

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 723 26 September / September 2025 No. 53426

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
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	Tel: 012-748 6200
Contact person for subscribers: Mrs M. Toka:	**E-mail:** subscriptions@gpw.gov.za
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	Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 6669 **26 September 2025**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT 22 OF 1994)

AMENDMENT OF NOTICE 1769 OF 2004 AS CONTAINED IN GOVERNMENT GAZETTE NO: 26693 IN RESPECT OF A LAND CLAIM LODGED BY THE LATE MS. PULANG BERNICE MOSALA, LAND CLAIM REFERENCED AM 038

Notice is hereby given in terms of Section 11A (4) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994) read together with section 11(1) (c) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994) as amended, that an amendment is hereby made to Gazette Notice No. 1769 of 2004 contained in Government Gazette No 26693 dated 27 August 2004. The Gazette is amended to correct the details of the claimed property as follows:

REF NO	CLAIMANT	OLD PROPERTY DESCRIPTION	CURRENT PROPERTY DESCRIPTION	LANDOWNER	TITTLE DEED
AM038	Ms. Pulang Bernice Mosala	Stand 2415 van Riebeeck Street, Residensia Township Claimed Extent: **3159.7 square metres**	Erf 1145 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T111464/2007
			Erf 1146 Sebokeng Unit 6 Ext 2 IQ	Golden Bay Prop 47 CC Street Guarantee Pty Ltd B12009/2013	TL9219/2007
			Erf 1147 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1254 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1255 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1256 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1269 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1270 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007
			Erf 1271 Sebokeng Unit 6 Ext 2 IQ	Emfuleni Local Municipality	T1111464/2007

Take further notice that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of Rule 5 of the Rules Regarding Procedure of Commission Established in terms of section 16 of Restitution of Land Rights Act as amended. Any interested party on the claim is hereby invited to submit, representations in terms of section 11A of the Restitution of Land Rights Act 22 of 1994 as amended within 90 (ninety) working days from the publication date of this notice, any comments/information may be send to:

Chief Directorate: Land Restitution Support Gauteng Province
Private Bag X03
ARCADIA
0007
Tel: (012) 310-6500
Fax: (012) 324-5812

MR. L.H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2025/09/11

AMENDMENT OF NOTICE 1769 OF 2004 AS CONTAINED IN GOVERNMENT GAZETTE NO: 26693 IN RESPECT OF A LAND CLAIM LODGED BY THE LATE MS. PULANG BERNICE MOSALA, LAND CLAIM REFERENCED AM 038

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

DEPARTMENT OF HEALTH

NO. 6670 **26 September 2025**

MEDICINES AND RELATED SUBSTANCES ACT, 1965 (ACT NO. 101 OF 1965) AS AMENDED

(DISPENSING FEE TO BE CHARGED BY PERSONS LICENSED IN TERMS OF SECTION 22C (1) (a)) FOR 2025

I, DR A MOTSOALEDI, the Minister of Health, have on the recommendation of the Pricing Committee, in terms of Section 22G (2) (b) of the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965) as amended, made the regulations in the schedule.

SCHEDULE

Definitions

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

"**the Regulations**" means the Regulations Relating to the Transparent Pricing System for Medicines and Scheduled Substances published under Government Notice No. R1102 of November 2005 as amended.

Substitution of Regulation 12

2. The following regulation is hereby substituted for Regulation 12 of the Regulations:

"12. The appropriate dispensing fee as contemplated in section 22G (2) (b) of the Act to be charged by persons licensed in terms of section 22C (1) (a) of the Act must be calculated, exclusive of VAT, as follows:

(a) Where the single exit price of a medicine or scheduled substance is less than or equal to one hundred and sixty rand (R160.00), the dispensing fee must not exceed 30% of the single exit price in respect of that medicine or scheduled substance.

(b) Where the single exit price of a medicine or scheduled substance is greater than one hundred and sixty rand (R160.00), the dispensing fee must not exceed forty-eight rand (R48.00) in respect of that medicine or scheduled substance.

3. The provisions of Regulation 12 must be reviewed annually by the Minister after taking into account-

(a) the need to ensure the availability and affordability of quality medicines and scheduled substances in the Republic;

(b) annual inflation rates published periodically by Statistics South Africa;

(c) information supplied by persons licensed to dispense in terms of section 22C (1)(a) in accordance with guidelines determined by the Director-General from time to time by Notice in the Gazette; and

(d) any other information the Minister may deem necessary to consider.

4. Not less than three months before the review contemplated in regulation 12 (2), the Minister must publish a notice in the Gazette declaring his or her intention to make that

review and inviting interested persons to furnish him or her in writing with any comments thereon or any representation they may wish to make in regard thereto.

5. Persons Licensed to dispensing in terms of section 22C (1) (a) must-

(a) by means of a clearly displayed notice in the dispensing practice, inform members of the public of the maximum fee structure used by such dispensing practice to determine the dispensing fee; and

(b) provide an invoice in respect of each medicine that clearly indicates the-

(i) dispensing fee charged; and
(ii) the single exit price.
(iii) VAT component

DR A MOTSOALEDI, MP

MINISTER OF HEALTH

DATE 1/9/25

DEPARTMENT OF HEALTH

NO. 6671 **26 September 2025**

ALLIED HEALTH ACT, 1982 (ACT No. 63 OF 1982)

REGULATIONS RELATING TO FINES WHICH MAY BE IMPOSED BY AN INQUIRING BODY AGAINST PRACTITIONERS FOUND GUILTY OF UNPROFESSIONAL CONDUCT IN TERMS OF THE ALLIED HEALTH PROFESSIONS ACT, 1982 OR FOR NON-COMPLIANCE WITH ANY CONTINUING PROFESSIONAL DEVELOPMENT ("CPD") REQUIREMENTS

The Minister of Health has, in terms of section 23(1A) and section 29 as read with section 38(1)(s), and section 38(4) of the Allied Health Professions Act, 1982 (Act No. 63 of 1982), and on the recommendation of the Allied Health Professions Council, made the regulations in the Schedule.

DR PAKISHE AARON MOTSOLAEDI, MP
MINISTER OF HEALTH
DATE: 16/8/2025

SCHEDULE

Definitions

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

"CPD" means Continuing Professional Development;

"Inquiring Body" means the Council, the professional board, a committee of the council or a committee appointed by a professional board, which is conducting an inquiry contemplated in either section 23(1) or 23(1A) or section 29 of the Act and/or the CPD Guidelines for the professions of Aromatherapy, Ayurveda, Chinese Medicine and Acupuncture, Chiropractic, Homeopathy, Naturopathy, Osteopathy, Phytotherapy, Reflexology, Therapeutic Aromatherapy, Therapeutic Massage Therapy, Therapeutic Reflexology and Unani-Tibb; and

"the Act" means the Allied Health Professions Act, 1982 (Act No. 63 of 1982).

Fines which may be imposed by an Inquiring Body

2. (1) An Inquiring Body may impose a fine equal to or failing within the range of the minimum and maximum fines stipulated for each category of unprofessional conduct contained in the table of fines, against a registered person or a person who is legally required to be registered and who has been found guilty of unprofessional conduct after an inquiry held by such Inquiring Body or who has not complied with the CPD requirements after an inquiry.

(2) Fines may be imposed alone or in conjunction with each other or with any other penalty the Inquiring Body may seem appropriate; the fines are

payable in respect of one or more charges and may be compounded.

(3) The Council may, annually, by Notice in the Gazette increase the fines which may be imposed provided the increment may not be more than 20%.

Table of Fines

UNPROFESSIONAL CONDUCT RELATING TO:	MINIMUM FINE	MAXIMUM FINE
Advertising	R3,000	R20,000
Certificates and Reports	R3,500	R12,000
Overcharging / Overservicing	R2,500	R50,000
Practising beyond scope of own profession	R5,000	R30,000
Maligning the reputation of colleagues	R2,500	R12,500
Fees and/or Commission	R5,000	R70,000
Record keeping	R3,500	R15,000
Financial interest	R4,500	R20,000
Promote, sell or market a product, device of whatsoever nature	R4,500	R20,000
Sharing of consultations rooms	R3,000	R15,000
Practice and/or being associated and/or perceived to be associated with unregistered persons	R5,000	R25,000
Offering of unapproved education and training	R5,000	R30,000
Practice names	R5,000	R15,000
Contract servicing	R5,000	R50,000
Confidential information	R5,000	R20,000
Exposing patients to danger and/or harm	R5,000	R100,000
Providing treatment without patient's or patient's next of kin's consent	R5,000	R30,000
Lack of professional competence	R5,000	R100,000
Negligence	R5,000	R70,000
Fraud	R10,000	R100,000
Giving and/or receiving kickbacks or any benefit of whatsoever nature	R10,000	R100,000
Engaging in unacceptable	R10,000	R70,000

UNPROFESSIONAL CONDUCT RELATING TO:	MINIMUM FINE	MAXIMUM FINE
relationship		
Corruption	R10,000	R100,000
Disrespect patient's privacy and/or dignity	R10,000	R20,000
Unprofessional conduct not stipulated above	R1,000	R100,000

NON-COMPLIANCES WITH CPD REQUIREMENTS	MINIMUM FINE	MAXIMUM FINE
< 5 points short for the CPD cycle	R2,500	R5,000
Between 6 – 10 points short for the CPD cycle	R5,000	R8,000
Between 11 – 20 points short for the CPD cycle	R8,000	R15,000
More than 20 points short for the CPD cycle	R15,000	R25,000

Short title

3. These regulations are called the Regulations Relating to Fines which may be imposed by an Inquiring Body Against Practitioners Found Guilty of Unprofessional Conduct in Terms of the Allied Health Professions Act, 2025.

TSEBISO YA MMUSO

LEFAPHA LA BOPHELO BO BOTLE

MOLAO O AMANANG LE BOPHELO BO BOTLE, 1982 (MOLAO WA 63 WA 1982)

Palo ya R **2025**

MELAWANA E AMANANG LE DIFAENE TSE KA LEFISWANG KE LEKGOTLA LE ETSANG DIPATLISISO KGAHLANONG LE DITSEBI TSE FUMANWENG DI LE MOLATO WA BOITSHWARO BO BOBE HO LATELA MOLAO WA POROFESHENE E AMANANG LE BOPHELO BO BOTLE, 1982 KAPA BAKENG SA HO SE IKAMAHANYE LE DITLHOKAHALO DIFE KAPA DIFE TSA NTSHETSOPELE E TSWELANG PELE YA SEPOROFESHENALE ("*CPD*")

Letona la Bophelo bo Botle, ho latela karolo ya 23(1A) le karolo ya 29 e balwang le karolo ya 38(1)(s), le karolo ya 38(4) ya Molao wa Diporofeshene tse Amanang le Bophelo bo Botle, 1982 (Molao wa 63 wa 1982), le ka dikgothaletso tsa Lekgotla la Diporofeshene tse Amanang le Bophelo bo Botle o entse Melawana e Shejuleng.

NGAKA PAKISHE AARON MOTSOLAEDI, MP
LETONA LA BOPHELO BO BOTLE
LETSATSI: 16/8/2025

SHEJULE

Ditlhaloso

1. Melawaneng ena, lentswe kapa polelo efe kapa efe e fuweng moelelo Molaong e tla ba le moelelo oo, mme, ntle le haeba moelelo o bolela ho hong-

"CPD" e hlalosa Ntshetsopele e Tswelang Pele ya Seporofeshenale;

"Lekgotla le etsang Dipatlisiso" e hlalosa Lekgotla, lekgotla le porofeshenale, komiti ya lekgotla kapa komiti e thontsweng ke lekgotla le porofeshenale, le etsang dipatlisiso tse hlalositsweng karolong ya 23(1) kapa 23(1A) kapa karolo ya 29 ya Molao le/kapa Ditataiso tsa Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*) bakeng sa diporofeshene tsa *Aromatherapy*, *Ayurveda*, Meriana ya Setjhaena le Phodiso ka dinale, *Chiropractic*, Kalafo ka dipitsa, Kalafo ya tlhaho, *Osteopathy*, *Phytotherapy*, *Reflexology*, *Therapeutic Aromatherapy*, *Therapeutic Massage Therapy*, *Therapeutic Reflexology* le *Unani-Tibb*; mme

"Molao" e hlalosa Molao wa Diporofeshene tse Amanang le Bophelo bo Botle, 1982 (Molao wa 63 wa 1982).

Difaene tse ka lefiswang ke Lekgotla le etsang Dipatlisiso

2. (1) Lekgotla le etsang Dipatlisiso le ka lefisa faene e lekanang kapa e sa fihlelleng bonyane le boholo ba difaene tse boletsweng bakeng sa sehlopha ka seng sa boitshwaro bo seng ba seporofeshenale bo fuperweng lenaneng la difaene, kgahlanong le motho ya ngodisitsweng kapa motho ya tlamehang ho ngodiswa ho ya ka molao le ya fumanweng a le molato wa boitshwaro bo seng ba seporofeshenale kamora dipatlisiso tse entsweng ke Lekgotla le etsang Dipatlisiso kapa ya sa latelang ditlhokahalo tsa Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*) kamora dipatlisiso.

(2) Difaene di ka lefiswa e le tsona feela kapa di kopane le tse ding kapa ka kotlo efe kapa efe eo Lekgotla le etsang Dipatlisiso le ka bonang e loketse; difaene di lefshwa mabapi le tefiso e le nngwe kapa tse fetang mme di ka kopanngwa.

(3) Lekgotla, selemo le selemo, ka Tsebiso Koranteng ya Mmuso le ka eketsa difaene tse ka lefiswang ha feela koketso e ke ke ya feta 20%.

Lenane la Difaene

BOITSHWARO BO BOBE MABAPI LE:	FAENE E TLASE	FAENE E HODIMO
Papatso	R3,000	R20,000
Disetifikeiti le Ditlaleho	R3,500	R12,000
Ho lefisa ho feta tekano / Ho fana ka tshebeletso ho feta tekano	R2,500	R50,000
Ho sebetsa ho feta tekanyo ya porofeshene ya hao	R5,000	R30,000
Ho senya seriti sa basebetsi mmoho	R2,500	R12,500
Ditefello le/kapa Khomishene	R5,000	R70,000
Ho boloka direkoto	R3,500	R15,000
Tswala ya ditjhelete	R4,500	R20,000
Ho ntshetsapele, ho rekisa kapa ho bapatsa sehlahiswa, sesebediswa sa mofuta ofe kapa ofe	R4,500	R20,000
Ho arolelana diphaposi tsa ditherisano	R3,000	R15,000
Ho sebetsa le/kapa ho amana le/ kapa ho nkwa o amana le batho ba sa ngodiswang	R5,000	R25,000
Ho fana ka thuto le thupello e sa amohelwang	R5,000	R30,000
Mabitso a tshebetso	R5,000	R15,000
Tshebeletso ya konteraka	R5,000	R50,000
Tlhahisoleseding ya sephiri	R5,000	R20,000
Ho pepesa bakudi kotsing le/kapa ho ba lematsa	R5,000	R100,000
Ho fana ka kalafo ntle le tumello ya mokudi kapa wa leloko ya haufi le mokudi	R5,000	R30,000
Ho hloka bokgoni ba seporofeshenale	R5,000	R100,000

BOITSHWARO BO BOBE MABAPI LE:	FAENE E TLASE	FAENE E HODIMO
Ho se tsotelle	R5,000	R70,000
Boqhekanyetsi	R10,000	R100,000
Ho fana le/kapa ho amohela tjotjo kapa molemo ofe kapa ofe wa mofuta ofe kapa ofe	R10,000	R100,000
Ho kena kamanong e sa amoheleheng	R10,000	R70,000
Bobodu	R10,000	R100,000
Ho se hlomphe boinotshi ba mokudi le/kapa seriti sa hae	R10,000	R20,000
Boitshwaro bo bobe bo sa bolelwang ka hodimo	R1,000	R100,000

HO SE IKAMAHANYE LE DITLHOKAHALO TSA NTSHETSOPELE E TSWELANG PELE YA SEPOROFESHENALE (*CPD*)	FAENE E TLASE	FAENE E HODIMO
< Dintlha tse 5 tse haellang bakeng sa saekele ya Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*)	R2,500	R5,000
Pakeng tsa dintlha tse 6 - 10 tse haellang bakeng sa saekele ya Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*)	R5,000	R8,000
Pakeng tsa dintlha tse 11 – 20 tse haellang bakeng sa saekele ya Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*)	R8,000	R15,000
Dintlha tse fetang tse 20 tse haellang bakeng sa saekele ya Ntshetsopele e Tswelang Pele ya Seporofeshenale (*CPD*)	R15,000	R25,000

Sehlooho se kgutshwane

3. Melawana ena e bitswa Melawana e Amanang le Difaene tse ka Lefiswang ke Lekgotla le Etsang Dipatlisiso Kgahlanong le Ditsebi tse Fumanweng di le Molato wa Boitshwaro bo Bobe ho Latela Molao wa Porofeshene e Amanang le Bophelo bo Botle, 2025.

DEPARTMENT OF HEALTH

NO. 6672 **26 September 2025**

MEDICINES AND RELATED SUBSTANCES ACT, (101 OF 1965 AS AMENDED)

REGULATIONS RELATING TO A TRANSPARENT PRICING SYSTEM FOR MEDICINES AND SCHEDULED SUBSTANCES: DISPENSING FEE FOR PHARMACISTS

The Minister of Health has, on recommendation of the Pricing Committee, in terms of Section 22G (2) (b) of the Medicines and Related Substances Act, (No. 101 of 1965 as amended), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In this schedule, "the Act" means the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965) and any word or expression to which a meaning has been assigned in the Act shall have such meaning, unless the context indicates otherwise-

   "dispense" means the supply of medicines based on a prescription to a patient or someone on behalf of the patient by a health professional authorized by law to supply medicines and includes-

   (a) the interpretation and evaluation of the prescription.

   (b) the selection, reconstitution, dilution, labelling, recording and the actual supply of the medicine.

(c) the provision of information and instructions to ensure safe and effective use of a medicine by a patient; and

(d) the provision of information as contemplated in section 22F (1)(a) of the Act.

"dispensing fee" means a fee determined in terms of these regulations, exclusive of Value Added Tax, that may be charged to dispense a medicine; and

"the Regulations" means the Regulations Relating to the Transparent Pricing System for Medicine and Scheduled Substances published in terms of Government Notice No. R1102 of November 2005, as amended.

Amendment of Regulation 10

2. The following regulation is hereby substituted for Regulation 10 of the Regulations:

"10. (1) The appropriate dispensing fee as contemplated in Section 22G (2) (b) of the Act to be charged by a pharmacist, must be calculated as follows:

(a) where the single exit price of a medicine or scheduled substance is less than one hundred and fifty-nine rand and one cent (R159.01), the dispensing fee shall not exceed R23.13 plus 46% of the single exit price in respect of that medicine or scheduled substance.

(b) where the single exit price of a medicine or scheduled substance is greater than or equal to one hundred and fifty-nine rand and two cents (R159.02), but less than four hundred and twenty-three rand and fifty-

five cents (R423.55), the dispensing fee shall not exceed R42.91 plus 33% of the single exit price in respect of that medicine or scheduled substance.

(c) where the single exit price of a medicine or scheduled substance is greater than or equal to four hundred and twenty-three rand and fifty-six cents (R423.56), but less than one thousand five hundred and thirty rand and seventy-two cents (R1530.72), the dispensing fee shall not exceed R112.59 plus 15% of the Single Exit Price in respect of that medicine or scheduled substance.

(d) where the single exit price of a medicine or scheduled substance is greater than or equal to one thousand five hundred and thirty rand and seventy-three (R1530.73), the dispensing fee shall not exceed R270.54 plus 5% of the Single Exit Price in respect of that medicine or scheduled substance.

This fee which is exclusive of VAT represents a maximum dispensing fee and doesn't preclude dispensers from charging a lower fee to be added to the SEP of a medicine or scheduled substance thus resulting in a final price to be paid by the consumer.

(2) The provision of sub-regulation (1) must be reviewed annually by the Minister after taking into account-

(a) the need to ensure the availability and affordability of quality medicines and scheduled substances in the Republic.

(b) annual inflation rates published periodically by Statistics South Africa.

(c) information supplied by pharmacists in accordance with guidelines determined by the Minister from time to time by Notice in the Gazette; and

(d) any other information the Minister may deem necessary to consider.

(3) A pharmacist dispensing a medicine must-

(a) by means of a clearly displayed notice in the pharmacy, inform members of the public of the maximum fee structure used by such pharmacist to determine the dispensing fee; and

(b) provide an invoice in respect of each medicine which clearly indicates the-

(i) dispensing fee charged; and

(ii) single exit price.

DR A MOTSOALEDI, MP
MINISTER OF HEALTH
DATE 1/9/2025

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 6673 **26 September 2025**

INFORMATION REGULATOR (SOUTH AFRICA)

Ensuring protection of your personal information and effective access to information

INVITATION FOR PUBLIC COMMENTS

PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) – REGULATIONS RELATING TO THE PROCESSING OF DATA SUBJECT'S HEALTH OR SEX LIFE BY CERTAIN RESPONSIBLE PARTIES IN TERMS OF SECTION 112(2)(c) OF THE PROTECTION OF PERSONAL INFORMATION ACT 4 OF 2013

1. The Information Regulator (Regulator) hereby, under section 113(3)(c) of the Protection of Personal Information Act 4 of 2013, invites interested parties to submit written comments on the proposed draft Regulations, issued under Section 112(2)(c) of the Protection of Personal Information Act 4 of 2013.

2. A copy of the proposed Regulations is available on the Regulator's website at https://rebrand.ly/73egu0o. The comments on the draft Regulations must be submitted to the Chief Legal Officer, Mr Jaco Jansen, **on or before 10th October 2025**. The contact details are:

Woodmead North Office Park
54 Maxwell Drive
Woodmead
Johannesburg
2191

Adv. FDP Tlakula (Chairperson), Adv. LC Stroom (Full-time Member),
Ms. AR Tilley (Part-time Member), Mr. MV Gwala (Part-time Member),
Mr. M Mosala (CEO).

P.O. Box 31533
Braamfontein
Johannesburg

2017
E-mail address: JJJansen@infoRegulator.org.za

Signed at **JOHANNESBURG** on this the **16th** day of **SEPTEMBER 2025**.

Adv. F.D.P. Tlakula
Chairperson
By order of the Chairperson of the Information Regulator (South Africa)

INFORMATION REGULATOR (SOUTH AFRICA)
Ensuring protection of your personal information and effective access to information

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SOUTH AFRICAN RESERVE BANK

NO. 6674 **26 September 2025**

THE BANKS ACT, 1990 (ACT NO. 94 OF 1990 – "THE BANKS ACT")

WITHDRAWAL OF CONSENT GRANTED IN TERMS OF SECTION 34 OF THE BANKS ACT AND CLOSURE OF THE REPRESENTATIVE OFFICE OF A FOREIGN INSTITUTION IN THE REPUBLIC OF SOUTH AFRICA: HSBC PRIVATE BANK (SUISSE) SA

Notice is hereby given in terms of section 30(1)(b)(ii) of the Banks Act, for general information, of the withdrawal of consent granted in terms of section 34 of the Banks Act and closure of the representative office of HSBC Private Bank (Suisse) SA in the Republic of South Africa with effect from 1 September 2025.

Fundi Tshazibana

N Tshazibana
CEO: Prudential Authority

SOUTH AFRICAN RESERVE BANK

NO. 6675 **26 September 2025**

SOUTH AFRICAN RESERVE BANK

VARIATION NOTICE

Variation by the Governor of the South African Reserve Bank in terms of section 6(3)(b) of the National Payment System Act 78 of 1998:

Variation of the conditions of the designation of Efficacy Payments (Pty) Limited as a designated clearing system participant

1. Introduction

1.1. The South African Reserve Bank (SARB) is empowered to vary and revoke any designation of a clearing system participant in terms of the National Payment System Act 78 of 1998 (NPS Act), as amended. In terms of section 6(3)(b) of the NPS Act, the SARB may vary or revoke any designation by:

1.1.1 amending or revoking any condition to which the designation is subject; or

1.1.2 making the designation subject to a new condition(s).

1.2. Section 6(3)(c) of the NPS Act provides that, in determining whether or not to vary or revoke a designation, the SARB may have regard to any or all of the following:

1.2.1 any failure to comply with any condition to which the designation is subject;

1.2.2 whether or not the designated clearing system participant (DCSP) has knowingly furnished information or documents which are false or misleading in any material respect to the SARB in connection with the designation;

1.2.3 whether or not it is in the interest of the public to revoke the designation; and

1.2.4 any other matters that the SARB considers appropriate.

2. Background to the variation of the conditions of the designation

2.1. The SARB designated Efficacy Payments (Pty) Limited (Efficacy) as a DCSP in terms of section 6(3)(a) of the NPS Act. The designation was published in *Government Gazette* No. 44701 dated 11 June 2021 (Designation Notice).

2.2. The SARB received a request from Efficacy to replace its current Reserve Bank settlement system participant, Nedbank Limited (Nedbank), with The Standard Bank of South Africa Limited (Standard Bank).

3. Variation

3.1 The SARB considered the request and deems it necessary to vary the conditions of Efficacy's designation as a DCSP as contained in the Designation Notice. The variation is in the interest of the safety and efficiency of the national payment system.

3.2 Therefore, I, Mr E L Kganyago, Governor of the SARB, in terms of section 6(3)(b) of the NPS Act and with effect from the date of publication in the *Government Gazette*, hereby:

3.2.1 Vary the Designation Notice by replacing Nedbank in paragraph 3.2.2 of the Designation Notice as the Reserve Bank settlement system participant for Efficacy with Standard Bank, and all references to Nedbank in paragraph 4 of the Designation Notice with Standard Bank, subject to the conditions in the Designation Notice and the following additional conditions:

a) All the conditions that were applicable to Nedbank under paragraph 4 of the Designation Notice shall remain unchanged and will from the effective date apply to Standard Bank;

b) Standard Bank must regularly monitor the settlement values and volumes of Efficacy against the total settlement value and volumes for Standard Bank and report Efficacy's percentage of Standard Bank's total values to the National Payment System Department (NPSD) of the SARB on an annual basis; and

c) Standard Bank must furnish the NPSD of the SARB with a post-implementation annual report on its association with Efficacy and as the Reserve Bank settlement system participant for Efficacy, including any impact on its available liquidity.

3.3 The conditions listed under paragraph 4 of the Designation Notice and the conditions of this Variation Notice apply exclusively to the designation of Efficacy and may be varied or revoked, and new conditions may be imposed, by the SARB by way of a notice in the *Government Gazette*.

Signed at **Pretoria** on this 11th day of **September 2025**.

Leserja Kganyago

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E L Kganyago
Governor

DEPARTMENT OF SMALL BUSINESS DEVELOPMENT

NO. 6676 **26 September 2025**

BUSINESS LICENSING BILL, 2025

1. I, Ms. Stella Thembisa Ndabeni, Minister of Small Business Development, hereby publish the Business Licensing Bill, 2025 for public comments.

2. Any interested person or stakeholder who wishes to submit written comments on the Business Licensing Bill, 2025 is hereby invited to do so within 30 days from the date of publication of this notice by:

   (a) Posting to the following address: Block G, the dtic Campus, Private Bag X 84, Pretoria 0001.
   (b) Hand delivery to the following address: the dtic Campus, Department of Small Business Development, 77 Meintjies Street, Sunnyside, Pretoria, Block G Ground Floor.
   (c) Mailing such comments electronically to the following address: BLBSubmission@dsbd.gov.za

3. Comments must be addressed to the Director-General: Department of Small Business Development and marked for the attention of Mr. Thembani Masinge.

4. All interested persons or stakeholders are kindly requested to provide the name, postal address, telephone, and email address of the person or organisation when submitting the comments.

5. Electronic copies of the Business Licensing Bill, 2025 may be obtained from the DSBD website at www.dsbd.gov.za and in the Government Gazette for public comments.

Stella Tembisa Ndabeni-Abrahams

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Ms. Stella Thembisa Ndabeni (MP)
Minister of Small Business Development
Date: 16 September 2025

DEPARTMENT OF SOCIAL DEVELOPMENT

NO. 6677 **26 September 2025**

CHILDREN'S ACT, 2005 (ACT NO.38 OF 2005)

INVITATION TO COMMENT ON THE CHILDREN'S AMENDMENT BILL, 2025

I, Nokuzola Sisisi Tolashe, Minister responsible for social development, hereby invites any interested person or body to provide written comments on the Children's Amendment Bill, 2025 as contained in the Schedule hereto. The memorandum of objects may be accessed on the Departmental website: www.dsd.gov.za.

The closing date for comments is 30 calendar days from the date of publication of this notice in the Gazette. All comments must be submitted in the format indicated below:

NAME AND CONTACT DETAILS:
[Please provide the name of the person or body who submits the comment and contact details, preferably email address]

CLAUSE COMMENTED ON [Please indicate which particular clause of the Bill the comments relate to]	**PROPOSAL** [Please provide a clear proposal on how the particular clause should be amended]	**MOTIVATION** [Please provide detailed motivation for the proposed amendment]

Comments must be submitted by:
Post to:
The Department of Social Development
Private Bag X 901

Pretoria
0001

Hand to:
The Department of Social Development
Human Sciences Research Council
134 Pretorius Street
Pretoria

Or by email to MatlhogonoloS@dsd.gov.za / ntopot@dsd.gov.za / LuyandaMt@dsd.gov.za

MS N.S. TOLASHE
MINISTER OF SOCIAL DEVELOPMENT
DATE:

SCHEDULE

REPUBLIC OF SOUTH AFRICA

CHILDREN'S AMENDMENT BILL, 2025

(As introduced in the National Assembly (proposed section 76); explanatory summary of Bill and prior notice of its introduction published in Government Gazette No. 43656 of 26 August 2020) (The English text is the official text of the Bill)

(MINISTER OF SOCIAL DEVELOPMENT)

GENERAL EXPLANATORY NOTE:

[ ] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Children's Act, 2005, so as to amend and insert certain definitions; to provide for children's right to privacy and protection of information; to further provide for the rights of unmarried fathers; to provide for the designation and functions for a Registrar of the National Child Protection Register; to further provide for the care of abandoned or orphaned children; to further provide for rules relating to care and protection proceedings; to further provide for medical testing of children in need of care and protection or adoption; to provide for additional matters relating to children in alternative care; to further provide for matters relating to adoption and inter-country adoption; to further provide for the hearing of child abduction matters; to further provide for matters relating to surrogate motherhood; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 38 of 2005, as amended by section 3 of Act 41 of 2007, section 48 of Act 7 of 2013, section 1 of Act 17 of 2016, section 1 of Act 18 of 2016 and section 1 of Act 17 of 2022

1. Section 1 of the Children's Act, 2005 (hereinafter referred to as the "principal Act"), is hereby amended—

(a) by the substitution for the definition of ''abandoned'' of the following definition:

'' **'abandoned child'** means a child who—

has been deserted by a parent, guardian or care-giver; for no apparent reason, had no contact with the parent, guardian or care-giver for a period of at least three months; or

has no knowledge as to the whereabouts of the parent, guardian or care-giver and such information cannot be ascertained by the relevant authorities, and includes a child relinquished or placed in a baby box;'';

(b) by the substitution for the definition of ''adoption service'' of the following definition:

'' **'adoption service'** includes—

(a) counselling of **[the]** a parent or guardian of the child and, where applicable, the child;

(b) an assessment of a child by an adoption social worker in terms of section 230(2);

(c) an assessment of a prospective adoptive parent by an adoption social worker in terms of section 231(2);

(d) the gathering of information for proposed adoptions as contemplated in section 237; **[and]**

(e) a report contemplated in section 239 (1) *(b)*; and

(f) after-care provided to the adoptive family;'';

(c) by the substitution for the definition of ''after-care'' of the following definition:

'' **'after-care'** means the supportive service provided by a social worker **[or]**, a social **[service professional]** auxiliary worker or a social service practitioner responsible for adoption services, to monitor progress with regard to the child's developmental adjustment as part of—

(a) family preservation or reunification services;

(b) adoption or placement in alternative care; or

(c) discharge from alternative care;'';

(d) by the substitution for paragraph *(a)* in the definition of ''care'' of the following paragraph:

''*(a)* within available means, providing the child with—

(i) a **[suitable]** place to live;

(ii) living conditions that are conducive to the child's health, well-being and development; and

(iii) the necessary financial support;'';

(e) by the deletion of paragraph *(e)* in the definition of ''care-giver'';

(f) by the deletion of the definition of ''circumcision'';

(g) by the substitution for the definition of ''clerk of the court'' of the following definition:

'' **'clerk of the court** means clerk of the children's court appointed or designated as such either in terms of section 67 of this Act or section 13 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944);'';

(h) by the deletion of the definition of ''divorce court'';

(i) by the insertion after the definition of ‘‘family advocate’’ of the following definition:

‘‘ **‘family counsellor’** means a family counsellor appointed in terms of the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987);’’;

(j) by the substitution for the definition of ‘‘genital mutilation’’ of the following definition:

‘‘ **‘genital mutilation’** means a procedure performed for non-medical reasons that has no health benefit and

(a) causes injury to genitals;

(b) removes any part of the genitals; or

(c) alters genital organs;’’;

(k) by the insertion after the definition of ‘‘higher education’’ of the following definition:

‘‘ **‘inter-country adoption’** means the placement, for purposes of adoption, of a child habitually resident in one country in the permanent care of a person habitually resident in another country in accordance with the Hague Convention on Inter-Country Adoption and the provisions of this Act;’’;

(l) by the substitution for the definition of ‘‘midwife’’ of the following definition:

‘‘ **‘midwife’** means a person registered as a midwife under the Nursing Act, **[1978 (Act 50 of 1978)]** 2005 (Act No. 33 of 2005);’’;

(m) by the substitution for the definition of ‘‘nurse’’ of the following definition:

‘‘ **‘nurse’** means a person registered as a nurse under the Nursing Act, **[1978 (Act 50 of 1978)]** 2005 (Act No. 33 of 2005);’’;

(n) by the substitution for paragraph *(e)* in the definition of ‘‘party’’ of the following paragraph:

‘‘*(e)* the **[department]** Department, provincial department of social development or the designated child protection organisation managing the case of the child; or’’;

(o) by the insertion after the definition of ‘‘RACAP’’ of the following definitions:

‘‘ **‘regional court’** means a court for any regional division as contemplated in the Magistrates’ Courts Act, 1944 (Act No. 32 of 1944);

(p) by the insertion after the definition of “regional court” of the following definition

‘Register’ means the National Child Protection Register contemplated in section 111;’’;

(q) by the insertion after the definition of ‘secure care’ of the following definition:

‘‘ **‘separated migrant child’** includes a child who is from a foreign country and who has been separated from both parents or from previous legal or customary care-givers, but not necessarily from other adult family members, and includes a child accompanied by an adult family member;’’;

(r) by the substitution for the definition of ‘‘sexual abuse’’ of the following definition:

‘‘ **‘sexual abuse’**, in relation to a child, means any sexual offence against a child;’’; as contemplated in section 1 of Criminal Law (Sexual Offences and Related Matters) Amendment Act 2 of 2007.

(s) by the substitution for the definition of ‘‘temporary safe care’’ of the following definition:

‘‘ **‘temporary safe care’ [, in relation to a child,]** means care of a child in an approved and registered child and youth care centre**[, shelter or private home or any other place,]** or in the care of an approved person, including a place as contemplated in section 167(3) where the child can safely be accommodated pending a decision or court order concerning the placement of the child, but excludes care of a child in a prison or police cell;’’;

(t) by the insertion after the definition of ‘‘traditional authority’’ of the following definition:

‘‘ **‘unaccompanied migrant child’** means a child who is from a foreign country and who has been separated from both parents or other adult family members and is not being cared for by an adult who, by law or custom, is responsible for doing so;’’; and

(u) by the substitution for subsection (4) of the following subsection:

‘‘(4) Any proceedings arising out of the application of **[the Administration Amendment Act, 1929 (Act 9 of 1929),]** the Divorce Act, the Maintenance Act, the Domestic Violence Act, 1998 (Act No. 116 of 1998), the Civil Union Act, 2006 (Act No. 17 of 2006), and the Recognition of Customary Marriages Act, 1998 (Act No. 120 of 1998), in so far as these Acts relate to children, may not be dealt with in a children’s court.”.

Amendment of section 6 of Act 38 of 2005

2. Section 6 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(d)* of the following paragraph:

''*(d)* protect the child from unfair discrimination on any ground as contemplated in Protection of Personal Information Act, 2013 (Act No. 4 of 2013), Child Justice Act, 2008, (Act No 75 of 2008) and any other relevant legislation **[, including on the grounds of the health status or disability of the child or a family member of the child]**;''; and

(b) by the substitution in subsection (2) for paragraph *(f)* of the following paragraph:

''*(f)* recognise a child's disability and create an **[enabling]** accessible and inclusive environment to respond to the special needs that the child has.''.

Insertion of section 6A in Act 38 of 2005

3. The following section is hereby inserted in the principal Act after section 6:

''**Children's right to privacy and protection of personal information**

6A. (1) A child's right to privacy and the protection of personal information are subject to the Films and Publication Act, 1996 (Act No. 65 of

1996), the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the Criminal Procedure Act, 1977 (Act No. 51 of 1977), or any other law protecting the privacy and protection of personal information of the child.''.

Amendment of section 7 of Act 38 of 2005

4. Section 7 of the principal Act is hereby amended—

(a) by the deletion of the word ''and'' at the end of subsection (1)*(m)*;

(b) by the substitution in subsection (1) for paragraph *(n)* of the following paragraph:

''*(n)* which action or decision would avoid or minimise further legal or administrative proceedings in relation to the child**[.]**; and''; and

(c) by the insertion in subsection (1) after paragraph *(n)* of the following paragraph:

''*(o)* any special needs that a child may have.''.

Amendment of section 8 of Act 38 of 2005

5. Section 8 of the principal Act is hereby amended by the addition after subsection (3) of the following subsection:

''(4) This Act applies to every child in the Republic of South Africa and any other South African child distressed outside the Republic of South Africa including any child contemplated in Chapters 16 and 17 of the Principal Act.''.

Amendment of section 12 of Act 38 of 2005

6. Section 12 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* below the **[minimum age set by law for a valid marriage]** age of 18 years **[may]** must not be given out in marriage or engagement; and''; and

(b) by the substitution for subsection (3) of the following subsection:

''(3) Genital mutilation **[or the circumcision]** of **[female]** children is prohibited.''.

Amendment of section 13 of Act 38 of 2005

7. Section 13 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

''(2) Information provided to children in terms of this subsection must be relevant and must be in a format accessible to children, giving due consideration to the needs of **[disabled]** children with disabilities.''.

Amendment of heading to Part 1 of Chapter 3 of Act 38 of 2005

8. The following heading is hereby substituted for the heading to Part 1 of Chapter 3 of the principal Act:

''**[Acquisition and loss] Automatic acquisition of parental responsibilities and rights**''.

Amendment of section 19 of Act 38 of 2005

9. Section 19 of the principal Act, is hereby amended by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* the biological father of the child does not have guardianship in respect of the child in terms of section 20 or 21,''.

Amendment of section 21 of Act 38 of 2005

10. Section 21 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* if at the time of the child's **[birth he]** conception, or any time between the child's conception and birth, the biological father is living with the biological mother **[in a permanent life-partnership]**; or'';

(b) by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* if he, regardless of whether he has lived or is living with the biological mother—'';

(c) by the substitution in subsection (1)*(b)* for subparagraph (ii) of the following subparagraph:

''(ii) contributes or **[has attempted in good faith]** or attempts to contribute to the child's care including, upbringing or maintenance'' **[for a reasonable period]**; and'';

(d) by the substitution in subsection (1)*(b)* for subparagraph (iii) of the following subparagraph:

''(iii) contributes or has attempted **[in good faith]** to contribute towards expenses in connection with the maintenance of the child **[for a reasonable period]**.'';

(e) by the insertion after subsection (1) of the following subsection:

''(1A) A family advocate may, in the prescribed manner, issue a certificate confirming that the biological father has automatically acquired full parental responsibilities and rights in terms of subsection (1)*(a)* or (1)*(b)* upon application from or apply where the biological mother has passed away or is deceased or has abandoned the child.

(a) the mother and biological father jointly;

(b) the biological father, after reaching an agreement during the mediation process referred to in subsection (3); or

(c) the biological father, if—

(i) in terms of subsection (3), he referred the matter for mediation and the mother, after receiving such notice of mediation, unreasonably refused to attend the mediation, and

(ii) the biological father has shown to the satisfaction of the family advocate that he has automatically acquired full parental responsibilities and rights in terms of subsection (1)*(a)* or (1)*(b)*.'';

(f) by the insertion after subsection (1A) of the following subsection:

"(1B) Notwithstanding any provision of this section, family and community cultural and traditional practices must be taken into account, where applicable, before full parental responsibilities and rights may be acquired by the biological father of a child.";

(g) by the substitution in subsection (3) for paragraph *(a)* of the following paragraph:

''*(a)* If there is a dispute between the biological father referred to in subsection (1) and the biological mother of a child with regard to the fulfilment by that father of the conditions set out in subsection (1)*(a)* or *(b)*, the matter must be referred for mediation to a family advocate, **[social worker,]** social service **[professional]** practitioner or other suitably qualified person as may be prescribed.''; and

(h) by the deletion in subsection (3) of paragraph *(b)*.

Insertion of heading to Part 1A after section 21 in Act 38 of 2005

11. The following heading is hereby inserted in the principal Act after section 21:

''***Part 1A***

Acquisition and loss of parental responsibilities and rights''.

Amendment of section 22 of Act 38 of 2005

12. Section 22 of the principal Act is hereby amended—

(a) by the insertion after subsection (2) of the following subsection:

''(2A) A child who is the subject of a parental responsibilities and rights agreement must be given the opportunity to express his or her views regarding the content of such agreement: Provided that he or she is of sufficient maturity and mental capacity to do so.'';

(b) by the substitution in subsection (4) for paragraph *(a)* of the following paragraph:

''*(a)* registered with the family advocate on application in the prescribed manner; or'';

(c) by the substitution in subsection (4) for paragraph *(b)* of the following paragraph:

''*(b)* made an order of the High Court, a **[divorce]** regional court in a divorce matter or the children's court on application by the parties to the agreement.'';

(d) by the substitution in subsection (6) for paragraph *(a)* of the following paragraph:

''*(a)* A parental responsibilities and rights agreement registered by the family advocate may be amended or terminated by the family advocate on application in the prescribed manner—''; and

(e) by the deletion of subsection (7).

Amendment of section 23 of Act 38 of 2005

13. Section 23 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) Any person having an interest in the care, well-being or development of a child may apply to the High Court, a **[divorce]** regional court in divorce matters or the children's court for an order granting to the applicant, on such conditions as the court may deem necessary—''; and

(b) by the substitution for subsection (3) of the following subsection:

''(3) When bringing an application contemplated in subsection (1), the parties must inform the court of any other proceedings that are pending in any other court in respect of the child, and the court may—

(a) request a family advocate, social worker or psychologist to furnish it with a report and recommendations as to what is in the best interests of the child; and

(b) suspend such application on any conditions it may determine.''.

Amendment of section 25 of Act 38 of 2005

14. The following section is hereby substituted for section 25 of the principal Act:

''**Certain applications regarded as inter-country adoption**

25. [When] Subject to section 45(4), when an application is made in terms of section 24 by a non-South African citizen for guardianship of a child, the application **[must be regarded as]**, if heard in the High Court, may be referred to a children's court having jurisdiction, to be dealt with as if it was an application for an inter-country adoption for the purposes of the Hague Convention on Inter-Country Adoption and Chapter 16 of this Act or, in exceptional circumstances, as if it was an application for guardianship.''.

Amendment of section 28 of Act 38 of 2005

15. Section 28 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) A person referred to in subsection (3) may apply to the High Court, a **[divorce]** regional court in a divorce matter or a children's court for an order—''.

Amendment of section 29 of Act 38 of 2005

16. Section 29 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) An application in terms of section 22(4)*(b)*, 23, 24, 26(1)*(b)* or 28 may be brought before the High Court, a **[divorce]** regional court in a divorce matter or a children's court, as the case may be, within whose area of jurisdiction the child concerned is ordinarily resident.''; and

(b) by the insertion after subsection (1) of the following subsection:

''(1A) Any party to an application in terms of section 22(4)*(b)*, 23, 26(1)*(b)* or 28 may, in the prescribed manner, refer the matter to the family advocate or social worker for investigation.''.

Insertion of section 30A in Act 38 of 2005

17. The following section is hereby inserted in the principal Act after section 30:

''**Residence of child**

30A. (1) The parents must agree on the residence of a child.

(2) The residence of a child must be determined in accordance with the best interests of the child and may include—

(a) residence with both parents, where the parents are living together; or

(b) residence with one parent.

(3) The residence of a child does not affect the joint exercise of parental responsibilities and rights by co-holders of parental responsibilities and rights.

(4) The term ''parent'' or ''parents'', as used in this section, includes any co-holder of parental responsibilities and rights.

(5) If there is a dispute between the parents of a child as to the child's residence, the matter must be referred for mediation to a family advocate, social worker or such other suitably qualified person, as may be prescribed, before approaching the relevant court.''.

Deletion of heading to Part 3 of Chapter 3 of Act 38 of 2005

18. The heading to Part 3 of Chapter 3 of the principal Act is hereby deleted.

Amendment of section 34 of Act 38 of 2005

19. Section 34 of the principal Act is hereby amended by the insertion after subsection (4) of the following subsection:

''(4A) An application contemplated in subsection (4) must be submitted in the prescribed form and manner, and an application for—

(a) amendment of the parenting plan must be accompanied by a copy of the proposed amended parenting plan; or

(b) termination of a parenting plan must include written reasons for the termination of the parenting plan.''.

Amendment of section 35 of Act 38 of 2005

20. Section 35 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) Any person having care or custody of a child who, contrary to an order of any court, **[or to]** a parental responsibilities and rights agreement or parenting plan that has taken effect as contemplated in **[section]** sections 22(4) and 23, refuses another person who has **[access to]** contact with that child or who holds parental responsibilities and rights in respect of that child in terms of that order or agreement or parenting plan to exercise such **[access]** contact or such responsibilities and rights or who prevents that person from exercising such **[access]** contact or such responsibilities and rights, is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding one year.''; and

(b) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* A person having care or custody of a child whereby another person has **[access to]** contact with that child or holds parental responsibilities and rights in respect of that child in terms of an order of any court, **[or]** a parental responsibilities and rights agreement or a parenting plan as contemplated in subsection (1), must, upon any change in his or her

residential address, forthwith in writing notify such other person of such change.''.

Amendment of section 40 of Act 38 of 2005

21. The following section is hereby substituted for section 40 of the principal Act:

''**[Rights of child conceived by artificial] Artificial fertilisation**

40.(1) *(a)* Whenever the gamete or gametes of any person, other than a **[married person or his]** birth mother or her **[spouse]** partner, have been used with the consent of both such **[spouses]** partners for the artificial fertilisation of one **[spouse]** partner, any child born of that **[spouse]** birth mother as a result of such artificial fertilisation must for all purposes be regarded to be the child of those **[spouses]** partners **[as if the gamete or gametes of those spouses had been used for such artificial fertilisation]**.

(b) For the purpose of paragraph *(a)*, it must be presumed, until the contrary is proved, that both **[spouses]** partners have granted the relevant consent.

(2) Subject to section 296, whenever the gamete or gametes of any person have been used for the artificial fertilisation of a woman, any child born of that woman as a result of such artificial fertilisation must for all purposes be regarded to be the child of that woman.

(3) Subject to section 296, no right, responsibility, duty or obligation arises between a child born of a woman as a result of artificial fertilisation and any person whose gamete has or gametes have been used for such artificial fertilisation, or the blood relations of that person, except when—

(a) that person is the **[woman who gave birth to that child]** birth mother; or

(b) that person was the **[husband]** partner of such woman at the time of such artificial fertilisation.

(4) In this section "partner" must be read to include a spouse or a permanent life partner.''.

Insertion of section 41A in Act 38 of 2005

22. The following section is hereby inserted in the principal Act after section 41:

''**Regulations**

41A. (1) The Minister of Justice and Constitutional Development, after consultation with the Minister, may make regulations concerning the—

(a) particulars to be contained in the certificate relating to biological fathers contemplated in section 21(1A);

(b) categories of persons who may be regarded as suitably qualified persons for purposes of sections 21(3)*(a)* and 33(5)*(b)*;

(c) particulars to be contained in a parental responsibilities and rights agreement contemplated in section 22(3);

(d) particulars to be contained in an application for registration of a parental responsibilities and rights agreement contemplated in section 22(4);

(e) particulars to be contained in an application for amendment or termination of a parental responsibilities and rights agreement contemplated in section 22(6);

(f) form and manner in which an application for granting parental responsibilities and rights should be lodged in the children's court as contemplated in section 23(1);

(g) form and manner in which an investigation may be referred to the family advocate as contemplated in section 29(1A);

(h) particulars to be contained in a parenting plan contemplated in section 34(1);

(i) particulars to be contained in an application for registration of a parenting plan as contemplated in section 34(3);

(j) particulars to be contained in an application for amendment or termination of a parenting plan as contemplated in section 34(4A); and

(k) any other matter that may be prescribed in terms of this Act.

Amendment of section 44 of Act 38 of 2005

23. Section 44 of the principal Act is hereby amended by the addition after subsection (2) of the following subsection:

''(3) A matter may be transferred from one children's court to another children's court having jurisdiction, if it would be in the best interests of the child.''.

Amendment of section 46 of Act 38 of 2005

24. Section 46 of the principal Act is hereby amended

(a) by the insertion in subsection after paragraph *(c)* of the following paragraph:

''*(c*A) an order for the assignment, exercise, extension, restriction, suspension or termination of parental responsibilities and rights in respect of a child;''.

(b) by the addition after subsection (2) of the following subsection

"3. notwithstanding the provision of subsection (2) the Minister may by notice in the gazette extend any order for reasons that are fair and just and in the best interests of a child.".

Amendment of section 49 of Act 38 of 2005

25. Section 49 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* mediation by a family advocate, social worker, social service **[professional]** practitioner or other suitably qualified person as may be prescribed;''.

Amendment of section 52 of Act 38 of 2005

26. Section 52 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* the use of suitably qualified or trained interpreters, including sign language, speech and tactile interpreters.''; and

(b) by the addition after subsection (2) of the following subsection:

''(3) Except as otherwise provided for in this Act, rules made in terms of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), apply, with the necessary changes required by the context, to the children's court in so far as the rules made under subsection (1) do not provide for any aspect or process.''.

Amendment of section 57 of Act 38 of 2005

27. Section 57 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The clerk of the children's court **[may, by written notice in the prescribed manner],** must when so ordered by the court issue a written notice in a manner prescribed in the rules **[,]** or request a party in a matter before a children's court, a family member of a child involved in the matter or a person who has an **[another]** interest in the matter, to attend the proceedings of the children's court.''; and

(b) by the substitution for subsection (2) of the following subsection:

''(2) The person in whose **[physical control]** care the child is, must ensure that the child attends those proceedings, except if **[the clerk of the children's court or]** the court directs otherwise.''

Amendment of section 62 of Act 38 of 2005

28. Section 62 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

''*(e)* the person **[under]** in whose **[control]** care the child is; or''; and

(b) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* obtain supplementary evidence or reports from other suitably qualified persons as may be prescribed;''.

Amendment of section 63 of Act 38 of 2005

29. Section 63 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

''(1) A written report, **[purported to be]** compiled and signed by a medical practitioner, psychologist, family counsellor, family advocate, designated social worker or other suitably qualified person as may be prescribed who, on the face of the report, formed an authoritative opinion in respect of a child, or the

circumstances of a child, involved in a matter before a children's court, or in respect of another person involved in the matter, or the circumstances of such other person, is, subject to the decision of the presiding officer, on its mere production to the children's court hearing the matter, admissible as evidence of the facts stated in the report.''.

Amendment of section 66 of Act 38 of 2005

30. Section 66 of the principal Act is hereby amended by the substitution for paragraph *(d)* of the following paragraph:

''*(d)* for the purpose of *bona fide* research or the reporting of cases in law reports, provided the provisions of section **[74]** 6A are complied with.''.

Deletion of section 74 of Act 38 of 2005

31. Section 74 of the principal Act is hereby deleted.

Amendment of section 75 of Act 38 of 2005

32. Section 75 of the principal Act is hereby amended—

(a) by the deletion of the word ''and'' at the end of paragraph *(j)*; and

(b) by the insertion in subsection (1) after paragraph *(j)* of the following paragraph:

''*(j*A) the responsibility for bearing of costs relating to investigations and reports contemplated in section 62; and''.

Amendment of section 76 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

33. The following section is hereby substituted for section 76 of the principal Act:

''**Partial care**

76. (1) **[Partial]** Subject to subsection (2), partial care is provided when a person, whether for or without reward, takes care of more than six children on behalf of their parents, guardians or care-givers during specific hours of the day or night, or for a temporary period, by agreement between the parents, guardians or care-givers and the provider of the service, but excludes care of a child—

(a) by a school as part of tuition, training and other activities provided by the school;

(b) as a boarder in a school hostel or other residential facility managed as part of a school; or

(c) by a hospital or other medical facility as part of medical treatment provided to the child.

(2) A partial care facility operated or managed by the Department, provincial department or a municipality may register in accordance with section 80 if there are less than six children being cared for.''.

Amendment of section 78 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

34. Section 78 of the principal Act is hereby amended—

(a) by the substitution for subsection (3) of the following subsection:

''(3) **[The owner or manager of a partial care facility or provider of a partial care service]** A partial care facility only qualifies for funding contemplated in subsection (1) if such **[owner, manager or provider]** facility complies with the prescribed national norms and standards contemplated in section 79 and such other requirements as may be prescribed.'';

(b) by the insertion after subsection (3) of the following subsection:

''(3A) A partial care facility registered with conditions qualifies for funding notwithstanding only partial compliance with the prescribed national norms and standards.'';

(c) by the substitution for subsection (4) of the following subsection

''(4) **[The funding of partial care facilities must be prioritised]** The MEC for social development may prioritise and fund partial care facilities and services—

(a) in poverty declared wards in a province, taking into consideration the national and provincial strategies contemplated in section 77, and in communities where families lack the means of providing

proper shelter, food and other basic necessities of life to their children; and

(b) to make facilities accessible to children with disabilities.''; and

(d) by the addition after subsection (4) of the following subsection:

''(5) The funding for infrastructure of partial care facilities does not apply to –

(i) private homes of registered non-profit organisations,

(ii) private homes in general,

(iii) business properties: or

(iv) properties not owned by a non-profit organisation.''.

Amendment of section 79 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

35. Section 79 of the principal Act is hereby amended—

(a) by the substitution in subsection (3)*(c)* for subparagraph (iii) of the following subparagraph:

''(iii) **[basic]** therapeutic interventions.''; and

(b) by the substitution for subsection (4) of the following subsection:

''(4) A partial care facility may offer programmes appropriate to the developmental and functional needs of the children in that facility as may be prescribed.''.

Amendment of section 81 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

36. Section 81 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) An application for registration **[or conditional registration]** of a partial care facility or **[for the reinstatement or]** renewal of registration must—''; and

(b) by the substitution in subsection (1)*(c)* for subparagraph (i) of the following subparagraph:

''(i) a report by a social service **[professional]** practitioner on the viability of the application; and''.

Amendment of section 82 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

37. Section 82 of the principal Act is hereby amended—

(a) by the substitution for subsection (4) of the following subsection:

''(4) The provincial head of social development must consider the report contemplated in section 81(1)*(c)*(i) of a social service **[professional]** practitioner before deciding an application for registration**[, conditional registration]** or renewal of registration.''; and

(b) by the substitution for subsection (5) of the following subsection:

''(5) Notwithstanding section 78(3), a provincial head of social development may assist the owner or manager of a partial care facility where registration with conditions is granted, to comply with the prescribed national norms and standards contemplated in section 79 and such other requirements as may be prescribed.''.

Amendment of section 83 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

38. The following section is hereby substituted for section 83 of the principal Act:

''**Conditions relating to registration**

83. The registration or renewal of registration of a partial care facility may be granted on such conditions as the provincial head of social development may determine, including—

(a) conditions specifying the type of partial care that may or must be provided in terms of the registration;

(b) the period for compliance with the conditions referred to in paragraph *(a)*;

(c) authentication of the residence status of the person renewing or making application of a partial care facility; and

(d) any other matter that may be prescribed.''.

Amendment of section 85 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

39. Section 85 of the principal Act is hereby amended by the addition after subsection (3) of the following subsection:

''(3A) The owner, manager or organisation operating a partial care facility, which has been instructed or ordered to stop operating such facility, must immediately after receiving such instruction or order, notify the parent of the affected child.''.

Amendment of section 87 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

40. Section 87 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

'*(c)* monitor partial care facilities and conduct routine inspections at the prescribed intervals of partial care facilities in the province to enforce the provisions of this Act.''.

Amendment of section 88 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

41. Section 88 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The **[provincial head of]** MEC for social development may by written agreement with a municipality, assign the performance of some or all of the functions contemplated in sections 80, 81, 82, 83, 84, 85 and 87 to the municipal manager, after consultation with the municipal council, if the **[provincial head of]** MEC for social development is satisfied that the municipality complies with the prescribed requirements with regards to the capacity of that municipality to perform the functions concerned.''; and

(b) by the substitution for subsection (3) of the following subsection:

''(3) The municipal manager referred to in subsection (1) may delegate any power or duty assigned to him or her in terms of this section to a social service **[professional]** practitioner in the employ of the municipality.''.

Amendment of section 89 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

42. Section 89 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

'' (1) If a child is seriously injured or abused while in partial care or following an occurrence at a partial care facility, the person operating the partial care facility or a person employed at the partial care facility must immediately report such injury or abuse to the provincial head of social development, who must **[cause an investigation to be conducted into the circumstances of the**

serious injury or abuse] act in accordance with the provisions of section 110(5).''.

Amendment of section 90 of Act 38 of 2005, as inserted by section 4 of Act 41 of 2007

43. Section 90 of the principal Act is hereby amended—

(a) by the substitution for paragraph *(a)* of the following paragraph:

''*(a)* the national norms and standards that partial care facilities must comply with, as contemplated in section 79;'';

(b) by the deletion of the word ''and'' at the end of paragraph *(h)*, and the insertion of the word ''and'' at the end of paragraph *(i)*; and

(c) by the addition after paragraph *(h)* of the following paragraphs:

''*(hA)* inspection and monitoring of partial care facilities and services; and

(hB) assignment of functions to municipalities.''.

Amendment of section 105 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007 and amended by section 4 of Act 17 of 2022

44. Section 105 of the principal Act is hereby amended by the insertion after subsection (5) of the following subsection:

Amendment of section 106 of Act 38 of 2005, as inserted by section 5 of Act No. 41 of 2007

45. Section 106 of the principal Act is hereby amended—

(a) by the deletion of the word ‘‘and’’ at the end of subsection (2)*(j)*;

(b) by the substitution in subsection (2) for paragraph *(k)* of the following paragraph:

‘‘*(k)* child-headed households**[.]**;’’; and

(c) by the addition in subsection (2) after paragraph *(k)* of the following paragraphs:

‘‘*(l)* rehabilitation services for children with disabilities; and

(m) quality assurance.’’.

Amendment of section 107 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007

46. Section 107 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

‘‘(1) The Director-General **[or provincial head of social development]**, on receipt of a written application, may designate any appropriate organisation that complies with the prescribed criteria as a child protection organisation to perform all or any specific designated child protection services **[in the relevant province]**.’’;

(b) by the insertion after subsection (1) of the following subsection:

''(1A) The provincial head of social development may, on receipt of a written application, designate any organisation that complies with the prescribed criteria as a child protection organisation to perform all or any specific designated child protection services in the relevant province.'';

(c) by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

''(2) A designation in terms of subsection (1) or (1A)''; and

(d) by the substitution for subsection (4) of the following subsection:

''(4) Sections 310 and 311, read with such changes as the context may require, apply to any assignment in terms of subsection (1) or (1A).''.

Amendment of section 109 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007

47. Section 109 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''The Director-General or **[provincial head of]** MEC for social development, as the case may be, may withdraw, in the prescribed manner, the designation of a child protection organisation as contemplated in section 107 to perform any, or any specific, designated child protection service—''; and

(b) by the addition after subsection (2) of the following subsections:

''(3) A child protection organisation aggrieved by a decision made under subsection (1) may lodge an appeal, in the prescribed form and manner, within 90 days of receipt of such decision—

(a) to the Minister, if the designation was made in terms of section 107(1); or

(b) to the MEC for social development, if the designation was made in terms of section 107(1A).

(4) The Minister or MEC for social development, as the case may be, must finalise an appeal within 90 days from receipt thereof.''.

Amendment of section 110 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007

48. Section 110 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) Any clerk of the children's court or court official, correctional official, dentist, homoeopath, immigration official or an official in the employ of the Department of Home Affairs, labour inspector, legal practitioner, medical practitioner, midwife, minister of religion, nurse, occupational therapist, physiotherapist, psychologist, religious leader, social service **[professional]** practitioner, **[social worker,]** speech therapist, teacher, traditional health practitioner, traditional leader or member of staff or volunteer worker at a partial care facility, drop-in centre or child and youth

care centre, any person working with children, or a ward councillor who, on reasonable grounds, **[concludes]** suspects that a child has been abused, must report that **[conclusion]** suspicion, in the prescribed form, to a designated child protection organisation, the provincial department of social development or a police official.''; and

(b) by the substitution in subsection (5) for the words preceding paragraph *(a)* of the following words:

''(5) The provincial department of social development or designated child protection organisation to **[whom]** which a report has been made in terms of subsection (1), (2) or (4), or the provincial head of social development to whom a report has been made in terms of section 89(1), 178(1) or 226(1), must—''.

Amendment of section 111 of Act 38 of 2005

49. Section 111 of the principal Act is hereby amended by the addition after subsection (2) of the following subsection:

''(3) The Director-General must designate an official from the Department as the Registrar of the Register.''.

Amendment of section 114 of Act 38 of 2005

50. Section 114 of the principal Act is hereby amended—

(a) by the substitution in subsection (2)*(a)* for subparagraph (vii) of the following subparagraph:

''(vii) the name and physical address of the institution, <u>including the</u> child and youth care centre, partial care facility or **[shelter or]** drop-in centre, if the incident occurred at such a place;''; and

(b) by the substitution in subsection (2)*(c)* for subparagraph (viii) of the following subparagraph:

''(viii) a brief summary of the services rendered to the child found to be in need of care <u>and protection</u>; and''.

Amendment of section 117 of Act 38 of 2005

51. Section 117 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

''(2) Inquiries in terms of subsection (1) must be directed in the prescribed format to the **[Director-General]** <u>Registrar of the Register</u> on a confidential basis.''; and

(b) by the substitution for subsection (3) of the following subsection:

''(3) The **[Director-General]** <u>Registrar of the Register</u> must respond to such inquiries in writing within 21 working days and indicate whether the relevant person's name is in Part A of the Register.''.

Insertion of section 117A in Act 38 of 2005

52. The following section is hereby inserted in the principal Act after section 117:

‘‘**Removal of name from Part A of Register**

117A. (1) A child or person whose name appears in Part A of the Register may, in terms of subsection (2), apply for the removal of his or her name and any information relating to him or her from the Register.

(2) An application for the removal of a name and particulars from the Register may be made in the prescribed form and manner—

(a) to the Registrar of the Register, if the Registrar is satisfied that the entry was made in error; or

(b) to any court, including a children’s court, if the Registrar of the Register refuses an application in terms of paragraph *(a)*.’’.

Amendment of heading after section 117 of Act 38 of 2005

53. The heading after section 117 of the principal Act is hereby substituted for the following heading:

‘‘**Part B of Register: Persons unsuitable to work with children**’’.

Amendment of section 119 of Act 38 of 2005

54. Section 119 of the principal Act is hereby amended—

(a) by the substitution for the words preceding paragraph *(a)* of the following words:

''(1) Part B of the Register must be a record of persons found in terms of section 120 to be unsuitable to work with children, and must reflect—'';

(b) by the substitution for paragraph *(f)* of the following paragraph:

''*(f)* such other **[prescribed]** information as may be prescribed.''; and

(c) by the addition of the following subsection:

''(2) For purposes of sections 120 to 128, a reference to ''a person'', unless the context indicates otherwise, means—

(a) a person who is 18 years of age or older; or

(b) in the case of a person who is alleged to have committed an offence against a child, a person who was 18 years of age or older at the time of the alleged commission of such offence.''.

Amendment of section 122 of Act 38 of 2005

55. Section 122 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

''**Findings to be reported to [Director-General] Registrar of Register**'';

(b) by the substitution for the words preceding paragraph *(a)* of the following words:

''(1) The registrar of the relevant court, or the relevant administrative forum, or, if the finding was made on application in terms of section 120(2), the person who brought the application, must notify the **[Director-General]** Registrar of the Register, in writing—'';

(c) by the substitution for subsection (2) of the following subsection:

''(2) The **[Director-General]** Registrar of the Register must enter the name of a person found unsuitable to work with children as contemplated in section 120 in Part B of the Register regardless of whether appeal proceedings have been instituted or not.''; and

(d) by the substitution for subsection (3) of the following subsection:

''(3) If, after appeal or review proceedings have been concluded, a finding in terms of section 120 that a person is unsuitable to work with children is reversed, the **[Director-General]** Registrar of the Register must forthwith remove the name of the person from the Register.''.

Amendment of section 123 of Act 38 of 2005

56. Section 123 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* manage or operate, or participate or assist in managing or operating, an institution providing **[welfare]** care and protection services to children, including a child and youth care centre, a

partial care facility, a **[shelter or]** drop-in centre, a cluster foster care scheme, a school, club or association providing services to children;'';

(b) by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* work with or have access to children at an institution providing **[welfare]** care and protection services to children, including a child and youth care centre, a partial care facility, a **[shelter or]** drop-in centre, a school, club or association providing services to children, or in implementing a cluster foster care scheme, either as an employee, volunteer or in any other capacity;'';

(c) by the substitution in subsection (1) for paragraph *(d)* of the following paragraph:

''*(d)* work in **[any unit of]** the South African Police Service **[tasked with child protection]** in a capacity that brings him or her into contact with children;'';

(d) by the substitution for subsection (2) of the following subsection:

''(2) No person managing or operating or who participates or assists in managing or operating an institution providing **[welfare]** care and protection services to children, including a child and youth care centre, a partial care facility, a **[shelter or]** drop-in centre or a school, may allow a person whose name appears in Part B of the Register to work with or have access to children at the centre, facility**[, shelter]** or school, either as an employee, volunteer or in any other capacity.''; and

(e) by the substitution for subsection (4) of the following subsection:

''(4) The South African Police Service **[may]** must not allow a person whose name appears in Part B of the Register to work in **[a unit of]** the South African Police Service **[tasked with child protection]** in a capacity that brings him or her into contact with children, unless evidence to the contrary is provided.''.

Amendment of section 124 of Act 38 of 2005

57. Section 124 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* works with or has access to children at an institution providing **[welfare]** care and protection services to children, including a child and youth care centre, a partial care facility, a **[shelter or]** drop-in centre, a cluster foster care scheme or a school either as an employee, volunteer or in any other capacity, that person must disclose that fact to the person who manages or operates the institution, centre, facility**[, shelter]** or school;''; and

(b) by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

''*(c)* works in **[a unit of]** the South African Police Service **[tasked with child protection]** in a capacity that brings him or her into contact with children, that person must disclose that fact to the South African Police Service;''.

Amendment of section 125 of Act 38 of 2005

58. Section 125 of the principal Act is hereby amended by the insertion in subsection (1) after paragraph *(a)* of the following paragraph:

''*(a*A) the Registrar of the Register;''.

Amendment of section 126 of Act 38 of 2005

59. Section 126 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* to work with or have access to children at an institution providing **[welfare]** care and protection services to children, including child and youth care centre, a partial care facility, a **[shelter or]** drop-in centre or school, the person managing or operating the institution, centre, facility**[, shelter]** or school must establish whether or not that person's name appears in Part B of the Register;'';

(b) by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

''*(c)* to work in **[a unit of]** the South African Police Service **[tasked with child protection]**, the Service must establish whether or not that person's name appears in Part B of the Register;'';

(c) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* the person managing or operating an institution, centre, facility**[, shelter]** or school contemplated in subsection (1)*(a)* must establish

whether the name of any person who works with or has access to children at the institution, centre, facility**[, shelter]** or school appears in Part B of the Register;'';

(d) by the substitution in subsection (2) for paragraph *(c)* of the following paragraph:

''*(c)* the South African Police Service must establish whether the name of any person who works in **[a unit of]** the South African Police **[tasked with child protection]** appears in Part B of the Register;'';

(e) by the substitution for subsection (4) of the following subsection:

''(4) Inquiries in terms of subsection (1), (2) or (3) must be directed in writing to the **[Director-General]** Registrar of the Register on a confidential basis.''; and

(f) by the substitution for subsection (5) of the following subsection:

''(5) In the event of an inquiry made to the **[Director-General]** Registrar of the Register in terms of—

(a) subsection (1), the **[Director-General]** Registrar of the Register must respond in writing within 21 working days by indicating whether the person's name appears in Part B of the Register or not;

(b) subsection (2), the **[Director-General]** Registrar of the Register must respond in writing within six months by indicating whether the person's name appears in Part B of the Register or not; and

(c) subsection (3), the **[Director-General]** Registrar of the Register must respond in writing within 21 working days by indicating

whether the person's name appears in Part B of the Register, and if so, the reasons why his or her name was entered in the Register.''.

Amendment of section 127 of Act 38 of 2005

60. Section 127 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

''(3) The **[Director-General]** Registrar of the Register must inform a person found unsuitable to work with children, within 21 working days of such entry, **[when]** that **[person's]** his or her name and particulars are entered in Part B of the Register.''.

Amendment of section 128 of Act 38 of 2005, as amended by section 4 of Act 17 of 2016

61. Section 128 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* to the **[Director-General]** Registrar of the Register, if the entry was made in error; or''; and

(b) by the substitution in subsection (2) for paragraph *(c)* of the following paragraph:

''*(c)* to the High Court if the **[Director-General]** Registrar of the Register refuses an application in terms of paragraph *(b)*.''.

Amendment of section 131 of Act 38 of 2005

62. The following section is hereby substituted for section 131 of the principal Act:

''**[HIV-testing for foster care or adoption purposes]** **Medical testing for children in need of care and protection or adoption**

131. If necessary medical testing, including HIV-testing of a child is done for **[foster]** children in need of care and protection or adoption purposes, the state must pay the cost of such tests where circumstances permit.''.

Amendment of section 135 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007

63. Section 135 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

''(1) The Director-General, a provincial head of social development or a designated child protection organisation may apply to a High Court, a **[divorce]** regional court in divorce matters or a children's court for an order—

(a) suspending for a period, terminating or transferring any or all of the parental responsibilities and rights which a specific person has in respect of a child; or

(b) restricting or circumscribing the exercise by that person of any or all of the parental responsibilities and rights that person has in respect of a child.''.

Amendment of section 141 of Act 38 of 2005, as inserted by section 5 of Act 41 of 2007 and section 34 of Act 8 of 2017

64. Section 141 of the principal Act is hereby amended by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

''(2) **[A social worker or social service professional]** Any person, including persons contemplated in section 110(1), who becomes aware of—''.

Amendment of section 142 of Act 38 of 2005, as amended by section 6 of Act 41 of 2007 and section 5 of Act 17 of 2022

65. Section 142 of the principal Act is hereby amended—

(a) by the substitution for paragraph *(f)* of the following paragraph:

''*(f)* prescribing the conditions for the examination or assessment of children who have been abused, abandoned or neglected, including the consent of the child for any such examination or assessment given the age and maturity of the child;''; and

(b) by the deletion of the word ''and'' at the end of paragraph *(j)* and the insertion after paragraph *(j)* of the following paragraphs:

''(*j*A) prescribing the powers, duties and responsibilities of the Registrar of the National Child Protection Register;

(*j*B) prescribing the criteria for the establishment and resourcing of designated child care and protection units; and''.

Amendment of section 145 of Act 38 of 2005, as inserted by section 7 of Act 41 of 2007

66. Section 145 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

''(3) The MEC for social development must compile a provincial profile at the prescribed intervals in order to make **[the necessary]** such information as may be prescribed available for the development and review of the strategies referred to in subsections (1) and (2).''.

Amendment of section 146 of Act 38 of 2005, as inserted by section 7 of Act 41 of 2007

67. Section 146 of the principal Act is hereby amended—

(a) by the substitution for subsection (3) of the following subsection:

''(3) The provider of prevention and early intervention programmes **[only qualifies]** may qualify for funding contemplated in subsection (1) if the programmes substantially comply with the prescribed national norms and standards contemplated in section 147 and such other requirements as may be prescribed.'';

(b) by the substitution for subsection (4) of the following subsection:

"(4) The funding of prevention and early intervention programmes must be prioritised—

(a) in communities where families lack the means of providing proper shelter, food and other basic necessities of life to their children; **[and]**

(b) to make prevention and early intervention programmes available to children with disabilities**[.]**; and

(c) for children below school-going age.''.

Amendment of section 147 of Act 38 of 2005, as inserted by section 7 of Act 41 of 2007

68. Section 147 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The Minister must determine national norms and standards for prevention and early intervention programmes by regulation after consultation with **[interested persons and]** the Ministers of Basic Education, Finance, Health, **[Provincial and Local Government and]** Higher Education, Science and Technology, Cooperative Governance and Traditional Affairs, Transport and any other Minister, MEC for social development, stake-holder and civil society organisations that have an interest in the matter.'';

(b) by the substitution in subsection (2) for paragraphs *(a)*, *(b)*, *(c)*, *(d)* and *(e)*, respectively, of the following paragraphs:

''*(a)* partnerships with civil society and appropriate funding frameworks for service delivery associated with such partnerships;

(b) minimum standards and guiding principles for service delivery;

(c) assessment, monitoring and evaluation of services;

(d) services reporting guidelines; and

(e) guidelines for specific services, including but not limited to—

(i) therapeutic programmes;

(ii) family preservation;

(iii) skills development programmes;

(iv) diversion programmes;

(v) temporary safe care;

(vi) rehabilitation and support for children with disabilities;

(vii) education and information;

(viii) community-based prevention and early intervention programmes; and

(ix) assessment of programmes.''; and

(c) by the addition after subsection (2) of the following subsection:

''(3) The norms and standards contemplated in subsection (1) must promote an understanding of prevention and early intervention approaches.''.

Insertion of section 149A in Act 38 of 2005

69. The following section is hereby inserted in the principle Act after section 149:

''**Regulations**

149A. The Minister may make regulations regarding any matter necessary to facilitate the implementation of this Chapter.''.

Amendment of section 150 of Act 38 of 2005, as amended by section 5 of Act 17 of 2016 and section 6 of Act 17 of 2022

70. Section 150 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* has been abandoned or orphaned and has no parent, guardian, family member or care-giver who is able and suitable to care for that child;''; and

Amendment of section 156 of Act 38 of 2005, as amended by section 9 of Act 41 of 2007 and section 8 of Act 17 of 2022

71. Section 156 of the principal Act is hereby amended by the substitution in subsection (1)*(e)* for subparagraph (ii) of the following subparagraph:

''(ii) foster care with **[a group of persons or an organisation operating]** an identified foster parent who is part of a cluster foster care scheme;''.

Amendment of section 167 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

72. Section 167 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

''(2) *(a)* A child may not be in temporary safe care **[or be kept or retained at any place or facility, including a registered child and youth care centre,]** for longer than **[six months]** 72 hours without a court order **[placing the child in alternative care]**.

(b) A court order granted in terms of paragraph *(a)* may not place a child in temporary safe care for a period longer than six months at a time.

(c) A child may not be in foster care or in a registered child and youth care centre without a court order placing the child in such care.'';

(c) by the substitution in subsection (3) for paragraph *(a)* of the following paragraph:

''*(a)* The provincial head of social development must approve a person, facility, place **[or premises]** or a registered child and youth care centre for purposes of temporary safe care in the prescribed manner.'';

(d) by the substitution in subsection (3) for paragraph *(b)* of the following paragraph:

''*(b)* A person, facility, place or **[premises]** a registered child and youth care centre contemplated in paragraph *(a)* for temporary safe care must comply with the prescribed criteria.'';

(e) by the addition in subsection (3) after paragraph *(b)* of the following paragraph:

''*(c)* The approval period contemplated in paragraph *(a)*, in respect of—

(i) a person, facility or other place is valid for a period not exceeding two years; and

(ii) a registered child and youth care centre, is valid for a period not exceeding five years.''; and

(f) by the deletion of subsection (4).

Amendment of section 170 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

73. Section 170 of the principal Act is hereby amended—

(a) by the substitution for subsection (4) of the following subsection:

''(4) On apprehending a child in alternative care who has absconded or failed to return in terms of subsection (1), the—

(a) designated social worker must ensure the safety and well-being of the child concerned, if the child's safety or well-being is at risk; or

(b) police official must—

(i) ensure the safety and well-being of the child concerned, if the child's safety or well-being is at risk**[,]**; and

(ii) notify the provincial department of social development or a designated child protection organisation **[of the fact]** that the child has been apprehended and of any steps that have been taken with regard to the child, which may include the return of the child to the person, facility, place or centre in whose alternative care the child was before absconding, until such time as the matter appears before a children's court as

contemplated in subsection (5), or an assessment of the child has taken place as contemplated in subsection (5A).'';

(b) by the substitution in subsection (5) for the words preceding paragraph *(a)* of the following words:

''(5) A child **[so]** apprehended after a period of 48 hours from absconding **[or a child who returns, of his or her own accord, to the centre or person in whose alternative care he or she was before absconding]**—''; and

(c) by the insertion after subsection (5) of the following subsection:

''(5A) A child—

(a) who is apprehended within a period of 48 hours from absconding; or

(b) who returns, on his or her own accord, to the person, facility, place or centre in whose alternative care the child was before absconding,

must be assessed by a designated social worker or the social worker within the child and youth care centre, without delay, to establish the reasons for absconding.

(5B) The designated social worker may—

(a) make written recommendations to the provincial head of social development regarding the transfer of the child to another form of alternative care or the discharge of the child from alternative care; or

(b) take no further action, if justified in the circumstances.''.

Amendment of section 178 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

74. Section 178 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

''(1) If a child in alternative care is seriously injured or abused, the management of the child and youth care centre, person or organisation in whose care or temporary safe care the child has been placed must immediately report the matter to the provincial head of social development, who must **[cause an investigation to be conducted into the circumstances of the serious injury or abuse]** act in accordance with the provisions of section 110(5).''.

Amendment of section 179 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

75. Section 179 of the principal Act is hereby amended—

(a) by the substitution for paragraph *(a)* of the following paragraph:

''*(a)* the manner in which a person, **[facility, place or premises for]** registered child and youth care centre and place for temporary safe care, must be approved;'';

(b) by the substitution for paragraph *(b)* of the following paragraph:

''*(b)* the criteria that a person, **[facility, place or premises for]** registered child and youth care centre or place for temporary safe care, must comply with;'';

(c) by the substitution for paragraph *(d)* of the following paragraph:

''*(d)* the manner in which children in alternative care must be granted leave of absence, transferred or provisionally transferred, their residential care programmes changed, be removed or permanently discharged from alternative care;'';

(d) by the insertion after paragraph *(e)* of the following paragraph:

''(*e*A) fees payable to a person with whom a child is placed in temporary safe care;''; and

(e) by the deletion of the word ''and'' at the end of paragraph *(f)* and the insertion after paragraph *(f)* of the following paragraphs:

''(*f*A) the manner in which the provincial head of social development may grant written approval for children in alternative care to leave the Republic;

(*f*B) the form in which an appeal against a decision taken in terms of this Chapter must be lodged with the MEC for social development; and''.

Amendment of section 181 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

76. Section 181 of the principal Act is hereby amended—

(a) by the substitution for paragraph *(b)* of the following paragraph:

''*(b)* promote the goals of permanency planning, first towards family reunification, or by connecting children to other safe and nurturing family relationships **[intended to last a lifetime; and]**;''; and

(b) by the substitution for paragraph *(c)* of the following paragraph:

''*(c)* promote and respect the individual and family by demonstrating a respect for cultural, ethnic and community diversity.''.

Amendment of section 188 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

77. Section 188 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* any views and wishes expressed by the child, bearing in mind the child's age, maturity and stage of development and disability, if any;''.

Amendment of section 191 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007 and amended by section 99 of Act 75 of 2008

78. Section 191 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) A registered child and youth care centre is a facility for the provision of residential care to more than six children outside the child's family environment in accordance with a residential care programme suited for the children in the facility, but excludes—'';

(b) by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

"*(e)* a **[prison]** correctional centre as contemplated in the Correctional Services Act, 1998 (Act No. 111 of 1998), or treatment centre as contemplated in the Prevention of and Treatment for Substance Abuse Act, 2008 (Act No. 70 of 2008); or'';

(c) by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

''(2) A registered child and youth care centre must offer **[a]** therapeutic **[programme]** and developmental programmes designed for the residential care of children outside the family **[environment]** environment, which may include a programme designed for—'';

(d) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* the reception, care and development of children on a shared basis with the parent or other person having parental rights and responsibilities;'';

(e) by the deletion of the word ''or'' at the end of subsection (2)*(k)*;

(f) by the substitution in subsection (2) for paragraph *(l)* of the following paragraph:

''*(l)* the reception and care of children for any other purpose that may be prescribed by regulation**[.]**;'';

(g) by the addition after paragraph *(l)* of the following paragraphs:

''*(m)* the reception, development and secure care of children with disruptive behaviour disorder; or

(n) the assistance of a person prior to leaving a child and youth care centre and to provide after-care services for a period not exceeding 12 months.";

(h) by the substitution in subsection (2)*(j)* for subparagraph (ii) of the following subparagraph:

''(ii) in terms of section 156(1)**[(i)]***(h)* placing the child in a child and youth care centre which provides a secure care programme; or'';

(i) by the substitution in subsection (2) for paragraph *(k)* of the following paragraph:

''*(k)* the reception, stabilisation and care of **[street]** children living, begging or working on the street; or''; and

(j) by the deletion in subsection (3) of paragraph *(e)*.

Amendment of section 193 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

79. Section 193 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The MEC for social development must, from money appropriated by the relevant provincial legislature, provide and fund registered child and youth care centres for that province.'';

(b) by the substitution for subsection (3) of the following subsection:

''(3) **[An accredited organisation operating a]** A registered child and youth care centre only qualifies for funding from money appropriated by a provincial legislature if it complies with the prescribed national norms and standards contemplated in section 194 and such other requirements as may be prescribed.''; and

(c) by the addition after subsection (3) of the following subsection:

''(4) The MEC for social development may determine whether a registered child and youth care centre qualify for funding, notwithstanding only conditional compliance with the prescribed national norms and standards.''.

Amendment of section 194 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

80. Section 194 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The Minister must determine national norms and standards for child and youth care centres by regulation after consultation with **[interested persons and]** the Ministers of Basic Education, Health, Higher Education, Science and Technology, Home Affairs, **[and]** Justice and Constitutional Development, Public Works and Infrastructure, Cooperative Governance

and Traditional Affairs and any other Minister, MEC for social development, stakeholder and civil society organisation that has an interest in the matter.''; and

(b) by the insertion in subsection (2) after paragraph *(l)* of the following paragraph:

''(*l*A) access to rehabilitation services for children with disabilities;''.

Amendment of section 197 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

81. Section 197 of the principal Act is hereby amended by the substitution in section 197 for the words preceding paragraph *(a)* of the following words:

''Any national or provincial state department responsible for social development, municipality and **[accredited]** designated child protection organisation may establish and operate a child and youth care centre provided that the centre—''.

Amendment of section 199 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

82. Section 199 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) An application for registration **[or conditional registration]** of a child and youth care centre established as referred to in section 197, or for the renewal of such a registration must—''; and

(b) by the substitution for subsection (4) of the following subsection:

''(4) The provincial head of social development must renew the registration of a **[partial care facility]** child and youth care centre before the expiration thereof if the application for renewal was lodged at least 90 days before the registration was due to expire as contemplated in subsection (3).''.

Amendment of section 200 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

83. Section 200 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

''(5) Notwithstanding the provisions of section 193(3) a provincial head of social development may assist the **[person or]** designated child protection organisation operating a child and youth care centre, where registration was granted with conditions, to comply with the prescribed national norms and standards contemplated in section 194 and such other requirements as may be prescribed.''.

Amendment of section 201 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

84. The following section is hereby substituted for section 201 of the principal Act:

''**[Conditional registration]** <u>**Conditions relating to registration**</u>

201. The registration or renewal of registration of a child and youth care centre may be granted on such conditions as the provincial head of social development may determine, including **[conditions]**—

(a) <u>conditions</u> specifying the type of residential care programme that may or must be provided in terms of the registration;

(b) **[stating]** the period for <u>compliance</u> **[which]** <u>with</u> the **[conditional registration will remain valid]** <u>conditions referred to in paragraph *(a)*</u>, which may not be longer than **[one year]** <u>two years</u>; and

(c) <u>conditions</u> providing for any other matters that may be prescribed.''.

Amendment of section 205 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

85. The following section is hereby substituted for section 205 of the principal Act:

''**Voluntary closure of child and youth care centre**

205. The **[holder of a registration of]** <u>department, municipality or designated child protection organisation operating</u> a child and youth care centre

[who] that voluntarily closes **[a child and youth care]** such centre must, within 90 days prior to such closure—

(a) give written notice to the provincial head of social development in the relevant province; **[and]**

(b) surrender the certificate of registration to the provincial head of social development for cancellation**[.]**; and

(c) submit a report, as prescribed, to the provincial head of social development, which details the arrangement made for children who had been resident at the child and youth care centre.''.

Amendment of section 208 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

86. Section 208 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

''(2) The members of a management board are appointed by—

(a) the **[MEC for]** provincial head of social development in the relevant province or a municipal manager, in accordance with a prescribed procedure, in the case of a child and youth care centre which is operated by the province or municipality; and

(b) the **[registration holder]** designated child protection organisation operating a child and youth care centre, in accordance with a prescribed procedure, in the case of a privately owned child and youth care centre.''.

Amendment of section 209 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

87. Section 209 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) The **[person or]** designated child protection organisation operating a child and youth care centre or the management board must appoint or designate—''.

Amendment of section 211 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

88. Section 211 of the principal Act is hereby amended by the substitution in subsection (2) for paragraph *(d)* of the following paragraph:

"*(d)* the team not connected to the centre **[must]** may, in appropriate cases, appoint a mentor to oversee implementation of the plan by the management of the centre.''.

Amendment of section 213 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

89. Section 213 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) A drop-in centre is a non-residential facility providing basic services aimed at meeting the emotional, physical and social development needs of vulnerable children.'';

(b) by the insertion in subsection (2) after paragraph *(a)* of the following paragraph:

''*(a*A) psychosocial support;'';

(c) by the substitution in subsection (3) for paragraph *(a)* of the following paragraph:

''*(a)* Guidance**[,]** and counselling **[and psychosocial support]**;'';

(d) by the insertion in subsection (3) after paragraph *(a)* of the following paragraph:

''*(a*A) cognitive and spiritual support;''; and

(e) by the substitution in subsection (3) for paragraph *(h)* of the following paragraph:

''*(h)* reporting and referral of children to social workers or social service **[professionals]** practitioners;''.

Amendment of section 214 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

90. Section 214 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The Minister**[, after consultation with interested persons and the Ministers of Finance, Health, Provincial and Local Government and Transport]** must **[include in the departmental strategy a]** develop a national strategy aimed at ensuring an appropriate

spread of drop-in centres throughout the Republic, giving due consideration as provided in section 11, to children with disabilities or chronic illnesses.''; and

(b) by the insertion after subsection (1) of the following subsections:

''(1A) The Minister must consult with the Ministers of Finance, Health, Cooperative Governance and Traditional Affairs, Transport and any other Minister, the MEC for social development, stakeholder or organisation that may have an interest in the matter before finalising the national strategy contemplated in subsection (1).

(1B) The national strategy contemplated in subsection (1) must be incorporated in the departmental strategy.''.

Amendment of section 215 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

91. Section 215 of the principal Act is hereby amended—

(a) by the insertion after subsection (3) of the following subsection:

''(3A) A conditionally registered drop-in centre may qualify for funding, notwithstanding only partial compliance with the prescribed national norms and standards.'';

(b) by the substitution in subsection (4) for the words preceding paragraph *(a)* of the following words:

''(4) The **[funding of drop-in centres must be prioritised]** MEC for social development may prioritise the funding of drop-in centres—;''; and

(c) by the substitution in subsection (4) for paragraph *(a)* of the following paragraph:

''*(a)* in poverty declared wards in the province, taking into consideration the national and provincial strategies contemplated in section 77 and in communities where families lack the means of providing proper shelter, food and other basic necessities of life to their children; and''.

Amendment of section 218 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

92. Section 218 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) An application for the registration **[or conditional registration]** of a drop-in centre or for the renewal of a registration must—''.

Amendment of section 219 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

93. Section 219 of the principal Act is hereby amended—

(a) by the substitution for subsection (4) of the following subsection:

''(4) The provincial head of social development must consider a report 30 of a social service **[professional]** practitioner before deciding an application for registration**[, conditional registration]** or renewal of registration.''; and

(b) by the substitution for subsection (5) of the following subsection:

''(5) Notwithstanding the provisions of section 215(3), a provincial head of social development may assist the person or organisation operating a drop-in centre, where registration was granted with conditions, to comply with the prescribed national norms and standards contemplated in section 216 and such other requirements as may be prescribed.''.

Amendment of section 220 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

94. The following section is hereby substituted for section 220 of the principal Act:

''**[Conditional registration] Conditions relating to registration**

220. (1) The registration or renewal of the registration of drop-in centres may be granted on such conditions as the provincial head of social development may determine, including **[conditions]**—

(a) conditions specifying the type of services that may or must be provided in terms of the registration;

(b) **[stating]** the period for compliance with the **[for which the conditional registration will remain valid, and]** conditions that may be set; and

(c) conditions providing for any other matters that may be prescribed.

[(2) A provincial head of social development may assist a drop-in centre to comply with the prescribed national norms and standards contemplated in section 216 and such other requirements as may be prescribed.]''.

Amendment of section 224 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

95. Section 224 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* monitor drop-in centres and conduct regular inspections of **[drop-in]** such centres in the province in collaboration with the municipality where the drop-in centres are situated to enforce the provisions of this Act.''.

Amendment of section 225 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

96. Section 225 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The **[provincial head of]** MEC for social development may, by written agreement with a municipality, assign the performance of some or all of the functions contemplated in sections 217, 218, 219, 220, 221, 222 and 224 to the municipal manager, after consultation with the municipal council, if the **[provincial head of]** MEC for social development is satisfied that the municipality complies with the prescribed requirements with regard to the capacity of that municipality to perform the functions concerned.''; and

(b) by the substitution for subsection (3) of the following subsection:

''(3) The municipal manager referred to in subsection (1) may delegate any power or duty assigned to him or her in terms of this section to a social service **[professional]** practitioner in the employ of the municipality.''.

Amendment of section 226 of Act 38 of 2005, as inserted by section 10 of Act 41 of 2007

97. Section 226 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

''(1) If a child is seriously injured or abused while in a drop-in centre or following an occurrence at a drop-in centre, the person operating the drop-in centre or a person employed at the drop-in centre must immediately report such injury or abuse to the provincial head of social development, who

must **[cause an investigation into the circumstances of the serious injury or abuse to be conducted]** act in accordance with the provisions of section 110(5).''.

Amendment of section 232 of Act 38 of 2005

98. Section 232 of the principal Act is hereby amended—

(a) by the deletion in subsection (1) of the word ''and'' at the end of paragraph *(a)*;

(b) by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* keeping a record of fit and proper adoptive parents**[.]**; and'';

(c) by the addition in subsection (1) after paragraph *(b)* of the following paragraph:

''*(c)* matching adoptable children with prospective adoptive parents.'';

(d) by the substitution for subsection (3) of the following subsection:

''(3) The name and other identifying information of—

(a) a child must be removed, as prescribed, from RACAP if the child has been matched; or

(b) a prospective adoptive parent must be removed, as prescribed, from RACAP, if the prospective adoptive parent has been matched.'';

(e) by the substitution in subsection (4) for paragraph *(b)* of the following paragraph:

''*(b)* the person is a citizen, or a permanent resident, **[of]** residing in the Republic.'';

(f) by the substitution in subsection (5)*(c)* for subparagraph (iv) of the following subparagraph:

''(iv) if the registered person is no longer a citizen, or permanent resident, **[of]** residing in the Republic;'';

(g) by the substitution in subsection (5)*(c)* for subparagraph (v) of the following subparagraph:

''(v) if the child contemplated in section 150 is removed from the care of that registered person; **[or]**'';

(h) by the substitution in subsection (5)*(c)* for subparagraph (vi) of the following subparagraph:

''(vi) if the registered person is convicted of an offence involving violence**[.]**; or'';

(i) by the addition in subsection (5)*(c)* after subparagraph (vi) of the following subparagraph:

''(vii) if an adoption arising from the registration has been concluded.'';

and

(j) by the substitution in subsection (6) for paragraph *(b)* of the following paragraph:

''*(b)* a child protection organisation or a social worker in private practice accredited in terms of section 251 to provide adoption services; or''.

Amendment of section 233 of Act 38 of 2005

99. Section 233 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* each parent of the child, regardless of whether the parents are married or not: Provided that, if the parent is a child, that child-parent is assisted by his or her parent or guardian to make such decision, unless such assistance is dispensed with by the children's court with due regard to the best interests of the adoptable child and the child-parent;''; and

(b) by the substitution for subsection (8) of the following subsection:

''(8) A person referred to in subsection (1) who has consented to the adoption of the child may withdraw the consent within 60 days after having signed the consent, after which the consent is final, irrespective of the period of any delay in finalising the adoption.''.

Amendment of section 234 of Act 38 of 2005

100. Section 234 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) The parent, **[or]** guardian or a family member of a child may, before or during an application for the adoption of a child is made in terms of section 239, enter into a post-adoption agreement with a prospective adoptive parent of that child to provide for—''; and

(b) by the substitution for subsection (4) of the following subsection:

''(4) A court may, when granting an application in terms of section 239 for the adoption of a child—

(a) confirm a post-adoption agreement if it is in the best interest of a child; or

(b) direct that the parties consider a post-adoption agreement, including through mediation if necessary.''.

Amendment of section 236 of Act 38 of 2005

101. Section 236 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* is incompetent to give consent due to mental illness or a mental health disability as supported by a report from a suitably qualified person in accordance with the Mental Health Care Act, 2002 (Act No. 17 of 2002);'';

(b) by the deletion in subsection (3) of the word ''or'' at the end of paragraph *(b)*;

(c) by the substitution in subsection (3) for paragraph *(c)* of the following paragraph:

''*(c)* the court, following an allegation by the mother of a child, finds on a balance of probabilities that the child was conceived as a result of the rape of the mother: Provided that such a finding shall not constitute a conviction for the crime of rape**[.]**; or''; and

(d) by the addition in subsection (3) after paragraph *(c)* of the following paragraph:

''*(d)* the court, following an allegation by the mother of the child, finds on a balance of probabilities that the child was conceived as a result of the mother being a victim of human trafficking: Provided that such a finding shall not constitute a conviction for human trafficking.''.

Amendment of section 239 of Act 38 of 2005

102. Section 239 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* be accompanied by a report, in the prescribed format, by **[an adoption]** a social worker responsible for adoption, containing—'';

(b) by the substitution in subsection (1) for paragraph *(d)* of the following paragraph:

''*(d)* be accompanied by a letter **[by]** from the provincial head of social development **[recommending]** confirming compliance with the requirements for the adoption of the child in terms of this Act; and''; and

(c) by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

''*(e)* contain such **[prescribed]** particulars as may be determined in terms this Act.''.

Amendment of section 243 of Act 38 of 2005

103. Section 243 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) A High Court or children's court may rescind an adoption order on application made terms of the relevant rules of the court''.

(b) by the deletion in subsection (4) of the word ''and'' at the end of paragraph *(c)*; and

(c) by the insertion in subsection (4) after paragraph *(c)* of the following paragraphs:

''(*c*A) the adoption registrar contemplated in section 247;

(cB) the relevant provincial head of social development;''.

Deletion of section 249 of Act 38 of 2005

104. Section 249(2)(a) - (g) of the principal Act is hereby deleted.

Amendment of section 250 of Act 38 of 2005, as inserted by section 11 of Act 41 of 2007

105. Section 250 of the principal Act is hereby amended—

(a) by the substitution for the words preceding paragraph *(a)* of the following words:

''**[(1)]** No person may provide adoption services, except—";

(b) by the deletion in subsection (1) of the word ''or'' at the end of paragraph *(c)*;

(c) by the substitution in subsection (1) for paragraph *(d)* of the following paragraph:

''*(d)* a child protection organisation accredited in terms of section 259 to provide inter-country adoption service**[.]**; and'';

(d) by the addition in subsection (1) after paragraph *(d)* of the following paragraph:

''*(e)* a social worker employed by the Department or a provincial department of social development who provides adoption services.''; and

(e) by the deletion of subsections (2) and (3).

Amendment of section 251 of Act 38 of 2005

106. Section 251 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsections:

''(1A) The Director-General may, in the form and manner prescribed, withdraw an accreditation to provide adoption services.

(1B) The Director-General must strengthen the monitoring of child protection organisations and any person providing adoption services in a prescribed manner.".

Amendment of section 252 of Act 38 of 2005

107. Section 252 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* **[an advertisement]** a notice by a **[child protection organisation accredited to provide adoption services]** social worker responsible for adoption for purposes of recruitment of prospective adoptive parents, according to prescribed guidelines;''; and

(b) by the substitution in subsection (2) for paragraph *(c)* of the following paragraph:

''*(c)* other forms of **[advertisements]** notices specified by regulation.''.

Amendment of section 253 of Act 38 of 2005

108. Section 253 of the principal Act is hereby amended—

(a) by the substitution for paragraph *€* of the following paragraph:

(c) ''*(e)* prescribing the requirements that a child **[welfare]** protection organisation **[has to]** must comply with in order to obtain **[for]** accreditation as contemplated in section 251 to provide adoption services;'*)* by the substitution for paragraph *(f)* of the following paragraph:

''*(f)* prescribing the requirements that a child **[welfare]** protection organisation has to comply with **[for]** in order to obtain accreditation as contemplated in section 259 to provide inter-country adoption services;''; and

(c) by the substitution for paragraph *(g)* of the following paragraph:

''*(g)* prescribing **[advertising]** guidelines for **[recruitment purposes]** the notice to recruit prospective adoptive parents; and''.

Amendment of section 258 of Act 38 of 2005

109. Section 258 of the principal Act is hereby amended by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

''(2) Any powers or duties of the Central Authority of the Republic in terms of Articles 15 to 21 of the **[Convention]** Hague Convention on Inter-Country Adoption and sections 261(2), (3) and (4), 262(2), (3) and (4), 264(2) and (3), and 265(2) and (3) may, to the extent determined by the Central Authority of the Republic, be performed by—''.

Amendment of section 259 of Act 38 of 2005

110. Section 259 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''The Central Authority of the Republic may, on application by a child protection organisation—'';

(b) by the deletion of subsection (3);

(c) by the insertion after subsection (3) of the following subsection:

''(3A) The Central Authority of the Republic may, in the form and manner as prescribed, withdraw an accreditation to provide inter-country adoption services.''; and

(d) by the deletion of subsection (4).

Amendment of section 260 of Act 38 of 2005

111. Section 260 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) A child protection organisation accredited in terms of section 259 to provide inter-country adoption services may enter into an adoption working agreement with a recognised organisation or an accredited adoption agency in another country.'';

(b) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* must provide the Central Authority of the Republic with certified copies of all adoption working agreements entered into by that child protection organisation for approval thereof; and''; and

(c) by the addition after subsection (2) of the following subsection:

''(3) The Central Authority of the Republic may enter into an adoption working agreement with the central authority of another convention country.''.

Amendment of section 261 of Act 38 of 2005

112. Section 261 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

''(2) If the central authority of the convention country concerned is satisfied that the applicant is fit and proper to adopt, it **[shall]** must prepare a report on that person in accordance with the requirements of the Hague Convention on Inter-country Adoption and any prescribed requirements and transmit the report to the Central Authority of the Republic.'';

(b) by the substitution for subsection (3) of the following subsection:

''(3) If an adoptable child is available for inter-country adoption, the Central Authority of the Republic **[will]** must prepare a report on the child in accordance with the requirements of the Hague Convention on Inter-country Adoption and any prescribed requirements and forward it to the central authority of the convention country concerned.'';

(c) by the substitution for subsection (4) of the following subsection:

''(4) If the Central Authority of the Republic and the central authority of the convention country concerned both agree on the adoption, the Central Authority of the Republic **[will]** must refer the application for adoption together with all relevant documents and the reports contemplated in subsections (2) and (3) to the children's court for consideration in terms of section 240.'';

(d) by the substitution in subsection (5) for paragraph *(e)* of the following paragraph:

''*(e)* the central authority of the convention country has agreed to the adoption of the child and has not withdrawn consent;'';

(e) by the substitution in subsection (5) for paragraph *(f)* of the following paragraph:

''*(f)* the Central Authority of the Republic has agreed to the adoption of the child and has not withdrawn consent; and'';

(f) by the substitution for subsection (6) of the following subsection:

''(6) **[*(a)*]** The Central Authority of the Republic may withdraw its consent to the adoption of the child **[within a period of 140 days from the date on which it has consented to the adoption]** at any time before the order for adoption is granted by the court, if it is in the best interests of the child to do so.'';

(g) by the deletion in subsection (6) of paragraph *(b)*;

(h) by the deletion of subsections (7), (8) and (9); and

(i) by the addition after subsection (9) of the following subsection:

''(10) An application for the adoption of a child—

(a) habitually resident in the Republic by a family member resident in a convention country must be dealt with, in the prescribed form and manner, as an inter-country adoption; or

(b) by a person who will become an adoptive parent jointly with the child's biological parent must be dealt with, in the prescribed form and manner, as an inter-country adoption:

Provided that the Central Authority of the Republic may dispense with one or more of the formal requirements of inter-country adoption if it is in the best interests of the child.''.

Amendment of section 262 of Act 38 of 2005

113. Section 262 of the principal Act is hereby amended—

(a) by the substitution for subsection (2) of the following subsection:

''(2) If the competent authority of the non-convention country concerned is satisfied that the applicant is fit and proper to adopt, it **[shall]** must prepare a report on that person in accordance with the prescribed requirements and transmit the report to the Central Authority in the Republic.'';

(b) by the substitution for subsection (3) of the following subsection:

''(3) If an adoptable child is available for inter-country adoption, the Central Authority of the Republic **[will]** must prepare a report on the child in accordance with the prescribed requirements and transmit it to the competent authority in the non-convention country concerned.'';

(c) by the substitution for subsection (4) of the following subsection:

''(4) If the Central Authority of the Republic and the competent authority in the non-convention country concerned both agree to the adoption, the Central Authority of the Republic **[will]** must refer the application for adoption together with all relevant documents and the reports contemplated in subsections (2) and (3) to the children's court for consideration in terms of section 240.'';

(d) by the substitution in subsection (5) for paragraph *(e)* of the following paragraph:

''*(e)* the competent authority of the non-convention country concerned has agreed to the adoption of the child and has not withdrawn consent;'';

(e) by the substitution in subsection (5) for paragraph *(f)* of the following paragraph:

''*(f)* the Central Authority of the Republic has agreed to the adoption of the child and has not withdrawn consent; and'';

(f) by the substitution for subsection (6) of the following subsection:

''(6) **[*(a)*]** The Central Authority of the Republic may withdraw its consent to the adoption of the child **[within a period of 140 days from the date on which it has consented to the adoption]** at any time before the order for adoption is granted by the court, if it is in the best interests of the child to do so.'';

(g) by the deletion in subsection (6) of paragraph *(b)*;

(h) by the deletion of subsection (7);

(i) by the substitution for subsection (8) of the following subsection:

''(8) The adoption of a child ordinarily resident in the Republic—

(a) by a family member of that child resident in a non-convention country; or

(b) by a person who may become an adoptive parent jointly with the child's biological parent,

must be dealt with in the prescribed form and manner as an inter-country adoption: Provided that the Central Authority of the Republic may dispense with one or more of the formal requirements of inter-country

CONTINUES ON PAGE 130 OF BOOK 2

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PART 2 OF 2

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adoption if it is in the best interests of the child concerned in the context of a specific case.''; and

(j) by the deletion of subsection (9).

Amendment of section 263 of Act 38 of 2005

114. The following section is hereby substituted for section 263 of the principal Act:

"**Issue of adoption compliance certificate**

263. If the children's court has approved the adoption of a child in terms of section 261 or 262, the Central Authority of the Republic **[may]** must issue an adoption compliance certificate.''.

Amendment of section 264 of Act 38 of 2005

115. Section 264 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) A person habitually resident in the Republic who wishes to adopt a child habitually resident in a convention country must apply to the Central Authority of the Republic.'';

(b) by the substitution for subsection (2) of the following subsection:

''(2) If the Central Authority of the Republic is satisfied that the applicant is fit and proper to adopt, it **[shall]** must prepare a report on

that person in accordance with the requirements of the Hague Convention on Inter-Country Adoption and any prescribed requirements and transmit the report to the central authority of the convention country concerned.'';

(c) by the substitution for subsection (3) of the following subsection:

''(3) If an adoptable child is available for adoption, the central authority of the convention country concerned **[shall]** must prepare a report on the child in accordance with the requirements of the Hague Convention on Inter-Country Adoption and transmit it to the Central Authority of the Republic.''; and

(d) by the substitution for subsection (4) of the following subsection:

''(4) If the Central Authority of the Republic and the central authority of the convention country concerned both agree to the adoption, the central authority in that country **[will]** must refer the application for adoption for the necessary consent in that country.''.

Amendment of section 265 of Act 38 of 2005

116. Section 265 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) A person habitually resident in the Republic who wishes to adopt a child habitually resident in a non-convention country must apply to the Central Authority of the Republic.'';

(b) by the substitution for subsection (2) of the following subsection:

''(2) If the Central Authority of the Republic is satisfied that the applicant is fit and proper to adopt, it **[shall]** must prepare a report on that person in accordance with the requirements of the non-convention country concerned and transmit the report to the competent authority of that country.'';

(c) by the substitution for subsection (3) of the following subsection:

''(3) If an adoptable child is available for adoption, the competent authority of the non-convention country concerned **[shall]** must prepare a report on the child in accordance with the prescribed requirements and transmit it to the Central Authority of the Republic.''; and

(d) by the substitution for subsection (4) of the following subsection:

''(4) If the Central Authority of the Republic and the competent authority of the non-convention country concerned both agree to the adoption, the competent authority of that country **[will]** must refer the application for adoption for the necessary consent in that country.''.

Amendment of section 266 of Act 38 of 2005

117. Section 266 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

''(1) The adoption in a convention country of a child habitually resident in that convention country by a person habitually resident in the Republic **[shall]** must be recognised in the Republic if an

adoption compliance certificate issued in that country is in force for the adoption.'';

(b) by the substitution for subsection (2) of the following subsection:

''(2) The adoption in a convention country of a child habitually resident in that convention country by a person habitually resident in another convention country **[shall]** must be recognised in the Republic if an adoption compliance certificate issued in the convention country where the adoption was granted is in force for the adoption.'';

(c) by the substitution for subsection (3) of the following subsection:

''(3) If an adoption compliance certificate was not issued in the relevant convention country, the Central Authority of the Republic may issue a declaration, in the prescribed form and manner, recognising the adoption.'';

(d) by the substitution for subsection (5) of the following subsection:

''(5) The adoption of a child referred to in subsections (1) and (2) **[shall]** may not be recognised if a declaration is made in terms of section 270 that an adoption or a decision in terms of article 27 of the Hague Convention on Inter-Country Adoption has no effect in the Republic.''; and

(e) by the insertion after subsection (5) of the following subsection:

''(6) The adoption order made in another country may be recognised in the Republic, irrespective of whether the adopted child is an adult at the time of application for recognition: Provided that the adoption

is in accordance with and has not been rescinded under the law of the country in which the adoption order was made.''.

Amendment of section 268 of Act 38 of 2005

118. The following section is hereby substituted for section 268 of the principal Act:

''**Recognition of inter-country adoption of child from non-convention country**

268. (1) The Central Authority of the Republic may issue a declaration, in the prescribed form and manner, recognising the adoption of a child in a non-convention country if—

(a) the adoption is in accordance with and has not been rescinded under the law of the country in which the adoption order was made; and

(b) the adoption in that country has the same effect it would have had if the order had been made in the Republic.

(2) The adoption in a non-convention country of a child habitually resident in that country by a person habitually resident in another non-convention country must be recognised in the Republic if a confirmation letter was issued in the non-convention country where the adoption order was granted and the confirmation letter was received and registered by the Central Authority of the Republic.''.

Amendment of section 271 of Act 38 of 2005

119. Section 271 of the principal Act is hereby amended—

(a) by the insertion after subsection (1) of the following subsection:

''(1A) A child must be returned, in the prescribed manner, to the country of origin if an adoption application contemplated in section (1) is refused by a children's court.''; and

(b) by the addition after subsection (2) of the following subsection:

''(3) Where guardianship of a child has been granted by a convention country or non-convention country, and such guardianship is not recognised as an adoption by the Central Authority of the Republic, such a case must be referred to a competent court for determination.''.

Insertion of section 278A in Act 38 of 2005

120. The following section is hereby inserted in the principal Act after section 278:

''**Conclusion of proceedings**

278A. (1) An application under this Chapter, for the return of a child, must be brought by an urgent application lodged in the relevant division of the High Court and must, as far as practicable, be concluded within six weeks from the date of filing the application.

(2) In the event of an appeal against the decision of a High Court in an application for the return of a child, such appeal must, as far as practicable, be concluded within six weeks from the date of filing the appeal.

(3)*(a)* A court may only consider the postponement of an application for the return of a child taking into consideration the best interest of the child.

(b) The onus to proof that the best interest of the child exist and that the postponement of an application, referred to in paragraph *(a)*, is justifiable for the period requested, rests with the party requesting the postponement.''.

(3) In the even where a child is repatriated the department must consult the Department of Home Affairs and the boarder management authority.

Amendment of section 279 of Act 38 of 2005

121. The following section is hereby substituted for section 279 of the principal Act:

"**Legal representation**

279. (1) A legal representative must represent the child **[, subject to section 55,]** in all applications in terms of the Hague Convention on International Child Abduction.

(2) Upon issuing of the application by the Registrar the Central Authority of the Republic must bring the application to the attention of the relevant division of the High Court for the appointment of a legal representative for that child.''.

Amendment of section 292 of Act 38 of 2005

122. Section 292 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

''*(c)* at least one of the commissioning parents, or where the commissioning parent is a single person, that person, is at the time of entering into the agreement **[domiciled]** ordinarily resident in the Republic;'';

(b) by the substitution in subsection (1) for paragraph *(d)* of the following paragraph:

''*(d)* the surrogate mother and her husband or partner, if any, are at the time of entering into the agreement **[domiciled]** ordinarily resident in the Republic; and''; and

(c) by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

''*(e)* the agreement is confirmed by the High Court within whose area of jurisdiction the commissioning parent or parents are **[domiciled or habitually]** ordinarily resident.''.

Amendment of section 295 of Act 38 of 2005

123. Section 295 of the principal Act is hereby amended—

(a) by the substitution in paragraph *(b)* for subparagraph (ii) of the following subparagraph:

''(ii) are in all respects, including health and age, suitable persons to accept the parenthood of the child that is to be conceived; and'';

(b) by the substitution in paragraph *(c)* for subparagraph (ii) of the following subparagraph:

''(ii) is in all respects, including health and age, a suitable person to act as surrogate mother;'';

(c) by the deletion in paragraph *(c)* of subparagraphs (vi) and (vii);

(d) by the deletion of the word ''and'' at the end of paragraph *(d)*; and

(e) by the insertion after paragraph *(d)* of the following paragraph:

''*(d*A) the agreement is accompanied by—

(i) a report from a psychologist containing a psychosocial assessment of all parties to the agreement;

(ii) in the case of an agency, an affidavit by such agency describing details, which include the—

(aa) business of the agency;

(bb) agency's involvement relating to the surrogate mother; and

(cc) manner in which information was obtained by the agency relating to the surrogate mother;

(iii) information of any previous confirmed surrogate motherhood agreements or pending matters in court and the status of such matters;

(iv) a medical report regarding the surrogate mother, which must include details as to whether the proposed surrogacy poses any medical risk for her or the child;

(v) an indication of the circumstances under which the commissioning parents and the surrogate mother met and the reasons for the surrogate mother's willingness to act as surrogate;

(vi) an indication of the circumstances of the surrogate mother including her financial position;

(vii) details and proof of payment of any compensation for services rendered as contemplated in section 301(2) and (3) of this Act;

(viii) copies of all agreements between the surrogate mother and any intermediary or any other person who is involved in the process; and

(ix) an exposition of estimated costs pertaining to health insurance and life insurance relating to the surrogate mother; and''.

Amendment of section 297 of Act 38 of 2005

124. Section 297 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph *(e)* of the following paragraph:

''*(e)* subject to sections **[292]** 298 and **[293]** 299, the surrogate motherhood agreement may not be terminated after the artificial fertilisation of the surrogate mother has taken place; and''.

Insertion of section 303A in Act 38 of 2005

125. The following section is hereby inserted in the principal Act after section 303:

''**Regulations**

303A. The Minister may, in consultation with the Minister of Justice and Constitutional Development, Minister of Home Affairs and the Minister of Health, make regulations regarding any matter necessary to facilitate the implementation of this Chapter, including the requirements to be complied with by any person involved in surrogacy.''.

Amendment of section 304 of Act 38 of 2005, as amended by section 12 of Act No 41 of 2007

126. Section 304 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

''**Inspection of child and youth care centre, partial care facility[, shelter] and drop-in centre**'';

(b) by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

''(1) A person authorised by the Director-General, a provincial head of social development or a municipality may enter any child and youth care centre, partial care facility**[, shelter]** or drop-in centre or any place which on reasonable suspicion is being used as an unregistered child and youth care centre, partial care facility**[, shelter]** or drop-in centre, in order—'';

(c) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* to inspect that centre, facility**[, shelter]** or place and its management; or'';

(d) by the substitution in subsection (2) for paragraph *(b)* of the following paragraph:

''*(b)* When inspecting such a centre, facility**[, shelter]** or place, a person authorised in terms of subsection (1) must, on demand, produce such an identity card.''; and

(e) by the substitution in subsection (3) for paragraph *(a)* of the following paragraph:

''*(a)* determine whether the centre, facility**[, shelter]** or place complies with—

(i) the prescribed national norms and standards referred to in section 79, 194 or 216 applicable to it;

(ii) other national norms and standards as may be prescribed by regulation;

(iii) any structural, safety, health and other requirements as may be required by any law; and

(iv) the provisions of this Act;''.

Amendment of section 305 of Act 38 of 2005, as amended by section 13 of Act 41 of 2007 and section 48 of Act 7 of 2013

127. Section 305 of the principal Act is hereby amended—

(a) by the substitution for the heading of the following heading:

''**Offences and penalties**'';

(b) by the substitution in subsection (1) for paragraph *(b)* of the following paragraph:

''*(b)* contravenes a provision of section 6A, 32(4), **[74,]** 116(1), 123(1), (2) or (3), 127, 133(1), 249, 250(1), 252, 273, 301, 302 or 303;'';

(c) by the substitution in subsection (1) for paragraph *(f)* of the following paragraph:

''*(f)* fails to comply with section 80(1), 95(1), 197**[(1)]** or 217(1) after that person has been instructed by way of a notice of enforcement in terms of section 85, 100, 204 or 222 to comply with the relevant section;'';

(d) by the substitution in subsection (1) for paragraph *(q)* of the following paragraph:

''*(q)* contravenes or fails to comply with an order of a High Court, **[Divorce Court]** regional court in a divorce case and children's court issued in terms of this Act, including section 153(6), or

contravenes or fails to comply with any condition contained in such order.''; and

(e) by the substitution in subsection (2) for paragraph *(a)* of the following paragraph:

''*(a)* operates or assists in any way in operating a partial care facility, child and youth care centre**[, shelter]** or drop-in centre;''.

Amendment of section 306 of Act 38 of 2005, as amended by section 14 of Act 41 of 2007

128. Section 306 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

''*(a)* any matter referred to in sections 41A, 90, 103, 142, 149A, 160, 179, 190, 212, 227, 253, **[and]** 280 and 303A;'';

(a) by the substitution in subsection (1) for paragraph (b) of the following paragraph:

"(b) any matter that may be prescribed by the Minister in terms of the Act, after consultation with the Minister for Justice and Constitutional Development **[where courts, court orders and the review of decisions by the courts are regulated**].''.

(b) by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

''*(c)* codes of ethical practice for persons operating and assisting in the operation of child and youth care centres, partial care facilities**[, shelters]** and drop-in centres;'';

(c) by the substitution in subsection (1) for paragraph *(d)* of the following paragraph:

''*(d)* procedures for the interview of persons to be employed or engaged in child and youth care centres, partial care facilities**[, shelters]** and drop-in centres;'';

(d) by the substitution in subsection (2)*(a)* for subparagraph (iii) of the following subparagraph:

''(iii) generally to all child and youth care centres, partial care facilities**[, shelters]** or drop-in centres or to a category of such centres, facilities**[, shelters]** or drop-in centres; or''; and

(e) by the substitution in subsection (2)*(b)* for subparagraph (iii) of the following subparagraph:

''(iii) child and youth care centres, partial care facilities**[, shelters]** or drop-in centres or categories of such centres, facilities**[, shelters]** or drop-in centres.''.

Amendment of section 312 of Act 38 of 2005

129. Section 312 of the principal Act is hereby amended—

(a) by the insertion after subsection (1) of the following subsection:

''(1A) The MEC for social development may, subject to any provincial strategic plan, enter into an agreement with a designated child protection organisation or other appropriate person, for the provision of any service

that may or must be provided in terms of this Act, by such organisation or person on an agency basis in the relevant province.''; and

(b) by the substitution for subsection (2) of the following subsection:

''(2) The Minister or MEC for social development, as the case may be, may delegate to such organisation or person such powers and duties in terms of this Act as may be required for the proper performance of the service.''.

Short title and commencement

130. This Act is called the Children's Amendment Act, 2025 and comes into operation on a date determined by the President by proclamation in the *Gazette*.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 6678 **26 September 2025**

Companies and Intellectual Property Commission
a member of the dtic group

NOTICE TO CUSTOMERS
Notice No.....37.....of 2025

NON-RESPONSE ON THE LINK FOR DIRECTOR'S CHANGE OF CONTACT DETAILS

Please note that we have observed that when there are changes of director contact details which the director concerned has not authorized it, instead of rejecting the application according to the email sent to him/her, they tend to leave it and later complain to the Commission.

The process is as follows, when there are changes for contact details both old and new cell numbers and email addresses are notified so that if the changes are not authorized the right person can reject the unauthorized changes within 24hours, if there is no rejection it will be assumed that the changes are legitimate and the contact details will be updated after 24 hours.

Please check the links sent to you to either approve the changes or reject the changes within 24 hours of receipt of the messages from the Commission, this will prevent unauthorized people from filing purported resignations on behalf of the directors.

Again, when you receive the links from CIPC please ensure that you either **Approve or Reject** the change within 24 hours. Do not remain silent.

Yours Sincerely

.....

Adv. Rory Voller

CIPC Commissioner

Date: .....20..... August 2025

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 6679 **26 September 2025**

Companies and Intellectual Property Commission
a member of the dtic group

PRACTICE NOTE 03 OF 2025

(Issued in terms of Regulation 4(1)(b) of the Companies Act Regulations)

COMPANIES AND THEIR STAKEHOLDERS IN DISPUTE

The Companies and Intellectual Property Commission (CIPC) has as one of its objectives in terms of section 186(1)(b) of the Companies Act 71 of 2008, the maintenance of accurate, up to date and relevant information concerning companies, foreign companies and other juristic persons, and the provision of that information to the public and other organs of state. In achieving this objective, one of the Commission's functions include the receipt and deposit in the registry of any documents required to be filed in terms of the Act.

The Commission has observed through the filing of documentation, especially pertaining to director amendments, that the disputes within companies, between directors themselves and directors and shareholders, manifests itself in removal and appointment of directors. Although an application for removal and/or appointment of a director may comply with legislative and CIPC internal requirements, such submissions lead to a cycle of director amendments and the companies' submitting objections to such filings as provided for in Regulation 168(6) of the Act. The back and forth of amendments, and objections thereto, results in CIPC's objective of maintaining an accurate and up to date registry, being compromised.

In order to ensure that internal company disputes are adjudicated via the correct and relevant platforms, a position has been taken by the Commission that when there are reasonable grounds to believe that the filing of director amendments is not as a result of normal governance processes, the CIPC will stay (freeze) all filings related to director amendments, until the appropriate forum has pronounced on the dispute and a resolution has been reached.

Reasonable grounds, in this instance will, *inter alia*, include situations where two or more director amendments related to the same persons have been filed and the company objected thereto through the abovementioned process.

Section 187(2)(a) of the Companies Act, provides as follows: -

"(2) Other than with respect to matters within the jurisdiction of the Takeover Regulation Panel, the Commission must enforce this Act, by, among other things-

(a) promoting voluntary resolution of disputes arising in terms of this Act between a company on the one hand and a shareholder or director on the other, as contemplated in Part C of Chapter 7, without intervening in, or adjudicating any such dispute;"

The appropriate forums for adjudicating disputes as mentioned above is detailed in section 156 of the Act, which includes the Companies Tribunal and relevant High Courts.

This practice will be effective immediately (from the date of publication) and your co-operation in this regard will be highly appreciated.

We trust that you will find the above in order.

Yours Sincerely,



Adv. Rory Voller
Commissioner: CIPC
24 / 7 / **2025**

PROCLAMATION 291 OF 2025

BY THE

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

NATIONAL PROSECUTING ATHOURITY ACT, 1998

Determination of powers, Duties and Functions of a Special Director of Public prosecutions

Under section 13(1)(c) of the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998), I, hereby confer, impose and assign on or to **Karen Helen van Rensburg**, as Special Director of Public Prosecutions: Strategy, Operations and Compliance (SOC), appointed in terms of the said provisions:

(a) To evaluate the operational needs of top management using management instruments developed for this process.

(b) To develop mentoring and support plans for identified incumbents in partnership with each incumbent.

(c) To assist in providing practical problem-solving support to top management to address risk areas, operational efficiency, remove blockages, innovate and find solutions to burning issues that are preventing performance or that need urgent resolution.

(d) To establish a feedback loop with Deputy National Directors of Public Prosecutions and SOC to ensure coherence of approach and coordination functions of the SDPP.

(e) To carry out any additional functions assigned to the Special Director by the National Director or Deputy National Director of Public Prosecutions: SOC.

(f) To carry out the powers, functions and duties that are conferred, imposed on and assigned to the Head of the Office of Ethics and Accountability, established in terms of the Regulations on the establishment of the Office

for Ethics and Accountability, published in Government Notice No.R4109 in Government Gazette No. 49759 of 24 November 2023.

I further hereby rescind Proclamations No. 56 published in Government Gazette No. 46164 of 01 April 2022, wherein I conferred, imposed and assigned powers, duties and functions on or to **ADV KAREN HELEN VAN RENSBURG** as a Special Director of Public Prosecutions in the SOC.

Given under my hand at Pretoria on this 26 day of March Two thousand and twenty Five.

MC Ramaphosa
President

MT Kubayi
Minister of the Cabinet

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3519 OF 2025

land reform & rural development
Department:
Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Private Bag X833, PRETORIA, 0001; 600 Lillian Ngoyi Street, PRETORIA, 0002
Tel: 012 – 312 8911; E-mail: queries@dlrrd.gov.za; Website: www.dlrrd.gov.za

Form 2

(Regulation 2(1))

DEPARTMENT OF LAND REFORM AND RURAL DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991): SECTION **2**

Notice of an application for conversion of a land tenure right by the Minister

I, Terries Ndove, Deputy Director General of Land Redistribution and Tenure Reform Branch, received an application for the conversion of a land tenure right described below.

Interested persons are hereby informed of the application for the conversion of the land tenure right.

Any person interested in the application may object to such application within a period of (30) thirty days from the publication of this notice. An objection to the application must be lodged at the address below.

1. The name, surname, identity number and residential address of the applicant:

Matlala Sethaba Simon, Identity Number: 6812285667087
Erf Number 5091, Extension 4, Township, Chiawelo, Gauteng Province

No	Name and Surname	Erf Number	Title Number	Identity Number
1.	Matlala Sethaba Simon	Erf 5091 Chiawelo Ext 4	TL51020/1997	681228****087
2.	Mafadza Thambeleni Stephen & Mafadza Elizabeth Mashiloane/	Erf 5931 Dobsonville Ext 1	TL28533/1985	460130****084 501231****080
3.	Radebe Mafika Ephraim & Memani Mumsy Valencia	Erf 356 Vosloorus Ext 7	TL6336/2005	580803****085 741229****086
4.	Hlaisa Simon	Erf 5964 Orlando East	TL16847/2003	530820****084
5.	Mohlabane Bhondiwe Cambridge & Mohlabane Sarah	Erf 10239 Jabavu Ext 3	T63934/1998	530701****089 520209****080
6.	Campher Lloyd Nicholas & Mazibuko Hellen	Erf 4139 Protea Glen Ext 3	TE49858/1995	700619****084 610814****088
7.	Magaseng Marcus & Magaseng Anna Mirriam	Erf 618 Diepkloof Ext	T20009/1995	560404****081 601003****080
8.	Nyikiza Clement Khabonina & Nyikiza Jemina Mamokete	Erf 332 A.P. Khumalo	TL8174/2013	660315****082 640324****088
9.	Mbili Wilfred Thulani	Erf 11250 Kagiso Ext 6	TL53995/2008	631025****084
10.	Lobai Anthony	Erf 11533 Kagiso Ext 6	TL16404/2007	620214****086
11.	Zwane James Zanefa & Zwane Doris Johanna	Erf 17635 Kagiso Ext 12	TL25403/1994	650620****087 630404****087
12.	Rakhudu Alfred & Rakhudu Nomathemba Elizabeth	Erf 7023 Kagiso	TL26271/1987	550910****083 550916
13.	Mohohlo Khophothi Glorina	Erf 18486 Diepkloof	TL29951/1987	361117****084
14.	Tsholetsane Tshongo Simon	Erf 1109 Munsieville	TL7571/2013	550704****080
15.	Chauque Edward &	Erf 84 Mabuya Park	TL16613/2000	710728****081 751002****087

	Matebula Cynthia Tsakane			
16.	Ndlazilwana Nonkosi Frances	Erf 3208 Daveyton	TL22961/1986	1603233
17.	Moshe Daniel Mokgethi & Moshe Mmadillo Emily	Erf 547 Mabuya Park	TL17303/1998	540224****082 520802****082
18.	Mokoena Sesha Henry & Mokoena Ntoetjie Maria	Erf 8943 Tokoza	TL32780/1987	460215****086 401015****089
19.	Ngomani Mzauteti Alexandra	Erf 405 Protea Glen,SOWETO	TL37257/1991	490212****088
20.	Sibisi Mercy	Erf 5054 Chiawelo Ext 4	TL890/1990	551009****082
21.	Maseko Busisiwe	Erf 10772 Tokoza Ext 2	TL44648/2007	780415****082
22.	Benzana David Henry & Benzana Florence	Erf 5550 Mohlakeng Ext 3	TL51613/1991	601102****080 621111****086
23.	Saohatse Mamasole Susan	Erf 6566 Tokoza	TL43760/1987	441012****089
24.	Ngobese Goodstaff David & Buthelezi Gugu Mosley	Erf 6130 Etwatwa Ext 3	TL42415/2005	640216****089 720517****083
25.	Maqelepo Mojabeng Miriam	Erf 267 Phooko Sec, Katlehong.	TL34063/1986	290822****084
26.	Lenkwe Mooketsi Herman & Lenkwe Gertie	Erf 10605 Meadowlands, SOWETO	TL32199/1987	530122 550613****080
27.	Motsoai Ramokgotsi David & Motsoai Baatseba Ndondo Esther	Erf 12250 Meadowlands,SOWETO	TL38423/1989	580110****082 591224****083
28.	Seeletse Thapelo Peter	Erf 1266 Noordgesig Ext 1	TL30551/2012	830306****089
29.	Masinga Mfanfikile Joseph & Masinga Ntsoaki Joyce	Erf 2019 Klipspruit Ext 2, SOWETO	TL29958/1987	540421****084 580618****084

30.	Sekoane Anna	Erf 2509 Tshongweni Sec, Katlehong.	T67136/2001	290227****086
31.	Mhlahlo Duxbury Sindiso	Erf 3065 Vosloorus	TL15556/1987	640825****082
32.	Mosia Joseph Sehloho	Erf 10572 Vosloorus Ext 14	TL48320/1991	491017****082
33.	Mahlanu Mokete Cain	Erf 7856 Vosloorus Ext 9	TL40421/1988	620607****085
34.	Mapaila Molukiseng Jacob & Mapaila Hlamkile Lessaiah	Erf 9370 Daveyton Ext 2	TL48279/1988	450805****089 490214****080
35.	Mnguni Johannes & Mnguni Magumane Agnes	Erf 2150 Daveyton	TL47240/1996	640416****087 630105****086
36.	Nakalebe Jabulile Patricia	Erf 1152 Protea North,SOWETO	T14331/2025	810104****084
37.	Sebobane Yuri & Sebobane Thuli Heather	Erf 11696 Dobsonville Ext 4, SOWETO	TL15678/2001	610620****084 660513****186
38.	Sekano Tlhalefang Anthony	Erf 8134 Dobsonville Ext 2,SOWETO	TL28663/1985	590318****081
39.	Lebethe Patrick Thekiso	Erf 564 Diepkloof Ext, SOWETO	TL26839/1985	461027****081
40.	Masheula David & Masheula (Madibo)Delores	Erf 1160 Protea North, SOWETO	TL4207/1986	590916****082 570914****081
41.	Rantsho Zacharia Rakgale Rantsho Ellen	10926 Daveyton.	TL59138/1993	330617****081 350802****080
42.	Bolosha Bryan Bigboy & Bolosha Anna Thenjiwe	Erf 1036 Etwatwa	TL19257/2000	580424****086 591213****081
43.	Zungu Zilungile Busiswa	Erf 8617 Etwatwa Ext 9	T39747/2024	000410****080
44.	Bantsheng Kagisho Christopher	Erf 4359 Tsakane	TL5165/1986	15/07/36
45.	Mahlangu Fisasi Ben & Mahlangu Ellen Sophie	Erf 1380 Tsakane	TL35996/1988	360602****087 430830****083

46.	Mdhluli Bengani Amos Mdhluli Nonyameko Victoria	Erf 374 Daveyton	TL6627/1998	240415****088 451206****085
47.	Khumalo Nomthandazo Dinah	Erf 492 Zonkizizwe, Katlehong	TL21491/2001	301229****081
48.	Lekoame Rufus Zolile & Lekoame Mavis Gladys & Lekoame	Erf 12104 Kwa-Thema Ext 4	TL46755/1991	590128****086 600901****081
49.	Makoni Lorato Sophie	Erf 1397 Klipspruit Ext 4, SOWETO	TL6687/2006	740805****086
50.	Mdhluli Petrus Kiti & Mdhluli Mmatsheko Elizabeth	Erf 8118 Daveyton	TL32143/1987	360106****081 42/12/13
51.	Mahlanza Anele	Erf 10411 Vosloorus Ext 14	TL37551/1990	560411****085
52.	Mkhabela Sifiso Charles & Mkhabela Khanyisile Patricia	Erf 11170 Vosloorus Ext 14	TL23829/2007	720303****081 740814****089
53.	Nukeri Paris	Erf 117 Mmesi Park	TL55454/1991	641120****086

2. The nature of the land tenure right:

Lease Hold

3. The location of the property by stand number, known name for the area; name of local municipality and the province:

Erf Number 5091, Township Chiawelo, City of Ekurhuleni Metropolitan Municipality, Gauteng Province

4. The description of the property:

House

5. The capacity in which the land tenure right is being held or could have been held by the applicant:

Owner

6. If the application is made on behalf of more than one-person, personal particulars of such other persons:

n/a

7. Address at which objection can be lodged:

(Physical address): Department of Land Reform and Rural Development
600, Lilian Ngoyi, Berea Park
Pretoria
0001
(Email address): queen.filani@dlrrd.gov.za

MR. TERRIES NDOVE
DEPUTY DIRECTOR GENERAL: LAND REDISTRIUTION AND TENURE REFORM
DATE: 2025/09/12

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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3520 OF 2025

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

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claims for restitution of land rights has been submitted to the Regional Land Claims Commissioner the Western Cape. The particulars regarding this claim are as follow:

Project Name : **Adonis Family Claim**

Number of Claims : **1**

Area : **Simonstown**

Claimants : **As listed below**

Property : **As listed below**

Date Submitted : **26 July 1996**

REF NO	CLAIMANT	ORIGINALLY DISPOSSESSED INDIVIDUAL	PROPERTY DESCRIPTION	CURRENT OWNER
KRK6/2/3/A/2/0/105/20/3 13 (A966)	B. Muller	Ann Adonis	Erf 2666 Simonstown	Republic of South Africa

The Regional Land Claims Commission will investigate this claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 90 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X9163
Cape Town
8000

Tel: (021) 409-0300
Fax: (021) 424-5146

CHECKED.....

MR PHILLIP SEHLABELA
RESTITUTION ADVISOR: LEGAL
DATE: 21/08/2025

APPROVED.....

MR L.H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2025/08/27

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3521 OF 2025

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

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights has been submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim is as follows:

Project Names : Williams Family

Number of Claims : 1

Areas : Paarl

Property : Erf 3525 Paarl, Drakenstein Municipality

Type : Ownership

Date submitted : 31st December 1998

Current Owner : Roos Family Trust

Option : Finance

No.	Ref No.	Surname & Initial	Property Description	Area	Extent	Dispossessed Person
1.	C403	M.J Carollissen	Erf 3625	Paarl	9234sqm	Louisa B. Williams

The Regional Land Claims Commission will investigate this claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 14 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X9163
Cape Town
8000
Tel: 021-409 0300
Fax: 021-424-5146
Mr. L.H. Maphutha
Regional Land Claims Commissioner

CHECKED.....
DATE .....21/08/23.....

APPROVED .....
DATE.....2023/08/10.....

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3522 OF 2025

AMENDMENT OF GAZETTE NOTICE NO. 441 OF 2017 [NO.40898 DATED 9 JUNE 2017] IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT No. 22 OF 1994)

Notice is hereby given in terms of Section 11 A (4) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights have been submitted to the Regional Land Claims Commission: Western Cape.

The particulars regarding these claims are as follows:

Claimant	:	Dietrich Family & Fredericks Family (F400/D816)
ODI	:	Dietrich Family
Capacity	:	Beneficial Occupation
Date submitted	:	31 December 1998
Claimed Property	:	Portion 54 of Farm Moutons Valley 79, Pieketberg
Extent	:	18ha

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

Notice is hereby given in terms of Section 11 A (4) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. These claims for the restitution of land rights have been submitted to the Regional Land Claims Commission: Western Cape. The particulars regarding these claims are as follows:

Ref number	Claimants	Claimed property description.	Claim submission date	Extent
D816/F400	Mr Freddie Fredericks & Julian Dietrich	Sunnybrook Farm, being a portion of Moutons Valley in Piketberg	31/12/1998	95.328 Hectares

The Regional Land Claims Commission: Western Cape will investigate this claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 30 days from the publication of this notice, any comments/information to:

The Regional Land Claims Commission: Western Cape
Private Bag X9163
CAPE TOWN
8000
Tel: 021 – 409 0300
Fax: 021 – 424 5146

CHECKED .....
DATE 25/09/2025

Mr. L.H. Maphutha
Regional Land Claims Commissioner

APPROVED .....
DATE 2025/09/26

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3523 OF 2025

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

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights has been submitted to the Regional Land Claims Commission: Western Cape. The particulars regarding this claim are as follows:

Reference Number	:	KRK6/2/3/A/5/56/0/16 (E128)
Dispossessed person	:	Ebenezer Congregational Church (WC)
Property Description	:	Remainder of Erf 1278 and Erf 1279, Kuils River Consolidated into Erf 14615 Kuil's River, measuring 2529m²
Extent	:	2083m² and 447m²
Capacity	:	Ownership
Deed of Acquisition	:	T9143/1940 and T2203/1941
Deed of Transfer	:	T7767/1970
Current Owner	:	Cherjan INV CC
Date Submitted	:	19 May 1998

The Regional Land Claims Commission investigated this claim in terms of provisions of the Act. Any party who has an interest in the land mentioned above is hereby invited to submit, within 14 days from the publication of this notice, any comments/information to:

The Regional Land Claims Commission: Western Cape
Private Bag X 9163
Cape Town
8000

Tel: (021) 409 0300
Fax: (021) 424-5146

Mr. L. H. Maphutha
Regional Land Claims Commissioner

APPROVED .....
DATE 2025/09/29

CHECKED.....
DATE 21/08/2025

DEPARTMENT OF EMPLOYMENT AND LABOUR

NOTICE 3524 OF 2025

PLEASE FIND SET OUT BELOW A LIST OF PRIVATE AGENCIES THAT HAVE BEEN ACCREDITED BY THE CCMA IN TERMS OF THE PROVISIONS OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED) FOR CONCILIATION AND/ OR ARBITRATION AND/ OR INQUIRY BY ARBITRATOR, WITH THE TERMS OF ACCREDITATION ATTACHED FOR THE PERIOD 01 AUGUST 2025 TO THE 31 JULY 2028.

PRIVATE AGENCY ACCREDITED TO CONDUCT CONCILIATION AND ARBITRATION, SUBJECT TO CONDITIONS WHERE APPLICABLE
(RENEWAL OF ACCREDITATION OF PRIVATE AGENCY)

Name of Agency	Accredited Functions
PRIVATE AGENCIES	
Reasonable Resolution (Pty) Ltd	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from **01 August 2025 until 31 July 2028** on condition that all CCMA efficiencies are met.

TERMS OF ACCREDITATION FOR CONCILIATION, ARBITRATION AND INQUIRY BY ARBITRATOR

1. SCOPE OF ACCREDITATION:

Herewith categories of disputes for which Private Agencies are eligible to apply for accreditation.

PRIVATE AGENCIES ARE ACCEDITED TO PERFORM THE FOLLOWING DISPUTE RESOLUTIONS FUNCTIONS:

Unfair dismissal disputes	**- Section 191**
Unfair Labour practice	**- Section 191**
Interpretation of Collective Agreement disputes	**- Section 24 (1)**
Inquiry by Arbitrator	**- Section 188A**
Regulation of non-standard work	**- Section 198, 198A, 198B, 198C and 198D**

PRIVATE AGENCIES MAY NOT SEEK ACCREDITATION FOR THE FOLLOWING DISPUTE RESOLUTION FUNCTIONS REGARDING DISPUTES OVER THE FOLLOWING (see FOOTNOTE 11 of SECTION 51):

Organisational rights (sections 16, 21 and 22);

Collective Agreements where the agreement does not provide for a dispute resolution procedure or the procedure is inoperative or any party frustrates the resolution of disputes (section 24(2) to (5));

Agency shops and closed shops (section 24(6) and (7) and section 26(11);
Determinations made by the Minister in respect of proposals made by a Statutory Council (section 45);
The interpretation and application of Collective Agreements of a Council whose registration has been cancelled (section 61(5) to (8));

Demarcation of sectors and areas of Councils (section 62);

The Interpretation or application of Part C (Bargaining Councils), Part D (Bargaining Councils in the Public Service), Part E (Statutory Councils) and Part F (General Provisions concerning Councils) (Section 63);

Picketing (section 69(8) to 10);

Proposals which are the subject of joint-decision making in a workplace forum (section 86);

Disclosure of information to workplace forums (section 89);

Interpretation or Application of the provisions of Chapter 5 of the LRA which deals with workplace forums (section 94);

Enforcement of the Collective Agreements by Bargaining Councils (section 33A) and;

Enforcement of arbitration awards in terms of section 143. Only the Director of the CCMA, unless the power has been delegated to a CCMA Senior Commissioner may certify awards as if it were an order of the Labour Court;

Facilitating mass retrenchment disputes section 189(A).

2. POWERS OF ACCREDITATION:

Only those persons who are accredited by the CCMA, or are part-time Commissioners appointed by the Governing Body of the Commission in the terms of section 117 (2) of the Labour Relations Act, may perform the accreditation functions of the Agency for the Private Agency.

The following provisions of the LRA, as amended apply to Private Agency accredited for conciliation and arbitration:

(a) For the purpose of this paragraph any reference in Part C of Chapter VII of the LRA to:

"Commission" must be read as a reference to the Private Agency;
"Commissioner" must be read as a reference to a conciliator or arbitrator appointed by the Private Agency.
"Director" must be read as a reference to the CEO of the Private Agency

(b) The provisions of the sections contained in Part C of Chapter VII (section 127(6)) of the LRA shall apply to the Private Agency in the performance of its accredited functions:

(i) The provisions of section 133 to 136;
(ii) The provisions of section 138 to 142, S143,S144 and S145;
(iii) The provisions of section 146
(iv) The provision of 148

3. EXTENSION OF ACCREDITATION:

Despite the expiry of the period of accreditation as stated in the Certificate of Accreditation, the Private Agency may continue to perform its accredited functions in respect of any dispute referred to it during the period of accreditation, but not yet resolved by the time the period expires, until the dispute is resolved either through conciliation or arbitration.

4. TRANSGRESSION OF TERMS OF ACCREDITATION:
If the accredited Private Agency fails to comply with the terms of accreditation, the Governing Body of the CCMA may revoke accreditation. In terms of section 130 of the LRA, as amended the Governing Body of the CCMA may withdraw accreditation after having given reasonable notice of withdrawal.

5. AMENDMENT OF ACCREDITATION:

An Accredited Private Agencies may apply to the Governing Body of the CCMA in terms of section 129 of the LRA to amend its accreditation.

SOUTH AFRICAN RESERVE BANK

NOTICE 3525 OF 2025

THE DEPOSIT INSURANCE REGULATIONS OF 2024

REQUIREMENTS FOR MONTHLY, QUARTERLY, AD HOC, AND RESOLUTION DATA SUBMISSIONS TO THE CORPORATION FOR DEPOSIT INSURANCE

Regulation 27(1) of the Deposit Insurance Regulations of 2024 (Regulations) requires a bank to prepare its total qualifying deposits and total covered deposits using Single Customer View (SCV) calculations. Regulation 27(2) of the Regulations further provides that the Corporation for Deposit Insurance (the Corporation) may issue additional guidelines for the preparation of total qualifying deposits and total covered deposits in accordance with the Regulations.

Regulation 28(1) of the Regulations requires a bank to submit its total qualifying deposits and total covered deposits to the Corporation on a monthly basis, using month-end balances, in the manner and form prescribed by the Corporation. Regulation 28(2) further specifies that a bank must submit its supporting SCV calculations with the total qualifying deposits and total covered deposits to the Corporation on a quarterly basis or at a frequency specified by the Corporation, in the manner and form prescribed by the Corporation.

Regulation 29(1) of the Regulations empowers the Corporation to request a bank to submit ad hoc total qualifying deposits and total covered deposits, together with the supporting SCV calculations. In terms of Regulation 29(2), a bank must provide the Corporation with the requested information within 48 hours of receiving an ad hoc request, using the reporting date specified by the Corporation, in the prescribed manner and form.

In addition to the above, Regulation 30(1) of the Regulations requires a bank to provide the Corporation with its total qualifying deposits and total covered deposits, along with the supporting SCV calculations, within 48 hours from the date the bank is placed in resolution, containing the balances of qualifying products due to a qualifying depositor or formal beneficiary account holder as at the date the bank was placed in resolution.

Regulation 39(1) of the Regulations empowers the Corporation to specify, by notice in the *Government Gazette*, the form and content of reporting and submitting information in terms of the Regulations.

Accordingly, in accordance with Regulation 39(1) of the Regulations, read with Regulations 27(2), 28(1), and 29(2), the Corporation by means of this notice, specify the requirements for monthly, quarterly, ad hoc, and resolution data submissions.

The requirements, as set out in the attached Schedule, shall take effect from 1 October 2025.

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Supersession of Previous Notice

This notice supersedes and replaces the Requirements for monthly data submissions to the Corporation for Deposit Insurance contained in Government Notice No. 2378 published in *Government Gazette* No. 50311 dated 22 March 2024. All provisions contained in the previous notice are hereby revoked and replaced with the provisions set out in this notice.

Sabihah Mohamed

Sabihah Mohamed
Chief Executive Officer: Corporation for Deposit Insurance

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SCHEDULE

REQUIREMENTS FOR MONTHLY, QUARTERLY, AD HOC, AND RESOLUTION DATA SUBMISSIONS TO THE CORPORATION FOR DEPOSIT INSURANCE

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1. Monthly data submissions

1.1 Monthly data requirements

1.1.1 Regulation 28(1) of the Regulations requires a bank to submit its total qualifying deposits and total covered deposits to the Corporation on a monthly basis, using month-end balances, in the manner and form prescribed by the Corporation.

1.1.2 A bank must submit the data fields specified in Table 1 for monthly data submissions.

Table 1: Data field definitions for monthly data submissions

Data field name	Data field ID	Data field description
Member bank code	Member_bank_code	The unique code that CODI allocates to a member bank to identify a member bank.
Reporting date	Reporting_date	The date on which the information for the preparation of SCV calculations is based.
Total qualifying deposits	Total_qualifying_deposits	The total of all qualifying deposit balances at a bank.
Total covered deposits	Total_covered_deposits	The total of all covered deposits at a bank.

1.1.3 A bank must structure the required data fields to align with the structure contained in Table 2.

Table 2: Data field structures for monthly data submissions

Data field name	Data field ID	Data type	Data length	Example format	Mandatory
Member bank code	Member_bank_code	Alphanumeric	9	CODI00080	Yes
Reporting date	Reporting_date	Date (YYYY-MM-DD)	10	2024-09-30	Yes
Total qualifying deposits	Total_qualifying_deposits	Decimal	(20,2)	134212117532123456 33.21	Yes
Total covered Deposits	Total_covered_deposits	Decimal	(20,2)	134212117532123456 33.21	Yes

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1.2 Monthly data submission format

1.2.1 A bank must submit the required data fields to the Corporation in a comma-separated value (CSV) data file format.

1.2.2 A bank may compress the data file in (.ZIP) format for submission to the Corporation.

1.3 Monthly data submission timelines

A bank must submit its total qualifying deposits and total covered deposits to the Corporation within 10 working days following the month-end to which the data submission relates.

1.4 Monthly data submission channels

1.4.1 The Corporation will provide banks with access to its information technology (IT) solution (the Corporation's IT solution). A bank must use the Corporation's IT solution to upload its monthly data submissions using one of the following secure channels[1]—

(a) File Upload;
(b) Application Programming Interface (API); or
(c) Secure File Transfer Protocol (SFTP).

1.4.2 A bank must ensure that its chosen submission method complies with the technical specifications and security protocols prescribed by the Corporation.

2. Quarterly data submissions[2]

2.1 Quarterly data requirements

2.1.1 In terms of Regulation 28(2) of the Regulations, a bank must submit its supporting SCV calculations with the total qualifying deposits and total covered deposits to the Corporation on a quarterly basis or at a frequency specified by the Corporation, in the manner and form prescribed by the Corporation.

2.1.2 A bank must submit the data fields specified in Table 3 for quarterly data submissions.

[1] Refer to the Corporation's Updated Member Bank Data Handbook (Data Handbook) published on its webpage for further guidance on using the submission channels and the data transfer processes: https://resbank.co.za/en/home/what-we-do/Deposit-insurance/member-banks0.
[2] Refer to the Data Handbook for further information on the Data field business rules and Reference data for quarterly data submissions.

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Table 3: Data field definitions for quarterly data submissions

Data field name	Data field ID	Data field description
Record ID	Rec_id	The unique identifier allocated to a record.
Record type	Record_type	The type of record being reported.
Member bank code	Member_bank_code	The unique code that CODI allocates to a member bank to identify a member bank.
Data submission code	Data_submission_code	The unique code that CODI allocates to the data submission type.
Reporting date	Reporting_date	The date on which the information for the preparation of SCV calculations is based.
Classification of depositor	Classification_of_depositor	Classification of depositors according to the South African Reserve Bank's (SARB) Institutional Sector Classification Guide.
Type of depositor	Type_of_depositor	The classification of a depositor as an account holder or beneficiary.
Identification type of natural person	Identification_type_of_natural_person	The type of identification document of a natural person.
Identification number of natural person	Identification_number_of_natural_person	The official identification number of a natural person as per the identification document.
Names	Names	Names of depositor according to the identification document (of a natural person). Please note that multiple names must be reported with spaces in between them.
Surname	Surname	Surname of depositor as reflected on the identification document (natural persons).
Identification type of institution	Identification_type_of_institution	The type of identification of the institution.
Identification number of institution	Identification_number_of_institution	The registration number of the institution as per the registration document or identification document.
Name of institution	Name_of_institution	The legal name of the institution as reflected on the registration document or identification document.
Identification document expiry date	Identification_document_expiry_date	The expiry date of the identification document of a natural person or an institution.
Address type	Address_type	The address type of the depositor, which can be a formal or informal address. 'Formal address' means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number.

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Data field name	Data field ID	Data field description
		'Informal address' means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
Address line 1	Address_line_1	The address line 1 of the depositor's address.
Address line 2	Address_line_2	The address line 2 of the depositor's address.
Address line 3	Address_line_3	The address line 3 of the depositor's address.
City	City	The name of town or city of the depositor.
Province	Province	The province of the depositor.
Postal code	Postal_code	The postal code of the depositor.
Email address	Email_address	The email address of the depositor.
Primary phone number	Primary_phone_number	The primary phone number of the depositor. If the primary phone number starts with '0': the length of the primary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the primary phone number starts with '+': the length of the primary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
Secondary phone number	Secondary_phone_number	The secondary phone number of the depositor. If the secondary phone number starts with '0': the length of the secondary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the secondary phone number starts with '+': the length of the secondary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
Depositor reliably identified	Depositor_reliably_identified	An indication that the identity of the depositor has been reliably verified in terms of the Financial Intelligence Centre Act 38 of 2001 (FIC Act).
Depositor status indicator	Depositor_status_indicator	The ready-for-payout (RFP) or not-ready-for-payout (NRP) status indicator of the depositor.
Reason for depositor NRP status	Reason_for_depositor_nrp_status	The reason for the depositor's not-ready-for-payout (NRP) status.

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Data field name	Data field ID	Data field description
Other reasons for depositor NRP status	Other_reasons_for_depositor_nrp_status	The description of other reasons for the depositor's not-ready-for-payout (NRP) status.
Account category	Account_category	The classification of account into Simple account (SA), Formal beneficiary account (FBA) and Informal beneficiary account (IBA).
Product type	Product_type	The classification of different qualifying products offered by the bank to the depositor.
Product type, other	Product_type_other	The description of other types of qualifying products offered by the bank to the depositor.
Product name	Product_name	The name of the qualifying product offered by the bank to the depositor.
Account number	Account_number	The unique number used to identify the account of the depositor.
Account status indicator	Account_status_indicator	The ready-for-payout (RFP) or not-ready-for-payout (NRP) status indicator of the depositor's account.
Reason for account NRP status	Reason_for_account_nrp_status	The reason for the depositor's account having a not-ready-for-payout (NRP) status.
Other reasons for account NRP status	Other_reasons_for_account_nrp_status	The description of other reasons for the depositor's account having a not-ready-for-payout (NRP) status.
Joint account flag	Joint_account_flag	The indicator that the account is a joint account.
Share in joint account	Share_joint_account	The percentage split of the joint account owned by the account holder.
Pledged account flag	Pledged_account_flag	The indicator that the account is pledged.
Base currency	Base_currency	The currency of the account balance.
Account balance in base currency	Base_currency_account_balance	The account balance in base currency.
Base currency exchange rate to ZAR	Base_currency_exchange_rate_to_zar	The exchange rate applied by the bank to the base currency account balance for reporting in ZAR. This is the close of business market exchange rate at the reporting date.
Account balance in ZAR	Account_balance_zar	The depositor's account balance in ZAR.
Account pledged balance in ZAR	Account_pledged_balance_zar	The pledged amount of the depositor's account reported in ZAR.
Joint account share balance in ZAR	Joint_account_share_balance_zar	The depositor's share in the joint account in ZAR.
Beneficiary balance in ZAR	Beneficiary_balance_zar	The beneficiary's share in the FBA in ZAR.
IBA pro rata calculation ratio	Iba_pro_rata_calculation_ratio	The ratio used for pro rata calculations of reimbursement amounts to be made available to an IBA holder where the account holder has multiple accounts with different signatories.

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Data field name	Data field ID	Data field description
Qualifying balance	Qualifying_balance	The depositor's account balance in the qualifying account in ZAR.
Qualifying deposit balance	Qualifying_deposit_balance	The sum of all qualifying deposits of a depositor in ZAR.
Qualifying deposit balance – RFP	Qualifying_deposit_balance_rfp	The sum of all qualifying deposits of a depositor which are ready-for-payout (RFP).
Qualifying deposit balance – NRP	Qualifying_deposit_balance_nrp	The sum of all qualifying deposits of a depositor which are not-ready-for-payout (NRP).
Covered balance	Covered_balance	The covered deposits of a depositor in ZAR.
Covered balance – RFP	Covered_balance_rfp	The covered deposits of a depositor which are ready-for-payout (RFP).
Covered balance – NRP	Covered_balance_nrp	The covered deposits of a depositor which are not-ready-for-payout (NRP).
Total qualifying deposits	Total_qualifying_deposits	The sum of all qualifying deposits at the bank.
Total qualifying deposits – RFP	Total_qualifying_deposits_rfp	The sum of all qualifying deposits which are ready-for-payout (RFP) at the bank.
Total qualifying deposits – NRP	Total_qualifying_deposits_nrp	The sum of all qualifying deposits which are not-ready-for-payout (NRP) at the bank.
Total covered deposits	Total_covered_deposits	The sum of all covered deposits at the bank.
Total covered deposits – RFP	Total_covered_deposits_rfp	The sum of all covered deposits which are ready-for-payout (RFP) at the bank.
Total covered deposits – NRP	Total_covered_deposits_nrp	The sum of all covered deposits which are not-ready-for-payout (RFP) at the bank.
FBA holder identification type of natural person	FBA_holder_identification_type_of_natural_person	The type of identification document of a natural person.
FBA holder identification number of natural person	FBA_holder_identification_number_of_natural_person	The official identification number of a natural person as per the identification document.
FBA holder names	FBA_holder_names	Names of FBA holder as reflected on the identification document. Please note that multiple names must be reported with spaces in between them.
FBA holder surname	FBA_holder_surname	Surname of FBA holder as reflected on the identification document.
FBA holder identification type of institution	FBA_holder_identification_type_of_institution	The type of identification document of the FBA holder.
FBA holder identification number of institution	FBA_holder_identification_number_of_institution	The official identification number of the FBA holder as per the identification document.
FBA holder name of institution	FBA_holder_name_of_institution	Names of the FBA holder as reflected on the identification document.
FBA holder identification document expiry date	FBA_holder_identification_document_expiry_date	The expiry date of the identification document of the FBA holder.

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Data field name	Data field ID	Data field description
FBA holder address type	FBA_holder_address_type	The address type of the FBA holder, which can be a formal or informal address. 'Formal address' means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number. 'Informal address' means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
FBA holder address line 1	FBA_holder_address_line_1	The address line 1 of the FBA holder address.
FBA holder address line 2	FBA_holder_address_line_2	The address line 2 of the FBA holder address.
FBA holder address line 3	FBA_holder_address_line_3	The address line 3 of the FBA holder address.
FBA holder city	FBA_holder_city	The name of town or city of the FBA holder.
FBA holder province	FBA_holder_province	The province of the FBA holder.
FBA holder postal code	FBA_holder_postal_code	The postal code of the FBA holder.
FBA holder email address	FBA_holder_email_address	The email address of the FBA holder.
FBA holder primary phone number	FBA_holder_primary_phone_number	The primary phone number of the FBA holder. If the primary phone number starts with '0': the length of the primary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the primary phone number starts with '+': the length of the primary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
FBA holder secondary phone number	FBA_holder_secondary_phone_number	The secondary phone number of the FBA holder. If the secondary phone number starts with '0': the length of the secondary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the secondary phone number starts with '+': the length of the secondary phone number should be "Minimum

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Data field name	Data field ID	Data field description
		10 & “Maximum 20” including “+ Country Code”.
FBA holder reliably identified	FBA_holder_reliably_identified	An indication that the identity of the FBA holder has been reliably verified in terms of the FIC Act.
FBA holder status indicator	FBA_Holder_status_indicator	The RFP or NRP status indicator of the FBA holder.
Reason for FBA holder NRP status	Reason_for_FBA_Holder_nrp_status	The reason for the FBA holder's NRP status.
Other reasons for FBA holder NRP status	Other_reasons_for_FBA_Holder_nrp_status	The description of other reasons for the FBA holder's NRP status.
Type of representation	Type_of_representation	The classification of the representative of a depositor's account.
Representative 1 identification type of natural person	Representative_1_identification_type_of_natural_person	The type of identification document of a representative.
Representative 1 identification number of natural person	Representative_1_identification_number_of_natural_person	The official identification number of a representative as per the identification document.
Representative 1 identification document expiry date	Representative_1_identification_document_expiry_date	The expiry date of the identification document of a representative.
Representative 1 names	Representative_1_names	Names of representative according to the identification document. Please note that multiple names must be reported with spaces in between them.
Representative 1 surname	Representative_1_surname	Surname of representative as reflected on the identification document.
Representative 1 address type	Representative_1_address_type	The address type of the representative, which can be a formal or informal address. ‘Formal address’ means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number. ‘Informal address’ means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
Representative 1 address line 1	Representative_1_address_line_1	The address line 1 of the representative address.
Representative 1 address line 2	Representative_1_address_line_2	The address line 2 of the representative address.
Representative 1 address line 3	Representative_1_address_line_3	The address line 3 of the representative address.

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Data field name	Data field ID	Data field description
Representative 1 city	Representative_1_city	The name of town or city of the representative.
Representative 1 province	Representative_1_province	The province of the representative.
Representative 1 postal code	Representative_1_postal_code	The postal code of the representative.
Representative 1 email address	Representative_1_email_address	The email address of the representative.
Representative 1 primary phone number	Representative_1_primary_phone_number	The primary phone number of the representative. If the primary phone number starts with '0': the length of the primary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the primary phone number starts with '+': the length of the primary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 1 secondary phone number	Representative_1_secondary_phone_number	The secondary phone number of the representative. If the secondary phone number starts with '0’: the length of the secondary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the secondary phone number starts with '+': the length of the secondary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 1 representative reliably identified	Representative_1_representative_reliably_identified	An indication that the identity of the representative has been reliably verified in terms of the FIC Act.
Representative 1 status indicator	Representative_1_status_indicator	The RFP or NRP status indicator of the representative.
Reason for representative 1 NRP status	Reason_for_representative_1_nrp_status	The reason for the representative's NRP status.
Other reasons for representative 1 NRP status	Other_reasons_for_representative_1_nrp_status	The description of other reasons for the representative's NRP status.
Representative 2 identification type of natural person	Representative_2_identification_type_of_natural_person	The type of identification document of a representative.
Representative 2 identification number of natural person	Representative_2_identification_number_of_natural_person	The official identification number of a representative as per the identification document.
Representative 2 identification document expiry date	Representative_2_identification_document_expiry_date	The expiry date of the identification document of a representative.

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Data field name	Data field ID	Data field description
Representative 2 names	Representative_2_names	Names of representative according to the identification document. Please note that multiple names must be reported with spaces in between them.
Representative 2 surname	Representative_2_surname	Surname of representative as reflected on the identification document.
Representative 2 address type	Representative_2_address_type	The address type of the representative, which can be a formal or informal address. 'Formal address' means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number. 'Informal address' means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
Representative 2 address line 1	Representative_2_address_line_1	The address line 1 of the representative address.
Representative 2 address line 2	Representative_2_address_line_2	The address line 2 of the representative address.
Representative 2 address line 3	Representative_2_address_line_3	The address line 3 of the representative address.
Representative 2 city	Representative_2_city	The name of town or city of the representative.
Representative 2 province	Representative_2_province	The province of the representative.
Representative 2 postal code	Representative_2_postal_code	The postal code of the representative.
Representative 2 email address	Representative_2_email_address	The email address of the representative.
Representative 2 primary phone number	Representative_2_primary_phone_number	The primary phone number of the representative. If the primary phone number starts with '0': the length of the primary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the primary phone number starts with '+': the length of the primary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
Representative 2 secondary phone number	Representative_2_secondary_phone_number	The secondary phone number of the representative.

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Data field name	Data field ID	Data field description
		If the secondary phone number starts with '0': the length of the secondary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the secondary phone number starts with '+': the length of the secondary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 2 representative reliably identified	Representative_2_representative_reliably_identified	An indication that the identity of the representative has been reliably verified in terms of the FIC Act.
Representative 2 status indicator	Representative_2_status_indicator	The RFP or NRP status indicator of the representative.
Reason for representative 2 NRP status	Reason_for_representative_2_nrp_status	The reason for the representative's NRP status.
Other reasons for representative 2 NRP status	Other_reasons_for_representative_2_nrp_status	The description of other reasons for the representative's NRP status.
Representative 3 identification type of natural person	Representative_3_identification_type_of_natural_person	The type of identification document of a representative.
Representative 3 identification number of natural person	Representative_3_identification_number_of_natural_person	The official identification number of a representative as per the identification document.
Representative 3 identification document expiry date	Representative_3_identification_document_expiry_date	The expiry date of the identification document of a representative.
Representative 3 names	Representative_3_names	Names of representative according to the identification document. Please note that multiple names must be reported with spaces in between them.
Representative 3 surname	Representative_3_surname	Surname of representative as reflected on the identification document.
Representative 3 address type	Representative_3_address_type	The address type of the representative, which can be a formal or informal address. ‘Formal address’ means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number. ‘Informal address’ means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.

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Data field name	Data field ID	Data field description
Representative 3 address line 1	Representative_3_address_line_1	The address line 1 of the representative address.
Representative 3 address line 3	Representative_3_address_line_2	The address line 2 of the representative address.
Representative 3 address line 3	Representative_3_address_line_3	The address line 3 of the representative address.
Representative 3 city	Representative_3_city	The name of town or city of the representative.
Representative 3 province	Representative_3_province	The province of the representative.
Representative 3 postal code	Representative_3_postal_code	The postal code of the representative.
Representative 3 email address	Representative_3_email_address	The email address of the representative.
Representative 3 primary phone number	Representative_3_primary_phone_number	The primary phone number of the representative. If the primary phone number starts with '0': the length of the primary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the primary phone number starts with '+': the length of the primary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 3 secondary phone number	Representative_3_secondary_phone_number	The secondary phone number of the representative. If the secondary phone number starts with '0’: the length of the secondary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the secondary phone number starts with '+': the length of the secondary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 3 representative reliably identified	Representative_3_representative_reliably_identified	An indication that the identity of the representative has been reliably verified in terms of the FIC Act.
Representative 3 status indicator	Representative_3_status_indicator	The RFP or NRP status indicator of the representative.
Reason for representative 3 NRP status	Reason_for_representative_3_nrp_status	The reason for the representative's NRP status.
Other reasons for representative 3 NRP status	Other_reasons_for_representative_3_nrp_status	The description of other reasons for the representative's NRP status.
Representative 4 identification type of natural person	Representative_4_identification_type_of_natural_person	The type of identification document of a representative.

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Data field name	Data field ID	Data field description
Representative 4 identification number of natural person	Representative_4_identification_number_of_natural_person	The official identification number of a representative as per the identification document.
Representative 4 identification document expiry date	Representative_4_identification_document_expiry_date	The expiry date of the identification document of a representative.
Representative 4 names	Representative_4_names	Names of representative according to the identification document. Please note that multiple names must be reported with spaces in between them.
Representative 4 surname	Representative_4_surname	Surname of representative as reflected on the identification document.
Representative 4 address type	Representative_4_address_type	The address type of the representative, which can be a formal or informal address. 'Formal address' means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number. 'Informal address' means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
Representative 4 address line 1	Representative_4_address_line_1	The address line 1 of the representative address.
Representative 4 address line 4	Representative_4_address_line_2	The address line 2 of the representative address.
Representative 4 address line 4	Representative_4_address_line_3	The address line 3 of the representative address.
Representative 4 city	Representative_4_city	The name of town or city of the representative.
Representative 4 province	Representative_4_province	The province of the representative.
Representative 4 postal code	Representative_4_postal_code	The postal code of the representative.
Representative 4 email address	Representative_4_email_address	The email address of the representative.
Representative 4 primary phone number	Representative_4_primary_phone_number	The primary phone number of the representative. If the primary phone number starts with '0': the length of the primary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the primary phone number starts with '+': the length of the primary

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Data field name	Data field ID	Data field description
		phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 4 secondary phone number	Representative_4_secondary_phone_number	The secondary phone number of the representative. If the secondary phone number starts with '0’: the length of the secondary phone number should be “Minimum 10 & “Maximum 20” inclusive of the “0”. If the secondary phone number starts with '+': the length of the secondary phone number should be “Minimum 10 & “Maximum 20” including “+ Country Code”.
Representative 4 representative reliably identified	Representative_4_representative_reliably_identified	An indication that the identity of the representative has been reliably verified in terms of the FIC Act.
Representative 4 status indicator	Representative_4_status_indicator	The RFP or NRP status indicator of the representative.
Reason for representative 4 NRP status	Reason_for_representative_4_nrp_status	The reason for the representative's NRP status.
Other reasons for representative 4 NRP status	Other_reasons_for_representative_4_nrp_status	The description of other reasons for the representative's NRP status.
Representative 5 identification type of natural person	Representative_5_identification_type_of_natural_person	The type of identification document of a representative.
Representative 5 identification number of natural person	Representative_5_identification_number_of_natural_person	The official identification number of a representative as per the identification document.
Representative 5 identification document expiry date	Representative_5_identification_document_expiry_date	The expiry date of the identification document of a representative.
Representative 5 names	Representative_5_names	Names of representative according to the identification document. Please note that multiple names must be reported with spaces in between them.
Representative 5 surname	Representative_5_surname	Surname of representative as reflected on the identification document.
Representative 5 address type	Representative_5_address_type	The address type of the representative, which can be a formal or informal address. ‘Formal address’ means a structured description of an address with a minimum of a street name, town or city, postal code and country as well as optional information about a building name, building number and street number.

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Data field name	Data field ID	Data field description
		'Informal address' means a free-form description of an address with optional street or landmark information but with a minimum of town or city, postal code and country.
Representative 5 address line 1	Representative_5_address_line_1	The address line 1 of the representative address.
Representative 5 address line 5	Representative_5_address_line_2	The address line 2 of the representative address.
Representative 5 address line 5	Representative_5_address_line_3	The address line 3 of the representative address.
Representative 5 city	Representative_5_city	The name of town or city of the representative.
Representative 5 province	Representative_5_province	The province of the representative.
Representative 5 postal code	Representative_5_postal_code	The postal code of the representative.
Representative 5 email address	Representative_5_email_address	The email address of the representative.
Representative 5 primary phone number	Representative_5_primary_phone_number	The primary phone number of the representative. If the primary phone number starts with '0': the length of the primary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the primary phone number starts with '+': the length of the primary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
Representative 5 secondary phone number	Representative_5_secondary_phone_number	The secondary phone number of the representative. If the secondary phone number starts with '0': the length of the secondary phone number should be "Minimum 10 & "Maximum 20" inclusive of the "0". If the secondary phone number starts with '+': the length of the secondary phone number should be "Minimum 10 & "Maximum 20" including "+ Country Code".
Representative 5 representative reliably identified	Representative_5_representative_reliably_identified	An indication that the identity of the representative has been reliably verified in terms of the FIC Act.
Representative 5 status indicator	Representative_5_status_indicator	The RFP or NRP status indicator of the representative.
Reason for representative 5 NRP status	Reason_for_representative_5_nrp_status	The reason for the representative's NRP status.

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Data field name	Data field ID	Data field description
Other reasons for representative 5 NRP status	Other_reasons_for_representative_5_nrp_status	The description of other reasons for the representative's NRP status.

2.1.3 A bank must structure the required data fields for quarterly data submissions to align with the structure in Table 4.

Table 4: Data field structures for quarterly data submissions

Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Record ID	Rec_id	Alphanumeric	30		1	Mandatory
Record type	Record_type	Alphabets	3	Yes	ACC	Mandatory
Member bank code	Member_bank_code	Alphanumeric	9		CODI00080	Mandatory
Data submission code	Data_submission_code	Alphanumeric	10	Yes	R006	Mandatory
Reporting date	Reporting_date	Date (YYYY-MM-DD)	10		2024-09-30	Mandatory
Classification of depositor	Classification_of_depositor	Alphabets	3	Yes	NPR	Mandatory
Type of depositor	Type_of_depositor	Alphabets	3	Yes	ACH	Mandatory
Identification type of natural person	Identification_type_of_natural_person	Alphabets	3	Yes	NID	Mandatory
Identification number of natural person	Identification_number_of_natural_person	Alphanumeric	30		9211300534085	Mandatory
Names	Names	Characters	100		"Mike'le"	Mandatory
Surname	Surname	Characters	100		"Mkhize"	Mandatory
Identification type of institution	Identification_type_of_institution	Alphabets	3	Yes	CRN	Mandatory
Identification number of institution	Identification_number_of_institution	Alphanumeric	100		1991/755360/99	Mandatory
Name of institution	Name_of_institution	Characters	100		"XDS Attorneys"	Mandatory
Identification document expiry date	Identification_document_expiry_date	Date (YYYY-MM-DD)	10		2025-10-07	If applicable
Address type	Address_type	Alphabets	3	Yes	FOA	Mandatory
Address line 1	Address_line_1	Characters	100		"89 Mandela Road"	Mandatory
Address line 2	Address_line_2	Characters	100			If applicable
Address line 3	Address_line_3	Characters	100			If applicable
City	City	Characters	100		"Mafikeng"	Mandatory
Province	Province	Alphabets	3	Yes	NWP	Mandatory
Postal code	Postal_code	Character	100		6013	Mandatory
Email address	Email_address	Characters	100		"admin@milaaccountants.co.za"	Mandatory
Primary phone number	Primary_phone_number	Characters	20		+27123456789	Mandatory

[3] Predefined lists refer to reference data, defined by the Corporation, which require values to be reported from a specified set of allowable options for each applicable data field. For the complete set of reference data items, refer to the Data Handbook published on the Corporation's webpage: https://resbank.co.za/en/home/what-we-do/Deposit-insurance/member-banks0.

[4] "Mandatory" means the field must always be completed. "If Applicable" means the field must be completed only when specific conditions are met, as outlined in the relevant business rules. For the complete set of business rules, please refer to the Data Handbook.

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Secondary phone number	Secondary_phone_number	Characters	20		+27123456789	If applicable
Depositor reliably identified	Depositor_reliably_identified	Alphabets	3	Yes	YES	Mandatory
Depositor status indicator	Depositor_status_indicator	Alphabets	3	Yes	NRP	Mandatory
Reason for depositor NRP status	Reason_for_depositor_nrp_status	Alphabets (multiple values)	3	Yes	"MLC,LRN,OTR"	If applicable
Other reasons for depositor NRP status	Other_reasons_for_depositor_nrp_status	Alphanumeric	100		"Documents not updated by depositor"	If applicable
Account category	Account_category	Alphabets	3	Yes	SIA	Mandatory
Product type	Product_type	Alphabets	3	Yes	TSA	Mandatory
Product type, other	Product_type_other	Characters	100		"Deposits with flexible term and rate of interest'	If applicable
Product name	Product_name	Characters	50		"Fixed Deposit"	Mandatory
Account number	Account_number	Alphanumeric	50		9788600888999	Mandatory
Account status indicator	Account_status_indicator	Alphabets	3	Yes	NRP	Mandatory
Reason for account NRP status	Reason_for_account_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for account NRP status	Other_reasons_for_account_nrp_status	Characters	100		"Fraudulent activities"	If applicable
Joint account flag	Joint_account_flag	Alphabets	3	Yes	YES	Mandatory
Share in joint account	Share_joint_account	Decimal	(1,3)		0.253	If applicable
Pledged account flag	Pledged_account_flag	Alphabets	3	Yes	NO	Mandatory
Base currency	Base_currency	Alphabets	3	Yes	USD	Mandatory
Account balance in base currency	Base_currency_account_balance	Decimal	(20,2)		100.00	Mandatory
Base currency exchange rate to ZAR	Base_currency_exchange_rate_to_zar	Decimal	(20,2)		18.00	If applicable
Account balance in ZAR	Account_balance_zar	Decimal	(20,2)		1800.00	Mandatory
Account pledged balance in ZAR	Account_pledged_balance_zar	Decimal	(20,2)		10000.00	If applicable
Joint account share balance in ZAR	Joint_account_share_balance_zar	Decimal	(20,2)		77000.00	If applicable
Beneficiary balance in ZAR	Beneficiary_balance_zar	Decimal	(20,2)		25000.00	If applicable
IBA pro rata calculation ratio	Iba_pro_rata_calculation_ratio	Decimal	(1,3)		0.345	If applicable
Qualifying balance	Qualifying_balance	Decimal	(20,2)		10000.00	Mandatory
Qualifying deposit balance	Qualifying_deposit_balance	Decimal	(20,2)		10000.00	Mandatory
Qualifying deposit balance - RFP	Qualifying_deposit_balance_rfp	Decimal	(20,2)		10000.00	Mandatory
Qualifying deposit balance - NRP	Qualifying_deposit_balance_nrp	Decimal	(20,2)		10000.00	Mandatory
Covered balance	Covered_balance	Decimal	(20,2)		10000.00	Mandatory

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Covered balance - RFP	Covered_balance_rfp	Decimal	(20,2)		10000.00	Mandatory
Covered balance – NRP	Covered_balance_nrp	Decimal	(20,2)		10000.00	Mandatory
Total qualifying deposits	Total_qualifying_deposits	Decimal	(20,2)		10000.00	Mandatory
Total qualifying deposits - RFP	Total_qualifying_deposits_rfp	Decimal	(20,2)		10000.00	Mandatory
Total qualifying deposits - NRP	Total_qualifying_deposits_nrp	Decimal	(20,2)		10000.00	Mandatory
Total covered deposits	Total_covered_deposits	Decimal	(20,2)		10000.00	Mandatory
Total covered deposits – RFP	Total_covered_deposits_rfp	Decimal	(20,2)		10000.00	Mandatory
Total covered deposits – NRP	Total_covered_deposits_nrp	Decimal	(20,2)		10000.00	Mandatory
FBA holder identification type of natural person	FBA_holder_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable
FBA holder identification number of natural person	FBA_holder_identification_number_of_natural_person	Alphanumeric	30		6605020534712	If applicable
FBA holder names	FBA_holder_names	Characters	100		"Tebego"	If applicable
FBA holder surname	FBA_holder_surname	Characters	100		"N"	If applicable
FBA holder identification type of institution	FBA_holder_identification_type_of_institution	Alphabets	3	Yes	CRN	If applicable
FBA holder identification number of institution	FBA_holder_identification_number_of_institution	Alphanumeric	100		1991/755345/99	If applicable
FBA holder name of institution	FBA_holder_name_of_institution	Characters	100		"Mila Attorneys"	If applicable
FBA holder identification document expiry date	FBA_holder_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
FBA holder address type	FBA_holder_address_type	Alphabets	3	Yes	FOA	If applicable
FBA holder address line 1	FBA_holder_address_line_1	Characters	100		"89 Mandela Road"	If applicable
FBA holder address line 2	FBA_holder_address_line_2	Characters	100			If applicable
FBA holder address line 3	FBA_holder_address_line_3	Characters	100			If applicable
FBA holder city	FBA_holder_city	Characters	100		"Mafikeng"	If applicable
FBA holder province	FBA_holder_province	Alphabets	3	Yes	NWP	If applicable
FBA holder postal code	FBA_holder_postal_code	Characters	100		6013	If applicable
FBA holder email address	FBA_holder_email_address	Characters	100		"admin@milaaccountants.co.za"	If applicable
FBA holder primary phone number	FBA_holder_primary_phone_number	Characters	20		+2712345678 9	If applicable
FBA holder secondary phone number	FBA_holder_secondary_phone_number	Characters	20		+2712345678 9	If applicable
FBA holder reliably identified	FBA_holder_reliably_identified	Alphabets	3	Yes	YES	If applicable
FBA holder status indicator	FBA_Holder_status_indicator	Alphabets	3	Yes	NRP	If applicable

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Reason for FBA holder NRP status	Reason_for_FBA_Holder_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for FBA holder NRP status	Other_reasons_for_FBA_Holder_nrp_status	Alphanumeric	100		"Beneficiary not identified"	If applicable
Type of representation	Type_of_representation	Alphabets	3	Yes	SIG	If applicable
Representative 1 identification type of natural person	Representative_1_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable
Representative 1 identification number of natural person	Representative_1_identification_number_of_natural_person	Alphanumeric	30		6605020534089	If applicable
Representative 1 identification document expiry date	Representative_1_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
Representative 1 names	Representative_1_names	Characters	100		"Koketso"	If applicable
Representative 1 surname	Representative_1_surname	Characters	100		"Kunene"	If applicable
Representative 1 address type	Representative_1_address_type	Alphabets	3	Yes	INA	If applicable
Representative 1 address line 1	Representative_1_address_line_1	Characters	100		"137-18th Avenue"	If applicable
Representative 1 address line 2	Representative_1_address_line_2	Characters	100		"Slovo"	If applicable
Representative 1 address line 3	Representative_1_address_line_3	Characters	100			If applicable
Representative 1 city	Representative_1_city	Characters	100		"Johannesburg"	If applicable
Representative 1 province	Representative_1_province	Alphabets	3	Yes	GTP	If applicable
Representative 1 postal code	Representative_1_postal_code	Characters	100		2060	If applicable
Representative 1 email address	Representative_1_email_address	Characters	100		"sagoodies@gmail.com"	If applicable
Representative 1 primary phone number	Representative_1_primary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 1 secondary phone number	Representative_1_secondary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 1 representative reliably identified	Representative_1_representative_reliably_identified	Alphabets	3	Yes	YES	If applicable
Representative 1 status indicator	Representative_1_status_indicator	Alphabets	3	Yes	NRP	If applicable
Reason for representative 1 NRP status	Reason_for_representative_1_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for representative 1 NRP status	Other_reasons_for_representative_1_nrp_status	Alphanumeric	100		"Documents not available"	If applicable
Representative 2 identification type of natural person	Representative_2_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Representative 2 identification number of natural person	Representative_2_identification_number_of_natural_person	Alphanumeric	30		6605020534089	If applicable
Representative 2 identification document expiry date	Representative_2_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
Representative 2 names	Representative_2_names	Characters	100		"Koketso"	If applicable
Representative 2 surname	Representative_2_surname	Characters	100		"Kunene"	If applicable
Representative 2 address type	Representative_2_address_type	Alphabets	3	Yes	INA	If applicable
Representative 2 address line 1	Representative_2_address_line_1	Characters	100		"137-18th Avenue"	If applicable
Representative 2 address line 2	Representative_2_address_line_2	Characters	100		"Slovo"	If applicable
Representative 2 address line 3	Representative_2_address_line_3	Characters	100			If applicable
Representative 2 city	Representative_2_city	Characters	100		"Johannesburg"	If applicable
Representative 2 province	Representative_2_province	Alphabets	3	Yes	GTP	If applicable
Representative 2 postal code	Representative_2_postal_code	Characters	100		2060	If applicable
Representative 2 email address	Representative_2_email_address	Characters	100		"sagoodies@gmail.com"	If applicable
Representative 2 primary phone number	Representative_2_primary_phone_number	Characters	20		+27123456789	If applicable
Representative 2 secondary phone number	Representative_2_secondary_phone_number	Characters	20		+27123456789	If applicable
Representative 2 representative reliably identified	Representative_2_representative_reliably_identified	Alphabets	3	Yes	YES	If applicable
Representative 2 status indicator	Representative_2_status_indicator	Alphabets	3	Yes	NRP	If applicable
Reason for representative 2 NRP status	Reason_for_representative_2_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for representative 2 NRP status	Other_reasons_for_representative_2_nrp_status	Alphanumeric	100		"Documents not available"	If applicable
Representative 3 identification type of natural person	Representative_3_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable
Representative 3 identification number of natural person	Representative_3_identification_number_of_natural_person	Alphanumeric	30		6605020534089	If applicable
Representative 3 identification document expiry date	Representative_3_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
Representative 3 names	Representative_3_names	Characters	100		"Koketso"	If applicable
Representative 3 surname	Representative_3_surname	Characters	100		"Kunene"	If applicable

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Representative 3 address type	Representative_3_address_type	Alphabets	3	Yes	INA	If applicable
Representative 3 address line 1	Representative_3_address_line_1	Characters	100		"137-18th Avenue"	If applicable
Representative 3 address line 3	Representative_3_address_line_2	Characters	100		"Slovo"	If applicable
Representative 3 address line 3	Representative_3_address_line_3	Characters	100			If applicable
Representative 3 city	Representative_3_city	Characters	100		"Johannesburg"	If applicable
Representative 3 province	Representative_3_province	Alphabets	3	Yes	GTP	If applicable
Representative 3 postal code	Representative_3_postal_code	Characters	100		2060	If applicable
Representative 3 email address	Representative_3_email_address	Characters	100		"sagoodies@gmail.com"	If applicable
Representative 3 primary phone number	Representative_3_primary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 3 secondary phone number	Representative_3_secondary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 3 representative reliably identified	Representative_3_representative_reliably_identified	Alphabets	3	Yes	YES	If applicable
Representative 3 status indicator	Representative_3_status_indicator	Alphabets	3	Yes	NRP	If applicable
Reason for representative 3 NRP status	Reason_for_representative_3_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for representative 3 NRP status	Other_reasons_for_representative_3_nrp_status	Alphanumeric	100		"Documents not available"	If applicable
Representative 4 identification type of natural person	Representative_4_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable
Representative 4 identification number of natural person	Representative_4_identification_number_of_natural_person	Alphanumeric	30		6605020534 089	If applicable
Representative 4 identification document expiry date	Representative_4_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
Representative 4 names	Representative_4_names	Characters	100		"Koketso"	If applicable
Representative 4 surname	Representative_4_surname	Characters	100		"Kunene"	If applicable
Representative 4 address type	Representative_4_address_type	Alphabets	3	Yes	INA	If applicable
Representative 4 address line 1	Representative_4_address_line_1	Characters	100		"137-18th Avenue"	If applicable
Representative 4 address line 4	Representative_4_address_line_2	Characters	100		"Slovo"	If applicable
Representative 4 address line 4	Representative_4_address_line_3	Characters	100			If applicable
Representative 4 city	Representative_4_city	Characters	100		"Johannesburg"	If applicable

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Representative 4 province	Representative_4_province	Alphabets	3	Yes	GTP	If applicable
Representative 4 postal code	Representative_4_postal_code	Characters	100		2060	If applicable
Representative 4 email address	Representative_4_email_address	Characters	100		"sagoodies@gmail.com"	If applicable
Representative 4 primary phone number	Representative_4_primary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 4 secondary phone number	Representative_4_secondary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 4 representative reliably identified	Representative_4_representative_reliably_identified	Alphabets	3	Yes	YES	If applicable
Representative 4 status indicator	Representative_4_status_indicator	Alphabets	3	Yes	NRP	If applicable
Reason for representative 4 NRP status	Reason_for_representative_4_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for representative 4 NRP status	Other_reasons_for_representative_4_nrp_status	Alphanumeric	100		"Document not available"	If applicable
Representative 5 identification type of natural person	Representative_5_identification_type_of_natural_person	Alphabets	3	Yes	NID	If applicable
Representative 5 identification number of natural person	Representative_5_identification_number_of_natural_person	Alphanumeric	30		6605020534 089	If applicable
Representative 5 identification document expiry date	Representative_5_identification_document_expiry_date	Date (YYYY-MM-DD)	10		2026-01-01	If applicable
Representative 5 names	Representative_5_names	Characters	100		"Koketso"	If applicable
Representative 5 surname	Representative_5_surname	Characters	100		"Kunene"	If applicable
Representative 5 address type	Representative_5_address_type	Alphabets	3	Yes	INA	If applicable
Representative 5 address line 1	Representative_5_address_line_1	Characters	100		"137-18th Avenue"	If applicable
Representative 5 address line 5	Representative_5_address_line_2	Characters	100		"Slovo"	If applicable
Representative 5 address line 5	Representative_5_address_line_3	Characters	100			If applicable
Representative 5 city	Representative_5_city	Characters	100		"Johannesburg"	If applicable
Representative 5 province	Representative_5_province	Alphabets	3	Yes	GTP	If applicable
Representative 5 postal code	Representative_5_postal_code	Characters	100		2060	If applicable
Representative 5 email address	Representative_5_email_address	Characters	100		"sagoodies@gmail.com"	If applicable
Representative 5 primary phone number	Representative_5_primary_phone_number	Characters	20		+2712345678 9	If applicable
Representative 5 secondary phone number	Representative_5_secondary_phone_number	Characters	20		+2712345678 9	If applicable

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Data field name	Data field ID	Data type	Data length	Predefined list [3]	Example format	Mandatory[4]
Representative 5 representative reliably identified	Representative_5_representative_reliably_identified	Alphabets	3	Yes	YES	If applicable
Representative 5 status indicator	Representative_5_status_indicator	Alphabets	3	Yes	NRP	If applicable
Reason for representative 5 NRP status	Reason_for_representative_5_nrp_status	Alphabets (multiple values)	3	Yes	OTR	If applicable
Other reasons for representative 5 NRP status	Other_reasons_for_representative_5_nrp_status	Alphanumeric	100		"Document not available"	If applicable

2.2 Quarterly data submission format

2.2.1 A bank must submit the required data fields for quarterly data submissions to the Corporation in a comma-separated value (CSV) data file format.

2.2.2 A bank may compress the data file in (.ZIP) format for submission to the Corporation.

2.3 Quarterly data submission timelines

A bank must submit its SCV calculations to the Corporation within 10 working days following the end of the quarter to which the submission relates.

2.4 Quarterly data submission channels

A bank must use the Corporation's IT solution to upload its quarterly data submissions using one of the following secure channels—

(a) File Upload;
(b) Application Programming Interface (API); or
(c) Secure File Transfer Protocol (SFTP).

2.5 First quarterly data submission to the Corporation

2.5.1 A bank's first quarterly data submission required under Regulation 28(2) of the Regulations, must—

(a) include balances of qualifying products due to a qualifying depositor or formal beneficiary account holder as at the 30 September 2025 reporting date; and
(b) be submitted to the Corporation within 10 working days following the reporting date referred to in paragraph *(a)*.

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3. Ad hoc data submissions

3.1 Ad hoc data submission requirements

3.1.1 Regulation 29(1) of the Regulations empowers the Corporation to request a bank to submit ad hoc total qualifying deposits and total covered deposits, together with the supporting SCV calculations.

3.1.2 In terms of Regulation 29(2) of the Regulations, a bank must provide the Corporation with the requested information within 48 hours of receiving an ad hoc request, using the reporting date specified by the Corporation, in the prescribed manner and form.

3.1.3 Where the Corporation requests a bank to submit ad hoc total qualifying deposits and total covered deposits, together with the supporting SCV calculations, the bank must submit to the Corporation the same data fields as those used for quarterly data submissions as stipulated in paragraph 2.1.2 and structure the required data fields to align with the structure indicated in Table 4 in paragraph 2.1.3 above.

3.2 Ad hoc data submission format

3.2.1 A bank must submit the required ad hoc data to the Corporation in a comma-separated value (CSV) data file format.

3.2.2 A bank may compress the data file in (.ZIP) format for submission to the Corporation.

3.3 Ad hoc data submission channels

A bank must use the Corporation's IT solution to upload its ad hoc data submissions using one of the following secure channels—

(a) File Upload;
(b) Application Programming Interface (API); or
(c) Secure File Transfer Protocol (SFTP).

4. Data submission by a bank in resolution

4.1 Resolution data submission requirements

4.1.1 In terms of Regulation 30(1) of the Regulations, a bank must provide the Corporation with its total qualifying deposits and total covered deposits, together with the supporting SCV calculations, within 48 hours from the date the bank is placed in resolution.

4.1.2 For the purposes of Regulation 30(1), a bank in resolution must submit to the Corporation the same data fields as those used for quarterly data submissions, as stipulated in paragraph 2.1.2 and structure the required data fields to align with the structure indicated in Table 4 in paragraph 2.1.3 above.

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4.2 Resolution data submission format

4.2.1 A bank in resolution must submit the required resolution data to the Corporation in a comma-separated value (CSV) data file format.

4.2.2 A bank may compress the data file in (.ZIP) format for submission to the Corporation.

4.3 Resolution data submission channels

A bank in resolution must use the Corporation's IT solution to upload its resolution data submission using one of the following secure channels—

(a) File Upload;
(b) Application Programming Interface (API); or
(c) Secure File Transfer Protocol (SFTP).

5. Data resubmissions

5.1 A data resubmission refers to the process by which a bank submits corrected or updated data for a reporting period in which a previous submission has already been made to the Corporation in accordance with Regulation 32 of the Regulations.[5]

5.2 For the purpose of data resubmissions the following principles shall apply—

(a) all data resubmissions will be initiated by the Corporation during the validation or verification of a bank's SCV calculations conducted in accordance with Regulation 32(1) of the Regulations;
(b) all data resubmissions by a bank must be accompanied by the applicable declarations (see paragraph 6 below) required in terms of Regulation 19 or 20 of the Regulations;
(c) in the case of monthly data submissions, the Corporation shall only permit resubmissions for the month immediately preceding the reporting date to which the monthly submission relates; and
(d) in the case of quarterly data submissions, the Corporation shall only permit resubmissions for the quarter immediately preceding the reporting date to which the quarterly submission relates.

6. Declarations required by the Corporation

6.1 Declaration when bank has no qualifying depositors

6.1.1 In terms of Regulation 19(1) of the Regulations, if a bank did not have qualifying depositors for a particular reporting date, it must submit to the Corporation, Declaration A1.

6.1.2 For purposes of Regulation 19, a bank with no qualifying depositors for a given reporting date must submit Declaration A1 in the place of its monthly its total

[5] Refer to the Data Handbook published on the Corporation's webpage for further information on the resubmissions process: https://resbank.co.za/en/home/what-we-do/Deposit-insurance/member-banks0.

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qualifying deposits and total covered deposits via the Corporation's IT solution within ten (10) working days immediately following the month-end to which the submission relates.

6.2 Submission format of declarations

6.2.1 A bank submit its declarations required in terms of Regulation 19 or 20 of the Regulations to the Corporation in the Portable Document Format (PDF).

6.3 Submission channels for declarations

6.3.1 A bank must submit its declarations required in terms of Regulation 19 or 20 through the Corporation's IT solution using one of the following secure channels—

(a) File Upload;
(b) Application Programming Interface (API); or
(c) Secure File Transfer Protocol (SFTP).

7. Reporting of pro rata reimbursement calculations for informal beneficiary accounts and pledged account balances

7.1 Pro rata reimbursement calculations for informal beneficiary accounts

7.1.1 In terms of Regulation 9(3) of the Regulations, if an informal beneficiary account (IBA) holder has multiple accounts with different signatories, the Corporation may reimburse each set of signatories for covered deposits on a *pro rata* basis.

7.1.2 Where an IBA holder maintains multiple accounts with different signatories, a bank must perform a *pro rata* calculation when creating an SCV record for the IBA holder and report the IBA balances as follows[6]—

(a) a bank must include the account balance as the qualifying balance for each IBA;

(b) when applying the limit of cover for an IBA, a bank must include the covered deposit for each account as a *pro rata* percentage of the qualifying deposit balance of the IBA holder; and

(c) the *pro rata* percentage must reflect the proportionate distribution of the qualifying balances across all accounts in qualifying products held by the IBA holder.

[6] Refer to step 9 of the Single customer view (SCV) calculations document published on the Corporation's webpage for a detailed description of the calculations: https://resbank.co.za/en/home/what-we-do/Deposit-insurance/member-banks0

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7.2 Pledged account balances

7.2.1 Where an account is pledged for any purpose at the bank, for the same or a different person, or at another bank for the same or different person, a bank must report the—

(a) full balance of the pledged account as the account balance; and

(b) full balance of the pledged account as the qualifying balance due to the qualifying depositor.

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3526 OF 2025

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

GUIDELINES, RULES, AND CONDITIONS PERTAINING TO PERMITS ISSUED UNDER REBATE ITEM 460.06/1516.20.90/01.08 FOR REBATE ON FACILITY ON PALM OIL, NOT FRACTIONATED, PARTLY OR WHOLLY HYDROGENATED, WHETHER OR NOT REFINED, BUT NOT FURTHER PREPARED, CLASSIFIABLE IN TARIFF SUBHEADING 1516.20.90, FOR USE IN THE MANUFACTURE OF SOAPS AND ORGANIC SURFACE-ACTIVE PRODUCTS AND PREPARATIONS IN THE FORM OF BARS, CAKES, MOULDED PIECES OR SHAPES, CLASSIFIABLE IN TARIFF HEADING 3401.1, IN SUCH QUANTITIES, AT SUCH TIMES AND SUBJECT TO SUCH CONDITIONS AS THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION MAY ALLOW BY SPECIFIC PERMIT, PROVIDED THAT THE GOODS ARE NOT AVAILABLE IN THE SACU MARKET.

Note: In terms of section 26 (4) of the International Trade Administration Act, 71 of 2002, the Commission may, *inter alia*, require an applicant to provide additional information in respect of the application. The conditions attached to and the information requested below reflects the minimum requirements, which ITAC would apply to evaluate an application under this rebate provision.

1. APPLICATION PROCEDURE

1.1 Applications for permits must be addressed to the International Trade Administration Commission (ITAC), Private Bag X 753, Pretoria, or delivered by hand to the DTI Campus, (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002 or sent electronically via e-mail to Mrs K. Legodi at e-mail: klegodi@itac.org.za.

PLEASE NOTE THAT THE USE OF AN INCORRECT EMAIL ADDRESS OR THE FORWARDING OF THE SAME EMAIL MULTIPLE TIMES TO THE ABOVE ADDRESS MAY DELAY THE PROCESSING OF AN APPLICATION.

1.2 Applicants must provide ITAC with the required information as per the relevant Excel application spreadsheet (**Annexure A)** within the stipulated timeframe for submitting application.

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1.3 The Applicant is informed that information that may constitute 'Personal Information' as defined by the Protection of Personal Information Act 4 of 2013 ("POPIA") may be collected and stored by ITAC. Should it be necessary, including but not limited to, in circumstances wherein the application is dependent on a 'recommendation' by a select industry stakeholder or another state department or public entity, the Applicant also acknowledges that such information may be shared with third parties. Please refer to our External Privacy Notice (located on ITAC's official website) for more information on how your information is collected, processed and shared.

1.4 Applications must be made well in advance of the shipment of the goods, as rebate permits will not be issued retrospectively. At least fourteen (14) days should be allowed for the processing of applications and the issue of permits.

1.5 Each rebate permit issued defines the period during which the goods concerned can be cleared with rebate of duty, and the period shall be for a calendar year starting from the date on which the permit was issued, or a shorter period as requested by the applicant, or as decided upon by ITAC.

1.6 An application will be regarded as deficient if, amongst others, the following is found:

(a) The application is not submitted in the correct format.
(b) The application has not complied with the guidelines, rules, and conditions as set out in this document.
(c) The requisite information and supporting documents are not submitted; and
(d) The application contains conflicting or incorrect information.

1.7 Should an application be found to be deficient, it may not undergo further processing until the deficiencies have been addressed and the application is accepted as properly documented within the stipulated timeframe for submitting applications.

1.8 Applicants who submit deficient applications must re-submit properly documented application forms within the stipulated timeframe for submitting

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applications. This will replace the deficient application. Failure to submit the amended properly documented application form within the stipulated timeframe for submitting applications, will result in the application being considered withdrawn and will not be processed further.

1.9 A properly documented application means an application that contains all required information and for which all supporting documents referred to in paragraph 2.4 have been provided.

1.10 Should an application be rejected, the applicant will be informed in writing of the decision and the reasons thereof.

2. GENERAL CONDITIONS

2.1 Applicants must comply with the provisions of the Customs and Excise Act, the ITA Act and all other South African legislation relating to the importation of goods into the Republic of South Africa, relevant to the transaction.

2.2 Notwithstanding anything to the contrary herein, permits are issued at the discretion of the ITAC and an application for a permit does not assure approval thereof. In exercising discretion, ITAC shall have regard to the ITA Act and other applicable legislation, as well as these Guidelines and the facts relating to each application.

2.3 In terms of section 26 (4) of the ITA Act, ITAC may, *inter alia*, require an applicant to provide additional information in respect of the application. The conditions attached to, and the information requested below, reflect the minimum requirements which ITAC would apply to evaluate an application under this rebate provision.

2.4 An applicant must submit the following supporting documents together with a completed application form:

(a) Proof that the applicant is registered with SARS as an importer under the rebate provision concerned.

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(b) The current SARS electronic access PIN (to allow ITAC to verify full tax compliance status);

(c) A formal letter on the applicant's business letter head confirming that it complies with labour laws, regulations and agreements gazetted by the Minister of Labour.

(d) Completed Excel application spreadsheet (see Annexure A); and

(e) Where there are local manufacturer(s) of palm oil (partly or wholly hydrogenated), applications must be accompanied by written evidence of engagements, such as letters or emails, with the said local manufacturer(s). The applicant can request the manufacturers to respond within 14 days of the request.

2.5 Rebate permit may not be transferred in any manner by the holder thereof, to any other person, or be used to the benefit of any person, not named in the permits.

2.6 Any request for an amendment of a rebate permit must be forwarded to ITAC for consideration. Amendments will only be considered in the following instances:

a) Error by ITAC on permit.

b) Error by applicant regarding product description or tariff subheading. This will only be processed if request is accompanied by a confirmation from SARS in this regard.

Note: No amendments of the statistical unit (quantity or value), which was applied for, will be considered – a new application has to be submitted in such instances together with the original previous permit.

2.7 Should, for instance, the permit holder misplaces a permit, the permit holder will be required to submit a request in writing for re-issuing of a replacement permit. The request must clearly set out the circumstances giving rise to the situation and must show good cause or reasons why a replacement permit should be issued.

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3. NON-COMPLIANCE

3.1. Where non-compliance is detected, appropriate action will be taken against the relevant party in terms of the ITA Act and/or the Customs and Excise Act. This action may include (without limitation) criminal charges and the withdrawal of the permit(s) concerned.

3.2. If the conditions of rebate item 460.06/1516.20.90/01.08 are not complied with, the permit holder will, upon detection of such contravention, be issued with a compliance notice to show good cause. The applicant must submit evidence within seven (7) days of receipt of the compliance notice why ITAC should not make any adverse finding/s on the prima facie evidence of non-compliance with the above conditions. Thereafter the matter will be considered by ITAC and if ITAC determines that a contravention of any of these permit conditions has occurred, the permit may be varied, amended or revoked/rescinded.

3.3. Should non-compliance with any applicable legislation be detected by ITAC at any time, ITAC will take such non-compliance by a permit holder or related party who facilitates such conduct into account in considering whether to revoke/rescind a permit issued in terms of Rebate Item **460.06/1516.20.90/01.08**. In terms of section 54(1)(b) of the International Trade Administration Act, Act 71 of 2002, it is an offence to fail to comply with a condition stated in a permit and any person found guilty of such an offence is liable to a fine not exceeding R500 000,00 or to imprisonment for a period not exceeding ten years or to both such fine and imprisonment.

3.4. By accepting this permit, the person/entity and its Directors and persons exercising management control over it, to which this permit is issued, irrevocably binds himself/herself/itself/ jointly and severally, to the conditions contained herein as well as any legislative requirements and/or obligations

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contained in the relevant guidelines, rules and conditions associated with the rebate items concerned.

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3527 OF 2025

COMPETITION TRIBUNAL

NOTIFICATION OF COMPLAINT REFERRAL

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that it received the c COVCR074Jul20omplaint referrals listed below. The complaint(s) alleges that the respondent(s) engaged in a prohibited practice in contravention of the Competition Act 89 of 1998.

Case No.	Complainant	Respondent	Date received	Sections of the Act
CR081Sep25	Competition Commission	Grafo Wiremakers (Pty) Ltd t/a Brady South Africa	05/09/2025	9(1)
CRP087Sep25	Liberty Fighters Network	Brands 2 Africa (Pty) Ltd	08/09/2025	8(1)(a),8(1)(c)

The Chairperson
Competition Tribunal

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3528 OF 2025

COMPETITION TRIBUNAL
NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rules 34(b)(ii) and 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001 that it approved the following mergers:

Case No.	Acquiring Firm	Target Firm	Date of Order	Decision
LM095Sep23	The Prepaid Company (Pty) Ltd	Cell C Ltd	03/09/2025	Approved Subject to Conditions
LM055Jul25	eMedia Holdings Ltd	eMedia Investments (Pty) Ltd	03/09/2025	Approved

The Chairperson Competition Tribunal

DEPARTMENT OF TRANSPORT

NOTICE 3529 OF 2025

INVITATION OF WRITTEN COMMENTS ON THE DRAFT AIRFREIGHT STRATEGY FOR SOUTH AFRICA

PURPOSE

This notice hereby invites interested persons and stakeholders to submit written comments on the draft Airfreight Strategy for South Africa within **30 working days** from the date of publication of this Notice in the Government Gazette.

The written comments should be addressed to the **Director-General: Transport** for the attention of:

Mr. Muvo Nkosi / Mr. Obakeng Khutswane
Department of Transport
Private Bag X 193
PRETORIA
0001
E-mail: NkosiM@dot.gov.za / KhutswaO@dot.gov.za
Tel: (012) 309 3460 / (012) 309 3105

BACKGROUND

In the recent years, the Department of Transport (the DOT) embarked on the review of its transportation policies to better support South Africa's development and economic goals. Since aviation plays a significant role in economic growth, the DOT has concluded a review of the civil aviation policy whose output is the draft Comprehensive Civil Aviation Policy. Amongst others, the draft Comprehensive Civil Aviation Policy calls for the development of a more detailed framework for airfreight, aiming to enhance the sub-sector's contribution to the overall aviation industry. This approach is geared at ensuring that airfreight grow effectively and support broader economic development.

The Airfreight Strategy for South Africa aims to guide the development and promotion of the airfreight sector. It focuses on several important areas including competitiveness, infrastructure funding, integrating sector activities, promoting of broader economic inclusion and participation, eliminating barriers to entry, driving sectoral integration and transformation and enhancing information sharing related to airfreight. Overall, this proposed Strategy seeks

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to strengthen and grow the airfreight sub-sector as a key part of the country's transportation and economic development.

The draft Airfreight Strategy for South Africa document is available from the Department of Transport's website: https://www.transport.gov.za/?page_id=1011, under the folder of Civil Aviation - Policies or through this weblink: https://www.transport.gov.za/wp-content/uploads/2023/02/Draft_Airfreight_Strategy_SouthAfrica.pdf

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DEPARTMENT OF TRANSPORT

NOTICE 3530 OF 2025

transport
Department:
Transport
REPUBLIC OF SOUTH AFRICA

2030 NDP

Forum Building, 159 Struben Street, Pretoria, 0001, Private Bag X193, Pretoria, 0001Tel: (012) 309 3000

NOTICE TO AIRLINES REGARDING THE USE OF LICENCE CARDS AS A MODE OF IDENTIFICATION AT AIRPORTS

Part 112 of the Civil Aviation Regulations, 2011, requires an aircraft passenger departing from an aerodrome in the Republic to produce a valid identification document to the relevant air carrier at the boarding gates. A valid Driving Licence Card is one of the acceptable identity documents for the purposes of boarding a flight.

As you may be aware, there is a backlog in the issuing of driving licence cards due to the challenges experienced by the Card Production Facility from 05 February 2025 until 07 May 2025 when the card production machine broke down. the Driving Licence Card Account (DLCA) is grappling with the card production backlog, which at that time was sitting at over 700,000 driving licence cards.

This letter serves to communicate the position of the Department of Transport regarding the validity of driving licence cards as follows:

A motorist can keep their old card after its expiry and apply for a temporary driving licence;

Such an expired driving licence card may be used for a period of up to three months, provided the holder thereof can show proof that he or she applied for a new card before the current card expired; and

If the card had already expired at the time of application for a replacement, the holder must also apply for a temporary driver's licence at the time and keep proof thereof. A temporary driver's licence is valid for six (6) months, or until the new replacement driving licence card is issued.

In that regard, the airlines should accept an expired driving licence card as a form of identification of its holder under the circumstances outlined above.

This notice is valid for a period of six (6) months from the date of issue.

MR. MKHULEKO HLENGWA, MP
DEPUTY MINISTER OF TRANSPORT
DATE: 19/08/2025

BOARD NOTICE 834 OF 2025

HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)

NOMINATIONS OF MEMBERS OF THE PROFESSIONAL BOARDS: SUPPLEMENTARY LIST OF NAMES OF PERSONS VALIDLY NOMINATED FOR APPOINTMENT TO THE PROFESSIONAL BOARDS

NOTICE is hereby given in terms of regulation 4(4) of the Regulations relating to the nominations and appointments of members of a Professional Board published under Government Notice R1257 in *Government Gazette* 31633 of 28 November 2008 that the following persons have been validly nominated as candidates for possible appointment by the Minister of Health as members of the respective Professional Boards under which their names appear: -

1. MEDICAL AND DENTAL PROFESSIONS BOARD

SURNAME	NAME	REGISTRATION NO.	GENDER
Grobler	Gerhard Paul	MP0448761	Male
Botha	Matthys Hendrik	MP0389595	Male
Becker	Jan Hendrik	MP0152862	Male
Mautjana	Justice	MP0748536	Male
Mathew	Christopher George	MP0766364	Male
Sithebe	Hlabane	MP0515884	Male
Kabane	Sipho	MP0303496	Male
Tshume	Nomacete	MP0737364	Male
Phalane	Mahlane Kenneth	MP0678775	Male
Malumane	Bruce Elphason Malumane	MP0575771	Male
Botman	Karl Peter Maurice	MP0569585	Male

2. PROFESSIONAL BOARD FOR ENVIRONMENTAL HEALTH PRACTITIONERS

Surname	Name	Registration Number	Gender
De Jager	Malcom	HI0075809	Female

3. PROFESSIONAL BOARD FOR EMERGENCY CARE

SURNAME	NAME	REGISTRATION NO.	GENDER
Matthews	Ryan Ernest	ECP0000574	Male
Rakwala	Mathole Thomas	BAA0228443	Male
Mogara	Solomon Prince Rabanyane	ECT0000922	Male
Moys	Collin Garth	ANT0009288	Male
Munilal	Ashok Kumar	ANT0003042	Male
Mkiva	Sabelo	ANT0022195	Male
Majozi	Simphiwe Ntokozo Fortune	ECP0001716	Female

4. PROFESSIONAL BOARD FOR MEDICAL TECHNOLOGY

SURNAME	NAME	REGISTRATION NO.	GENDER
Maphumulo	Menzi Gabriel	KTG0003913	Female
Mbatha	Thokozani Sihle	GT0061913	Male
Dadaram	Keshmika	GT0058076	Female
Naidoo	Vivash	MT0098523	Female

5. PROFESSIONAL BOARD FOR PSYCHOLOGY

SURNAME	NAME	REGISTRATION NO.	GENDER
Sewrajan	Sumayya	PS0109444	Female

6. PROFESSIONAL BOARD FOR DENTAL ASSISTING, DENTAL THERAPY, AND ORAL HYGIENE

SURNAME	NAME	REGISTRATION NO.	GENDER
Martin	Tamsyn Leigh	OH0018147	Female

7. PROFESSIONAL BOARD FOR OPTOMETRY AND DISPENSING OPTICIANS

SURNAME	NAME	REGISTRATION NO.	GENDER
Mulungwa	Justice	OP0023698	Male

8. PROFESSIONAL BOARD FOR RADIOGRAPHY AND CLINICAL TECHNOLOGY

SURNAME	NAME	REGISTRATION NO.	GENDER
Mosiana	Motselisi Rosa-Maria	DR0066079	Female

9. PROFESSIONAL BOARD FOR DIETETICS AND NUTRITION

SURNAME	NAME	REGISTRATION NO.	GENDER
Chauke	Rhulani Caswell	DT0034665	Male

Signed by:Lerole David Mametja
Signed at:2025-09-06 16:25:00 +02:00
Reason:Witnessing Lerole David Mametj

Lerole David Mametja

MR. LEROLE DAVID MAMETJA

ACTING REGISTRAR

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