

Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

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

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

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* 2026

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

- **23 December,** Tuesday for the issue of Friday **02 January 2026**
- **02 January,** Friday for the issue of Friday **09 January 2026**
- **09 January,** Friday for the issue of Friday **16 January 2026**
- **16 January,** Friday for the issue of Friday **23 January 2026**
- **23 January,** Friday for the issue of Friday **30 January 2026**
- **30 January,** Friday for the issue of Friday **06 February 2026**
- **06 February,** Friday for the issue of Friday **13 February 2026**
- **13 February,** Friday for the issue of Friday **20 February 2026**
- **20 February,** Friday for the issue of Friday **27 February 2026**
- **27 February,** Friday for the issue of Friday **06 March 2026**
- **06 March,** Friday for the issue of Friday **13 March 2026**
- **13 March,** Friday for the issue of Thursday **20 March 2026**
- **20 March,** Friday for the issue of Friday **27 March 2026**
- **26 March,** Thursday for the issue of Thursday **02 April 2026**
- **01 April,** Wednesday for the issue of Friday **10 April 2026**
- **10 April,** Friday for the issue of Friday **17 April 2026**
- **17 April,** Friday for the issue of Friday **24 April 2026**
- **22 April,** Wednesday for the issue of Thursday **30 April 2026**
- **30 April,** Thursday for the issue of Friday **08 May 2026**
- **08 May,** Friday for the issue of Friday **15 May 2026**
- **15 May,** Friday for the issue of Friday **22 May 2026**
- **22 May,** Friday for the issue of Friday **29 May 2026**
- **29 May,** Friday for the issue of Friday **05 June 2026**
- **05 June,** Friday for the issue of Friday **12 June 2026**
- **11 June,** Thursday for the issue of Friday **19 June 2026**
- **19 June,** Friday for the issue of Friday **26 June 2026**
- **26 June,** Friday for the issue of Friday **03 July 2026**
- **03 July,** Friday for the issue of Friday **10 July 2026**
- **10 July,** Friday for the issue of Friday **17 July 2026**
- **17 July,** Friday for the issue of Friday **24 July 2026**
- **24 July,** Friday for the issue of Friday **31 July 2026**
- **31 July,** Friday for the issue of Friday **07 August 2026**
- **06 August,** Thursday for the issue of Friday **14 August 2026**
- **14 August,** Friday for the issue of Friday **21 August 2026**
- **21 August,** Friday for the issue of Friday **28 August 2026**
- **28 August,** Friday for the issue of Friday **04 September 2026**
- **04 September,** Friday for the issue of Friday **11 September 206**
- **11 September,** Friday for the issue of Friday **18 September 2026**
- **17 September,** Thursday for the issue of Friday **25 September 2026**
- **25 September,** Friday for the issue of Friday **02 October 2026**
- **02 October,** Friday for the issue of Friday **09 October 2026**
- **09 October,** Friday for the issue of Friday **16 October 2026**
- **16 October,** Friday for the issue of Friday **23 October 2026**
- **23 October,** Friday for the issue of Friday **30 October 2026**
- **30 October,** Friday for the issue of Friday **06 November 2026**
- **06 November,** Friday for the issue of Friday **13 November 2026**
- **13 November,** Friday for the issue of Friday **20 November 2026**
- **20 November,** Friday for the issue of Friday **27 November 2026**
- **27 November,** Friday for the issue of Friday **04 December 2026**
- **04 December,** Friday for the issue of Friday **11 December 2026**
- **10 December,** Thursday for the issue of Friday **18 December 2026**
- **17 December,** Thursday for the issue of Thursday **24 December 2026**
- **23 December,** Wednesday for the issue of Thursday **31 December 2026**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

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

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

EXTRA-ORDINARY

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

Closing Times for Acceptance of Notices

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

Extraordinary Gazettes

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

Notice Submission Process

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

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

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

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

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

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

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

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

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

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

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

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

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

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

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

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

QUOTATIONS

13. Quotations are valid until the next tariff change.

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

14. Each quotation has a unique number.

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

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

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

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

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

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

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

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

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

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

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

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

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

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

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

CANCELLATIONS

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

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

AMENDMENTS TO NOTICES

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

REJECTIONS

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

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

APPROVAL OF NOTICES

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

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

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

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

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

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

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

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

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

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

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

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

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

PROOF OF PUBLICATION

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

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

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

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

DEPARTMENT OF AGRICULTURE

NO. 7597 **19 June 2026**

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

INTENTION TO REGISTER METHODS OF PRODUCTION AS A MANAGEMENT CONTROL SYSTEM: INVITATION FOR OBJECTIONS

The Executive Officer: Agricultural Product Standards intends to register the following Methods of Production as Management Control System in terms of the "Regulations Relating to the Management Control System in Respect of the Sale of Certain Agricultural Products" (No. R.6634, of 19 September 2025).

Annexures	Types of Management Control System
A	Authentic Stud Meat
B	Barn Eggs
C	Canola Eggs
D	Fed a Vegetarian Diet
E	Free Range (Eggs and Poultry Meat)
F	Free Range (Cattle (Beef), Pigs (Pork), and Sheep (Mutton))
G	Grainfed Eggs
H	Grassfed
I	Jersey Milk
J	No Routine Antibiotics
K	Organic Produced Products
L	Pasture Raised
M	rBST Free Milk
N	Sow Friendly Pork
O	Wagyu Beef
P	Farmed Without Added Hormones

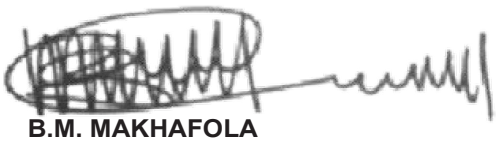
All interested parties are invited to submit any objections to the intended registrations in writing within **30 days** from the date of publication of this Notice to the following address:

Executive Officer: Agricultural Product Standards
Department of Agriculture
Private Bag X343, Pretoria, 0001
30 Hamilton Street, Harvest House Building, Arcadia, Room 130
Tel. no. 012 319 6121
Email: **MbulaheniM@nda.gov.za**

Information regarding the proposed Methods of Production as a Management Control System is available on the Department's website at www.nda.gov.za

https://www.nda.gov.za/index.php/publication/520-draft-legislation-for-comments.

or can be forwarded via electronic mail to any interested party upon request.



B.M. MAKHAFOLA
Executive Officer: Agricultural Product Standards

DEPARTMENT OF BASIC EDUCATION

NO. 7598 **19 June 2026**

THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

REPEAL OF THE PROVISO ON THE PRACTICAL MUSIC PROGRAMME OFFERED BY EXTERNAL MUSIC EXAMINATION BODIES

1. I, Siviwe Gwarube, Minister of Basic Education, hereby, in terms of s*ection 61(c)* and *(d)* of the *South African Schools Act, 1996 (Act. No. 84 of 1996)*, call all members of the public and stakeholders to comment on the proposed amendment to the following Regulations:

    (a) *Regulations Pertaining to the National Curriculum Statement Grades R-12*, promulgated as *Government Notice 1114* in *Government Gazette No. 36041* of 28 December 2012 **(Schedule 1)**; and

    (b) *Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate examination*, promulgated as *Government Regulation Notice No. R872* in *Government Gazette No. 31337* of 29 August 2008 **(Schedule 2)**.

2. The proposed amendments to the regulations referred to in paragraphs 1(a) and 1(b) are set out in the attached Schedules.

3. The full document shall be made available on the Departmental website: www.education.gov.za under **Curriculum**, **National Curriculum Statement Grades R-12**, **NCS documents**.

4. The call for comments will open for 30 days from the day of publication in a Government Gazette.

5. There has been a transitional arrangement to allow the affected institutions to continue offering the Practical Music Programme for the period (2024-2026) as a phase-out period to accommodate current learners in the system. The last year of certification of learners in the system will be in 2026.

6. The repeal of the Proviso on Practical Music Programme will become effective from 1 January 2027.



MS S GWARUBE, MP
MINISTER OF BASIC EDUCATION

SASA SCHEDULE 1

REPEAL OF THE PROVISO ON THE PRACTICAL MUSIC PROGRAMME

DEFINITIONS

In this Schedule "the Regulations" means the regulations published as *Government Notice 1114* in *Government Gazette No. 36041* of 28 December as amended -

Amendment of Regulation 16, sub-regulation 3(b): Proviso

1. Regulation 6 is amended as follows- Deletion of Proviso for The Practical Music Programme

The following subjects listed in Annexure E are offered in terms of restricted requirements-

[16 3(b) The Practical Music programme of one of the Music examination bodies, namely, the Associated Board of Royal Schools Practical Music Examination, Trinity College of London Practical Music Examination and Unisa Practical Music Examination may be offered in terms of the conditions stipulated in paragraph 28(7) of the policy document, National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12. **"]**

3. SHORT TITLE AND COMMENCEMENT

These Regulations may be cited as the *Regulations Pertaining to the National Curriculum Statement Grades R – 12*.

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SASA SCHEDULE 2

REPEAL OF THE PROVISO ON THE PRACTICAL MUSIC PROGRAMME

DEFINITIONS

In this Schedule "the Regulations" means *Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate examination*, promulgated as *Government Regulation Notice No. R872* in *Government Gazette No. 31337* of 29 August 2008, as amended -

GENERAL EXPLANATORY NOTE

[ ] Words in bold in square brackets indicate omissions from the existing policy.

Amendment of Annexure C: REQUIREMENTS FOR THE OFFERING OF MUSIC PROGRAMMES OF ACCREDITED ASSESSMENT BODIES

1. Annexure C is repealed in its entirety-

REQUIREMENTS FOR THE OFFERING OF MUSIC PROGRAMMES OF ACCREDITED ASSESSMENT BODIES

[A learner who requests to offer one of the approved music programmes offered by the assessment bodies listed in sub regulation 8, as one of the seven (7) compulsory subjects for the National Senior Certificate, or as an additional subject, i.e. as an eighth or ninth subject, may do so under the following conditions:

(1) The learner enrolls for the music programme in the year that he or she registers for Grade 10 for the first time.

(2) The selected music programme is registered as one of the Group B subjects of the National Senior Certificate, as contemplated in paragraph C2 of Annexure C of the document, National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF), in January of the year of the first registration for Grade 10.

(3) A learner completes the theory component of the selected music programme prior to his or her registration, in Grade 10, for the National Senior Certificate.

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(4) A learner registers for a music programme, offered by an assessment body listed in sub regulation 8, at a minimum level of Grade 4, for the selected practical music examination in Grade 10, provided that such learner progresses to at least Grade 6 of that practical examination in his or her Grade 12-year, and that Grade 6 of the practical music examination and its theory component, offered by an assessment body, 74 are regarded as the minimum acceptance level for the National Senior Certificate (Table 1).

(5) Learners who register for the first time in Grade 10 for a music programme, offered by an assessment body, at a Grade 5 or Grade 6 level of the selected music programme, must progress to Grade 6 and 7 respectively in Grade 12, in order to fulfil the National Senior Certificate programme requirements, as contemplated in paragraph 9 of the document, National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF).

(6) Learners who register for the first time in Grade 10 for a music programme, offered by an assessment body at Grade 7 level of the selected music programme, must offer these programmes for the three year period of Grades 10-12, in order to fulfil the National Senior Certificate programme requirements, as contemplated in paragraph 9 of the document, National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF).

(7) Assessment bodies, which have been approved by the Minister to offer music as a subject, must submit the theory and practical marks of their candidates separately. However, the final result obtained by a learner in the music programme offered by such assessment body, must be calculated as a combination of both the practical music examination and its theory component.

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(8) The theory components of the music programmes of the approved assessment body are as follows:

TABLE 1(A): ASSOCIATED BOARD OF THE ROYAL SCHOOLS OF MUSIC (ABRSM)

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 4 theory	Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory
Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory	Grade 7 practical and Grade 6 theory

TABLE 1(B): TRINITY COLLEGE OF LONDON (TCL)

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 4 theory	Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory
Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory	Grade 7 practical and Grade 6 theory

TABLE 1(C): UNISA

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 3 theory	Grade 5 practical and Grade 4 theory	Grade 6 practical and Grade 5 theory
Grade 5 practical and Grade 4 theory	Grade 6 practical and Grade 5 theory	Grade 7 practical and Grade 5 theory

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TABLE 2: THEORY REQUIREMENTS

Practical music examination	Prerequisite
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 4	ABRSM music theory Grade 4
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 5	ABRSM music theory Grade 5
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 6	ABRSM music theory Grade 6
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 7	ABRSM music theory Grade 6
Trinity College of London (TCL) Practical music examination Grade 4	TCL music theory Grade 4
Trinity College of London (TCL) Practical music examination Grade 5	TCL music theory Grade 5
Trinity College of London (TCL) Practical music examination Grade 6	TCL music theory Grade 6
Trinity College of London (TCL) Practical music examination Grade 7	TCL music theory Grade 6
Unisa Practical music examination Grade 4	UNISA theory Grade 3
Unisa Practical music examination Grade 5	UNISA theory Grade 4
Unisa Practical music examination Grade 6	UNISA theory Grade 5
Unisa Practical music examination Grade 7	UNISA theory Grade 5

(9) A maximum of one of the Associated Board of Royal Schools of Music, or Trinity College of London, or the UNISA practical music examination, Grades 6 or 7, may be offered in combination with a National Senior Certificate subject, which may include Music. 76

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(10) Learners who offer one of the Associated Board of Royal Schools of music, or Trinity College of London, or the UNISA practical music examination, Grades 6 or 7, in combination with the subject Music, as listed in the National Curriculum Statement Grades 10-12, may not offer the same main instrument as a first and second instrument.

(11) Learners may not offer a music programme, comprising a combination of components of the subject Music, as listed in the National Curriculum Statement Grades 10-12, for the Associated Board of Royal Schools of Music's practical music examination, Trinity College of London's practical music examination, or UNISA's practical music examination.

(12) Learners, who register for a music programme offered by an assessment body, must offer the required level or levels of the music programme entered for, for all three years of the National Senior Certificate programme, namely Grades 10 to 12. A learner must fulfil all the requirements in respect of School-Based Assessment for each level of the music programme that he or she enrolled for.

(13) Learners will not be allowed to change from one assessment body to another, once they have enrolled at a specific assessment body in their Grade 10-year.**]**

These Regulations may be cited as the *Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate examination*, promulgated as *Government Regulation Notice No. R872* in *Government Gazette No. 31337* of 29 August 2008.

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DEPARTMENT OF HEALTH

NO. 7599 **19 June 2026**

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 FOR 2026

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;

"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 or equal to one hundred and sixty-four rand and forty-eight cents (R164.48), the dispensing fee shall not exceed R23.93 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 sixty-four rand and forty-nine cents (R164.49), but less than four hundred and thirty-eight rand and twelve cents (R438.12), the dispensing fee shall not exceed R44.39 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 thirty-eight rand and thirteen cents (R438.13), but less than one thousand five hundred and fifty-one rand and twenty-nine cents (R1551.29), the dispensing fee shall not exceed R126.20 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 fifty-one rand and thirty cents (R1551.30), the dispensing fee shall not exceed R279.85 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.

(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 28/4/2026

DEPARTMENT OF HEALTH

NO. 7600 **19 June 2026**

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 2026

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-five rands (R165.00), 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-five rands (R165.00), the dispensing fee must not exceed forty-nine rands and fifty cents (R49.50) respectively for 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 28/4/2026

DEPARTMENT OF HEALTH

NO. 7601 **19 June 2026**

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

EXCLUSION OF SCHEDULE 0 AND COMPLEMENTARY MEDICINES FROM THE OPERATIONS OF SECTION 22G AND 18A OF THE MEDICINES AND RELATED SUBSTANCES ACT (ACT 101 OF 1965 AS AMENDED)

I, **DR A MOTSOALEDI**, the Minister of Health, in terms of Section 36 of the Medicines and Related Substances Act, (Act No. 101 of 1965, as amended) ("the Act") and on unanimous recommendation of the Pricing Committee, hereby excludes all Schedule 0 medicines registered in terms of Section 15 of the Act, as well as Category D complementary medicines, from the operations of Sections 22G and 18A of the Act for a period of two (2) years from the date of publication of this Notice.

Stakeholders are hereby notified that the Director-General of the Department of Health will, in due course, by notice in the Government Gazette, request the submission of information relating to Schedule 0 medicines for the purpose of conducting a comprehensive review to evaluate possible future exclusions and to guide the continuous development of an evidence-based, transparent, and sustainable pricing policy on Schedule 0 and complementary medicines.

Manufacturers, importers of a medicines or scheduled substances, who are the applicants of medicines and all interested stakeholders are hereby required to comply with such request within the timeframe specified in the notice issued by the Director-General, and to submit the requested information in the prescribed manner.

DR A MOTSOALEDI, MP
MINISTER OF HEALTH
DATE 8/5/2026

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-

"Schedule 0 medicine" refers to a category of medicines that are considered to have the lowest level of control because they pose minimal risk to the public when used correctly.

Name of Medicine	Registration no.	Applicant
Schedule 0 medicines	Various	Various
Category D medicines	Various	Various

SOUTH AFRICAN REVENUE SERVICE

NO. 7602 **19 June 2026**

EXTENSION OF DATE TO REQUEST A REDUCED OR ADDITIONAL ASSESSMENT IN TERMS OF SECTION 95(6) OF THE TAX ADMINISTRATION ACT, 2011 (ACT NO. 28 OF 2011)

In terms of section 95(6) of the Tax Administration Act, 2011, I, Ngobani Johnstone Makhubu, Commissioner for the South African Revenue Service, hereby extend the date by which a taxpayer, eligible for automatic assessment under paragraph 3(3) of Notice No. 7422 published in Government *Gazette* No. 54598 dated 30 April 2026, may request a reduced or additional assessment to 23 October 2026. The extension does not apply if the date of the automatic assessment is after 27 August 2026.



J MAKHUBU

COMMISSIONER: SOUTH AFRICAN REVENUE SERVICE

SOUTH AFRICAN REVENUE SERVICE

NO. 7602 **19 June 2026**

VERLENGING VAN DATUM VIR VERSOEK OM VERMINDERDE OF ADDISIONELE AANSLAG INGEVOLGE ARTIKEL 95(6) VAN DIE WET OP BELASTINGADMINISTRASIE, 2011 (WET NO. 28 VAN 2011)

Ingevolge artikel 95(6) van die Wet op Belastingadministrasie, 2011, verleng ek, Ngobani Johnstone Makhubu, Kommissaris van die Suid-Afrikaanse Inkomstediens, hierby die datum waarteen ’n belastingpligtige, geskik vir outomatiese aanslag kragtens paragraaf 3(3) van Kennisgewing No. 7422 gepubliseer in Staatskoerant No. 54598 gedateer 30 April 2026, ’n versoek om ’n verminderde of addisionele aanslag mag indien, na 23 Oktober 2026. Hierdie verlenging is nie van toepassing indien die datum van die outomatiese aanslag na 27 Augustus 2026 is nie.

J MAKHUBU
KOMMISSARIS: SUID-AFRIKAANSE INKOMSTEDIENS

DITSHEBELETSO TSA LEKGETHO TSA AFRIKA BORWA

KATOLOSO YA LETSATSI LA HO KOPA HLAHLOBO E FOKODITSWENG KAPA YA TLATSETSO HO LATELA DINTLHA TSA KAROLO YA 26 YA MOLAO WA TAOLO YA LEKGETHO, 2011 (MOLAO WA NOMORO YA 28 WA 2011)

Ho latela karolo ya 95(6) ya Molao wa Taolo ya Lekgetho, 2011, Nna, Ngobani Johnstone Makhubu, Khomeshenara ya Ditshebeletso tsa Lekgetho tsa Afrika Borwa, mona ke atolosa letsatsi leo ka lona molefalekgetho, ya angwang ke hlahlobo ya othomathike tlasa serapa sa 3(3) sa Tsebiso ya Nomoro ya 7422 e phatlaladitsweng Koranteng ya Mmuso ya Nomoro ya 54598 ya mohla la 30 Mmesa 2026, ho ka kopa hlahlobo e fokoditsweng kapa ya tlatsetso, ho fihlela ka la 23 Mphalane 2026. Katoloso ena ha e sebetse ebang letsatsi la hlahlobo ya othomathike le le ka mora la 27 Phato 2026.

J MAKHUBU
KHOMESHENARA: DITSHEBELETSO TSA LEKGETHO TSA AFRIKA BORWA

UPHIKO LWEMALINGENISO EQOQWAYO LWASENINGIZIMU AFRIKA

UKWELULA IZINSUKU ZOKUCELA UKUHLOLWA OKUNCISHISIWE NOMA OKWENGEZIWE, NGOKWESIGABA SAMA-95(6) SOMTHETHO WOKUPHATHWA KWENTELA, WEZI-2011 (UMTHETHO 28 WEZI-2011)

Ngokwesigaba sama-95(6) soMthetho wokuPhathwa kweNtela, wezi-2011, mina Ngobani Johnstone Makhubu, uKhomishana woPhiko Lwemalingeniso Eqoqwayo LwaseNingizimu Afrika, ngalokhu ngelula izinsuku umkhokhintela, ofaneleka ukuba ahlolwe ngokuzenzakalelayo ngaphansi kwendima 3(3) yeSaziso Nombolo 7422 esishicilelwe *kuSomqulu* kaHulumeni Nombolo 54598 wamhla zingama-30 kuMbasa 2026, angacela ngazo ukuhlolwa okuncishisiwe noma okwengeziwe, kuze kube umhla zingama-23 kuMfumfu 2026. Lokhu kwelulwa akusebenzi uma kuwukuthi usuku lokuhlolwa okuzenzakalelayo lungemuva komhla zingama-27 kuNcwaba 2026.

J MAKHUBU
UKHOMISHANA: UPHIKO LWEMALINGENISO EQOQWAYO LWASENINGIZIMU AFRIKA

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRANSPORT

NOTICE 3979 OF 2026

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

MERCHANT SHIPPING (DANGEROUS GOODS) AMENDMENT REGULATIONS, 2026

The Minister of Transport hereby in terms of section 356(1) and (2) of the Merchant Shipping Act,1951 (Act No. 57 of 1951), makes the Regulations as set out in the Schedule.

MS BD CREECY, MP

MINISTER OF TRANSPORT

DATE: 26/4/26

SCHEDULE

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

MERCHANT SHIPPING (DANGEROUS GOODS) AMENDMENT REGULATIONS, 2026

GENERAL EXPLANATORY NOTE:

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

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

Definition

1. In this Schedule "the Regulations" means the Merchant Shipping (Dangerous Goods) Regulations, 1997 published in Government *Gazette* No. 17921 by Government Notice No. R. 574 dated 18 April 1997.

Amendment of Arrangement of Regulations

2. The Arrangement of Regulations is hereby substituted for the following Arrangement of Regulations:

SCHEDULE

Arrangement of regulations

Regulation No.

PART 1

GENERAL

1. Definitions

2. Application

3. Exemptions

4. Document of compliance, inspection and certification

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4B. Cancellation of Certificate of Fitness, Document of Compliance or Certificate of Compliance

4C. Inspection and packing of containers

5. Duty to report certain incidents involving **[packaged]** dangerous goods or marine pollutants

6. General duties of shipowner, master or employer **[and master]**

7. General duties of employee aboard **[ship]** vessel

8. Conduct endangering the **[ship]** vessel or persons aboard **[ship]**vessel

8A. Training

PART 2

CARRIAGE OF PACKAGED DANGEROUS GOODS

9. Documentation required aboard a vessel

10. **[Packing certificates]**

11. **[List, manifest or stowage plan]**

12. Packaging of goods, stowage, loading and carriage of a container

13. **[Marking and labelling]**

14. **[Stowage]**

15. **[Carriage of explosives]**

16. **[Carriage of packaged dangerous goods in passenger ships]**

PART 3

CARRIAGE OF DANGEROUS GOODS OR MARINE POLLUTANTS IN BULK

17. Carriage in bulk

18. **[Documentation]**

19. **[List, manifest or stowage plan]**

PART 3A

CARRIAGE OF PACKAGED IRRADIATED NUCLEAR FUEL, PLUTONIUM AND HIGH-LEVEL RADIOACTIVE WASTES ON BOARD

19A. Application

19B. Compliance with INF Code

19C. Duty to hold Certificate of Fitness

PART 4

ENFORCEMENT, REPEAL OF REGULATIONS, AND SHORT TITLE AND COMMENCEMENT

20. Power to detain

21. Penalties and defences

22. Offences due to fault of another person

23. Repeal of regulations

24. Short title and commencement

Amendment of regulation 1 of Regulations

PART 1

GENERAL

Definitions

3. Regulation 1 of the Regulations is hereby amended—

(a) by the deletion of the definition of "1974 SOLAS Convention";

(b) by the substitution for the definition of "Authority" of the following definition:

" **'Authority'** means the **[Director-General or as respects his or her functions being discharged by another authority or person, that authority or person]**South African Maritime Safety Authority established by section 2 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998);";

(c) by the deletion of the definition of "Bulk Cargoes Code";

(d) by the insertion after the definition of "BCH Code" of the following definitions:

" **'cargo transport unit'** means a road transport tank or freight vehicle, a railway transport tank or freight wagon, a multimodal freight container or portable tank, or an MEGC;

" **'Certificate of Fitness'** means the International Certificate of Fitness referred to in regulation 4 for the Carriage of INF Cargo referred to in paragraph 1.3.2 of the INF Code;

"'**certificate of inspection'** means the certificate issued in terms of regulation 4(2)*(b)*;

"'**classify'** means to determine whether goods are dangerous goods or marine pollutants for the purposes of sea transport and is a determination, by an appropriate method, of whether the goods possess the hazardous characteristics of classes from 1 to 9 of the IMDG Code in accordance with the most hazardous property of the goods and further extends to goods—

(a) listed in the IMDG Code;

(b) not specifically listed but falling within the defining criteria for the classes from 1 to 9 of the IMDG Code; and

(c) where there is any cause to suspect that the substance is a marine pollutant as defined by the IMDG Code;

"'**company'** means the owner of the vessel or any other organisation or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the vessel from the owner of the vessel and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International

Safety Management Code;

"'**competent authority'** means any statutory body or Authority designated or otherwise recognised as such for any purpose in connection with these Regulations;

"'**consignee'** means any person, organisation or Government which is entitled to take delivery of a consignment;

"'**consignment'** means any package or packages, or load of dangerous goods, presented by a consignor for transport;

"'**consignor'** means any person, organisation or Government which prepares a consignment for transport;

"'**container'** means a container as defined in the International Convention for Safe Containers;"; and

"'**contravene'** in relation to a provision of these Regulations, includes failing or refusing to comply with that provision;";

(e) by the deletion of the definition of "correct technical name";

(f) by the substitution for the definition of "dangerous goods" of the following definition:

"'**dangerous goods'** includes—

(a) goods classified in the IMDG Code or in any other IMO publication referred to in these **[regulations]**Regulations as dangerous for carriage by sea, and any other substance or goods the properties of which might be dangerous if that substance or those goods were carried by sea;

(b) empty receptacles and residues in empty tanks or cargo holds that have been used previously for the carriage of dangerous goods,

unless such receptacles, empty tanks or cargo holds have been cleaned and dried, purged, gasfreed or ventilated, as appropriate or, in the case of radioactive materials, both cleaned and adequately closed, but does not include goods forming part of the equipment or stores of the ship in which they are carried

[but does not include goods forming part of the equipment or stores of the ship in which they are carried]; and

(c) harmful substances, as defined in Article II of the International Convention for the Prevention of Pollution from Ships, 1978;";

(g) by the insertion after the definition of "dangerous goods declaration" of the following definition:

"'**document of compliance to carry dangerous goods'** means—

(a) for a South African vessel - a document of compliance referred to in regulation 4 to carry dangerous goods; or

(b) for a foreign vessel - a document of compliance referred to in regulation 19.4 of Chapter II-2 of the Safety Convention to carry dangerous goods and "certificate of compliance" has a corresponding meaning;";

(h) by the insertion after the definition of "durably marked" of the following definition:

"'**EGC Code'** means the code for existing ships carrying liquified gassed in bulk;";

(i) by the substitution for the definition of "flammable liquid" of the following definition:

"'**flammable liquid'** means a liquid **[the flash point of which is]**, or mixtures of liquids, or liquids containing solids in solution or suspension

which give off a flammable vapour at or below 60°C **[(closed cup) in respect of bulk cargoes and at or below 61 °C (closed cup) in respect of packaged dangerous goods]** closed-cup test, corresponding to 65.6°C open-cup test, normally referred to as the "flashpoint" and includes —

(a) liquids offered for transport at temperatures at or above their flashpoint; and

(b) substances transported or offered for transport at elevated temperatures in a liquid state, which give off a flammable vapour at temperatures equal to or below the maximum transport temperature;";

(j) by the substitution for the definition of "forwarder" of the following definition:

"'**forwarder'** means the person by whom the dangerous goods **[are delivered]** declaration or marine pollutants declaration and packing certificate are received, and any person responsible for packing the goods into a cargo transport unit, for eventual delivery to a **[ship]**vessel or its agent;";

(k) by the insertion after the definition of "handling" of the following definition:

"'**high-level radioactive waste'** means "liquid waste" as defined in the INF Code;";

(l) by the substitution for the definition of "IBC Code" of the following definition:

"'**IBC Code'** means **[IMO *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk*]** the International Code for the construction and equipment of ships carrying dangerous chemicals in bulk, as defined in Chapter VII

regulation 8.1 of the Safety Convention;";

(m) by the insertion after the definition of "IMO" of the following definition:

"'**IMSBC Code**' means the International Maritime Solid Bulk Cargoes Code;";

(n) by the insertion after the definition of "in bulk" of the following definitions:

"'**incident**' means —

(a) any damage to, failure or breakdown of, a vessel carrying dangerous goods or that—

(i) affects the safety of the vessel, including a collision, grounding, fire explosion, structural failure, flooding or cargo shifting; or

(ii) results in the impairment of the safety of navigation, including the failure or breakdown of steering gear, propulsion system, electrical generating system or essential shipborne navigational aids; or

(b any occurrence or probable occurrence that results or may result in the dangerous goods being introduced into the sea;

"'**INF cargo**' means packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes cargo carried as cargo in accordance with Class 7 of the IMDG Code;

"'**INF Code**' means the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships;

"'**irradiated nuclear fuel**' means the material as defined in the INF Code;

"'**marine pollutant'** means a substance classified as such in the IMDG Code, or as a noxious liquid substance in the IBC Code, or in any other applicable code;

"'**MEGC'** means a multiple element gas container;

"'**operator'** in relation to a vessel, includes any owner, charterer, manager or agent of the vessel;";

(o) by the substitution for the definition of "package" of the following definition:

"'**package'** means **[a package or receptacle described in the IMDG Code and includes a freight container or a portable tank or tank container or tank vehicle or other vehicle or other cargo transport unit containing dangerous goods for shipment]** the complete product of the packing operation, consisting of the packaging and its contents prepared for transport, and "packaged" has a corresponding meaning;";

(p) by the insertion after the definition of "package" of the following definitions:

"'**packaging'** means one or more approved receptacles and any other components or materials necessary for the receptacles to perform their containment and other safety functions;

"'**plutonium'** means the material as defined in the INF Code;

"'**Safety Convention'** means the International Convention for the Safety of Life at Sea done at London on 1 November 1974, the English text of which is set forth in the Second Schedule as modified by any amendment made under Article VIII of that Convention that has entered into force for the Republic and, after the date on which the Protocol of 1978 relating to the Safety Convention enters into force for the Republic,

as also modified by that Protocol;";

(q) by the substitution for the definition of "shipper" of the following definition:

"'**shipper' [means a person who, whether as principal or agent for another, consigns dangerous goods for carriage by sea]** for the purpose of these Regulations, has the same meaning as consignor;"; and

(r) by the insertion after the definition of "shipper" of the following definition:

"'**South African vessel'** means a vessel having South African nationality in terms of section 3 of the Ship Registration Act, 1998;".

Substitution of regulation 2 of Regulations

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

"**Application**

2. (1) Subject to section 235(4) of the Act, these **[regulations]**Regulations apply to every **[ship]**vessel carrying dangerous goods in bulk or packaged form.

(2) These Regulations do not apply to dangerous goods forming part of the equipment or stores required for the navigation, safety or maintenance of a vessel or required for the intended operations of the vessel.

(3) The Merchant Shipping (Carriage of Cargoes) Regulations, 2004, apply to vessels and dangerous goods to which these

Regulations apply.

(4) Subject to subregulation (5), these Regulations apply to every vessel carrying INF cargo, and so apply to—

(a) every South African vessel wherever the vessel may be; and

(b) any other vessel when in the Republic or its territorial waters.

(5) These Regulations do not apply to a vessel owned or operated by the government of another State and used, for the time being, only on government non-commercial service if appropriate measures have been adopted, in accordance with Chapter VII regulation 15.2 of the Safety Convention, in relation to such a vessel.".

Substitution of regulation 3 of Regulations

5. The following regulation is hereby substituted for regulation 3 of the Regulations:

"**Exemptions**

3. (1) The Authority may, with or without conditions, grant exemption from any provision of these **[regulations]** Regulations for classes of cases or individual cases and may, subject to giving **[reasonable]** written notice, amend or cancel any such exemption: Provided the exemption is in accordance with the IMDG Code, IMSBC Code or INF Code.

(2) An exemption is subject to the following:

(a) The owner of a vessel must carry on board the vessel a copy of the

exemption for inspection; and

(b) compliance with any other condition imposed by the Authority under these Regulations.".

Amendment of regulation 4 of Regulations

6. Regulation 4 of the Regulations is hereby amended—

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

"**Document of compliance, inspection and certification**

4. (1) **[No dangerous]**Dangerous goods may not be taken on board a **[ship built after 31 August 1984]**vessel unless the **[ship]**vessel has on board a valid document of compliance, a certificate of compliance or a Certificate of Fitness, issued by the Authority or the competent authority of the country in which the **[ship]**vessel is registered or, in the absence of registration, whose flag it is entitled to fly, to the effect that the spaces in which the goods are to be carried comply with the provisions **[of regulation II-2/41 or 54]** regarding the special requirements for vessels carrying dangerous goods in Chapter II-2 regulation 19 of the Safety Convention and paragraph 7.17 of the High Speed Craft Code, 2000, as applicable, **[of the 1974 SOLAS Convention]** and appropriate to the classification of those goods intended for stowage in or on those spaces.";

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

"(2) *(a)* Whenever dangerous goods are to be

loaded at a port in the Republic, the shipowner or master must advise the **[proper officer]** Authority at the port of loading of the intention to load dangerous goods and must furnish copies of all dangerous goods declarations relating to the goods to be loaded and a copy of the proposed special list, manifest or stowage plan detailing the location in the **[ship]**vessel of any dangerous goods already on board, and to be loaded.

(b) The **[proper officer]** Authority, after taking into account the type, quantity and proposed stowage of the dangerous goods, may**[, but in the case of explosives must,]** cause the **[ship]** vessel to be inspected by a surveyor—

(i) before loading to determine whether—

(aa) the **[ship]**vessel is equipped and in all other respects suitable to carry such goods;

(bb) the proposed stowage complies with these **[regulations]**Regulations; and

(ii) during loading and upon completion of loading to determine whether the goods are being and have been handled and stowed in accordance with these **[regulations]**Regulations and whether all reasonable and necessary precautions are being and have been taken to ensure the safety of the **[ship]**vessel, its crew and other personnel during the voyage,

and, in both cases, the surveyor must, in the case of explosives, if**[he or she is]**satisfied with the arrangements, issue the master with a certificate of inspection.

(c) The Authority may, before stuffing cause a container to be inspected by a surveyor to determine whether the container is compliant with the IMDG Code and if satisfied, issue a container inspection report.

(d) The Authority may—

(i) before stuffing, cause documentation required in terms of the IMDG Code to be reviewed by a surveyor, to determine whether the segregation of the contents of a container are safe for stowage in the container in accordance with the IMDG Code, and if satisfied, issue a container inspection report; and

(ii) after stuffing, cause the contents of a container to be inspected by a surveyor, to determine whether the stowage, segregation, securing of the contents of a container are in in accordance with the requirements of subparagraph (i) and if satisfied, issue a container inspection report."; and

(c) by the substitution for subregulation (3) of the following subregulation:

"(3) If **[the]** a shipowner **[or]** ,master or representative of the shipowner or master fails to comply with this regulation **[he or she]**the shipowner, master or representative of the shipowner or master is guilty of an offence.".

Insertion of regulations 4A, 4B and 4C of Regulations

7. The following regulations are inserted in Part 1 of the Regulations after regulation 4:

"**Survey and certification**

4A. (1) If, after considering the report of a surveyor, the Authority is satisfied that the structure, equipment, fittings, arrangements and material of a South African vessel comply with the requirements of the IMDG Code, IMSBC Code or INF Code, the Authority may issue a Certificate of Fitness, document of compliance or a certificate of compliance certifying compliance with the IMDG Code, IMSBC Code or INF Code.

(2) A vessel that has been certificated pursuant to subregulation (1) is subject to inspection in accordance with the applicable provisions of sections 190(2), 192, 193 and 194 of the Act for the purpose of ensuring that the structure, equipment, fittings, arrangements and material comply with the requirements of the codes in subregulation (1).

(3) A certificate or document issued under subregulation (1) ceases to be valid—

(a) if any inspection of the vessel required by section 190(2) of the Act has not been carried out or the inspection has shown that the vessel does not comply with the requirements of the applicable code;

(b) upon the expiry, in accordance with section 197 of the Act, of a certificate, of the vessel; or

(c) upon the cancellation, under section 198 of the Act of a certificate, of the vessel.

Cancellation of Certificate of Fitness, Document of Compliance or Certificate of Compliance

4B. (1) The Authority may, by written notice, cancel any Certificate of Fitness, document of compliance or certificate of compliance issued under these Regulations where the Authority believes that the certificate was issued on false or wrong information.

(2) The Authority may require that any Certificate of Fitness, document of compliance or certificate of compliance issued under these Regulations, that has expired or has been cancelled, be surrendered to the Authority as directed.

(3) It is prohibited for any person to—

(a) intentionally alter a Certificate of Fitness, document of compliance or certificate of compliance;

(b) in connection with any inspection pursuant to these Regulations, knowingly or recklessly furnish information that is false or misleading;

(c) with intent to deceive, use, lend or allow to be used by another, a Certificate of Fitness, document of compliance or certificate of compliance;

(d) fail to surrender a Certificate of Fitness, document of compliance or certificate of compliance required to be surrendered under subregulation (2); or

(e) forge any Certificate of Fitness, document of compliance or certificate of compliance.

Inspection and packing of containers

4C. (1) A surveyor may, prior to packing, inspect a container to ensure that the condition of the container, the packing and securing of the dangerous goods is in accordance with the IMDG Code.".

Amendment of regulation 5 of Regulations

8. Regulation 5 of the Regulations is hereby amended—

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

"**Duty to report certain incidents involving [packaged] dangerous goods or marine pollutants**

5. (1) *(a)* Where an incident occurs in relation to a **[ship]**vessel involving the loss or likely loss overboard of **[packaged]** dangerous goods, marine pollutants or INF cargo into the sea, the master of the **[ship]**vessel must, without delay, notify the appropriate authority giving such particulars in relation to the incident as that authority requires. **[If the appropriate authority is not so notified the master is guilty of an offence.]**

(b) The appropriate authority is—

(i) in relation to **[ships]**vessels of South African nationality, the nearest proper officer and, where a foreign country is the nearest coastal state to the place where the incident occurred, the government of that foreign country; and

(ii) in relation to any other **[ship]**vessel, the nearest proper officer.

(c) If the appropriate Authority is not so notified as required in this subregulation, the master is guilty of an offence.";

(b) by the insertion after subregulation (1) of the following subregulations:

"(1A) The reporting requirements of Chapter VII regulation 7-1 of the Safety Convention shall apply both to the loss or likely loss of INF cargo overboard and to any incident involving release or probable release of INF cargo, whatever the reason for such loss or release, including for the purpose of securing the safety of the vessel or saving life at sea.

(1B) If an incident occurs in relation to a vessel, the vessel's master must, without delay, notify, in accordance with subregulation (1C)—

(a) where the Republic is the nearest coastal State to the place where the incident occurred, the Authority; or

(b) where another country is the nearest coastal State to that place, the government of that State.

(1C) *(a)* Notification of an incident pursuant to subregulation (1B) must be given using the fastest available means of communication.

(b) Notification to the Authority may be given by communicating the incident to the principal officer or duty surveyor at any of the Authority's marine survey offices in the Republic.

(c) The notification in this regulation must

contain the following information:

(i) The vessel's name and call sign, if any, and its flag of registry;

(ii) the day and time of the incident;

(iii) the vessel's position when the incident happened and at the time of reporting;

(iv) the vessel's course and speed;

(v) whether the vessel has been damaged and, if so, the extent of the damage;

(vi) the type and extent of the release;

(vii) prevailing weather conditions; and

(viii) the vessel's size and type.

(1D) A person who, pursuant to subregulation (1B), has notified the Authority or a government of an incident must, if so requested by the Authority or that government, as the case may be, give a report to the Authority or that government, as the case requires, about the incident, and the report must be given in the form approved by the Authority within 24 hours of being requested.

(1E) It is prohibited for any person to, in a notice given to the Authority or a government pursuant to subregulation (1B), or in a report given to the Authority or a government pursuant to subregulation (1D), knowingly or recklessly make a statement that is false or misleading in a material particular.";

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

"(2) It is a good defence to a charge under subregulation (1) for a person to show that **[he or she]**the person was

unable to comply with the subregulation in relation to the incident concerned.";

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

"(3) Where—

(a) the master is unable to comply with subregulation (1) in relation to an incident; or

(b) an incident occurs in circumstances in which the **[ship]**vessel is abandoned,

the **[owner, charterer, manager or operator of the ship]**company or an agent of the **[owner, charterer, manager, or operator of the ship]**company must comply with subregulation (1) in relation to the incident. **[If this subregulation is not so complied with each of those persons is guilty of an offence]**

(c) If this subregulation is not so complied with, each of those persons required by this regulation to so comply is guilty of an offence.";

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

"(4) It is a good defence to a charge under subregulation (3) for a person to show—

(a) that **[he or she]**the person was not aware of the incident concerned; or

(b) in the case of an incident to which subregulation (3)*(a)* applies, that **[he or she]**the person neither knew nor suspected that the master was unable to comply with subregulation (1) in relation to the incident."; and

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

"(5) If in pursuance of this regulation a person furnishes information that **[he or she]**the person knows or ought to know to be false or misleading **[in a material particular he or she]**the person is guilty of an offence.".

Substitution for regulation 6 of Regulations

9. The following regulation is hereby substituted for regulation 6 of the Regulations:

"**General duties of shipowner, master or employer [and master]**";

"**6.** (1) **[Every]**A shipowner **[and]**, master or employer of persons aboard a **[ship and every master of a ship]** vessel must ensure, as far as is reasonably practicable, that **[when]** dangerous goods or marine pollutants are **[being]** handled, stowed or carried in the **[ship nothing]**vessel in **[the]**a manner in which **[those]**the handling, stowage and carriage of the goods **[are handled, stowed or carried is such as might]** or marine pollutants shall not pose a risk to the health or safety of any person or the environment.

(2) **[Without limiting the generality of the]**The shipowner's, **[or]** employer's or master's duty under subregulation (1) include—

(a) **[the matters to which the duty of the shipowner [and], master or the employer extends include, in particular—**

(i)] the provision and maintenance of the **[ship's]**vessel's structure, fittings and equipment for handling, stowage and carriage of dangerous goods or marine pollutants that is, as far as is reasonably practicable, safe and without risk to health and safety of persons and the environment; and

[(ii)] *(b)* the provision of such information, instruction, training and supervision as is necessary to ensure, as far as is reasonably practicable, the health and safety aboard **[ship]**vessel of all employees in connection with the handling, stowage and carriage of dangerous goods **[in the ship; and]** or marine pollutants on board the vessel.

[*(b)* the duty of a master of a foreign ship includes the matters specified in paragraph *(a)*(i) and (ii).]

(3) If a shipowner **[or]**, employer or master fails to comply with this regulation **[he or she]**the shipowner, employer or master is guilty of an offence.

(4) It is a good defence to a charge under this regulation in relation to the handling of dangerous goods for a person to show that such handling was carried out in accordance with the **[latest edition of the *South African Ports Cargo Handling Code of Practice* referred to in Government Notice No. 753 of 26 May 1995]** appropriate provisions of a mandatory IMO adopted Code or legislation of the Republic.".

Substitution of regulation 7 of Regulations

10. The following regulation is hereby substituted for regulation 7 of the Regulations:

"**General duties of employee aboard [ship]vessel**";

"**7.** (1) **[Every]**An employee aboard **[ship must]**a vessel shall—

(a) take reasonable care regarding the employee's own health and safety **[of himself or herself]** and of any other **[persons]**person who may be affected by **[his or her]**the employee's acts or omissions in connection with the handling, stowage and carriage of dangerous goods in the **[ship]**vessel; and

(b) as regards to any duty or requirement imposed on **[his or her shipowner or employer]** the employee's employer or any other person by the Act or Regulations with regard to the health and safety of persons aboard a **[ship]** vessel or the environment, to which these Regulations apply, co-operate with **[the shipowner or]** such employer or person to enable that duty or requirement to be performed or complied with.**[as far as is necessary to enable that duty or requirement to be performed or complied with in connection with the handling, stowage and carriage of dangerous goods in the ship]**.

(2) If an employee aboard a **[ship]** vessel carrying dangerous goods fails to comply with this regulation **[he or she]**the employee is guilty of an offence.".

Substitution of regulation 8 of Regulations

11. The following regulation is hereby substituted for regulation 8 of the Regulations:

"**Conduct endangering the [ship]vessel or persons aboard [ship]vessel**";

8. (1) **[No person may]**It is prohibited for any person to, in connection with the handling, stowage and carriage of dangerous goods in a **[ship]**vessel, knowingly or recklessly interfere with or misuse anything provided on or disobey instructions displayed on a **[ship of South African nationality]**vessel in the interests of health or safety of persons or the environment in pursuance of the Act.

(2) If a person in a **[ship]** vessel carrying dangerous goods fails to comply with this regulation **[he or she]**the person is guilty of an offence.".

Insertion of regulation 8A of Regulations

12. The following regulation is inserted in Part 1 of the Regulations after regulation 8:

"**Training**

8A. (1) A consignee, consignor, employer of shore-based personnel and their representative handling dangerous goods shall designate a person who

is properly trained, commensurate to the person's responsibilities relating to the transportation of dangerous goods or marine pollutants in accordance with the applicable code.

(2) A consignee, consignor, employer of shore-based personnel and their representative handling dangerous goods shall ensure that all shore-based personnel engaged in the handling and transportation of dangerous goods or marine pollutants intended to be transported by sea shall be trained in the contents of provisions relating to dangerous goods or marine pollutants, commensurate with their responsibilities.

(3) The shore-based personnel referred to in this regulation shall be trained in accordance with the provisions of Chapter 1.3 of the IMDG Code before assuming responsibilities.

(4) The training requirements in this regulation specific to security of dangerous goods in Chapter 1.4 of the IMDG Code shall, in addition, be provided to shore-based personnel.

(5) The training required in this regulation shall be supplemented with refresher training every four years to take account of changes in regulations and practice.".

Amendment of regulation 9 of Regulations

13. Regulation 9 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 9 of the following heading:

"Documentation required aboard a vessel";

(b) by the substitution for subregulation (1) of the following subregulation:

" (1) **[No packaged]**Packaged dangerous goods or marine pollutants may not be offered for carriage or taken on board a **[ship]**vessel unless **[a]**the dangerous goods **[declaration has been furnished to the shipowner or master]**, the vessel and the carriage of the dangerous goods or marine pollutants on the vessel complies with the requirements of Chapter VII regulation 4 of the Safety Convention.";

(c) by the insertion after subregulation (1) of the following subregulation:

"(1A) If a shipowner, master, consignor, consignee or the representative of the shipowner, master, consignor, or consignee fails to comply with subregulation (1), the shipowner, master, consignor, consignee or their representative is guilty of an offence.";

(d) by the deletion of subregulations (2),(3), (4), (5) and (6) ;

(e) by the substitution for subregulation (7) of the following subregulation:

"(7) If a shipper or a forwarder fails to furnish a declaration required by this regulation, or furnishes a declaration that **[he or she]**the shipper or a forwarder knows or ought to know to be false or misleading **[in a material particular, he or she]**the shipper or a forwarder is guilty of an offence."; and

(f) by the substitution for subregulation (8) of the following subregulation:

"(8) If a shipowner or master accepts for carriage,

takes or receives on board any packaged dangerous goods or marine pollutants for which a declaration required by this regulation has not been furnished, **[he or she]**the shipowner or master is guilty of an offence.".

Repeal of regulations 10 and 11 of Regulations

14. Regulations 10 and 11 of the Regulations are hereby repealed.

Substitution of regulation 12 of Regulations

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

"**Packaging of goods, stowage, loading and carriage of a container**

12. (1) *(a)* The packaging, marking ,labelling, stowage, and handling of dangerous goods or marine pollutants and the carriage of a cargo transport unit carrying dangerous goods or marine pollutants must comply with the IMO Code of Practice for Packaging Cargo Transport Units, IMDG Code and the Merchant Shipping (Safe Containers Convention) Act, 2011 (Act No. 10 of 2011).

(b) **[Such]**The packaging in paragraph *(a)* must, if required by the IMDG Code, be performance tested, as specified in the Code, certified and marked in accordance with Part 6 of the IMDG Code by an

approved testing authority.

(2) Packaged dangerous goods or marine pollutants may not be taken on board a **[ship]**vessel for carriage in that **[ship]**vessel if the shipowner or master knows or ought to know that the goods or marine pollutants are not packaged in such a manner as to withstand the ordinary risk of carriage by sea.

(3) If **[the]** a shipowner **[or]** ,master, consignor, consignee or the representative of the shipowner, master, consignor, consignee**[or the shipper of such goods]** fails to comply with **[this regulation he or she]** subregulation (1), the shipowner, master or consignor, consignee or their representative is guilty of an offence.".

Repeal of regulations 13, 14, 15 and 16 of Regulations

16. Regulations 13, 14, 15 and 16 of the Regulations are hereby repealed.

Amendment of heading of Part 3 of Regulations

17. The following heading is hereby substituted for the heading of Part 3 of the Regulations:

"CARRIAGE OF DANGEROUS GOODS OR MARINE POLLUTANTS IN BULK".

Substitution of regulation 17 of Regulations

18. The following regulation is hereby substituted for regulation 17 of the Regulations:

"Carriage in bulk

17. (1) Dangerous goods or marine pollutants may not be handled or carried in bulk in any **[ship]**vessel if the shipowner, master, consignor, consignee or the representative of the shipowner, master, consignor, or consignee has reason to believe that such goods or marine pollutants may not be so handled or carried in bulk safely in that **[ship]**vessel.

(2) **[Without limiting the generality]**Subject to the provisions of subregulation (1)—

(a) where the dangerous goods or marine pollutants in question are **[goods]** listed in—

(i) Chapter VI of the BCH Code**[, or in]**;

(ii) Chapter 17 of the IBC Code**[, or in]**;

(iii) Chapter XIX of the **[Gas Carrier Code for Existing Ships, or in]** EGC Code;

(iv) Chapter XIX of the Gas Carrier Code**[, or in]**;

(v) Chapter 19 of the IGC Code**[, or are classified]**; or

(vi) the classification of dangerous goods listed in Appendix **[B]** 1 of the **[Bulk Cargoes Code, they]**IMSBC Code,

[must be handled and carried]the documentation relating to, the handling and the carriage of the dangerous goods or marine pollutants shall be in accordance with the requirements of whichever of the codes is appropriate; **[or]**

(b) where the dangerous goods or marine pollutants in question consist of a solid, a liquid chemical or a liquefied gas that is not listed in the codes specified in paragraph (a), **[they]** the dangerous goods or marine pollutants must be handled and carried in accordance with an approval given by the Authority**[.]**; or

(c) **[Any such]** The approval in paragraph *(b)* must be given in writing and must specify the effective date **[on which it takes effect]** and the conditions**[(if any)]** on which **[it]**the approval is given.

(3) If **[there is any breach of]** a shipowner, master, consignor, consignee or the representative of the shipowner, master, consignor,or consignee, required to comply with this regulation fails to comply with this regulation the shipowner **[and the]** ,master, consignor, consignee or the representative of the shipowner, master, consignor, or consignee are guilty of an offence.".

Repeal of regulations 18 and 19 of Regulations

19. Regulations 18 and 19 of the Regulations are hereby repealed.

Insertion of Part 3A of Regulations

20. The following Part is inserted after Part 3 of the Regulations:

"**PART 3A**

CARRIAGE OF PACKAGED IRRADIATED NUCLEAR FUEL, PLUTONIUM AND HIGH-LEVEL RADIOACTIVE WASTES ON BOARD

Application

19A. (1) This Part applies to every vessel carrying INF cargo, and so applies to—

(a) a South African vessel wherever the vessel may be; and

(b) any other vessel when in the Republic or its territorial waters.

Compliance with INF Code

19B. (1) Every vessel must comply with the requirements of the INF Code as it applies to that vessel and shall be surveyed and issued with a Certificate of Fitness in accordance with those requirements.

(2) INF cargo required to be carried on Class INF 3 vessels, shall not be allowed on passenger vessels.

Duty to hold Certificate of Fitness

19C. (1) An operator or master shall not accept INF cargo for

carriage in a vessel unless there is on board in respect of that vessel a valid Certificate of Fitness covering the INF cargo to be carried.

(2) For the purposes of this Part, a Certificate of Fitness is not valid if—

(a) in the case of a South African vessel, the certificate has ceased to be valid in terms of regulation 4A(3) or has been cancelled under regulation 4B(1); or

(b) in the case of any other vessel the certificate—

(i) has ceased to be valid in terms of paragraph 1.3.4 of the INF Code; or

(ii) has been cancelled under the Authority of the government of the State whose flag the vessel is entitled to fly.".

Substitution of regulation 20 of Regulations

21. The following regulation is hereby substituted for regulation 20 of the Regulations:

"Power to detain

20. A **[ship]**vessel that fails to comply with these **[regulations]**Regulations, including any condition imposed thereunder, may be detained in pursuance of section 243 of the Act.".

Substitution of regulation 21 of Regulations

22. The following regulation is hereby substituted for regulation 21 of the Regulations:

"**Penalties and defences**

21. (1) A person guilty of an offence under these **[regulations]**Regulations is punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

(2) It is a good defence to a charge under Part 2 or 3 of these Regulations for a person to show—

(a) that **[he or she]**the person took all reasonable steps to ensure compliance with the Regulations;

(b) that **[he or she]**the person did not know nor ought to have known nor had reasonable grounds for suspecting the goods to be dangerous goods;

(c) that the goods were handled and carried in accordance with the provisions of the **[IMDG Code, where]** applicable code; or

[(d) if the person charged is the shipowner or master, in the case of goods packed in a freight container or vehicle, that before the freight container or vehicle was taken on board the ship the person responsible for packing the goods into the freight container or vehicle had furnished the shipowner or master of the ship with a signed packing certificate certifying that the

goods had been properly packed in the freight container or vehicle;

(e) that the goods, being solid dangerous goods in bulk, were handled and carried in accordance with the IMSBC;

(f) that the goods, being liquid chemical or gaseous dangerous goods in bulk, were handled and carried in accordance with the relevant requirements of the BCH Code, the IBC Code, the Gas Carrier Code, the Gas Carrier Code for Existing Ships and the IGC Code;]

(**[g]**d) that the goods were handled and carried in accordance with the conditions imposed under regulation 3 or 17(2)*(b)*.

(3) In proceedings for an offence against regulation 19B or 19C(1) it is a defence to prove that the accused took reasonable precautions and exercised due diligence to avoid the commission of the offence.

(4) In proceedings for an offence against regulation 5(1B) or 5(1E) in relation to an incident it is a defence to prove that the accused was unable to comply with regulation 5(1B) in relation to the incident.

(5) In proceedings for an offence against regulation 5(1C) in relation to an incident it is a defence to prove—

(a) that the accused was not aware of the incident;

(b) in the case of an incident to which regulation 5(1C)(a) applies, that the accused neither knew nor suspected that the vessel's master had not complied with regulation 5(1B) in relation to the incident; or

(c) that the accused was otherwise unable to comply with the regulation 5(1B) in relation to the incident.

(6) Any contravention of regulation 19B or 19C(1) is an offence on the part of the vessel's master and each person who is an operator of the vessel, and is punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

(7) Any contravention of regulation 4B(3) is an offence punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

(8) Any contravention of regulation 5(1B) by a vessel's master is an offence punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

(9) Any contravention of regulation 5(1C) is an offence on the part of each person who is an operator, or an agent of an operator, of the vessel, and is punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.

(10) Any contravention of regulation 5(1E) or 5(1F) is an offence punishable on conviction by a fine or by imprisonment for a period not exceeding 12 months.".

Substitution of regulation 22 of Regulations

23. The following regulation is hereby substituted for regulation 22 of the Regulations:

"**Offences due to fault of another person**

22. Where the commission by any person of an offence under Part 1, 2, 3 or 3A is due to an act or omission of some other person, that other person is also guilty of the offence and may be charged with and convicted of the offence in terms of this regulation, whether or not the first-mentioned person is prosecuted.".

Substitution of regulation 23 of Regulations

24. The following regulation is hereby substituted for regulation 23 of the Regulations:

"**Repeal of Regulations**

23. (1) Regulations 25 to 37 and Annex 2 of the Safety of Navigation Regulations, 1968, published by Government Notice No. R. 651 of 19 April 1968, as amended by Government Notice No. R. 2483 of 15 December 1978, are repealed.

(2) The Merchant Shipping (INF Code) Regulations, 2003, published by Government Notice No. R. 719 in Government *Gazette* No. 24922 (RG7675) of 6 June 2003 in terms of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), are repealed.".

Short title and commencement

25. These Regulations are called the Merchant Shipping (Dangerous Goods) Amendment Regulations, 2026, and come into operation on the date of final publication.

ISAZISO SIKARHULUMENTE

ISEBE LEZOTHUTHO

UMTHETHO WOKUHANJISWA KWEMITHWALO 57 ka1951

UKUBHALWA KWESIHLOMELO SEMIQATHANGO YOKUHANJISWA KWEMITHWALO (IMITHWALO EYINGOZI), KA-2026

UMphathiswa wezoThutho ngokwemimiselo yesolotya 356(1) kunye (2) loMthetho wokuHanjiswa kweMithwalo, ka1951 (uMthetho No. 57 ka1951), wenza imiqathango nanjengoko kudakaciwe kwiShedyuli.

NKSKZ BD CREECY. ILUNGU LEPALAMENTE

UMPHATHISWA WEZOTHUTHO

UMHLA: 26/4/26

SHEDYULI

UMTHETHO WOKUHANJISWA KWEMITHWALO 57 ka1951

UKUBHALWA KWESIHLOMELO SEMIQATHANGO YOKUHANJISWA KWEMITHWALO (IMITHWALO EYINGOZI), KA-2026

INGCACISO ETHE GABALALA:

[ ] Amagama abhalwe ngqindilili kwiibrakethi ezizikwere abonisa izinto ebezingekho kule miQathango ikhoyo.

_____ Amagama akrwelelwe umgca ongqindilili ngaphantsi abonisa izinto ezintsha ezifakelweyo kule miQathango ikhoyo.

Ingcaciso

1. Kule Shedyuli "imiQathango" ibhekisa kwiQathango yoHanjiso lweMithwalo (imiThwalo eyiNgozi), ka1997 epapashwe *kwiGazethi kaRhulumente* No.17921 ngeSaziso sikaRhulumente No. R. 574 umhla 18 kwekaTshazimpuzi 1997.

Ukuhlonyelwa kwamaLungiselelo emiQathango

2. Amalungiselelo emiqathango athe ke ngoko afakelwa kula Malungiselelo emiQathango ilandelayo:

SHEDYULI

Amalungiselelo emiqathango

Umqathango No.

ISIGABA 1

GABALALA

1. Iingcaciso

2. Ukwenziwa

3. Ukukhululwa

4. Amaxwebhu ahambelana nemiqathango, uphononongo kwakunye nezatifiketi

4A. UPhicotho nezaTifiketi

4B. Ukucinywa kweSatifiketi sobuNako, uXwebhu oluHambelana neMiqathango okanye iSatifiketi sokuHambelana neMiqathango

4C. Uhlolo nokupakishwa kweekhonteyina

5. Uxanduva lokunikeza ingxelo ngeziganeko ezithile eziquka **[ukupakishwa]** kwemithwalo eyingozi okanye izinto ezingcolisa amanzi

6. Uxanduva oluthe gabalala lobunini, umphathi okanye umqashi **[nomphathi]**

7. Uxanduva oluthe gabalala lomsebenzi **[kwinqanawe]** kwinqwelo yamanzi

8. Ukuziphatha okubeka emngciphekweni **[inqanawe]** inqwelo yamanzi okanye abantu **[abasenqanaweni]** abakwinqwelo yamanzi

8A. Ugegesho

ISIGABA 2

UKUPHATHWA KWEMITHWALO ENOBUNGOZI EPAKISHIWEYO

9. Amaxwebhu afuneka abekhona kwinqwelo yamanzi

10. [Izatifiketi zokupakisha]

11. [Uluhlu,isiqulatho okanye isicwangciso sogcino]

12. Ukupakishwa kwemithwalo, ugcino, ukulayishwa kwakunye nekhareyiji lekhoyinteyina

13. [Ukumakisha nokuleyibhelisha]

14. [Ugcino]

15. [Ikhareyiji leziqhushumbisi]

16. [Ikhareyiji elipakishwe imithwalo eyingozi kwiinqanawe ezikhelisa abantu]

ISIGABA 3

UKUPHATHWA KWEMITHWALO EYINGOZI OKANYE IZINTO EZINGCOLISA AMANZI NGEZIQHU

17. Ukuphathwa ngeziqhu

18. [Amaxwebhu]

19. [Uluhlu,isiqulatho okanye isicwangciso sogcino]

ISIGABA 3A

UKUPHATHWA KWAMAFUTHA ENYUKLIYE APAKISHIWEYO,

IPLUTONIYA KWAKUNYE NEBAKALA ELIPHEZULU

LEEREYIDOEKHTHIVU WEYITSI

19A. Ukwenziwa

19B. Ukuhambelana neKhowudi yeINF

19C. Uxanduva lokuba neSatifiketi sokuFaneleka

ISIGABA 4

UNYANZELISO< UKUCINYWA KWEMIQATHANGO< KWAKUNYE

NESIHLOKO ESIFUTSHANE NOKUQALISA

20. Amandla okugcina eluvalelweni

21. Izohlwayo kwakunye nokumelwa

22. Ulwaphulo-mthetho ngenxa yetyala ngakomnye umntu

23. Ukucinywa kwemiqathango

24. Isihloko esifutshane kwakunye nokuqalisa

Ukuhlonyelwa komqathango 1 weMiqathango

ISIGABA 1

GABALALA

lingcaciso

3. UMqathango 1 weMiqathango uthe ke ngoko wahlonyelwa—

(a) ngokucinywa kwengcaciso "yeNkomfa yeSOLAS ka1974";

(b) ngokufakelwa endaweni yaleyo ibikhona ingcaciso "yeGunyabantu" kwezi ngcaciso zilandelayo:

"'**IGunyabantu**' libhekisa **[kuMlawuli oyiNtloko okanye ngokumayelana nemisebenzi yakhe ayinikiweyo ngabasemagunyeni okanye ngumntu, elo gunya okanye loo mntu]** iGunyabantu loKhuselo lweeLwandle loMzantsi Afrika elasekwa ngesolotya 2 loMthetho weGunyabantu loKhuselo lweeLwandle loMzantsi Afrika, ka1998 (uMthetho No. 5 ka1998);";onegunya

(c) ngokucinywa kwengcaciso ethi "iKhowudi yeMithwalo eMikhulu";

(d) ngokuthi kufakelwe emva kwengcaciso ethi "iKhowudi yeBCH" kwezi ngcaciso zilandelayo:

"'**iyunithi yothutho lwemithwalo'** ithetha itanki yothutho ehamba endleleni okanye inqwelo ethuthayo, itanki ehamba kumzila kaloliwe okanye isikhoji semithwalo, ikhonteyina yemithwalo okanye itanki ephathekayo, okanye iMEGC;

"'**ISatifiketi sokuFaneleka'** sibhekisa kwiSatifiketi sokuFaneleka seHlabathi ekubhekiswa kuso kumqathango 4 leMithwalo yeKhareji leINF ekubhekiswa kulo kumhlathi 1.3.2 weKhowudi yeINF;

"'**isatifiketi sohlolo'** sibhekisa kwisatifiketi esikhutshwe ngokwemimiselo yomqathango 4(2)(b);

"'**ukwahlulahlula'** kubhekisa ekuqondeni ukuba ingaba imithwalo inobungozi na okanye ingangcolisa ulwandle ngeenjongo zothutho kwaye kungumnqweno, ngemethodi yolwahlulo, yokuba ingaba imithwalo inobungozi kusini na ngokwamabakala eeklasi ezisuka

kwiKhowudi yeIMDG 1 ukuya kwi9 ngokuhambelana nezona zinto zinobungozi kwimithwalo kwakunye nokongezwa kwemithwalo—

(a) edweliswe kwiKhowudi yeIMDG;

(b) nokungadwelisanga ngokukhethekileyo ngokweemfuno ezithile kwiiklasi ezisuka kwiKhowudi yeIMDG 1 ukuya kwi9; kwakunye

(c) nalapho kukhona nokuba yiyo nayiphi na ebangela urhano lokuba into ethile ingenza ungcoliseko kulwandle nanjengoko kucacisiwe yiKhowudi yeIMDG;

"'**inkampani'** ibhekisa kumnini wenqwelo yamanzi okanye kuwo nawuphi na umbutho okanye kumntu ofana nomphathi, okanye umbhexeki wesikhephe, nonoxanduva lokubhexesha inqwelo yamanzi ukusuka kumnini wenqwelo yamanzi kwaye xa ethatha elo xanduva uvumile ukuthatha yonke imisebenzi namaxanduva ayalelwe yiKhowudi yoLawulo loKhuselo lweHlabathi;

"'**igunyabantu elifanelekileyo'** libhekisa kwibhunga okanye iGunyabantu elibekiweyo okanye elibonwa njengokhala ngazo naziphi na iinjongo ngokumayelana nale Miqathango;

"'**umthwali'** ubhekisa ubhekisa kuye nabani na, kuwo nawuphi na umbutho okanye uRhulumente onoxanduva lokuhambisa umnthwalo;

"'**umthwalo'** ubhekisa kuwo nawuphi na umthwalo, okanye umthwalo wezinto eziyingozi, omele umnini womthwalo;

"'**umnini womthwalo'** ubhekisa kuye nabani na, kuwo nawuphi na umbutho okanye uRhulumente obophe umthwalo oza kuhanjiswa;

"'**ikhonteyina'** ibhekisa kwikhonteyina nanjengoko icacisiwe kwiNkomfa yeHlabathi ngoKhuseleko lweeKhonteyina;"; kwakunye

"'**ukungathobeli'** ngokumayelana nezindululo zale Miqathango, kuquka ukusilela okanye ukwala ukuthobela ezi zindululo;";

(e) ngokucinywa kwengcaciso ethi "igama elichanekileyo";

(f) ngokufakelwa kwengcaciso ethi "imithwalo eyingozi" kwingcaciso elandelayo:

"'**imithwalo eyingozi'** iquka—

(a) imithwalo eyahlulwe yiKhowudi yeIMDG okanye lulo naluphi na upapasho lweIMO ekubhekiswa kulo kule **[miqathango]** Miqathango njengeyingozi kumakhareji ngolwandle, kwakunye nayo nayiphi na into okanye inxalenye yemithwalo engaba yingozi ukuba loo nto okanye loo mithwalo ithe yahanjiswa ngolwandle;

(b) imigqomo engenanto kwakunye nentlenge kwiitanki ezingenanto okanye izigcini mithwalo ebezikhe zasetyenziswa ngaphambili ukuthwala imithwalo eyingozi, ngaphandle kokuba loo migqomo, ezo tanki ezingenanto okanye izigcini zemithwalo ziye zacocwa zaze zomiswa, zasuswa irhasi okanye zaphephezelwa ngumoya, ngendlela efanelekileyo okanye, kwimeko zezixhobo ezinombane, ezicociweyo nezivalwe ngokufanelekileyo, kodwa zingaquki imithwalo eyinxalenye yezixhobo okanye izitolo zenqanawe nalapho zilayishiwe

[kodwa zingaquki imithwalo eyinxalenye yezixhobo okanye izitolo zenqanawe ezilayishiweyo]; kwakunye

(c) nezinto eziyingozi, nanjengoko zicacisiwe kwiNqaku II lweNkomfa yeHlabathi yokuThintelwa loNgcoliseko ziiNqanawe, ka1978;";

(g) ngokufakelwa emva kwengcaciso ethi "isibhengezo semithwalo eyingozi" kule

ngcaciso ilandelayo:

"'**uxwebhu oluvumela ukuthwala imithwalo eyingozi'** lubhekisa—

(a) kwinqwelo yamanzi yoMzantsi Afrika - uxwebhu oluvumelayo ekubhekiswa kulo kumqathango 4 lokuthwala imithwalo eyingozi; okanye

(b) inqwelo yamanzi yelinye ilizwe - uxwebhu oluvumelayo ekubhekiswa kulo kumqathango 19.4 weSahluko II-2 seNkomfa yoKhuseleko lokuthwala imithwalo eyingozi kwakunye "nesatifiketi sokufaneleka" sinentsingiselo ehambiselanayo;";

(h) ngokufakelwa emva kwengcaciso ethi "imakhi yenyameko" kule ngcaciso ilandelayo:

"'**iKhowudi ye-EGC'** ithetha ukuba ikhowudi yeenqanawe ezikhoyo ezithwele irhasi engamanzi ngeziqhu;";

(i) ngokuthi kufakelwe kwingcaciso ethi "ulwelo olungavutha" kule ngcaciso ilandelayo:

"'**ulwelo olungavutha'** lubhekisa kulwelo **[kanye le ndawo enokulayitwa]**, okanye imixube yolwelo, okanye ulwelo olunezinto eziqinileyo kwisisombululo okanye ekujingeni nto leyo enika oko kungavutha ulophu olungaba ngu60°C okanye ngaphantsi **[(kwikomityi evaliweto) xa kusiziwa kwimithwalo eziziqhu kwaye umalunga no61 °C okanye ngaphantsi (ikomityi evaliweyo) xa kusiziwa kwimithwalo eyingozi epakishiweyo]** uvavanyo lwekomityi evaliweyo, luhambelana no65.6°C wovavanyo lwekomityi evuliweyo, nekudla ngokubhekiswa kuyo "njengendawo elayitayo" kwaye iquka—

(a) ulwelo olunikwa ezothutho ngamaqondo anqale nqo okanye

angaphantsi nendawo yokuvutha; kunye

(b) nezinto ezihanjiswayo ezinikelwa kwezothutho ngamagondo aphakamileyo kwimo yolwelo, nto leyo ekhupha ulophu olungavutha kumagonda alinganayo okanye angaphantsi kwamagondo aphezulu ezothutho;";

(j) ngokufakelwa endaweni kwengcaciso "umamkeli" kule ngcaciso ilandelayo:

"'**umamkeli'** ubhekisa kumntu othi amkele imithwalo eyingozi **[ezisiweyo]** ebhengeziweyo okanye izingcolisi zolwandle ezibhengeziweyo saze safumaneka nesatifiketi sokupakishwa, kwakunye naye nabani na onoxanduva lokupakisha imithwalo kwiyunithi yemithwalo, ukuze zilindele ukusiwa **[enqanaweni]**kwinqwelo yamanzi okanye kwiarhente yayo;";

(k) ngokufakelwa emva kwengcaciso ethi "ukuphathwa" kule ngcaciso ilandelayo:

"'**inkcitho emandla kakhulu'** ibhekisa "kulwelo oluyinkcitho" nanjengoko kucacisiwe kwiKhowudi yeINF;";

(l) ngokuthi kufakelwe ingcaciso ethi "iKhowudi yeIBC" kule ngcaciso ilandelayo:

"'**iKhowudi yeIBC'** ibhekisa **[*kwi-IMO International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk*]** kwiKhowudi yeHlabathi yolwakhiwo kwakunye nezixhobo zeenqanawe ezilayisha ngeziqhu iikhemikhali eziyingozi, nanjengoko kucacisiwe kwiSahluko VII umqathango 8.1 weNkomfa yoKhuseleko;";

(m) ngokufakelwa emva kwengcaciso ethi "IMO" kule ngcaciso ilandelayo:

"'**iKhowudi yeIMSBC'** kubhekisa kwiKhowudi yeMithwalo eziziQhu eQinileyo yaseLwandle;";

(n) ngokuthi kufakelwe emva kwengcaciso ethi "ngeziqhu" kwezi ngcaciso zilandelayo:

"'**isiganeko'** sibhekisa —

(a) kuwo nawuphi na umonakalo, ukusilela okanye ukwaphuka kwenqwelo yamanzi elayishe imithwalo eyingozi okanye—

(i) echaphazela ukhuseleko lwenqwelo yamanzi, oko kuquka ukutshayisana, ukumiswa, uqhambuko lomlilo, umonakalo kulwakhiwo, ukukhukuliseka okanye ukushukuma komthwalo; okanye

(ii) imiphumela yeempazamo zokhuseleko lomkhombandlela, oko kuquka ukusilela okanye okwaphuka kwegiye yesteringi, intumekelelo yokuya phambili, inkqubo yokuphehla umbane okanye izixhobo ezingundoqo ekufumaneni umkhombandlea; okanye

(b) nayo nantoni na ethi yehle okanye onokwehla engabangela okanye enako ukwenza imithwalo eyingozi ukuba idibane nolwandle;

"'**umthwalo weINF'** ubhekisa kumafutha eirradiated nuclear, iplutoniyam kwakunye namabakala aphezulu eenkcitho yophehlo enamandla aphezulu ezilayishwa njengomthwalo ngokuhambelana noKlasi 7 weKhowudi yeIMDG;

"'**iKhowudi yeINF**' ibhekisa kwiKhowudi yeHlabathi yoKhuseleko lwamaKhareyiji ePakishwe aMafutha eIrradiated, iPlutoniyam kwakunye naMabakala aPhezulu eNkcitho yoPhehlo enaMandla aPhezulu eziKhweliswe kwiiNqanawe;

"'**amafutha eirradiated nuclear**' abhekisa kwimathiriyeli ecaciswe kwiKhowudi yeINF;

"'**isingcolisi solwandle**' sibhekisa kwinto ebalulwe njengesingcolisi kwiKhowudi yeIMDG, okanye ulwelo oyingozi kwiKhowudi yeIBC, okanye nayo nayiphi na enye ikhowudi esebenzayo;

"'**MEGC**' umele ezininzi igonga leRhasi ikhonteyina;

"'**umbhexeshi**' ngokumayelana nenqwelo yamanzi, uquka umnini, umqhubi, umphathi, okanye iarhente yenqwelo yamanzi;";

(o) ngokufakelwa endaweni yaleyo ibikhona ingcaciso ethi "isiqhu" kule ngcaciso ilandelayo:

"'**isiqhu**' sibhekisa **[kwinto epakishiweyo okanye into esisingxobo ecaciswe kwiKhowudi yeIMDG kwaye iquka iikhonteyina zokulayisha okanye itanki ephathekayo okanye inqwelo yetanki okanye enye inqwelo okanye ezinye iiyunithi zemithwalo ezihambisa imithwalo eyingozi]** kwimveliso egqibeleleyo yokupakishwa, iquka izinto ezipakishiweyo kwaye ezo zinto zilungiselelwe uthutho, kwaye "zipakishwe" ngentsingiselo ehambelanayo;";

(p) ngokuthi kufakelwe emva kwengcaciso ethi "isiqhu" kwezi ngcaciso zilandelayo:

"'**isiqhu**' sibhekisa kwisingxobo okanye kwizingxobo kunye nazo zonke iikhomponenti okanye iimathiriyeli eziyimfuneko ukuze izingxobo zenze umsebenzi wazo wobukhoyinteyina kwakunye neminye imisebenzi yokhuseleko;

"'**iplutoniyam**' ibhekisa kwimathiriyeli nanjengoko icacisiwe

kwiKhowudi yeINF;

"'**iNkomfa yoKhuseleko'** ibhekisa kwiNkomfa yeHlabathi yoKhuseleko loBomi baseLwandle eyayiseLondon ngomhla woku1 kweyeNkanga 1974, imbalelwano yesiNgesi nebekelwe phambili kwiShedyuli yeSibini nanjengoko ilungisiwe ngaso nasiphi na isihlomelo esenziwe ngaphantsi kweNqaku VIII laloo Nkomfa nesele isebenza njengesinyanzeliso kwiRiphabliki kwaye, emva komhla nethi iProthokholi ka 1978 ngokumayelana neNkomfa yoKhuseleko ingena kwisinyanzeliso seRiphabliki, nanjengoko nayo iProthokholi ilungisiwe;";

(q) ngokufakelwa endaweni yaleyo ibikhona ingcaciso ethi "umhambisi ngenqanawe" kule ngcaciso ilandelayo:

"'**umhambisi ngenqanawe' [ubhekisa kumntu nokuba usebenza njengenqununu okanye iarhente yenye into, othi ahambise imithwalo eyingozi ngolwandle]** ngenxa yale Miqathango, unentsingiselo efanayo neyomthumeli;"; kwaye

(r) ngokufakelwa emva kwengcaciso ethi "umhambisi ngenqanawe" kule ngcaciso ilandelayo:

"'**inqwelo yamanzi yoMzantsi Afrika'** ibhekisa kwinqwelo yamanzi enobumi baseMzantsi Afrika ngokwemimiselo yesolotya 3 loMthetho woBhaliso lweNqanawe, ka1998;".

Ukufakelwa komqathango 2 kwiMiqathango

4. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 2

weMiqathango:

"Ukwenziwa

2. (1) Ngokuxhomekeka kwisolotya 235(4) loMthetho, le **[miqathango]**Miqathango isebenza kuzo zonke **[iinqanawe]**iinqwelo zamanzi ezilayishe imithwalo eyingozi ngeziqhu okanye ngeepakethi.

(2) Le Miqathango ayingeni ndawo kwimithwalo eyingozi eyinxalenye yezixhobo okanye izitolo eziyimfuneko kumkhombandlela, kukhuseleko okanye kulungiso lwenqwelo yamanzi okanye eziyimfuneko ngeentshukumo ezithile zenqwelo yamanzi.

(3) IMiqathango yoHanjiso lweMithwalo (ukuLayishwa kweMithwalo), ka2004, yiyo esebenzayo kwiinqwelo zamanzi nakwimithwalo eyingozi nalapho le miQathango ingena khona.

(4) Ngokuxhomekeka kumqathangwana (5), le Miqathango isebenza kuzo zonke iinqwelo zamanzi ezilayisha imithwalo yeINF, ize ke ngoko isebenze—

(a) kuyo nayiphi na inqwelo yamanzi yoMzantsi Afrika naphi na apho inqwelo yamanzi ingaba ikhona; kwaye

(b) nayo nayiphi na inqwelo yamanzi kwiRiphabliki okanye kumanzi angaphantsi kwayo.

(5) Le Miqathango ayingeni ndawo kwiinqwelo zamanzi ezibhexeshwa okanye ezingaphantsi kwabanye oorhulumente bamanye amaZwe nezisetyenziselwa ixeshana elithile, kubanjalo kuphela xa iinkonzo ezingezozorhwebelwano lwaseburhulumenteni kuye kwathatyathwa,

ngokuhambelana neSahluko VII somqathango 15.2 weNkomfa yoKhuseleko, ngokumayelana naloo nqwelo yamanzi injalo.".

Ukufakelwa komqathango 3 kwiMiqathango

5. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 3 weMiqathango:

"Ukukhululwa

3. (1) AbasemaGunyeni banako, ngemibandela okanye ngaphandle kwemibandela, ukukhulula kuso nasiphi na isindululo sale **[miqathango]**Miqathango kwiiklasi zamatyala okanye kumatyala eziqu zabantu kwaye banako, ngokuxhomekeka ekunikweni **[kwevakalayo]** imbalelwano yesaziso, ukuhlomela okanye ukucima nako nakuphi na ukukhululwa okunjalo: Oko kuxhomekeka ekubeni ukukhululwa oko kuhambelana neKhowudi yeIMDG, iKhowudi yeIMSBC okanye neKhowudi yeINF.

(2) Ukukhululwa okanye uxolelo luxhomekeka kwezi zinto zilandelayo:

(a) Umnini wenqwelo yamanzi kumele aphathe kwinqwelo yamanzi ikopi yoxolelo esenzela uhlolo; kwaye and

(b) athobele nawo nawuphi na umbandela obekwe liGunyabantu ngaphantsi kwale Miqathango.".

Ukuhlonyelwa komqathango 4 weMiqathango

6. UMqathango 4 weMiqathango uthe ke ngoko wahlonyelwa—

(a) ngokufakelwa komqathangwana (1) kule miqathwangana ilandelayo:

"Amaxwebhu ahambelana nemiqathango, uphononongo kwakunye nezatifiketi

4. (1) **[Akukho mithwalo iyingozi]**Imithwalo eyingozi angangakhweliswa **[kwinqanawe eyakhiwe emva komhla wama31 kweyeThupha 1984]**inqwelo yamanzi ngaphandle kokuba **[inqanawe]**inqwelo yamanzi ihamba namaxwebhu afanelekileyo okuthobela imiqathango okanye iSatifiketi sokuFaneleka, esikhutshwe liGunyabantu okanye ligunyabantu elifanelekileyo lelizwe apho **[inqanawe]**inqwelo yamanzi ibhaliswe kulo okanye, xa lungekho ubhaliso, ibe kulapho iflegi yayo ivumeleke ukubhabha khona, zibe ke izinto ezilayishiweyo zithobela izindululo **[zomqathango II-2/41 okanye 54]** ezimayelana neemfuno ezikhethekileyo zeenqwelo zamanzi ezilayishe imithwalo eyingozi kwiSahluko II-2 umqathango 19 weNkomfa yoKhuseleko kwakunye nomhlathi 7.17 weKhowudi yeHigh Speed Craft, ka2000, nanjengoko ungena,

[weNkomfa yeSOLAS ka1974] kwaye nefaneleke kucazululo lwalo mithwalo ekujoliswe eligcinweni layo okanye kwezo ndawo.";

(b) ngokufakelwa komqathangwana (2) kule miqathwangana ilandelayo:

"(2) *(a)* Rhoqo imithwalo eyingozi iza kulayishwa kumachweba eRiphabliki, umnini wenqanawe okanye umphathi wenqanawe kumele azise **[igosa elifanelekileyo]** iGunyabantu kwichweba lokulayisha ngeenjongo zakhe zokulayisha imithwalo eyingozi kwaye kumele alinike iikopi zezibhengezo ezimayelana nayo yonke imithwalo eyingozi ekumele ilayishwe kwakunye nekopi yoluhlu olukhethekileyo elucetywayo okanye isicwangciso sogcino esicacisayo ncakasana ukuba apha **[kwinqanawe]**kwinqwelo yamanzi ihleli ndawoni imithwalo eyingozi esele ilayishiwe, naleyo iseza kulayishwa.

(b) **[Igosa elifanelekileyo]** IGunyabantu, emva kokunanzi uhlobo, umyinge nogcono olucetywayo lwemithwalo eyingozi, linako**[, kodwa kwiimeko leziqhushumbisi kumele,]** ukwenza **[inqanawe]** inqwelo yamanzi ukuba ihlolwe ngabaphicothi—

(i) ngaphambili kokulayisha ahlole imozulu—

(aa) **[inqanawe]**inqwelo yamanzi ixhobisekile kusini na kwaye kuzo zonke iinkalo ifanelekile na ukulayisha imithwalo enjalo;

(bb) ingaba ugcino olucetywayo luyahambelana na nale **[miqathango]**Miqathango; kwaye

(ii) ngexesha kulayishwa naxa sele kugqityiwe ukulayishwa kumele

liqingqe ukuba ingaba imithwalo iye yaphathwa yaze yagcinwa ngokuhambelanayo nale **[miqathango]**Miqathango kwaye nokuba ingaba onke amatiletile afanelekileyo okhuseleko ayathatyathwa okanye athatyathiwe ukuqinisekisa ukhuseleko **[lwenqanawe]**lwenqwelo yamanzi, abasebenzi kwakunye nabanye abantu abaza kube bekhwele,

kwaye, kuzo zombini ezi meko, umphicothi kumele, kwimeko yeziqhushumbisi, ukuba**[yena]** wanelisekile ngamalungiselelo, akhuphele umphathi isatifiketi sohlolo.

(c) IGunyabantu linako, ngaphambili kokuhlohla ukuthi ikhonteyina mayihlolwe kuqala ngumphicothi ukuze aqingqe ukuba ingaba ikhonteyina iyahambelana na neKhowudi yeIMDG kwaye ukuba wanelisekile, akhuphe ingxelo yophononongo lwekhonteyina.

(d) IGunyabantu linako—

(i) ngaphambili kokuhlohla, lithi makuqalwe kuhlolwe ngumphicothi amaxwebhu ayimfuneko ngokwemimiselo yeKhowudi yeIMDG, aqingqe ukuba ingaba izinto ezingaphakathi kwiikhonteyina zahlulwe ngokukhuselekileyo kusini na ukulungelelana ugcino kwiikhonteyina ngokuhambelana neKhowudi yeIMDG, kwaye ukuba wanelisekile, akhuphe ingxelo yophononongo lwekhonteyina; kwaye

(ii) emva kokuhlohla, abangele oko kuqulathwe ziikhonteyina ukuba kuhlolwe ngumphicothi, aqingqe ukuba ingaba ugcino,

ulwahlulo, ubotshelelo lwezinto ezikwikhonteyina luhambelana neemfuno zomhlathana (i) kwaye ukuba wanelisekile, akhuphe ingxelo yophononongo lwekhonteyina."; and

(c) ngokufakelwa komqathangwana (3) kule miqathwangana ilandelayo:

"(3) Ukuba umnini wenqanawe **[okanye]**, umphathi okanye umntu omele umnini wenqanawe okanye umphathi wenqanawe uthe wasililela ukuthobela lo mqathango **[yena]** umnini wenqanawe, umphathi wenqanawe okanye umntu omele umnini wenqanawe okanye umphathi wenqanawe unetyala lolwaphulo-mthetho.".

Ukufakelwa kwemiqathango 4A, 4B kwakunye 4C kwiMiqathango

7. Le miqathango ilandelayo ithe yafakelwa kwiSigaba 1 semiQathango emva komqathango 4:

"**Uphicotho nokhutsho lwesatifiketi**

4A. (1) Ukuba, emva kokunanza ingxelo yomphicothi, iGunyabantu lanelisekile bubume, zizixhobo, imilinganiselo, ulungiselelo kwakunye nemathiriyeli yenqwelo yamanzi yoMzantsi Afrika ukuba iyahambelana neemfuno zeKhowudi yeIMDG, iKhowudi yeIMSBC okanye iKhowudi yeINF, iGunyabantu lingakhupha iSatifiketi sokuFaneleka, amaxwebhu okuthobela okanye isatifiketi sokuthobela esiqinisekisa ukuhambelana neKhowudi yeIMDG, neKhowudi yeIMSBC okanye

neKhowudi yeINF.

(2) Inqwelo yamanzi egximfiziweyo ngomqathangwana (1) kumele iphononongwe ngokuhambelana nezindululo zamasolotya 190(2), 192, 193 kwakunye 194 zoMthetho ngeenjongo zokuqinisekisa ukuba ubume, izixhobo, ulmlinganiselo, ulungiselelo kwakunye nemathiriyeli iyahambelana neemfuno zeekhowudi ezikumqathangwanan (1).

(3) Isatifiketi okanye uxwebhu olukhutshwe ngaphantsi komqathangwana (1) luyaphelelwa—

(a) ukuba naluphi na uphononongo lwenqwelo yamanzi olufunwa lisolotya 190(2) loMthetho alwenziwanga okanye uphononongo lubonisa ukuba inqwelo yamanzi ayithobelanga iimfuno zekhowudi efanelekileyo;

(b) xa siphelelwa, ngokuhambelana nesolotya 197 loMthetho, isatifiketi, senqwelo yamanzi; okanye

(c) xa kuthe kwacinywa, ngaphantsi kwesolotya 198 loMthetho isatifiketi, senqwelo yamanzi.

Ukucinywa kweSatifiketi sobuNako, uXwebhu oluHambelana neMiqathango okanye iSatifiketi sokuHambelana neMiqathango

4B. (1) IGunyabantu, ngokubhala isaziso, licima nasiphi na iSatifiketi sokuFaneleka, uxwebhu lokuthobela okanye isatifiketi sokuthobela esikhutshwe ngaphantsi kwale miqathango nalapho iGunyabantu likholelwa ukuba isatifiketi sakhutshwa ngeenkcukacha zobuxoki okanye ezingafanelekanga.

(2) IGunyabantu linako ukucela ukuba nasiphi na iSatifiketi sokuFaneleka, uxwebhu lokuthobela okanye isatifiketi sokuthobela esikhutshwe ngaphantsi kwale Miqathango, esiphelelweyo okanye esicinyiweyo, ukuba sisiwe kwabasemaGunyeni nanjengoko kuyalelwe.

(3) Akukho mntu uvumelekileyo ukuba—

(a) afakele izinto kwiSatifiketi sokuFaneleka, kuxwebhu lokuthobela okanye kwisatifiketi sokuthobela;

(b) ngokunxulumana nalo naluphi na uphononongo lwale miqathango, esazi okanye ngokungakhathali afake iinkcukacha ezibubuxoki okanye ezilahlekisayo;

(c) ngeenjongo zokuqhatha, zokusebenzisa, zokuboleka okanye zokuvumela ukuba sisetyenziswe ngomnye umntu, iSatifiketi sokuFaneleka, uxwebhu lokuthobela okanye isatifiketi sokuthobela;

(d) asilele ukukhupha iSatifiketi sokuFaneleka, uxwebhu lokuthobela okanye isatifiketi sokuthobela ekufuneka zikhutshiwe ngaphantsi komqathangwana (2); okanye

(e) enze ngomgunyathi iSatifiketi sokuFaneleka, uxwebhu lokuthobela okanye isatifiketi sokuthobela.

Uhlolo nokupakishwa kweekhonteyina

4C. (1) Umphononongi unako, ngaphambili kokupakishwa, ukuhlola ikhonteyina ukuze aqinisekise ukuba imeko yekhonteyina, ukupakishwa kwakunye nokubotshelelwa ngokufanelekileyo kwemithwalo eyingozi ngokuhambelana neKhowudi yeIMDG.".

Ukuhlonyelwa komqathango 5 weMiqathango

8. UMqathango 5 weMiqathango uthe ke ngoko wahlonyelwa—

(a) ngokufakelwa komqathangwana (1) kule miqathwangana ilandelayo:

"Uxanduva lokuxela iziganeko eziquka [ukupakishwa] imithwalo eyingozi okanye izingcolisi zolwandle:

5. (1) (a) Xa kusenzeka isiganeko esimayelana **[nenqanawe]**nenqwelo yamanzi, isingcolisi samanzi okanye umthwalo weINF elwandle, umphathi **[wenqanawe]**wenqwelo yamanzi kumele, ngaphandle kokuphozisa amaseko, azise abasemagunyeni enika ezo nkcukacha ezimayelana nesiganeko eziza kube zifunwa ngabasemaGunyeni. **[Ukuba igunyabantu elifanelekileyo alaziswanga umphathi unetyala lolwaphulo-mthetho.]**

(b) Igunyabantu elifanelekileyo—

(i) ngokumayelana **[neenqanawe]**wenqwelo zamanzi zaseMzantsi Afrika, elona gosa likufutshane lifanelekileyo kwaye, apho ilizwe lasemzini elikufutshane naselunxwemeni apho isiganeko senzeke khona, urhulumente welo lizwe lasemzini; kwaye

(ii) ngokumayelana nayo nayiphi na **[inqanawe]**inqwelo yamanzi, lelona gosa lifanelekileyo likufutshane.

(c) Ukuba iGunyabantu alibalulwanga njengemfuneko kumqathangwana, umphathi unetyala lolwaphulo-

mthetho.";

(b) ngokufakelwa emva komqathangwana (1) kule miqathwangana ilandelayo:

"(1A) Iimfuno zokwenza ingxelo weSahluko VII somqathango 7-1 weNkomfa yoKhuseleko zizo eziza kusebenza ekulahlekene okanye kwinto engathi kukulahleka komthwalo weINF nakuso nasiphi na isiganeko esiquka ukhululwa okanye ukukhululwa okungenzeka kwemithwalo yeINF, nokuba sithini na isizathu soko kulahleka okanye oko kukhululwa, oko kuquka nesizathu sokuginisekisa ukhuseleko lwenqwelo yamanzi okanye ukusindisa ubomi elwandle.

(1B) Ukuba isiganeko senzeka ngokumayelana nenqwelo yamanzi, umphathi wenqwelo yamanzi kumele, ngaphandle kokuphozisa amaseko, azise, ngokuhambelana nomqathangwana (1C)—

(a) apho iRiphabliki isesona Sizwe sikufutshane nonxweme apho isiganeko senzeke khona, iGunyabantu; okanye

(b) aph elinye ilizwe ililo elikufutshane neSizwe esiselunxwemeni esingakuloo ndawo, urhulumente weso Sizwe.

(1C) *(a)* Ulwaziso lwesiganeko ekubhekiswa kuso kumqathangwana (1B) kumele senziwe ngezona ndlela zonxibelelwano zikhawulezileyo.

(b) Ulwaziso leGunyabantu lungenziwa ngokuxelwa kwesiganeko kwigosa eliphezulu okanye kumphononongi okhoyo kuyo nayiphi na iofisi yophononongo yeGunyabantu kwiRiphabliki.

(c) Ulwaziso kulo mqathango kumele luqulathe ezi nkcukacha zilandelayo:

(i) Igama lenqwelo yamanzi kwakunye nophawu ebizwa ngalo, ukuba inalo, kwakunye neflegi ebhaliswe ngayo;

(ii) umhla kwakunye nexesha lesiganeko;

(iii) isikhundla ibikuso inqwelo yamanzi ngexesha kusenzeka isiganeko kwakunye nangexesha lokwenziwa kwengxelo;

(iv) indlela kwakunye nesantya senqwelo yamanzi;

(v) ingaba inqwelo yamanzi yonzakele kwaye, ukuba kunjalo, buthini ubuzaza bonakalo;

(vi) uhlobo nobubanzi bokhululo;

(vii) ithini imo yezulu; kwaye

(viii) ithini isayizi kwakunye nohlobo lwenqwelo.

(1D) Umntu, ekubhekiswa kuye kumqathangwana (1B), wazise iGunyabantu okanye urhulumente ngesiganeko kumele, ukuba ifuniwe loo nto kuye liGunyabantu okanye loo Rhulumente, ngokuya kwaloo meko, ngesiganeko, kwaye ingxelo kumele yenziwe kuxwebhu olugunyaziswe liGunyabantu zingaphelanga iiyure ezingama24 emva kokufunwa kwezo nkcukacha.

(1E) Akukho mntu uvumelekileyo ukuba, ngesaziso esifakwe kwiGunyabantu okanye kurhulumente ekubhekiswa kuye kumqathangwana (1B), okanye ngengxelo efakwe kwiGunyabantu okanye kurhulumente ngokumayelana nomqathangwana (1D), ngokungazi okanye ngokungakhathali enze ingxelo engeyonyani okanye engachanekanga ngokumayelana nomba othile.";

(c) ngokufakelwa komqathangwana (2) kule miqathwangana ilandelayo:

"(2) Iza kuba kukuzithethelela okuvakalayo kwisigwebo esingaphantsi komqathangwana (1) xa umntu ebonisa ukuba **[yena]** ebengakwazi ukuthobela lo mqathangwana ngokumayelana nesiganeko ekubhekiswa kuso.";

(d) ngokufakelwa komqathangwana (3) kule miqathwangana ilandelayo:

"(3) Apho—

(a) umphathi engakwazi ukuthobela lo mqathangwana (1) ngokumayelana nesiganeko; okanye

(b) isiganeko senzeke kwiimeko apho [inqanawe]inqwelo yamanzi ishiywe yodwa,

[umnini, umququzeleli, umphathi okanye umbhexeshi wenqanawe]inkampani okanye iarhente **[yomnini, yomququzeleli, yomphathi, okanye yombhexeshi wenqanawe]yenkampani kumele ithobele lo mqathangwana (1) ngokumayelana nesiganeko. [Ukuba lo mqathangwana awuthotyelwa umntu ngamnye kwabo bantu onetyala lolwaphulo-mthetho]**

(c) Ukuba lo mqathangwana awuthotyelwa, ngumntu ngamnye olindelekileyo ngokwalo mqathango ukuba awuthobele unetyala lolwaphulo-mthetho.";

(e) ngokufakelwa komqathangwana (4) kule miqathwangana ilandelayo:

"(4) Iza kuba kukuzithethelela okufanelekileyo kwisigwebo esingaphantsi komqathangwana (3) ukuba umntu abonakalise—

(a) ukuba **[yena]**umntu lowo ebengazi nto ngesiganeko

ekubhekiswa kuso; okanye

(b) kwimeko apho isiganeko apho umqathangwana (3)(a) ungena khona, ukuba **[yena]**umntu lowo akazanga kwaye akarhananga nokurhana ukuba umphathi akawuthobelanga umqathangwana (1) ngokumayelana nesiganeko; kwaye

(f) ngokufakelwa komqathangwana (5) kule miqathwangana ilandelayo:

"(5) Ukuba ekunyanzelisweni kwalo mqathango umntu othe wanika ulwazi lokuba **[yena]**umntu lowo uyazi okanye bekumele ukuba uyazi aluyonyani okanye aluchanekanga **[ngokwemathiriyeli yena]**umntu lowo unetyala lolwaphulo-mthetho.".

Ukufakelwa komqathango 6 kwiMiqathango

9. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 6 weMiqathango:

"Uxanduva oluthe gabalala lobunini, lomphathi okanye lomqashi [nomphathi]";

"**6.** (1) **[Wonke]**Umnini wenqanawe **[kunye]**, umphathi okanye umsebenzi **[osenqanaweni kwakunye nomphathi wenqanawe]**okwinqwelo yamanzi kumele aqinisekise, kangangoko kunako ukwenzeka, ukuba **[xa]** imithwalo eyingozi okanye izingcolisi zolwandle **[ezi]** eziphethweyo, ezingaphakathi okanye ezilayishiweyo **[kwinqanawe]**kwinqwelo yamanzi **[kwi]**ngendlela apho **[ezo]**ukuphathwa,ukuphathwa, ukufakwa kwakunye

nokulayishwa kwemithwalo **[kuphathwe, kufakwe okanye kulayishwe ngokumandla]** okanye izingcolisi zolwandle azizukubeka esichengeni impilo okanye ukhuseleko lwakhe nabani na okanye okusingqongileyo.

(2) **[Ngaphandle kokusikela imida ubugabalala bo]**Uxanduva lomnini wenqanawe, **[okanye]** lomphathi wenqanawe ngaphantsi komqathangwana (1) uquka—

(a) **[imiba nalapho amaxanduva omnini wenqanawe [kwakunye], omphathi okanye awomsebenzi aquka, ngokukhethekileyo—**

(i)] uziso kwakunye nonophelo **[lwenqanawe]** okwinqwelo yamanzi lolwakhiwo, ukulinganiswa kwakunye nezixhobo zokuphatha, ugcino kwakunye nokulayishwa kwemithwalo eyingozi okanye izingcolisi zolwandle zenqwelo yamanzi, kangangoko kunokwenzeka, ukhuseleko ngaphandle komngcipheko wezempilo kwakunye nokhuseleko lwabantu kwakunye nokusingqongileyo; kwakunye

[(ii)] *(b)* noziso lweenkcukacha ezinjalo, umyalelo, uqeqesho kwakunye nokuba nomntu ojonga okwenziwa komsebenzi nanjengoko kunyanzelekile ukuqinisekisa, kangangoko kunako ukwenzeka, impilo kwakunye nokhuseleko lwabo bonke abasebenzi **[abakwinqanawe]**abakhwele kwinqwelo yamanzi ngokunxulumene nokuphathwa, nogcino kwakunye nokulayishwa kwemithwalo eyingozi **[kwinqanawe; kwaye]** okanye izingcolisi zolwandle ezikhweliswe

kwinqwelo yamanzi.

[*(b)* uxanduva lomphathi wenqanawe yasemzini luquka imiba ecaciswe kumhlathi (a)(i) kwakunye (ii).]

(3) Ukuba umnini wenqanawe **[okanye]**, umsebenzi okanye umphathi uyasilela ukuthobela lo mqathango **[yena]**umnini wenqanawe, umsebenzi okanye umphathi unetyala lolwaphulo-mthetho.

(4) Iza kuba kukuzithethelela okuvakalayo kwisigwebo esingaphantsi komqathango omayelana nokuphathwa kwemithwalo eyingozi ukubonisa ukuba ukuphathwa okunjalo kuye kwalayishwa ngokuhambelanayo **[nesongezo esitsha seBhunga leKhowudi lokuPhathwa kweMithwalo kumaChweba oMzantsi Afrika ekubhekiswa kuwo kwiSaziso sikaRhulumente No. 753 somhla wama26 kwekaCanzibe 1995]** nezindululo ezifanelekileyo zesinyanzeliso seKhowudi yeIMO esetyenziswayo okanye umthetho weRiphabliki.".

Ukufakelwa komqathango 7 kwiMiqathango

10. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 7 weMiqathango:

"Uxanduva oluthe gabalala lomsebenzi [kwinqanawe]kwinqwelo yamanzi";

"**7.** (1) **[Wonke]**Umsebenzi **[okwinqanawe kumele]**okwinqwelo yamanzi uza—

(a) kuthatha inkathalo elindelekileyo ngokumayela nempilo yomsebenzi kwakunye nokhuseleko **[lwakhe]** kwakunye naye nabani na

[abantu]umntu onokuchaphazeleka zizenzo **[zakhe]**zomsebenzi lowo okanye izinto eziphumayo ngokumayelana nokuphathwa, ukugcinwa kwakunye nokulayishwa kwemithwalo eyingozi **[kwinqanawe]** kwinqwelo yamanzi; kwaye

(b) xa kubhekiswa kulo naluphi na uxanduva okanye oko kulindeleke **[kumnini wenqanawe okanye kumqeshi wakhe]** kumqeshi womsebenzi okanye naye nabani na ngokoMthetho okanye ngokwemiqathango emayelana nempilo okanye ukhuseleko lwabantu **[abakwinqanawe]** abakwinqwelo yamanzi okanye abakuloo ndawo ingqongileyo, nalapho ibhekisa khona le miqathango, asebenzisane **[nomnini wenqanawe okanye]** nalo mqeshi okanye umntu ukuze olo xanduva okanye oko kulindelekileyo kukwazi ukwenzeka okanye ukuthotyelwa.**[kangangoko kunokunyanzeleka ukuze kukwazi ukwenziwa okanye ukuthotyelwa olo xanduva okanye oko kulindelekileyo ngokumayela nokuphathwa, ukugcinwa nokuphathwa kwemithwalo eyingozi kwinqanawe].**

(2) Ukuba umsebenzi **[okwinqanawe]** okwinqwelo yamanzi elayishe imithwalo eyingozi uyasilela ukuthobela lo mqathango **[yena]**umsebenzi unetyala lolwaphulo-mthetho.".

Ukufakelwa komqathango 8 kwiMiqathango

11. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 8 weMiqathango:

"Ukuziphatha okubeka emngciphekweni [inqanawe] inqwelo yamanzi okanye abantu [abasenqanaweni] abakwinqwelo yamanzi",

8. (1) **[Akukho mntu unako]**Akuvumelekanga mntu ukuba, ngokumayelana nokuphathwa, nokugcinwa kwakunye nokulayishwa kwemithwalo **eyingozi [kwinqanawe]**kwinqwelo yamanzi, esazi okanye ngokungakhathali aphazamisane okanye asebenzise gwengxa nayo nantoni na enikiweyo okanye angathobeli imiyalelo ebekwe **[kwinqanawe yoMzantsi Afrika]** kwinqwelo yamanzi ngokumayelana nezempilo okanye ukhuseleko lwabantu okanye okunqqongileyo le ndawo usebenza kuyo lo Mthetho.

(2) Ukuba umsebenzi **[okwinqanawe]** okwinqwelo yamanzi elayishe imithwalo eyingozi uyasilela ukuthobela lo mqathango **[yena]**umsebenzi unetyala lolwaphulo-mthetho.".

Ukufakelwa komqathango 8A kwiMiqathango

12. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kwiSigaba 1 seMiqathango emva komqathango 8:

"Uqeqesho

8A. (1) Umthunyelelwa, umthumeli, umsebenzi wenqwelo yamanzi oselunxwemeni kwakunye nabameli babo abaphatha imithwalo eyingozi baza

kutyumba umntu oqeqeshwe ngokufanelekileyo, olingenwe luxanduva olumayelana nothutho lwemithwalo eyingozi okanye izingcolisi zolwandle ngokuhambelana nekhowudi esebenzayo.

(2) Umthunyelelwa, umthumeli, umsebenzi wenqwelo yamanzi oselunxwemeni kwakunye nabameli babo abaphatha imithwalo eyingozi baza kuqinisekisa ukuba bonke abasebenzi beenqelwelo zamanzi abaselunxwemeni abayinxalenye yokuphatha kwakunye nothutho lwemithwalo eyingozi okanye izingcolisi nekumele zihanjiswe ngolwandle kumele baqeqeshwe ngokuhambelana nomongo wezindululo zomsebenzi omayelana nemithwalo eyingozi okanye izingcolisi zolwandle, balingenwe ngamaxanduva aba.

(3) Abasebenzi beenqelwelo zamanzi abaselunxwemeni ekubhekiswa kubo kulo mqathango kumele baqeqeshwe ngokuhambelana nezindululo zesaHluko 1.3 zeKhowudi yeIMDG ngaphambili kokuthabatha amaxanduva abo.

(4) Iimfuno zoqeqesho kulo mqathango ngokukhethekileyo kukhuseleko lwemithwalo eyingozi kwiSahluko 1.4 seKhowudi yeIMDG kumele, ukongeza, zinikwe abasebenzi beenqelwelo zamanzi abaselunxwemeni.

(5) Uqeqesho olufunwayo kulo mqathango luza kumane luhlaziywa ngolunye uqeqesho rhoqo emva kweminyaka emine ngolukuzama ukulungelelana notshintsho lwemiqathango nezinto ezenziwayo.".

Ukuhlonyelwa komqathango 9 weMiqathango

13. UMqathango 9 weMiqathango uthe ke ngoko wahlonyelwa—

(a) ngokufakelwa kwesihloko somqathango 9 kwesi sihloko silandelayo:

"Amaxwebhu afuneka abekhona kwinqwelo yamanzi";

(b) ngokufakelwa komqathangwana (1) kule miqathwangana ilandelayo:

" (1) **[Akukho zipakethi]**Imithwalo eyingozi epakishiweyo okanye izingcolisi zolwandle zingangavunyelwa ukulayishwa okanye zithathwe **[kwinqanawe]**kwinqwelo yamanzi ngaphandle kokuba **[i]**imithwalo eyingozi **[isibhengezo senziwe kumnini wenqanawe okanye kumphathi]**, inqwelo yamanzi kwakunye nekhareyiji lemithwalo eyingozi okanye izingcolisi zolwandle kwinqwelo yamanzi zithobela iimfuno zeSahluko VII umqathango 4 weNkomfa yoKhuseleko.";

(c) ngokufakelwa emva komqathangwana (1) kulo mqathwangana ulandelayo:

"(1A) Ukuba umnini wenqanawe, umphathi, umthumeli womthwalo, lo uthunyelelwa umthwalo okanye umntu omele umnini wenqanawe, umphathi, umthumeli womthwalo, okanye lo uthunyelelwa umthwalo uthe wasililela ukuthobela

umqathangwana (1), umnini wenqanawe, umphathi, umthumeli, umthunyelelwa okanye abameli babo banetyala lolwaphulo-mthetho.";

(d) ngokucinywa kwemiqathangwana (2),(3), (4), (5) kunye (6);

(e) ngokufakelwa komqathangwana (7) kule miqathwangana ilandelayo:

"(7) Ukuba umhambisi mithwalo ngolwandle okanye umdlulisi uyasilela ukukhupha isibhengezo esifunwa ngulo mqathango, okanye akhuphe isibhengezo **[yena]** mhambisi okanye mdlulisi azi kakuhle okanye ebekumele uyazi ukuba asiyonyani okanye asichanekanga **[ngeenkcukacha ngokukhethekileyo, yena]** umhambisi okanye umdlulisi unetyala lolwaphulo-mthetho."; kwaye

(f) ngokufakelwa komqathangwana (8) kulo mqathangwana ulandelayo:

"(8) Ukuba umnini wenqanawe okanye umphathi wamkela ikhareji, uthatha okanye amkele imithwalo eyingozi epakishiweyo okanye izingcolisi zolwandle zesibhengezo esifunwa ngulo mqathango akazikhupha, **[yena]**umnini wenqanawe okanye umphathi unetyala lolwaphulo-mthetho.".

Ukucinywa kwemiqathango 10 kwakunye 11 kwiMiqathango

14. Imiqathango 10 kwakunye 11 yemiQathango ithe ke ngoko yacinywa.

Ukufakelwa komqathango 12 kwiMiqathango

15. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 12

weMiqathango:

"Ukupakishwa **Imithwalo, ugcino, ukulayishwa kwakunye nekhareyiji lekhoyinteyina**

12. (1) *(a)* Ukupakishwa, ukumakishwa, ukuleyibhelishwa, ukugcinwa, kwakunye nokuphathwa kwemithwalo eyingozi okanye izingcolisi zolwandle kunye nokuthuthwa kweyunthi yokuthutha imithwalo ethwele kwemithwalo eyingozi okanye izingcolisi zolwandle kumele kuhambelane neKhowudi yeIMO yokuSebenza yeeYunithi zoThutho lweMithwalo ePakishiweyo, iKhowudi yeIMDG kwakunye noMthetho wokuHanjiswa kweMithwalo (iNkomfa yeeKhonteyina eziKhuselekileyo), ka2011 (uMthetho No. 10 ka2011).

(b) **[Okunjalo]**Ukupakishwa kumhlathi (a) kumele, ukuba kuthe kwafunwa yiKhowudi yeIMDG, kube kuvavanyiwe ukusebenza kwakho, nanjengoko kucacisiwe kwiKhowudi, kugximfiswe kwaye kumakishwe ngokuhambelana neSigaba 6 seKhowudi yeIMDG ligunyabantu eligunyazisiweyo.

(2) Imithwalo eyingozi epakishiweyo okanye izingcolisi zolwandle azonokuthathwa **[kwinqanawe]**kwinqwelo yamanzi ukuba zilayishiwe **[kwinqanawe]**kwinqwelo yamanzi ukuba umnini okanye umphathi uyazi okanye bekumele ukuba uyazi ukuba imithwalo okanye izingcolisi zolwandle azipakishwanga ngendlela ukuze uchasane nomngcipheko wekhareji elwandle.

(3) Ukuba **[]** umnini wenqanawe **[okanye]**, umphathi,

umthumeli womthwalo, lo uthunyelelwa umthwalo**[okanye umhambisi ngenqanawe wemithwalo enjalo]** uthe wasililela ukuthobela **[lo mqathango]** umqathangwana (1), umnini wenqanawe, umphathi okanye umthumeli womthwalo, lo uthunyelelwa umthwalo okanye umntu obameleyo unetyala lolwaphulo-mthetho."".

Ukucinywa kwemiqathango 13, 14, 15 kwakunye ne 16 lwemiQathango

16. Imiqathango 13, 14, 15 kwakunye ne16 lwemiQathango ithe ke ngoko yacinywa.

Ukuhlonyelwa kwesihloko seSigaba 3 seMiqathango

17. Esi sihloko silandelayo sithe ke ngoko safakwa endaweni yesihloko esikwiSigaba 3 semiQathango:

"UKUPHATHWA KWEMITHWALO EYINGOZI OKANYE IZINTO EZINGCOLISA AMANZI NGEZIQHU

Ukufakelwa komqathango 17 weQathango

18. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 17 weMiqathango:

"Ukuphathwa ngeziqhu

17. (1) Imithwalo eyingozi okanye iziqhu ezingcolisa ulwandle akumelanga ziphathwe okanye zilayishiwe ngeziqhu kuyo nakweyiphi na **[inqanawe]**inqwelo yamanzi ukuba umnini wenqanawe, umphathi, umthumeli womthwalo, lo uthunyelelwa umthwalo, okanye umntu omele umnini wenqanawe, umphathi, umthumeli womthwalo, okanye lo uthunyelelwa umthwalo unezizathu zokukholelwa ukuba loo mithwalo okanye ezo zingcolisi zolwandle akumelanga ziphathwe okanye zilayishiwe ngeziqhu kuloo **[nqanawe]**nqwelo yamanzi.

(2) **[Ngaphandle kokusikela imida okuthe gabalala]**Ngokuxhomekeka kwizindululo zomqathandwana (1)—

(a) apho imithwalo eyingozi okanye izingcolisi zolwandle ekubhekiswa kuzo **[iyimithwalo]** edweliswe—

(i) kwiSahluko VI seKhowudi yeBCH**[, okanye kwi]**;

(ii) kwiSahluko 17 seKhowudi yeIBC**[, okanye kwi]**;

(iii) kwiSahluko XIX **[iKhowudi yeKhareji leRhasi yeeNqanawe eziKhoyo]** seKhowudi ye-EGC;

(iv) kwiSahluko XIX seKhowudi yeKhareji leRhasi**[, okanye kwi]**;

(v) kwiSahluko 19 seKhowudi yeIGC**[, okanye kwahlulahluliweyo]**; okanye

(vi) kulwahlulwahlulwa lwemithwalo eyingozi edweliswe kwiSihlomelo **[B]** 1 **[iKhowudi yeMithwalo eziziQhu,]**seKhowudi yeIMSBC,

[kumele iphathwe kwaye ilayishwe]amaxwebhu amayelana, ukuphathwa nokulayishwa kwemithwalo eyingozi okanye izingcolisi zolwandle kumele kuhambelane neemfuno zayo nayiphi na ikhowudi efanelekileyo; **[okanye]**

(b) apho imithwalo eyingozi okanye izingcolisi zolwandle ekubhekiswa kuzo ziqulathe ikhemikhali eqinileyo, elulwelo okanye irhasi elulwelo engadweliswanga kwiikhowudi ezicaciswe kumhlathi (a), imithwalo eyingozi okanye izingcolisi zolwandle kumele ziphathwe okanye zilayishiwe ngokuhambelana nesigunyaziso esigunyaziswe ngabasemaGunyeni[.]; okanye

(c) **[Nasiphi na]** Isigunyaziso esikumhlathi (b) kumele sibhalwe phantsi kwaye kumele sicacise umhla **[esiqalisa ngawo]** kwakunye nemibandela**[(ukuba ikhona)]** eza kuthi **[sona]** ibekwe kwisigunyazisi.

(3) Ukuba **[kukhona ulwaphulo lwesivumelwano]** umnini wenqanawe, umphathi, umthumeli womthwalo, lo uthunyelelwa umthwalo okanye umntu omele umnini wenqanawe, umphathi, umthumeli womthwalo, okanye lo uthunyelelwa umthwalo, ekufuneka athobele lo mqathango uthe wasililela ukuthobela lo mqathango umnini wenqanawe **[kwakunye no]** ,umphathi, umthumeli womthwalo, okanye lo uthunyelelwa umthwalo banetyala lolwaphulo-mthetho.".

Ukucinywa kwemiqathango 18 kwakunye 19 kwiMiqathango

19. Imiqathango 18 kwakunye 19 yemiQathango ithe ke ngoko yacinywa.

Ukufakelwa kweSigaba 3A kwiQathango

20. Esi Sigaba silandelayo sithe ke ngoko safakelwa kwiSigaba 3 semiQathango:

"ISIGABA 3A

UKUPHATHWA KWAMAFUTHA ENYUKLIYE APAKISHIWEYO, IPLUTONIYA KWAKUNYE NEBAKALA ELIPHEZULU LEEREYIDOEKHTHIVU WEYITSI

Ukwenziwa

19A. (1) Esi Sigaba sibhekisa kuyo nayiphi na inqwelo yamanzi elayishe umthwalo weINF, kwaye sikwabhekisa---

(a) kwinqwelo yamanzi yoMzantsi Afrika naphi na apho inqwelo yamanzi ingaba ikhona; kwaye

(b) nayo nayiphi na inqwelo yamanzi kwiRiphabliki okanye kumanzi angaphantsi kwayo.

Ukuhambelana neKhowudi yeINF

19B. (1) Inqwelo yamanzi nganye kumele ngokweemfuno zeKhowudi yeINF nanjengoko ibhekisa kuloo nqwelo yamanzi kwaye iza kuphononongwa ize ikhutshelwe iSatifiketi sokuFaneleka ngokuhambelana nezo mfuno.

(2) Imithwalo yeINF efunekayo ukuba ilayishwe kwiinqwelo zamanzi zeKlasi INF 3, ayizukuvunyelwa kwiinqwelo zamanzi ezilayisha abantu.

Uxanduva lokuba neSatifiketi sokuFaneleka

19C. (1) Umbhexeshi okanye umphathi akanako ukuvumela umthwalo weINF kwinqwelo yamanzi ngaphandle kokuba kukhona phaya kulaa nqwelo yamanzi iSatifiketi sokuFaneleka esisebenzayo esiquka loo mthwalo weINF ukuba ulayishwe.

(2) Ngenxa yezizathu zesi Sigaba, iSatifiketi sokuFaneleka asisebenzi xa—

(a) kwimeko yenqwelo yamanzi yoMzantsi Afrika, isatifiketi siphelelwe lixesha ngokwemimiselo yomqathango 4A(3) okanye siphelisiwe ngaphantsi komqathango 4B(1); okanye

(b) kwimeko yayo nayiphi na inqwelo yamanzi isatifiketi—

(i) siphelelwe ngokwemimiselo yomhlathi 1.3.4 yeKhowudi yeINF; okanye

(ii) okanye siphelisiwe ngaphantsi kweGunyabantu likarhulumente weSizwe nalapho iflegi yaloo nqwelo yamanzi ivumeleke ukuphephezela khona." .

Ukufakelwa komqathango 20 kwiMiqathango

21. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 20 weMiqathango:

"Amandla okuvalela

20. [Inqanawe]inqwelo yamanzi esilelayo ukuthobela le **[miqathango]**miQathango, oko kuquka nayo nayiphi na imibandela ebekiweyo apho, inako ukubanjwa ngokunyanzeliswa kwesolotya 243 loMthetho.".

Ukufakelwa komqathango 21 kwiMiqathango

22. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 21 weMiqathango:

"Izohlwayo kwakunye nokumelwa

21. (1) Umntu onetyala lolwaphulo-mthetho ngaphantsi kwale **[miqathango]**Miqathango angohlwaywa xa ebanjiwe okanye avalelwe entolongweni iinyanga ezingadlulanga kwezilishumi elinesibini (12).

(2) Iza kuba kukuzithethelela okufanelekileyo kwisigwebo esingaphantsi kweSigaba 2 okanye 3 sale Miqathango ukuba umntu

abonakalise—

(a) ukuba **[yena]** umntu lowo uthathe amanyathelo afanelekileyo ukuqinisekisa ukuthonyelwa kwemiqathango;

(b) ukuba **[yena]**umntu lowo ebengazi okanye ebengenokwazi okanye ebenezizathu ezivakalayo zokurhana ukuba imithwalo ingaba yimithwalo eyingozi;

(c) ukuba imithwalo iye yaphathwa kwaye yalayishwa ngokuhambelana nezindululo **[zeKhowudi yeIMDG, nalapho]** zekhowudi efanelekileyo; okanye

[(d) ukuba lo mntu ubanjiweyo ngumnini okanye umphathi wenqanawe, kwimeko yemithwalo epakishiweyo kwikhonteyina okanye kwinqwelo yemithwalo, ukuba ngaphambili kokuba ikhweliswe kwinqanawe ikhonteyina okanye inqwelo yemithwalo umntu onoxanduva lokupakisha imithwalo kwikhonteyina okanye kwinqwelo yemithwalo uye wanika umnini okanye umphathi wenqanawe isatifiketi sokupakishwa esityikityiweyo nesiqinisekisa ukuba imithwalo ipakishwe ngendlela efanelekileyo kwikhonteyina okanye kwinqwelo yemithwalo;

(e) ukuba imithwalo, leyo ke yile mithwalo iqinileyo ekwiziqhu, iye yaphathwa yaze yalayishwa ngokuhambelana neIMSBC;

(f) ukuba imithwalo, leyo ke yile mithwalo ilulwelo oluyikhemikhali okanye irhasi eyingozi ekwiziqhu, iye yaphathwa yaze yalayishwa ngokuhambelana neemfuno zeKhowudi yeBCH echaphazelekayo, iKhowudi yeIBC, iKhowudi yokuLayishwa kweRhasi, iKhowudi yokuLayishwa kweRhasi seeNqanawe

eziKhoyo kwakunye neKhowudi yeIGC;]

([g]d) ukuba imithwalo iye yaphathwa yaze yalayishwa ngokuhambelana nemibandela ebekwe ngaphantsi komqathango 3 okanye 17(2)(b).

(3) Kwiinkqubo zolwaphulo-mthetho ngakumqathango 19B okanye 19C(1) kukuzithethelela okuvakalayo okuthi umtyholwa uthathe amanyathelo avakalayo waze wenza amatiletile afanelekileyo ukuphepha ukwenza ulwaphulo mthetho.

(4) Kwiinkqubo zolwaphulo-mthetho ngakumqathango 5(1B) okanye 5(1E) ngokumayelana nesiganeko kukuzithethelela okuvakalayo ukubonisa ukuba umtyholwa ubengakwazi ukuthobela lo mqathango 5(1B) omayelana nesiganeko.

(5) Kwiinkqubo zolwaphulo-mthetho ngakumqathango 5(1C) ngokumayelana nesiganeko kukuzithethelela okuvakalayo ukubonisa—

(a) ukuba umtyholwa ebengasazi isiganeko;

(b) kwisiganeko apho umqathango 5(1C)(a) ungena khona, umtyholwa akazanga kwaye akarhananga nokurhana ukuba umphathi wenqwelo yamanzi akawuthobelanga umqathango 5(1B) okumayelana nesiganeko; okanye

(c) ukuba umtyholwa ebengakwazi ukuthobela umqathango 5(1B) omayelana nesiganeko.

(6) Naluphi na ulwaphulo lomqathango 19B okanye 19C(1) lulwaphulo-mthetho ngakwicala lomphathi wenqwelo yamanzi kwakunye naye wonke umntu ongumbhexeshi wenqwelo yamanzi, kwaye kumele bohlwaywe xa bebanjiwe ngomdliwo okanye ngokuvalelwa ixesha elingadlulanga

kwiinyanga ezili12.

(7) Naluphi ulwaphulo lomqathango 4B(3) lulwaphulo-mthetho ekumele lohlwaye xa ethe wabanjwa lowo wenze oko kumele anikwe umdliwo okanye avalelwe ixesha elingadlulanga kwiinyanga ezili12.

(8) Naluphi ulwaphulo lomqathango 5(1B) ngumphathi wenqwelo yamanzi lulwaphulo-mthetho ekumele lohlwaywe xa ethe wabanjwa ngomdliwo okanye ngokuvalelwa ixesha elingadlulanga kwiinyanga ezili12.

(9) Naluphi ulwaphulo lomqathango 5(1C) lulwaphulo-mthetho ngakwicala lomntu ngamnye ongumbhexeshi, okanye iarhente yombhexeshi, wenqwelo yamanzi, kwaye kumele ohlwaywe xa ethe wabanjwa ngomdliwo okanye ngokuba avalelwe entolongweni ixesha elingadlulanga kwiinyanga ezili12.

(10) Naluphi ulwaphulo lomqathango 5(1E) okanye 5(1F) lulwaphulo-mthetho ekumele lohlwaye xa ethe wabanjwa lowo wenze oko ngomdliwo okanye avalelwe ixesha elingadlulanga kwiinyanga ezili12.

Ukufakelwa komqathango 22 kwiMiqathango

23. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 22 weMiqathango:

"Ulwaphulo-mthetho ngenxa yetyala ngakomnye umntu

22. Apho ukwenziwa lolwaphulo-mthetho nguye nabani na ngaphantsi kweSigaba 1, 2, 3 okanye 3A kungenxa yesenzo okanye

ngesenzo somnye umntu, loo mntu lowo unetyala lolwaphulo-mthetho kwaye angabekwa ityala kwaye abanjelwe ulwaphulo-mthetho ngokwemimiselo yalo mqathango, nokuba umntu wokuqala okhankanyiweyo uthe watshutshiswa okanye hayi.".

Ukufakelwa komqathango 23 kwiMiqathango

24. Lo mqathango ulandelayo uthe ke ngoko wafakelwa kumqathango 23 weMiqathango:

"Ukucinywa kwemiqathango

23. (1) Imiqathango 25 ukuya 37 kwakunye neSihlomelo 2 seMiqathango yoKhuseleko lokuFathula, ka1968, *opapashwe kwiGazethi kaRhulumente* No. R. 651 ngo19 kwekaTshazimpuzi 1968, nanjengoko uhlonyelwe kwiSaziso sikaRhulumente No. R. 2483 ngo15 kweyoMnga 1978, iye yacinywa.

(2) IMiqathango yoHanjiso lweMithwalo (iKhowudi INF), ka2003, opapashwe kwiGazethi kaRhulumente No. R. 719 kwiGazethi kaRhulumente No. 24922 (RG7675) ngo6 kweyeSilimela 2003 ngokwemimiselo yoMthetho wokuHanjiswa kweMithwalo, ka1951 (uMthetho No. 57 of 1951), iye yacinywa.".

Isihloko esifutshane kwakunye nokuqalisa

25. Le Miqathango ibizwa ngokuba siSihlomelo seMiqathango yoHanjiso lweMithwalo (imiThwalo eyiNgozi), ka2026, kwaye iza kuqalisa ukusebenza ngomhla wokugqibela wopapasho.

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