

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 719 30 May Mei 2025 No. 52781

PART 1 OF 2

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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* 2025

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

- **24 December,** Wednesday for the issue of Friday **03 January 2025**
- **03 January,** Friday for the issue of Friday **10 January 2025**
- **10 January,** Friday for the issue of Friday **17 January 2025**
- **17 January,** Friday for the issue of Friday **24 January 2025**
- **24 January,** Friday for the issue of Friday **31 January 2025**
- **31 January,** Friday for the issue of Friday **07 February 2025**
- **07 February,** Friday for the issue of Friday **14 February 2025**
- **14 February,** Friday for the issue of Friday **21 February 2025**
- **21 February,** Friday for the issue of Friday **28 February 2025**
- **28 February,** Friday for the issue of Friday **07 March 2025**
- **07 March,** Friday for the issue of Friday **14 March 2025**
- **13 March,** Thursday for the issue of Thursday **20 March 2025**
- **20 March,** Thursday for the issue of Friday **28 March 2025**
- **28 March,** Friday for the issue of Friday **04 April 2025**
- **04 April,** Friday for the issue of Friday **11 April 2025**
- **10 April,** Thursday for the issue of Thursday **17 April 2025**
- **16 April,** Wednesday for the issue of Friday **25 April 2025**
- **23 April,** Wednesday for the issue of Friday **02 May 2025**
- **02 May,** Friday for the issue of Friday **09 May 2025**
- **09 May,** Friday for the issue of Friday **16 May 2025**
- **16 May,** Friday for the issue of Friday **23 May 2025**
- **23 May,** Friday for the issue of Friday **30 May 2025**
- **30 May,** Friday for the issue of Friday **06 June 2025**
- **06 June,** Friday for the issue of Friday **13 June 2025**
- **12 June,** Thursday for the issue of Friday **20 June 2025**
- **20 June,** Friday for the issue of Friday **27 June 2025**
- **27 June,** Friday for the issue of Friday **04 July 2025**
- **04 July,** Friday for the issue of Friday **11 July 2025**
- **11 July,** Friday for the issue of Friday **18 July 2025**
- **18 July,** Friday for the issue of Friday **25 July 2025**
- **25 July,** Friday for the issue of Friday **01 August 2025**
- **01 August,** Friday for the issue of Friday **08 August 2025**
- **08 August,** Friday for the issue of Friday **15 August 2025**
- **15 August,** Friday for the issue of Friday **22 August 2025**
- **22 August,** Friday for the issue of Friday **29 August 2025**
- **29 August,** Friday for the issue of Friday **05 September 2025**
- **05 September,** Friday for the issue of Friday **12 September 2025**
- **12 September,** Friday for the issue of Friday **19 September 2025**
- **18 September,** Thursday for the issue of Friday **26 September 2025**
- **26 September,** Friday for the issue of Friday **03 October 2025**
- **03 October,** Friday for the issue of Friday **10 October 2025**
- **10 October,** Friday for the issue of Friday **17 October 2025**
- **17 October,** Friday for the issue of Friday **24 October 2025**
- **24 October,** Friday for the issue of Friday **31 October 2025**
- **31 October,** Friday for the issue of Friday **07 November 2025**
- **07 November,** Friday for the issue of Friday **14 November 2025**
- **14 November,** Friday for the issue of Friday **21 November 2025**
- **21 November,** Friday for the issue of Friday **28 November 2025**
- **28 November,** Friday for the issue of Friday **5 December 2025**
- **05 December,** Friday for the issue of Friday **12 December 2025**
- **11 December,** Thursday for the issue of Friday **19 December 2025**
- **17 December,** Wednesday for the issue of Wednesday **24 December 2025**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

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

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

EXTRA-ORDINARY

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

Closing Times for Acceptance of Notices

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

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

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

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

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

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

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

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

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

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

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

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

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

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

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

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

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

QUOTATIONS

13. Quotations are valid until the next tariff change.

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

14. Each quotation has a unique number.

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

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

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

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

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

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

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

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

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

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

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

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

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

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

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

CANCELLATIONS

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

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

AMENDMENTS TO NOTICES

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

REJECTIONS

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

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Approval of notices

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

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

Government Printer Indemnified Against Liability

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

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

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

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

Liability of advertiser

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

Customer inquiries

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Payment of cost

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

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

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

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

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

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

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

Proof of publication

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

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	**Postal Address:**	**GPW Banking Details:**
Government Printing Works	Private Bag X85	**Bank:** ABSA Bosman Street
149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 6258 **30 May 2025**

GEOMATICS PROFESSION REGULATIONS, 2025

I, Mzwanele Nyhontso, Minister of Land Reform and Rural Development intend to make the regulations in terms of section 31(1) of the Geomatics Profession Act, 2013 (Act No 19 of 2013), as set out in the Schedule hereto.

Interested persons are invited to send comments on the proposed regulations within 30 days from the date of this Notice. Comments can be sent to:

Private Bag x 954
PRETORIA, 0001
Enquiries : F. Lehabe or I. Makgohlo
Email address : frans.lehabe@dalrrd.gov.za; Israel.makgohlo@dalrrd.gov.za
Contact : (012) 319 8321/9312



NYHONTSO, M (MP)

MINISTER: LAND REFORM AND RURAL DEVELOPMENT

DATE: 06/05/2025

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SCHEDULE

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Definitions

1. In these regulations, a word or expression to which a meaning has been assigned in the Act bears that meaning and, unless the context otherwise indicates –

"**Act**" means the Geomatics Profession Act, 2013 (Act No 19 of 2013).
"Continued Professional Development (CPD)" means a programme designed to assist professionals to develop their academic and professional skills beyond their initial training on an ongoing basis.
"**Education and Training Committee**" means the committee established in terms of section 6 (2) of the Act;
"**Investigating officer**" means one or more investigating officers appointed by the Council in terms of section 20 (1) of the Act, to investigate a charge of improper conduct;
"Tribunal" means the Disciplinary Tribunal established by section 22 of the Act.

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Disciplinary Tribunal

2. (1) The disciplinary tribunal contemplated in section 22(1) of the Act shall consist of a Chairperson and four other members, all of whom shall be appointed under section 22 of the Act.

(2) The Tribunal shall inquire into any complaint regarding professional conduct of a practitioner referred to it by the Registrar whether such alleged conduct took place before or after the commencement of these Regulations.

Lodgement of complaint

3. (1) A complaint shall be lodged in writing with the Registrar setting out in detail the acts or omissions complained of by the complainant against the registered person.

(2) The Registrar shall transmit the complaint without delay to the Chairperson of the Tribunal.

(3) The Chairperson of the Tribunal may in writing require a complainant to verify his or her complaint by affidavit and to provide such further information and documents relating to the complaint.

(4) A complaint once transmitted to the Chairperson of the Tribunal shall not be withdrawn without leave of the Tribunal.

Summons or Subpoena

4. (1) (a) A summons contemplated in section 23(2) of the Act must be in the form that substantially corresponds with **Form 5.1 A** of these regulations.

(b) A subpoena contemplated in section 23(2) of the Act must be in the form that substantially corresponds with **Form 5.1 B** of these regulations

(2) The summons or subpoena shall, among other things, contain the following: -

(a) full particulars of the person charged; and

(a) sufficient particulars of the alleged improper conduct to enable the person facing the charges to prepare for the hearing.

Fines

5. (1) The disciplinary tribunal may, in terms of section 24(4)(b) of the Act impose a fine not exceeding R50 000 (fifty thousand rand).

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(2) A fine imposed by the disciplinary tribunal may, on appeal, be confirmed, varied or set aside by the Appeal Board established in terms of section 25(1) of the Act.

Hearing of complaints by Tribunal.

6. (1) The Tribunal shall conduct its hearing in private and shall permit the registered person to be represented by another or a legal practitioner, if he or she so wishes.

(2) If either the Council or the registered person fails to appear at the hearing the Tribunal may, upon proof of service of the notice of hearing, proceed to hear and determine the complaint in his or her absence.

(3) The Council and the registered person shall both be afforded the opportunity of adducing evidence relevant to the subject-matter of the inquiry, cross-examining each other's witnesses and making submissions to the Tribunal.

(4) The Tribunal may administer oaths, adjourn the hearing on such terms as to costs as it may deem fit, permit amendments to be made and may cause a mechanical or shorthand record to be made of the proceedings of any matter before it.

(5) The Tribunal shall apply the same laws as to the admissibility of evidence and the competency, examination and cross-examination of witnesses as are applied by the South African courts.

Criteria for appointment of investigating officers

7. In appointing an investigating officer in terms of section 20 (1) of the Act, the Council shall ensure that the person appointed meets one or more of the following requirements:

(a) registration in terms of the Act;
(b) more than three years as an admitted Advocate or Attorney;
(c) knowledge of matters concerning the alleged improper conduct; or
(d) suitable qualifications according to the needs and requirements of the Council at the time when the cause of action arose.

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Removal of member from the Council

8. (1) The Minister may in terms of section 5 (4) of the Act remove a Council member from office on the grounds of misconduct or incompetence upon receipt of a written complaint from:-

(a) the Council;
(b) a member of the public;
(c) any organisation
(d) any registered person of the geomatics profession.

(2) The Minister shall, within 30 days from the date of receipt of the written complaint-

(a) appoint a suitably qualified person to conduct an investigation and submit a report to the Minister; and
(b) request written representation from the Council and the member concerned.

(3) The Minister shall within 60 days after receipt of the report referred to in sub-regulation (2)(a) and having considered representations referred to in sub-regulation (2)(b)-

(a) make a decision on the complaint; and
(b) inform the member, the Council and the complainant in writing of the decision.

(4) The Minister's decision referred to in sub-regulation (3)(a) shall be forwarded to the member concerned by registered or electronic mail.

Nomination of members of Council and Appeal Board

9. (1) The Minister must, before the expiry of the term of office of the Council, by notice in the *Gazette,* invite written nominations of persons to serve as members of the Council.

(2) The Director-General and the Director-General of the Department of Mineral Resources must, as required under sub-regulation (1) nominate Geomatics

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Professionals in the employ of the State for purposes of section 4(1)(a)(ii) and (iii).

(3) Any person making a nomination of a nominee to serve as the member of the Council shall nominate such persons using **Form 4.**

(4) The Minister must appoint the persons to serve as the Appeal Board members of South African Geomatics Council in terms of sub-regulation (2).

(5) Any person making a nomination of a nominee to serve as the Appeal Board member of the Council must nominate such person as prescribed in **Form 3.**

Committees of Council

10. (1) The Council may—

(a) establish one or more committees, consisting of—

(i) members of the Council only; or

(ii) members of the Council and any other suitable persons except employees of the Council, to assist the Council in the exercise of its powers and performance of its functions; and

(b) The Council may, on good cause shown, remove or replace any member of the Committee.

(2) The Council—

(a) must determine the powers and functions of a committee.

(b) must appoint a member of a committee as chairperson of such committee.

(c) may, after complying with due process of law, remove a member of a committee at any time; and

(d) may determine a committee's procedure.

(3) The Council must, in the rules, determine the procedure for the conduct of meetings of a committee.

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Education and Training committee

11. (1) The Education and Training Committee as contemplated in section 6(2) of the Act is hereby established.

(2) The Education and Training Committee shall comprise at least four but not more than six members of whom-

(a) at least one (1) person must be nominated in terms of section 4 (1)(c) of the Act, representing the interests of higher education;

(b) one person must be nominated in terms of section 4 (1) (d) of the Act, representing the interests of the public.

(3) The Council shall within 14 days of nominations, appoint members to the Education and Training Committee.

(4) The Council may, on good cause shown, remove or replace any member of the Education and Training Committee.

Maintenance of records for registered persons

12. (1) The Council must keep and maintain a register of registered persons in terms of their branches and categories.

(2) Registration with the Council should be granted, kept, and maintained in terms of the following categories of the Geomatics Profession:

(a) Geomatics Professionals (GPr)

(b) Geomatics Technologists (GTg)

(c) Geomatics Technicians (GTc)

(d) Candidate Geomatics Practitioners

(3) The records of registered persons must be open for inspection by the public and made accessible on Council website freely and a hotline/tollfree number should be allocated to the record centre, for providing customer service and support for those who cannot access the Council website.

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(4) The Council must allow the public to verify the registration status of the registered persons and identify qualified practitioners within the geomatics profession.

(5) The records must provide at least the category and branch of the registered persons, including the practice number, address, contact number, surname and initials.

(6) The Council must regularly update records of registered persons when a member is removed and or a new member is added to the register.

(7) The Council must keep a list of persons removed from the register and provide reasons for such removal.

(8) By maintaining a comprehensive and accurate register of practitioners, the Council helps to protect the public interest by ensuring that only qualified individuals are practicing geomatics.

Requirements for continued professional development

13. (1) It is generally required that:

(a) The continued professional development (CPD) system functions in cycles of five years.

(b) The five-year cycle of each registered person commences on the 1st June immediately following the date of first registration on which such registered person was registered by the Council.

(c) Where a person is registered in more than one branch or category or has upgraded to a higher category, the commencement date applicable to the first registration will be recorded as the date on which such person's five-year cycle commences.

(2) The council must make rules on CPD activities under the following categories:

(a) Category 1: development activities

(b) Category 2: work-based activities

(c) Category 3: individual Activities

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(3) The credits requirements for geomatics profession under the category of Geomatics Professionals (GPr) and Geomatics Technologists (GTg) are the following:

(a) During each cycle of five years any registered professional or technologist must collect a minimum of 20 credits in order to qualify for continued registration.

(c) A registered professional or technologist may not accumulate less than 3 credits per annum in at least two of the categories of activities and may accumulate additional credits each year up to a maximum number of credits in each activity as prescribed in the CPD rules of the Council.

(c) Every registered professional and technologist must obtain at least one credit in ethics related training during every five-year cycle.

(4) The credits requirements for geomatics profession under the category of Geomatics Technicians (GTc) are the following:

(a) During each cycle of five years every registered technician must accumulate a minimum of 13 credits in order to qualify for continued registration.

(b) A registered technician may not accumulate less than 2 credits per annum in at least two of the categories of activities and may accumulate additional credits each year up to a maximum number of credits in each activity as prescribed in the CPD rules of the Council.

(d) Every registered technician must obtain at least one credit in ethics related training during every five-year cycle.

(5) Council must determine the number of CPD points to be allocated for each activity performed by registered persons.

Appeal Procedure

14. (1) In discharging its duties diligently the Appeal Board shall, in terms of section 26 (6), hear appeals and deliver its finding within sixty (60) days after the appellant has lodged an appeal in terms of section 28 (2) (a);

(2) The hearing of appeal proceedings shall be recorded by means of an electronic or mechanical device;

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(3) In hearing the appeal proceedings, the Appeal Board must, among other things, consider the following:

(a) notice of the disciplinary hearing;

(b) appointment of chair of disciplinary hearing;

(c) description of the allegations of misconduct (charge sheet);

(d) description of the main evidence which the appellant and the complainant relied upon;

(e) electronic or transcribed record, where applicable, of the proceedings of hearing by the Disciplinary Tribunal;

(f) aggravating or mitigating circumstances presented by the parties to a Disciplinary Tribunal

(g) written finding, and reasons for the finding of the chairperson of the Disciplinary Tribunal;

(h) all other documentation and particulars relevant to the case in question.

(i) whether the appellant was given adequate time to prepare for the disciplinary hearing in terms section 23;

(j) whether the appellant in terms section 28 (1) (b) and/ or (c) was given adequate time for the hearing of his or her grievance or objection; and

(k) adopted minutes of the Council where the appeal is in terms of section 28 (1) (b) or (c).

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NOMINATION FORM 3

NOMINATION OF PERSONS TO SERVE ON THE APPEAL BOARD OF THE SOUTH AFRICAN GEOMATICS COUNCIL (SAGC)

SECTION A: TO BE COMPLETED BY THE NOMINATOR (Note: Only one nomination per Nomination Form)	
PARTICULARS OF NOMINATOR	
Full Names	
Identity No	
Capacity & Institution	
Postal Address	
Tel No	
Mobile	
E-mail	

DECLARATION BY NOMINATOR Tick the required category in the box				
CATEGORY	**MEMBER**		**ALTERNATE**	
REGISTERED PERSONS WHO HAVE BEEN PRACTICING OR TEACHING GEOMATICS FOR A PERIOD NOT LESS THAN 5 YEARS	**Section 25(2)(a)**		**Section 4(7)**	
MEMBERS OF THE PUBLIC INCLUDING A PERSON QUALIFIED IN LAW (WITH AT LEAST 5 YEARS EXPERIENCE)	**Section 25(2)(b)**		**Section 4(7)**	

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I, the undersigned (full names)
_____,
hereby nominate (full names of Nominee)_____, a South African citizen, and resident in South Africa, to be considered for possible appointment by the Minister of Land Reform and Rural Development as a member of the Appeal Board of South African Geomatics Council for a period of four (4) years as may be determine by the Minister on his appointment of Appeal Board members.

Signed on at _____ **on the** _____ **day of** _____
20_____

_____
Signature

MOTIVATION BY NOMINATOR (not exceeding one page)

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SECTION B: ACCEPTANCE DECLARATION BY THE NOMINEE

I, the undersigned (full names) _____

Identity number (of nominee) _____ hereby accept my nomination for appointment to the Geomatics Appeal Board of the SAGC for a period of four (4) years from the date of the appointment by the Minister of Land Reform and Rural Development. I declare that I am a South African citizen, and resident in South Africa, to serve on the Geomatics Appeal Board of the SAGC. I authorize the Department of Land Reform and Rural Development to subject me to the security vetting in terms of this appointment and to investigate any record in relation to such disqualification or requirement.

Signed at _____ on the _____ day of _____ 20

_____

Signature

Title	Prof		Dr		Mr	Mrs	Ms	Miss
Surname								
First Names								

Gender	Male	Female	**Race**	
Disability	Yes	No	**Nature of Disability**	
Date of Birth			**ID No**	
Postal Address				
Residential Address				
Mobile No				
Work Tel No				
Home Tel No				

13

Fax No	
E-mail Address	

PLEASE ATTACH A SHORT CURRICULUM VITAE OF THE NOMINEE
Please list the following in the CV (not exceeding two pages)

- Tertiary Education
- Work experience
- List of competencies
- Professional qualifications and Registrations (where applicable)
- Directorships
- Boards of Entities / Professional Councils / Institutions that nominee currently and / or previously served on
- Conflicts of Interest
- References
- Certified copies of nominee's qualification
- Certified copy of ID (both nominator and nominee)

NOTE:

- **Nominees will be considered only after the verification of their academic qualifications and their personal details;**
- **Appointment is subject to approval by the Minister;**
- **Appointment is subject to the acceptance of undergoing security vetting;**
- **Correspondence will be limited to short-listed candidates. If you do not receive any communication after a period of three months, please consider the application as having been unsuccessful**

Disclaimers:

- **The Minister reserves the right to amend, modify or withdraw this advertisement or amend any of the requirements set out herein at any time without prior notice and without liability to compensate or reimburse any party;**
- **Acknowledgement of the nomination does not mean acceptance as candidate;**
- **The Minister reserves the right not to select any nominee as a candidate.**
- **Failure to comply with any of the above requirements will result in the nomination not being considered.**

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NOMINATION FORM 4

NOMINATION FOR PERSONS TO SERVE ON THE SOUTH AFRICAN GEOMATICS COUNCIL (SAGC)

SECTION A: TO BE COMPLETED BY THE NOMINATOR (Note: Only one nomination per Nomination Form)	
PARTICULARS OF NOMINATOR	
Full Names	
Identity No	
Capacity & Institution	
Postal Address	
Tel No	
Mobile	
E-mail	

CATEGORIES OF APPOINTMENT
Tick the box to select the required category

Category	Member		Alternate member	
Geomatics Practitioners not in the employ of the State	Section 4(1)(b)(i) of Act No. 19 of 2013		Section 4(7)(a) of Act No.19 of 2013	
Geomatics Practitioners representing voluntary associations	Section 4(1)(b)(ii) of Act No. 19 of 2013		Section 4(7)(a) of Act No.19 of 2013	
Person nominated by the Council on Higher Education	Section 4(1)(c) of Act No. 19 of 2013		Section 4(7)(a) of Act No.19 of 2013	
Persons representing the interest of the public	Section 4(1)(d) of Act No. 19 of 2013		Section 4(7)(a) of Act No.19 of 2013	

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DECLARATION BY NOMINATOR

Cancel where it is not applicable to you on the next page by crossing a line

I, the undersigned (full names)

_____,

hereby nominate (full names of Nominee)_____, a South African citizen, and resident in South Africa, to be considered for possible appointment by the Minister of Land Reform and Rural development as a member of the South African Geomatics Council for a period of four (4) years as may be determine by the Minister on his appointment of SAGC members.

Signed on at _____ on the_____ day of _____ 20_____

_____

Signature

MOTIVATION BY NOMINATOR (not exceeding one page)

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SECTION B: ACCEPTANCE DECLARATION BY THE NOMINEE

I, the undersigned (full names)_____ (of nominee)_____ hereby accept my nomination for appointment to the South African Geomatics Council for a period of four (4) years from the date of the appointment by the Minister of Land Reform and Rural Development. I declare that I am a South African citizen and resident in South Africa. I authorize the Department of Land Reform and Rural Development to subject me to the security vetting in terms of this appointment and to investigate any record in relation to such disqualification or requirement.

Signed at _____ on the _____ day of _____ 20

_____

Signature

SECTION C: TO BE COMPLETED BY THE NOMINEE

Title	Prof		Dr		Adv		Mr	Mrs	Ms	Miss	
Surname											
First Names											
Gender	Male	Female		**Race**							
Disability	Yes	No		**Nature of Disability**							
Date of Birth				**ID NO.**							
Postal Address											
Residential Address											
Mobile No											
Work Tel No											
Home Tel No											
Fax No											
E-mail Address											

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PLEASE ATTACH A SHORT CURRICULUM VITAE OF THE NOMINEE

Please list the following in the CV (not exceeding two pages)

- Tertiary Education
- Work experience
- List of competencies
- Professional qualifications and Registrations (where applicable)
- Directorships, if any
- Boards of Entities / Professional Councils / Institutions that nominee currently and / or previously served on
- Conflicts of Interest
- References
- Certified copies of nominee's qualifications
- Certified copy of ID (both nominator and nominee)

NOTE:

- **Nominees will be considered only after the verification of their academic qualifications and their personal details;**
- **Appointment is subject to approval by the Minister;**
- **Appointment is subject to the acceptance of undergoing security vetting;**
- **Correspondence will be limited to short-listed candidates. If you do not receive any communication after a period of three months, please consider the application as having been unsuccessful**

Disclaimers:

- **The Minister reserves the right to amend, modify or withdraw this advertisement or amend any of the requirements set out herein at any time without prior notice and without liability to compensate or reimburse any party;**
- **Acknowledgement of the nomination does not mean acceptance as a candidate;**
- **The Minister reserves the right not to select any nominee as a candidate.**
- **Failure to comply with any of the above requirements will result in the nomination not being considered.**

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SUMMONS TO APPEAR BEFORE THE DISCIPLINARY TRIBUNAL FORM 5.1 A

In the matter between:

South African Geomatics Council

And

Name of the person charged with improper conduct

_____

The person charged with misconduct is Mr/Ms_____ whose full and further particulars are as follows:

Contact details : _____

Registration Category : _____

Registration number : _____

Physical Address:_____

_____

You are charged with the improper conduct for contravening the following rule:_____ in that on or/about _____ at/or near _____ within/ outside the Republic of South Africa you omitted or committed the following:

1. Charge 1
   1.1. _____
   _____
2. Alternative Charge
   2.1. _____
   _____

You are required in terms of section 23(2) of the Geomatics Profession Act 19 of 2013 to appear before the disciplinary tribunal at _____

_____

(Address where the hearing is being held)

On _____ at _____

(Date of the hearing) **(Time of the hearing)**

Please note that all the notices, correspondences and any legal process may be served or be obtained at the following address: **South African Geomatics Council**
P.O.Box752799
Garden-View
2047

Full name of the person issuing the summons: _____

_____ _____

(Signed by the Chairperson of the tribunal/ member of tribunal council) **(Date)**

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SUBPOENA TO APPEAR BEFORE THE DISCIPLINARY TRIBUNAL FORM 5.1 B

In the matter between:

South African Geomatics Council

And

Name of the person charged with improper conduct

_____

The person subpoenaed before the disciplinary tribunal is Mr/Ms_____
_____ whose full and further particulars are as follows:

Contact details: _____

Registration Category:_____

Registration number:_____

Physical Address details :_____

_____

You are required in terms of section 23(2) of the Geomatics Profession Act 19 of 2013 to appear before the disciplinary tribunal at _____

_____

(Address where the hearing is being held)

On _____ at _____
(Date of the hearing) **(Time of the hearing)**

Please note that all the notices, correspondences and any legal process may be served or be obtained at the following address: **South African Geomatics Council**
P O Box 752799
Garden View
2047

You are subpoenaed:
☐ For questioning in terms of section 23(2)(a)(i); or
☐ To produce any book, document or object in terms of section 23(2)(a)(ii)

[Tick/Mark the appropriate box]

You must bring and produce a book, document or object listed below:

_____
_____
_____
_____
_____

Full name of the person issuing the subpoena: _____

_____ _____
(Signed by the Chairperson/member of the tribunal) **(Date)**

20

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 6259 **30 May 2025**

GEOMATICS PROFESSION ACT 19, 2013: EXTENTION OF TERM FOR MEMBERS AND ALTERNATE MEMBERS TO THE SOUTH AFRICAN GEOMATICS COUNCIL.

I, Mzwanele Nyhontso, Minister of Land Reform and Rural Development, acting in terms of section 4(11) of the Geomatics Profession Act, 2013 (Act No. 19 of 2013) ("the Act"), hereby give notice of extension of members and alternate members in terms of section 4(13) of the Act to the South African Geomatics Council established in terms of Section 3(1) of the Act.

Please note that Schedule one (1) hereto outlines the names and positions held by appointees to the Council, whose term of offices is extended for one (1) year from 01 March 2025 until 28 February 2026.

Enquiries : F. Lehabe or I. Makgohlo
Email address : frans.lehabe@dalrrd.gov.za; Israel.makgohlo@dalrrd.gov.za
Contact : (012) 312 8321/9312

NYHONTSO, M (MP)
MINISTER: LAND REFORM AND RURAL DEVELOPMENT
DATE: 06/03/25

SCHEDULE 1

Section 4(1)(a)(i)	
Name	**Position**
Siyabonga Mdubeki	Member

Section 4(1)(a)(ii)			
Name	**Position**	**Name**	**Position**
Nondwe Monyake	Member	Aslam Parker	Alternate member
		Julian Williamson	Alternate member

Section 4(1)(b)(i)			
Name	**Position**	**Name**	**Position**
Yonela Matende	Member	Sicelo Ndara	Alternate member
		Prathiska Rambally	Alternate member

Section 4(1)(b)(ii)			
Name	**Position**	**Name**	**Position**
Reggie Hammond	Member	Ayanda Mbatha	Alternate member
Nape Mojapelo	Member	Hendrick Grobler	Alternate member
Norman Banks	Member		Alternate member
Andrew Watermeyer	Member	Gaynor Deacon	Alternate member
Craig Silva	Member	Patrick Matibe	Alternate member
	Member	Slindile Mhlongo	Alternate member

Section 4(1)(c)			
Member	**Position**	**Name**	
Zahn Munch	Member	Mulemwa Akombelwa	Alternate member

Section 4(1)(d)			
Name	**Position**	**Name**	**Position**
Smanga Sethene	Member		
Modiehi Molebatsi	Member	Mwitwa Chilufya	**Alternate member**

Name	Position
Nape Mojapelo	Chairperson
Siyabonga Mdubeki	Deputy Chairperson
Norman Banks	Alternate Chairperson

DEPARTMENT OF EMPLOYMENT AND LABOUR

NO. 6260 **30 May 2025**

AMENDMENT NOTICE

This is a notice to amend the notice published on the 23 May 2025 under Gazette no.52712 page no.27.

PUBLIC REGISTER NOTICE

EMPLOYMENT EQUITY ACT, 1998 (ACT NO. 55 OF 1998)

I, Nomakhosazana Meth, Minister of Employment and Labour, publish in the attached Schedule hereto, the register maintained in terms of Section 41 of the Employment Equity Act, 1998 (Act No. 55 of 1998) of designated employers that have submitted employment equity reports in terms of Section 21, of the Employment Equity Act, Act No. 55 of 1998 as amended.

N METH
MINISTER OF EMPLOYMENT AND LABOUR

ISAZISO SASEREJISTRI SOLUNTU

UMTHETHO WOKULUNGELELANISA INGQESHO, (UMTHETHO YINOMBOLO YAMA-55 KA-1998)

Mna, Nomakhosazana Meth, umphathiswa wezokuqashwa kanye nezabasebenzi , ndipapasha kule Shedyuli iqhakamshelwe apha irejista egcina ngokwemiqathango yeCandelo 41 lomThetho wokuLungelelanisa iNgqesho, ka-1998 (umThetho oyiNombolo yama-55 ka-1998) izikhundla zabaqeshi abangenise iingxelo zokuLungelelanisa iNgqesho ngokwemigaqo yeCandelo 21, lomThetho wokuLungelelanisa iNgqesho, umThetho oyiNombolo yama-55 ka-1998.

N METH, MP
UMPHATHISWA WEZOKUQASHWA KANYE NEZABASEBENZI

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 6261 **30 May 2025**

DESIGNATION OF THE NATIONAL PREVENTIVE MECHANISM
South Africa's obligations under the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT)

(1) In accordance with Articles 3 and 17 of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), ratified by South Africa in 2019, Cabinet designated the South African Human Rights Commission (SAHRC) as the National Preventive Mechanism.

(2) The contact persons at the South African Human Rights Commission are: Ms Philile Ntuli, Commissioner of the SAHRC and responsible for oversight of the NPM and Dr Kwanele Pakati serving as the Head of the NPM.

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 6262 **30 May 2025**

NATIONAL ENERGY REGULATOR OF SOUTH AFRICA

NET-BILLING RULES

The Net-Billing Rules are made in terms of section 35 1 (a)(b)(c) of the Electricity Regulation Act, 2006 (Act No. 4 of 2006) ('the ERA' or 'the Act')

An electronic copy of these Rules is available on the NERSA website at www.nersa.org.za.

Enquiries should be directed at the Acting Executive Manager: Electricity Regulation at the following contact details:

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Date Approved: 17 December 2024

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Definitions

In these Rules, words and phrases shall have the same meaning as words and phrases defined in the Electricity Regulation Act, 2006 (Act No. 4 of 2006) ('the ERA' or 'the Act') unless otherwise defined herein, in which case such words will have the meanings ascribed hereunder.

Capacity means, in respect of the unit or the facility, at any time and from time to time, the output power (expressed in megawatts or MW) of such unit or the facility.

Code means the Distribution Code, the Grid Code, or any other Code approved by NERSA.

Connection agreement means an agreement detailing the conditions under which the Distributor intends to connect the Prosumer.

Cost of supply study means the NERSA standard guideline for deriving and allocating costs of supply, used for the design of tariffs.

Customer means a user of electricity (person or legal entity) that has entered into an agreement with a licensed Distributor of electricity.

Delivery point means the physical point, situated at the point of the facility, where the energy output is to be delivered by the generator.

Distributor means a licensee or its appointed representative that constructs, operates and maintains the distribution network.

Demand means the highest average demand measured in kVA at the point of supply during a 30-minute integrating period in a billing month.

Embedded generator means a legal entity that operates one or more units connected to the distribution system or desires to connect one or more units to the distribution system.

Export tariff means the rate at which energy is credited on a Prosumer's bill at the end of each billing period for every kilowatt-hour (kWh) of exported electricity to the distribution power system.

Exported electricity means the energy provided by the prosumer to the distribution system when the prosumer generates more power than it consumes.

Facility means the generation or distribution facility, as applicable, located at the plant and comprising all plants, machinery and equipment, as well as all associated

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buildings and structures, roads on the site that are not national, provincial or municipal roads.

Import tariff means the rate at which imported electricity from the power system energy is charged to a Prosumer.

Imported electricity means the energy and demand provided to the prosumer by the distributor when the prosumer consumes more power than it generates.

Maximum export capacity means the maximum capacity measure in 30 minute integrating periods at the point of supply notified by the customer and accepted the Distributor for the of electrical energy between a generator and/or distribution system.

Net-billing means a method of compensating customers when their generation is synchronised with the grid and some electricity is exported. The compensation for exported electricity is calculated using an export tariff. The customer is still charged the full tariff for energy consumed and capacity provided.

Notified maximum demand (NMD) means the maximum demand of the prosumer at the point of connection, notified in writing by the prosumer and accepted by the distributor or for the delivery of electrical energy to the prosumer.

Point of connection/supply is the electrical node on a power system where a facility is physically connected to the licensed transmitter or distributor's electricity network.

Power system means the distribution electricity network.

Prosumer means a customer that has entered into an agreement with a distributor and generates electricity on its side of the billing meter with a generation facility that is primarily intended to offset part or all of its electricity requirements. A prosumer specifically excludes parties that are not offsetting own consumption and may be wheeling or selling electricity to buyers.

Site means the property upon which the facility will be constructed and operated.

Time of use means periods and seasons during which a time-of-use tariff has different energy rates.

Time-of-use tariff means a tariff with energy rates that change during time-of-use periods and seasons.

Unit means a separate electricity-generating unit or section comprising multiple units forming part of the facility, which can generate and deliver electricity to the delivery point, and 'units' means all or a combination of them.

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1. Objectives of the Net-Billing Rules

1.1. The Net-Billing Rules ('the Rules') are designed to empower licensed Distributors to establish tariffs and develop terms and conditions that allow Prosumers within their service areas to export any excess power back to the distribution network.

1.2. These Rules aim to create a robust regulatory environment that enables the National Energy Regulator of South Africa (NERSA) to effectively oversee, monitor and regulate the electricity industry.

1.3. The key objective of these Rules is to provide Distributors with clear pricing principles for setting sustainable prosumer export tariffs and import charges in a way that balances the interests of both Distributors and Prosumers.

2. Eligible Generation Technologies

The Distributor shall determine the types of eligible generation technologies in line with its network characteristics and environmental targets of South Africa.

3. Generation Capacity Limits and Technical Standards

3.1 The Distributor shall set the maximum excess of energy that a single generation facility can export and the total excess energy all facilities can export in its distribution area or in accordance with:

(a) the electrical infrastructure equipment ratings of the upstream of Prosumer generation facilities; and

(b) the limits imposed by the stability requirements of:

(i) the Distribution power system as determined by the technical studies; or

(ii) national technical guidelines or specifications in line with NRS 097.

3.2 The Distributor shall ensure that the generation capacity of a distributed generator does not exceed the lower of:

a) the customer's main electricity supply circuit breaker current rating converted to the kVA of the supply, or

b) 1000kVA.

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3.3 Generation capacity limits shall be subject to the cumulative generation capacity limits of multiple distributed generation facilities (i.e. network hosting capacity limits), and must be determined by the Distributor in accordance with the following:

a) Simplified connection criteria that specify parameters within which distributed generators can connect without adverse network impacts and, therefore, do not require further technical network studies, where such hosting capacity criteria have been established by the Distributor.

b) The distribution electrical infrastructure equipment ratings and operating characteristics upstream of Prosumer generation facilities as determined by network impact studies.

c) Limits imposed by the stability requirements of the distribution network, as determined by technical studies performed by NERSA or the Distributor, and network performance observed by the Distributor.

3.4 The Distributor shall ensure that the design, installation and operation of each generation facility connected to the grid meets the applicable technical requirements and standards stipulated in the Codes and all applicable regulations.

4. Application and Connection of a Prosumer

4.1 The Distributor shall treat all applications for connection to the distribution power system by potential Prosumers in an open and transparent manner that ensures non-discriminatory treatment for all applicants.

4.2 The Distributor may not allow a Prosumer connection to the distribution power system without:

(a) applying to the Distributor detailing:

(i) the description of the applicant;

(ii) the proposed installed capacity;

(iii) the description of the proposed generation technology;

(iv) the continued ability to comply with all applicable legislation;

(v) where applicable, the duration of the connection;

(vi) information relating to the embedded generation facility plant data, location and capacity and standby characteristics; and

(vii) any other requirements specified by the Distributor.

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(b) paying the required connection charges, including recovery of meter cost after application to the Distributor (as applicable);

(c) signing the required billing reconciliation and connection agreement; and

(d) receiving written approval from the Distributor to connect.

4.3 The Distributor shall permit the application to be submitted when the Prosumer is lawfully represented by an authorised third party acting on their behalf. Evidence of such permission, in writing, must accompany the application. The third party shall not be considered a Prosumer.

4.4 Any dispute arising from a rejection of an application for connection shall follow a Distributor's internal dispute resolution process and, if not resolved, may be referred to NERSA as a dispute.

4.5 The Distributor shall communicate the outcome of the application to the applicant no later than 30 days from the date of receipt of the application.

4.6 Subject to the provisions of these Rules, the Distributor shall grant access to every application that complies with all technical standards, codes and guidelines.

4.7 The Distributor shall justify any rejection in writing and, where feasible, shall inform applicants of measures they can take for such connection to be compliant.

4.8 Should technical studies be necessary to determine connection feasibility, the Distributor shall communicate the need for such studies to the prospective Prosumer within the timeframe specified.

5. Principles for Designing Export Tariff for Prosumers

5.1 The export tariff principles under these Rules are in accordance with the NERSA Distribution Tariff Code and further specify the tariff design for Prosumers with embedded generation facilities.

5.2 The Distributor must design an export tariff for all Prosumers, subject to approval by NERSA, that provides a credit for exported energy, not more than the consumption during each time-of-use period.

5.3 In designing the export tariff, the Distributor must:

i) not discriminate or allocate disproportionate or unjustified burdens or cross-subsidies to prosumers;

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ii) not create additional disproportionate or unjustified burdens or cross-subsidies to the tariffs of customers that are not Prosumers; and

iii) conduct a cost of supply study and provide NERSA with its cost of supply study as part of the submission for the Prosumer tariff.

5.4 A distributor that cannot implement time-of-use export tariff must provide a reason and a plan on how this can be resolved.

6. Applicable Tariff Charges for Prosumers

6.1 In line with NERSA guidelines, Distributors must undertake a cost of supply study to assist in allocating costs to electricity services. Unbundled, cost-reflective tariffs are needed to develop tariffs that reflect variable cost components (e.g. in relation to the procurement of energy) and fixed components.

6.2 After allowing the Prosumer to connect to the distribution power system, the distributor shall set a tariff based on the following elements:

(i) Variable charges (c/kWh)

- Energy and network charges for imported energy (import tariff) to recover energy costs (costs of energy purchases) and network costs associated with the demand or usage of the network on a time-of-use rate as guided by the NERSA Distribution Tariff Code.
- Energy charges for exported energy (export tariff) to credit the Prosumer must be valued at the avoided energy cost of the distributor and on a time-of-use rate.

(ii) Fixed charges (R/day or R/kVA – based on Notified Maximum Demand (NMD), as guided by the NERSA Distribution Tariff Code, such as:

- network charges to recover network capital, maintenance, returns and fixed operating costs based on NMD;
- service and administration charges to recover the retail costs associated with billing, meter reading and Prosumer service associated with the consumption of energy.

(iii) Other charges, as guided by the NERSA Distribution Tariff Code, such as:

- one-time charges to the Prosumer in the form of connection charges to recover metering and network-related costs; and

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- charges related to the contribution to subsidies and other levies (could be fixed or variable).

7. Compensation and Billing

7.1 Energy exported must:

(a) be credited to the relevant monthly billing period;

(b) not be offset against fixed, basic or demand charges but only offset against energy exported;

(c) not be compensated in cash by the distributor but only offset against the energy purchases; and

(d) where export compensation exceeds the financial value of energy purchases in that billing period, be carried over to offset future electricity purchases from the distributor, provided such rollover shall not extend into the new financial year of the distributor.

7.2 The Distributor should avoid estimating the electricity consumed and exported by net- billed Prosumers during any billing period.

8. Billing System

The billing system for net-billing shall account for both imported and exported energy from/to the grid by the Prosumer as separate transactions.

9. Metering Infrastructure

9.1 Distributors shall install relevant meters for Prosumers which enable net billing.

9.2 Meters for distributed generation net billing shall:

(a) be bi-directional – capable of measuring forward and reverse electricity flow in separate registers;

(b) comply with any prescribed requirements of the Distributor;

(c) comply with the relevant metering code/standard/specification;

(d) be able to measure and record peak supply;

(e) be capable of two-way communication; and

(f) provide time-of-use metering.

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9.3 The metering equipment shall be procured, installed and maintained by the distributor or by a duly authorised third party. The distributor may levy charges on the Prosumer to cover associated costs.

9.4 Spinning disc meters are not permitted to spin backwards or reverse in direction as a means of metering bi-directional power flow.

9.5 The Distributor shall modify their existing billing infrastructure to enable bi-directional metering and billing arrangements envisaged under these Rules.

10. Responsibilities of the Distributor

10.1 The Distributor shall provide the distributed generator non-discriminatory access to its distribution power system in accordance with section 21(3) of the Electricity Regulation Act, 2006 (Act No. 4 of 2006) and the Grid Code, except if there are objectively justifiable and identifiable technical or other grounds that prevent such access.

10.2 The Distributor shall have the right to disconnect an embedded generation facility at any time in the event of threat/damage from such embedded generation facility to its power system to prevent any accident or damage without any notice. In addition, the distributor may call upon the prosumer to rectify the defect within a reasonable time.

10.3 The Distributor shall make available permitting process documentation, which details:

(a) the rights and obligations of the Prosumer and the Distributor regarding the distributed generation system;

(b) the connection application procedure, including Distributor's response time frames;

(c) the technical standards and other requirements the Prosumer must adhere to;

(d) how the distributed generator grid impact will be established and roles and responsibilities of the Prosumer and the Distributor in this regard, including responsibilities for network upgrades should the hosting capacity of the network be exceeded;

(e) the commissioning process, including requirements for signoff by competent persons;

(f) ongoing operation requirements for the Prosumer;

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(g) process for pre-existing installed distributed generators to comply with utility requirements and receive permission to generate; and

(h) any other information deemed relevant by the Distributor.

10.4 The Distributor shall specify the Utility Interface Standard, covering a minimum power quality and safety requirements at the point of connection, with which the distributed generator shall comply.

10.5 The Distributor shall make available application forms, commissioning reports and other documentation necessary for the prosumer to undertake the steps in the permitting process.

10.6 The Distributor shall make available the agreement to be entered into between the Prosumer and Utility/Distributor, covering both the connection and billing reconciliation aspects.

10.7 The Distributor must connect a Prosumer on a first-come, first-served principle or other rational strategy made explicit by the Distributor.

10.8 The Distributor should make all relevant information and documentation easily accessible to prospective Prosumers, such as on a website, including contact details for application submission and associated queries.

11. Monitoring, Control, Information and Reporting

11.1 The Distributor shall establish and maintain a register of Prosumers, in which the following shall be recorded-

(a) The name, address and GIS location of every Prosumer

(b) The generation technology, rated capacity and storage capacity (if included)

(c) The date of approval to generate

(d) Estimated annual generation per Prosumer;

(e) Estimated annual export per Prosumer;

(f) Total estimated annual amount of kWh produced by Prosumers.

(g) Total amount of kWh exported by Prosumers.

11.2 The Distributor shall ensure that the register is continuously updated and submitted bi-annually to NERSA.

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12. Change of Ownership

12.1 The Distributor shall ensure that where a Prosumer sells the distributed generator premises operating under these Rules, the new owner of the premises signs a new Agreement with the Distributor to continue operation.

12.2 The Distributor shall ensure that the Prosumer forfeits any credits accrued under the net-billing arrangements and is not entitled to transfer any credit amount to any other account.

12.3 The Prosumer shall bear all costs and expenses for the transfer of ownership of the distributed generator.

13. Termination

13.1 The Distributor shall allow the Prosumer to terminate the Agreement with the Distributor at any time, upon which the Prosumer shall be required to disconnect its distributed generator and notify the Distributor of such action.

13.2 The Distributor may terminate the agreement with the Prosumer at any time for failure to comply with these Rules or the Distributor requirements upon 14 days' written notice by the Distributor.

14. Fines

14.1 The following represent a breach by the Prosumer and are liable for a tampering charge/fine as per the Distributor schedule of charges or notice issued by NERSA:

a) Connecting a distributed generator without an agreement and written permission to do so from the Distributor.

b) Contravening any of the conditions of the Agreement;

c) Doing an act or omission contrary to the provisions in the Rules.

15. Complaints, Disputes and Appeals

15.1 Any complaints and/or disputes under these Rules shall be referred to the distributor for resolution as the initial point of contact. If such issues remain unresolved after due process, they may be escalated to NERSA for further consideration and resolution.

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16. Net-Billing for Electricity Licensed Distributors

16.1 These Rules will be called ‘Net-Billing Rules’ and shall come into operation on the date of approval and publication.

16.2 These Rules will be revised from time to time, and the revised version will be published accordingly after each revision.

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

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NATIONAL ENERGY REGULATOR OF SOUTH AFRICA

REGULATORY RULES ON NETWORK CHARGES FOR THIRD-PARTY WHEELING OF ENERGY

Version 01

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DEFINITIONS

Terms not otherwise defined in the Act and/or Codes shall have the meaning given to them below.

Act	Electricity Regulation Act, 2006 (Act No. 4 of 2006), as amended.
Active energy charges	The charges associated with the electrical energy supplied and delivered by the licensee and consumed by the off-taker.
Avoided cost	The marginal costs a licensee would avoid in any given period if a distributed electrical energy resource provided electricity instead of the licensee. For Network Service Providers (NSPs) at the retail level, this would be their energy purchase costs plus potential technical losses.
Buyer	A third-party purchaser of the Wheeled Energy that concludes a Power Purchase Agreement with the Seller, which can be a: (a) NSP; (b) Trader; (c) Corporate Entity; or (d) Off-taker, as may be applicable.
Codes	The South African Grid Code, the Distribution Code, or any other code approved by NERSA, as may be applicable.
Corporate entity	A juristic person (as defined in the Companies Act, 2008 (Act No. 71 of 2008) that purchases wheeled energy but is not a trader or a licensee.
Connection and Use-of-System Agreement	The agreement between a generator and the network service provider for the connection to and/or use of the network, including for the export of the wheeled energy.

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Cost of supply studies	Studies that derive and allocate the costs of supply, used for the design of tariffs (but excludes determining the connection charges).
Distributor	A legal entity that owns or operates/distributes electricity through a distribution system
Electricity supply agreement	The agreement between a load and a licensee for the connection to and/or use of the network, including any purchase of electrical energy from the licensee and capacity associated with the delivery of energy.
Electricity Pricing Policy	South African Electricity Supply Industry: Electricity Pricing Policy, dated 12 December 2008, including subsequent amendments thereto.
End-user	Users of electricity connected to the Distribution System.
Eskom	Eskom Holdings SOC Limited, registration number 2002/015527/30, a state-owned company duly incorporated in South Africa acting through its generation, distribution and/or transmission divisions, as the case may be (including its successor in title, assigns, any applicable new entity created through a restructuring of Eskom and/or any entity to whom assets belonging to Eskom or current functions of Eskom are disposed of and/or transferred to).
Generator	A facility that generates electricity for the purposes of own use, or to sell electrical energy through a power purchase agreement.
Licensee	A legal entity licensed by NERSA in terms of the Electricity Regulation Act to provide the electricity distribution and/or trading services. The holder of the licence granted or deemed to have been granted by the Regulator

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National Transmission Company of South Africa	The South African legal entity licensed to execute the national transmission responsibility. It consists of a System Operator and a national transmission network service provider
Network	The transmission or distribution power system, as may be applicable.
Network charges for third-party transportation of energy	The use-of-system (UoS) charges are charges meant to recover the costs associated with the use of and making capacity available on an electricity network. These charges are the unbundled regulated tariffs, charged by the NSP for making transmission or distribution capacity available to generators and loads.
Network Service Provider or NSP	NSP is a legal entity that is licensed to provide network services through ownership and maintenance.
Off-taker	The customer that purchases and pays for the wheeled energy from a seller.
Power Purchase Agreement or PPA	An agreement between a generator and a buyer for the sale and purchase of energy.
Third-party wheeling	Third-party wheeling is a financial transaction where through bi-lateral or multi-lateral transactions, a Generator sells their generated electrical energy to another party, Wheeling through the existing distribution or transmission Network of a Licensee.
Regulator (NERSA)	The National Energy Regulator of South Africa, being a regulatory authority established in terms of section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004) or its successor in title.
Seller	Any person or entity authorized to sell electricity under the regulatory framework, this may include generators, distributors, or intermediaries participating in electricity trading or direct supply to consumers

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Subsidy	The application of funds generated from taxes, levies, and other sources, outside of the electricity sector, to lower the charges to particular customer categories. (Note definition for cross-subsidies)
Surcharges	A charge in excess of the municipal cost of supply that a municipality may impose on fees for a municipal service provided by or on behalf of a municipality, in terms of section 229(1)(a) of the Constitution and the Municipal Finance Management Act.
Tariff	Means a charge to a customer or end user in respect of a licensed activity or registered activity, other than a surcharge, tax, levy or duty imposed by a municipality in terms of section 229 of the Constitution of the Republic of South Africa, 1996. A combination of monthly charges, each at a particular rate, that are usually escalated annually and are applied to recover the costs of measured quantities, such as consumption and capacity, and the costs of unmeasured quantities, such as customer service and administration.
Trader	A legal entity licensed or registered to engage in the buying and selling of electricity as a commercial activity
Trading	Means the wholesale or retail buying and selling of electricity, and 'trade' has a corresponding meaning.
Third-party wheeling	Third-party wheeling is a financial transaction where through bi-lateral or multi-lateral transactions, a Generator sells their generated electrical energy to another party, wheeling the energy through the existing distribution or transmission network of an NSP.
Wheeled Energy	Means the electrical energy (kWh) produced by the generator as measured

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	by the meter of the generator and the NSP at one site that is sold to a Buyer at another site, and this electricity is delivered from the generator to the customer through a NSP's network.
Wheeling tariff/Credit rate	Means the rate at which wheeled energy is accounted for and is based on the NSP's avoided cost. This excludes any use-of-system charges.

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ABBREVIATION

EPP	Electricity Pricing Policy, dated 12 December 2008
ERA	Electricity Regulation Act, 2006 (Act No. 4 of 2006), as amended or re-enacted from time to time
IPP	Independent Power Producer
kWh	Kilowatt hours
NERSA	National Energy Regulator of South Africa
NSP	Network Services Provider
NTCSA	National Transmission Company of South Africa
O&M	Operation and Maintenance
PPA	Power Purchase Agreement
UoS	Use of System

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1. INTRODUCTION

1.1 The National Energy Regulator of South Africa (NERSA) is a regulatory authority established as a juristic person in terms of section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004). NERSA's mandate is to regulate the electricity, piped-gas and petroleum pipeline industries in terms of the Electricity Regulation Act, 2006 (Act No. 4 of 2006), Gas Act, 2001 (Act No. 48 of 2001) and Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

1.2 The Electricity Regulation Act, 2006 (Act No. 4 of 2006) ('the ERA' or 'the Act') defines trading as 'wholesale or retail buying and selling of electricity as a commercial activity'. The ERA further provides that certain commercial activities must be registered rather than licensed.

1.3 Pursuant to its obligations under section 35 of the ERA, NERSA published the Regulatory Rules on Network Charges for Third-Party Transportation of Energy ('2012 Third-Party Network Charges Rules') to regulate the pricing of network access and transportation of electricity across transmission and distribution systems.

1.4 These rules included the methodologies for developing transmission and distribution use-of-system charges. However, as NERSA has developed new transmission and distribution tariff codes, the methodologies described in the 2012 rules have become obsolete. The 2012 rules also do not describe how other parties could access the grid and the type of contracts they should sign with transmission and distribution system owners (what is usually called a Transmission/Distribution Use-of-System Agreement).

1.5 The amendment is intended to determine applicable charges for the use of the system by both generators and loads connected to the transmission and/or distribution network within the Republic of South Africa and to allow other parties to access the networks.

1.6 The use-of-system (UoS) charges are charges meant to recover the costs associated with the use of, and making capacity available on, an electricity network. These charges are the unbundled regulated tariffs, charged by the Transmission or Distribution Licensee as a network service provider for making transmission or distribution capacity available to generators and loads.

1.7 The application of UoS charges allows for the recovery of the fixed, capital, operation and maintenance (O&M) costs, recovery of distribution and transmission losses and costs for ancillary services procured by the system operator. These UoS charges do not recover connection charges, which should be charged separately before connecting to the network.

1.8 These rules stipulate the requirements that must be met for the wheeling of energy by affected parties.

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2. LEGAL MANDATE

2.1 The nexus between the Electricity Regulation Act and the Electricity Pricing Policy creates an obligation on the part of NERSA to consider the applicable provisions when regulating and/or developing regulatory instruments. The obligation referred to enables rationality and efficiency, and the effective execution of the mandate and development of rules. It is proper to locate the power to develop rules within the confines of the ERA, so that the assumption of appropriating powers which NERSA does not have, is dispelled.

2.2 Section 4(a)(iv) of the ERA mandates NERSA to develop rules aimed at giving effect to national government electricity policy and this general mandate on the specific policy requires the evaluation of such policy to align with the specificity provided in the policy to avoid expanding the policy or being at variance with such a policy.

2.3 Policy position 5 of the Electricity Pricing Policy (EPP) outlines the obligation placed on the network owner to allow third-party access and links such ability with having charges approved by NERSA. This sets out a reciprocal relationship between the powers of NERSA to approve what a licensee is supposed to charge, and a licensee only having to charge that which NERSA has approved. The policy goes further to require NERSA to develop a methodology for transmission and distribution wheeling. With this identifiable obligation, section 4(a)(iv) requires that such should be done through the development of rules.

2.4 Rules once developed and gazetted are binding to all licensees, as opposed to utilising section 14 of the ERA. The latter will only be binding on such licensees for which a condition has been made applicable, while the former is a subordinate/delegated legislation generally applicable. The requirement of making the rules avoid regulatory inefficiency despite the law being clear on the prohibitions against any licensee and for NERSA not being derelict to the requirement of the law.

2.5 The further objective necessitating the development of these rules is found in section 2(a), (b) and (f) of the ERA, which guides in terms of the regulatory achievements expected. When these rules are made universally applicable, deviations can be easily identified and enforcement speedily raised.

2.6 It is important to note that these rules will assist licensees in the exercising of their discretion in allowing third-party access, as required by section 21(2), (3) and (4). Subsection 4 requires a licensee to comply with any rule and tariff to be charged, giving effect to the contribution to the strengthening or upgrading of such a system. The restriction of a tariff to be charged is embodied in section 15(2), with such restriction placed on a licensee with regard to the absence of discretion, but only by such a tariff approved by NERSA.

2.7 For the proposed rules to have an external binding legal effect, section 35(1) of the ERA requires that a notice must be published in the Gazette. This will ensure the completeness of the process of the development of rules as a

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delegated function, which forms part of the statutory framework administered by NERSA.

2.8 The outline of the legal mandate seeks to reflect on the mandate, jurisdiction and the process that must be observed in finalisation of the development of the rules. Any potential legal challenge that may be brought by any person can easily be dispelled because the fundamental aspects forming part of the development of rules are observed.

3. THE CONCEPT OF WHEELING

Wheeling is the financial transactions representing the delivery of electrical energy over a network. UoS charges are paid by consumers and generators connected to the grid and is independent of whether wheeling takes place or not. Wheeling requires retail-only costs to be recovered, and only by the NSP's at point of connection. [e.g. a municipal NSP or Eskom/the National Transmission Company of South Africa (NTCSA)].

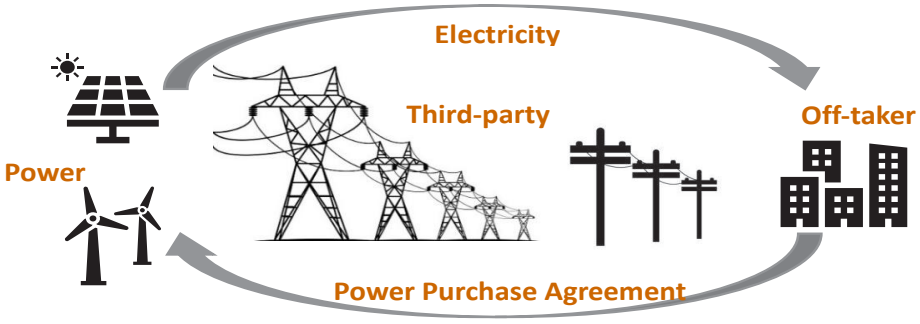


Figure 1: Schematic overview of a wheeling transaction.
Source: SALGA Wheeling Report[1], 2023

4. WHEELING SCENARIOS

The implementation of wheeling differs depending on where the generator is connected. The following are three possible scenarios are most common but there are others:

Scenario 1: Generator connected to an Eskom/NTCSA network wheeling to a customer connected to an Eskom/NTCSA network as an off-taker

Scenario 2: Generator connected to an Eskom/NTCSA network wheeling to a customer connected to a municipal network as an off-taker

Scenario 3: Generator connected to a municipal network wheeling to a customer connected to a municipal network as an off-taker

[1] SALGA 2023, Wheeling in South African Municipalities: Overview and Status of Progress July 2023 Available online: https://www.sseg.org.za/wp-content/uploads/2023/07/SALGA-Status-of-Wheeling-Report-July-2023.pdf , Last accessed 3 June 2024.

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4.1 Scenario 1: Generator connected to an Eskom/NTCSA network wheeling to a customer connected to an Eskom/NTCSA network as an off-taker

In this wheeling scenario (see Figure 2), the wheeled energy travels across Eskom's network, meaning that UoS charges will be paid for Eskom's transmission and/or distribution network. This scenario requires the generator to comply with Eskom's connection requirements and the generator must apply to Eskom for the grid connection.

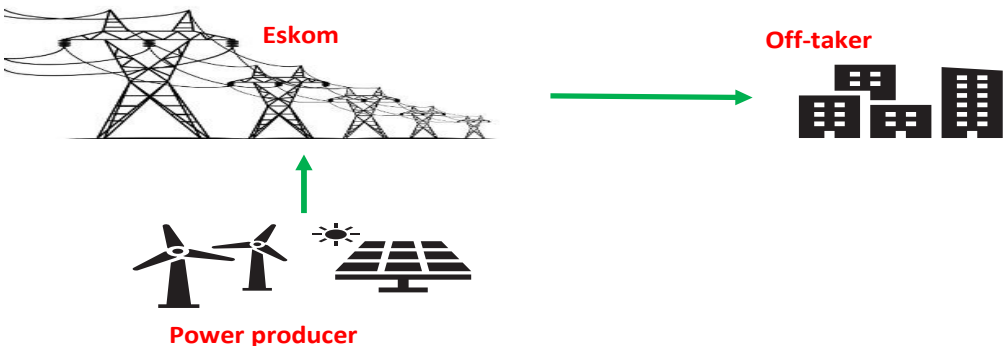


Figure 2: Illustration of Eskom-connected generator wheeling to an Eskom-connected off-taker

The following suggested agreements must be in place in this scenario:

- An Electricity Supply Agreement for the payment of NERSA-approved charges for the delivery of energy and the purchase of energy from Eskom.
- An amendment to the electricity supply agreement to reflect the wheeled energy and the wheeling charges/credits on the off-taker's bill.
- A Connection and Use-of-System Agreement between the generator and Eskom to reflect the allocation of the total energy exported to the grid to be credited to the off-taker.
- A Power Purchase Agreement (PPA) between the generator or trader and the off-taker (required by NERSA for registration).

4.2 Scenario 2: Generator connected to an Eskom/NTCSA network wheeling to a customer connected to a municipal network as an off-taker

In this wheeling scenario (see Figure 3), the wheeled energy travels across Eskom's and the municipality's networks, meaning that UoS charges will be paid for Eskom's transmission and/or distribution network and the municipality's distribution network. This scenario requires the generator to comply with Eskom's connection requirements, and the generator must apply to Eskom for the grid connection.

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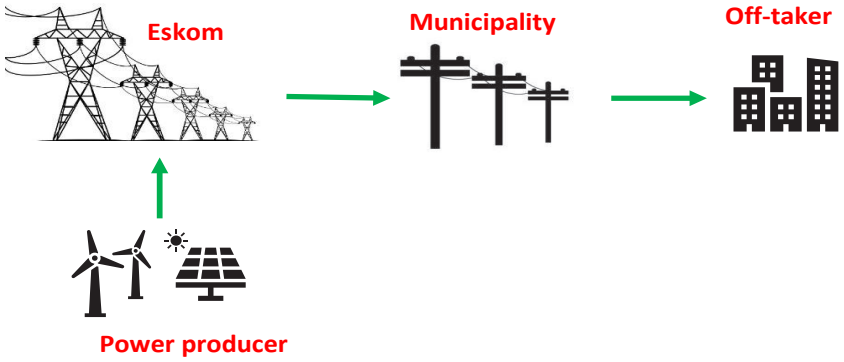


Figure 3: Illustration of Eskom-connected generator wheeling to a municipal-connected off-taker
Source: SALGA Wheeling Report[2], 2023

The following suggested agreements must be in place in this scenario:

- An Electricity Supply Agreement between Eskom and the Municipal Licensee for the payment of NERSA-approved charges for the delivery of energy and the purchase of energy from Eskom.
- An amendment to the electricity supply agreement to reflect the wheeled energy and the wheeling charges/credits on the municipal Licensee's bill.
- An amended Electricity Supply Agreement between the municipal Licensee and the off-taker within the municipality to reflect the wheeling charges/credit on the off-takers' bill.
- A Connection and Use-of-System Agreement between the generator and Eskom to reflect the allocation of the total energy exported to the grid to be credited to the municipal Licensee and in turn the off-taker.
- A Power PPA between the generator or trader and the off-taker (required by NERSA for registration).

4.3 Scenario 3: Generator connected to a municipal network wheeling to a customer connected to the same municipal network as an off-taker

In this wheeling scenario (see Figure 4), the wheeled energy does not travel across Eskom's network, meaning that only the municipality's distribution UoS charges must be paid. This scenario requires the municipality to process the generator's connection application, as it will be connected to the municipality's grid.

[2] **SALGA 2023, Wheeling in South African Municipalities: Overview and Status of Progress July 2023 Available online:** https://www.sseg.org.za/wp-content/uploads/2023/07/SALGA-Status-of-Wheeling-Report-July-2023.pdf **, Last accessed 3 June 2024.**

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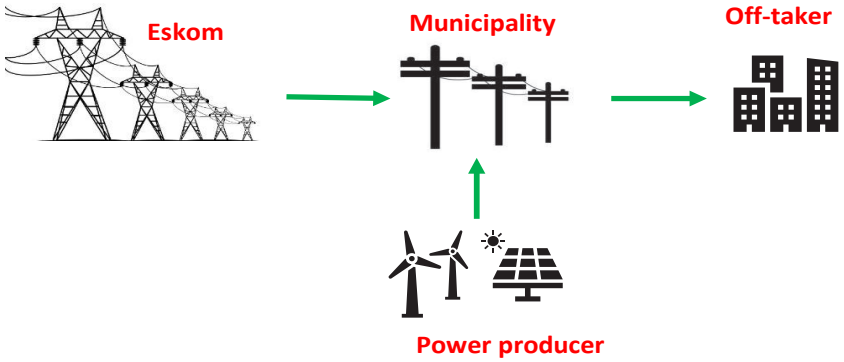


Figure 4: Municipal-connected generator wheeling to a municipal-connected off-taker Source: SALGA Wheeling Report[3], 2023

Suggested agreements in this scenario include:

- The generator has a Connection and Use-of-System Agreement with the municipality.
- A new Electricity Supply Agreement must be in place, or the off-taker must sign an amended Electricity Supply Agreement with the municipality to reflect the wheelied energy on the bill.
- A PPA between the generator or trader and the off-taker (required by NERSA for registration).

5. OBJECTIVES OF THE RULES

These rules seek to achieve the following objectives:

5.1 **Non-discriminatory access:** Promoting non-discriminatory access to and use of the networks by all existing and potential customers.

5.2 **Cost reflectivity of charges:** Emphasising that tariffs must reflect the cost of providing a service as far as possible, based on the relative utilisation of the networks.

5.3 **Fairness and equity:** Balancing the needs of all customers and licensees (the NTCSA and NSPs) on a fair and equitable basis through tariffs that are non-discriminatory (unless otherwise determined by NERSA).

5.4 **Transparency:** Supporting that tariff structures should be unbundled to reflect the true cost and cost drivers of the licensed activity, including any approved subsidies and levies.

[3] SALGA 2023, Wheeling in South African Municipalities: Overview and Status of Progress July 2023 Available online: https://www.sseg.org.za/wp-content/uploads/2023/07/SALGA-Status-of-Wheeling-Report-July-2023.pdf , Last accessed 3 June 2024.

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5.5 **Network reliability and security:** Ensuring that third-party wheeling does not compromise the overall reliability and security of the network.

5.6 **Incentivising a just energy transition:** Enabling customers to achieve their green energy targets by purchasing renewable energy through a wheeling transaction.

5.7 **Standardisation:** Supporting standard approaches across NSPs enhances ease of doing business.

5.8 **Regulatory certainty**: Ensuring that all electricity-related activities are duly regulated by NERSA for non-discriminatory access to the network by all generators and loads.

6. QUALIFYING CRITERIA

6.1 NSP shall allow generators at low, medium and high-voltage level to participate in wheeling transactions.

6.2 The NSP shall consider the generator connection with due consideration of the characteristics of the existing electricity network.

7. GENERAL PRINCIPLES OF THIRD-PARTY WHEELING

The following principles shall apply to third-party wheeling transactions:

7.1 Rights of access to the network (being the connection to and use of) granted by NSPs to customers (both loads and generators) are subject to the licensee's ability to connect customers in compliance with the Act, the licensee's licence, the Electricity Supply Agreement and the Connection and Use-of-System Agreement.

7.2 Use-of-system charges shall not be avoided by a third-party wheeling transaction, and such use-of-system charges shall not discriminate between customers supplied by the licensee and those supplied through bi-lateral or multi-lateral transactions.

7.3 An NSP licensee may raise incremental administration charges for a third-party wheeling transaction or incremental connection charges if additional capacity is being required.

7.4 The NSP may be the buyer of the wheeled energy if the NSP has entered into a PPA with a seller for the purchase of wheeled energy from a generation facility that is not connected to the network owned by the NSP.

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7.5 An NSP may be an intermediary to account for the wheeled energy between a generator that is not connected to its network and an off-taker connected within its network.

8. CONDITIONS TO ALLOW THIRD-PARTY WHEELING

The following conditions shall apply to third-party wheeling of energy:

8.1 All parties to the third-party wheeling transaction shall comply with all relevant laws and agreements, including the Connection and Use-of-System Agreement, the Electricity Supply Agreement and/or the amendment agreements dealing with wheeling required to be entered into to facilitate the third-party wheeling transaction.

8.2 The generator shall, as applicable, be licensed by NERSA or shall register the generation activity with NERSA.

8.3 The off-taker shall sign an amendment/addendum to the Electricity Supply Agreement entered with the NSP where the off-taker is connected.

8.4 The following activities require a licence prior to engaging in such activities:

8.4.1 Regulated entities involved in transmitting or distributing power in the Republic of South Africa through the relevant networks are required to have a licence issued by NERSA in accordance with section 7 of the Act.
8.4.2 Entities involved in trading within the Republic of South Africa shall obtain a NERSA-approved trading licence that enables buying and selling of electricity.
8.4.3 Entities involved in international export and import shall obtain a NERSA-approved import and export trading licence that enables buying and selling of electricity.

8.5 The following activities are listed under Schedule 2 of the Act as activities exempt from licensing, but require registration with NERSA:

8.5.1 Resellers are permitted to engage in reselling activities and wheeling, subject to compliance with Schedule 2 of the Act and the NERSA Resellers' Guidelines.
8.5.2 Independent Power Producer (IPP) generators that are involved in wheeling transactions, provided that such transactions do not include the sale of energy to an organ of state.

8.6 Use-of-system charges raised by the NTCSA and Distributor (referred to in section 6) shall be approved by NERSA.

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8.7 As may be applicable, the generator and the buyer shall pay all charges associated with the third-party wheeling transaction.

8.8 NSPs may impose additional conditions, as they may deem necessary, provided these conditions do not contradict these Rules, the Act, the Codes, or the EPP.

9. TARIFF UNBUNDLING

9.1 Tariff unbundling is a key step towards developing and implementing a wheeling methodology that is fair and that will ensure revenue recovery of services provided.

9.2 Tariff unbundling at distribution level is needed to ensure that customers pay for the services they use [e.g. network charges (R/kVA), energy charges (c/kWh) and administration charges (R/customer)] and that they contribute appropriately to approved levies and surcharges.

9.3 Use-of-system charges are payable by generators and loads for the use of the transmission and distribution systems, respectively, as set out below:

9.3.1 **Use-of-system charges for loads and generators**

(a) Load and generator customers, who are network users, are subject to use-of-system charges, which are applicable regardless of whether the energy is sold by the NSP or purchased through third-party wheeling transactions.

(b) Use-of-system charges enable the licensee to recover the costs associated with the use of the network and other unavoidable charges.

(c) The tariffs for loads and generators shall comply with the principles in the EPP and the Codes, and be approved by NERSA in accordance with the Act.

9.3.2 **Use-of-system charges for loads**

(a) Use-of-system charges for loads include network charges, contribution to subsidies and surcharges (where applicable), losses charges, ancillary service charges and service and administration charges.

(b) The Tariff Codes and the EPP provide guidelines on how these charges can be raised and should be appropriately structured to recover capacity-related and any other costs. The charges shall be raised using the unbundled tariff charges, reflecting the different services provided with a separate credit/offset transaction for wheeled energy. Such charges are payable for all energy delivered.

(c) These charges should be explicit and transparent, and not hidden in other charges. Where they are hidden, the method described in

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paragraph 13 shall apply. These charges cannot be doubly raised, that is, hidden in the tariff charges and in addition explicitly raised as a separate charge.

9.3.3 **Use-of-system charges for generators**

(a) Generator use-of-system charges shall be NERSA-approved tariffs payable by a generator. Charges shall include network charges, surcharges, losses, ancillary services and service and administration charges.

(b) All network service providers shall calculate these charges based on a justifiable methodology in compliance with the Codes.

10. SERVICE AND ADMINISTRATION CHARGE

The NSP shall be entitled to recover any additional service and administration costs for the third-party wheeling transaction in accordance with the principles set out below.

10.1 The justification of the fair allocated costs and the tariff charges shall be done through a cost-of-supply study considering metering, billing, reconciliation, data management and other related costs.

10.2 Fair charges shall be justified by the NSP based on the above costs and approved by NERSA to cover further administrative costs.

11. CONTRIBUTION TO SUBSIDIES AND SURCHARGES

A non-discriminatory third-party wheeling transaction shall require:

11.1 that all network users should contribute to NERSA-approved subsidy-related charges based on a cost of supply study and in compliance with any policy framework, a clearly defined subsidy framework developed by the NSP; or

11.2 municipal council-approved surcharges irrespective of the source of the electrical energy.

12. CONNECTION CHARGES

12.1 Connection charges shall be payable by generators and loads.

12.2 These charges shall contribute to the upfront cost of the connection of the generation facility and other electrical infrastructure, including any network strengthening, and shall be raised in compliance with the Grid Codes.

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13. COMPENSATION MECHANISM FOR THIRD-PARTY WHEELING

13.1 As all energy is delivered over the network and this energy will comprise a mix of energy sold by the NSP and the wheeled energy, there must be mechanism to be able to charge for and credit/refund this wheeled energy that has been delivered to the grid.

13.2 There are two ways of accounting for wheeled energy. One method is where a credit or refund is applied on the account at a wheeling credit rate tariff based on the NSP's avoided cost. This is a tariff charge based on negative kWh for wheeled energy that has been supplied to the grid and that must be 'given back' to the buyer of the energy. The other method is where the wheeled energy is charged separately, but both methods should give the same results.

13.3 These methods are discussed further below. The following options can be used to determine the how wheeling can be treated on the bill:

(a) Option 1: Wholesale energy credits for wheeled energy

(i) Full tariff charges are raised for all the energy supplied through the meter, for both the NSP-sold energy and the wheeled energy. These tariffs include all approved fixed charges, and contributions to surpluses and subsidies.

(ii) The amount of wheeled energy is then credited as a separate transaction on the customer bill using the wheeled energy kWh allocated to the off-taker's electricity bill, multiplied by a Wheeling Credit Rate Tariff.

(iii) The amount of wheeled energy is then credited (or refunded) as a separate transaction on the customer bill using the kWh allocated to the off-taker's account, multiplied by the wheeling credit rate. It is a refund because the full energy delivered was charged for, but the wheeled energy did not belong to the NSP.

(iv) Before implementing the wheeling credit rate tariff, it must be justified by the NSP for approval by NERSA. This is not a commercial arrangement for a payment of energy by the NSP, but a refund to the customer for energy exported at one point of the grid and used by the NSP and, therefore, it must be refunded to the buyer.

(v) NERSA's approval ensures that the credit rate is not discriminatory, is based on fair and equitable principles, promotes regulatory compliance and provides confidence in the tariff to be applied.

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(vi) Using an approved wheeling credit rate tariff provides clarity and transparency regarding the financial aspects of the wheeling arrangement.

(vii) It serves as a benchmark for calculating the value of the wheeled energy and ensures that the off-taker receives proper compensation for the wheeled energy.

(viii) The amount of wheeled energy may not be greater than the consumed energy per time-of-use period. Excess energy may be sold to another party by the consumer/off-taker or generator, subject to the required approvals and/or agreements being in place.

(ix) The effective UoS charge for wheeled energy is therefore the full tariff charges (i.e. normal non-wheeling retail tariffs) minus the wheeling credit rate.

Option 1: Crediting of Wheeled Energy on the bill
Wheeling Credit Rate Tariff = Time-of-Use Energy Purchase Price excluding technical losses

(x) The energy purchase price is based on the approved NSP's avoided costs.

(xi) The technical line losses shall be based on the cost-of-supply study results.

(xii) The energy purchase price to be used is based on active energy charges payable at the wholesale level.

(xiii) The licensee will have the choice to do half-hourly, hourly, or monthly time-of-use reconciliation. Over time this should, however, evolve to be at least hourly.

(b) Option 2: Netting of consumption

(i) This option subtracts the wheeled energy from the Licensee-supplied energy, but other charges may need to be raised separately on the total energy delivered. Other charges (use of system including allowable subsidies) not associated with the wheeled energy will have to be raised separately on the total energy.

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(ii) This requires fully unbundled tariffs, including loss factors.

Option 2: Separating Wheeled Energy on the bill
Use-of-system charges for the total energy = Total kWh x Use-of-system kWh + Demand charges (kVA or kW) x demand + service and administration charges + contribution to subsidies/surcharges + ancillary services + technical losses
Energy charge for Licensee supplied energy = (Total energy – Wheeled Energy) x unbundled energy charge

(c) Calculating avoided energy cost

The following shall be considered when determining avoided cost:

(i) What the NSP pays for, including dispatchable energy per hour from their supplier(s), for every kWh that is avoided from being purchased (includes dispatchable and non-dispatchable) from such supplier(s) – this would be the avoided cost.

(ii) Avoided cost shall consider the cost or saving of technical line losses, such as the avoidance of paying upstream technical losses due to generation within a distribution Network.

14. CONTRACTUAL ARRANGEMENTS

The following contracts should be in place:

14.1 Connection and Use-of-System Agreement with the generator

(a) The Generator shall enter into an agreement with the NSP that outlines the terms and conditions for the connection to and the use of the network by the generator.

(b) The Connection and Use-of-System Agreement[4] between the generator and the NSP should include details of the buyer(s) of the wheeled energy.

(c) The Connection and Use-of-System Agreement shall address the technical and operational aspects (code compliance, metering requirements, maintenance responsibilities and safety protocols) of connecting the generator's facility to the network and using the network for wheeling the wheeled energy to the off-taker.

[4] The purpose of these requirements is to ensure that the generator meets the necessary legal and technical standards, operates within the regulatory framework, and maintains the integrity and reliability of the network. By having a legal connection, the generator demonstrates its commitment to adhering to all relevant established rules and regulations.

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14.2 The agreement with the off-taker

(a) An agreement with the off-taker of the wheeled energy to account for the wheeled energy that flows onto the licensee's network, but is not owned by the licensee, is required. This can be through the Electricity Supply Agreement or an amendment, via an addendum, to the existing Electricity Supply Agreement.

(b) The Electricity Supply Agreement outlines the responsibilities and obligations of both parties involved in the third-party wheeling transaction. It specifies, among others, the quantity of total electrical energy and demand to be supplied by the licensee, the duration of the agreement, pricing mechanisms, payment terms, and any other relevant provisions related to the arrangement.

(c) The addendum shall establish the terms and conditions under which the wheeled energy will be accounted for and supplied to the off-taker.

(d) By signing the amendment/addendum to the Electricity Supply Agreement, the off-taker acknowledges its commitment to receive the wheeled energy delivered by the licensee and the mechanism and tariff used to account for the wheeled energy. This agreement ensures transparency and proper tracking of the wheeling transaction, allowing for accurate billing and reconciliation processes.

14.3 The agreement with a trader or corporate entity

(a) Where the buyer is a trader or a corporate entity and is not the off-taker, the NSP may contract with the trader or corporate entity by concluding an agreement that deals specifically with the reconciliation of the wheeled energy.

(b) The off-takers will continue to have their required contractual agreements with the licensee, as applicable.

14.4 The agreement between the NSPs (NTCSA and Distributor)

(a) Where a third-party wheeling transaction is across the transmission and distribution networks, the agreement between the respective NSPs will have to recognise the wheeling from a generator connected to a transmission network and a customer connected to a distribution network.

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15. NETWORK SERVICES PROVIDER (NSP) RESPONSIBILITIES

15.1 Third-party wheeling policy

(a) NSP shall develop third-party wheeling policies or wheeling by-laws (as approved by Eskom Distribution, NTCSA, Council and gazetted) that must be published by each licensee.

(b) Such policies or by-laws shall not contradict these Rules and must facilitate fair access, wheeling and the competitive trading of electricity.

15.2 Metering

(a) The NSP and third parties shall establish reliable metering arrangements to transparently measure the wheeled energy and determine how it is credited on the off-taker's account.

(b) Metering and measurement shall comply with the latest approved version of NRS 049-5-2.

15.3 Streamlining wheeling agreement conclusion

The Distribution Licensee shall:

(a) develop and publish clear guidelines and timelines for the conclusion of facilitating wheeling arrangement and all required agreements;

(b) implement a standardised application process, including the requisite documentation and forms;

(c) provide training and support to licensees' resources to ensure their understanding of the wheeling application process and of their responsibilities;

(d) implement an automated tracking system to monitor the progress of each wheeling application and ensure timely completion; and

(e) implement an automated wheeling application process, where possible.

15.4 Ensuring correct contracts and approval

The NSP shall:

(a) create a checklist or template for contract population to ensure all required information is accurately included;

(b) establish a review process to verify the completeness and accuracy of populated contracts before submission for approval;

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(c) clearly define the approval hierarchy and governance processes for contract approval; and

(d) implement a document management system to track the flow of contracts through the approval process and ensure all stakeholders are informed of the status.

15.5 Tracking and monitoring

The NSP shall:

(a) utilise a centralised tracking system or project management software to monitor the status and progress of wheeling agreements, contracts and associated tasks;

(b) establish key milestones and deadlines to ensure tasks are completed within the set time frames;

(c) assign responsible individuals or teams to each task and regularly communicate and follow up on their progress; and

(d) implement regular reporting mechanisms to provide visibility on the overall status of and any bottlenecks in the process.

15.6 Estimating and quantifying utility impacts

The NSP shall:

(a) develop a standardised process for estimating and quantifying the impact of wheeling on customers and the generator/off-taker/trader.

(b) define clear parameters and methodologies for conducting impact assessments, considering factors such as energy consumption, load profiles and tariff structures;

(c) establish a dedicated team or department responsible for conducting impact assessments and providing accurate calculations;

(d) communicate the estimated impacts to customers and the generator/off-taker/trader in a clear and transparent manner, highlighting any potential changes to cost or service;

(e) establish guidelines for maintaining neutrality or minimising the impact on the generator/off-taker/trader during the wheeling process;

(f) develop mechanisms to identify and address any negative impact on the generator/off-taker/trader promptly;

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(g) promote collaboration between IPPs, off-takers and traders to assist the generator/off-taker/trader in revising its cost of supply through resource contributions or cooperative data collection; and

(h) facilitate the engagement of all parties in NERSA processes related to tariff approvals, ensuring their active participation and support.

16. RIGHTS OF ACCESS

16.1 All generators and loads shall have rights of access to the network and to wheel through a third-party transaction.

16.2 Such rights will be subject to the network capacity required to accommodate such access and the availability of funding to upgrade networks, where necessary. The conditions under which access is allowed will be prescribed by the NSP, and if access is refused, reasons must be provided within a reasonable time frame and possible remedies to fast-track such access.

16.3 The technical aspects to connect to the grid must comply with the Codes and standards.

16.4 The NSP should clearly outline the capacity constraints in writing and provide an indicative timeline for when capacity may become available.

16.5 Affected parties should be informed of options to fund network upgrades under approaches like deep connection charges (per the Tariff Codes) to expedite access.

16.6 NSP should clearly outline the capacity constraints in writing and provide an indicative timeline for when capacity may become available.

16.7 Affected parties should be informed of options to fund network upgrades under approaches like deep connection charges (per the Tariff Codes) to expedite access.

16.8 The NSP should share the process and timelines for developing and approving the necessary policies or by-laws, including specific milestones and expected completion.

16.9 Any identified violations should be communicated in writing to the non-compliant party.

16.10 The NSP shall provide clear steps or guidelines for resolving the issue, including timelines for compliance.

16.11 The NSP shall document the specific risks and their potential impact through a formal assessment process or alternative measures shall be provided whenever feasible to address the risks.

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16.12 The NSP shall notify the affected parties in writing of the non-compliance issues and recommend steps to achieve compliance.

17. DISPUTES

Disputes will be dealt with as contracted for, and/or referred to NERSA for resolution by means of mediation and/or arbitration.

18. TITLE OF THESE RULES AND COMMENCEMENT

These Rules:

18.1 are called the 'Regulatory Rules on Network Charges for Third-Party Wheeling of Energy, 2024';

18.2 replace the Regulatory Rules on Network Charges for Transportation of Energy of March 2012;

18.3 shall come into effect on the date of approval by the Energy Regulator and on publication; and

18.4 will be revised from time to time and will be updated accordingly to accommodate any lessons learnt.

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 6264 30 May 2025

NATIONAL ENERGY REGULATOR OF SOUTH AFRICA

Title: Regulatory Reporting Manual Volume 1:

General Regulatory Reporting Procedures and Administrative Matters

Version 3

Purpose: To prescribe and provide guidance to the regulated entities in the Energy Sector on the format, content, preparation and submission to the Energy Regulator of required information to perform its functions.

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LIST OF ABBREVIATIONS AND ACRONYMS

ABC	Activity Based Costing
CAM	Cost Allocation Manual
Capex	Capital expenditure
CFF	Cash flow from financing activities
CFI	Cash flow from investment activities
CFO	Cash flow from operating activities
DEE	Department of Electricity and Energy
ERP	Enterprise Resource Planning
FAQ	Frequently Asked Questions
FCF	Free Cash Flow
FVA	Fair value accounting
GRAP	Generally Recognised Accounting Practice
IFRS	International Financial Reporting Standards
IPP	Independent Power Producer
IRBA	Independent Regulatory Board for Auditors
MFMA	Municipal Finance Management Act
NBV	Net Book Value
NERSA	National Energy Regulator of South Africa
NFI	Non-Financial Information
Opex	Operational expenditure
PFMA	Public Finance Management Act
RRM	Regulatory Reporting Manual
RFR	Regulatory Financial Report
RA	Registered Auditor
RAB	Regulatory Asset Base
RV	Regulatory value
SA GAAP	South African Generally Accepted Accounting Practice
SLA	Service Level Agreement

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TERMINOLOGY

1. Affiliate or Associate or Related Party – include corporations or business enterprises that are: [1] members of the same group of companies as the Corporate Entity, including subsidiaries, joint venture partners, joint venture companies and other similar arrangements, and the group's associated companies over which the Corporate Entity's ultimate shareholder (where ultimate shareholder excludes the Government) can exert significant influence; and [2] companies outside the group of companies of which the Corporate Entity is a member, over which the Corporate Entity's ultimate shareholder (where the ultimate shareholder excludes the Government) can exert significant influence.
2. Cash Flow from Financing Activities – arises from raising (or decreasing) cash through the issuance (or retraction) of additional shares, short-term or long-term debt for companies' operations.
3. Cash Flow from Investment Activities – arises from investment activities such as acquisition or disposition of current and fixed assets.
4. Cash Flow from Operating Activities – arises from normal operations such as revenues and cash operating expenses net of taxes.
5. Cost Allocation – the process of correctly assigning a single cost to more than one business unit, activity, process, product or service, based on the cost allocator, in a manner that prevents cross-subsidisation.
6. Cost Allocator – a formula or ratio for sharing the cost of an activity among those that cause the cost to be incurred.
7. Cost Driver – a measurable event or quantity that influences the level of costs incurred, which can be directly traced to the origin of the costs themselves.
8. Cross-subsidisation – when a firm producing more than one product uses the revenues from the sale of one product to cover the costs of producing another product, or the process of assigning costs between divisions/services/products in a manner that does not objectively reflect the manner in which the costs are incurred.
9. Direct Costs – costs that are specifically incurred on behalf of a specific entity with an identifiable causal relationship with a business unit, activity, process, product or service. Direct assignment is applied in case of direct costs.
10. DEE – Department of Electricity and Energy.
11. Electricity Regulation Act – Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024).
12. Energy Regulator – the structure that consists of nine members, five of whom are part-time and four are full-time, including the Chief Executive Officer (CEO).
13. Fair Value Accounting – the practice of periodically revaluing the Regulatory Asset Base, ideally by reference to current prices of similar assets.
14. Free Cash Flow – the money a company has left over after paying its operating expenses

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(opex) and capital expenditures (capex).

15. Fully Allocated Cost – the total of all direct and indirect costs, including the cost of capital incurred in providing both regulated and non-regulated goods and/or services.
16. Gas Act – the Gas Act, 2001 (Act No. 48 of 2001).
17. Government – Government of the Republic of South Africa.
18. Historical Cost – 'actual cost' or 'original cost' or 'purchase price' of the asset. Where no historical cost information exists, the RAB is the deemed historical cost at the commencement of economic regulation.
19. Incremental Costing or Marginal Costing – a pricing approach based on the additional cost of producing a product/service.
20. Independent Power Producer (IPP) – any person in which the Government or any organ of state does not hold a controlling ownership interest (whether direct or indirect) that undertakes or intends to undertake the development of new generation capacity pursuant to a determination made by the Minister in terms of the Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024).
21. Indirect Costs – costs that are not directly assignable to a product or service but incurred by an entity or business unit in producing the regulated product or service. This includes, but is not limited to, overhead costs, administrative and general costs, and taxes. Indirect costs are allocated based upon a methodology as set forth in this Manual.
22. Joint Costs – costs that do not have a specific, identifiable causal relationship with a particular entity or affiliate, but which benefit all affiliates/business units, or more than one. Joint costs are also referred to as common costs and include corporate costs.
23. Licensee – a holder of a licence granted or deemed to have been granted by the Energy Regulator under the National Energy Regulator Act, 2004 (Act No. 40 of 2004), Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024), Gas Act, 2001 (Act No. 48 of 2001), Petroleum Pipelines Act, 2003 (Act No. 60 of 2003). 'Licensee' and 'Regulated Entity' shall be used interchangeably.
24. Long-lived asset – asset with an economic (service) life that spans over several years.
25. Manual – Regulatory Reporting Manual.
26. Minister – Minister of Mineral and Petroleum Resources or Minister of Electricity and Energy.
27. Modified Historical Cost/Trended Original Cost – historical cost indexed by inflation.
28. National Energy Regulator Act – National Energy Regulator Act, 2004 (Act No. 40 of 2004).
29. National Treasury – Department of National Treasury of the Republic of South Africa.
30. NERSA – National Energy Regulator of South Africa.
31. Petroleum Pipelines Act – Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).
32. Price – as defined in the Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024)

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or the Gas Act, 2001 (Act No. 48 of 2001).

33. Registered Auditor – means an individual or firm registered as an auditor with the Independent Regulator Board of Auditors (IRBA).
34. Regulated Business – any licensee, service or activity that is subject to regulation by NERSA in terms of the National Energy Regulator Act, 2004 (Act No. 40 of 2004), the Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024), the Gas Act, 2001 (Act No. 48 of 2001), or the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).
35. Regulated Entity – Regulated Business.
36. Regulatory Reporting Manuals (RRMs) – detailed regulatory reporting procedures, requirements and guidelines to be implemented by the regulated entities.
37. Regulatory Financial Reports or Regulatory Financial Statements – financial records and reports or statements to be prepared and submitted to the Energy Regulator by a regulated entity as prescribed by this Regulatory Reporting Manual.
38. Tariff – as defined in the Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024), the Gas Act, 2001 (Act No. 48 of 2001), or the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).
39. Useful Life of Asset – is the estimated lifespan of a depreciable fixed asset, during which it can be expected to contribute to company operations.
40. Shared Services – services that are corporate or general purpose in nature and are used by various or all business units but are not operations related.
41. Transfer Pricing – the pricing of products/services that one affiliate/business unit supplies to another affiliate/business unit of the same organisation.
42. Unregulated Business – an entity, service or activity that is not subject to regulation by the Energy Regulator.

Other accounting terminologies used herein, unless defined otherwise in the RRMs, will take the same meaning as that given in the IFRS and/or South African GAAP/GRAP.

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PART 1: GENERAL GUIDANCE

1.1. Background

The National Energy Regulator of South Africa (NERSA) requires sufficient and accurate information from regulated entities in order to make well-informed decisions on issues of market demand, competition development, service quality/availability, financial health of the regulated entities and setting/approval of fair and reasonable tariffs aligned with the public interest.

To gather that information, the Energy Regulator issues the Regulatory Reporting Manual (RRM), Volume 1, for implementation by licensees for recording and submitting financial and non-financial information regularly in a systematic and consistent manner. The goal is to have focused financial and non-financial information relevant to economic regulation to enhance the efficiency and transparency of the regulatory process.

The RRM not only provides a uniform system of regulatory reporting by regulated entities, but also requires accounting separation of financial information (also known as ring-fencing) when the regulated entity has other businesses that the Energy Regulator does not regulate or as the Energy Regulator may require separating different activities within a regulated entity.

The RRMs are divided into three sections:

- Section 1 (Volume 1) contains general administrative issues and instructions that apply to all entities in the regulated energy industry.
- Section 2 (Volume 2, Volume 3 and Volume 4) contains industry-specific charts of accounts, activity analysis and reporting templates.
- Section 3 (Volume 5, Volume 6 and Volume 7) contains industry-specific non-financial information for the regulated industries and reporting templates.

RRM Volume 1, which is this volume, is divided into two main parts, namely financial information, which is covered under Part 2 of this volume, and non-financial information, which is covered under Part 3. The regulatory financial information may, at times, differ from what is contained in statutory financial statements.

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1.2. NERSA Legislative Mandate to Prescribe Reporting Requirements

In terms of section 14 of the Electricity Regulation Amendment Act, 2024 (Act No. 38 of 2024) ('the Electricity Regulation Act'), section 21 of the Gas Act, 2001 (Act No. 48 of 2001) ('the Gas Act'), and section 20 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) ('the Petroleum Pipelines Act'), NERSA should prescribe licence conditions to regulated entities that may include, among other considerations, providing the Energy Regulator with required information to perform its functions. Section 21(1) (u) of the Gas Act and section 20(1) (u) of the Petroleum Pipelines Act provides that, as a condition of licence 'licensees must provide information necessary for the Regulator to perform its functions'. Section 14(1) (b) of the Electricity Regulation Act provides that 'The Regulator may make any licence subject to conditions relating to the furnishing of information, documents and details that the Energy Regulator may require for the purposes of this Act'. Section 20(1)(e) of the Petroleum Pipelines Act also provides that, as a condition of licence, 'the petroleum loading, pipeline and storage activities of vertically integrated companies may be required to be managed separately with separate accounts and data with no cross-subsidisation'. In addition, as a licence condition, the Energy Regulator can prescribe a tariff methodology. A tariff methodology can have implications for account structures.

Pursuant to section 35 of the Electricity Regulation Act, the Energy Regulator may, after consultation, make rules by notice in the *Gazette* that may relate to the keeping of information, the rendering of returns and the period for and format in which information must be kept, as well as the persons or institutions it must be rendered to.

Pursuant to section 34 of the Gas Act, after consultation and duly considering public comments, the Minister may, by notice in the *Gazette,* make regulations regarding, among others, the rendering of information to the Energy Regulator.

Pursuant to Gas Regulation 17(1) (a), a licensee must submit to the Gas Regulator, in addition to any other information required, detailed audited annual accounts consisting of a balance sheet, income statement and cash flow statement for each licensed gas facility and activity.

Pursuant to section 33 of the Petroleum Pipelines Act, after consultation and duly considering public comments, the Minister must, as appropriate, by notice in the *Gazette,* make regulations regarding, among others, the rendering of information to the Energy Regulator.

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Section 33 of the Electricity Regulation Act and section 29 of both the Gas and Petroleum Pipelines Acts grant any person authorised by the Energy Regulator, in writing, the right of entry to inspect, among others, books, accounts or other documents relating to the regulated entity. Furthermore, the Energy Regulator may require any person to furnish the Energy Regulator with such information, returns or other particulars as may be necessary for the proper application of these Acts. The Energy Regulator may require the accuracy of that information, return or furnished particulars to be verified by way of oath/solemn declaration or require that the licensee ensure that the relevant governance approval process has been followed.

1.3. Regulatory Functions of NERSA

The role of NERSA is to regulate the electricity, piped-gas and petroleum pipelines industries. The powers and duties/functions of NERSA in terms of section 4 of all three enabling Acts include the following:

a. Regulate electricity prices and tariffs; set tariffs for petroleum pipeline operation and approve tariffs for petroleum storage and loading facilities; regulate prices in terms of section 21(1) (p) of the Gas Act in the prescribed manner; monitor and approve and, if necessary, regulate gas transmission and storage tariffs in terms of section 4(h) of the Gas Act and take appropriate action when necessary to ensure that they are applied in a non-discriminatory manner as contemplated in section 22 of the Gas Act, and administer the agreement concerning the Mozambique gas pipeline.
b. Promote competition in the petroleum pipelines and gas industries as well as competitiveness and customer and end user choice in electricity.
c. In electricity, establish and manage monitoring and information systems and a national information system, and coordinate the integration thereof with other relevant information systems; gather and store information relating to construction, conversion and operation of petroleum pipelines, loading facilities, and storage facilities; and gather information relating to gas production, transmission, storage, distribution, trading, liquefaction and regasification.
d. Licensing in the electricity, piped-gas and petroleum pipelines industries.
e. Compliance in the electricity, piped-gas and petroleum pipelines industries.
f. Dispute resolution in the electricity, piped-gas, and petroleum pipelines industries.

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To fulfil these functions, NERSA employs a range of regulatory tools, one being Regulatory Reporting, which involves the reporting of both financial and non-financial information to the Energy Regulator (ER) by licensees.

1.4. Purpose of Regulatory Reporting Manuals (RRMs)

The purpose of the Regulatory Reporting Manuals is to prescribe reporting procedures and requirements in order to achieve uniformity and consistent reporting of elements that are required for tariff setting, monitoring and/or tariff approval, such as: operating and maintenance expenses, capex/asset values, depreciation, taxes, return on investment, compliance, as well as profit commensurate with risk. Regulatory Financial Reports as set out in the Manuals [1] accommodate financial segregation between regulated activities/products/services in a vertically integrated business, [2] accommodate financial segregation of regulated business from non-regulated businesses, [3] incorporate current legislative requirements, [4] support the adopted regulatory methodologies in the regulated businesses, [5] provide guidance necessary for unbundling cost allocation and rate design, and [6] provide consistency of format in regulatory financial reports in the energy sector. The non-financial reports assist in bringing certainty to non-financial information requirements, providing an adequate information base required by the Energy Regulator, achieving uniformity in measurement, improving transparency and consistency in the regulatory process and enhancing regulatory efficiency. The implementation of the RRMs will assist in bringing certainty to regulatory reporting requirements, providing an adequate information base for future price/tariff setting, monitoring the financial health of the regulated entity, monitoring performance and improving transparency in the regulatory process, as well as monitoring compliance and enhancing regulatory efficiency.

Expected benefits from RRM implementation are the following:

a. Consistency of reported regulatory information

This provides for easier understanding and submission of tariff and maximum price applications. The RRMs also ensure that the information requested for regulatory purposes is submitted correctly, which should reduce further information requests. Reporting on a consistent basis from year to year is valuable, as it assists in providing the market trends.

b. Comparability of information over time both within and between regulated entities

It is much easier to compare information when it has been recorded on a

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consistent basis, thereby improving the Energy Regulator's ability to test whether applications and budgets are reasonable. Standardisation allows the development and calculation of metrics and performance measures that can be used for comparison purposes and as a starting point to understanding variations.

c. More complete and comprehensive applications

To a great extent, it will help resolve the issue of how much and what type of information to include in a regulatory application, which in turn will result in reduced information requests. Both the regulated entity and the Energy Regulator will have greater certainty on regulatory reporting requirements.

d. Regulatory efficiencies

It will promote high standards, consistent submission of complete applications and an improved understanding of price/tariff application requirements. It will reduce information requests, leading to greater regulatory efficiency. The RRMs will save time spent in public hearings by shifting focus from 'what is contained in the application' to 'why.'

e. Monitoring compliance with Energy Regulator conditions/requirements

The regulatory financial reports will allow the Energy Regulator to detect compliance with decisions/reasons for decisions and whether licence conditions have been complied with.

f. Informing tariff reviews and setting/approving of tariffs

A clawback will be determined more efficiently due to the availability of actual figures from a previous period. Readily available data or trends may assist the Energy Regulator in knowing what is happening within the regulated entities, leading to more informed decisions regarding tariff setting/approval and reviews.

g. Detection of cross-subsidisation and discrimination within businesses

All or part of these are regulated. Trend analysis can allow for the detection of cross-subsidisation and discrimination within businesses.

Implementation of the RRMs assists in bringing certainty to regulatory reporting requirements, providing an adequate information base for future price/tariff approval, monitoring the financial health of the regulated entity, monitoring performance and improving transparency in the regulatory process and enhancing regulatory efficiency.

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1.5. Applicability of the Regulatory Reporting Manual (RRM)

The RRM applies to all licensees/entities regulated by NERSA and has implications for the regulated entity's affiliates to the extent that there are transactions with the affiliate(s), and allocation of cost to/from/between these affiliates and the regulated entity.

In this regard, the RRM has been designed for use by:

a. each regulated entity's accounting, financial and regulatory personnel;
b. the regulated entity's auditors;
c. any person appointed by the Energy Regulator to conduct verifications/inspections envisaged by the Act; and
d. NERSA regulatory staff.

1.6. Disclaimer

Inclusion of any item or account in the prescribed RRM does not necessarily imply NERSA's acceptance for tariff setting/approval purposes of any expenditure, revenue, or procedure suggested by the use of such account or imply the adequacy of such information to enable the Energy Regulator to make a decision.

Although the implementation of RRM is expected to lead to more complete/comprehensive application filing and thereby reduce information requests, there will still be certain well-justified circumstances when additional information would be required in order to fully clarify a specific aspect of a requested revenue requirement in an application.

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PART 2: FINANCIAL INFORMATION

This section of the RRM discusses the general preparation and reporting guidelines for the financial information to be submitted by all licensees to the Energy Regulator.

2.1 General Preparation and Reporting Guidelines

2.1.1 Reporting currency

The regulatory financial reports must be presented in South African Rand.

2.1.2 Basis of preparation of regulatory financial reports

The Energy Regulator requires information to perform its functions, such as maximum price/tariff setting/approval and performance monitoring. This information shall be prepared by a regulated entity/licensee and provided to the Energy Regulator. The information may differ from that prepared for the statutory financial statements.

The purpose of the RRMs is to provide guidance on additional details, calculations, content, structure and format of regulatory reporting needed specifically for energy regulation. The Regulatory Financial Reports (RFRs) should therefore be prepared in accordance with these RRMs in order to fulfil these information requirements.

2.1.3 Reporting convention – historical cost

The Regulatory Financial Reports should be prepared under the historical cost convention and as specified in the RRM. Where no historical cost information exists, the regulatory asset base (RAB) is the deemed historical cost at the commencement of economic regulation as explained in the following paragraph.

Use of historical costs requires information dating back to when the oldest assets in service were first commissioned. For long-lived pipeline assets, this may be some time ago, and the relevant information may not be readily available. Similarly, some gas pipelines/electricity lines businesses' asset registers may be incomplete or/and incorporate inconsistent assumptions about depreciation. To address these limitations, the Energy Regulator may make specific decisions in this regard to determine a vesting RAB of the assets in question. This is expected to be a one-off valuation (i.e. based on independent valuator and approved by NERSA) at the start of economic regulation. A form of modified historical cost valuation approach or trended original cost, taking into account the estimated remaining useful life, will be applied to determine the vesting RAB of the affected long-lived assets. The so-determined vesting RABs become the proxy for historical cost going forward and for the asset's remaining useful life. Any re-

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evaluation of the RAB should be submitted to NERSA for approval before the tariff/maximum price application.

2.1.4 Reporting convention – fair value accounting (FVA)

Fair value accounting (FVA) is added as an alternative to historical cost. The inclusion of FVA is to accommodate the replacement cost methodology. The use of the FVA should be in line with the relevant methodology in consultation with the Energy Regulator. However, if the licensee is using historical cost (as is the case currently with most licensees) there is no need to revalue (i.e. FVA), unless the methodology requires it.

2.1.5 Reporting convention – accrual basis

The regulatory financial reports should be prepared on an accrual basis.

2.2 Cost Allocation and Separation Principles

The allocation (assignment and attribution) of costs should ensure that separation and no cross-subsidisation occurs between regulated and non-regulated lines of business and between regulated businesses themselves, products or services. The cost of each activity should be distributed among the business units based on direct assignment when possible, and based on cost drivers when not.

The cost allocation method, affiliate transactions and transfer pricing policies should be documented in a Cost Allocation Manual (CAM) and reviewed every five years, or whenever necessary, to reflect any changes in cost relationships and cost allocators/cost drivers.

The Energy Regulator may review the standardised CAM as and when required, possibly more frequently than the envisaged five-year formal review cycle. The CAM should be approved by the Energy Regulator as specified in this Manual.

The CAM should be prepared using the fully allocated cost approach, and the allocation methodology should adhere to the principles listed below.

2.2.1 Causality

Causality means there is a causal relationship between the cost driver and the costs incurred in performing the activity. Revenues, costs, assets and liabilities must be attributed in accordance with the activities that cause the revenues to be earned or costs and liabilities to be incurred or the assets to be acquired.

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Where cost causation cannot be easily ascertained or established, cost drivers should be selected based on benefits received.

2.2.2 Objectivity

The attribution methods should be objective, prevent cross-subsidisation and ensure equitable cost sharing among the entity's regulated businesses, non-regulated business and its affiliates without unduly benefiting any of them.

2.2.3 Consistency

The attribution/allocation methods should be consistent from year to year. Where there are changes to the methodology, the regulated entity should restate the previous year's (or any other applicable comparative figures') Regulatory Financial Reports to reflect the impact of the changes.

2.2.4 Transparency

The attribution method should be transparent. All direct and allocated costs, revenues, assets and liabilities separately distinguishable from each other should be traceable on the accounting records of the regulated entity to the applicable regulatory financial reports submitted by the entity.

2.3 Cost Allocation and Separation Methodology

2.3.1 Methodology overview

The regulated entities should adopt the fully allocated cost approach (sum of direct cost plus a share of indirect costs) whereby direct costs are assigned directly to the product/services while indirect costs are traced to an activity centre or cost pool from where the primary cost driver or relevant proxy must be identified and used to allocate the costs between regulated and non-regulated lines of business, products or services.

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One of the fundamentals behind the fully allocated cost approach is to eliminate arbitrary cost allocations and instead use cost drivers, work orders and other such instruments to ensure direct assignment to the maximum extent possible.

2.3.2 Fully allocated cost approach

The fully allocated cost approach entails two steps to distribute costs among business units:

1. Direct Assignment
2. Allocation based on a Cost Allocator

1. Direct assignment

Direct assignment should be applied when the portion of an activity used by a business unit can be reasonably established. Direct assignment is preferable to allocation because it is based on a more direct relationship.

2. Allocation based on a cost allocator

Allocation will apply where more than one business unit uses an activity, but the portions of the activity that each use cannot be directly established. In this case, a cost driver must be identified and a cost allocator assigned to distribute the costs of the activity. A cost allocator is a formula for sharing the cost of an activity among those who cause the cost to be incurred according to the causality principle mentioned above.

It is acknowledged that some amount of cost allocation is unavoidable. However, best practice suggests that when it comes to cost allocations, less is better. Therefore, allocations will only be allowed when there is no other feasible alternative for direct assignment.

Clearing accounts may be used for indirect costs that are to be allocated to more than one account, from which they are then allocated on a determined cost-driver basis. The clearing accounts must be zeroed at the end of each regulatory reporting period of the regulated entity.

Discussions on the activity analysis for each of the three regulated businesses are found in the respective industry specific manuals (see Volume 2, Volume 3 and Volume 4).

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2.4 Affiliate Transactions and Transfer Pricing Policies

2.4.1 Overview

The basic principle to govern transactions between the regulated entity and affiliates and/or between business divisions, whether carrying out regulated activities or not, is that only costs relating to the operation of the licensed activity are allowed for tariff-setting/approval and other regulatory purposes. Vertically integrated businesses shall, where required, keep separate accounts for separate business units and shall separate these between regulated and non-regulated businesses. The principal objectives of this separation are to:

1. minimise the potential for a utility to cross-subsidise these activities; and
2. ensure there is no preferential access to regulated entity services.

2.4.2 Affiliate transactions – sale price to affiliate

The sale price to an affiliate/division should not be less than fair market value. Where no market value exists, no less than cost-based price should be charged. Cost-based price should follow the RRM cost allocation guidelines. When a regulated product or service is provided, the transaction should be recorded in the regulated revenue accounts at the prevailing approved tariff rate.

2.4.3 Affiliate transactions – purchase price from affiliate

Purchases from an affiliate/division should not exceed fair market value. Where no market value exists, payment reflected should be no more than the cost-based price. Cost-based price should follow RRM cost allocation guidelines. When a regulated product or service is received, the transaction should be recorded in the regulated expense accounts at the prevailing approved tariff rate.

2.4.4 Asset transfers

The regulated entity should sell assets to an affiliate/division at no less than Net Book Value (NBV), and the regulated entity should buy assets from the affiliate/division at no more than NBV. For public entities, there may be cases where the National Treasury may prescribe the values at which a regulated public entity should buy, sell or transfer assets. If such values prescribed by the National Treasury are derived on a historical cost basis or, where original costs are not available, on a modified historical cost basis, then those values may become the Regulatory Asset Value (RAV) at the commencement of economic regulation.

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2.4.5 Shared services joint costs

To the maximum extent possible, shared costs should be assigned directly to licensees/affiliates on the basis of causation or usage, and where cost causation cannot be easily ascertained or established, cost drivers should be selected based on the benefits received.

A key element is to ensure that transactions are at arms-length. Market testing is usually used to determine that an at arm's length transaction is taking place. An at arm's length contract, such as a Service Level Agreement (SLA), should be entered into. Wide market tendering [every three years or as specified by the Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA), Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) or industry best practice] should be used to ensure competitive inter-business/division charging. Where no market exists, allocation of shared costs should use a reasonable method for a fair and equitable split as envisaged in the RRM on cost allocation and transfer pricing.

2.4.6 Loans

The interest charges between a regulated entity and its affiliate should be based on the regulated entity's fully allocated cost of debt derived as the sum of actual cost plus an allocated treasury function cost, using a cost driver selected on the basis of 'benefit received'. However, where the regulated entity's fully allocated cost of debt is lower than the prevailing interest rate that the affiliate can obtain elsewhere, the higher rate should be used by the regulated entity to calculate interest charges to the affiliate.

2.4.7 Disclosure requirements for affiliate[1] transactions

The regulated entity should keep its accounts and records of all affiliates' transactions that are material in nature so as to be able to furnish accurate and expeditious reports of all transactions with affiliates. The reports are required to show:

a. an explanation of the affiliate relationship, a detailed description of the nature and purpose of transactions with the affiliate entity;
b. the total amounts involved;
c. a breakdown of the charges to and from each affiliate clearly split between the operating expenditure (opex) (excluding depreciation), depreciation, capital expenditure (capex) and revenues – this breakdown should clearly indicate the amounts included in each account prescribed in the RRM with respect to such

[1] See under Terminology, point number 1, definition of 'affiliation'.

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transactions; and

d. any other information about affiliate transactions necessary for an understanding of the financial statements, e.g. disclose those affiliate transactions valued at fair market value, tariff rates, and those valued using fully allocated cost-based recovery.

However, there are instances where the Energy Regulator may waive disclosure of information about transactions between public/government entities where the transactions are consistent with normal operating relationships between the entities and are undertaken on terms and under conditions that are normal for such transactions in these circumstances.

2.5 Audit of Regulatory Financial Reports

2.5.1 Role of the auditor in regulatory financial reports

An independent audit of the Regulatory Financial Reports enhances the quality, objectivity, and credibility of the regulatory financial reports for the Energy Regulator's and other stakeholders' use.

2.5.2 Appointment of auditors for regulatory financial reports

Section 33 of the Electricity Regulation Act and section 29 of both the Gas and Petroleum Pipelines Acts grant any person authorised by the Energy Regulator in writing right of entry to inspect, among others, books, account or other documents relating to the regulated entity found thereat. Furthermore, the Energy Regulator may require any person to furnish to the Regulator such information, returns or other particulars as may be necessary for the proper application of these Acts. The Energy Regulator may require the accuracy of that information, return or furnished particular be verified by way of oath/solemn declaration. Such an oath/solemn declaration shall be made by the responsible official that would normally sign the audited statutory accounts for the entity or, in the case of a Municipality, by the Municipal Manager, and shall constitute part of the regulatory financial statements being audited.

Annual Regulatory Financial Reports must be audited at the same frequency as, and preferably by the same auditors that are auditing, the regulated entity's statutory accounts. Using the same auditors will be more cost-effective as the auditors already have knowledge of the regulated entity's business and would avoid duplicating some of the work performed for statutory audits. Using the same auditors may also enhance the timeliness of regulatory reporting. However, this would not preclude the Energy

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Regulator from appointing an auditor, in terms of section 33 of the Electricity Regulation Act and section 29 of both the Gas and Petroleum Pipelines Acts to audit the Regulatory Financial Reports, where the Energy Regulator deems it appropriate to use a different auditor from the regulated entity's incumbent auditors.

2.5.3 Form and content of auditor's engagement letter

There will be an Engagement Letter between the Energy Regulator (as acknowledging party) and the Auditor as contemplated in section 33 of the Electricity Regulation Act and section 29 of both the Gas and Petroleum Pipelines Acts. The Engagement Letter shall be between the Licensee, the auditors involved and the Energy Regulator (as acknowledging party).

The Engagement Letter between the Energy Regulator and the Auditor may specify the duty of care the Auditor owes the Energy Regulator and require the Auditor to carry out the audit with due consideration of the objectives of the Energy Regulator as contemplated in the enabling Acts. The Engagement Letter may also clarify the position on issues related to unique needs for economic regulation in line with the RRMs and the communication process between the Auditor, the regulated entity being audited and the Energy Regulator.

2.5.4 Scope of the audit

The Energy Regulator's preferred audit process of the RFRs shall be performed in accordance with the International Standards on Auditing or, in the case of public entities and municipalities, as prescribed by the Auditor-General. The regulatory reports audited would have been prepared in accordance with the RRMs.

Where a full audit is not possible, the procedure should be done according to the NERSA agreed-upon procedures (AUPs), with the aim of including those procedures in the statutory audit of a licensee. The Energy Regulator may revert to the AUPs where the statutory audit does not provide enough information for the execution of its mandate.

The licensee must grant the auditor unlimited access to the accounting and other records, as well as any information and explanations required for an audit of regulatory financial reports.

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2.5.5 Materiality and audit framework of specialised areas

In a situation where the materiality level used for the audit of group-level statutory accounts may be significantly larger than its individually licensed activities to the extent that transaction tests will not sufficiently test Regulatory Financial Report items, the auditor should conduct further transaction testing for the Regulatory Financial Reports beyond that already performed for statutory accounts. The transaction testing on regulatory financial reports should, as a minimum, be equivalent to that performed on statutory accounts as if the auditor were only engaged to audit the regulatory financial reports.

Appendix 1 as attached to this RRM shows some of the specialised high-level areas that may constitute part of the scope of the audit for regulatory financial reports. The actual scope of the audit is to be discussed between the licensee and the Regulator at the time when the audit takes place.

2.5.6 Audit opinion

The audited regulatory financial reports will be addressed to the Energy Regulator. The auditors will express an opinion on whether the annual Regulatory Financial Report has been prepared in all material respects in accordance with the RRMs.

2.5.7 Cost of the audit

The regulated entity being audited will bear all the audit costs with provision that such costs may be recovered from tariffs.

2.6 Administrative Issues

2.6.1 Required regulatory financial reports.

Half-year regulatory financial reports

NERSA may, from time to time, request a licensee to provide half-year regulatory financial reports (RFRs) for monitoring purposes. This information should be in columns accompanied by explanatory notes showing:

a. actual performance for reporting period;
b. estimates (projections) as used in NERSA's allowable revenue decision as the basis on which to set/approve revenue/tariffs; and
c. a declaration that the information presented is complete and accurate and complies with the RRM signed by the responsible person as indicated in section 2.6.1. (f) below.

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These half-year regulatory financial reports need not be audited.

Annual regulatory financial reports

The annual (full year) regulatory financial reports should provide annualised comparatives in columns of [a] current year actual against immediate previous year actual, and [b] estimates (projections) as used in NERSA's revenue decision as the basis on which to set/approve revenue/tariffs. The annual (full-year) regulatory financial reports shall include the following:

a. Balance sheet (statement of financial position)
b. Statement of retained earnings (statement of changes in net assets)
c. Income statement (statement of financial performance/comprehensive income)
d. Statement of changes in financial position (statement of cash flow)
e. Commentary explaining the financial statements, which should include:
    i. a comparison between actual current period results and assumption made during tariff application/approval;
    ii. an explanation of variances between current period actual results, the results of the previous year and the assumptions made in setting/approving tariffs;
    iii. a discussion of the results against the plan and an outline of the forward plans for key business drivers such as capex, financing arrangements, organisational shape and operational performance;
    iv. a formal statement from the directors of the licensee that the licensee has complied with licence obligations and that licensee has not cross-subsidised or discriminated;
    v. detailed disclosure of basis of preparation of Regulatory Financial Reports;
    vi. a discussion of asset valuation basis and depreciation;
    vii. detailed cost attribution, cost allocation and inter-affiliate business charges,
    viii. reconciliation between information in the Regulatory Financial Reports and statutory accounts; and
    ix. the entity's statutory accounts with their supporting documents and/or notes
f. A signed declaration to the effect that the information presented is complete and accurate and complies with the RRM, which shall be signed by a suitable official that normally signs the statutory accounts for the entity, or the Municipal Manager in the case of a Municipality or as per the Licensee's relevant Governance approval process
g. Other surveillance/monitoring reports that NERSA may specifically request for the ongoing evaluation of performance, tariffs and revenues.

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The annual Regulatory Financial Reports shall be audited. Estimates used in tariff setting/approval should be included in the Regulatory Financial Reports, but would not be subject to an audit. However, the Energy Regulator may specify in the Engagement Letter for the auditor to verify that the same estimates (projections) as were used in NERSA's revenue decision as the basis on which to set/approve revenue/tariff, are replicated in the comparative column for estimates of the Regulatory Financial Reports.

2.6.2 Implementation plan

Each licensee will be required to submit an RRM Implementation Plan and Implementation Cost Estimates to the Energy Regulator for approval when starting to implement the RRM. The RRM Implementation Plan and Implementation Cost Estimates enable the regulated entity to claim the approved Implementation Costs from the maximum price/tariffs. In approving the submitted Implementation Plan and Cost Estimates, the Energy Regulator will take into consideration, among others, [1] the Overall Approach, [2] Project/Work Plan, [3] Feasibility of the Solution Proposed, [4] Compliance with RRM (and especially demonstrate more direct cost assignments and minimise cost allocations), [5] Budget/Cost Containment, [6] Risk Management, and [7] Whether it is a new implementation or customisation.

2.6.3 Cost Allocation Manual (CAM)

Licensees shall be exempted from the submission of the CAM on a case-by-case basis. Unless otherwise exempted by the Energy Regulator, each licensee is also required to submit to the Energy Regulator a CAM for approval, as soon as the RRM is approved for implementation and before the licensee makes its first filing to the Energy Regulator under the RRM. Regulated entities so exempted from submitting their own CAM will be required to adopt a standardised CAM provided by the Energy Regulator. Thereafter, a licensee is required to submit a revised CAM to the Energy Regulator every five years or as and when required, possibly more frequently than the envisaged five-year formal review cycle.

2.6.4 Accounting period

Each regulated entity shall maintain its accounting records on an ongoing basis. For each regulatory reporting period, all transactions applicable thereto shall be entered in the accounting records of the regulated entity. Amounts applicable or assignable to specific business divisions shall be segregated for each regulatory period. Each regulated entity shall close its accounting records at the end of each financial year. This

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financial year-end date should align with annual dates used in the tariff application for ease of analysis and monitoring.

The Energy Regulator may specify other allowed accounting periods to cater for specific dispensations as deemed appropriate to ensure the regulatory reporting burden is not unnecessarily onerous.

2.6.5 Records

Each regulated entity must keep its books of accounts, and all other records supported by detailed information as will permit ready identification, examination, analysis and verification of all facts thereto. All amounts included in the accounts for capex and opex as well as any payments disallowed by the Energy Regulator shall be tracked separately within each account prescribed by RRM. The records shall be filed in such a manner as to be readily accessible for examination by authorised representatives of the Energy Regulator. These records must be retained by the licensee for at least five years.

2.6.6 Account numbering system

Regulated entities should use account numbers and descriptions as provided in this RRM. Where it is not possible to use the account numbering system prescribed in the RRM, the regulated entities may opt to use a different system of account numbers for its own purposes, provided that a list of these account numbers is kept readily available together with a reconciliation of such account numbers with the numbers provided in this RRM. In this context, all submissions/applications/correspondence to the Energy Regulator must be referenced to in terms of the account numbering provided in this RRM.

2.6.7 Reporting time frame

Half-year regulatory financial reports (if requested for monitoring) should be submitted to NERSA within 60 days of the end of the licensee's half-year reporting period.

Annual Regulatory Financial Reports should be submitted to NERSA within six months of the financial year-end of the licensee.

All submissions of Regulatory Financial Reports must be in an electronic format for all documents. Electronic copies must include PDF and MS Excel files for materials that will form a permanent record, with the Excel files being for all financials. Any MS Word files made available to the Energy Regulator will function as working copies for all

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parties to readily extract and analyse information. A hard copy should also be provided that will serve as a master copy.

2.6.8 Prior period restatement

An important tool that the Energy Regulator uses in assessing a licensee's application is the comparison of actual results to those of the prior year and/or forecasts. In order to permit this comparison, it is imperative that the forecasts, prior year and current period actual figures be recorded and reported on a similar basis. If licensees find themselves in a situation where the forecasts/prior year and actuals are prepared on a different basis, the licensee must restate, on an account-by-account basis, the forecasts/prior year in order to provide meaningful comparisons.

2.6.9 Publication and confidentiality

Section 8(9) (a) and section 10(2) of the National Energy Regulator Act, section 29 of the Gas Act and section 29 of Petroleum Pipelines Act contain specific provisions on confidentiality of information.

The Regulatory Financial Reports may be published on NERSA's website, but would exclude certain information contemplated in sections 8(9) (a) and 10(2) of the National Energy Regulator Act, section 29 of the Gas Act and section 29 of the Petroleum Pipelines Act, determined to be confidential by the Energy Regulator. It is the responsibility of the regulated entity to promptly notify the Energy Regulator of information that should not be in the public domain by clearly marking the relevant information as such. Regulated entities are also encouraged to publish the regulatory financial reports on their respective websites.

The Energy Regulator shall only share the publicly available Financial and Non-Financial Information with any person as defined in the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

2.6.10 Timelines (effective date) of the RRM

The RRM is effective from the date it is gazetted.

Regulated entities are required to report according to the RRM for all submissions to be made to NERSA from the date it is gazetted, although NERSA also will encourage those regulated entities that are able to comply with and report in accordance with RRM to do so immediately.

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NERSA may consider categorising regulated entities and set staggered compliance dates according to regulated entities' implementation capacity. Such a categorisation will take into account licensees' different starting points, including licensees with experience in regulatory reporting vs new or future licensees, the learning period for both the Energy Regulator and licensees, different enterprise resource planning (ERP) systems whereby some can more easily implement the RRM, different costing systems like activity based costing (ABC) vs traditional, time to amend licence conditions if necessary, and entities that have multi-year filing applications/dispensations.

2.6.11 Review and modification of the RRM

The Energy Regulator will consult with regulated entities on an ongoing basis to ensure the objectives and requirements of the RRM are being met. To maintain uniformity of reporting, the licensee should submit questions of doubtful interpretation to the Energy Regulator for consideration and decision. The Energy Regulator will be responsible for advising licensees on the interpretation and application of the RRM. All interpretations issued by the Energy Regulator will be posted on the frequently asked questions (FAQ) section of the NERSA website. The Energy Regulator will also entertain detailed annual feedback from the regulated entities on aspects of the RRM that are working well and areas that need amendment, with suggested amendments. The Energy Regulator will publish feedback/comments with the response in the FAQ section of its website.

The Energy Regulator will continuously conduct formal reviews of the content of this RRM every five years to ensure that the contents of the RRM reflect the regulatory circumstances existing at the time of the review. The Energy Regulator also recognises that special circumstances may arise that may necessitate ongoing changes, possibly more frequently than the envisaged five-year formal review cycle. This provision would therefore not preclude on-going incorporation by the Energy Regulator of justifiable changes that are considered necessary to immediately capture clarity, transparency and regulatory efficiency benefits.

The Energy Regulator will make decisions on the interpretation of the various clauses of the RRM, but any party will be entitled at any stage to take decisions of the Energy Regulator on review or appeal as contemplated in the enabling legislations.

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PART 3: NON-FINANCIAL INFORMATION

This section provides a high-level discussion of the Non-Financial Information (NFI) Manuals for this RRM. As outlined in section 1.4 of the RRM, Volume 1, the NFI Manuals will assist in clarifying the regulatory reporting requirements for non-financial information, providing the Energy Regulator with an adequate information base for regulatory oversight and improving transparency in the regulatory process. The NFI Manuals apply to the Electricity Supply Industry (NFI Volume 5), Piped-Gas Industry (NFI Volume 6) and Petroleum Pipeline Industry (Volume 7). A detailed discussion of the NFI requirements for each industry is provided in the respective industry-specific NFI Manuals mentioned above.

3.1 NFI Categories

The non-financial information is grouped into two categories, namely static (initial) information and dynamic information.

3.1.1 Static information

Static information is the NFI that has already been collected by NERSA (once off) from the licensees at the time of licence application. Static information may include details such as installed capacity, licence number and power station name. Licensees should therefore note that, after licensing, static information will not be collected again as long as it remains unchanged from what was originally submitted to the Energy Regulator. The static information section is included in the different industry-specific NFI Manuals in order to amalgamate all NFI required/used or in possession of NERSA into one point of reference. This amalgamation turns the Manual into a comprehensive single source of NFI, promoting regulatory efficiency for all users identified in section 1.5 of this Manual.

3.1.2 Dynamic information

Dynamic information is the NFI that changes more regularly while the licensee is in operation. It may include information such as volume sent out and fuel volume used. Dynamic information will be collected from the licensees periodically, for example daily, weekly, monthly, quarterly, annually or on the licence anniversary date, as the case may be. The dynamic information forms the core of the NFI Manuals and serves as the basis from which the Energy Regulator will derive performance and compliance monitoring metrics as illustrated by examples in the later parts of the three NFI Manuals (namely volumes 5, 6 and 7).

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3.2 Measurements/Calculations

3.2.1 Units of measurement

The units of measurement shall be in metric (Electricity and Petroleum Pipelines industries) or both metric and non-metric for the Piped-Gas industry.

3.2.2 Measurements and calculations

Each industry's NFI contains a section that defines the information or items that are subject to different interpretations of measurement approaches to enable NERSA and the regulated industries to adopt one standard measure.

3.3 Responsibility for NFI Submission and Solemn Declaration

The NFI must be submitted to the Energy Regulator by an official appointed and duly authorised by the licensee. The Energy Regulator may, at its discretion, require that the appointed official affirm the accuracy of the NFI being submitted by way of oath or solemn declaration.

Annual NFI should be submitted within six months of the licensee's financial year-end. RRM Volume 1 takes preference over volumes 5 to 7 in this regard.

NFI must be submitted using the prescribed NFI template and sent electronically via email or any other agreed-upon method.

3.4 Record Keeping

Each regulated entity must keep records supported by detailed information that will permit identification, examination, analysis and verification of all facts thereto. The records shall be kept in such a manner as to be readily accessible for examination by authorised persons and shall remain available for at least every five years, or as mandated by the National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996).

3.5 Audit of NFI

As discussed in section 1.2 of this RRM, the Energy Regulator may audit the NFI submitted by the licensee for accuracy if deemed necessary.

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3.6 Publication and Confidentiality of Information

The Energy Regulator may publish the non-financial information submitted by licensees on its website, but such publication will exclude information determined to be confidential as contemplated in sections 8(9) and 10(2) of the National Energy Regulator Act, 2004 (Act No. 40 of 2004), section 29(4) of the Gas Act, and section 29 of the Petroleum Pipelines Act, and determined to be confidential by the Energy Regulator. It is therefore the responsibility of the regulated entity to promptly notify the Energy Regulator of information that should not be in the public domain by clearly marking the relevant information as such. Regulated entities are also encouraged to publish the non-confidential NFI on their respective websites.

The Energy Regulator shall only share the publicly available NFI with any person as defined in the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

3.7 Effective Date and Implementation Costs

The Energy Regulator may approve a phased implementation to provide for any other justifiable circumstances that may warrant such an approach. Licensees are required to make appropriate arrangements to comply with the prescript and guidance contained in these NFI Manuals.

Costs related to reporting in accordance with this NFI Manual should be treated in a similar manner and recovered in a similar way as the licensee's other operating and maintenance expenses for the licensed activity.

Licensees are required to report on the NFI using a NFI template.

3.8 Review and Modification of the NFI Manual

The Energy Regulator will conduct an initial formal review of the content of these NFI manuals within three years of their approval and implementation by the Energy Regulator.

Subsequent reviews will be done every five years to ensure that the contents of the NFI Manuals reflect the legislative and regulatory circumstances existing at the time of the review.

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The Energy Regulator also recognises that special circumstances may arise that may necessitate ongoing changes, possibly more frequently than the envisaged five-year formal review cycle. This provision would therefore not preclude on-going incorporation by the Energy Regulator of justifiable changes that are considered necessary to immediately capture clarity, transparency and regulatory efficiency benefits.

The Energy Regulator will provide decisions on the interpretation of the various clauses of NFI, but any party will be entitled at any stage to take decisions of the Energy Regulator on review or appeal as contemplated in the enabling legislation.

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APPENDIX: SCOPE OF AUDIT FOR SPECIALISED AREAS

1 Audit – Test Year

- Defined:
  - ✓ Period of Measurement for a recent, consecutive 12-month period consisting of a full year of operations where data is readily available
- Historic or Future?
  - ✓ Current or past?
  - ✓ Representative of period in which rates will be in effect?

2 Audit – Test Year Adjustments

- Correcting
  - ✓ Removal of Prior Period Items from the Test Year
- Normalising
  - ✓ Adjusting Revenues for Normalised Conditions e.g. normalised weather
- Pro Forma
  - ✓ Reflection of Authorised Salary Increases
  - ✓ General purpose is to transform the relationship that exists between the revenue requirement elements to make it reflective of what is expected to take place during the time the rates are expected to be in effect.

3 Audit – Rate Base

- Rate base is the investment base to which a fair rate of return is applied to arrive at the Allowable Revenue (or Revenue Requirement) to be set or approved.
- Original Cost is the cost of the item at the time that the asset was first put into service, and it is the cost that remains with that asset throughout its life.

3.1 Audit of rate base – regulated plant in service: used and useful

- Plant should be functioning and necessary to be included in rate computation.
- Matching in-service date with timing included in rates – Regulator Policy
- Look at major additions since last rate case or review – Type, need, cost, date in service.

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3.2 Audit of rate base – plant held for future use

- Plan for Use
  - ✓ Is there a definite plan to use this plant in the future?
- Date of Use
  - ✓ When will this plant be used?

3.3 Audit of rate base – construction work in progress (CWIP)

- What is the Policy of the Regulator?
  - ✓ Allow/Disallow Plant in rates prior to being in service.

3.4 Audit of rate base – acquisition adjustments

- Represents the difference between the original cost of plant and purchase price
- What is the Policy?
  - ✓ Allow or Disallow – Return on and Return of the Investment.

3.5 Audit of rate base – customer deposits

- Source of non-investor supplied capital
- Reduction in rate base – how should interest on these deposits be treated?
- Deposit policies – are they consistent with the Regulator's rules?
- Is the regulated entity doing what it can to minimise 'uncollectible' (bad debts)?

3.6 Audit of rate base – cash working capital

- Measure of funding the daily expenditures to sustain on-going operations of the utility until those expenditures can be recovered through revenues.
- Methods used to measure Cash Working Capital include:
  - ✓ Formula Method – most popular 45 days
  - ✓ Balance Sheet Method
  - ✓ Lead Lag Study

3.7 Audit of rate base – customer advances

- Source of non-investor supplied capital
- Accounting treatment different for different industries
  - ✓ Energy Industry – this is usually netted against costs in plant account
- Consistent with tariff
- Tax treatment

3.8 Audit of rate base

- Prepayments:
  - ✓ Type of payment: Related to Service?

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- Materials and Supplies
  - ✓ Level of inventory: Reasonable or Excessive?
  - ✓ Use of 13-month average

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 6265 **30 May 2025**

Electricity Act, 1987 (Act no.41 of 1987)
License fees payable by licensed generators of electricity

I, Dr. K Ramokgopa, Minister of Electricity and Energy, acting under section 5(b) of the Electricity Act, 1987 (Act No. 41 of 1987), hereby prescribe that a levy of 0.13023 cents per kWh, in respect of electricity generated for supply by licensed generators shall be payable to National Energy Regulator of South Africa, for the period 01 April 2025 to 31 March 2026, by the licensed holders concerned.



DR K RAMOKGOPA, MP
MINISTER OF ELECTRICITY AND ENERGY
DATE: 31/3/2025

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 6266 **30 May 2025**

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO. 29 OF 1996)

GUIDELINE FOR A MANDATORY CODE OF PRACTICE FOR ROAD AND RAIL SAFETY MANAGEMENT IN THE SOUTH AFRICAN MINING INDUSTRY

I **DAVID MSIZA**, the Chief Inspector of Mines, in terms of section 49 (6) read together with sections 9 (2) and 9 (3) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996) as amended, hereby issue the Guideline for a Mandatory Code of Practice for Road and Rail Management Safety in the South African Mining Industry, as set out in the schedule below.

DAVID MSIZA
CHIEF INSPECTOR OF MINES
DEPARTMENT OF MINERAL AND PETROLEUM RESOURCES

SCHEDULE

REFERENCE NUMBER: DMPR 16/3/2/2-B4
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DEPARTMENT OF MINERAL AND PETROLEUM RESOURCES

MINE HEALTH AND SAFETY INSPECTORATE

GUIDELINE FOR THE COMPILATION OF A MANDATORY CODE OF PRACTICE FOR

ROAD AND RAIL SAFETY MANAGEMENT IN THE SOUTH AFRICA MINING INDUSTRY

_____
CHIEF INSPECTOR OF MINES

mineral & petroleum resources
Department:
Mineral and Petroleum Resources
REPUBLIC OF SOUTH AFRICA

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PART A: THE GUIDELINE

1. FOREWORD

1.1. **PTV** services are integral in ensuring that mine employees commute to and from designated pick-up and drop-off points close to their places of residence and employment. These services support the South African mining industry which is the backbone of the economy of South Africa economy. A significant increase in road transportation in South Africa has correlated to a rising number of road incidents that have led to serious injuries and fatalities (**RTMC**, 2023).

1.2. Due to the rail infrastructure challenges in South Africa, there has been an increase in the transportation of minerals and materials by road. As a result of this increase, the number of incidents that are attributed to the transportation of minerals and materials by road has increased.

1.3. The lack of adequate maintenance programmes for railway infrastructure, combined with the increased use of **level crossings** by mine passenger and mineral transportation services, has contributed to rail-related incidents.

1.4. In an initiative to address this challenge, a tripartite task team was established under the auspices of the **MOSAC**. The task team prepared this guideline on the development of a **COP** on road and rail safety management in the South African mining industry.

1.5. The **MHSA** requires the employer to protect the health and safety of employees at mines. To this end, section 9 (2) of the **MHSA** requires employers to compile and implement a **COP** in terms of the *Guideline for Road and Rail Safety Management in the South African mining industry*.

1.6. The **RSR** is, in terms of section 7 of the National Railway Safety Regulator Act, 2002 (Act No 16 of 2002) as amended, required to provide for and promote safe railway operations as well as to encourage collaboration and participation of interested and affected parties on improving railway safety.

2. SCOPE

2.1. This guideline addresses significant health and safety hazards and risks associated with the design, application, organisational work methods, driver competency criteria and the provision of **PPE** in the context of road and rail safety management within the control of the mine.

2.2. It also considers potential impacts on areas beyond the mining right that may affect the health and safety of mine employees without necessarily imposing legal obligations on employers other than the obligations already imposed on the employers by the **MHSA**.

2.3. The employer must take reasonable measures to liaise with the appropriate department or authority to improve road and/or rail safety where employees and commodities are being transported. In this regard the following should be borne in mind when complying with the provisions of this guideline:

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2.3.1. The National Department of Transport is responsible for the overall regulation of **public roads** in South Africa. This includes setting standards, policies, and regulations related to road safety, traffic management, and road infrastructure development. The National Department of Transport also oversees the **RTMC**, which is responsible for traffic enforcement and road safety.

2.3.2. The South African National Roads Agency Limited is a government-owned entity responsible for managing the national road **network**, including planning, constructing, and maintaining national roads. It is also involved in implementing road safety measures and ensuring compliance with traffic regulations on national roads.

2.3.3. The Railway Safety Regulator, an agency under the National Department of Transport, is responsible for the regulation of railway safety in South Africa. It ensures that rail operators comply with safety standards and regulations aimed at preventing accidents and ensuring the safe operation of rail services.

2.3.4. Local municipalities and provincial transport departments also have jurisdiction over **public roads** within their respective areas, including the regulation of road infrastructure, traffic management, and local road safety. They work with national agencies to enforce safety standards and manage **public roads**.

3. LEGAL STATUS OF GUIDELINES AND CODES OF PRACTICE

3.1. In accordance with section 9(2) of the **MHSA**, an employer must prepare and implement a **COP** on any matter affecting the health or safety of employees and other persons who may be directly affected by activities at a mine when the **CIOM** requires it.

3.2. The **COP** must comply with any relevant guidelines issued by the **CIOM** in accordance with section 9(3) of the **MHSA**.

3.3. Failure by the employer to prepare or implement a **COP** in compliance with this guideline is a breach of the **MHSA**.

4. THE OBJECTIVE OF THE GUIDELINE

4.1. The objective of this guideline is to enable the employer to compile a **COP** to address hazards and risks associated with the usage of roads and railway lines used for activities associated with the mines.

4.2. This **COP** must be implemented in conjunction with the system of risk assessment and management put in place in terms of Section 11 of the **MHSA**.

4.3. These road and railway line activities include the passenger transportation services of mine employees as well as the transportation of minerals and materials to and from the mine.

5. DEFINITIONS AND ACRONYMS

5.1. For purposes of this guideline, unless the context otherwise indicates, the definitions and acronyms are as follows:

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5.1.1. **CIOM** means Chief Inspector of Mines.

5.1.2. **COP(s)** means Code(s) of Practice.

5.1.3. **DMPR** means Department of Mineral and Petroleum Resources.

5.1.4. **Integrity** means a condition where the individual components of a system and the total system are unified, consistent and fit for purpose.

5.1.5. **Level crossing(s)** means the place approved by the **network operator** and the **road authority** (or the landowner in the case of a **private road**) where a road crosses the railway line(s).

5.1.6. **Level crossing protection** means the range of appropriate, technology, road signs, road markings and road signals that are used in various combinations according to the relative level of risk at a **level crossing** to afford the appropriate minimum level of protection at the **level crossing**.

5.1.7. **MHSA** means the Mine Health and Safety Act, 1996 (Act 29 of 1996) as amended.

5.1.8. **Modes of transport** means various methods or ways for moving of people or minerals and materials from one place to another by rail or road.

5.1.9. **MOSAC** means the Mine Occupational Safety Advisory Committee.

5.1.10. **Network** means a system of railway infrastructure elements comprising of track, civil infrastructure, train control and signalling systems, and where applicable, electric traction infrastructure which constitutes of running lines, railway sidings and private sidings, stations, depots, marshalling yards, railway yards, etc. (SABS, 2021).

5.1.11. **Network operator** means the person(s) who have the ultimate accountability for one or both of the following:

a) The safety of a **network** or part thereof including the design, construction, maintenance and **integrity** of the **network**.

b) Ensuring compliance of rolling stock with the applicable standards of the **network**.

c) The authorising and directing of the safe movement of rolling stock on the **network**.

5.1.12. **NRTA** means the National Road Traffic Act, 1996 (Act 93 of 1996).

5.1.13. **OEM** means the original equipment manufacturer.

5.1.14. **Passenger transport vehicle** means a vehicle which is owned by a mine or is contracted to a mine, that is used for the transportation of mine employees.

5.1.15. **PrDP** means Professional Driving Permit.

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5.1.16. **PPE** means personal protective equipment.

5.1.17. **Private road** means a road, a street, a thoroughfare or any other place or any section thereof (whether a thoroughfare or not) that is not commonly used by the public or to which the public does not have right of access, and includes:

a) The verge of any such road, street or thoroughfare;

b) Any bridge, ferry or drift traversed by any such road, street or thoroughfare; and

c) Any other work or object forming part of, is connected with or belongs to such road, street or thoroughfare.

5.1.18. **Private road owner** means a person responsible for a **private road** and who has the right of access to that road.

5.1.19. **PTV** means a **passenger transport vehicle**.

5.1.20. **Public road** as described in the **NRTA** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes:
a) The verge of any such road, street or thoroughfare;
b) Any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
c) Any other work or object forming part of or connected with or belonging to such road, street or thoroughfare.

5.1.21. **Road authority** means the relevant national or provincial **road authority**, municipal council or municipality (or both), excluding a **private road owner**, that has the relevant authority over the proclaimed national, provincial, urban or rural roads, including, but not limited to, the maintenance of the road surface, drainage, road markings, signage, control of vegetation and law enforcement (SABS, 2021).

5.1.22. **RSR** means the Railway Safety Regulator.

5.1.23. **RTMC** means the Road Traffic Management Corporation.

5.1.24. **Station operator** means a person responsible for the control and the management of a station.

5.1.25. **Train operator** means a person who is responsible and accountable for the following:

a) Safe movement of rolling stock on a **network**.

b) Safety and **integrity** of rolling stock.

c) Safety of freight or persons being conveyed.

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6. MEMBERS OF THE GUIDELINE TASK TEAM

6.1. This guideline was prepared by the **MOSAC** Task Team on Road and Rail Safety Management in the South African mining industry. The following members served on this task team:

CHAIRPERSON
Mr. Tumelo Mateta

STATE	EMPLOYER	ORGANISED LABOUR
Mr. Paulus Kambula	Mr. Arie Van Wyk	Mr. Henk Kruger
Mr. Lindsay Polley	Mr. Amos Xheko	Mr. Coenie Rheeder
Mr. Gibson Mthombeni	Mr. Kolani Mamburu	
Ms. Nonhlanhla Khaba		
Ms. Bella Kgatla		
Mr. Malatsi Mashala		

CONSULTED EXPERTS
Ms. Vhutshilo Rambevha
Mr. Lemohang Monyatsi

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PART B: AUTHOR'S GUIDE

1. The **COP** must, where possible, follow the sequence laid out in Part C: Format and Content of the Mandatory **COP**.

2. The pages as well as the chapters and sections must be numbered, where possible, to facilitate cross-referencing.

3. The wording used must be unambiguous and concise.

4. Unless otherwise indicated, for the purpose of crafting a **COP**, the meanings of the words mentioned in this guideline will also have the same meanings as those assigned to them in this document.

5. It must be stated in the **COP** whether:

5.1. The annexure forms part of the guideline and must be complied with or incorporated in the **COP**, or whether aspects thereof must be complied with or incorporated in the **COP**.

5.2. The annexure is merely attached as information for consideration in the preparation of the **COP** (i.e. compliance is discretionary).

6. When annexures are used, the numbering should be preceded by the letter allocated to that annexure, and the numbering should start at one again (e.g. A1, A2, A3, etc.).

7. Whenever possible, illustrations, tables, graphs and the like, should be used to avoid long descriptions and/or explanations.

8. When in-text referencing that relates to sources such as publications, and reports, have be done, these sources must be included in the text, as footnotes or side notes, as well as in a separate bibliography section.

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PART C: FORMAT AND CONTENT OF THE MANDATORY COP

1. TITLE PAGE

1.1. The **COP** should have a title page reflecting at least the following:

1.1.1. The name of the mine.

1.1.2. The mine code number.

1.1.3. The heading: *Mandatory Code of Practice for Road and Rail Safety Management in the South African Mining Industry*.

1.1.4. A statement to the effect that the **COP** was drawn up in accordance with the guideline with reference number **DMPR** 16/3/2/2-B5 issued by the **CIOM**.

1.1.5. The mine reference number for the **COP**.

1.1.6. The effective date of the **COP**.

1.1.7. The revision dates of the **COP** (if applicable).

2. TABLE OF CONTENTS

2.1. The **COP** must have a comprehensive table of contents.

3. STATUS OF MANDATORY COP

3.1. Under this heading the **COP** must contain statements to the effect that:

3.1.1. The **COP** was drawn up in accordance with guideline with reference number **DMPR** 16/3/2/2-B5 issued by the **CIOM**.

3.1.2. This is a mandatory **COP** in terms of Sections 9(2) and (3) of the **MHSA**.

3.1.3. The **COP** supersedes all previous relevant **COPs**.

3.1.4. All managerial instructions or recommended procedures (voluntary **COPs**) and standards on the relevant topics must comply with the **COP** and must be reviewed to assure compliance.

3.1.5. The **COP** may be used in investigations or inquiries in terms of the **MHSA** to ascertain compliance and to establish whether the **COP** is effective and fit for purpose.

4. MEMBERS OF DRAFTING COMMITTEE

4.1. The employer must convene a committee responsible for the drafting and revision of the **COP**.

4.2. As far as practically possible the **COP** must not be an overly technical document.

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4.3. When compiling the document, the participation of all levels of employees is essential.

4.4. In terms of Section 9(4) of the **MHSA**, read with Section 25 of the **MHSA**, the employer must consult with the relevant health and safety structures or representative(s) on the mine in the preparation, implementation or revision of the **COP**.

4.5. The **COP** must list the following for every member of the current committee:

4.5.1. Full names.

4.5.2. Designation / job title e.g. Mine Manager, Safety Representative, Engineer, etc.

4.5.3. Qualifications e.g. Bachelor of Technology degree (and any other equivalent qualifications), Chamber of Mines Safety Officers' Certificate, Government Certificate of Competency such as a Mine Manager's Certificate of Competency, etc.

4.5.4. Relevant mining experience (in years, at a given date).

4.6. The **COP** must be signed off by all the members of the current committee.

5. LOCALITY

5.1. The **COP** must include a brief description and locality map to indicate the location of the mine in relation to existing national roads, provincial roads, municipal roads, access roads, national or provincial boundaries, rail **networks** and/or other nearby mines.

6. GENERAL INFORMATION

6.1. The general information relating to the mine must be stated in this paragraph. The following minimum information must be provided:

6.1.1. The commodities produced.

6.1.2. The mining methods or mineral excavation processes.

6.1.3. An estimated number of employees.

6.1.4. The estimated production.

6.1.5. A description of logistical arrangements such as the transportation of minerals and materials, explosives, etc.

6.1.6. A description of the **PTV** service arrangements used at the mine.

6.1.7. Other relevant **COPs**.

7. TERMS AND DEFINITIONS

7.1. Any word, phrase or term of with a meaning that is not clear, or which will have a specific meaning assigned to it in the **COP**, must be clearly defined.

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7.2. Existing and/or known definitions should be used as far as possible.

7.3. The drafting or reviewing committee should avoid jargon and abbreviations that are not in common use or that have not been defined.

7.4. The definitions section should also include acronyms and technical terms used.

8. RISK MANAGEMENT

8.1. Section 5 of the **MHSA** requires that every employer must:

8.1.1. Provide and maintain a working environment that is safe and without risk to the health and safety of employees.

8.1.2. Identify the relevant hazards and assess the related risks to which persons who are not employees may be exposed.

8.1.3. Ensure that any other persons who may be directly affected by the activities at the mine are not exposed to any hazard to their health and safety.

8.2. The employer must therefore identify the hazards and risks to which employees and other persons are exposed to during the transportation of employees, minerals and materials.

8.3. To assist the employer with risk assessment, all possible relevant information such as accident statistics, ergonomic studies, research reports, accident reports, **OEM** specifications and performance figures for all relevant **modes of transport** may be considered.

8.4. The application of a risk management processes for railway activities must be in accordance with the SANS 3000-1, SANS 3000 2-2 and SANS 3000 2-2-1 for **network operators** where applicable. The employer must ensure that the **network operator** and the **private road owner** or road authority conduct **level crossing** risk assessment for new and existing **level crossings**.

8.5. The **COP** should be reviewed periodically and updated after every incident involving the **modes of transport** mentioned in this guideline. The latter review will also cover any significant change to mine procedures, mining method, plant or equipment type, and major changes on routes layout.

9. ASPECTS TO BE ADDRESSED IN THE MANDATORY COP

9.1. The **COP** must set out how the significant risks are assessed and identified in terms of the risk assessment process referred to above will be addressed. The **COP** must cover at least the aspects set out below.

9.2. Design and specification register

9.2.1. To ensure that all **modes of transport** are appropriate for the specific circumstances by or at the mine and are used within their designed and operating specifications, the **COP** must describe and provide a detailed table containing the following information as a minimum for all **modes of transport** in use:

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9.2.1.1. Type and model of **modes of transport** (mini-buses, trucks, buses, trains, etc.).

9.2.1.2. Maximum design capacity (cubic metres, tons, number of passengers, etc.).

9.2.1.3. Maximum designed speed (km/h).

9.2.1.4. Gross mass (kg).

9.2.1.5. Minimum dimensions (mm).

9.2.1.6. Maximum operating dimensions (mm).

9.2.1.7. Prime mover (electrical, battery, diesel, etc.).

9.2.1.8. Designed rated power (kW).

9.2.1.9. Maximum towing capacity (kg).

9.2.1.10. Manual or automatic transmission or control.

9.2.1.11. Braking system.

9.3. Braking systems

9.3.1. The employer must ensure that:

9.3.1.1. Measures are put in place so that **modes of transport** are operated with adequate and effective braking systems to prevent persons from injury or fatality as a result of braking system failure.

9.3.1.2. The braking systems are adequately and routinely tested for intended functionality in terms of brake design specifications as per the **OEM**, including the recording and safe keeping of test results for a period to be specified in the **COP**.

9.3.1.3. All braking systems are regularly maintained according to the **OEM** specifications and requirements. Such maintenance records are kept as specified in the **COP**.

9.4. Testing of braking systems

9.4.1. To ensure that drivers and passengers are protected against injuries in the event of an accident the **COP** must describe the installation and use of safety belts.

9.5. Protection of the driver and passengers

9.5.1. The **COP** must describe the installation and use of safety belts to ensure that drivers and passengers are protected.

9.6. Loading and drop-off or pick-up

9.6.1. The **COP** must describe the following:

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9.6.1.1. The configuration and layout of mineral and material loading points.

9.6.1.2. The configuration and layout of pick-up or drop-off points of passengers.

9.6.1.3. Operating procedures for the loading of minerals and materials.

9.6.1.4. Operating procedures for the pick-up or the drop-off points of passengers.

9.7. Towing of different modes of transport

9.7.1. In the event of a breakdown, the **COP** must describe the following procedures:

9.7.1.1. Recovery of the **mode of transport** where the procedure must take into cognisance that no **modes of transport** will be towed whilst persons are onboard.

9.7.1.2. Provision of alternative means of transport for passengers.

9.7.1.3. Recovery of the minerals and materials.

9.8. Route planning

9.8.1. To ensure safe operation of the **modes of transport** stipulated in this guideline, the **COP** must describe route plans that includes, but is not limited to, the following:

9.8.1.1. Dedicated routes to be used by each class of transport.

9.8.1.2. All measures put in place to ensure that all train drivers and train assistants have a certification of the route and/or road knowledge of the siding or the yard that they are being planned for.

9.8.1.3. Describe a process of consultation with other stakeholders *viz* municipalities, National Road Traffic Regulator and/or **RSR** for the purposes of the identification of the following:

a) Dedicated lanes.

b) Time zoning.

c) **Level crossings**.

9.9. Operating procedures

9.9.1. To ensure the safe operation of **modes of transport**, the **COP** must describe procedures and capture information that covers at least the following:

9.9.1.1. Start-up, operation, parking and shut-down.

9.9.1.2. How to deal with obstructions, restricted clearances and restricted entry with regard to dangerous areas.

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9.9.1.3. General safety rules relating to the interaction between pedestrians, cyclists and **modes of transport**.

9.9.1.4. A system in place to ensure that **modes of transport** entering and exiting mine premises pose no significant risk.

9.9.1.5. A system to ensure that the drivers of the **modes of transport** do not use a mobile device while driving.

9.9.1.6. The use of a seatbelt by the driver and all passengers at all times.

9.9.1.7. The total number of passengers of the **mode of transport**, which must be in accordance with the design seating capacity of the **mode of transport**.

9.9.1.8. A fatigue management awareness programme that addresses hazards and risks associated with road and railway safety, which must include the following:

a) Measures to encourage rest periods amongst the drivers.

b) Identify places of rest along the routes of travel.

9.9.1.9. Compliance with train working rules.

9.9.1.10. A process of consultation with the applicable stakeholders such as the National Road Traffic Regulator, the **RSR**, **network operators**, road owners and other relevant transportation providers in the vicinity of the mine. The said consultation must be on the following:

a) Installation of rumbling strips.

b) Traffic rules and road signs.

c) Speed and right of way.

d) Illumination of areas where employees embark and disembark.

e) Positioning and spacing of street lights along employee transport routes.

f) Placement and effectiveness of road studs (reflectors).

g) Solar glare of the surrounding area.

h) Steps to be taken in case of illumination failure along the routes and at **level crossings**.

i) Maintenance of vegetation along the sides of the road including areas near and around **level crossings**.

j) General road maintenance.

k) **Level crossing** operation, monitoring and maintenance.

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l) Dust control.

m) Proper illumination of the train locomotive and at the **level crossing**.

n) Enforcement of compliance to the applicable road and rail regulatory frameworks.

o) Measures to create awareness of the alcohol and drug testing policy of the mine to other transport providers.

p) Awareness programmes that cover the dangers and risks associated with driving under the influence of alcohol and drugs including dealing with intoxicated pedestrians.

q) Extension of the provision of this **COP** to other transport providers.

9.10. Illumination

9.10.1. Illumination on all **modes of transport** must be maintained to ensure that all **modes of transport** are visible to pedestrians and drivers of other vehicles. Furthermore, maintenance will enable the driver to identify the presence of persons, animals and other hazards timeously.

9.10.2. The **COP** must describe the following illumination provisions where applicable:

9.10.2.1. For road transport, the following provisions must be in accordance with SANS 1046:

a) Distinction between front, rear and side lights including colour coding.

b) Positioning of lights to indicate the width of the **PTV** and trucks.

c) The use and position of reflectors.

9.10.2.2. For rail transport, the following provisions must be in accordance with SANS 3000-1, SANS 3000-2-2-1 and SANS 3000-2-4:

a) **Level crossing** flashing red discs, boom barricade, pedestrian guardrails, signages and any **level crossing** related signals must be checked and adjusted for the correct illumination (i.e. brightness and focus).

b) Train locomotive head lights must at all times be switched on during the day and at night.

9.11. Maintenance and inspection of modes of transport

9.11.1. To ensure that the maintenance and inspection of **modes of transport** are appropriate for the specific circumstances at the mine, the **COP** must describe the following to ensure road and train worthiness:

a) Maintenance of all **modes of transport** as per the **OEM** specifications.

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b) Service and repair records to be readily available as and when required.

c) Inspections and over-inspections.

d) The use of pre-use checklists to identify components critical for the safe operation of the type of **modes of transport** and keeping of such completed checklists for at least three months where applicable.

9.12. Modes of transport to be operated by competent authorised persons

9.12.1. To ensure that the **modes of transport** are operated by competent authorised persons, the **COP** must describe:

a) The appropriate, valid driver's license and professional driving permit requirements, suitable for that specific class of transport.

b) Appropriate and valid certification for the class of locomotive (rolling stock).

c) Records of health and safety induction that the driver has received.

d) The measures deployed to ensure that all operators of the **modes of transport** have been declared medically fit.

e) The requirements for adherence to the specific alcohol and drug testing policy of the mine before operating any mode of transport.

9.13. Personal protective equipment

9.13.1. The **COP** must describe the type of **PPE** appropriate for the persons operating the various **modes of transport**, as well as those supporting the operations thereof.

10. LEVEL CROSSING MANAGEMENT

10.1. This section of the guideline applies to mines that are **network operators**, **train operators** and **station operators**.

10.2. **Level crossings** must be managed as stipulated in the **level crossing** standard (SANS 3000 2-2-1) which was deemed a regulation in November 2013, under the **NRTA** Reg 312A.

10.3. Design of level crossings

10.3.1. The **COP** must outline how the **network operator**, in collaboration with the **private road owner** or **road authority** must design new and/or modify **level crossings**.

10.3.2. This design process must incorporate the concept phase studies and results of the **level crossing** physical assessment (clause 15, SANS 3000 2-2-1). The process must include and confirm the following:

a) Current and future train patterns and volumes (inclusive of mixed rail traffic).

b) The classification and ownership of the road.

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c) The type of road traffic, patterns and volumes.

d) The road geometry.

e) Stopping sight distance for vehicles.

f) The line of sight for pedestrians, road vehicle drivers and train drivers.

g) The rail **network** geometry.

h) The rail traffic patterns and volumes, such as:

i. The train operating parameters including bi-directional traffic.

ii. Train lengths.

iii. The section speed.

iv. The location of a **level crossing** (service lines, yards, sidings, etc.).

i) Unrestricted and safe movement of trains, road vehicles and public usage during peak and off-peak hours.

j) Unrestricted and safe movement of trains, road vehicles and public during normal, abnormal and degraded operations as defined in the relevant part(s) of SANS 3000 or emergency conditions.

k) Provision for persons with disabilities including persons with reduced mobility, visual or audio impairment.

l) The train and road **network** operating parameters including provision for bi-directional traffic or *'wrong road'* working, or both.

m) Current and future train speed.

n) The number of interacting train movements.

o) The speed, mass, acceleration and brake performance of trains.

p) The provision of suitable monitoring and closed-circuit television equipment at all relevant new **level crossing(s)**, modified or existing **level crossing(s)**, or a combination thereof, and pedestrian crossings.

10.4. Operations, monitoring and maintenance of level crossings

10.4.1. The **COP** must outline the processes and procedures in accordance with SANS 3000-2-5 and SANS 3000-2-2-1 for the operation, monitoring, maintenance and operational changes of a new or existing **level crossing** which includes the following:

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a) **Level crossings** are to be managed in accordance with an approved safety management system.

b) A preventative and corrective maintenance plan to maintain and restore the performance of the **level crossing**.

c) Conducting of a physical and risk assessment of **level crossings** in accordance with clause 15 and clause 16 of SANS 3000-2-2-1.

d) Conducting audits and inspections of **level crossings** including remedial actions.

e) Amendment of the relevant safety management system of the operator to reflect the changes resulting from the new **level crossing** with or without a pedestrian crossing and modified **level crossing** with or without a pedestrian **level crossing**.

f) Education and awareness of **level crossing** users which must include the train crew, **train operator**, road users and the public (where applicable), employees, contractors and service providers.

10.5. Approval process(es) for level crossings

10.5.1. The **COP** must describe the process for approval of the new and modified **level crossings** by **network operators**. This relates to the activities to be carried out within the railway reserve in compliance with SANS 3000-2-2-1.

10.5.2. These responsibilities should include but are not limited to the following activities:

a) The **network operator** issuing the approval, in principle, of new and modifications to the existing **level crossings** when there is a plan for a new road or an upgrade to an existing road crossing the railway line.

b) The **network operator** must approve and/or determine the **level crossing protection** required for the safe operation of each **level crossing**.

10.6. Incident management

10.6.1. The **COP** must describe, in terms of the requirements of SANS 3000-1, the processes and procedures that will be followed by a **private road owner**, road authorities, **network operators** and **train operators** to ensure that all incidents at **level crossings** are managed and investigated in accordance with SANS 3000-2-2-1.

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PART D: IMPLEMENTATION

1. IMPLEMENTATION PLAN

1.1. The employer must prepare an implementation plan for a **COP** that makes provision for issues such as organisational structures, responsibilities of functionaries and programmes and schedules for the **COP**, which will enable proper implementation of the **COP** (a summary of and a reference to, a comprehensive implementation plan may be included).

1.2. Information may be graphically represented to facilitate easy interpretation of the data and to highlight trends for the purposes of risk assessment.

2. COMPLIANCE WITH THE COP

2.1. The employer must institute measures for auditing, monitoring and ensuring compliance with the **COP**.

3. ACCESS TO THE COP AND RELATED DOCUMENTS

3.1. The employer must ensure that a complete **COP** and related documents are kept readily available at the mine for examination by any affected person.

3.2. A registered trade union with members at the mine, or where there is no such union, a health and safety representative on the mine, or if there is no health and safety representative, an employee representing the employees on the mine, must be provided with a copy. A register must be kept of such persons or institutions with copies to facilitate the updating of such copies.

3.3. The employer must ensure that all employees are fully conversant with those sections of the **COP** relevant to their respective areas of responsibilities.

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ANNEXURE 1: References

1. Road Traffic Management Corporation, 2023. Department of Transport, Road Traffic Management Corporation - State of Road Safety in South Africa 'January 2023 to December 2023', Highveld Ext 79.
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2. South African Bureau of Standards, 2021. South African National Standard 3000 2-2-1. Railway Safety Management Part 2-2-1. Requirements for systemic engineering and operational safety standards - Track and associated civil infrastructure and installations - Level crossings. 2nd ed., ISBN 978-0-626-38769-3, SABS Groenkloof.

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)

N **5**

AMENDMENTS TO THE REGULATIONS RELATING TO MACHINERY AND EQUIPMENT

I **Samson Gwede Mantashe,** MP, Minister of Mineral and Petroleum Resources, under sections 98 (1) (g) and (h) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996) and after consultation with the Council, hereby amend Chapter 8 of the regulations to the Mine Health and Safety Act, as set out in the in the schedule.

As a consequence of the amendments, chapter 16 of the Mine Health and Safety Regulations (Minerals Act) is hereby repealed in its entirety.

MR. S.G. MANTASHE, MP
MINISTER OF MINERAL AND PETROLEUM RESOURCES
DATE: 28/02/2025

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SCHEDULE

Amendment of Chapter 8 of the regulations

1. Chapter 8 of the regulations to the Mine Health and Safety Act is hereby amended by the addition after regulation 8.12 of the following regulations:

8.13 Shafts and winders

Definitions

For purposes of regulation 8.13, unless the context otherwise indicates:

'Abnormally tight winding rope' means any load exceeding the total payload which includes the mass of the **suspended load** as prescribed on the winding plant permit;

'Approved winding rope testing station' means a testing station approved by the Chief Inspector of Mines for the destructive testing of ropes used in a **winding plant**;

'Attached load' means everything suspended from or attached to the winding rope and includes the portion of any balance rope and one half of any tail carriage and one half of any sheave which contributes to load at the termination of the winding rope;

'Attachments' include everything suspended from or attached to the conveyance other than the winding rope and includes any balance rope;

'Automatic winding plant' means a **winding plant** that is automatically operated;

'Balance winding rope' includes tail rope, balance rope or balance chain;

'Banksman' means a person stationed at the shaft top, who shall be the holder of an onsetter's certificate, appointed by the manager to supervise the loading and unloading of persons, **material** and **explosives** in the cage, skip, or other means of conveyance and to give the necessary signals;

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'Drive' means, for the purpose of regulation 8.13.105, any action requiring skill whereby the control levers of the **winding plant** are manipulated in such a way that the winding engine moves in direct relation to the movement of the lever;

'Explosives' shall have the same meaning as is assigned to that term in the Explosives Act, 2003 (Act No. 15 of 2003);

'Effective length of rope' means the length of the winding rope from the clove hitch knot or on the drum over the sheave or drum in the headgear and the humble hook or attachment mechanism to the conveyance;

'Initial breaking strength' means the maximum load capacity of a sample of a new rope as determined by the destructive testing in accordance with the applicable testing standards, at an **approved winding rope testing station**;

'Material' means whatever may be conveyed by means of a winding plant elevator or self-propelled mobile machine excluding persons, minerals and **explosives**;

'Nominal rope diameter' means the rope diameter specified by the manufacturer;

'Onsetter' means a person who shall be the holder of an onsetter's certificate issued by the Principal Inspector of Mines and appointed by the manager to have charge of a cage, skip or other means of conveyance underground in which persons, **material**, equipment and **explosives** are being raised or lowered and to give the necessary signals;

'Prescribed permit' means a winding plant permit prescribed by these regulations;

'Recoverable recordable system' means any recordable system that will retain the data captured therein indefinitely and which:

(a) captures the time and date of every entry, name and signature of every person making an entry;

(b) allows for the retrieving of all data captured;

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(c) Incorporates measures to prevent unauthorised changes to any captured data;

(d) is auditable; and

(e) in the case of an electronic system, is backed up at least weekly;

'Semi-automatic winding plant' means a **winding plant** that can be operated partly manually and automatically;

'Shaft' means any tunnel having a cross-sectional dimension of 3,7 metres or over and -

(a) being inclined to the horizontal of 15 degrees or over; or

(b) being inclined to the horizontal of less than 15 degrees but more than 10 degrees where the speed of traction may exceed two metres per second;

'Slack winding rope' means any loss of tension of the rope due to risk factors such as the obstruction of the free movement of the conveyance between highest and the lowest point of winding;

"Station level" means the bank and any level in a **shaft**, at which conveyances stop for the loading or unloading of persons, equipment, **material**, minerals or **explosives**;

'Shaft station' means the area surrounding the **shaft** at every **station level** and identified and demarcated as the **shaft station** by the employer;

'Suspended load' means the sum of the **attached load** and the mass of the **effective length of rope**.
'The Act' means the Mine Health and Safety Act, Act No. 29 of 1996, as amended;

'Winding cycle' means a full or partial return trip starting with a conveyance at the bank level and ending with the same conveyance returning to the bank level;

'Winding Engine Driver' means a person who is the holder of a **Winding Engine Driver** Certificate issued by the Chief Inspector of Mines and appointed by the manager for the purpose of safely transporting persons, **material**, equipment, mineral and **explosives** up and down the **shaft**;

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'Winding plant' means any hoist or other appliance used or intended to be used for the conveyance of persons, **material**, **explosives** or mineral by means of a cage, skip or other means of conveyance in any **shaft** or **winze** where the control system of the driving machinery can normally be operated manually or automatically from the motor or engine room, but excluding any lift or elevator, lifting machine, endless rope haulage and scraper winch installation;

'Winze' means any tunnel having an inclination below the horizontal in the direction of working of more than 5 degrees and not included in the definition of "**shaft**".

Requirements for the Conveyance of persons in shafts and winzes

8.13.1 The manager of a mine shall not use a **winding plant** nor permit any other person(s) to use such **winding plant** unless that person is in possession of a **prescribed permit** or permission issued by a Principal Inspector of Mines.

8.13.2 No person shall ride, cause or permit any other person to ride in or on a conveyance operated by a **winding plant**, unless it is permitted by a **prescribed permit** or permission.

8.13.3 Every application for the use of a **winding plant** shall be made to the Principal Inspector of Mines according to the **prescribed permit** or permission.

8.13.4 The Principal Inspector of Mines may grant a permit or permission to use such **winding plant**, subject to conditions as he may specify.

8.13.5 The permit or permission shall be kept at the mine manager or engineer office and a legible and suitably protected copy thereof shall be displayed in the winding engine room.

8.13.6 The Principal Inspector of Mines may direct that any regulation to the Mine Health and Safety Act dealing with lifts or elevators shall apply to an automatic or **semi-automatic winding plant** by giving written notice to that effect to the manager, with specific reference to the regulation concerned, whereupon such regulation shall apply to such **winding plant**.

8.13.7 The manager of a mine must carry out specific or periodic tests or inspections of any **winding plant** as determined by the risk assessment, or when directed to do so by the Principal Inspector of Mines.

8.13.8 In calculating the total mass of persons to be conveyed in a **winding plant**, a minimum of 75 kilograms shall be allowed for each person.

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Design of winding engine

8.13.9. The winding engine shall be such that:

8.13.9.1 when running at various speeds with light or heavy loads it can be readily slowed and stopped and after being stopped it can be restarted immediately in either direction; and

8.13.9.2 it can lift the maximum unbalanced load on the drum from the bottom to the top of the **shaft** or **winze**.

Brakes and Holding power.

8.13.10 Each winding drum or winding sheave that is fitted with a braking system shall be provided with an adequate brake or brakes which shall be kept in proper working order.

8.13.10.1 For drum type of winding engines where the rope is securely attached to the winding drum the brake or brakes, without the assistance of any counterbalancing effect of any load supported by the other drum, shall be capable of holding without slipping a load on the rope equivalent to the combined mass of:

a) the conveyance and its **attachments**;
b) the maximum permitted mass of mineral, or double the maximum permitted mass of persons, or the maximum permitted mass of **material** together with double the maximum permitted mass of persons when both **material** and persons are conveyed simultaneously, whichever is the greatest; and
c) the mass of the rope between the sheave and the conveyance, when the conveyance is at a point in the **shaft** which produces the maximum static Torque or Amps on the brakes.

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8.13.10.2 For a friction drive or sheave type winding engine where the rope or ropes are not securely attached to the winding drum or winding sheave, the brake or brakes shall be capable of holding without slipping the maximum static out-of-balance load which occurs when one of the conveyances, or where a counterpoise is used, the conveyance:

a) is loaded with the permitted mass of mineral; or
b) is loaded with double the mass of the permitted number of persons; or
c) is loaded with double the permitted mass of **material** together with double the mass of the permitted number of persons when both **material** and persons are conveyed simultaneously; or
d) is removed from its bridle.

8.13.11 All conveyances in the **winding plant** used for the regular transport of persons, including persons engaged in repairs or shaft work, shall be equipped with a means of removing persons from the **shaft** in case of an emergency.

8.13.12 Every winding drum shall have flanges or horns, and if conical or spiral, such other appliances to prevent the rope from slipping off or coiling unevenly.

8.13.13 For friction drive or sheave type winding engines, where no part of the rope is securely attached to the winding drum or sheave, there shall be no dangerous slipping of the rope on such drum or sheave under any possible working conditions.

8.13.14 Every winding drum at the driver's right-hand side, or where only one drum is used it shall have an overlay rope.

8.13.15 The reversing lever of every steam or air operated winding engine and the control lever of every electrically operated winding engine shall follow the overlay rope in the direction of travel.

8.13.16 Where a hand-operated brake lever is provided on any winding engine it shall be pulled towards the driver to apply the brakes.

8.13.17 The relief and throttle valve levers of every steam or air operated winding engine shall be in a central position.

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8.13.18 The operating mechanism and locking device of the clutch of every winding drum shall be:

a) provided with a locking arrangement which shall be used to prevent the inadvertent withdrawal of the clutch. If the clutch is not clearly visible from the driver's operating position, means shall be provided to indicate to the driver at all times the extent to which the clutch is engaged or disengaged; and

b) of such a design that inadvertent creeping in of the clutch is prevented when the clutch is disengaged.

8.13.19 For every double drum winder of which one drum can be unclutched it shall be impossible to:

a) unclutch any winding drum unless the brake or brakes of such drum are fully applied;
b) release the brake or brakes of such drum until the clutch is fully engaged and securely locked;
c) unclutch both drums at the same time; and
d) exceed 2.5m per second when any one of the clutches are withdrawn.

8.13.20 All bolts and fittings of winding drums, brakes and clutches shall be rendered secure by means of suitable locking devices.

8.13.21 In addition to any marks on the drum or rope, every winding engine shall be provided with reliable depth indicators.

8.13.22 Where the length of wind below the uppermost landing place for persons exceeds 100 metres, adequate provision shall be made whereby the winding-engine driver is warned of the arrival of the ascending or descending cage, skip or other means of conveyance at a point in the **shaft**, the distance of which from the uppermost or lowest, landing place for persons is not less than the equivalent of three revolutions of the drum or sheave of the winding engine.

8.13.23 Every winding engine shall be fitted with at least one effective automatic overwind prevention device, as well as an effective automatic overspeed prevention device.

8.13.24 When the designed allowable speed of a winder is reduced due to site specific conditions, the over speed prevention device is set to suit the site-specific conditions.

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8.13.25 The employer must install a device or combination of devices:

a) that detect **slack winding rope** and **abnormally tight winding rope** conditions on every **winding plant** in which the rope is attached to the drum operating in a vertical **shaft**, excluding a **shaft** in the course of being sunk; and

b) that must on detection of the **slack winding rope** and **abnormally tight winding rope** conditions either automatically halt all winding operations in the vertical **shaft** safely or warn all winding engine drivers operating in such **shaft** of such conditions.

8.13.26 The employer must establish an effective and safe procedure for rectifying any **slack winding rope** or **abnormally tight winding rope** conditions.

8.13.27 All winding operations in the vertical **shaft:**

a) shall cease when any **slack winding rope** or **abnormally tight rope** condition occurs, except if such operations are necessary for rectifying such a **slack winding rope** or **abnormally tight rope** condition. In such an event, such operations shall be authorised by the appointed engineer except where the appointed engineer has been given a detailed and recorded report of the **slack winding rope** or **abnormally tight winding rope** condition by a responsible person appointed by the manager;

b) may not resume unless the **slack winding rope** or **abnormally tight rope** conditions above have been rectified and the responsible appointed engineer is satisfied that winding operations may continue safely; and

c) shall have a **recoverable recordable system** for the recording of all incidents relating to **slack winding ropes** and **abnormally tight winding ropes**.

8.13.28 The employer must take reasonably practicable measures to ensure that:

a) a winder with a permitted speed exceeding 5 metres per second is equipped with a speed indicator and a recoverable recording device that records at least time and speed;

b) the information recorded is kept readily available at the mine for a period of at least 30 days; and

c) the speed indicator shall be so situated that the winding speed can be easily read at all times by the winding-engine driver from his operating position, and which speed indicator shall be used and maintained in efficient working order.

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Statutory test for brakes

8.13.29 If the means of removing persons from the **shaft** is by means of emergency brake release, the braking system must be tested at intervals not exceeding 200 days.

8.13.30 At any speed above 2,5 m/s the maximum deceleration measured at the drum for a person ("men") and/or **material winding plant** must not exceed 4 m/s^2 and for a mineral **winding plant** ("rock") must not exceed 4,5 m/s^2.

Winder and shaft safety measures

8.13.31 No winding engine plant shall be operated in automatic mode when transporting persons, materials and **explosives** to underground workings if the **winding engine driver** is not in control of such winding engine plant and be seated on the foot plate at all times.

8.13.32 Regulation 8.13.31 shall not be applicable to a winding engine plant in automatic mode used solely for the purpose of transporting minerals.

8.13.33 No **winding engine driver** or any other person shall be allowed to be in charge of the winding engine if under the influence of intoxicants or is reasonably suspected of being under the influence of intoxicants.

8.13.34 No person shall tamper with or modify any safety devices of a winding engine plant without the prior written consent of the appointed engineer responsible for such affected winding engine plant. Provided that, if any repairs are conducted on such safety devices, they are recorded and reported to the appointed engineer by the quickest possible means.

8.13.35 No person shall repair, modify or maintain any winding engine plant including its safety devices at any time while there are persons inside the conveyance or who may be affected in the shaft barrel, shaft bottom or headgear except if such measures are necessary for the offloading of persons before fault finding is done.

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Statutory requirements for winding ropes

8.13.36 Any newly installed winding rope, balance rope or guide rope and the rope connections of any such rope:

a) must be carefully examined by the engineer and may not be used for the raising or lowering of persons until the conveyance loaded with the maximum permitted mass has been run for two complete test trips between the highest and lowest stopping places ordinarily in use; and
b) must be magnetically tested or rope condition tested its entire length prior to the **winding plant** put into operation.

8.13.37 The engineer, in addition to recording the results, must record and sign the results of the examination immediately in the Winding Engine Driver's Logbook provided.

8.13.38 When any winding rope, balance rope or guide rope is installed or in use is replaced the particulars specified in the MD208 form (Notice of removal of ropes) must be submitted to the Principal Inspector of Mines.

8.13.39 In determining, the minimum allowable breaking strength of any rope used in a **winding plant**, the weight in Newtons of any mass carried by the rope must be obtained by multiplying this mass in kilograms by a factor of 9,8.

8.13.40 Where a conveyance is suspended by two or more winding ropes:

a) such ropes must be of equal **nominal rope diameter** and approximate strength;
b) arrangements must be made to equalize the tension in the ropes; and
c) each winding rope must be assumed to carry an equal share of the **attached load** for purposes of calculating rope selection factors.

8.13.41 The condition of a winding rope or balance rope must be assessed in accordance with the *SANS10293: Condition Assessment of Steel Wire Ropes on Mine Winders*, as amended and the rope may not be used if the condition thus assessed at that point in the rope has reached the discard criteria.

8.13.42 Where a winding system operating in a vertical **shaft** and not using a balance rope is such that it allows for the periodic tensile testing of the winding rope, the winding rope must have an **initial breaking strength** of not less than:

a) eight times the **attached load**; and
b) four and a half times the **suspended load**.

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8.13.43 Provided, where a winding system operating in a vertical **shaft** and not using a balance rope -

a) allows for the periodic tensile testing of the winding rope; and

b) complies with the *SANS10294: Performance, Operation, Testing and Maintenance of Drum Winders relating to Rope Safety,* as amended, the winding rope must have an **initial breaking strength** as specified in that standard.

8.13.44 Where a **winding plant** operating in an incline **shaft** allows for the testing of the winding rope, the winding rope must have a breaking strength not less than-

a) ten times the incline component of the **attached load**; and

b) five times the incline component of the **suspended load**.

8.13.45 Where a **winding plant** using a balance rope or ropes does not allow for the periodic tensile testing of the winding rope or ropes, the **initial breaking strength** of the rope must not be less than 8.1 times the **suspended load**, provided that this factor may be reduced by 0.00135 for every metre of the **effective length of rope**, but the factor must not be less than:

a) 6,75 where the conveyance is suspended by a single winding rope; or

b) 6,19 where the conveyance is suspended by 2 or 3 winding ropes; or

c) 5,62 where the conveyance is suspended by 4 or more winding ropes,

Provided that where a winding system operating in a vertical **shaft** not using a balance rope allows the periodic testing of winding ropes as required and each conveyance is suspended by two or more ropes in conjunction to rope tension compensating system constructed in a way the failure of one rope will not result in momentary lowering of the force acting in any rope, breaking strength of ropes at installation must be specified or 0.95 times or whichever is the greatest.

8.13.46 The breaking strength of a guide rope used in a winding system must not be less than five times the combined weight of the rope and its tensioning weight.

8.13.47 Any rope which is used to raise or lower a stage in a **shaft** must have a breaking strength at installation of not less than 4,5 times the combined weight of the **effective length of rope** and its share of the **attached load**.

8.13.48 A sample of every winding rope in use must be cut from the end attached to the conveyance or counterweight at intervals not exceeding six months unless the winding system does not allow shortening of the winding rope. The length of the sample must be as specified by an **approved winding rope testing station**.

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8.13.49 Where winding ropes are connected to a compensating sheave on the conveyance or counterweight, that part of the ropes that is in contact with the sheave must be cut off and the ropes re-terminated at intervals not exceeding three (3) months.

8.13.50 The manager must send the sample of a rope cut for tensile testing within two weeks to an **approved winding rope testing station** where the breaking strength and general condition must be determined.

8.13.51 For every tensile test carried out by the **approved winding rope testing station**, the manager must be provided with a certificate showing the results of the test performed.

8.13.52 If the sample of the winding rope received at the **approved winding rope testing station** is in a condition not permitting a satisfactory test, the manager must upon request of the **approved winding rope testing station** provide a new sample.

8.13.53 Except for friction drive or sheave type of winding engines, there shall not be less than three turns of rope upon the drum when the cage, skip or other means of conveyance is at the lowest point in the **shaft** or **winze** from which hoisting is carried out and the end of the rope where applicable shall be fastened securely round the arm or the **shaft** of the drum.

8.13.54 A spare rope which complies to these regulations shall be kept in reserve and readily available.

Requirements at shafts being sunk

8.13.55 For the purpose of work in a **shaft,** it shall not include work at the bottom of a **shaft** or **winze** in the course of being sunk.

8.13.56 The **winding engine driver** shall control the speed of the winding engine in such a manner as to ensure that when any bucket or other means of conveyance is approaching or passing through the stage, or the covering provided in accordance with the requirements of this regulation , it does so slowly and safely and that the crosshead is picked up or released, as the case may be, without shock.

8.13.57 The bucket or other means of conveyance shall not be lowered directly to the bottom of the **shaft** if men are present but shall be stopped by the winding-engine driver at least five metres above the bottom and shall not be lowered further until the signal has been given by one of the sinkers thereat.

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8.13.58.1 In a vertical **shaft** where sets are used to support the guides, guides shall extend down to the lowest set which shall not be more than 15 metres from the bottom, and when winding is being done to the bottom the crosshead shall travel to the lowest set but one. In a vertical **shaft** where the guides are not supported by sets, the guides for conveyances shall extend down to 30 metres or less from the bottom, and when winding is being done to the bottom the crosshead shall travel to as near the end of the guides as is practicable.

8.13.58.2 Every vertical **shaft** or **winze** where a crosshead is used to guide the bucket or other means of conveyance, shall be equipped with:

(a) an effective device so arranged as to prevent the bucket or other means of conveyance from being lowered below the shaft bank if it is unaccompanied by the crosshead; and

(b) an effective device which will prevent the bucket or other means of conveyance and the crosshead from separating unintentionally anywhere in the **shaft** or **winze**, or which will automatically warn the **winding engine driver** should such separation take place.

8.13.58.3 No person shall work or be caused or permitted to work at the bottom of the **shaft** unless protected by an adequate covering extending over the whole area of such **shaft**, sufficient space only being left therein for the passage of any bucket, skip or other means of conveyance. In a vertical **shaft** such covering shall be situated not more than 25 metres from the bottom. In an inclined **shaft** such covering shall be situated not more than 30 metres from the bottom.

8.13.58.4 In a **shaft** or **winze** being sunk or equipped, clutching may be performed with a sinking platform winder with such persons on the sinking platform necessary to ensure that the operations are carried out safely.

Construction requirements of winding plant conveyances

8.13.59 Every cage used for the regular conveyance of persons shall be of substantial construction and shall be provided with a proper roof or cover and doors. The cage shall be enclosed in such a manner as to prevent any portion of the body of a person therein from accidentally coming into contact with the timbering or other equipment in the **shaft** or **winze** or the sides of the **shaft** or **winze**. The doors shall be securely attached to the cage and so arranged that they cannot be opened outwards or accidentally. Provision shall be made for adequate ventilation through the cage.

8.13.60 Every skip or kibble, used for the regular conveyance of persons in a vertical or steeply inclined **shaft** or **winze** shall be provided with a substantial roof or cover that will safeguard the occupants.

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8.13.61 Every conveyance used for examining, repairing or doing other work in a vertical or steeply inclined **shaft** or **winze** shall be provided with a substantial roof or cover and shall be sufficiently enclosed to protect any person from accidentally falling out.

8.13.62 Where the roof or cover of a cage, skip or other means of conveyance is used as a platform for persons engaged in examining, repairing or doing other work in a vertical or steeply inclined **shaft** or **winze**, the persons so engaged shall be protected by a hood or cover immediately above them. Such hood or cover shall be removed as soon as this work is completed.

8.13.63 No trailer:

(a) shall be used in a **shaft** or **winze** where persons are regularly conveyed;

(b) shall be attached to a conveyance when such conveyance is used for transportation of persons; and

(c) shall be used for the regular conveyance of persons, unless it is allowed by the permit issued in terms of these regulations: Provided that for the purpose of this regulation, **'trailer'** shall mean any conveyance operated by a winding engine and which is attached to but not forming an integral part of the permanent conveyance, and of which the lateral movement is restrained by means of guide shoes or wheels running on or in guides or tracks.

Connection to winding plant conveyances

8.13.64 No rope, bar, link, chain or other connection shall be used for winding purposes unless it is of good quality and manufacture, free from any visible defect and of adequate calculated strength.

8.13.65 The connection between:

(a) any winding rope and the cage, skip, bucket, kibble, or other means of conveyance or counterpoise;

(b) any balance rope or tail rope and the conveyance or counterpoise; and

(c) any connecting rope and the conveyance, any trailer or other attached conveyance;

shall be such that no accidental disconnection can take place.

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8.13.66 At intervals of not more than six months the connections between:

(a) any winding rope and the conveyance or counterpoise;

(b) the conveyance and any trailer or other attached conveyance; and

(c) any balance rope or tail rope and the conveyance or counterpoise,

shall be annealed or given proper heat treatment or shall be discarded and replaced. With connections of a class of steel approved by the Chief Inspector of Mines, the interval for heat treatment may be extended with the written permission of the Chief Inspector of Mines.

8.13.67 A proper record shall be kept by the responsible engineer of the non-destructive testing, refurbishment and working life of any part connecting the conveyance to the winding rope. All such connections and their component parts shall be marked clearly for the purpose of identification.

Winding plant signalling arrangements.

8.13.68 The following standard code of signals shall be used and strictly observed where a **winding plant** is operated at a **shaft** or **winze**:

Knocks or rings-	
1.....	Raise when engine at rest.
1.....	Stop when engine in motion.
2.....	Lower.
3.....	Persons about to travel.
3.....	In reply: persons may continue to travel or may enter the cage or other conveyance for the purpose of travelling.
3.....	From engine driver when cage or other conveyance containing persons is brought to rest at a station: persons may leave the cage or other conveyance.
2 pause 2.....	From driver (clear signal requested): driver wishes to start the winding engine at his discretion.
	[Code of signal substituted by GN R2703 of 11 December 1981]
2 pause 2.....	To driver (clear signal): driver may start the winding engine at his discretion.

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Knocks or rings-	
	[Code of signal substituted by GN R2703 of 11 December 1981]
2 pause 2 pause 2	From driver: persons must leave the conveyance.
2 pause 2 pause 2	In reply: no persons in conveyance.
2 pause 2 pause 2 pause 2	Cancel or repeat signal.
3 pause 3 pause 3	Person giving signal is about to travel.
3 pause 3 pause 3	In reply: acknowledgement by driver that person signalling is about to travel.
4 pause 1.....	Raise slowly.
4 pause 2.....	Lower slowly.
4 pause 4.....	To driver: 'mark' signal.
4 pause 4.....	In reply: acknowledgement by driver of 'mark' signal.
4 pause 4 pause 4	To driver: clutching signal.
4 pause 4 pause 4	In reply: clutching operations completed.
5 pause 5.....	To driver: **explosives** about to be placed in the conveyance.
5 pause 5.....	In reply: **explosives** may be placed in the conveyance.
5 pause 5.....	From driver when conveyance containing **explosives** is brought to rest at a station: **explosives** may be removed from the conveyance.
5 pause 5 pause 5	To driver: no **explosives** in the conveyance.
5 pause 5 pause 5	In reply: acknowledgement by driver that there are no **explosives** in the conveyance.
6 pause 6.....	To driver: winding compartments served by engine locked.
6 pause 6.....	In reply: acknowledgement by driver of 'compartments locked' signal.
6 pause 6 followed by station signal	To driver: winding compartments served by engine locked below station designated.
6 pause 6 followed by station signal	In reply: acknowledgement by driver of 'compartments locked below station designated' signal.

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Knocks or rings-	
6 pause 6 pause 6	To driver: compartments served by engine reopened.
6 pause 6 pause 6	In reply: acknowledgement by driver of 'compartments served by engine reopened' signal.
6 pause 6 pause 6 pause 6	To driver: **shaft** examination and repairs about to take place.
6 pause 6 pause 6 pause 6	In reply: acknowledgement by driver of '**shaft** examination and repairs' signal.
7.....	To driver: persons about to have access to the conveyance for a purpose other than travelling or the loading or unloading of minerals in trucks or of **material**.
7.....	In reply: persons may have access to conveyance for a purpose other than travelling or the loading or unloading of minerals in trucks or of **material**.
7 pause 7.....	To driver: conveyance is clear of all persons who have had access to it for a purpose other than travelling or the loading or unloading of minerals in trucks or of **material**.
7 pause 7.....	In reply: acknowledgement by driver of 'persons clear' signal.
15.....	Electrician is testing bells.
15.....	In reply: acknowledgement of 'bell testing' signal.
15 pause 2 pause 2	Electrician has completed test.
10 followed by station signal	Accident to person: station where conveyance is required.
1 long ring.....	Accident to **shaft**: winding operations to be suspended immediately in all compartments of the **shaft**.
In any purely mechanical signalling system 'continued ringing' shall replace 'one long ring' for the 'accident to **shaft**' signal. When raising or lowering mineral in trucks or **material** other than **explosives**:	
8.....	To driver: raising or lowering of minerals in trucks or of **material** about to commence.

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Knocks or rings-	
8.....	In reply: acknowledgement by driver that raising or lowering of minerals in trucks or of **material** is about to commence.
1.....	From driver: persons may have access to conveyance for the purpose of loading or unloading minerals in trucks or **material**.
8 pause 8.....	To driver: raising or lowering of minerals in trucks or of **material** completed.
8 pause 8.....	In reply: acknowledgement by driver that raising or lowering of minerals in trucks or of **material** is completed.

8.13.69 In addition to the standard code of signals, other signals may be used provided that they have been approved in writing by the Principal Inspector of Mines.

8.13.70 Any person acting in conflict with the standard code of signals or of any of the other signals approved in writing by the Principal Inspector of Mines and used on a mine shall be guilty of an offence.

8.13.71 No person shall enter or have access to or be permitted to enter or have access to a cage or other conveyance for any purpose whatsoever or shall continue to travel in a cage or other conveyance or shall leave or be permitted to leave a cage or other conveyance unless and until the appropriate signals have been exchanged, or, if a signal cannot be given on the bell system, some other appropriate and distinct signal has been received from the **winding engine driver**.

8.13.72 Every **shaft** in which winding is carried out, other than a **shaft** in the course of being sunk, shall be provided with some efficient signalling arrangements in respect of each **winding plant** for interchanging distinct and definite signals between:

(a) the **winding engine driver** and the bank; and

(b) the **winding engine driver** and every established point below the bank from which winding is carried out.

8.13.73 Every **shaft** where persons travel on or in the conveyance while carrying out any examination, repair or other work shall be provided with some efficient means, approved by the Principal Inspector of Mines whereby the persons doing such examination or work can signal effectively from any depth in the **shaft** to the **winding engine driver**.

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8.13.74 Every inclined/declined **shaft** in the course of being sunk shall be provided with some efficient signalling arrangement in respect of each **winding plant** for interchanging distinct and definite signals between:

(a) the **winding engine driver** and the bank;

(b) the **winding engine driver** and every established intermediate landing station below the bank; and

(c) the **winding engine driver** and a point not more than 40 metres from the bottom of the **shaft**. When this point is more than 15 metres from the bottom of the **shaft**, some efficient signalling arrangements shall also be provided and used for signalling from the bottom of the **shaft** to this point.

8.13.75 Every vertical **shaft** in the course of being sunk shall be provided with two separate means for each **winding plant** whereby persons employed in the sinking process can signal effectively from the bottom of the **shaft** and from any depth in the **shaft** to the **winding engine driver** and there shall also be provided in respect of each **winding plant** an efficient signalling arrangement for interchanging distinct and definite signals between the **winding engine driver** and the bank and between the **winding engine driver** and every established intermediate landing station below the bank.

8.13.76 At every **shaft** and **winze**, other than a **shaft** or **winze** in the course of being sunk, where persons are regularly conveyed and where the signalling arrangements are operated by electricity, the following provisions, except as provided for in other signals approved in writing by the Principal Inspector of Mines, shall be observed in respect of each **winding plant** used for the raising or lowering of persons.

8.13.76.1 There shall be provided and maintained in good working order, two separate, independent, and efficient signalling arrangements, hereinafter referred to as the locked-bell system and the call-bell system, which shall be used for transmitting signals.

8.13.76.2 The locked-bell system shall be for the interchange of signals between:

(a) the **winding engine driver** and the bank; and

(b) the **winding engine driver** and every established point below the bank from which winding is normally carried on, but it shall not enable the **banksman** to signal on this system to anyone but the **winding engine driver**.

8.13.76.3 The system shall be arranged so that the **winding engine driver** can easily distinguish between signals received from the bank and signals from below the bank and such a system has been approved by the responsible engineer.

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8.13.76.4 The system shall further be arranged and maintained so as to prevent as far as possible, signals being given by unauthorized persons. The signal operating mechanism at the bank and at all points below the bank shall be securely enclosed in a metal casing of substantial construction and shall be kept locked when not in actual use. The key shall be removable and when not required shall be removed and retained by the **banksman**, **onsetter** or an authorised person. Without the key inserted, the bell system will be inoperable. Other locking arrangements may be used if approved by the Principal Inspector of Mines.

8.13.76.5 There shall be in use a device which automatically prevents the conveyance or conveyances being raised or lowered after the **winding engine driver** has given a signal on the circuit of the locked-bell system provided for interchanging signals with the bank or on the circuit of the locked-bell system provided for interchanging signals with the established points below the bank from which winding is normally conducted, until he has received a signal on each of the circuits on which he gave a signal.

8.13.76.6 The call-bell system shall enable signals to be transmitted:

(a) to the **winding engine driver** from the bank; and

(b) to the **winding engine driver** from every established point below the bank from which winding is normally conducted and shall also enable signals to be interchanged between the bank and every established point below the bank from which winding is normally conducted, but it shall not enable the **winding engine driver** to transmit signals on this system.

8.13.76.7 The signal operating mechanism of the call-bell system shall be accessible to any person to transmit the signal '10 followed by station signal' and 'one long ring' referred to in the standard code of signals, but it shall not be used for any other purpose, provided that the **banksman** or **onsetter** or any person duly authorised by the manager may use the system to indicate the station at which the conveyance is required and subject to the approval of the Principal Inspector of Mines to transmit special signals.

8.13.76.8 The tone of the bells of the call-bell system shall be such as to be easily distinguishable from that of the bells of the locked-bell system.

8.13.76.9 In a **shaft** or **winze** where efficient telephonic intercommunication is provided between the bank and every established landing station for persons below the bank, it shall be necessary to provide only one call-bell system in respect of all the winding plants serving such **shaft** or **winze**.

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8.13.77.1 The standard code of signals or an abridged form thereof approved by the Principal Inspector of Mines, as well as any other approved signals that may be in use on a mine, shall be displayed suitably in the form of distinctly legible notices in letters and figures not less than 10 millimetres in height. The decision whether such notices are suitably displayed and distinctly legible shall rest with the Principal Inspector of Mines.

8.13.77.2 Such notices shall be posted up in the winding-engine room, at the bank and at all **shaft** or **winze** stations for the time being in use and easily readable by the operator of the signals.

8.13.78 The employer must take reasonably practicable measures to ensure that a winder used for the conveyance of persons is equipped with a device that will continuously record the signals exchanged between the **winding engine driver** and **banksman** and the **winding engine driver** and **onsetter**, and that the information recorded is kept readily available at the mine for a period of at least 30 days.

8.13.79 Any person acting in conflict with the code of signals referred to in these regulations or of any special signals used on a mine shall be guilty of an offence.

Requirements at shafts and winzes

8.13.80 Every vertical **shaft** and every vertical **winze** exceeding 30 metres in depth and used for winding purposes shall be provided with guides for skips, cages or other conveyances unless exempted in writing by the Principal Inspector of Mines.

8.13.81 At any place in a **shaft** or **winze** where it is necessary for workmen to pass from one side to the other, provision shall be made for them to do so without entering or crossing a compartment in which winding is taking place; such passage shall be securely fenced off from moving parts of machinery and from any conveyance.

8.13.82 No person shall enter or cross a compartment of a **shaft**, **winze** or of a headgear in which winding is taking place, except for the purpose of entering, leaving or having access to a cage, skip or other conveyance or for the purpose of conducting an examination, effecting repairs or doing other necessary work in such compartment.

8.13.83 No winding operations shall be conducted in a **shaft**, **winze** or headgear while persons are engaged in effecting repairs, conducting an examination or doing other work in such **shaft**, **winze** or headgear except:

8.13.83.1 where such winding operations are necessary for the purpose of effecting the repairs, conducting the examination or doing other work; or

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8.13.83.2 where persons engaged in effecting the repairs, conducting the examination or doing other work are adequately protected from the conveyances and other winding equipment used in such winding operations as well as from falling stones and falling **material**.

8.13.83.3 any such repairs or maintenance or inspections contemplated in these regulations shall be recorded in the applicable Winder Engine Driver's Logbook affected by such activities, and such Winder Engine Driver's Logbooks are kept for a period of at least 12 months and readily available.

8.13.84 No person shall effect repairs, conduct an examination or do other work in a **shaft**, **winze** or a headgear while winding operations are being conducted in such **shaft** or headgear, except:

8.13.84.1 where such a person is adequately protected from the conveyances and from other winding equipment as well as from falling stones and falling **material**; or

8.13.84.2 where the winding operations are necessary for such person to effect the repairs, conduct the examination or to do other work.

8.13.85 The person in immediate charge of any inspection, repair, examination, maintenance or work in a winding compartment of a **shaft**, **winze** or a headgear or in immediate charge of any work in connection with maintenance or installation of equipment in a winding compartment of a **shaft**, **winze** or a headgear shall:

a) make an entry into the Winding Engine Driver's Logbook and such entry must be countersigned by the **winding engine driver** on duty. Such entry must be cleared by the person that made such entry and must be countersigned by the same person on duty, immediately after completion of such activities.

b) where it is not practicable for the person in charge to make an entry during an inspection, repair, examination, maintenance or work into the Winding Engine Driver's Logbook, the **winding engine driver** may make such an entry on behalf of the person in charge of such inspection, repair, examination, maintenance or work. Such entry must be cleared by the person in charge thereof and must be countersigned by the **winding engine driver** on duty, immediately after completion of such activities.

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c) where it is not practicable for the person in charge to clear an entry after an inspection, repair, examination, maintenance, or work made into the Winding Engine Driver's Logbook, the engineer or person appointed by the manager may clear such an entry on behalf of the person that made the entry if they are satisfied that it is safe to do so. If the engineer or a person appointed by the manager cannot clear the entry in person, the engineer or the person appointed by the manager in question may give permission for it to be done; and

d) where it is not practicable for the person in charge to make and clear an entry before and after an inspection, repair, examination, maintenance, or work made into Winding Engine Driver's Logbook, the person in charge must notify the **winding engine driver** to make an entry in the logbook for him/her before and after the inspection, repair, examination, maintenance, or work conducted. Such entry must be cleared by the person in charge of such activities immediately after completion of such activities and must be countersigned by the **winding engine driver** on duty.

8.13.86 Where winding is conducted in a **shaft** or **winze** there shall be fitted above the bank spring keeps or jack catches or some other effective contrivance to support any conveyance detached from the winding rope because of an overwind: Provided that this requirement does not apply to a vertical **shaft** or **winze** in the course of being sunk.

8.13.87 For a winding system in a vertical **shaft** or **winze** where the end of the winding rope is fastened to the drum of the winding engine, there shall be fitted detaching hooks to detach from the winding rope any conveyance overwound in the headgear and to support it. Such detaching hooks shall be additional to the devices required in a **shaft** or **winze**, provided that detaching hooks need not be fitted to the ropes of any **winding plant** in a vertical **shaft** or **winze** in the course of being sunk.

8.13.88 For a winding system in a vertical **shaft** or **winze** where the winding rope is not fastened to the drum or sheave of the winding engine:

8.13.88.1 The over-run space in the headgear above the highest established stopping place shall be provided with rigid guides or other appliances arranged so that an overwound conveyance is retarded to minimise the risk of the conveyance coming into contact with the rope sheave or the buffer stops in the headgear; and

8.13.88.2 The over-run space at the bottom of the **shaft** or **winze** below the lowest established stopping place shall be provided with rigid guides or other appliances arranged so that an overwound conveyance is retarded and arrested before it can come into contact with any fixed obstacle.

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8.13.89 The headgear shall be carried sufficiently high to allow a clearance space that must be equal to or greater than the combined height of the conveyance in use, in which the conveyance can travel above or beyond the highest landing place for persons before it comes into contact with any fixed obstacle excluding any retarding appliance. This regulation will not apply to skips used for rock winding.

8.13.90 The **shaft** or **winze** shall be carried sufficiently deep to allow an over-run space that must be equal to or greater than the combined height of the conveyance in use, in which the conveyance can travel below or beyond the lowest landing for persons before it comes into contact with any fixed obstacle excluding any retarding appliance, provided that such over-run space need not be provided in a **shaft** or **winze** in the course of being sunk.

8.13.91.1 The employer must, for every **station level**:

(a) identify and clearly demarcate an area surrounding the **shaft** as the **shaft station**;
(b) show the **shaft station**, including the location of all safety devices on the **shaft station**, on a plan; and
(c) prominently and conspicuously display a copy of such plan at every **shaft station**.

8.13.91.2 The employer must install a device or combination of devices that prevent inadvertent access of vehicles to the **shaft** as close as practicable to all entrances to the **shaft**.

8.13.91.3 The device or combination of devices must be:

(a) fail-safe or lockable.
(b) equipped with mechanisms that prevent their unauthorised operation;
(c) operated only under the direct supervision of a competent person appointed by the engineer or by the person appointed by the manager;
(d) operated only if a conveyance is being used for the loading or unloading of equipment, **material**, minerals or **explosives** at that entrance to the **shaft**; and
(e) operated only in closed positions if a conveyance is being used for the loading or unloading of persons at that entrance to the **shaft**.

8.13.91.4 The employer must install a station stop block device or combination of devices which ensure that any self-propelled mobile machine or combination of vehicles entering the **shaft** inadvertently.

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8.13.91.5 The employer must ensure that procedures are in place, or that the device or combination of devices are equipped with mechanisms that prevent the unauthorised operation or removal of such device or combination of devices.

8.13.91.6 The engineer or person appointed by the manager must approve any access configuration and must with regard to the device or combination of devices used for the purposes of these regulations:

(a) approve the design of every such device; and

(b) ensure that every such device is installed and maintained in good working order.

8.13.92 No self-propelled mobile machine may be parked in the **shaft station**.

8.13.93 A self-propelled mobile machine may only enter the **shaft station** under power if it is under the direct supervision of a competent person appointed by the engineer or the person appointed by the manager.

Requirements for loading of winding plant conveyances

8.13.94 No person shall travel in a conveyance operated by a winding engine if such conveyance is loaded or partially loaded with minerals, and no person shall travel in a conveyance operated by a winding engine that is being used simultaneously for the winding of minerals, provided that, if authorised by the manager or a person appointed by the manager , persons engaged in sinking operations in a vertical **shaft** or **winze** may descend such **shaft** or **winze** in a conveyance operated by a winding engine that is being used simultaneously for the raising of mineral.

8.13.95 No person shall travel-

a) with **material** or **explosives** in a conveyance operated by a winding engine; and

b) in a conveyance operated by a winding engine that is being used simultaneously for the winding of **material** or **explosives**.

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8.13.96 Subject to the provisions of the regulation dealing with authorization for persons to travel with **material** in the conveyance:

(a) the manager, engineer or a person appointed by the manager may grant permission in writing for persons to travel with **material** if such **material** is not likely to endanger persons travelling in the conveyance; and

(b) the manager shall:

(i). cause a list to be kept of the **material** which is regularly conveyed in the **shaft** or **winze** for which permission has been granted in terms of paragraph (a);

(ii). ensure that all persons authorised to give signals for the raising and lowering of persons are conversant with the **material** mentioned in the list;

(iii). make a copy of the list readily available to all persons concerned; and

(iv). ensure that all persons authorized to carry such **material** must carry such suitable bag or enclosure to be approved by the engineer in charge.

8.13.97 The manager, engineer or a person appointed by the manager may authorise the following persons to travel in a **shaft** or **winze** with **material** or **explosives** prohibited in terms of these regulations if such travelling is necessary for the efficient carrying out of their duties:

8.13.97.1 Onsetters and their gangs;

8.13.97.2 Persons engaged in sinking operations or in conducting an examination, effecting repairs or doing other work in the **shaft** or **winze**; and

8.13.97.3 Persons required to ensure the safe passage through the **shaft** or **winze** of **material** which cannot be conveyed inside a conveyance.

8.13.98 No person shall place **explosives** in or remove them from a conveyance operated by a winding engine except under the immediate supervision of the **banksman**, **onsetter** or a competent person authorised thereto by the manager, or a person appointed by the manager.

8.13.99 No person shall ride in any **shaft** or **winze** on the roof, top, side, bow, rim, bridle or frame of or in any position outside a conveyance operated by a winding engine, except for persons engaged in examining or repairing the **shaft** or **winze** or doing other work in the **shaft** or **winze** may ride on the roof of such conveyance or on a special platform if authorised to do so by the manager or mine overseer and if such riding on the roof of such conveyance or on the special platform is necessary for the efficient carrying out of such examination, repairs or other work.

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8.13.100 Persons shall not be raised or lowered in a conveyance attached to the normal conveyance except when permitted in writing by the Principal Inspector of Mines.

8.13.101 No bucket or other means of conveyance that can sway shall be allowed to leave the top or bottom of the **shaft** or **winze** unless the workman in charge thereof has steadied it or caused it to be steadied.

8.13.102 No bucket or other means of conveyance shall be filled with loose rock or ground above the level of the brim.

8.13.103 Tools or other **material** which project above the top of the cage, skip, bucket, kibble or other means of conveyance, and which are raised or lowered in a **shaft** or **winze** shall be fastened securely in such a manner that the operation of any arresting device or detaching hook is not affected.

Notices required at winding plants

8.13.104 Where a **winding plant** is used the following shall be kept posted up:

8.13.104.1 At each winding engine:

a) a copy of the **prescribed permit** issued in terms of **the Act**;

b) the code of signals and any special signals;

c) a copy of a notice shall be placed regarding persons not to speak to or distract the attention of the person operating a winding engine while it is in motion; and

d) a copy of a notice shall be placed regarding a person operating a winding engine while it is in motion not to be involved in distracting or be distracted by any person.

8.13.104.2 At each bank, station or landing platform:

(a) a notice showing clearly the maximum number of persons permitted to ride in each conveyance, or a notice prohibiting the conveyance of persons where it is not allowed in terms of the **prescribed permit** issued under **the Act**;

(b) the code of signals and any special signals;

(c) a notice showing clearly the use of full body safety harness to be used when working near open shafts gates; and

(d) a notice showing items that are prohibited to be carried or taken into the underground workings.

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Requirements for Winding-engine drivers

8.13.105 Nobody shall **drive** or be caused to **drive** or permitted to **drive** a **winding plant**, for which a **prescribed permit** has been issued unless he is a certificated **winding engine driver**, provided that a learner **winding engine driver** may drive such a **winding plant** under the direct supervision of a certificated **winding engine driver** while no persons are being conveyed.

8.13.106 Upon engaging a **winding engine driver**, who is required in terms of this regulation to be the holder of a certificate, the manager shall record or cause to be recorded the number and type of such certificate, provided that if such **winding engine driver** has not driven a winding engine for the preceding two years or more, the manager shall not engage him, but shall require such winding-engine driver to undergo a medical examination with a full psychometric evaluation , refresher training and re-examined in accordance with these regulations.

8.13.107 No person shall speak to or, in any way, distract the attention of the person operating a winding engine while it is in motion, except an authorised person required to conduct such activities in the winding engine.

8.13.108 The driver of a winding engine:

8.13.108.1 shall not start his engine before he has received a distinct and proper signal to do so, unless he has been instructed in writing to do so by the manager, or by a person appointed by the manager , as the case may be, or unless he has received the 'clear signal' 2 pause 2, or unless he has sole control of the cage, skip or other means of conveyance;

8.13.108.2 shall not act on any signal if he has been unable to do so within one minute after receiving it but shall request a repeat signal: by ringing 2 pause 2 pause 2 pause 2, provided that after having received the 'clear signal' he may move at his discretion, but when a period of more than five minutes has lapsed after he has received such 'clear signal' he shall move the conveyance slowly;

8.13.108.3 shall not run such engine at a greater speed than that fixed by the Principal Inspector of Mines;

8.13.108.4 shall, except in the case of emergency, avoid shocks in starting, in running and in stopping the said engine;

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8.13.108.5 shall apply correctly every device and means at his or her disposal to prevent the conveyance over-running:

(a) the signalled destination; or

(b) when the destination is not signalled, the highest or lowest landing place when persons are being conveyed and the highest or lowest established stopping place when persons are not being conveyed to an extent which may endanger the safety of persons or may cause damage to the winding equipment.

8.13.108.6 shall apply correctly every device and means at his disposal to prevent the conveyance moving in a direction opposite to that signalled;

8.13.108.7 shall not start the engine until the expiry of at least 10 seconds after receiving a signal to raise or lower persons, provided that this requirement shall not apply when blasting is about to take place in a **shaft** or **winze** in the course of being sunk;

8.13.108.8 shall not act in response to any signal on the call-bell system other than the one long ring referred to in these regulations.

8.13.108.9 shall not unclutch a drum of the engine until the driver has assured themselves immediately beforehand by testing the brake of the drum against sufficient holding power of the engine, that the brake is in proper condition to hold the load suspended from said drum;

8.13.108.10 shall when such engine is fitted with a friction clutch, test the holding power of the clutch after engaging the clutch and before releasing the brake of the corresponding drum. For a steam engine or an air engine the test shall be made against the full power of the engine, and for an electric engine against the normal starting current, while the brake of the other drum is kept off;

8.13.108.11 shall not perform clutching operations whilst persons are in either of the conveyances operated by his or her engine, provided;

a) clutching may be performed on a sinking platform while the minimum number of persons are on the platform to ensure that the clutching operations are correctly conducted; and

b) clutching may be performed on an equipped **shaft** in case of emergency under the instructions of an engineer after said engineer has satisfied themselves that it is safe to do so.

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8.13.108.12 shall not, unless he intends operating the winding engine on single drum during shaft examination, shaft repairs or shaft sinking operations, give the signal that clutching operations are completed until he has engaged the clutch and has securely locked it and where applicable has carried out the test prescribed in these regulations.

8.13.108.13 shall not work or be permitted to work a shift on the winding engine longer than 10 hours, except where permission has been obtained from the Principal Inspector of Mines and under such conditions directed by the Principal Inspector of Mines;

8.13.108.14 shall take all reasonable measures to safeguard persons being conveyed and to avoid any unnecessary delays in conveying such persons.

8.13.108.15 shall take a 20 minute drivers break as near in the middle of the shift as possible. Provided where a Principal Inspector of Mines has granted permission for working longer than the prescribed 10 hours shift, the driver's break interval shall be increased by 10 minutes for each additional hour permitted.

8.13.108.16 shall take breaks at intervals specified in the mine operating shaft schedule.

Banksmen and Onsetters

8.13.109 No unauthorised person shall give any signal other than an accident signal or shall in any manner whatsoever interfere with the signalling arrangement provided for winding operations.

8.13.110 No person shall be permitted to carry out the duties of a **banksman** or **onsetter** unless he is the holder of an onsetter's certificate issued in accordance with these regulations. Every appointment of a **banksman** or **onsetter** shall be made in writing by the manager.

8.13.111 If upon engaging a **bankman** or an **onsetter**, who is required in terms of this regulation to be the holder of a certificate and such a **bankman** or **onsetter** has not performed such appointed duties for the preceding two years or more, the manager shall not engage such **banksman** or **onsetter**, but shall require such **banksman** or **onsetter** to undergo a medical examination, refresher training and a proficiency examination conducted by an appointed engineer or his delegate.

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8.13.112.1 No person, other than the **banksman** or **onsetter** on duty, shall give or shall be caused or permitted to give any signals for the raising or lowering of persons provided that:

(a) when the **banksman** or **onsetter** is not available, a competent person to whom the manager has given written permission to do so may give signals for the conveyance of himself and of any person travelling with them;

(b) the ganger or miner in charge at the bottom of a **shaft** or **winze** in the course of being sunk or a person acting under their immediate supervision may give a signal to raise persons; and

(c) any person duly authorised in writing by the manager or mine overseer may give signal for the conveyance of persons between the main mineral loading station at the bottom of a vertical or inclined **shaft** and the lowest landing station for persons.

The Principal Inspector of Mines shall be furnished on demand with a list of the persons to whom permission has been granted in terms of paragraph (a) above and may order its revision.

8.13.112.2 No person other than the **banksman** or **onsetter** on duty shall give any signal for the raising or lowering of **material** or mineral unless duly authorised by the manager or mine overseer or engineer. Where the **winding plant** is also used for the conveyance of persons, such authorisation shall be in writing.

8.13.113 No person shall be appointed as a **banksman** or **onsetter**, nor shall any person be authorised to give signals, unless such person has sufficient knowledge of the shaft operations and of the signals to be given in connection with such operations.

8.13.114 The **banksman**, **onsetter** or other person authorised to give signals for winding operations:

8.13.114.1 shall not, after the **winding engine driver** has signalled that persons may enter the conveyance for the purpose of travelling or that persons in the conveyance may continue to travel, give any signal on the signalling arrangements for that winding compartment until all persons are properly placed in the conveyance and the doors or gates of the conveyance and the gates or barriers at the bank, station or landing platform are properly shut, provided that when the **banksman**, **onsetter** or other person authorised to give signals intends to travel, such doors, gates or barriers as will prevent his entrance to the conveyance may be left open until he or she has given the signal to raise or lower and has entered the conveyance;

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8.13.114.2 shall not, when the conveyance containing persons is brought to rest in the proper position at the bank, station or landing platform and the **winding engine driver** has signalled that persons may leave the conveyance, give any signal on the signalling arrangements for that winding compartment until all persons who are to leave the conveyance are out and clear of it, Provided that in the event of an accident to **shaft** or person the 1 long ring and signal (10) is allowed to be given.

8.13.114.3 shall ensure that the roof, cover or hood, required to be provided in terms of these regulations, is properly in position before persons are raised or lowered in or on such conveyance.

8.13.114.4 shall take all reasonable measures to prevent persons from having unauthorised access to the conveyance and to the winding compartments;

8.13.114.5 shall not allow any person to travel in a conveyance operated by a winding engine if such conveyance contains minerals and, except as provided for in these regulations, shall not allow any person to travel in a conveyance operated by a winding engine that is being used simultaneously for the winding of minerals;

8.13.114.6 shall not, except as provided for in these regulations, allow any person to travel in a conveyance operated by a winding engine that is being used simultaneously for the winding of **material**;

8.13.114.7 shall not, except as provided for in these regulations, allow any person to ride on the roof, top, side, bow, rim, bridle or frame of or in any position outside a conveyance operated by a winding engine;

8.13.114.8 shall acquaint himself with the maximum number of persons authorised by the Principal Inspector of Mines to travel at any one time in the cage and on each deck of the cage, or in the skip or other means of conveyance and shall not allow such maximum to be exceeded;

8.13.114.9 shall not allow any unauthorised person to give signals on the signalling arrangements used in connection with winding operations;

8.13.114.10 shall not give the 'clear signal' 2 pause 2 or any signal to raise or lower the conveyance unless all persons at the bank, station, landing platform, loading box or other place where he is in charge, are in a position in which they will not be endangered by the movement of such conveyance or any other conveyance operated by the same winding engine;

8.13.114.11 shall not give a signal to clutch unless all persons are out of and clear of the conveyance or conveyances operated by the winding engine;

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8.13.114.12 shall not cause or permit any person to enter or to have access to the conveyance or conveyances until he or she has received a signal from the **winding engine driver** that clutching operations are completed; and

8.13.114.13 shall take all reasonable measures to safeguard against accidents to all persons at the place where he is in charge, whether such persons are under his direct supervision or not.

Winding plant record and Logbooks

8.13.115 The manager must take reasonably practicable measures to ensure that a **recoverable recordable system** is established and maintained at the mine for the winding system and shaft system and in which the following information is captured:

8.13.115.1 details of all maintenance, repairs, testing, inspections and examinations of the winding system and shaft system and of the findings, which must be captured by the competent person who undertook the maintenance, repairs, inspections or examinations within 24 hours from completion of such maintenance, repairs, inspections or examinations;

8.13.115.2 all rope manufacturing and modification details, as well as dates of installation, modifications and removal for each winding rope, which must be captured by the competent person within 24 hours after installation, and which information must include at least the following:

(a) Name of manufacturer;
(b) Date of manufacture;
(c) Coil number;
(d) Length in metres;
(e) Mass per metre in kilograms;
(f) Diameter in millimetres, Width and thickness in millimetres;
(g) Construction of rope:
  (i). type and length of lay;
  (ii). number of strands;
  (iii). class of heart;
  (iv). type of lubricant;
(h) Construction of strands:
  (i). number of wires;
  (ii). diameter of wires in millimetres;

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(iii). Class of core;

(iv). Class of steel in wires (galvanised or not);

(v). Tensile strength of steel in Megapascals;

(vi). Breaking force in kilo Newtons;

(vii). Rope test certificate number and place of test;

(i) whether used for winding or balance purposes:

(i). Name and type of **shaft**;

(ii). Name of compartment;

(iii). Winding plant licence (certificate) number.

8.13.115.3 All dates of installation, modification and removal of the winding rope **attachments**, which must be captured by the competent person within 24 hours after installation, modification or removal, as the case may be;

8.13.115.4 The current condition of the winder and signalling arrangements, which must be captured by the competent person (**winding engine driver**) before commencing their shift or before taking over from another **winding engine driver**; and

8.13.115.5 Any unsafe conditions or events that occur during the full period of control of a winder, which must be captured by the competent person (**winding engine driver**) upon occurrence of such event.

8.13.116 The manager must take reasonably practicable measures to ensure that the persons appointed:

8.13.116.1 scrutinise all entries made in the **recoverable recordable system** within 7 days of entry;

8.13.116.2 determine any required measures to be taken;

8.13.116.3 ensure that such measures are implemented;

8.13.116.4 record all the activities required by this regulation in the **recoverable recordable system**; and

8.13.116.5 if the system is electronic, it must be approved by the Principal Inspector of Mines, before it is put to use.

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Requirements for loading of winding plant conveyances.

8.13.117 No person shall travel in a conveyance operated by a winding engine if such conveyance is loaded or partially loaded with minerals, and no person shall travel in a conveyance operated by a winding engine that is being used simultaneously for the winding of minerals, provided that, if authorised by the manager or mine overseer, persons engaged in sinking operations in a vertical **shaft** or **winze** may descend such **shaft** or **winze** in a conveyance operated by a **winding engine driver** that is being used simultaneously for the raising of minerals.

8.13.118 Subject to the provisions of these regulations, no person shall travel-

a) with **material** or **explosives** in a conveyance operated by a winding engine; and

b) in a conveyance operated by a winding engine that is being used simultaneously for the winding of **material** or **explosives**.

8.13.119 Subject to the provisions of these regulations.

a) the manager, engineer or mine overseer may grant permission in writing for persons to travel with **material** if such **material** is not likely to endanger persons travelling in the conveyance; and

b) the manager shall:

i). cause a list to be kept of the **material** which is regularly conveyed in the **shaft** or **winze** for which permission has been granted in terms of paragraph (a);

ii). ensure that all persons authorised to give signals for the raising and lowering of persons are conversant with the **material** mentioned in the list; and

iii). make a copy of the list readily available to all persons concerned.

8.13.120 The manager, engineer or mine overseer may authorise the following persons to travel in a **shaft** or **winze** with **material** or **explosives** prohibited in terms of these regulations if such travelling is necessary for the efficient carrying out of their duties:

8.13.121.1 Persons engaged in sinking operations or in conducting an examination, effecting repairs or doing other work in the **shaft** or **winze**.

8.13.121.2 Persons required to ensure the safe passage through the **shaft** or **winze** of **material** which cannot be conveyed inside a conveyance.

8.13.122 No person shall place **explosives** in or remove them from a conveyance operated by a winding engine except under the immediate supervision of the **banksman**, **onsetter** or a competent person authorised in writing by the manager or mine overseer.

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8.13.123 No person shall ride in any **shaft** or **winze** on the roof, top, side, bow, rim, bridle or frame of or in any position outside a conveyance operated by a winding engine, nevertheless persons engaged in examining or repairing the **shaft** or **winze** or doing other work in the **shaft** or **winze** may ride on the roof of such conveyance or on a special platform if authorised to do so by the manager or mine overseer and if such riding on the roof of such conveyance or on the special platform is necessary for the efficient carrying out of such examination, repairs or other work.

8.13.124 Persons shall not, except when permitted in writing by the Principal Inspector of Mines, be raised or lowered in a conveyance attached to the normal conveyance.

8.13.125 No bucket or other means of conveyance that can sway shall be allowed to leave the top or bottom of the **shaft** or **winze** unless the workman in charge thereof has steadied it or caused it to be steadied.

8.13.126 No bucket or other means of conveyance shall be filled with loose rock or ground above the level of the brim.

8.13.127 Tools or other **material** which project above the top of the cage, skip, bucket, kibble or other means of conveyance, and which are raised or lowered in a **shaft** or **winze** shall be fastened securely in such a manner that the operation of any arresting device is not affected.

Care must be exercised in cases where a detaching hook is attached to the end of the winding rope that the **material** does not project above the detaching hook or interfere with it in any way whatsoever.

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Trial run of winding plant

8.13.128 When winding in any compartment or compartments of a **shaft**, **winze** or headgear has been stopped for repairs or blasting operations or when it has been stopped for any other purpose for a period exceeding one hour in duration or when a conveyance has been changed, the winding engine serving such compartment or compartments shall not be used for the raising or lowering of persons until the cage, skip or other means of conveyance has been run at least one complete trip up and down such compartment or compartments, provided that this regulation shall not apply to the use of the winding engine for the raising or lowering of persons conducting an examination or effecting repairs; and provided further that where such stoppage is confined to a portion of any compartment or compartments, the requirements of this regulation shall only apply to such portion.

Requirements for the examination of winding plant and shaft

8.13.129 The manager or subordinate manager and an appointed engineer or appointed competent person, as the case may be shall, in respect of his area of responsibility, appoint in writing competent persons whose duty it shall be to examine carefully, to an extent to be clearly defined in their respective letters of appointment, at least once in each week, at intervals not exceeding 10 days, the guides or rails and the shaft compartments and equipment, including the doors, gates and barriers and ancillary equipment at stations, loading platforms and loading boxes.

8.13.130 An appointed engineer or appointed competent person, shall appoint in writing, competent person or persons whose duty it shall be to examine carefully:

8.13.130.1 at least once in each day the winding ropes, the balance ropes or tail ropes, the connection of the winding ropes to the drum, the connections referred to in these, the conveyances and the main members by which they are suspended and any safety catches attached thereto, the pulley wheels or sheaves, the brakes, the depth indicators, the safety devices and all external parts of the winding equipment upon the proper working of which the safety of persons depends, provided that these examinations will not be necessary on any day mentioned in section 9(1) of the Mines and Works Act if the **winding plant** makes less than 50 **winding cycles** during such day;

8.13.130.2 at least once in each day during the changeover of loading activities, conduct a thorough examination of the safety devices, dolly wheels and the **attachments** thereto for a **winding plant** or conveyance that is responsible for the conveyance of persons and minerals;

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8.13.130.3 at least once in each day after a daily examination, artisans responsible for such winder examinations, to do a full trip trial run, inside the conveyances to verify and record that the winding conveyance is in a good state of use by other persons; and

8.13.130.4 at least once in each week the signalling arrangements and the safety devices used in connection therewith.

8.13.131 An appointed engineer or an appointed competent person, shall examine carefully:

8.13.131.1 at least once in each week, and at intervals not exceeding 10 days, the overspeed and overwind prevention devices and the external parts of the winding engine;

8.13.131.2 at least once in each week, and at intervals not exceeding 14 days, the integral structures joining the shaft infrastructure and the conveyor belt installations;

8.13.131.3 at least once in each year the winding engine as to the condition of the internal mechanical parts and, as far as reasonably practicable, the internal electrical parts;

8.13.131.4 at least once in each calendar month at intervals not exceeding 45 days, the structure of the winding rope and the balance rope or tail rope, with the aim ascertaining the amount of deterioration thereof. For the purpose of this examination the rope shall be cleaned at a place selected by the person making the examination who shall note any reduction in the circumference of the rope, any variation in the length of the rope, the superficial condition of the wires as to wear, corrosion, fractures and brittleness, and all other data necessary for ascertaining the amount, extent, and distribution of the deterioration of the rope. If the examination discloses features such as undue or rapid wear or fractures of the wires, which, although not constituting sufficient reason for condemning the rope, call for more than usual attention, the examination required under this paragraph shall be made more frequently;

8.13.131.5 at least once in each calendar month at intervals not exceeding 45 days the connections between the winding rope and the drum, the connections referred to in these regulations and the sheave wheel or wheels;

8.13.131.6 after every accident or occurrence referred to in a chapter of the regulations and before winding operations are resumed, all portions of the winding equipment affected by such accident or occurrence on which the safety of persons depends; and

8.13.131.7 by dynamically testing the automatic overwind and overspeed prevention devices at least once in every six months, at intervals not exceeding 200 days.

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8.13.132 In the case of connections referred to in these regulations being of a class of steel approved by the Chief Inspector of Mines, such connections and their component parts shall be dismantled, cleaned and then examined by an appointed engineer or an appointed competent person, at intervals not exceeding 12 months.

8.13.133 If on any examination required in terms of these regulations there is discovered any weakness or defect which may endanger the safety of persons, and such weakness or defect cannot be remedied immediately, the person making the discovery shall report such weakness or defect to the manager without delay. Until such weakness or defect is remedied, the **winding plant** shall not be used except in so far as may be necessary to remedy such weakness or defect.

Access to conveyance

8.13.134 No person shall enter the conveyance at the bottom of the **shaft** until the conveyance has been raised and lowered or until some other distinct signal has been received from the **winding engine driver**.

8.13.135 The **banksman** or **onsetter** shall not allow any person to enter the conveyance decking platform at any level until the conveyance is stationary and secured at that level or until some distinct signal has been received from the **winding engine driver** by the **onsetter** or **banksman** to indicate that it is safe to do so.

8.13.136 The person in charge of blasting operations shall notify the **winding engine driver** by a special signal, namely five knocks or rings, when blasting is about to take place, and, except in the case of firing by electricity, the driver shall reply by raising or lowering the conveyance approximately two metres.

Small winding plants

8.13.137 The **prescribed permit** shall not be required for a **winding plant** that is driven by an engine or motor developing not more than 250 kilowatts, provided that such **winding plant**:

a) is not used for the raising or lowering of persons other than persons engaged in repairing or examining a **shaft**; and

b) does not operate in any portion of a **shaft** or **winze** in any manner likely to interfere with the conveyance operated in that **shaft** served by a **winding plant** for which a **prescribed permit** has been granted.

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8.13.138.1 A small **winding plant**, referred to in these regulations, shall not be subject to the provisions of the other winding regulations: Provided that the manager, or the appointed subordinate manager shall appoint in writing any competent person to carry out the duties and examinations prescribed in these regulations and provided further that the engineer, or the appointed subordinate engineer shall appoint in writing any competent person to examine at least once each week the item specified in these regulations.

8.13.138.2 Notwithstanding the provisions of these regulations, a record book or card index system may be provided in place of the machinery record book.

8.13.138.3 Notwithstanding the provisions of these regulations, a winding rope may not be used for a **winding plant** contemplated in these regulations unless:

a) its breaking strength, determined by a test on a representative sample as prescribed in these regulations, is at least 10 times the **attached load**; and
b) that part of the winding rope attached to the conveyance or counterweight is cut off and re-terminated at intervals not exceeding six months.

8.13.139 The engineer or appointed subordinate engineer shall satisfy himself that any person who is not a certificated **winding engine driver**, and who shall drive a small winding engine not permitted for the conveyance of persons is competent to do so.

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3244 OF 2025

PUBLIC NOTICE

Application for registration under the provisions of the customs and excise Act, no 64 of 1964 duty act of 2014.

This notice is to inform the public of administrative being taken in relation to the approval of application of import and export license for GRAND LION (PTY) LTD registration number 2024/51452/07 under Director: YU; YANQING.

The product that will be imported from China is for household purpose. (Mosquito coil)

The warehouse at Cnr Discovery and Renaissance will be used as a storage for the product.

Interested parties must submit objections or comments in connection with the propose application in writing to within 14 days of publication to:

Letoaba Attorneys
252 Danie Theron Street
Pretoria North
0182
email-letoabatshepiso17@gmail.com
Call- Lucas Mokoka @ 082 7234 962
For further information.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3245 OF 2025

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

Any party who may have an interest in the above-mentioned Application is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Land Reform And Rural Development
23 corner Henshall & Brander street, Home affairs Building 4th Floor
Nelspruit 1200. Tel: 0137522064; Fax: 013752820
File Reference: ET6/5/12461L

SCHEDULE

Applicants:

No.	Name and Surname	Identity Number
1.	JOHANNES BALIHOYI LETSWALO	521129 5407 082

Property:

No.	Property Description	Locality (District)	Current Title Deed No	Current Owner	Bonds and Restrictive Conditions
	Portion 21 of the farm Rustenburg 108 JT. Mpumalanga Province	Ehlanzeni	T10190/2018	DEON LABUSCHAGNE	n/a

For **DIRECTOR-GENERAL: DEPARTMENT OF LAND REFORM AND RURAL DEVELOPMENT**
SIGNED BY: S. I HOKA
DEPUTY DIRECTOR: LABOUR TENANTS
DULY AUTHORISE

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3246 OF 2025

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

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The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Land Reform and Rural Development
23 corner Henshall & Brander street, Home affairs Building 4th Floor
Nelspruit 1200. Tel: 0137522064; Fax: 013752820
File Reference: ET6/5/12689

SCHEDULE

Applicants:

No.	Name and Surname	Identity Number
1.	BATSOSIYA JOANNES DIBAKWANE	370108 5220 08 5

Property:

No.	Property Description	Locality (District)	Current Title Deed No	Current Owner	Bonds and Restrictive Conditions
	Portion 7 of the farm Rietfontein109 JT. Mpumalanga Province	Ehlanzeni	T109806/1997	Dries Du Plessis Trust	n/a

For **DIRECTOR-GENERAL: DEPARTMENT OF LAND REFORM RURAL DEVELOPMENT**
SIGNED BY: _____
DEPUTY DIRECTOR: LABOUR TENANTS
DULY AUTHORISE

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3247 OF 2025

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

Any party who may have an interest in the above-mentioned Application is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Land Reform and Rural Development
23 corner Henshall & Brander street, Home affairs Building 4th Floor
Nelspruit 1200. Tel: 0137522064; Fax: 013752820
File Reference: ET6/5/12689

SCHEDULE

Applicants:

No.	Name and Surname	Identity Number
1.	BATSOSIYA JOANNES DIBAKWANE	370108 5220 08 5

Property:

No.	Property Description	Locality (District)	Current Title Deed No	Current Owner	Bonds and Restrictive Conditions
	Portion 7 of the farm Rietfontein109 JT. Mpumalanga Province	Ehlanzeni	T109806/1997	Dries Du Plessis Trust	n/a

For **DIRECTOR-GENERAL: DEPARTMENT OF LAND REFORM RURAL DEVELOPMENT**
SIGNED BY: _____
DEPUTY DIRECTOR: LABOUR TENANTS
DULY AUTHORISE

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3248 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PERMISSION TO USE THE SOUTH AFRICAN NATIONAL FLAG BY BIG 5 COOKWARE (PTY) LTD

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, to permit the use of the South African National Flag as depicted in **Annexure 1**. The permission to use the South African National Flag as per Annexure 1 will be perpetual and absolute in nature, provided the correct requirements for use of the National Flag are maintained. The Applicant is Big 5 Cookware (Pty) Ltd.

The design and integrity of the South African National Flag must be maintained in its correct proportions.

Interested persons may submit written comments on the proposed use of the South African National Flag as per Annexure 1 within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

or hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside, Pretoria
Email: LMorwamohube@thedtic.gov.za

Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
15/05/2025

Annexure 1



DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3249 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PROHIBITION ON THE USE OF THE EMBLEMS/LOGO ASSOCIATED WITH THE DIRECTORATE FOR PRIORITY CRIME INVESTIGATION (THE HAWKS)

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, the use of the following Emblem/Logo as depicted in **Annexure 1** or similar drawings which might cause confusion with any trade, business, profession or occupation or event, or in connection with any trade mark, mark or trade description applied to goods, save where the use thereof is by the authority of the Directorate for Priority Crime Investigation (the Hawks). Proprietors of identical or similar marks already in use will not be affected by this prohibition. The prohibition of this logo / name will be perpetual and absolute in nature.

Interested persons may submit written comments on the proposed words/emblem/logo within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84, Pretoria
0001

or hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside, Pretoria
Email: LMorwamohube@thedtic.gov.za

Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
15 / 05 /2025

Annexure 1

HAWKS

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3250 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PERMISSION TO USE THE SOUTH AFRICAN NATIONAL FLAG AND THE COAT OF ARMS BY MASKEW MILLER LEARNING (PTY) LTD

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) and Section 14 (1) (B) of the Merchandise Marks Act 17 of 1941, to permit the use of the South African National Flag and the Coat of Arms as depicted in **Annexure 1-3**. The permission to use the South African National Flag and the Coat of Arms as per Annexure 1-3 will be perpetual and absolute in nature, provided the correct requirements for use of the National Flag and the Coat of Arms are maintained. The Applicant is Maskew Miller Learning (Pty) Ltd.

The design and integrity of the South African National Flag and the Coat of Arms must be maintained in its correct proportions.

Interested persons may submit written comments on the proposed use of the South African National Flag and the Coat of Arms as per Annexure 1-3 within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

or hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside, Pretoria
Email: LMorwamohube@thedtic.gov.za

Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
15 / 05 /2025

Annexure 1

South Africa's National Symbols



Every country has national symbols. The symbols are special and unique to that country. They are only found in that country. South Africa has a national flag, anthem, bird, animal, fish, flower, tree and coat of arms.

Annexure 2



Every country has a flag. The South African flag is very colourful. It has six colours: black, yellow, green, red, white and blue. South Africa's current flag was first used in 1994. The flag is flown at different buildings and at many national events.

Annexure 3



South Africa has a coat of arms. Not all countries have one, but every country has important symbols.
The coat of arms is seen as a symbol of the government. Our coat of arms is found on the back of South African coins.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3251 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PERMISSION TO USE THE SOUTH AFRICAN NATIONAL FLAG BY OLIVE OR TWIST (PTY) LTD

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, to permit the use of the South African National Flag as depicted in **Annexure 1**. The permission to use the South African National Flag as per Annexure 1 will be perpetual and absolute in nature, provided the correct requirements for use of the National Flag are maintained. The Applicant is Olive or Twist (Pty) Ltd.

The design and integrity of the South African National Flag must be maintained in its correct proportions.

Interested persons may submit written comments on the proposed use of the South African National Flag as per Annexure 1 within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

or hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside, Pretoria
Email: Morwamohube@thedtic.gov.za

Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
05 / 05 /2025

Annexure 1


TEMPORARY TATTOOS
EASY TO APPLY - IN 30 SECONDS! EASY TO REMOVE! LOTS OF FUN!
TEMPORARY TATTOOS LAST FOR UP TO 3 DAYS WITH NORMAL BATHING.
TEMPORARY TATTOOS
EASY TO APPLY - IN 30 SECONDS! EASY TO REMOVE! LOTS OF FUN!
TEMPORARY TATTOOS LAST FOR UP TO 3 DAYS WITH NORMAL BATHING.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3252 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PERMISSION TO USE THE SOUTH AFRICAN NATIONAL FLAG BY SA GREETINGS (PTY) LTD

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, to permit the use of the South African National Flag as depicted in **Annexure 1**. The permission to use the South African National Flag as per Annexure 1 will be perpetual and absolute in nature, provided the correct requirements for use of the National Flag are maintained. The Applicant is SA Greetings (Pty) Ltd.

The design and integrity of the South African National Flag must be maintained in its correct proportions.

Interested persons may submit written comments on the proposed use of the South African National Flag as per Annexure 1 within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

Or Hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside
Pretoria
Email: LMorwamohube@thedtic.gov.za

MR MPHO PARKS TAU, MP

MINISTER OF TRADE, INDUSTRY AND COMPETITION

Date: 15/05/**2025**

Annexure 1

CREW SOCKS

SA GREETINGS



ANKLE/SNEAKER SOCKS

SA GREETINGS



DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3253 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PERMISSION TO USE THE SOUTH AFRICAN NATIONAL FLAG IN THE AEO LOGO BY SOUTH AFRICAN REVENUE SERVICE (SARS)

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, to permit the use of the South African National Flag in the AEO logo as depicted in **Annexure 1**. The permission to use the South African National Flag as per Annexure 1 will be perpetual and absolute in nature, provided the correct requirements for use of the National Flag are maintained. The Applicant is South African Revenue Service.

The design and integrity of the South African National Flag must be maintained in its correct proportions.

Interested persons may submit written comments on the proposed use of the South African National Flag as per Annexure 1 within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

Or Hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside
Pretoria
Email: LMorwamohube@thedtic.gov.za

MR MPHO PARKS TAU, MP

MINISTER OF TRADE, INDUSTRY AND COMPETITION

Date: 21/05/2025

Annexure 1



DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3254 OF 2025

MERCHANDISE MARKS ACT, 1941 (ACT 17 OF 1941)

INVITATION FOR THE PUBLIC TO COMMENT ON THE PROHIBITION ON THE USE OF THE EMBLEM/LOGO ASSOCIATED WITH THABO MOFUTSANYANA DISTRICT MUNICIPALITY

I, Mpho Parks Tau, the Minister of Trade, Industry and Competition hereby advertise for public comment in terms of section 15(1) of the Merchandise Marks Act 17 of 1941, the use of the following Emblem/Logo as depicted in **Annexure 1** or similar drawings which might cause confusion with any trade, business, profession or occupation or event, or in connection with any trade mark, mark or trade description applied to goods, save where the use thereof is by the authority of Thabomofutsanyana District Municipality. Proprietors of identical or similar marks already in use will not be affected by this prohibition. The prohibition of this logo / name will be perpetual and absolute in nature.

Interested persons may submit written comments on the proposed words/emblem/logo within 30 calendar days from the date of publication of this Notice to the:

Director-General, Department of Trade, Industry, and Competition
For Attention: Lekgala Morwamohube
Private Bag X84
Pretoria
0001

or Hand deliver to:

77 Meintjies street
Block B, Ground Floor
Sunnyside
Pretoria
Email: LMorwamohube@thedtic.gov.za

Mr Mpho Parks Tau, MP
Minister of Trade, Industry and Competition
15 / 05 /2025

Annexure 1



DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3255 OF 2025

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 2097:20XX Ed 1	*Toilet soap – Specification.* This Standard specifies requirements, sampling and test methods for toilet soap. It does not apply to carbolic soap or specialty soap such as medicated, transparent, floating, liquid or sea-water soap	**2025-07-30**
SANS 4892-2:2025 Ed 2 and ISO amdt 1	*Plastics – Methods of exposure to laboratory light sources -Part 2: Xenon-arc lamps.* This standard specifies methods for exposing specimens to xenon-arc light in the presence of moisture to reproduce the weathering effects (temperature, humidity and/or wetting) that occur when materials are exposed in actual end-use environments to daylight or to daylight filtered through window glass.	**2025-07-30**
SANS 62933-5-1:20XX Ed 1	*Electrical energy storage (EES) systems - Part 5-1: Safety considerations for grid-integrated EES systems - General specification.* This standard specifies safety considerations (e.g. hazards identification, risk assessment, risk mitigation) applicable to EES systems integrated with the electrical grid.	**2025-07-30**
SANS 1555:2025 Ed 3	*Roadworks delineators*. This standard specifies the characteristics of roadworks delineators used to divert road traffic at roadworks.	**2025-07-30**
SATR 61643-03:XXXX Ed 1	*Low-voltage surge protective devices - Part 03: SPD Testing Guide.* Applies to SPD testing in accordance with the IEC 61643-x1 series and for SPD coordination and system level immunity purposes.	**2025-07-30**
SATS 62271-319:20XX Ed 1	*High-voltage switchgear and controlgear - Part 319: Alternating current circuit-breakers intended for controlled switching.* Applies to alternating current circuit-breakers with intentional non-simultaneous pole operation designed for indoor or outdoor installations and for operation at frequencies of 50 Hz and 60 Hz on systems having voltages above 1 000 V.	**2025-07-30**
SANS 62271-211:20XX Ed 2	*High-voltage switchgear and controlgear - Part 211: Direct connection between power transformers and gas-insulated metal-enclosed switchgear for rated voltages above 52 Kv.* Applies to single- and three-phase direct connections between gasinsulated metal-enclosed switchgear (GIS) for rated voltages above 52 kV and transformer arrangements to establish electrical and mechanical interchange ability and to determine the limits of supply for the transformer connection.	**2025-07-30**

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 1329-1: 20XX Ed 2.6	*Retro-reflective and fluorescent warning signs for road vehicles Part 1: Triangles*	Amended to move reference to an international authority to the foreword, to update the requirements for colour and luminance factor test for fluorescent surfaces, to update referenced standards, and to delete the footnote on sand of grain size.	**2025-07-30**
SANS 1329-2: 202X Ed 2.7	*Retro-reflective and fluorescent warning signs for road vehicles Part 2: Abnormal load vehicle signs. This standard c*overs requirements for abnormal load signs that are retro-reflective and fluorescent, and that are intended for use on motor vehicles operating on public roads	Amended to delete the appendix on note to purchasers	**2025-07-30**
SANS 1329-3: 20XX Ed 2.5	*Retro-reflective and fluorescent warning signs for road vehicles Part 3: Signs other than triangles, chevron signs and abnormal load vehicle signs. This standard c*overs requirements for signs, including decals that are retro-reflective and fluorescent, and that are intended to indicate (a) the maximum permissible speed (b) the width of motor vehicles operating on public roads; and *(c)* identification of emergency vehicles	Amended to delete the appendix on note to purchasers	**2025-07-30**

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 20000-10:2025, Ed 1	*Information technology - Service management Part 10: Concepts and vocabulary*. 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 (published in South Africa as an identical adoption under the designation SANS 20000-1) and other International Standards and Technical Reports.

Standard No. and year	Title, scope and purport
SANS 20000-11:2025, Ed 1	*Information technology - Service management Part 11: Guidance on the relationship between ISO/IEC 20000-1 and service management frameworks: ITIL®.* Provides guidance on the relationship between ISO/IEC 20000-1 (published in South Africa under as identical adoption under the designation SANS 20000-1) and a commonly used service management framework, ITIL 4.
SANS 10400-O:2025 Ed 4	*The application of the National Building Regulations Part O: Lighting and ventilation.* Provides deemed-to-satisfy requirements for compliance with part O (Lighting and ventilation) of the National Building Regulations.
SANS 61439-3:2025 Ed 2	*Low-voltage switchgear and controlgear assemblies - Part 3:Distribution boards intended to be operated by ordinary persons(DBO).* Defines the specific requirements for distribution boards intended to be operated by ordinary persons.
SANS 61439-4:2025 Ed 2	*Low-voltage switchgear and controlgear assemblies - Part 4:Particular requirements for assemblies for construction sites (ACS).* Defines the specific requirements of ACS as follows: - assemblies for which the rated voltage does not exceed 1 000 V in case of AC or 1 500 Vin case of DC; - assemblies where the nominal primary voltage and the nominal secondary voltage of transformers incorporated in ACS are within the limits specified above; - assemblies intended for use on construction sites, both indoors and outdoors, i.e. temporary places of work to which the public do not generally have access and where building construction, installation, repairs, alteration or demolition of property (buildings) or civil engineering (public works) or excavation or any other similar operations are carried out; - transportable (semi-fixed) or MOBILE assemblies with enclosure.
SANS 62752:2025 Ed 1	*In-cable control and protection device (IC-CPD) for mode 2 charging of electric road vehicles.* 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.
SANS 60669-2-3:2025 Ed 3	*Switches for household and similar fixed electrical installations Part 2-3: Particular requirements - Time-delay switches (TDS).* Applies to time-delay switches (hereinafter referred to as TDS) with a rated voltage not exceeding 440 V AC and a rated current not exceeding 63 A, intended for household and similar fixed electrical installations, either indoors or outdoors, operated by hand and/or by remote control.
SANS 60669-2-4:2025 Ed 2	*Switches for household and similar fixed electrical installations Part 2-4: Particular requirements - Isolating switches.* Applies to manually operated general purpose isolating switches with a rated voltage not exceeding 440 V and a rated current not exceeding 125 A, intended for household and similar fixed electrical installations, either indoors or outdoors.
SANS 62196-6:2025 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.* Applies 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.
SANS 60269-1:2025 Ed 4	*Low-voltage fuses Part 1: General requirements.* 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.
SANS 60269-3:2025 Ed 4	*Low-voltage fuses Part 3: Supplementary requirements for fuses for use by unskilled persons (fuses mainly for household and similar applications) - Examples of standardized systems of fuses A to F*. Applies to standardized "gG" fuses for use by unskilled persons.

Standard No. and year	Title, scope and purport
SANS 60269-4:2025 Ed 4	*Low-voltage fuses Part 4: Supplementary requirements for fuselinks for the protection of semiconductor devices.* IEC 60269-1 (published in South Africa as an identical adoption under the designation SANS 60269-1) applies with the following supplementary requirements: -These supplementary requirements apply to fuse-links for application in equipment containing semiconductor devices for circuits of nominal voltages up to 1 000 V AC or 1 500 V DC. For some fuse-links higher rated voltages can be used. -The object of these supplementary requirements is to establish the characteristics of semiconductor fuse-links in such a way that they can be replaced by other fuse-links having the same characteristics, provided that their dimensions are identical.
SANS 62561-5:2025 Ed 3	*Lightning protection system components (LPSC) Part 5: Requirements for earth electrode inspection housings and earth electrode seals.* Specifies the requirements and tests for earth electrode inspection housings (earth housings) installed in the earth and for earth electrode seals.
SANS 62561-7:2025 Ed 3	*Lightning protection system components (LPSC) Part 7: Requirements for earthing enhancing compounds*. Specifies the requirements and tests for earthing enhancing compounds producing low resistance of an earth termination system.
SANS 60076-19-1:2025 Ed 1	*Power transformers - Part 19-1: Rules for the determination of uncertainties in the measurement of the losses of power transformers.* 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.
SANS 61800-9-1:2025 Ed 1	*Adjustable speed electrical power drive systems - Part 9-1 Ecodesign for power drive systems, motor starters, power electronics and their driven applications - General requirements for setting energy efficiency standards for power driven equipment using the extended product approach (EPA) and semi analytic model (SAM).* Specifies the general methodology to energy efficiency standardization for any extended product by using the guidance of the extended product approach (EPA).
SANS 11812:2025 Ed 2	*Small craft - Watertight or quick-draining recesses and cockpits.* Specifies watertightness, draining time and sill heights requirements for watertight and quick-draining recesses and cockpits in small craft of up to 24 m load line length.
SANS 19160-2:2025 Ed 1	*Addressing - Part 2: Assigning and maintaining addresses for objects in the physical world.* Focuses on assigning and maintaining addresses that allow the unambiguous determination of an object in the physical world for purposes of identification and location in the context of public administration and public service delivery.

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 10400-M:2025 Ed 3.2	*The application of the National Building Regulations Part M: Stairways.* Provides deemed-to-satisfy requirements for compliance with part M (stairways) of the National Building Regulations.
SANS 164-0:2025 Ed 1.1	*Plug and socket-outlet systems for household and similar purposes for use in South Africa - Part 0: General requirements.* Covers the specific requirements for plugs, fixed or portable socket-outlets and socket-outlet adaptors, with or without earthing contact, with a rated current not exceeding 16 A and a rated voltage not exceeding 250 V and intended for household and similar purposes either indoors or outdoors in South Africa.

SANS 61084-1:2025 Ed 2.1	*Cable trunking systems and cable ducting systems for electrical installations - Part 1: General requirements.* Specifies requirements and tests for cable trunking systems (CTS) and cable ducting systems (CDS) intended for the accommodation, and where necessary for the electrically protective separation, of insulated conductors, cables and possibly other electrical equipment in electrical and/or communication systems installations.
SANS 586:2025 Ed 3.2	*Resin modified vinyl floor tiles*. Specifies the characteristics of smooth-surfaced resin modified vinyl floor tiles. The floor tiles may be marbled or mottled throughout their thickness.
SANS 1419-2025 Ed 2.0	*Carpet underlays.* Specifies the basic requirements for carpet underlays, and also requirements for a grading system for location or areas. It does not cover specific characteristics, such as sound-insulation properties and resistance to fungal attack.

SCHEDULE B.3: Revised STANDARDS

The following standards have been revised in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1328:2025 Ed 2	*IEEE Recommended practice for insulation testing of ac electric machinery with high voltage rating up to 30 kV at very low frequency.* Describes very low frequency (VFL) testing of a.c. electric machines.

If your organization is interested in participating in these committees, or would like to send comments on draft documents, 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.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3256 OF 2025

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

In accordance with the provisions of the Anti-Dumping Regulations ("ADR") of the International Trade Administration Commission of South Africa ("the Commission"), any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and injury.

The Commission hereby notifies all interested parties that, unless a duly substantiated request is made by or on behalf of the Southern African Customs Union ("SACU") industry, indicating that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and injury, the following anti-dumping duties will expire during 2026:

PRODUCT	COUNTRY	RATE OF ANTI-DUMPING DUTY	DATE OF IMPOSITION OF THE DUTY	DATE OF EXPIRY OF DUTY	DATE OF SUBMISSION
Float and Flat Glass	China	562c/m^2 and 802c/m^2	09/04/2021	08/04/2026	08/10/2025
Float and Flat Glass	India	587c/m^2 , 720c/m^2, 886c/m^2 and 1387c/m^2	09/04/2021	08/04/2026	08/10/2025
Frozen bone-in chicken portions	Germany	73.33%	23/08/2021	22/08/2026	22/02/2026
Frozen bone-in chicken portions	Netherlands	22.81%	23/08/2021	22/08/2026	22/02/2026
Frozen bone-in chicken portions	United Kingdom	30.99%	23/08/2021	22/08/2026	22/02/2026
Stainless steel sinks	China	221%	03/12/2021	02/12/2026	02/06/2026
Wheelbarrows	China	103736c/unit	03/12/2021	02/12/2026	02/06/2026
Stainless steel sinks	Malaysia	95.86%	17/12/2021	16/12/2026	16/06/2026

PROCEDURAL FRAMEWORK

The Commission will conduct its investigation in accordance with the relevant sections of the International Trade Administration Act ("ITA Act") and the ADR, with due regard to the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 ("the Anti-Dumping Agreement"). The ITA Act and the ADR are available from the Commission's website (www.itac.org.za) or from the Trade Remedies section, on request.

Manufacturers of the subject products listed above in the SACU, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so within the time limits set out below. In the instances where no replies are received from the SACU manufacturers within these time limits, the Commission will recommend the termination of the duties on the date of expiry or on such earlier date as determined by the Commission.

SACU manufacturers, who submit a request within the time limit indicated in the section "Procedures and Time Limits" below, are requested to submit duly substantiated information indicating that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury to the Commission, on the dates as specified below:

PRODUCT	**COUNTRY**	**DATE OF IMPOSITION OF THE DUTY**	**DATE OF SUBMISSION**
Float and Flat Glass	China and India	09/04/2021	08/10/2025
Frozen bone-in chicken portions	Germany, Netherlands and the United Kingdom	23/08/2021	22/02/2026
Stainless steel sinks	China	03/12/2021	02/06/2026
Wheelbarrows	China	03/12/2021	02/06/2026
Stainless steel sinks	Malaysia	17/12/2021	16/06/2026

The Commission will consider the information submitted in order to determine whether *prima facie* evidence exist to justify the initiation of a review. Should the Commission

decide to initiate a review, notice will be given in the *Government Gazette* and other parties, being exporters and importers of the subject products, will be requested to comment and provide information.

CONFIDENTIAL INFORMATION

Please note that if any information is considered to be confidential, a non-confidential version of the information must be submitted for the public file simultaneously with the confidential version. In submitting a non-confidential version, the following rules are strictly applicable and parties must indicate:

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;
- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- In exceptional cases, where information is not susceptible to summary, a sworn statement setting out the reasons why it is impossible to comply should be provided.

A sworn statement is defined as a written sworn statement of fact voluntarily made by an affiant or deponent under an oath or affirmation administered by a person authorized to do so by law. Such statement is witnessed as to the authenticity of the affiant's signature by a taker of oaths, such as a Commissioner of Oaths or Notary Public. An affidavit is a type of verified statement or showing, or in other words, it contains verification, meaning it is under oath or penalty of perjury and this serves as evidence to its veracity and is required for court proceedings.

Please note that the Commission will not accept a sworn statement signed by a representative, as defined in the ADR, of the interested party concerned.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-

confidential version, will be placed on the public file and be made available to other interested parties.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Regulation 2.3 of the ADR provides as follows:

"The following list indicates "information that is by nature confidential" as per section 33(1) (a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

(a) management accounts;
(b) financial accounts of a private company;
(c) actual and individual sales prices;
(d) actual costs, including cost of production and importation cost;
(e) actual sales volumes;
(f) individual sales prices;
(g) information, the release of which could have serious consequences for the person that provided such information; and
(h) information that would be of significant competitive advantage to a competitor.

Provided that a party submitting such information indicates it to be confidential."

ADDRESS

The requests by manufacturers in the SACU of the subject products, and the duly substantiated information indicating what the effect of the expiry of the duties will be, must be submitted in writing to the following address or on the emails below:

Physical address
The Senior Manager: Trade Remedies I
International Trade Administration Commission
Block E – Uuzaji Building
The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address
The Senior Manager: Trade Remedies I
Private Bag X753
Pretoria
0001
SOUTH AFRICA

These responses can also be sent via e-mail to the following addresses: zntsangani@itac.org.za and msebe@itac.org.za.

PROCEDURES AND TIME LIMITS

Manufacturers in the SACU of the subject products listed above, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so not later than close of business on **30 June 2025**.

SACU manufacturers who submit a request by **30 June 2025**, should submit duly substantiated information, indicating that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and material injury, to the Commission.

It should be noted that the investigation process is complex, and the Commission is subject to strict time limits within which to complete the investigation. Late submissions will therefore not be accepted, except with the prior written consent of the Commission.

The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original period. Merely citing insufficient time is not an acceptable reason for an extension.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted will subsequently be available for verification. It is planned to do the verification of the information submitted by the exporters within three to five weeks subsequent to submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or, for an applicant requesting an extension, upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to, consultants will not be considered to be good cause.

Parties should also ensure when they engage consultants that they will be available at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the ITA Act and the ADR, and with due consideration to the rules of the Anti-Dumping Agreement. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. A failure to submit an adequate non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties, who experience difficulty in furnishing the information required, or submitting in the format required, are therefore urged to make written applications to the

Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing in accordance with Regulation 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing would unduly delay the finalisation of a determination. Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version of, including a non-confidential version, the information to be discussed at the oral hearing at the time of the request.

If the required information and arguments are not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

Enquiries may be directed to the Senior Manager: Trade Remedies I, Mr Zuko Ntsangani, at zntsangani@itac.org.za

DEPARTMENT OF TRANSPORT

NOTICE 3257 OF 2025

transport
Department:
Transport
REPUBLIC OF SOUTH AFRICA

2030 NDP

ANOTHER CMTP INSPIRED INITIATIVE

INVITATION FOR THE SHIPPING COMPANIES MEMBERS TO PARTICIPATE IN THE STEERING COMMITTEE TO ESTABLISH SOUTH AFRICAN NATIONAL SHIPPING COMPANY MODEL

The Comprehensive Maritime Transport Policy (CMTP), policy statement No. 3 on the transforming and growing Maritime Transport Sector provides that: Department of Transport (Department) shall in consultation with relevant departments and industry experts take steps to establish a national shipping carrier as a strategic pillar in the revival of the maritime transport industry. CMTP also provides for the Department to work in cooperation with relevant departments and relevant organs of state, to coordinate efforts in unlocking the potential of the ocean economy and in particular implement radical measures and a significant targeted percentage of exports and imports are moved by the national shipping carrier.

The Department is collaborating with the Development Bank of Southern Africa (DBSA) for the establishment of this South African National Shipping Company model that will enable South Africa to carry its own import and export trade which has suffered a negative growth since the 1980s since South Africa does not have a national shipping carrier.

The Steering Committee will be formed, comprising members from the Department, DBSA, and other relevant stakeholders, to guide the development of this National Shipping Company framework. The Committee will create Terms of Reference to facilitate the development of the shipping model.

Interested persons are invited to submit their names within 30 days of the date of publication of this Notice to:

Director-General of the Department of Transport, 159 Struben Street, Pretoria, 0001

For the attention of Ms Glory Semenya at E-mail: semenyag@dot.gov.za or mqingwanal@dot.gov.za Tel: 012 309 3499 or 012 309 3535

Department of Transport - Lefapha la Dipalangwa - Departement van Vervoer
Umnyango we Zokuthutha - Ndzawulo ya Vuleketli - Mushasho wa Vhuendi

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SACPCMP
The South African Council for the Project and Construction Management Professions
CONSTRUCTING NEW PERSPECTIVES

Fees and charges are for 2023/24 financial year 1 April 2024 to 31 March 2025 in terms of the Project and Construction Management Professions (Act 48 of 2000)

The South African Council for the Project and Construction Management Professions (SACPCMP) is empowered in terms of Section 12 (1) of the Project and Construction Management (Act 48 of 2000) to determine fees and charges payable to the Council. The relevant prescribed fees are set out in the schedule below and come into effect on 1 April 2024.

The fees prescribed herein include Value Added Tax (VAT)

REINSTATEMENT BUNDLE	
Description	**Fees per bundle**
CHS Reinstatement (Scope and Change)	R3 551.88

BANKING DETAILS
BANK : NEDBANK
ACC NAME : The SA Council for the Project and Construction Management Professions
ACC NO : 128 406 4557
BRANCH : BUSINESS CENTRAL
BRANCH CODE : 128 405
The document is downloadable from: www.sacpcmp.org.za

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