives into foods

4. (1) A food additive may be present in a food as a result of carry-over from a raw material or ingredient used to produce the foodstuff, provided that-

(a) A food additive is acceptable for use in the raw materials or other ingredients according to these Regulations;

(b) The amount of the food additive in the raw materials or other ingredients does not exceed the ML specified in these Regulations; and

(c) The foodstuff into which the food additive is carried over does not contain the food additive in greater quantity than would be introduced by the use of raw materials, or ingredients under good manufacturing practice.

(2) Unless otherwise specified, the carry-over of a food additive from a raw material or ingredient is not permitted for foodstuff belonging to the following food categories:

(a) Infant formulae, follow-up formulae, and formulae for special medical purposes for infants; and

(b) complementary food for infants and young children.

(3) For the purposes of this regulation, **"Good Manufacturing Practice"** (GMP)" means-

(a) the quantity of the food additive added to foodstuff is limited to the lowest possible level necessary to accomplish its desired effect;

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(b) the quantity of the food additive that becomes a component of foodstuff as a result of its use in the manufacturing, processing, or packaging of a food and not intended to accomplish any physical, or other technical effect in the foodstuff itself, is reduced to the extent reasonably possible; or

(c) the food additive is of appropriate food-grade quality and is prepared and handled in the same way as a food ingredient.

Repeal of laws

5. (a) Regulations relating to Preservatives and Antioxidants published under Government Notice No. R. 965 of 3 June 1977, as amended by Government Notice No. R. 2355 of 5 November 1982, Government Notice No. R. 2298 of 26 October 1984, Government Notice No. R. 225 of 7 February 1986, Government Notice No. R. 1884 of 4 September 1987, Government Notice No. R. 2379 of 12 October 1990, Government Notice No. R. 2139 of 30 August 1991, Government Notice No. R. 70 of 15 January 1993, Government Notice No. R. 1142 of 4 August 1995, Government Notice No. R. 1745 of 1 November 1996, Government Notice No. R. 1295 of 16 October 1998, Government Notices No. R. 60 of 28 January 2009, Government Notices No. R. 1124 of 20 October 2017;

(b) Regulations relating to Miscellaneous Additives in Foodstuffs published under Government Notice R.1425 of 17 November 2016 and Government Notice R.1426 of 18 November 2016;

(c) Regulations relating to Food Colourants published under Government Notice R. 1008 of 21 June 1996 as amended by Government Notice R.1055 of 3 September 1999; and

(d) Regulations 1,2,3,4,5,6,7,8 and 9 of the Regulations relating to the use of sweeteners in foodstuffs published under Government Notice R. 733 of 10 September 2012;

are hereby repealed.

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Commencement

6. (1) These Regulations come into operation 12 months after the date of publication hereof.

(2) Subject to the provisions of sub-regulation (1), foodstuffs manufactured on or before the date of commencement of these Regulations are exempted from the requirements of these Regulations.

Short title

7. These Regulations are called Regulations Relating to the Use of Food Additives in Foodstuffs, 2024.

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Annexure

Foodstuff	Food additive
Foodstuff intended for infants and young children	Colour, sweetener
Plain bread	Colour, sweetener
Fruit juices	Colour
Other unflavoured foodstuffs	Colour, sweetener
Other unprocessed foodstuffs	Colour, sweetener
Non-energy-reduced foodstuffs or non-sugar-reduced foodstuffs	Sweetener

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DEPARTMENT OF HEALTH

NO. 5507 **01 November 2024**

REGULATIONS RELATING TO MILK AND DAIRY PRODUCTS IN TERMS OF SECTION 15 (1) OF THE FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, (ACT NO 54 OF 1972): AMENDMENT

The Minister of Health hereby, in terms of Section 15(1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972, make the regulations contained in the Schedule.

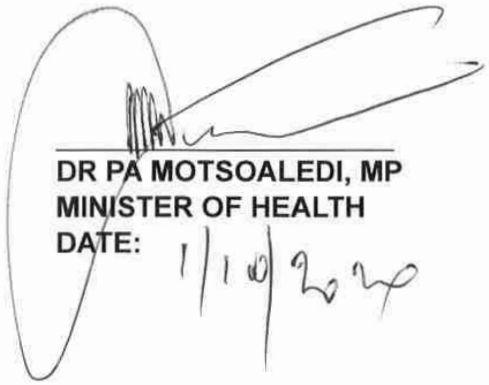
SCHEDULE

Definitions

1. In these Regulations "the Regulations" means the regulations published by Government Notice R.1555 of 21 November 1997, as corrected by Government Notice No. R.1278 of 29 October 1999 and amended by Government Notice No.R.53 of 28 January 2000, No. R.755 of 28 July 2000, No. R837 of 25 August 2000, No. R.1052 of 27 October 2000, No. R.489 of 5 June 2001, No. R.866 of 15 August 2008, No. R.1262 of 31 December 2010, No. R.

Amendment of Annexure C of the Regulations

2. The regulations are hereby amended by the deletion of Zeerust from Annexure C of the Regulations as an area where raw dairy products can be sold.



DR PA MOTSOALEDI, MP
MINISTER OF HEALTH
DATE: 1/10/2024

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 5508 **01 November 2024**

THE COMPETITION COMMISSION SOUTH AFRICA

EXTENSION OF THE CONDITIONAL EXEMPTION GRANTED TO MARANG AFRICA HEALTHCARE PROPRIETARY LIMITED

1. On 5 October 2020, Marang Healthcare Proprietary Limited ("Marang Health") filed an application for exemption ("the application") in terms of section 10 (3)(b)(ii) of the Competition Act 89 of 1998, as amended ("the Competition Act") to be exempted from certain provisions of chapter 2 of the Competition Act for a period of 10(ten) years. Marang Health is a wholly owned subsidiary of Marang Global Capital Proprietary Limited (Marang Global), which was established in 2015 as a financial advisory firm focused on healthcare investments, healthcare finance, and healthcare asset finance. Marang Health is a private company registered under South African laws.

2. The application for the exemption relates to the agreements and/or practices between Marang Health and Mediclinic Southern Africa Proprietary Limited ("Mediclinic") under the establishment of an operating company ("OpCo"), which will include the determination and negotiation of tariffs by Mediclinic on behalf of Marang Health and each of the Marang Health Hospitals. Marang Health also requested Mediclinic to manage and operate the OpCo, which includes negotiating and setting tariffs on behalf of Marang Health and each of Marang Health's hospitals.

3. The application filed by Marang Health was assessed and granted on 1 June 2021 and expired on 11 December 2022 (i.e., an 18-month exemption). The same exemption was extended on 09 December 2022 for a period of 18 months, ending on 10 June 2024. On 17 May 2024, Marang Health submitted a letter to the Commission requesting its exemption be extended by another 18 months. However, the Commission decided to extend the conditional exemption granted to Marang Health by three (3) months. The objective of the short-term extension was to enable Marang Health to submit information required by the Commission to assess the May 2024 extension request from Marang Health. Therefore, the conditional exemption granted to Marang Health will expire on 10 September 2024.

4. The Commission has assessed the information provided by Marang Health and has decided to extend the conditional exemption granted to Marang Health by eighteen (18) months, starting on 11 September 2024 and ending on 12 March 2026.

5. Marang Health is required to submit an update report to the Commission twelve (12) months after this latest extension. The report is to provide information on the process of concluding and/or finalising agreements with the Funders, Property Developers, Doctors, and Mediclinic.

6. Notice is hereby given in terms of Section 10(7) of the Competition Act regarding the Commission's decision to grant the extension of this exemption. The Applicants and any other person with a substantial material interest affected by this decision may appeal to the Competition Tribunal in the prescribed manner in terms of Section 10(8) of the Competition Act.

7. Any queries in this regard should be directed to:

Mamontshi Keleme
Market Conduct Division
Email: MamontshiK@compcom.co.za

Mr Tlabo Mabye
Market Conduct Division
Email: TlaboM@compcom.co.za

8. Kindly refer to the following case number: 2020Oct0008 when sending correspondences in relation to this Notice

PROCLAMATION 199 OF 2024

DETERMINATION OF AMOUNTS FOR PURPOSES OF THE MILITARY PENSIONS ACT, 1976 (ACT 84 OF 1976)

1. The Minister of Finance has, in terms of the provisions of sections 1 and 5 of the Military Pensions Act, 1976 (Act 84 of 1976), read with section 3 (2) of the Act, determined that, with effect from 1 April 2024—

   (a) for the purposes of formula I as defined in section 1 of the said Act, factor A of the said formula shall represent an amount—
   (i) mentioned in the Schedule; or
   (ii) the amount as determined by the Director-General to a minimum of **R 121 692.70** according to which one of the said amounts is the most advantageous to the member:

   (b) for the purposes of formula II, as defined in section 1 of the said Act, factor C of the said formula shall represent the amount of **R 18 164.52** and

   (c) the gratuity payable to the member who suffers from a pensionable disability which has in terms of the said Act been determined at 10 per cent or less shall be **R 12 111**;

   (d) the gratuity payable to a member who suffers from a pensionable disability which has in terms of the said Act been determined at more than 10 per cent but less than 20 per cent shall be **R24 218**.

2. All members who are in possession of a three-year bachelor's degree or a matriculation certificate and who have, immediately prior to 1 April 1998, received an amount as contemplated in paragraph 1 (a) of Government Notice No. R.1280 of 3 October 1997 shall receive an amount as set out in the Schedule.

3. Government Notice **No. 49937 of 22 December 2023** is hereby withdrawn.

Mr Enoch Godongwana, (LP)
Minister van Finansies

SCHEDULE OF ANNUAL PENSIONS

Percentage disablement	Basic pension	Matriculation certificate	Three- year bachelor's degree
100	109 429.78	112 381.42	121 692.70
90	98 486.38	101 143.18	109 523.02
80	87 544.51	89 905.75	97 354.87
70	76 600.48	78 666.76	85 184.68
60	65 657.97	67 429.17	73 015.89
50	54 715.46	56 191.34	60 847.10
40	43 771.68	44 952.24	48 676.80
30	32 829.05	33 714.53	36 507.65
20	21 885.78	22 476.18	24 338.46

PROKLAMASIE KENNISGEWING 210 VAN 2024

BETALING VAN BEDRAE VIR DOELEINDES VAN DIE WET OP MILITêRE PENSIOENE, 1976 (WET 84 VAN 1976)

1. Die Minister van Finansies het kragtens die bepalings van artikels 1 en 5 van die Wet op Militêre Pensioene, 1976 (Wet 84 van 1976), saamgelees met artikel 3 (2) van die Wet, met ingang van 1 April 2024—

   (a) vir die doeleindes van formule I, soos omskryf in artikel 1 van vermelde Wet, faktor A van bedoelde formule I, 'n bedrag voorstel—

      (i) die toepaslike bedrag volgens die Bylae; of
      (ii) die bedrag soos deur die Direkteur-generaal bepaal tot 'n minimum van **R 121 692.70** na gelang van watter een van sodanige bedrae vir die lid die voordeligste is;

   (b) vir die doeleindes van formule II, soos omskryf in artikel 1 van vermelde Wet, faktor C van bedoelde formule die bedrag van **R 18 164.52** voorgestel; en

   (c) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeskiktheid wat ingevolge vermelde Wet op 10 persent of minder vasgestel is, bedra **R 12 111;**

   (d) die gratifikasie betaalbaar aan 'n lid wat ly aan 'n pensioengewende ongeskiktheid wat ingevolge vermelde Wet op meer as 10 persent en minder as 20 persent vasgestel is, bedra **R 22 847**;

2. Alle lede wat in besit van 'n driejarige baccalaureusgraad of 'n matrikulasie sertifikaat is en wat onmiddellik voor 1 April 1998 'n bedrag bedoel in paragraaf 1 (a) van Goewermentskennisgewing No. R.1280 van 3 Oktober 1997 ontvang het, moet 'n bedrag soos uiteengesit in die Bylae ontvang.

3. Goewermentskennisgewing **No. 49937 of 22 Desember 2023 word** hierby herroep.

Mr Enoch Godongwana, (LP)
Minister van Finansies

SCHEDULE OF ANNUAL PENSIONS

Percentage disablement	Basic pension	Matriculation certificate	Three- year bachelor's degree
100	109 429.78	112 381.42	121 692.70
90	98 486.38	101 143.18	109 523.02
80	87 544.51	89 905.75	97 354.87
70	76 600.48	78 666.76	85 184.68
60	65 657.97	67 429.17	73 015.89
50	54 715.46	56 191.34	60 847.10
40	43 771.68	44 952.24	48 676.80
30	32 829.05	33 714.53	36 507.65
20	21 885.78	22 476.18	24 338.46

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2808 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**That portion of Durban, commonly known as 4 Ridgeview Road, Cato Manor**
Extent of property	:	**0, 0015 hectares**
Magisterial District	:	**eThekwini**
Administrative District	:	**KwaZulu-Natal**
Claimant	:	**Elizabeth Williams on behalf of the descendants of Sarah Simelane**
Date claim lodged	:	**30 December 1998**
Reference number	:	**KRN6/2/3/E/8/817/2716/4460**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2809 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**Erf No. 170 Malukazi**
Extent of property	:	**0, 0389 hectares**
Magisterial District	:	**Umbubulo**
Administrative District	:	**KwaZulu-Natal**
Claimant	:	**Busisiwe Annatoria Thenjwayo on behalf of the Thenjwayo Family**
Date claim lodged	:	**20 December 1998**
Reference number	:	**KRN6/2/2/E/44/0/0/29**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2810 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**A portion of the consolidated Portion 0 of Erf 8865 Kokstad, known before consolidation as a portion of the consolidated Portion 0 of Erf 8858 Kokstad, previously known as Portion 0 of Erf 28 Kokstad**
Extent of property	:	**0, 3849 hectares**
Magisterial District	:	**Mount Currie**
Administrative District:	:	**KwaZulu-Natal**
Current Title Deed No.	:	**T54093/2007**
Current Owner	:	**Rowbridge Inv 7 cc**
Bonds & Restrictive Conditions (Interdicts)	:	**B60720/2007**
Claimant	:	**Langham Lloyd Baqwa**
Date claim lodged	:	**28 May 1998**
Reference number	:	**KRN6/2/2/E/25/0/0/78**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2811 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**A portion of the consolidated Portion 0 (Remaining Extent) of the farm Willow No. 16454, known before consolidation as Sub 195 (of 121) of the farm Wilgefontein No. 869, previously known as Subdivision 73 of Subdivision A of the farm Wilgefontein No. 869**
Extent of property	:	**2, 0859 hectares**
Magisterial District	:	**Umgungundlovu**
Administrative District:	:	**KwaZulu-Natal**
Current Title Deed No.	:	**T24888/2009**
Current Owner	:	**Msunduzi Municipality**
Bonds & Restrictive Conditions (Interdicts)	:	**None**
Claimant	:	**Vinodchand Harry**
Date claim lodged	:	**31 December 1998**
Reference number	:	**KRN6/2/2/E/38/0/0/148**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2812 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**That portion of Durban, commonly known as Shack No. 38 Booth Road, Cato Manor**
Extent	:	**0, 0015 hectares**
Magisterial District	:	**eThekwini**
Administrative District	:	**KwaZulu-Natal**
Claimant	:	**Jeremiah Malati**
Date claim lodged	:	**28 December 1998**
Reference number	:	**KRN6/2/3/E/8/817/2716/4850**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

CONTINUES ON PAGE 130 OF BOOK 2

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at **www.gpwonline.co.za**

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 713 01 November November 2024 No. 51499

PART 2 OF 2

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ISSN 1682-5845
9 771682 584003 51499

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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2813 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**see attached schedule**
Extent of property	:	**see attached schedule**
Magisterial District	:	**Nongoma**
Administrative District	:	**KwaZulu-Natal**
Current Title Deed No.	:	**see attached schedule**
Current Owner	:	**see attached schedule**
Claimant	:	**Mkwiti Gideon Nkwanyana on behalf of Jutayta Nkwanyana, Ngolomiya Nkwanyana, Muhle Nkwanyane and Mangele Nkwanyana**
Date claim lodged	:	**27 March 1997**
Reference number	:	**KRN6/2/2/E/34/0/0/4**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2814 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**Lot 204 of Lot 92 of Mid-Wentworth of the farm Wentworth No. 860, now known as a Portion of the Remaining Extent of Portion 2 of Erf 1849 Wentworth**
Extent of property	:	**0, 0697 hectares**
Magisterial District	:	**eThekwini**
Administrative District:	:	**KwaZulu-Natal**
Current Title Deed No.	;	**T4289/1961 and T30733/1998**
Current Owner	:	**eThekwini Municipality**
Claimant	:	**Narusha Perumal on behalf of the Singh Family**
Date claim lodged	:	**29 December 1998**
Reference number	:	**KRN6/2/3/E/8/817/2582/117**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 2815 **01 November 2024**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**Portion 0 of the farm Nsumpane No. 8339**
Extent of property	:	**141, 9840 hectares**
Magisterial District	:	**Ixopo**
Administrative District	:	**KwaZulu-Natal**
Current Title Deed No.	:	**1. T16206/1987** **2. T16967/1985**
Current Owner	:	**1. Mbangowakhe Sithole** **2. Msivathi Sithole, Siscumu Sithole, Vali Sithole, Mdlebe Sithole and Paulus Sithole**
Bonds & Restrictive Conditions (Interdicts)	:	**VA773/1990-16206/1987T**
Claimant	:	**Thokozani Ernest Shabane**
Date claim lodged	:	**21 August 1997**
Reference number	:	**KRN6/2/2/E/16/0/0/31**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

NATIONAL TREASURY

NOTICE 2816 OF 2024

RATE OF INTEREST ON GOVERNMENT LOANS

It is hereby notified that the Minister of Finance has, in terms of Section 80(1)(a) and (b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), fixed the Standard Interest Rate applicable, from **1 November 2024** and until further notice, to loans granted by the State out of a Revenue Fund, and /or to all other debts which must be paid into a Revenue Fund, at eleven, fifty percent **(11,50%)** per annum.

The above-mentioned Standard Interest Rate is applicable from **1 November 2024** and until further notice, to all drawings of loans from State money, except loans in respect of which other rates of interest are specifically authorized by legislation or the Minister of Finance.

NON-GOVERNMENTAL ORGANIZATION

NOTICE 2817 OF 2024

NOTIFICATION: ENVIRONMENTAL AUTHORISATION IN TERMS OF REGULATION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 OF 1998): ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS (2014) FOR THE PROPOSED SEARCHER SEISMIC SURVEY BASIC ASSESSMENT PROJECT, LOCATED OFFSHORE EXTENDING FROM APPROXIMATELY 256KM OFFSHORE OF ST HELENA BAY TO 220KM OFFSHORE OF HONDEKLIP BAY, OFF THE WEST COAST, SOUTH AFRICA.

Notice is given in terms of the Environmental Impact Assessment (EIA) Regulations (Government Notice R982 as amended, promulgated under the National Environmental Management (Act 107 of 1998-NEMA)), that the above-mentioned project was granted an Environmental Authorisation on the 21 October 2024 by the Department of Mineral Resources for the following:

- Environmental Authorisation (EA) in accordance with the NEMA- Listed activity/ies:)- Listed Activity 21(b) (GNR 983): *Any activity including the operation of that activity which requires a reconnaissance permit in terms of section 74 of the Mineral and Petroleum Resources Development Act, as well as any other applicable activity as contained in this Listing Notice or in Listing Notice 3 of 2014, required to exercise the reconnaissance permit, excluding-*

  (a) any desktop study; and

  (b) any arial survey.

A copy of the decision, notification letter and EA can be downloaded from the EIMS website: https://www.eims.co.za/public-participation/

Should you wish to Appeal any aspect of the decision, an appeal must be lodged against the decision in terms of the National Appeal Regulations of 2014 (Government Notice R993) by 13 November 2024 and must be submitted in writing in the prescribed appeal form obtainable from the relevant appeal administrator. The relevant details are included in the notification letter on the EIMS website.

Please feel free to contact EIMS if you have any queries or concerns:

Contact Person: Alex Msipa

EIMS Reference Number: 1623

Postal Address: P.O. Box 2083; Pinegowrie; 2123

Telephone: (011) 789 7170/ Fax: (086) 571 9047

E-mail: searcher48@eims.co.za

Please include the project reference number 1623 in all correspondence.

EIMS ENVIRONMENTAL IMPACT MANAGEMENT SERVICES

NIE-REGERINGSORGANISASIE

KENNISGEWING 2817 VAN 2024

KENNISGEWING: OMGEWINGSMAGTIGING INGEVOLGE REGULASIE 24 VAN DIE WET OP NASIONALE OMGEWINGSBESTUUR (WET 107 VAN 1998): REGULASIES VIR OMGEWINGSIMPAKBEPALING (2014) VIR DIE VOORGESTELDE SEARCHER- SEISMIESE OPNAME BASIESE ASSESSERING, WAT AFLANDIG GELEË IS EN ONGEVEER 256 KM VANAF DIE KUS VAN ST. HELENABAAI TOT ONGEVEER 220 KM VANAF DIE KUS VAN HONDEKLIPBAAI AAN DIE WESKUS, SUID-AFRIKA STREK.

Kennis word gegee ingevolge die Regulasies vir Omgewingsimpakbepaling (OIB) (Staatskennisgewing R982 soos gewysig, gepromulgeer kragtens die wet op Nasionale Omgewingsbestuur (Wet 107 van 1998) (NEMA), dat bogenoemde projek op 21 Oktober 2024 deur die Departement van Minerale Hulpbronne en Energie omgewingsmagtiging toegestaan is vir die volgende aktiwiteit/e):

1. Omgewingsmagtiging (EA) ooreenkomstig die NEMA Genoteerde aktiwiteit/e:)- Genoteerde Aktiwiteit 21(b) (GNR 983): *Enige aktiwiteit insluitend die werking van daardie aktiwiteit wat 'n verkenningspermit ingevolge artikel 74 van die Wet op die Ontwikkeling van Minerale en Petroleumhulpbronne vereis, asook enige ander toepaslike aktiwiteit soos vervat in hierdie Noteringskennisgewing of in Noteringskennisgewing 3 van 2014, vereis om die verkenningspermit uit te oefen, uitgesluit-*

    (a) enige lessenaar studie; en

    (b) enige lugopname.

'n Afskrif van die beslissing, kennisgewing en EA kan by die EIMS webwerf afgelaai word: https://www.eims.co.za/public-participation/

Indien u teen enige aspek van die beslissing wil appelleer, moet 'n appèl teen die beslissing ingevolge die Nasionale Appèlregulasies van 2014 (Staatskennisgewing R993) teen 13 November 2024 skriftelik ingedien word op die voorgeskrewe appèlvorm wat van die betrokke appèladministrateur verkrygbaar is. Die relevante besonderhede is ingesluit in die kennisgewingsbrief op die EIMS-webwerf.

Kontak EIMS gerus as u enige navrae of bekommernisse het:

Kontakpersoon: Alex Msipa

EIMS-verwysingsnommer: 1623

Posadres: Posbus 2083; Pinegowrie; 2123

Telefoon: (011) 789 7170/ Faks: (086) 571 9047

E-pos: searcher48@eims.co.za

Sluit asseblief die projekverwysingsnommer 1623 in alle korrespondensie in.



DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2818 OF 2024

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SANS 60947-5-7:20XX Ed 2	*Low- voltage switchgear and controlgear Part 5-7: Control circuit devices and switching elements — Proximity devices with analogue output.* This part of IEC 60947 states the requirements for proximity devices that correspond to the scope of IEC 60947-5-2:2019 with analog output (PDAO) and/or a digital output to transmit a corresponding digital value representing the detected sensing input. These devices can provide additional parameters. Figure 1 shows the schematic principle of such a device. They might consist of one or more parts	2024-12-27
SATS 62271-5:20XX Ed 1	*High-voltage switchgear and controlgear Part 5: Common specifications for direct current switchgear and controlgear.* This part of IEC 62271, which is a Technical Specification, applies to DC switchgear and controlgear designed for operation on HVDC transmission systems having direct voltages of 100 kV and above	2024-12-27
SANS 63472:20XX Ed 1	*Plugs, socket-outlets, vehicle connectors and vehicle inlets — Conductive charging of electric vehicles — Dimensional compatibility description for configuration FF AC/DC contact-tube vehicle coupler.* This document describes dimensional options for CONFIGURATION FF AC/DC contact-tube vehicle couplers as defined in IEC 62196-3. These possibilities serve to improve the reliability of a mated connection when the charging cable is not axially constrained. The options can be implemented optionally and maintain mating compatibility with CONFIGURATION FF according to IEC 62196-3	2024-12-27
SANS 1433-1:20XX Ed 2	*Electrical terminals and connectors Part 1: Terminal blocks having screw and screwless terminals.* This part of SANS 1433 covers terminal blocks having screw type or screwless type clamping units for the connection of copper conductors having a rated area not exceeding 300 mm2 for the screw type and not exceeding 35 mm2 for the screwless type, and intended for use in installations having nominal a.c. voltages of r.m.s. value not exceeding 1 000 V and frequencies not exceeding 60 Hz, or nominal d.c. voltages not exceeding 1 500 V	2024-12-27
SANS 62752:20XX Ed 1	*In-cable control and protection device (IC-CPD) for mode 2 charging of electric road vehicles.* This International Standard applies to in-cable control and protection devices (IC-CPDs) for mode 2 charging of electric road vehicles, hereafter referred to as "IC-CPD", including control and safety functions	2024-12-27
SANS 60947-5-1:20XX Ed 5	*Low-voltage switchgear and control gear Part 5-1: Control circuit devices and switching elements — Electromechanical control circuit devices.* This part of IEC 60947 applies to control circuit devices and switching elements intended for controlling, signalling, interlocking, etc., of switchgear and controlgear	2024-12-27
SANS 61095:20XX Ed 1	*Electromechanical contactors for household and similar purposes.* This document applies to electromechanical air break contactors for household and similar purposes provided with main contacts intended to be connected to circuits the rated voltage of which does not exceed 440 V AC (between phases) with rated operational currents less than or equal to 63 A for utilization category AC-7a, and 32 A for utilization categories AC-7b, AC-7c and AC-7d (expressed in rated power), and rated conditional short-circuit current less than or equal to 6 kA.	2024-12-27
SANS 60669-2-4:20XX Ed 2	*Switches for household and similar fixed electrical installations Part 2-4: Particular requirements — Isolating switches.* This part of IEC 60669 applies to manually operated general purpose isolating switches with a rated voltage not	2024-12-27

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	exceeding 440 V and a rated current not exceeding 125 A, intended for household and similar fixed electrical installations, either indoors or outdoors.	
SANS 62561-5:20XX Ed 3	*Lightning protection system components (LPSC) Part 5: Requirements for earth electrode inspection housings and earth electrode seals.* This part of IEC 62561 specifies the requirements and tests for earth electrode inspection housings (earth housings) installed in the earth and for earth electrode seals	2024-12-27
SANS 60269-4:20XX Ed 4	*Low-voltage fuses Part 4: Supplementary requirements for fuse-links for the protection of semiconductor devices.* IEC 60269-1 applies with the following supplementary requirements. Fuse-links for the protection of semiconductor devices shall comply with all requirements of IEC 60269-1, if not otherwise indicated hereinafter, and shall also comply with the supplementary requirements laid down below	2024-12-27
SANS 63454:20XX Ed 1	*Conductive charging of electric vehicles — DC vehicle coupler configuration GG.* This document is applicable to vehicle couplers with pins and contact-tubes of standardized configuration (GG), herein also referred to as "accessories", intended for use in electric vehicle conductive charging systems which incorporate control means, with rated operating voltage and current in accordance with IEC 62196-1:2022	2024-12-27
SANS 63404:20XX Ed 1	*Switchgear and controlgear and their assemblies for low voltage — Integration of radiocommunication device above 380 MHz into an equipment.* This document defines radiocommunication related requirements for equipment intended to integrate a radiocommunication device. It includes the initial integration and update of a the radiocommunication device, having a carrier frequency greater than 380 MHz, into new or updated host equipment with	2024-12-27
SANS 60269-1:20XX Ed 4	*Low-voltage fuses Part 1: General requirements.* This part of IEC 60269 is applicable to fuses incorporating enclosed current-limiting fuse-links with rated breaking capacities of not less than 6 kA, intended for protecting power-frequency AC circuits of nominal voltages not exceeding 1 000 V or DC circuits of nominal voltages not exceeding 1 500 V	2024-12-27

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 62271-200:20XX Ed 3.1	*High-voltage switchgear and controlgear Part 200: AC metal-enclosed switchgear and controlgear for rated voltages above 1 kV and up to and including 52 kV*	Amended to update referenced standards, definitions, design and construction, type tests, routine tests and guide to the selection of switchgear and controlgear, and to introduce an annex on pressure coordination chart for gas-filled compartments	2024-12-27
SANS 61084-2-4:20XX Ed 2.1	*Cable trunking systems and cable ducting systems for electrical installations Part 2-4: Particular requirements — Service poles and service posts*	Amended to update the referenced standards, to modify requirements for general conditions for tests, mechanical properties, fire hazard and an annex for Routine test for the socket outlets wiring of pre-wired service poles and service posts (correct polarity and protection against electric shock)	2024-12-27
SANS 61084-2-1:20XX Ed 2.1	*Cable trunking systems and cable ducting systems for electrical installations Part 2-1:Particular requirements— Cable trunking systems and cable ducting systems intended for mounting on walls and ceilings*	Amended to update referenced standards and mechanical properties	2024-12-27
SANS 1619:20XX Ed 2.6	*Small power distribution units (ready-boards) for single-phase 230 V service connections*	Amended to update a reference standard	2024-12-27

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SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS

SCHEDULE B.1: NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 12540:2024 Ed 1	*Glass in building — Tempered soda lime silicate safety glass.* This document covers product definitions, product characteristics, i.e. tolerances, flatness, edgework, etc., fracture characteristics, including fragmentation, and the physical and mechanical characteristics of flat tempered soda lime silicate safety glass for use in buildings

SCHEDULE B.3: WITHDRAWN STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title
SANS 5851:2002	*Liquid limit of fines in aggregates for base-courses*

If your organization is interested in participating in these committees, please send an e-mail to Dsscomments@sabs.co.za for more information.

SCHEDULE 5: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2819 OF 2024

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SANS 60076-19-1:20XX Ed 1	*Power transformers Part 19-1: Rules for the determination of uncertainties in the measurement of the losses of power transformers.* This part of IEC 60076 defines the procedures that are applied to evaluate the uncertainty affecting the measurements of no-load and load losses during the routine tests on power transformers	2024-12-27
SANS 62552-2:20XX Ed 1	*Household refrigerating appliances — Characteristics and test methods — Part 2: Performance requirements.* This part of IEC 62552 specifies the essential characteristics of household and similar refrigerating appliances cooled by internal natural convection or forced air circulation, and establishes test methods for checking these characteristics	2024-12-25
SANS 62196-6:20XX Ed 1	*Plugs, socket-outlets, vehicle connectors and vehicle inlets — Conductive charging of electric vehicles Part 6: Dimensional compatibility requirements for DC pin and contact-tube vehicle couplers intended to be used for DC EV supply equipment where protection relies on electrical separation.* This part of IEC 62196 is applicable to vehicle connectors, vehicle inlets and cable assemblies for electric vehicle (EV), intended for use in conductive charging systems which incorporate control means, with a rated operating voltage up to 120 V DC and rated current up to 100 A	2024-12-27
SANS 62561-7:20XX Ed 3	*Lightning protection system components (LPSC) Part 7: Requirements for earthing enhancing compounds.* This part of IEC 62561 specifies the requirements and tests for earthing enhancing compounds producing low resistance of an earth termination system	2024-12-27
SATS 62271-314:20XX Ed 1	*High-voltage switchgear and controlgear Part 314: Direct current disconnectors and earthing switches.* This part of IEC 62271, which is a Technical Specification, applies to high-voltage direct current disconnectors and earthing switches, designed for indoor and outdoor installations and for operation on HVDC transmission systems having direct voltages of 100 kV and above	2024-12-27
SANS 60364-7-710:20XX Ed 1	*Low-voltage electrical installations Part 7-710: Requirements for special installations or locations — Medical locations.* The particular requirements of this part of IEC 60364 apply to electrical installations in medical locations so as to provide safety of patients and medical staff. These requirements refer to:	2024-12-20
SANS 20000-11:20XX Ed 1	*Information technology — Service management Part 11: Guidance on the relationship between ISO/IEC 20000-1 and service management frameworks: ITIL®.*This document provides guidance on the relationship between ISO/IEC 20000–1 and a commonly used service management framework, ITIL 4. It can be used by any organization or person wishing to understand how ITIL can be used with ISO/IEC 20000–1, including	2024-12-20
SANS 20000-10:20XX Ed 1	*Information technology — Service management Part 10: Concepts and vocabulary.* This document describes the core concepts of ISO/IEC 20000 (all parts), identifying how the different parts support ISO/IEC 20000-1:2018 as well as the relationships between ISO/IEC 20000-1 and other International Standards and Technical Reports. This document also includes the terminology used in all parts of ISO/IEC 20000, so that organizations and individuals can interpret the concepts correctly	2024-12-20
SANS 61557-9:20XX	*Electrical safety in low voltage distribution systems up to 1 000 V AC and 1 500 V*	2024-12-17

Ed 2	*DC — Equipment for testing, measuring or monitoring of protective measures Part 9: Equipment for insulation fault location in IT systems.* This part of IEC 61557 specifies the requirements for the insulation fault location system (IFLS) that localizes insulation faults in any part of the system in unearthed IT AC systems and unearthed IT AC systems with galvanically connected DC circuits having nominal voltages up to 1 000 V AC, as well as in unearthed IT DC systems with voltages up to 1 500 V DC, independent of the measuring principle	

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 61084-1:20XX Ed 2.1	*Cable trunking systems and cable ducting systems for electrical installations Part 1: General requirements*	Amended to update referenced standards, to modify requirements for general conditions for tests, mechanical properties, thermal properties, electromagnetic compatibility, and an annex for CTS/CDS IK code	2024-12-27
SANS 164-6:20XX Ed 1.7	*Plug and socket-outlet systems for household and similar purposes for use in South Africa Part 6: Two-pole (Class II): 16 A 250 V a.c. system*	Amended to update the dimensions on standard sheet 6-1.	2024-12-27
SANS 164-1:20XX Ed 5.7	*Plug and socket-outlet systems for household and similar purposes for use in South Africa Part 1: Two-pole and earth, 16 A 250 V a.c. system*	Amended to update the foreword, the requirements, and to add the annex on gauge for verifying the encroachment area	2024-12-27
SANS 164-0:20XX Ed 1.10	*Plug and socket-outlet systems for household and similar purposes for use in South Africa Part 0: General requirements*	Amended to update the foreword, referenced standard, and the requirements on dimensions	2024-12-20
SANS 1661:20XX Ed 4.2	*Cord extension sets and cable reels*	Amended to update the requirements for cable reels	2024-12-20
SANS 185:20XX Ed 3.4	*Immersion-type heating units for electrical appliances*	Amended to delete the annex on notes to purchasers	2024-12-20
SANS 186:20XX Ed 3.2	*Energy regulators for electric heating units*	Amended to delete the annex on notes to purchasers	2024-12-20
SANS 1470-1:20XX Ed 1.3	*Sound power labelling Part 1: Compressors*	Amended to update referenced standards	2024-12-15
SANS 1470-3:20XX Ed 2.1	*Sound power labelling Part 3: Rotating electrical machinery*	Amened to update referenced standards	2024-12-15
SANS 1470-4:20XX Ed 2.1	*Sound power labelling Part 4: Pneumatic equipment*	Amended to update referenced standards.	2024-12-15

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS

SCHEDULE B.1: NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

This gazette is also available free online at **www.gpwonline.co.za**

Standard No. and year	Title, scope and purport
SANS 62552-1:2024 Ed 1	*Household refrigerating appliances — Characteristics and test methods Part 1: General requirements*. This part of IEC 62552 specifies the essential characteristics of household and similar refrigerating appliances cooled by internal natural convection or forced air circulation, and establishes test methods for checking these characteristics

SCHEDULE B.2: AMENDED STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1532:2024 Ed 2.1	*Vent valves for drainage installations*. This standard specifies the characteristics of vent valves intended for supplementary or alternative venting of drainage systems
SANS 10400-T:2024 Ed 5.1	*The application of the National Building Regulations Part T: Fire protection*. This part of SANS 10400 provides deemed-to-satisfy requirements for compliance with part T (Fire Protection) of the National Building Regulations

If your organization is interested in participating in these committees, please send an e-mail to Dsscomments@sabs.co.za for more information.

SCHEDULE 5: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2820 OF 2024

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS

SCHEDULE B.1: NEW STANDARDS

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 12690:2024 Ed 1	*Metallic and other inorganic coatings — Thermal spray coordination — Tasks and Responsibilities.* This International Standard specifies the tasks and responsibilities necessary to ensure the quality of a thermal sprayed coating or a coated component, including the coordination of activities related to thermal spraying
SANS 14922:2024 Ed 1	*Thermal spraying — Quality requirements for manufacturers of thermal sprayed coatings.* This document specifies quality requirements for manufacturers of thermal sprayed coatings to ensure quality assurance for activities in the field of production
SANS 20115:2024 Ed 1	*Uniform provisions concerning the approval of: I. Specific LPG (liquefied petroleum gases) retrofit systems to be installed in motor vehicles for the use of LPG in their propulsion system II. Specific CNG (compressed natural gas) retrofit systems to be installed in motor vehicles for the use of CNG in their propulsion system.* This Regulation applies to: 1.1. Part I: Specific LPG retrofit systems to be installed in motor vehicles for the use of LPG in the propulsion system. Part II: Specific CNG retrofit systems to be installed in motor vehicles for the use of CNG in the propulsion system.
SANS 10849:2024 Ed 1	*Stationary source emissions — Determination of the mass concentration of nitrogen oxides in flue gas — Performance characteristics of automated measuring systems.* This document specifies a method for the determination of nitrogen oxides (NOx) in flue gas of stationary sources and describes the fundamental structure and the key performance characteristics of automated measuring systems
SANS 14068-1:2024 Ed 1	*Climate change management — Transition to net zero Part 1: Carbon neutrality.* This document specifies principles, requirements and guidance for achieving and demonstrating carbon neutrality through the quantification, reduction and offsetting of the carbon footprint

SCHEDULE B.2: AMENDED STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 622:2024 Ed 2.3	*Gypsum cove cornice.* This specification covers gypsum cove cornice for use in buildings
SANS 665-2:2024 Ed 1.2	*Wedge gate and resilient seal valves for general purposes Part 2: Wedge gate valves.* This part of SANS 665 covers the requirements for the design and construction of wedge gate valves of pressure rating (PN) up to 2 500 kPa and of sizes up to 1 000 mm

SANS 966-1:2024 Ed 3.9	*Components of pressure pipe systems Part 1: Unplasticized poly(vinyl chloride) (PVC-U) pressure pipe systems.* This part of SANS 966 specifies requirements for unplasticized poly(vinyl chloride) (PVC-U) pipes and injection-moulded fittings that are intended for above-ground and below-ground pressure applications for the conveyance of potable water in reticulation systems and for other applications, including the conveyance of treated effluent, in which continuous temperatures in excess of 25 °C are not encountered. Minimum wall thicknesses are given, based on a design stress rating of 10 MPa for pipes of nominal outside diameter 90 mm or less and 12,5 MPa for pipes of nominal outside diameter 110 mm and more. Seven classes of pipes and three classes of fittings for reticulation systems are covered. The type of fluid conveyed in the pipe is denominated by pipe colour. Fittings covered by this part of SANS 966 may be a different colour to pipes, and are suitable for use with potable water pipes and treated effluent pipes.
SANS 1024:2024 Ed 2.3	*Welded steel fabric for reinforcement of concrete.* This standard specifies the characteristics of steel fabric of hard-drawn steel wire, consisting of longitudinal and cross wires welded together and intended for use as a form of reinforcement for concrete
SANS 1171:2024 Ed 2.4	*Metal screws for wood.* This standard specifies the characteristics of seven types of screws, made from steel, brass, silicon bronze, aluminium, stainless steel wire or steel rod and intended for use in wood
SANS 1194:2024 Ed 2.2	*Nylon tubing for air-brake applications.* This standard covers the requirements for three types of nylon tubing as used in the motor industry in assemblies that convey air to operate pneumatic braking systems
SANS 1551-1:2024 Ed 1.3	*Check valves (flanged and wafer types) Part 1: PN series.* This part of SANS 1551 specifies the characteristics of cast iron swing-type check valves (wafer or flanged type) that have a nominal size in the range 40 mm to 600 mm and that are intended for general hydraulic (water, air, gas or petroleum) applications at working pressures of up to 2 500 kPa and at temperatures not exceeding 120 °C (but see 1.2).
SANS 1835:2024 Ed 1.3	*Ductile iron pipes, fittings, accessories and their joints, for use in high and low pressure systems for potable and foul water*. This standard specifies the requirements and associated test methods applicable to ductile iron pipes, fittings, accessories and their joints, for the construction of pipelines
SANS 10250:2024 Ed 2.1	*Fitment and repair centres for automotive air-conditioning systems.* This standard specifies the site conditions and operating methods that should be uniformly applied in all franchised and independent fitment and repair centres to ensure that a high level of customer satisfaction is maintained
SANS 1891-1:2024 Ed 1.2	*Performance requirements for clothing Part 1: Shirts.* This specification covers the performance requirements for component materials, workmanship, sewing, care-labelling and marking of shirts
SANS 1118-12:2024 Ed 1.4	*School clothing Part 12: Tracksuits.* This part of SANS 1118 covers the requirements for the materials, size and make of tracksuits
SANS 534-2:2024 Ed 1.2	*Vehicle security — Whole-of-vehicle marking Part 2: Microdot systems — MID requirements.* This part of SANS 534 describes the characteristics of unique identification carriers, called microdots, designed for fitment to vehicles and the processes required to ensure the integrity, authenticity and confidentiality of the entire microdot production, supply and storage systems
SANS 534-4:2024 Ed 1.1	*Vehicle security — Whole-of-vehicle marking Part 4: Microdot systems — Fitment post OEM Control.* This part of SANS 534 describes method of fitment of unique identification carriers, called microdots, to vehicles where the fitment is post original equipment manufacturer (OEM) control

SCHEDULE B.3: WITHDRAWN STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title

This gazette is also available free online at **www.gpwonline.co.za**

SANS 5851:2002	*Liquid limit of fines in aggregates for base-courses*
SANS 10260-2:2004	*Industrial gas pipelines Part 2: Distribution of hydrogen at consumer sites*
SANS 10260-4:2004	*Industrial gas pipelines Part 4: Distribution of carbon dioxide at consumer sites*

SCHEDULE B.4: REINSTATEMENT OF WITHDRAWN STANDARD

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2821 OF 2024

COMPETITION TRIBUNAL
NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rules 34(b)(ii) and 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001 that it approved the following mergers:

Case No.	Acquiring Firm	Target Firm	Date of Order	Decision
LM081Aug24	Growthpoint Student Accommodation Holdings (RF) Ltd	The Fountains View Development (Target Property) c/o	09/10/2024	Approved
LM093Aug24	Sanlam Life Insurance Ltd	NMS Insurances Services (SA) Ltd	14/10/2024	Approved
LM065Jul24	Southern Point Resources Fund - I	Bushveld Vanchem	15/10/2024	Approved Subject to Conditions
LM077Jul24	Shoprite Checkers (Pty) Ltd	Pingo Delivery (Pty) Ltd	15/10/2024	Approved

The Chairperson Competition Tribunal

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 685 OF 2024

ROAD ACCIDENT FUND

ADJUSTMENT OF STATUTORY LIMIT IN RESPECT OF CLAIMS FOR LOSS OF INCOME AND LOSS OF SUPPORT

The Road Accident Fund hereby, in accordance with section 17(4A)(a) of the Road Accident Fund Act, No. 56 of 1996, adjusts and makes known that the amounts referred to in subsection 17(4)(c) are hereby adjusted to **R368 035.00**, with effect from **31 October 2024**, to counter the effects of CPI inflation.

Note: The CPI index based on the new "basket and weights" was used to calculate this adjustment, **effective from 31 October 2024** (with base year December 2021 = 100). The CPI index for May 2008 was 50.43 due to the December 2021 rebasing. The CPI index for August 2024 was 116.0. This adjustment was calculated by multiplying the R 160 000 limit by 116.0/50.43.

RAADSKENNISGEWING 685 VAN 2024

PADONGELUKFONDS

AANPASSING VAN STATUTÊRE LIMIET TEN OPSIGTE VAN EISE VIR VERLIES AAN INKOMSTE EN ONDERHOUD

Die Padongelukfonds maak ooreenkomstig artikel 17(4A)(a) van die Padongelukfondswet, No. 56 van 1996 bekend dat, met effek vanaf **31 Oktober 2024**, die bedrae waarna verwys word in subartikel 17(4)(c) aangepas word tot **R368 035.00**, ten einde die uitwerking van VPI inflasie teen te werk.

Neem kennis: Die VPI indeks gebasseer op die nuwe "mandjie en gewigte" is gebruik om hierdie aanpassing, **effektief vanaf 31 Oktober 2024**, te bereken (met basisjaar Desember 2021 = 100). Die heraangepaste VPI indeks vir Mei 2008 is 50.43 as gevolg van die Desember 2021 aanpassing. Die VPI indeks vir Augustus 2024 was 116.0. Hierdie aanpassing was bereken deur die R 160 000 limiet te vermenigvuldig met 116.0/50.43.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
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Publications: Tel: (012) 748 6053, 748 6061, 748 6065

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