Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 736 2 October / Oktober 2026 No. 55465

PART 1 OF 2

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

No.		Gazette No.	Page No.
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Higher Education and Training, Department of / Hoër Onderwys en Opleiding, Departement van			
7975	Higher Education Act (101/1997): Notice issued on the cancellation of the registration of St Augustine College of Southern Africa NPC as a Registered Private Higher Education Institution	55465	13
Rural Development and Land Reform, Department of / Landelike Ontwikkelinwg en Grondhervorming, Departement van			
7976	Land Reform (Labour Tenants) Act (3/1996): Applications for acquisition of land or rights in land were lodged with the Director General of the erstwhile Department of Land Affairs	55465	14
South African Reserve Bank / Suid-Afrikaanse Reserwebank			
7977	Banks Act (94/1990): Change of name: Capitec Bank Holdings Limited	55465	18
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van			
7978	Competition Act (89/1998), as amended ("the Act"): Publication of Draft Guidance on Repair, Service, and Maintenance Aftermarkets: October 2026	55465	19
7979	Consumer Protection Act (68/2008) (CPA): Application by the National Informal Business Compliance Agency - Consumer Education and Advocacy	55465	20
7980	Consumer Protection Act (68/2008) (CPA): Application by The South African Franchisee Representative Organisation, also known as "SAFREP"	55465	21
7981	Consumer Protection Act (68/2008) (CPA): Guidelines for compliance with Opt-Out Registry Regulations	55465	22
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Civilian Secretariat for the Police Service / Burgerlike Sekretariaat vir die Polisiediens			
4172	Second-Hand Goods Act, 2009 (Act no. 6 of 2009): Draft Second-Hand Goods Amendment Bill, 2026: Invitation for public comments	55465	40
4173	Stock Theft Act, 1959 (Act No. 57 of 1959) ("the Act"): Draft Stock Theft Amendment Bill, 2026: Invitation for public comments	55465	43
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van			
4174	International Trade Administration Commission of South Africa: Outcome of tariff amendment investigation: RE: ITAC Report No. 679: Application for an increase in the rate of customs duty on other paper and paperboard classifiable under tariff subheadings 4802.55.20, 4802.56.90 and 4802.57.20	55465	82
4175	Competition Act (89/1998): Competition Tribunal: Notification of decision to approve merger: 04 Mergers	55465	85
Transport, Department of / Vervoer, Departement van			
4176	Air Services Licensing Council Act (115/1990): Application for the grant or amendment of Domestic Air Service Licence; and International Air Service Act (60/1993): Grant/amendment of International Air Service License	55465	86
BOARD NOTICES • RAADSKENNISGEWINGS			
991	Kennisgewing van produksiegebied Eersterivier	55465	88
992	Section 9(2) of the Use of Official Languages Act (UOLA), No. 12 of 2012: 2024/25 Language Policy Implementation Monitoring Report	55465	89
993	PanSALB: Report on the 2025 National Senior Certificate Language Results: Advancing Mother Tongue-Based Multilingual Education in South Africa	55465	124
994	Section 8(1)(i) of PanSALB Act: 2025/2026 Linguistic Human Rights Report	55465	172

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

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 7975 **2 October 2026**

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)

NOTICE ISSUED ON THE CANCELLATION OF THE REGISTRATION OF ST AUGUSTINE COLLEGE OF SOUTHERN AFRICA NPC AS A REGISTERED PRIVATE HIGHER EDUCATION INSTITUTION

NOTICE PUBLISHED IN TERMS OF REGULATION 18(1) OF THE REGULATIONS FOR THE REGISTRATION OF PRIVATE HIGHER EDUCATION INSTITUTIONS, 2016 READ WITH SECTIONS 62(1) AND 63(a) AND (b) OF THE HIGHER EDUCATION ACT, 1997.

I, Dr Nkosinathi Sishi, Director-General of the Department of Higher Education and Training and the Registrar of Private Higher Education Institutions, hereby publish in terms of Regulation 18(1) of the Regulations for the Registration of Private Higher Education Institutions, 2016 (the Regulations) read with Sections 62(1) and 63(a) and (b) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended) (the Act), my decision to cancel the registration of St Augustine College of Southern Africa NPC as a registered Private Higher Education Institution since it has failed to submit the annual report for the 2025 year of reporting, as required by Section 57(2) of the Act read with the Regulation 27, and it has thus failed to fulfil the requirements for registration contemplated in the Act and Chapter 3 of the Regulations and discharge its responsibilities as required by Chapter 6 of the Regulations.

Dr Nkosinathi Sishi
Director-General: Higher Education and Training
Date: 2026 / 09 / 30

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 7976 **2 October 2026**

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that applications for acquisition of land or rights in land were lodged with the Director General of the erstwhile Department of Land Affairs by the Applicants, and in respect of the Property, described in the Schedule.

Any party who may have an interest in the applications appearing in the Schedule is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Land Reform and Rural Development
Ladysmith Regional Shared Services Centre
45 Beacon Road
Ladysmith
3370
Tel (036) 638 9400
Email: Isaac.Sibeko@dlrrd.gov.za
Tshepiso.Matlala@dlrrd.gov.za

File Reference: **See attachment**

SIGNED BY: DEPUTY DIRECTOR: TENURE REFORM IMPLEMENTATION
DULY AUTHORISED
For **DIRECTOR-GENERAL: LAND REFORM AND RURAL DEVELOPMENT**

DATE: 24/08/2026

SCHEDULE

ADMIN DETAILS		DETAILS OF THE APPLICANTS		DETAILS OF THE PROPERTY				
No.	**File No / Reference**	**Name and Surname**	**Identity Number**	**Property Description**	**Locality (District)**	**Current Title Deed No**	**Current Owner**	**Bonds and Restrictive Conditions (Interdicts)**
1.	KNB/4/3/	Doctor Paulos Nsibanyoni Mr. Soketshe George Magudulela	640605 5334 08 3 530208 5429 08 7	Portion 3 (Remaining Extent) of the farm Schaap Plaats No. 5689, GS	uThukela	T67583/2025	JHDV FARMING PROPRIETARY LIMITED	N/A
2.	KNB/4/1/	Ms. Thokozile Angel Sithole Mr. Mduduzu Mcunu Ms. Nomvula Elizabeth Mwale Ms. Fikile Mornica Mthembu Ms. Eunice Fisani Sithole	571221 0774 08 4 510111 5570 08 8 281111 0126 08 1 531121 0746 08 3 381215 0306 08 7	Portion 8 of the farm Davels Berg No. 3286, GT	Endumeni/ Dundee	T182/1975 T182/1975 T22267/1996 T35481/1996	LISHMAN GERAINT COLIN SEATH MKHIZE FANYANA VIVIAN *NO.*	N/A
3.	KNB/4/2/	Mr. Simphiwe J. Ndlovu	720215 5531 08 5	Portion 241 of the farm Wagendrift No. 798, GS	uThukela	T9129/1999	TARR RICHARD CEDRIC	N/A
4.	KNB/4/3/	Alson Mtshali	2506065155 08 1	Groot Geluk No. 4481, GS	uThukela	T6565/1996	MGAGA BIZAYI SIMON	N/A

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5.	KNB/4/1/	Mr. Tshefu Luke Ngcobo	4802085245087	Portion 1 of the farm Vermaaks Kraal No. 938, GS	uThukela	T60897/2025	AMANGWE LAND TRUST	N/A
6.	KNB/4/1/	Mr. Mandla Mazibuko	400910 5384 08 2	Portion 7 of the farm Zwartkop No 1188, GS	uThukela	T18940/1997	GERRY GREEN FARMS (PTY) LTD	N/A
7.	DC22/KZ223/129	Ms. Sibongile Memela Mr. Samson Khumalo Mr. Bhekinkosi Peter Sibiya Ms. Shisiwe Lamula Mr. Mtshelekwa Memela	541230 0297 08 4 440417 5268 08 5 671006 5374 08 2 420810 5566 08 2 53051175301085	Portion 2 (Remaining Extent) of the farm Harleigh No. 8533, FS	uThukela	T66862/2025	DEFENCE FARM DAIRY PROPRIETARY LIMITED	N/A
8.	KZ241	Mr. Vusi Milton Mbhele	550606 6571 08 5	Portion 1 of the farm Omdraai No. 4981, GT	uMzinyathi	T2070/1982	NATIONAL GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	N/A
9.	KNB/4/3/	Mr. Siphiwe Khumalo	410812 5257 086	Portion 2 of the farm Spioen Kop No. 1274, GS	uThukela	T6970/1994	GREEN H RANCHES CC	N/A
10.	KNB/4/3/	Ms. Thanda Msibi Mr. Ernest Mnikathi	4906205534088 4803205473088	Portion 24 of the farm Wagenbitjies Kop No. 1253, GS	uThukela	T67454/2025	JACOBSZ KINDERTRUST	N/A
11.	KZ241	Ms. Nomusa Beatrice Mbhele	560320 0940 084	Portion 23 (remaining extent) of the farm Kleine	uMzinyathi	T70789/2025	NJONJO CONSTRUCTION CC	N/A

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12.	KNB/4/1	Mr. Mavundla Vanesi Shelembe Sizana Dlalisa Amos	390306 5367 080 400401 0390 084 330424 5187 086	Waterfall No. 1152, GT Portion 0 (Remaining Extent) of the farm Schoongezicht No. 1088, GS	uThukela	T17557/1996	TREGENNA FARM TRUST - TRUSTEES	N/A	

SOUTH AFRICAN RESERVE BANK

NO. 7977 **2 October 2026**

NOTICE BY THE PRUDENTIAL AUTHORITY IN TERMS OF SECTION 30(1)(d) OF THE BANKS ACT, 1990 (ACT NO. 94 OF 1990 – the "Banks Act")

CHANGE OF NAME – CAPITEC BANK HOLDINGS LIMITED

Notice is hereby given, for general information, that Capitec Bank Holdings Limited, registered as a controlling company in terms of section 44 of the Banks Act, changed its name to Capitec Limited with effect from 1 August 2026.

Fundi Tshazibana

N Tshazibana

CEO: Prudential Authority

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7978 **2 October 2026**

competitioncommission
south africa

Publication of Draft Guidance on Repair, Service, and Maintenance Aftermarkets.

October 2026

1. BACKGROUND

Notice is hereby given that the Competition Commission ("the Commission") has published the Final Guideline on Repair, Service, and Maintenance Aftermarkets on its website and is gazetted in terms of section 79 of the Competition Act, 89 of 1998, as amended ("the Act").

The Commission seeks to provide guidance on its analytical approach to investigations of restrictions in the repair, service, and maintenance aftermarkets for technology goods. The Guideline is accompanied by a Background Note, which discusses regulatory approaches to repair, service, and maintenance aftermarkets and presents the concerns that that the Commission has identified in these aftermarkets.

The Guideline provides aims to provide guidance on how the Commission will define the relevant markets and assess market power. Further, The Guideline explains the categories of conduct or restrictions in repair, service, and maintenance aftermarkets that may reduce or prevent competition and the justifications that the Commission may consider in its investigations and analysis of complaints.

The Guidance on Repair, Service, and Maintenance Aftermarkets is available at https://www.compcom.co.za/guidelines-on-repair-service-and-maintenance-aftermarkets/

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7979 **2 October 2026**

NATIONAL CONSUMER COMMISSION
a member of the dtic group

NATIONAL CONSUMER COMMISSION

I, **Hardin Ratshisusu**, in my capacity as the Acting Commissioner of the National Consumer Commission (NCC), hereby, in terms of Regulation 38(5) of the Consumer Protection Act, 68 of 2008 (CPA), publish the application by the National Informal Business Compliance Agency – Consumer Education and Advocacy also known as "NIBCA-CEA," as a Consumer Protection Group in terms of Section 78 of the CPA for public comment.

On 18th of December 2025, the NCC received NIBCA-CEA for accreditation as a Consumer Protection Group. Following a preliminary assessment conducted in the year 2026, the NCC required further clarity from the NIBCA-CEA regarding its legal status and mandate as a proposed Consumer Protection Group. NIBCA-CEA clarified that its mandate serves both consumers and informal/emerging businesses under the CPA and CIPC requirements, with practical outreach already implemented through stalls at taxi ranks and rural communities. The work includes educating businesses on registration and compliance, while also raising consumer awareness, and involves collaboration with other stakeholders. This dual approach prioritises preventative compliance and responsible marketplace participation, rather than reactive enforcement.

NIBCA-CEA acknowledges and agrees to the post-accreditation obligations, notably: (1) submitting quarterly progress reports to the NCC; (2) operating under the basic principles of the CPA, including not charging fees beyond out-of-pocket expenses; and (3) being subject to monitoring and evaluation.

The NCC hereby calls upon any interested person to submit written comments regarding the application, which can be accessed on the following link: https://thencc.org.za/consumer-groups/ within forty-five (45) days from the date of publication of this notice:

a) Delivering such comments by hand at the following address:
National Consumer Commission
01 Dr Lategan Road, Groenkloof, Pretoria.
b) Mailing such comments electronically to the following email address, jointly:
J.Mbeje@thencc.org.za and T.Kutumela@thencc.org.za

Comments must be directed to the Divisional Head for Enforcement and Legal Services and marked for attention of Mr Jabulani Mbeje.

Mr Hardin Ratshisusu
Acting Commissioner
National Consumer Commission
Date: 21 / September 2026

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7980 **2 October 2026**

NATIONAL CONSUMER COMMISSION
a member of the dtic group

NATIONAL CONSUMER COMMISSION

I, **Hardin Ratshisusu**, in my capacity as the Acting Commissioner of the National Consumer Commission (NCC), hereby, in terms of Regulation 38(5) of the Consumer Protection Act, 68 of 2008 (CPA), publish the application by the South African Franchisee Representative Organisation, also known as "SAFREP" as a Consumer Protection Group in terms of Section 78 of the CPA for public comment.

On 3 September 2025, the NCC received an application from SAFREP for accreditation as a Consumer Protection Group. Following a preliminary assessment conducted, the NCC required further clarity from SAFREP regarding its scope of work and the number of complaints it had received in the franchise industry.

Further engagements were held with SAFREP during 2026, and SAFREP clarified its position as follows: Section 5(6) and (7) of the CPA explicitly apply to franchise agreements, irrespective of the annual turnover of the juristic person. The application of the CPA to franchisees is therefore beyond question. SAFREP furthermore confirmed that it will spearhead the bulk of complaints received and only engage the NCC when matters fall beyond its constitutional mandate. This positions SAFREP as a primary point of contact for franchisee complaints, facilitating the identification and escalation of systemic non-compliance within the franchise industry.

SAFREP acknowledges and agrees to the post-accreditation obligations, notably: submitting quarterly progress reports to the NCC; operating under the basic principles of the CPA, including not charging fees beyond out-of-pocket expenses; prioritizing the interest of consumers; keeping records of all activities carried within the scope of accreditation; and being subject to monitoring and evaluation.

The NCC hereby calls upon any interested person to submit written comments regarding the application, which can be accessed on the following link: https://thencc.org.za/consumer-groups/ within forty-five (45) days from the date of publication of this notice:

a) Delivering such comments by hand at the following address:
National Consumer Commission
01 Dr Lategan Road, Groenkloof, Pretoria.
b) Mailing such comments electronically to the following email address, jointly:
J.Mbeje@thencc.org.za and T.Kutumela@thencc.org.za

Comments must be directed to the Divisional Head for Enforcement and Legal Services and marked for attention of Mr Jabulani Mbeje.

Mr Hardin Ratshisusu
Acting Commissioner
National Consumer Commission
Date: 21 / September 2026

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7981 **2 October 2026**

NATIONAL CONSUMER COMMISSION
a member of the dtic group

Opt-Out Registry

GUIDELINES FOR COMPLIANCE WITH OPT-OUT REGISTRY REGULATIONS

[DRAFT]

I, Hardin Ratshisusu, in my capacity as the Acting Commissioner of the National Consumer Commission ("the Commission"), hereby, in terms of section 96 (b) (i) of Consumer Protection Act No.6 of 2008 ("the CPA"), publish the draft Guidelines on Guidelines for compliance with Opt-Out Registry's Regulations. Any person who wishes to submit written input on the draft Guidelines is hereby invited to do so within 15 days of the date of publication thereof by:

a) Delivering such comments by hand at the following address: National Consumer Commission, 01 Dr Lategan Road, Block C, Groenkloof, Pretoria.

b) Mailing such comments electronically to the following email address, jointly: J.Mbeje@thencc.org.za and N.Ngobeni@thencc.org.za .

Hand-delivered comments must be directed to the Divisional Head for Enforcement and Legal Services and marked attention to Mr. Jabulani Mbeje.

Mr. H. Ratshisusu
Acting Commissioner: National Consumer Commission

1. INTRODUCTION

These Guidelines provide practical guidance on compliance with the Consumer Protection Act, 2008 and the CPA, Amendment Regulations, 2026 governing the National Opt-Out Registry.

2. LEGAL FRAMEWORK

The legal framework for the Regulations regulating establishment and operation of Opt-Out Registry is premised on section 11 of the CPA, particularly sections 11(1) and (2), 11(3), (4) and (6). The CPA Regulations as amended in 2026, promulgated in terms of section 120 read with section 11(6) of the CPA:

2.1. **Section 11 of the CPA:**

2.1.1. Section 11(1) of the CPA provides that: "The right of every person to privacy includes the right to-(a) refuse to accept; (b) require another person to discontinue; or (c) in the case of an approach other than in person, to pre-emptively block, any approach or communication to that person, if the approach or communication is primarily for the purpose of direct marketing."

2.2. **Section 11(2) of the CPA:**

2.2.1. Section 11 (2) provides that: "To facilitate the realization of each consumer's right to privacy, and to enable consumers to efficiently protect themselves against the activities contemplated in subsection (1), a person who has been approached for the purpose of direct marketing may demand during or within a reasonable time after that communication that the person responsible for initiating the communication desist from initiating any further communication."

2.3. **Section 11(3) of the CPA:**

2.3.1. Section 11(3) provides that: "The Commission may establish, or recognize as authoritative, a registry in which any person may register a pre-emptive block, either generally or for specific purposes, against any communication that is primarily for the purpose of direct marketing."

2.4. **Section 11 (4) of the CPA:**

2.4.1. Section 11(4) provides that**: "**A person authorising, directing or conducting any direct marketing- (a) must implement appropriate procedures to facilitate the receipt of demands contemplated in subsection (2); and (b) must not direct or permit any person associated with that activity to direct or deliver any communication for the purpose of direct marketing to a person who has-

(i) made a demand contemplated in subsection (2); or (ii) registered a relevant pre-emptive block as contemplated in subsection.

2.5. **Section 11(6) and Section 120:**

2.5.1. Section 11(6) empowers the Minister to prescribe regulations for the operation of the registry contemplated in section 11(3). Section 120 provides a broader regulation-making framework, including the provisions relied upon for regulations expressly authorized or contemplated by the CPA, procedural and administrative matters concerning Commission functions and ancillary or incidental matters necessary for implementation and administration of the Act.

2.6. **Consumer Protection Act, Amendment Regulations of 2026:**

2.6.1. The 2026 amendment regulations operationalize the Opt-Out Registry and introduce requirements relating to direct marketer registration, renewal, database cleansing, compliance with pre-emptive blocks, identification of direct marketers and prescribed fees.

2.6.2. Regulation 4(7) and Regulation 4(11), together with Annexures N, O and P, are central to the operation of the Opt-Out Registry.

3. DEFINITIONS AND KEY CONCEPTS

3.1. **Consumer Rights**: means the rights of consumers to register free pre-emptive blocks; withdraw consent anytime and lodge complaints with the Commission.

3.2. **Cleansing**: the process by which a direct marketer removes from its database all consumers who have opted out of receiving electronic communications, thereby ensuring that such consumers are no longer contacted.

3.3. **Commission**: shall refer and mean the National Consumer Commission, which is a juristic person established as an organ of state within the public administration in terms of section 85 of the CPA. The Commission is listed as a Schedule 3A entity in terms of the Public Finance Management Act, 1999 (PFMA).

3.4. **CPA:** Consumer Protection Act No 68 of 2008 (the CPA").

3.5. **Direct Marketing**: Direct communication with consumers for the purpose of promoting or offering goods or services through telephone calls, SMSs, e-mails, messaging applications, online platforms or any other form of electronic communication.

3.6. **Direct Marketer:** Any person or business conducting direct marketing.

3.7. **Pre-Emptive Block**: Consumer registration on the Opt-Out Registry to block direct marketing communications generally or for specific channels (e.g., email).

3.8. **Opt-Out Registry**: Registry established in terms of section 11(3) of the CPA and administered by the Commission for purposes of enabling consumers to register a pre-emptive block to prevent unwanted direct marketing communications.

4. OBJECTIVES

These Guidelines seek to:

4.1. promote lawful direct marketing;

4.2. protect consumers against unwanted marketing communications;

4.3. encourage voluntary compliance;

4.4. reduce consumer complaints; and

4.5. provide practical compliance guidance.

5. SCOPE OF APPLICATION

5.1. These Guidelines apply to every person or business that engages in direct marketing, including but not limited to suppliers, retailers, insurers, financial institutions, telemarketing companies, call centers, marketing agencies, estate agencies, vehicle dealerships, digital marketers and any other person promoting goods or services directly to consumers.

5.2. Obligations apply even when marketing is conducted by a third party on behalf of a direct marketer whose goods and services are promoted by the said third party.

5.3. Omnichannel retail models where consumers initiate contact are excluded from direct marketer registry obligations.

5.4. A direct marketer remains responsible for compliance even when another person conducts marketing on its behalf.

5.5. Robocalls, automated calls and other forms of automated dialing fall within the scope of direct marketing where they are used to promote or offer goods or services.

5.6. The Guidelines apply to all goods and services that a direct marketer wants to market directly to consumers, irrespective of the industry under which such direct marketer falls.

6. REGISTRATION REQUIREMENTS

6.1. Every direct marketer must register with the Opt-Out Registry before conducting direct marketing to ensure that such direct marketer has access to Opt-Out Registry so that they can obtain a list of consumers who have registered a pre-emptive block against them.

6.2. Registration is mandatory for all direct marketers to register before conducting direct marketing. Such registration will give direct marketer access to the Opt-Out Registry so that it will be able to cleanse its database list of consumers.

6.3. Registration must be completed on the Opt-Out Registry system, which is available on the Commission's website. Registration renewal is required annually on anniversary of registration.

7. DATABASE CLEANSING PROCESS

7.1. Direct marketer must submit its list of consumer databases, i.e. the list of consumers that it intends to do direct marketing during the month that it intends to do direct marketing. The cleansed list is only valid for one month from the date when it was issued. Submission of the list of the database of consumers is done online.

7.2. The system automatically cross-checks with Opt-Out Registry and identifies consumers who registered a pre-emptive block against a direct marketer. Marketers pay cleansing fee of 12 cents per entry/ name of a consumer who has registered a pre-emptive block against a direct marketer.

7.3. After payment, marketers receive the cleansed list showing consumers who have registered pre-emptive blocks against a direct marketer. Marketers must remove all blocked consumer names from their marketing lists for purposes of direct marketing.

7.4. Cleansed lists remain valid for 30 days and marketers may conduct ongoing marketing within month without new cleansing.

8. GENERAL PRE-EMPTIVE BLOCK

8.1. A general pre-emptive block is a registration by which a consumer indicates that the consumer does not wish to receive direct marketing generally.

8.2. A general pre-emptive block must be respected by direct marketers irrespective of the sector, category of goods or services, or marketing channel, to the extent covered by the consumer's registration.

9. SPECIFIC PRE-EMPTIVE BLOCK

9.1. A consumer may register a pre-emptive block that is limited to a specified purpose, category, marketing channel, marketer or sector.

9.2. A specific pre-emptive block must be interpreted and applied according to the scope selected by the consumer.

9.3. A direct marketer may not treat a specific pre-emptive block as having a broader or narrower application than the scope registered by the consumer.

10. SECTOR-SPECIFIC PRE-EMPTIVE BLOCK

10.1. The Opt-Out Registry may provide for a consumer to register a pre-emptive block against direct marketing from a specific sector or category of goods or services.

10.2. A sector-specific block applies to direct marketers conducting direct marketing within the sector or category identified by the consumer.

10.3. A sector-specific block must not be interpreted as a block against all direct marketing unless the consumer has selected a general pre-emptive block.

11. OBLIGATION OF DIRECT MARKETERS

11.1. Every direct marketer has the following legal obligations:

11.1.1. Register before conducting direct marketing, for purposes of obtaining access to Opt-Out Registry;

11.1.2. Cleanse the consumer/ client marketing database every month when it has planned or intend to do direct marketing during that month;

11.1.3. Respect consumer's pre-emptive block; and

11.1.4. Remove names of consumers who have opted out from their direct marketing database before commencing with the process of direct marketing.

11.2. Every direct marketing communication must clearly identify:

11.2.1. the business/marketer's name;

11.2.2. contact details;

11.2.3. email address;

11.2.4. physical address (where applicable); and

11.2.5. any other information necessary to identify the sender.

12. CONSUMER's CONSENT/OPT IN vs OPT-OUT

12.1. Consumers may register a pre-emptive block on the Opt-Out Registry to stop receiving unwanted direct marketing communications.

12.2. Historical or existing consent is invalid once a consumer registers a pre-emptive block.

12.3. Fresh consent does not override a pre-emptive block, unless the consumer has removed such pre-emptive block.

12.4. Consumers may register specific or general blocks and marketers must respect scope of the block.

12.5. Communication without promotional intent (e.g., service enquiries, account administration) is not affected by the Registry.

12.6. Where a consumer has previously consented to receiving direct marketing communication and has not registered a pre-emptive block against a direct marketer, compliance with POPIA is required before doing direct marketing with a consumer.

12.7. There will be no access to cleansed data without registration and cleansing.

12.8. Consumers may lodge complaints with the Commission.

13. WHEN IS THE DIRECT MARKETER ALSO A CONSUMER

13.1. A Sole proprietor whose annual turnover is less than R2 000 000,00 (Two Million Rand) can be both a consumer and a direct marketer, provided such person has registered both as a consumer and a direct marketer.

14. ORDINARY BUSINESS ENGAGEMENTS ARE PERMITTED

14.1. The Opt-Out Registry is directed at communications that are primarily for the purpose of direct marketing. It does not prohibit ordinary business engagements that are not primarily promotional or marketing communications.

15. EXAMPLES OF ORDINARY BUSINESS ENGAGEMENTS

15.1. Ordinary business communications may include:

15.1.1. Responding to a consumer's enquiry;

15.1.2. Confirming, processing or administering an existing order or transaction;

15.1.3. Arranging delivery, collection, installation, inspection or an appointment;

15.1.4. Dealing with an account, invoice or payment;

15.1.5. Providing customer support or after-sales service;

15.1.6. Dealing with a complaint, return, cancellation or warranty matter;

15.1.7. Providing information necessary to perform an existing contractual obligation; or

15.1.8. Any other communication reasonably necessary to complete, administer or give effect to an existing business engagement.

16. WHEN AN ORDINARY CALL BECOMES DIRECT MARKETING

16.1. If ordinary business communication is used as a vehicle to promote, advertise or offer additional goods or services, the promotional part of the communication may constitute direct marketing. For example, a call made to resolve an account query may be permissible, but an unsolicited sales pitch added to that call is direct marketing and must comply with the CPA, the Opt-Out Regulations and applicable privacy law.

17. COMPLIANCE AND ENFORCEMENT

17.1. Non-compliance with the provisions of section 11 read with the amended regulations may lead to a complaint being lodged with the Commission against a direct marketer, investigated, and a compliance notice, or referral application lodged with the National Consumer Tribunal for administrative penalties against the non-compliant direct marketer.

17.2. In serious cases, contraveners may face criminal prosecution. Convicted persons may be fined or imprisoned for a period not exceeding 12 months under the CPA.

17.3. Complaints will first be investigated before compliance notice or a referral application to impose a penalty is made.

17.4. Compliance responsibility extends to agencies, franchises and branches.

17.5. Direct Marketers using automated dialing must comply with the applicable requirements of the CPA and the Opt-Out Registry's amended Regulations.

18. GOOD PRACTICE RECOMMENDATIONS

18.1 Direct marketers are encouraged to:

18.1.1 designate a compliance officer;

18.1.2 develop internal direct marketing policies;

18.1.3 train employees regularly;

18.1.4 conduct periodic compliance audits;

18.1.5 maintain accurate consumer databases; and

18.1.6 stay informed of legislative amendments affecting direct marketing.

19. DISCRETION

19.1. The Guidelines are not binding on the Commission, the National Consumer Tribunal, or the Courts. However, any person interpreting or applying the Act must take the Guidelines into account. The Guidelines accordingly provide a framework for the operation and administration of the Opt-Out Registry, as contemplated in section 11 of the CPA read with the Opt-Out Registry Regulations. Notwithstanding, the Guidelines do not fetter or limit the discretion of the Commission, the National Consumer Tribunal, or the Courts to consider any other relevant factors and circumstances on a case-by-case basis when exercising statutory functions and powers.

20. SHORT TITLE

20.1. These Guidelines shall be called the Guidelines on Opt-Out Registry 2026.

ANNEXURE A: SUMMARY OF THE LEGAL FRAMEWORK AT A GLANCE

Provision	What it does	Practical relevance
CPA s 11(1)–(2)	Protects the right to refuse, discontinue or block direct marketing and to demand that it cease.	A marketer must have procedures to respect consumer choices.
CPA s 11(3)	Provides for a registry of pre-emptive blocks, either generally or for specific purposes.	The scope of the consumer's block matters.
CPA s 11(4)	Places duties on direct marketers to facilitate opt-out demands and honor registered pre-emptive blocks.	Internal suppression and opt-out processes are essential.
CPA s 11(5)	Prevents a consumer from being charged for opting out.	Do not charge a consumer registering a pre-emptive block.
CPA s 11(6)	Authorizes regulations for operation of the registry contemplated in s 11(3).	Basis for the regulatory operation of the Registry.
CPA s 120	Provides the broader regulation-making framework.	Supports the statutory framework for implementation.
2026 Amendment Regs – Reg 4(7)	Introduce direct marketer registration, cleansing and related compliance requirements.	Direct marketers must follow the prescribed Registry process.
2026 Amendment Regs – Reg 4(11) / Annexure N	Provides the fee structure.	Use the current prescribed fees.
Annexures O & P	Provide the consumer pre-emptive block and direct marketer registration mechanisms.	Use the prescribed forms/processes. Forms may be amended now and then depending on legislative reforms

ANNEXURE B: FREQUENTLY ASKED QUESTIONS

FAQ 1: What is the purpose of the National Opt-Out Registry?

It provides a mechanism through which consumers can register a pre-emptive block against direct marketing. It is intended to reduce unwanted direct marketing and give effect to section 11 of the CPA.

FAQ 2: Does every phone call by a business amount to direct marketing?

No. The purpose of communication matters. A call to administer an existing transaction, arrange delivery, resolve an account or complaint, provide support or perform a contractual obligation is not automatically direct marketing. A call primarily intended to promote or offer goods or services is direct marketing.

FAQ 3: Can a business call a consumer for an ordinary business engagement if the consumer is on the Opt-Out Registry?

An ordinary business engagement that is not primarily for direct marketing is not the type of communication targeted by the Registry. The caller must, however, ensure that communication does not become a promotional call. If marketing is introduced, the direct marketing requirements apply.

FAQ 4: Can I call a consumer to confirm an appointment?

Yes, where the call is genuinely to administer or confirm an existing appointment or business engagement and is not primarily promotional.

FAQ 5: Can I use a service call to sell another product?

If the purpose of the additional communication is to promote or offer another product or service, that part of the communication is direct marketing and must comply with the CPA and applicable Regulations.

FAQ 6: What if the direct marketer is also a consumer?

The person can occupy both roles. When buying or receiving goods or services, the person is acting as a consumer. When promoting or offering their own goods or services to consumers, the person is acting as a direct marketer. The purpose of the particular communication determines which obligations apply.

FAQ 7: Does registration on the Registry amount to a license?

The Commission's implementation position is that registration is an operational requirement that enables a direct marketer to access and use the Registry for cleansing. It is not a professional or business license.

FAQ 8: Must a direct marketer register before marketing?

Yes, the amended Regulations require direct marketers to register before conducting direct marketing, subject to the scope and operation of the Regulations.

FAQ 9: What must a registered direct marketer do with its database?

It must conduct the prescribed cleansing against the National Opt-Out Registry and respect applicable pre-emptive blocks and direct opt-out demands.

FAQ 10: Can a consumer register a general or specific pre-emptive block?

Section 11(3) expressly contemplates a pre-emptive block either generally or for specific purposes. The Commission's memo records that the Registry allows both general and specific pre-emptive blocks.

FAQ 11: Can previous consent override a pre-emptive block?

The Commission has previously communicated that fresh consent does not override an existing pre-emptive block. A marketer should therefore not assume that previous or fresh consent automatically permits marketing contrary to a registered block.

FAQ 12: Does the Opt-Out Registry replace POPIA?

No. The CPA and POPIA address different aspects of direct marketing and should be applied together. The Commission's memorandum records that the Information Regulator has been engaged and that the two frameworks are regarded as complementary.

FAQ 13: What are the prescribed fees?

The fees are set by the applicable Regulations and Annexure N and may change. Direct marketers should rely on the current prescribed schedule rather than an outdated fee quotation.

FAQ 14: What happens if a business uses a call centre or marketing agency?

Using a third party does not remove the direct marketer's compliance responsibility. The business should ensure that its service providers comply with the CPA and Regulations and that required registration and cleansing arrangements are in place.

FAQ 15: What should a business do if it is unsure whether communication is marketing?

Apply the purpose test. If communication is primarily to promote or offer goods or services, treat it as direct marketing. If it is genuinely to administer or complete an existing business engagement and contains no promotional purpose, it is generally an ordinary business communication. Where communication has mixed purposes, the promotional component should be treated cautiously and compliance controls applied.

FAQ 16: Are political organisations covered by the Opt-Out Registry Regulations when campaigning for votes?

Political campaigning for votes does not ordinarily constitute “direct marketing” under the CPA because the purpose is to solicit political support rather than to promote goods or services or request a donation.

However, where a political organisation solicits donations from individuals or juristic person whose annual turnover is less than R2 000 000,00 (Two Million Rand), that communication may constitute direct marketing and may therefore fall within the Opt-Out Registry regime.

FAQ 17: Are Non-Profit Organizations(“NPO”) automatically excluded from the Opt-Out Registry Regulations?

An NPO is not automatically excluded merely because it is a non-profit organisation. The determining factor is whether its particular communication constitutes “direct marketing” under the CPA.

FAQ 18: When would an NPO be regarded as a direct marketer?

An NPO would be regarded as a direct marketer where it approaches persons, including by telephone, SMS, email or other covered means, for the purpose of requesting a donation from individuals or juristic person whose annual turnover is more than two million. The CPA's definition of direct marketing expressly includes a request for a donation.

FAQ 19: When would an NPO not be regarded as a direct marketer?

An NPO would generally not be regarded as a direct marketer where its communication is purely for administrative, informational, educational, awareness related purposes, and does not constitute direct marketing as defined in the CPA.

ANNEXURE C: LEGAL QUESTIONS AND THE COMMISSION'S RESPONSES

This Annexure sets out the principal legal questions arising from the interpretation and implementation of the Regulations. The purpose is to provide clear and practical guidance on the legal framework underpinning the Regulations.

1. What are the empowering provisions that regulate the activities of direct marketers?

The activities of direct marketers are regulated principally by section 11 of the CPA**,** which establishes the consumer's right to restrict unwanted direct marketing, and section 120, which empowers the Minister to make regulations necessary to give effect to the CPA. Section 11(6) specifically provides the regulatory basis for the establishment and operation of the Registry.

2. Does the Registry give effect to section 11(3) by allowing consumers to place pre-emptive blocks against specific marketers or sectors?

Section 11(3) is important in determining the scope of a consumer's pre-emptive block. The Registry must not be understood as providing only a single, blanket opt-out mechanism.

The framework accommodates both general pre-emptive blocks and specific-purpose pre-emptive blocks. A consumer may therefore indicate that direct marketing is not permitted generally or may restrict direct marketing in accordance with the specific scope selected by the consumer.

Direct marketers must respect the applicable block recorded on the Registry and may not treat a specific-purpose block as though it were either broader or narrower than the scope selected by the consumer.

3. How does the CPA opt-out framework operate together with POPIA?

The CPA and POPIA regulate different but related aspects of direct marketing and the protection of consumers' personal information.

The Commission's position is that the two frameworks are complementary and should, where applicable, be interpreted harmoniously. Compliance with the CPA opt-out requirements does not displace the obligations imposed by POPIA, and compliance with POPIA does not remove the obligations arising under the CPA.

The Commission has engaged with the Information Regulator on the relationship between the two frameworks, with the position being that the respective regulatory frameworks are capable of operating together.

4. Does the direct marketing framework prohibit ordinary business engagement?

The opt-out framework should not be interpreted so broadly that every telephone call made by a business to a consumer is automatically regarded as prohibited direct marketing.

The distinction between ordinary business engagement and direct marketing is important. Communications genuinely directed at administering, servicing or otherwise conducting an existing business relationship are distinguishable from communications whose purpose is to promote or offer goods or services in circumstances falling within the statutory definition of direct marketing.

Accordingly, a direct marketer that is also a consumer or existing customer is not prohibited from making ordinary business-related enquiries, communicating with a supplier, following up on an existing transaction, or engaging in legitimate business administration merely because the person or entity is registered on the Registry.

The determining consideration is the purpose and nature of the communication, and whether it constitutes direct marketing as contemplated in the CPA.

5. What is the effect of a pre-emptive block on a direct marketer's ability to contact a consumer?

Where a communication constitutes direct marketing and the consumer has registered a pre-emptive block applicable to that communication, the direct marketer must respect the block.

The scope of the prohibition must, however, be determined with reference to the type and purpose of the block registered by the consumer. A block should not automatically be interpreted as prohibiting communications that fall outside the scope of direct marketing or legitimate ordinary business engagement.

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

CIVILIAN SECRETARIAT FOR THE POLICE SERVICE

NOTICE 4172 OF 2026

INVITATION FOR PUBLIC COMMENTS: DRAFT SECOND-HAND GOODS AMENDMENT BILL, 2026

1. Notice is hereby given that the draft Second-Hand Goods Amendment Bill, 2026 ("the draft Bill") is made available for public comments. The draft Bill, the Object Memorandum thereto, as well as the Socio-Economic Impact Assessment System (SEIAS) Report are posted on the website of the Civilian Secretariat for Police Service at: http://www.policesecretariat.gov.za

2. The draft Bill seeks to amend the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), in order to-

   - provide for proof of registration regarding value added tax in respect of registration as a dealer;
   - to provide for a valid business visa for a foreigner to be able to be registered as a dealer;
   - to compel a dealer to retain personal information subject to the provisions of the Protection of Personal Information Act, 2013;
   - to provide for the position of dealers who deal from different premises and where goods are moved between premises. A provision is inserted to clarify the position of auctioneers who deal in second-hand goods;

- to provide for persons under the age 18 years to pawn goods, subject to authorization;
- to provide for the recording of microdot particulars that are applied in vehicles;
- to ensure that jewelers do not acquire unwrought metal directly from unlicensed producers;
- to provide for the proper recording of particulars of second-hand communication equipment;
- to provide for routine inspections by knowledgeable persons;
- to provide that goods may be seized in terms of search and seizure warrants to be issued under the Criminal Procedure Act, 1977 (Act No. 51 of 1977;
- to provide for offences, penalties as well as administration sanctions;
- to provide for the exemption of non-profit organisations registered under the Nonprofit Organisations Act, 1997 from the provisions of the Second-Hand Goods Act, 2009;
- to provide for the amendment of Schedules 1, 2, and 3 in order to align penalties with statutory offences.;
- to provide for the insertion of Schedule 5;
- to provide for the amendment of Schedule 5 of the Criminal Procedure Act, 1977;
- to provide for the amendment of Schedule 2 of the Criminal Law Amendment Act, 1997, and to provide for matters connected therewith

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3. All interested persons and organisations are invited to submit written comments on the draft Bill and Socio-Economic Impact Assessment System Report no later than 30 days from date of publication of this notice by –

   (i) e-mail to: SHGA_Bill@csp.gov.za

   (ii) posting comments to:
   Secretary for Police Service,
   for attention of Mr. M Ntwana at:
   Civilian Secretariat for Police Service
   Private Bag X922,
   PRETORIA
   0001

   (iii) hand delivery at the Civilian Secretariat for Police Service at 268 Lillian Ngoyi Fedsure Building, 2nd Floor **PRETORIA**.

4. Kindly provide the name, postal and e-mail address, telephone and fax number of the person or organisation submitting the comments.

5. Enquiries regarding access to a copy of the draft Bill may be made to Colonel Gerhard Pretorius at telephone no. (012) 393 9007 or by email PretoriusG@saps.gov.za

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CIVILIAN SECRETARIAT FOR THE POLICE SERVICE

NOTICE 4173 OF 2026

INVITATION FOR PUBLIC COMMENTS: DRAFT STOCK THEFT AMENDMENT BILL, 2026

1. The Civilian Secretariat for Police Service hereby publishes the draft Stock Theft Amendment Bill, 2026 ("the draft Bill") for public comment.
2. The draft Bill seeks to amend the Stock Theft Act, 1959 (Act No. 57 of 1959) ("the Act") to be aligned with the Constitution, 1996, and other relevant Acts as well as technological advances, such as cell-phones, GPS coordinates.
3. The Bill also seeks to regulate the possession, ownership and movement of livestock within the borders of the Republic of South Africa.
4. Furthermore, the proposed Bill will address shortcomings for future use and the effective monitoring of the transportation and conveyance of stolen stock and produce.
5. All interested persons and organisations are invited to submit written comments on the draft Bill not later than 30 days from date of publication of this notice by-
   (i) E-mail to: STA_Bill@csp.gov.za
   (ii) Posting comments to:
   Secretary for Police Service
   For attention of Mr. S Mokubyane
   Civilian Secretariat for Police Service
   Private Bag X 922
   PRETORIA
   0001
   (iii) Hand delivery at the Civilian Secretariat for Police Service at Fedsure Building, 2nd Floor, 268 Lilian Ngoyi Street, Pretoria, 0002

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REPUBLIC OF SOUTH AFRICA

STOCK THEFT AMENDMENT BILL

(As introduced in the National Assembly (proposed section 75); explanatory summary of Bill and prior notice of its introduction published in Government Gazette No.)
(The English text is the official text of the Bill)

(MINISTER OF POLICE)

[B — 2026]

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GENERAL EXPLANATORY NOTE:

[ ]	Words in bold type in square brackets indicate omissions from existing enactments.
_____	Words underlined with a solid line indicate insertions in existing enactments**.**

BILL

To amend the Stock Theft Act, 1959 (Act No. 57 of 1959), by substituting section 1 to define certain expressions; to provide for the owner of stock or produce to designate any person to issue an identification document or removal certificate on his or her behalf; to provide for registers of stock on premises, to provide for document of identification to be furnished by a person who disposes of stock; to provide for measures for acquisition of stock or produce from any person whose place of residence is unknown; to provide for stock or produce driven, conveyed or transported; to provide for the validity period of a removal certificate; to provide for offences for persons who contravene or fail to comply with an obligation or a demand provided for and any person who wilfully makes any false statement in a removal certificate; to provide for search, and arrest without warrant by persons other than a police official; to provide for identification by a police official prior to exercising any power in terms of this Act; to provide for entry for purposes of routine inspections; to provide for routine inspections by police official;; to provide for the repeal of certain obsolete provision; to provide for further offences; to provide for penalty provision in respect of sentence; to provide

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for the substitution of the minimum amount the magistrate courts may award as compensation where an offence causes damage to, or loss of property; to provide for the Minister to make Regulations; to provide for the repeal or amendment of laws; to provide for transitional provisions; and to provide for matters connected therewith.

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

Substitution of section 1 of Act 57 of 1959, as amended by section 2 of Act 59 of 1983

1. The following section is hereby substituted for section 1 of the Stock Theft Act, 1959 (hereinafter referred to as the “principal Act”):

"**Definitions**

1. In this Act, unless the context indicates otherwise—

"**acquire**" means import, obtain, purchase, receive, or any other similar manner of transacting;

"**agent**" means a person, excluding an auctioneer, who—

(a) carries on a business of dealing in stock;

(b) is not in the employ of an owner of stock, but authorised to deal therewith; or

(c) brokers any transaction relating to stock on behalf of the owner or

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person duly authorised by the owner, and includes any person in the employ of an agent or any person acting on behalf of the agent;

"**Animal Identification Act**" means the Animal Identification Act, 2002 (Act No. 6 of 2002)

"**area of jurisdiction**" means, for purposes of section 7(1)*(a)*, an area of jurisdiction as defined in section 1 of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019);

"**auctioneer**" means a person who sells any stock or produce at a public auction to the highest bidder, and includes any person in the employ of an auctioneer;

"**Criminal Procedure Act**" means the Criminal Procedure Act, 1977 (Act No.51 of 1977);

"**designated person**" means a person who is designated by the owner of stock or produce in terms of section 1A to issue a document of identification contemplated in section 6 or a removal certificate contemplated in section 8, and "**person designated by the owner**" has a corresponding meaning;

"**dispose**" means barter, deliver, export, give, sell, supply or in any other manner dispose of;

"document of identification" means the document issued under section 6(1);

"**fence**" means any wall, hedge, obstacle or gate designed to prevent any stock from passing through or across, and includes—

(a) any excavation made with the purpose of preventing any stock from passing through or across; and

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(b) any natural boundary through or across which any stock would not ordinarily pass;

"**identification mark**" means identification mark as defined in section 1 of the Animal Identification Act, 2002 (Act No. 6 of 2002);

"**identity document**" means an identity card as defined in section 1 of the Identification Act, 1997 (Act No. 68 of 1997) and includes a green bar-coded identity document referred to in section 25 of that Act;

"**identity number**" includes a passport number and, in the case of a company, the company registration number where it is required by the context;

"**headman**" **or** "**headwoman**" means a headman or headwoman as defined in section 1 of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019);

"**lawful occupier**" means an inhabitant, lessee, tenant or resident legally permitted by the landowner to occupy the land or premises;

"**Minister**" means the Cabinet member responsible for policing;

"**person**" includes a juristic person where it is required by the context;

"**police official**" means a member of the South African Police Service established by section 5(1) of the South African Police Service Act, 1995 (Act No. 68 of 1995);

"**possession**" includes having—

(a) under control, in custody or under supervision; or

(b) on premises under a person's control, custody or supervision;

"**premises**" includes land, any building, structure, vehicle, conveyance, ship, boat or aircraft;

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"**prescribed**" means prescribed by regulation;

"**produce**" means any part or portion of, or produce derived from or yielded by any stock and includes any such produce contemplated in Schedule D;

" "**'removal certificate**" means the certificate issued under section 8(2);"

"**stock**" means any live animal contemplated in Schedule B;

"**this Act**" includes a Schedule to this Act or regulations made under this Act;

"**transport**" means the moving of stock or produce from one locality to another by any means, including the conveyance, carrying or driving thereof by means of a vessel, aircraft, locomotive, railway carriage, wheelbarrow, cart or vehicle; and

"**vehicle**" includes a motor vehicle and a vehicle as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996).".

Insertion of section 1A in Act 57 of 1959

2. The following section is hereby inserted in the principal Act after section 1:

"**Designated person**

1A. (1) An owner of stock or produce may designate any person to issue a document of identification or a removal certificate on his or her behalf.

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(2) No person may act as a designated person unless the owner appoints him or her in writing.

(3) A designation in terms of this section must be in writing and contain the following:

(a) The full names, identity number, physical address and contact number of the person issuing the designation;

(b) the full names, identity number, physical address and contact numbers of the designated person;

(c) the period for which the designation is valid, which may not exceed 12 calendar months;

(d) the date on which the designation was issued;

(e) the signature of the person issuing the designation; and

(e) any other information as may be prescribed.

(4) A designated person must keep the designation in question for a period of six months after expiration of the validity thereof.".

Substitution of section 3 of Act 57 of 1959, as amended by section 2 of Act 55 of 2002

3. The following section is hereby substituted for section 3 of the principal Act:

"**Absence of reasonable cause for believing stock or produce properly acquired**

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3. (1) Any person who acquires, in any manner than at an auction, stock or produce that he or she knows or ought reasonably to have known or suspected is not the property of the person from whom he or she acquires it or that such person has not been duly authorised by the owner thereof to deal with it or dispose of it, shall be guilty of an offence.

(2) For the purposes of subsection (1), a person reasonably should have known or suspected a fact if the conclusions they should have reached are those that a reasonably diligent and vigilant person would have reached having both—

(a) the general knowledge, skill, training and experience that may reasonably be expected of a person in his or her position; and

(b) the general knowledge, skill, training and experience that he or she in fact has".

Amendment of section 4 of Act 57 of 1959

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

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

"**Entering enclosed land or kraal, shed, stable or other walled place with intent to [steal stock or produce] commit offence related to stock or produce**";

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

"(1) Any person who—

(a) in any manner enters any land enclosed on all sides with a fence or any kraal, shed, stable or other walled or enclosed place with intent to

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[steal any] commit an offence related to stock or produce on such land or in such kraal, shed, stable or other walled or enclosed place **[, shall be guilty of an offence]**; or

(b) without entering another person's land, disperses or lures away any stock from another person's land with intent to commit an offence related to any such stock,

shall be guilty of an offence.";

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

"(1A) Any person who, without lawful reason or the permission of the owner, lawful occupier or person in control of stock or produce—

(a) moves or opens a gate, door or fence;

(b) moves, goes or climbs through a fence;

(c) climbs or goes over a wall; or

(d) crawls, goes or walks over, under or through a fence,

to gain access to land, a kraal, a shed, a stable or other walled or enclosed place where any stock or produce is present,

is guilty of an offence." and

(d) by the deletion of subsection (2).

Insertion of section 4A in Act 57 of 1959

5. The following section is hereby inserted in the principal Act after section 4:

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"Register of stock on premises

4A. (1) Any person who is the owner or who acquires and is in possession of any stock must keep a register in the prescribed format.

(2) The register contemplated in subsection (1) must provide the following:

(a) A comprehensive description of the geographical location of the premises where any stock is kept, including the physical address in respect of such premises;

(b) the date on which the number of stock were counted and verified;

(c) the full name of the person who counted and verified the number of stock;

(d) description of all stock on such premises which must include—

(i) the breed or, where such breed cannot be reasonably determined, the species;

(ii) the gender;

(iii) the quantity;

(iv) the registered identification mark, where such stock must be marked in accordance with the Animal Identification Act requiring the marking of such animal;

(v) an account of the date and method or manner of acquisition or disposal which must, where applicable, include progeny, slaughter, transferral, death, loss or any found or recovered stock; and

(vi) the relevant date or dates of registration of the identification

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mark.

(3) The person referred to in subsection (1) must—

(a) make any entry contemplated in this section within seven days from the occurrence of the relevant event in terms of subsection (1);

(b) ensure that all stock is counted at least every 14 days and that the corresponding entry is made in the register;

(c) append a consecutive number to every subsequent register pertaining to such premises; and

(d) retain a register for a period of three years after the last of the stock described in subsection (2)*(d)*, was disposed of.

(4) Any police official may within the period referred to in subsection (2)*(d)* demand an inspection of such register and, upon such demand, the person having possession of such register shall produce it for inspection to the police official making the demand.

(5) Any person who—

(a) contravenes any provision of this section or fails to comply with any obligation or demand provided for in terms thereof; or

(b) wilfully makes any false statement in a register,

shall be guilty of an offence.**".**

Amendment of section 6 of Act 57 of 1959, as amended by section 3 of Act 59 of 1983 and section 1 of Act 28 of 1990

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

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

"(1) Any person (including any auctioneer, agent or market master) who sells, barters, gives or in any other manner disposes of any stock to any other person shall at the time of delivery of the stock to such other person **[of the stock so sold, bartered, given or disposed of,]**furnish such other person with a document **[(hereinafter called a document]** of identification **[)]**—

(a) stating—

(i) his or her full name, identity number, telephone number, e-mail address where available and physical address and, if the stock was sold, bartered, given or disposed of on behalf of **[some other person]** the owner thereof, by a person designated by the owner, also the full name, identity number, telephone number, e-mail address where available and physical address of such other person;

(ii) such particulars regarding such stock as may be **[required to be stated therein in terms of any regulation made under section sixteen]** prescribed, but must at least contain the following information:

(aa) the breed or, where such breed cannot be reasonably determined, the species;

(bb) the quantity;

(cc) the registered identification mark, where such stock must be marked in accordance with any law requiring the marking of such animal;

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(dd) any other identification mark or distinguishing feature;

(ee) predominant colour or combination of colours; and

(ff) gender;

(iii) the full name, identity number, telephone number, e-mail address where available, and physical address of the person to whom the stock was sold, bartered, given or disposed of, and if the stock was acquired on behalf of another person, the full name, identity number, telephone number, e-mail address where available, and physical address of such person; and

(iv) the date on which the stock was sold, bartered, given or disposed of;

(b) a written confirmation signed by the person issuing the document of identification, certifying that such stock is his or her property or that he or she is duly authorised by the owner thereof to deal with or dispose of it;

(c) the date on which the transaction was concluded as well as the date when the stock was delivered to or received by the buyer and the document of identification was accordingly issued, if different from each other; and

(d) any other information as may be prescribed.";

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

"(1A) Any person who disposes of any stock must—

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(a) take reasonable steps to verify the information that is presented by the person acquiring the stock in question, and ensure that such information is correctly entered on the document of identification; and

(b) in the case of a person acquiring stock on behalf of another person, inspect the proof presented to him or her that such person is duly authorised to acquire such stock.

(1B) A person contemplated in subsection (1) who disposes of more than one animal whose particulars are identical in respect of every requirement referred to in subsection (1)*(a)*(ii)*(aa)* to *(ff)*, may combine the total number of each such group of animals to be recorded on the document of identification contemplated in subsection (1).

(1C) A document of identification contemplated in subsection (1) may not be combined with a removal certificate as contemplated in section 8(1).";

(c) by the substitution for subsections (2), (3) and (4) of the following subsections, respectively:

"(2) No person to whom any stock has been sold, bartered, given or otherwise disposed of and to whom a document of identification is required to be furnished in terms of subsection (1) shall take delivery of such stock without—

(a) obtaining such document of identification at the time of delivery **[.]**;

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(b) taking reasonable steps to verify the information that is presented by the person disposing of the stock in question, and ensuring that such information is correctly entered on the document of identification;

(c) inspecting proof that a person disposing of stock on behalf of another person, is duly authorised to dispose of such stock; and

(d) verifying that such stock is marked in accordance with the Animal Identification Act.

(3) Any person to whom a document of identification has been furnished in terms of subsection (1) shall retain it in his or her possession for a period of at least **[one year]** three years.

(4) Any **[person]** police official may within the period referred to in subsection (3) demand an inspection of such document, and upon such demand the person having possession of such document shall produce it for inspection to the **[person]** police official making the demand.";

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

"(4A) (1) A person referred to in subsection (4) must—

(a) furnish the document of identification for inspection within five days of being required to do so by any police official; and

(b) maintain the document of identification in such a state that it can be produced in an undefaced and legible condition.";

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(e) by the substitution in subsection (5) for paragraph *(a)* of the following paragraph:

"*(a)* contravenes any provision of this section or fails to comply with any **[provision of this section]** obligation or demand provided for in terms thereof; or"; and

(f) by the substitution for subsection (6) of the following subsection:

"(6) Any person who delivers any stock to an auctioneer, agent or market master **[for the purpose of sale or disposal in any other manner]** to sell, barter, give or in any other manner dispose thereof, shall, for the purposes of this section, be deemed to have disposed of such stock to such auctioneer, agent or market master.".

Amendment of section 7 of Act 57 of 1959, as amended by section 38 of Act 80 of 1964 section 4 of Act 59 of 1983 and section 2 of Act 28 of 1990

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

(a) by the substitution for subsections (1), (2), (3) and (4) of the following subsections, respectively:

"(1) Any person who in any manner (otherwise than at a public sale) acquires or receives into his or her possession, or any auctioneer, agent or market master who receives into his or her possession for the purpose of sale, from any person who has no known place of residence, any stock or produce without obtaining at the time

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of delivery of such stock or produce to him or her a **[certificate]** written confirmation, issued not more than **[thirty]** fourteen days before the delivery, from—

(a) the employer, **[chief,]** headman or **[subheadman]** headwoman **[of the person concerned or a deputy of such chief or an "official witness", as defined in Chapter I of the Code of Zulu Law, as referred to in section 24 of the Black Administration Act, 1927 (Act No. 38 of 1927)]** in whose area of jurisdiction the person resides;

(b) a justice of the peace in whose area of jurisdiction the person resides;

(c) a **[policeman]** police official of or above the rank of **[sergeant]** warrant officer from the station precinct of the area in which the person resides;

[*(d)* a dipping foreman;

***(e)* a stock inspector;**

***(f)* two residents of substantial means of the neighbourhood in which the transaction takes place]**; or

(g) the person from whom such person purchased or acquired such stock or produce,

giving a description of the stock or produce and **[certifying]** confirming that to the best of his or her or their knowledge and belief such person is entitled to dispose of or deal with such stock or produce, shall be guilty of an offence.

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(2) Any person who has obtained such **[a certificate]** written confirmation shall retain it in his or her possession for a period of at least **[one year]** three years.

(3) Any **[person]** police official may within the period referred to in subsection (2) demand an inspection of such written confirmation, and upon such demand the person having possession of such written confirmation shall produce it for inspection to the **[person]** police official making the demand. and

(4) Any person who—

(a) contravenes any provision of this section or fails to comply with any obligation or demand provided for in terms thereof;

(b) wilfully makes any false statement in a written confirmation,

shall be guilty of an offence.".

Substitution of section 8 of Act 57 of 1959, as amended by section 5 of Act 59 of 1983 and section 3 of Act 28 of 1990

8. The following section is hereby substituted for section 8 of the principal Act:

"**Stock or produce driven, conveyed or transported**

8. (1) Subject to subsection (3), no person other than the owner or a designated person may drive, convey or transport stock or produce

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unless he or she is in possession of his or her identity document as well as the duly issued removal certificate contemplated in subsection (2).

(2) A removal certificate must be issued by the owner or designated person and must contain the following particulars:

(a) The full names, identity number, physical address, e-mail address where available and telephone number of the owner and the designated person if the removal certificate was issued by the designated person on behalf of the owner;

(b) the full names, identity number, physical address ,e-mail address where available and telephone number of the person transporting any stock or produce and, in the case of a person who carries on a business of transporting stock or produce, the full names of the business and the physical address from which such person operates;

(c) where transport is effected by means of a vehicle, the make, model, colour and registration number of the vehicle used to transport the stock or produce referred to in the removal certificate;

(d) a comprehensive description of the geographical location of the premises from where any stock or produce is transported, including the physical address in respect of such premises;

(e) a comprehensive description of the geographical location of the premises to where any stock or produce is transported, including the physical address in respect of such premises;

(f) the date and estimated duration of the transport;

(g) in respect of any stock—

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(i) the breed or, where such breed cannot be reasonably determined, the species;

(ii) the quantity;

(iii) the registered identification mark where such stock must be marked in accordance with any law requiring the marking of such animal;

(iv) any other identification mark or distinguishing feature;

(v) the predominant colour or combination of colours; and

(vi) gender;

(h) in respect of any produce—

(i) a description of the produce, including the kind of produce;

(ii) the number, quantity or weight;

(iii) where applicable, any identification mark, number, or distinguishing mark or feature; or

(iv) if packed in a container or containers—

(aa) the number of containers; and

(bb) where applicable, any identification mark and number of any container;

(i) the date on which the removal certificate was issued;

(j) a certificate signed by the person issuing the removal certificate, certifying that he or she is the owner or designated by the owner to issue such removal certificate; and

(k) any other information as may be prescribed.

(3) Where a person transports more than one animal or item of produce whose particulars are identical, a removal certificate may be

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issued which combines the total number of such stock or the total number, quantity or weight of any produce so transported.

(4) The provisions of this section do not apply to a person who—

(a) acquires any produce for consumption or direct use;

(b) transports any stock or produce or causes such stock or produce to be transported on land under the control of the owner or designated person in the course and scope of normal farming activities; or

(c) transports any stock or produce or causes such stock or produce to be transported on or along such portion of any public road that traverses land under the control of the owner in the course and scope of normal farming activities.

(5) The owner or designated person contemplated in subsection (2) may not cause or permit any stock or produce to be transported by any other person without a removal certificate.

(6) A person transporting any stock or produce in terms of this section must take all reasonable steps to ensure that the information regarding such stock or produce which is entered on the removal certificate corresponds with the stock or produce to be transported on the specific vehicle transporting such stock or produce.

(7) Any person who—

(a) contravenes any provision of this section or fails to comply with any obligation provided for in terms thereof; or

(b) wilfully makes any false statement in a removal certificate,

shall be guilty of an offence.".

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Insertion of sections 8A and 8B in Act 57 of 1959

9. The following sections are hereby inserted in the principal Act after section 8:

"**8A. Validity of removal certificate**

(1) A removal certificate is valid until—

(a) the expiry of the period referred to in section 8(2)*(f)*;

(b) the stock or produce to which it relates reaches the destination contemplated in section 8(2)*(e)*; or

(c) the need for such removal certificate lapses or expires,

whichever occurs first.

(2) The person to whom a removal certificate is issued must ensure that the removal certificate is endorsed in the prescribed manner when the period of validity terminates as contemplated in subsection (1).

(3) A removal certificate must be retained for a period of one year by—

(a) the person to whom the removal certificate is issued; or

(b) where applicable, the person on whose behalf the stock or produce in question is transported.

(4) Any police official may within the period referred to in subsection (3), demand an inspection of such removal certificate, and upon such demand the person having possession of such removal certificate shall produce it for inspection to the police official making the demand.

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(5) Any person who—

(a) contravenes any provision of this section or fails to comply with any obligation or demand provided for in terms thereof; or

(b) wilfully makes any false statement in a removal certificate,

shall be guilty of an offence.

8B. Written consent furnished by the land owner, lawful occupier or person authorised by the land owner or lawful occupier to remove stock or produce

(1) A person who is the owner of any stock present on land not owned or lawfully occupied by him or her, may not remove or cause the removal of any such stock from such land, unless he or she is in possession of written consent furnished by such land owner or lawful occupier or a person authorised by the land owner or lawful occupier.

(2) The owner of the stock contemplated in subsection (1), must effect removal of any such stock within seven days from the date of the written consent.

(3) The written consent contemplated in subsection (1) must contain—

(a) the full names, identity number, physical address, e-mail address and telephone number of the land owner or lawful occupier and the authorised person if the written consent is furnished by that person on behalf of the owner or lawful occupier;

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(b) the full names, identity number, physical address, e-mail address and telephone number of the owner of the stock in question and, where applicable, the person authorised by him or her to remove such stock;

(c) a comprehensive description of the geographical location of the premises from where any stock is removed, including the physical address in respect of such premises;

(d) the date on which the consent is furnished;

(e) a description of the stock which is to be removed, including—

(i) the breed or, where such breed cannot be reasonably determined, the species;

(ii) the quantity;

(iii) the registered identification mark where such stock must be marked in accordance with any law requiring the marking of such animal;

(iv) any other identification mark or distinguishing feature;

(v) the predominant colour or combination of colours;

(vi) gender; and

(f) any other information as may be prescribed.

(4) Where a person removes more than one such stock with identical particulars, the land owner, lawful occupier or designated person may combine on such written consent the particulars required by this section, reflecting the total number of such stock.

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(5) Any person authorised to consent in terms of this section, must, when requested to do so, furnish the owner of any stock in question with such written consent, unless there are reasonable grounds upon which such person may refuse that consent.

(6) The written consent contemplated in subsection (1) must, where applicable, accompany the removal certificate contemplated in section 8(2).

(7) The written consent must be retained for a period of one year by the person to whom it is issued.

(8) Any justice of the peace, police official, or owner, lessee or occupier of land from which the stock is removed, may within the period referred to in subsection (7), demand an inspection of such written consent, and upon such demand the person having possession of such written consent shall produce it for inspection to the person making the demand.

(9) Any person who contravenes any provision of this section or fails to comply with any obligation or demand provided for in terms thereof, shall be guilty of an offence.".

Repeal of section 9 of Act 57 of 1959

10. Section 9 of the principal Act is hereby repealed.

Amendment of section 10 of Act 57 of 1959

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11. Section 10 of the principal Act is hereby amended by the deletion of subsection (2).

Insertion of sections 10A, 10B, 10C and 10D in Act 57 of 1957

12. The following sections are hereby inserted in the principal Act after section 10:

"**Identification by police official**

10A. A police official, before exercising any power in terms of this Act, must identify himself or herself to the owner, employee or any other person in charge of the premises in question, and must produce his or her appointment certificate issued in terms of the South African Police Service Act, 1995 (Act No. 68 of 1995).

Entry of premises for purposes of routine inspections

10B.(1) A police official may, during times when normal business activity in respect of any stock or produce is taking place, enter any premises to conduct a routine inspection to determine whether the provisions of this Act relating to the possession, acquisition, disposal, transport or removal of any stock or produce are being complied with.

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(2) A police official conducting a routine inspection contemplated in subsection (1) may require any person whom he or she reasonably suspects to be involved with the possession, acquisition, disposal, transport or removal of any stock or produce, to—

(a) produce for examination or for the purposes of obtaining copies thereof or extracts therefrom any—

(i) stock or produce found during the inspection;

(ii) register, record, authorisation, designation, certificate, consent or other document which must be kept or retained in terms of this Act; or

(iii) document, certificate, licence or permit required in terms of any other Act regulating any aspects regarding any stock or produce; and

(b) explain any—

(i) mark or absence of any mark on such stock or produce;

(ii) entry or absence of any entry in any register, record, authorisation, designation, certificate, consent or other document which relates to any stock or produce; or

(iii) presence or absence of stock or produce on or from such premises.

(3) If, upon an inspection, a police official discovers that the method of keeping, recording, completion, or issuing as the case may be, of any register, record, authorisation, certificate, consent or other document which relates to any stock or produce that is being used is in contravention of this Act, the police official may—

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(a) demand immediate discontinuation of the method; and

(b) afford the person in question a period of no more than seven days to rectify such method to ensure compliance with this Act.

(4) Any person who is involved with the possession, acquisition, disposal, transport or removal of any stock or produce, including the owner, employee or person in charge of the premises contemplated in subsection (1), must assist the police official in the performance of his or her functions under this Act.

Search, and arrest without warrant by person other than police official

10C. (1) An owner or lawful occupier of premises where stock or produce is present or any person in lawful control of such stock or produce may, without a warrant, arrest any other person on such premises upon reasonable suspicion that such other person has committed any offence in terms of this Act or with regard to any stock or produce.

(2) Whenever an owner or lawful occupier on premises where stock or produce is present or any person in lawful control of such stock or produce reasonably suspects that any person has in or upon any vehicle, receptacle or container any stock or produce in regard to which an offence in terms of this Act or with regard to any stock or produce has been committed, such person may without a warrant search such vehicle, receptacle or container.

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(3) When a person authorised to search in terms of this section finds that any offence with regard to any stock or produce has been committed, he or she may without a warrant take possession of the vehicle, receptacle or container contemplated in subsection (2) and any other article contemplated in section 20 of the Criminal Procedure Act and section 1 of the Cybercrimes Act, 2020 (Act No.19 of 2020), including any—

(a) stock or produce;

(b) register, record, authorisation, designation, certificate, consent, electronic data-storing device; or

(c) other document or article which may be used as evidence of a contravention of any provision of this Act.

(4) A person authorised in terms of this section who arrests any other person or take possession of any article contemplated in subsection (3) must—

(a) hand over such person and deliver such article to a police official as soon as possible, and if the manner of handing over or delivery is prescribed, in such manner; and

(b) where applicable, inform the owner or lawful occupier of the land on which such person was arrested or such article was seized as soon as reasonably possible.

Disposal of seized articles

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10D. Subject to a disposal order issued in terms of the Animal Diseases Act, 1984 (Act No. 35 of 1984), any article seized in terms of this Act must be disposed of in the manner contemplated in Chapter 2 of the Criminal Procedure Act , which applies with the changes required by the context.".

Repeal of section 12 of Act 57 of 1959

13. Section 12 of the principal Act is hereby repealed.

Insertion of section 13A in Act 57 of 1959

14. The following section is hereby inserted in the principal Act after section 13:

"**Further offences**

13A. (1) Notwithstanding any provision of this Act, no person may—

(a) acquire, dispose of or transport any stock or produce in contravention of this Act;

(b) possess any instrument, implement, substance or object in respect of which there is a reasonable suspicion that it was used or is intended to be used to injure, mark, immobilise, kill, or maim stock or produce for

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an unlawful purpose, unless such person is able to give a satisfactory account of such possession; or

(c) injure, mark, immobilise, kill or maim stock or produce with intent to commit an offence related to that stock or produce.

(2) A person who contravenes or fails to comply with section 6(1), (1A), (2) or (3) shall be guilty of an offence.

(3) A person who is convicted of an offence contemplated in subsection (1)*(c)* is liable to the same punishment as if he or she had stolen the stock or produce.".

Substitution of section 14 of Act 57 of 1959, as amended by section 7 of Act 59 of 1983, section 2 of Act 32 of 1986, section 5 of Act 28 of 1990 and section 4 of Act 62 of 2000

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

"**[Jurisdiction of magistrates' courts in respect of sentence] Penalties**

14. (1) Notwithstanding anything to the contrary in any law, any magistrates' court may, in respect of an offence under this Act—

(a) where the court is not a court of a regional division, impose a fine or imprisonment for a period not exceeding three years; or

(b) where the court is a court of a regional division, impose a fine or imprisonment for a period not exceeding fifteen years.

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(2) Any person convicted of a contravention or a failure to comply with any section providing for offence under this Act, may be sentenced to a fine or to imprisonment or to both a fine and such imprisonment imposed in terms of section 92 (1) of the Magistrates' Courts Act ,1944 (Act No. 32 of 1944);

(3) A court may in addition to any other penalty imposed upon conviction of a person for any of the offences under this Act—

(a) in the event of a continuing contravention, impose a further fine or imprisonment for a period of 30 days or both a fine and such imprisonment for each day on which such contravention continued;

(b) in the event of a contravention regarding stock, order that a separate penalty be imposed for every stock that formed the subject of the charge against that person; or

(c) order that any stock or produce that formed the subject of the charge against that person, or other article that was used in the commission of the offence, be forfeited to the State.".

Amendment of section 15 of Act 57 of 1959 as amended by section 39 of Act 80 of 1964, section 13 of Act 102 of 1972, section 8 of Act 59 of 1982 and section 6 of Act 28 of 1990

16. Section 15 of the principal Act is hereby amended by the substitution for paragraphs *(a)* and *(b)* of the following paragraphs, respectively:

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"*(a)* the court shall direct the attention of the owner thereof, if present in court, to the provisions of section 300 of the Criminal Procedure Act **[, 1977 (Act No. 51 of 1977)]** ;

(b) the court, in the case of a magistrate's court, may, notwithstanding the provisions of paragraph *(a)* of the proviso to subsection (1) of the said section 300, make in accordance with the provisions of the said section 300 an award not exceeding **[R20 000]** the amount determined by the Minister by notice in the *Gazette* in respect of the respective courts.".

Substitution of section 16 of Act 57 of 1959

17. The following section is hereby substituted for section 16 of the principal Act:

"**Regulations**

16. (1) The Minister may make regulations regarding—

(a) anything that may or must be prescribed in terms of this Act;

(b) any matter pertaining to record keeping when stock or produce are present on premises, including—

(i) the format and content of registers and documents; and

(ii) electronic record keeping;

(c) any matter pertaining to the format and content of a document of identification;

(d) any matter pertaining to the transport of stock and produce, including—

(i) the manner in which loading may take place; and

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(ii) times during which loading, transport or related activities of stock and produce may be limited;

(e) any matter pertaining to—

(i) the format and content of a removal certificate or related document;

(ii) the manner of endorsement or destruction of a removal certificate or related document; and

(iii) the format and content of any written consent contemplated in section 8B (1);

(f) any matter pertaining to possession, acquisition and disposal of imported stock and produce;

(g) the format and content of—

(i) written designation of any person; and

(ii) appointment of an agent;

(h) the manner of—

(i) handing over an arrested person; and

(ii) delivering any seized article; and

(i) any ancillary or incidental, administrative or procedural matter that is necessary to prescribe for the proper implementation or administration of this Act.

(2) The Minister may make different regulations for different breeds or species of stock or produce or categories or classes of stock or produce.".

Amendment of section 18 of Act 57 of 1959

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18. Section 18 of the principal Act is hereby amended—

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

"Application of sections [5],6,7 and 8";

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

"The Minister may by notice in the *Gazette* exclude from the operation of any or all of the provisions of sections **[five,]** six, seven and eight—"; and

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

"(2) The Minister may by notice in the *Gazette*, and on such conditions as **[he]** the Minister deems fit, exempt any person or class of persons specified in the notice, either generally or under such circumstances or in respect of such stock or produce or class of stock or produce as may be specified in the notice, from compliance with any or all of the provisions of sections **[five,]** six, seven and eight.".

Substitution of section 20 of Act 57 of 1959

19. The following section is hereby substituted for section 20 of the principal Act:

"Repeal or amendment of laws

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20. The laws specified in **[the]** Schedule A are hereby repealed or amended to the extent set out in the fourth column of **[the]** that Schedule.".

Insertion of section 20A in Act 57 of 1959

20. The following section is hereby inserted in the principal Act after section 20:

"Transitional provisions

20A. (1) Any document issued, made, given or granted under any provision of the Stock Theft Act, 1959 (Act No. 57 of 1959), which corresponds to any register, record, authorisation, designation, certificate, consent or other document provided for in this Act shall be valid for a period of three months after coming into operation of this Act.

(2) A person may not be prosecuted for failing to comply with section 4A within three months after coming into operation of this Act.

(3) After the expiration of the period referred to in subsection (2), the provisions of section 4A(5) shall apply.".

Amendment of the heading of Schedule to Act 57 of 1959

21. The following heading is hereby substituted for the heading of the schedule to the principal Act:

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"**Schedule A**

LAWS REPEALED OR AMENDED".

Insertion of Schedules B, and C to Act 57 of 1959

22. The following Schedules are hereby inserted to the principal Act after Schedule A:

Schedule B

STOCK

Cattle
Goat
Sheep
Pig
Horse
Ass
Mule
Ostrich
Domesticated game

Schedule C

PRODUCE

The whole or any part of a carcass
Meat, skin, hide, horn, head, bone, claw
intestine, organ
semen, embryo
wool, mohair
ostrich feather or ostrich egg

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Short title and commencement

23. This Act is called the Stock Theft Amendment Act, 2026, and comes into operation on a date determined by the President by proclamation in the *Gazette*.

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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4174 OF 2026

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

OUTCOME OF TARIFF AMENDMENT INVESTIGATION

RE: ITAC REPORT NO. 679: APPLICATION FOR AN INCREASE IN THE RATE OF CUSTOMS DUTY ON OTHER PAPER AND PAPERBOARD CLASSIFIABLE UNDER TARIFF SUBHEADINGS 4802.55.20, 4802.56.90 AND 4802.57.20

The International Trade Administration Commission of South Africa ("ITAC" or "the Commission") has completed its reconsideration of the application lodged by Mondi South Africa (Pty) Ltd for an increase in the rate of ordinary customs duty on certain uncoated paper and paperboard products used mainly for office printing, photocopying and conversion purposes.

The application sought an increase in the rate of customs duty on other paper and paperboard, not containing fibres obtained by a mechanical or chemi-mechanical process or of which not more than 10 per cent by mass of the total fibre content consists of such fibres classifiable under tariff subheadings 4802.55.20 and 4802.57.20 from free of duty to 20 per cent *ad valorem*, through the creation of additional 8-digit tariff subheadings and tariff subheading 4802.56.90 from 10 per cent *ad valorem* to 20 per cent *ad valorem*, respectively.

The matter was reconsidered after the former Minister of Trade, Industry and Competition (the “former Minister”) referred the Commission's earlier recommendation back for further investigation and consideration. The referral requested that ITAC consider, among other things, updated trade statistics following the recovery from the COVID-19 pandemic, prevailing domestic and international market conditions, and other relevant factors affecting the industry.

During its investigation, the Commission considered information submitted by the Applicant, comments from interested parties, updated market and trade information, production and employment trends, import data, cost developments, price competitiveness, and South Africa's international trade obligations, including applicable World Trade Organisation (WTO) bound tariff commitments.

The Commission found that the domestic industry was operating in a market characterised by long-term structural decline associated with digitisation, changing consumer behaviour, weak economic growth and subdued demand for paper products. The Commission further found that import volumes of A4 paper increased during the period under review, with a growing share originating from the European Union, while imports under the General tariff column declined.

The Commission also found that there was no *prima facie* evidence that imports entering under the General column constitute the primary threat facing the Applicant. Furthermore, most import competition, at the time, originated from the European Union, which benefits from preferential trading arrangements with South Africa. Consequently, an increase in the General rate of customs duty would then not effectively address the source of import competition and could have potentially resulted in higher costs for downstream industries and consumers.

In light of the information before it at the time, including stakeholder comments, market analysis and WTO bound rate considerations, the Commission recommended that no increase be made to the customs duty applicable to the subject products. The Commission further considered that trade-remedy instruments, such as anti-dumping and/or safeguard duties, may constitute more appropriate measures should evidence of injurious import competition emerge in future.

The Minister of Trade, Industry and Competition approved ITAC's recommendation not to increase the customs duty on paper and paperboard classifiable under tariff subheadings 4802.55.20, 4802.56.90 and 4802.57.20.

However, the Minister of Trade, Industry and Competition, simultaneously requested ITAC, in terms of Section 16(1)(d)(i) of the International Trade Administration Act, Act No. 71 of 2002 ("ITA Act"), to undertake a sector-wide paper and paper products industry investigation and recommend an appropriate trade policy instruments that can drive the industry towards sustainability and resilience.

Reasons for the review are set out below:

a) "The South African pulp and paper industry is under tremendous strain, particularly in the uncoated paper, newsprint, packaging, and tissue segments. The sector has raised concerns about the growing challenges of rising import penetration, declining demand for print paper, and the slowdown in the domestic economy.

b) In addition, increasing input costs, particularly electricity and transportation expenses, are placing significant pressure on local manufacturers and squeezing local producers' profit margins. However, if these challenges are not effectively addressed, the economy risks losing significant industrial investments, employment opportunities, and the economic sustainability of many rural communities that depend on the sector.

c) The South African pulp and paper industry has made substantial investments in recent years and currently possesses technological innovation, sufficient installed production capacity, and over the past seven years, over R33bn have been invested in the sector. The sector's processing capacity is highly intertwined with the virgin fibre production as well as the recycled fibre, supporting a wide range of enterprises and employment.

d) The Minister indicated that ITAC may consider, *inter alia*, potential injury to the industry and its upstream activities due to the concern of rising imports; the latest trade statistics following USA trade policy, the recent war in the Middle East; the conditions in the domestic and global markets; exchange rate fluctuations; and other related factors."

Stakeholders are encouraged to consult ITAC Report No. 679 as well as Government Gazette No. 55409, Notice 4154 of 2026 published on 18 September 2026 for a detailed account of the investigation and the Commission's findings and the initiated review, available on the ITAC website: www.itac.org.za

Enquiries may be directed to the investigating officers, Mr Christopher Sako at csako@itac.org.za and Mrs Edith Gandi at endou@itac.org.za.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4175 OF 2026

COMPETITION TRIBUNAL
NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rules 34(b)(ii) and 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001 that it approved the following mergers:

Case No.	Acquiring Firm	Target Firm	Date of Order	Decision
LM071Jul26	CFAO Mobility (Pty) Ltd	The Dealership Business Conducted by Ben	07/09/2026	Approved
LM144Dec25	Coca-Cola HBC AG and Coca-Cola HBC Holdings B.V	Coca-Cola Beverages Africa (Pty) Ltd	08/09/2026	Approved Subject to Conditions
LM066Jul26	EMIF II Holding VII Cooperatief W.A	The business known as Mainstream Renewable Power South Africa	14/09/2026	Approved Subject to Conditions
LM067Jul26	Main Street 2156 (Pty) Ltd	VDC JNB11 OPCO (Pty) Ltd and VDC JNB11 PROPCO (Pty) Ltd	14/09/2026	Approved

DEPARTMENT OF TRANSPORT

NOTICE 4176 OF 2026

AIR SERVICES LICENSING COUNCIL ACT, 1990 (ACT NO. 115 OF 1990) APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations,1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Department of Transport, Private Bag X 193, Pretoria, 0001 or by email to: domesticcouncil@dot.gov.za/ TshivhaZ@dot.gov.za within 21 days of date of the publication thereof.

APPENDIX II (AMENDMENT APPLICATIONS)

A) **GLOBAL AVIATION OPERATIONS (PTY) LTD t/a GLOBAL AIRWAYS AND LIFT** (B)Hangar 2, Northern perimeter Road, Precinct 3, Bonero Park, OR Tambo In. (C) Class I (D) Type S1 & S2 (E) Category A1 (F) Amendment of personnel: Responsible Person Aircraft from J.Van Graan to D. Warden; Responsible person Flight Operations from M Leteane to J. Lubuschagne

A) **NATAL AERIAL SPRAY (PTY) LTD** (B)Nexus Building, Welkom Airport, Free State. (C) Class III (D) Type G2, G3, G4, G5, G8, G11, G14 &G16 (E) Category A3 & A4 (F) Amendment of personnel: Responsible Person Aircraft from Mitchelle Robert Spall to Jacques Francois Vercueil; Responsible person Flight Operations from Mitchelle Robert Spall to Jacques Francois Vercueil; Accountable Manager from Mitchelle Robert Spall to Carel Johannes Steyn; Air Safety Officer from Carmen Stone to Yolanda Coetzee

A) **SMQ TECHNICAL SERVICES** (B)258 First House, Main Ave Ferndale, Randburg. (C) Class III (D) Type G3, G4 & G16(UAS) (E) Category A4 (F) Amendment of personnel: Responsible Person Aircraft from David Selby Mabena to Frans Monakisi; Responsible person Flight Operations from David Selby Mabena to Frans Monakisi; Accountable Manager from David Selby Mabena to Vutshila Mathebula; Security Manager from David Selby Mabena to Frans Monakisi; Quality Manager from Vutshila Mathebula to Masego Langa; Safety Manager from Vutshila Mathebula to Lesedi Seipato: Amendment due to changes to base of operations to Firsy House, 258 Main Ave, Ferndale Randburg

INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001 or by email to: internatonalcouncil@dot.gov.za/TshivhaZ@dot.gov.za within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX II (AMENDMENT APPLICATION)

A) **GLOBAL AVIATION OPERATIONS (PTY) LTD t/a GLOBAL AIRWAYS AND LIFT** (B)Hangar 2, Northern perimeter Road, Precinct 3, Bonero Park, OR Tambo In. (C) Class I (D) Type S1 & S2 (E) Category A1 (F) Amendment of personnel: Responsible Person Aircraft from J.Van Graan to D. Warden; Responsible person Flight Operations from M Leteane to J. Lubuschagne

BOARD NOTICES • RAADSKENNISGEWINGS

RAADSKENNISGEWING 991 VAN 2026

KENNISGEWING VAN AANSOEK VIR DIE OMSKRYWING VAN PRODUKSIEGEBIED EERSTERIVIER/EERSTE RIVER (WYK)

(Ingevolge Artikel 6 van die Wyn van Oorsprong-skema gepubliseer by Goewermentskennisgewing No. R.1434 van 29 Junie 1990)

Neem asseblief kennis dat Meerlust Administrators (Edms) Bpk ’n aansoek by die Wynsertifiserings-owerheid ingedien het om Eersterivier/Eerste River (Wyk) as ’n Wyn van Oorspronggebied te definieer.

Die Eersterivier wyk se noordelike grens is geleë aangrensend aan die suidekant van die bestaande wyke Polkadraai Heuwels en Vlottenburg en strek suid tot teenaan die N2.

Die voorgestelde grense is ter insae by www.sawis.co.za – Sertifisering – Nuus en inligting of kontak Jackie Cupido by 021 807 5704.

Enigeen wie beswaar het teen die aansoek, moet sy/haar beswaar, met opgaaf van redes, skriftelik indien by Olivia Poonah (olivia@wineauthority.org), Uitvoerende Bestuurder, Wynsertifiseringsowerheid, Posbus 2176, Dennesig, Stellenbosch, 7599, binne 30 dae van publikasie van hierdie kennisgewing.

BOARD NOTICE 992 OF 2026

PanSALB 30 YEARS OF LANGUAGE RIGHTS: ONE NATION, MANY LANGUAGES

2022-2032 | INTERNATIONAL DECADE OF Indigenous Languages

PanSALB PAN SOUTH AFRICAN LANGUAGE BOARD

2024/ 2025 LANGUAGE POLICY IMPLEMENTATION MONITORING REPORT



Table of Contents

PURPOSE OF THE REPORT **4**
EXECUTIVE SUMMARY **5**
CHAPTER 1: INTRODUCTION AND BACKGROUND **6**
1. Background 6
2. Objectives 6
3. Framework for language policy implementation 6
4. Methodology 7
5. Scope and application 7
6. Limitations 8
CHAPTER 2: EVALUATION OF NATIONAL ORGANS OF STATE IN COMPLIANCE WITH UOLA **9**
1. National departments 9
2. National public entities 10
3. National public enterprises 11
4. National language policy analysis 12
CHAPTER 3: EVALUATION OF PROVINCIAL-LEVEL COMPLIANCE **13**
1. Provincial overview 13
2. Western Cape 13
3. KwaZulu-Natal 14
4. Gauteng 15
5. Northern Cape 16
6. North West 17
7. Free State 17
8. Limpopo 18
9. Mpumalanga 19
10. Eastern Cape 20
CHAPTER 4: LANGUAGE PRACTICE ACROSS GOVERNMENT SPHERES **22**
1. Introduction 22
2. Annual Language Policy Implementation Plan 22
3. Language Units 23
4. Positioning of language matters in the organs of state 23
5. Budget allocations for language policy implementation 24
6. Official languages in organs of state 24
7. Official languages in external (public) communication by the government 26
10. Official languages on government websites 28
11. Official languages for government translations 29
12. Official languages for interpreting 29
CHAPTER 5: FINDINGS **30**
CHAPTER 6: RECOMMENDATIONS **31**
CONCLUDING REMARKS **33**
END 33

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List of Graphs

Graph 1: National departments' participation 10
Graph 2: Western Cape provincial department participation 13
Graph 3: Western Cape local government participation 14
Graph 4: KwaZulu-Natal local government participation 14
Graph 5: Northern Cape provincial department compliance 16
Graph 6: North West local government compliance 17
Graph 7: Free State local government compliance 18
Graph 8: Limpopo provincial department compliance 18
Graph 9: Mpumalanga provincial department compliance 19
Graph 10: Mpumalanga local government participation 20
Graph 11: Eastern Cape provincial department compliance 21
Graph 12: Annual Language Policy Implementation Plans 22
Graph 13: Language units 23
Graph 14: Budget allocation for language policy Implementation 24

List of Charts

Chart 1: National departments' language policy status 9
Chart 2: National departments' language policy alignment with the Constitution & UOLA 10
Chart 3: National public entities' compliance 11
Chart 4: National public enterprises' compliance 11
Chart 5: National government submission rates 12
Chart 6: Gauteng provincial department compliance 15
Chart 7: Gauteng local government compliance 16
Chart 8: Positioning of language matters in the organs of state 25
Chart 9: Official languages for external (public) communication by government 28
Chart 10: Official language on public (government) signage/buildings 29
Chart 11: Official languages on government websites 30
Chart 12: Official languages for government translations 31
Chart 13: Official languages for interpreting

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PURPOSE OF THE REPORT

This is a monitoring report on the implementation of Use of Official Languages Act (Act No. 12 of 2012) (UOLA) and various provincial language legislation based on an analysis of annual language reports submitted to PanSALB by national organs of state in terms of Section 9 of the UOLA, and the following provincial legislation:

- **Western Cape Provincial Languages Act (Act No. 13 of 1998)** regulates and monitors the use of the three provincial official languages (Afrikaans, English, isiXhosa) by the Western Cape government and establishes the Western Cape Language Committee.
- **Gauteng Provincial Languages Act (Act No. 3 of 2016)** designates all official spoken languages of the country as official languages for the province and provides for the establishment of provincial language units and internal language policies across provincial organs of state, including local government.
- **Eastern Cape Use of Official Languages Act (Act No. 8 of 2016)** stipulates that isiXhosa, Afrikaans, English, and Sesotho are the official languages of the province and provides a comprehensive framework for language use, monitoring, provincial language units, and departmental language policies.
- **Free State Use of Official Languages Act (Act No. 4 of 2017)** does not declare specific official languages. Still, it transfers that obligation to the Free State Language Policy, which lists the provincial official languages of the Free State as Sesotho, Afrikaans, Setswana, isiXhosa, isiZulu, and English.
- **Northern Province (Limpopo) Languages Act (Act No. 7 of 2000)** determines the official languages as Sesotho sa Leboa (Sepedi), Afrikaans, English, Tshivenḓa, Xitsonga, and isiNdebele for government and legislative purposes and establishes the Limpopo Province Language Committee.
- **Mpumalanga Provincial Languages Act (Act No. 4 of 2014)** provides for designated provincial languages that is Siswati, isiNdebele, Afrikaans, and English, and establishes provincial language units and monitoring mechanisms.
- **North West Provincial Languages Act (Act No. 4 of 2017)** establishes the framework for language use in its provincial government and public participation mechanisms. It designates Setswana, Afrikaans, isiXhosa, English, and Sesotho as official languages of the provinces.
- **Northern Cape Provincial Languages Act (Act No. 20 of 2021)** provides that Afrikaans, Setswana, isiXhosa and English are the official languages of the province, regulate language use, and promote indigenous and historically diminished languages.
- **KwaZulu-Natal Language Policy**, 2008, provides for isiZulu, isiXhosa, English, and Afrikaans as provincial official languages.

The monitoring and evaluation undertaken in this report is based on section 8(1)(j) of the **Pan South African Language Board (Act 59 of 1995)** (PanSALB Act) which requires that the Board monitor the observance of constitutional provisions regarding the use of language and the contents of any existing and new legislation, practice, and policy dealing directly or indirectly with language matters at any level of government. It further stipulates that the Board assist with and monitor the formulation of programmes and policies aimed at fostering the equal use of and respect for official languages, while taking steps to ensure that communities have the opportunity to use their languages in appropriate circumstances.

Section 8(2) of the PanSALB Act mandates the Board to initiate studies and research that advance linguistic equality and social cohesion in South Africa by promoting respect for the official languages and their equal use and enjoyment, supporting the development of previously marginalised languages, safeguarding existing language rights and the status of languages, fostering multilingualism, optimising the use of the country's language resources, and preventing the use of language as a tool for exploitation, domination, or division.

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EXECUTIVE SUMMARY

The 2024/25 Language Policy Implementation Monitoring Report presents PanSALB's assessment of compliance with the UOLA and relevant provincial language legislation, as well as applicable constitutional provisions across national, provincial, and local spheres of government. The report is based on the analysis of annual language compliance reports submitted by organs of state, supplemented by structured digital surveys and document reviews.

Overall, the findings reveal that formal policy adoption has progressed, particularly at national and provincial levels, but that implementation, institutionalization, and accountability remain weak and uneven. Compliance continues to be procedural rather than functional, with many institutions demonstrating the existence of policies without the supporting structures, plans, budgets, or monitoring systems necessary to give effect to multilingual service delivery.

At a national level, participation remains low. Only 21% of national departments, 10% of national public entities, and 52% of national public enterprises submitted language compliance reports for the 2024/25 cycle. While a high proportion of responding national departments have approved language policies aligned with constitutional and UOLA requirements, implementation is constrained by the absence of functional language units, limited budgets, and inconsistent multilingual practice. English remains the dominant language for both internal and external communication, reinforcing functional unilingualism despite formal commitments to multilingualism.

At a provincial level, compliance patterns are inconsistent and largely influenced by institutional capacity and leadership prioritization. Submission rates generally range between 10% and 40%, with several provinces experiencing declining participation compared to previous reporting cycles, reflecting weak adherence to statutory reporting obligations. Even where policies exist, many provinces lack operational implementation plans, functional language units, and consequence-management mechanisms. Public entities and municipalities across most provinces demonstrate critically low levels of compliance, with several provinces recording no submissions at all from these sectors.

Across all spheres of government, the review identifies systemic challenges, including:

- The widespread absence of annual language policy implementation plans;
- The lack of or under-resourcing of language units, despite legislative requirements;
- The marginal positioning of language matters within organisational hierarchies;
- Inadequate or non-existent budget allocations for language services;
- Weak public awareness and ineffective complaint-handling mechanisms;
- Continued dominance of English in public communication, signage, websites, and internal government operations; and
- Uneven and inconsistent preparation for the implementation of South African Sign Language (SASL) following the **Constitution Eighteenth Amendment Act (Act No. 3 of 2023).**

While pockets of good practice were identified—particularly in departments responsible for arts, culture, and education—these remain isolated and have not translated into system-wide change. The report thus concludes that the primary challenge is no longer policy formulation, but sustained implementation, enforcement, and institutional accountability.

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CHAPTER 1: INTRODUCTION AND BACKGROUND

1. Background

The UOLA was enacted to ensure the equitable use of South Africa's 12 official languages. The Act aims to promote equitable treatment of all official languages and ensure that national government institutions adhere to inclusive multilingualism in line with the Constitution of the Republic of South Africa**.** The Constitution mandates the provincial government institutions, public entities, and public enterprises to develop and implement language policies that promote multilingualism. The UOLA requires institutions to establish language units, implement language policies, and submit annual reports on their language-related activities to the Minister responsible for languages and PanSALB.

PanSALB, established under Section 6(5) of the Constitution, is responsible for overseeing the promotion, development, and use of official languages and ensuring respect for languages recognized by the Constitution as languages used for heritage, cultural, and religious purposes.

Provincial legislation on languages, derived from UOLA requirements, provides for provincial and local governments to promote, develop, and use official languages in their contexts of their operations. Provincial legislation must be read in conjunction with Chapter 4 of the Local Government Municipal Systems Act (Act 32 of 2000), which establishes the legal framework for community participation in the local government sphere.

Section 16 of the Systems Act provides that municipalities must encourage the local community to participate in the preparation of regular Integrated Development Plans (IDP), budgets, and performance management systems. Municipalities must account for the needs of disadvantaged groups, including people who cannot read or write, people with disabilities, and women. Section 18 of the same act stipulates that municipalities must inform their communities about their language rights and duties, as well as the available mechanisms for participation in local governance. Section 20 requires that municipal council and committee meetings must be generally open to the public and the media, especially when discussing by-laws, budgets, or IDPs. They must publish official notifications in local newspapers or broadcast on the radio in languages determined by the council in terms of section 21 of the Systems Act.

2. Objectives

The objectives of this report are:

2.1. to assesses compliance with the UOLA and the other related provincial and local government legislation during the 2024/25 financial year for the national, provincial, and local government spheres with a focus on language unit activities, policy implementation, complaint handling, challenges, and SASL implementation (as measure of the state's readiness to implement the Constitution Eighteenth Amendment).

2.2. to provide findings on the state of overall national compliance with language-related legislation, including the Constitution.

2.3. to make recommendations on how to improve compliance by all organs of state.

2.4. to propose language audit measures to improve language policy implementation compliance by all organs of state.

3. Framework for language policy implementation

The implementation of language policies in South Africa is guided by the provisions of the Constitution, the PanSALB Act, the UOLA, and the Local Government Municipal Systems Act, which jointly require national, provincial, and local governments and their public entities and enterprises to comply with key requirements of section 6 and chapter 2 of the Constitution.

National and provincial government institutions must adopt language policies identifying at least three official languages in terms of section 4(3) of the UOLA, and must be compliant with section 6(2) of the Constitution for the

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development of indigenous African languages (previously marginalised languages).

Local government institutions are required to promote the development and use of various official local languages. For instance, municipalities in the Western Cape must use the three official languages adopted by the provincial government, compared to Gauteng, which recognises eleven official languages as per its provincial legislation. However, the Gauteng Provincial Official Languages Act does allow municipalities to adopt fewer than eleven official languages depending on their regional circumstances and residents' needs. Additionally, organs of state are required to have effective complaint mechanisms for language-related issues.

PanSALB's oversight framework includes annual reporting to ensure compliance with the UOLA, focusing on four interconnected pillars of language policy implementation: status planning, corpus planning, acquisition planning, and prestige planning. This integrated approach is essential for fostering a cohesive linguistic environment and promoting linguistic equity, preserving diversity, and ensuring social cohesion in response to the government imperatives of participatory democracy.

4. Methodology

The methodology for this monitoring report is anchored in an analysis of official reports submitted by national and provincial departments, their public entities, and public enterprises, focusing on evaluating the implementation of the UOLA and provincial legislation. The report further provides a synopsis on the implementation of Chapter 4 of the Local Government Municipal Systems Act to examine progress made in the promotion of multilingualism at local government level.

The report is an empirical monitoring evaluation based on annual language reports received by PanSALB from the national and provincial organs of state that responded to the request for these reports in terms of their specific legislation. The units of analysis include language unit activities, the implementation of language policies, and the management of language-related complaints by organs of state that submitted their annual language reports.

Data collection methods involved sending emails to institutions regarding the submission of their annual reports on the use of official languages, alongside gathering information on legislative, executive, and administrative measures pertinent to language policy implementation, especially concerning preparations for the adoption of SASL.

The data collection mechanism was a digital form on Microsoft Forms, for which a link and QR code were disseminated to all national departments, as well as provincial and local governments. An in-house software system for language implementation policy evaluation was produced, including a link and a QR code, which was also deployed.

A document analysis was conducted by analysing results received on both systems to evaluate the extent of compliance and the effectiveness of language policy implementation across the various institutions in all three spheres of government.

5. Scope and application

PanSALB is established in terms of section 6(5) of the Constitution to promote and create conditions for the development and use of all official languages, as well as the Khoe and San languages. The Board must promote and ensure respect for all languages commonly used by communities in South Africa and other languages used for religious purposes. In terms of the PanSALB Act, the Board is accountable to Parliament and shall perform its powers and duties subject only to the Constitution and the PanSALB Act. The Act further implores that all organs of state shall afford the Board such assistance as may reasonably be required for the protection of the Board's independence, impartiality, dignity, and effectiveness in the exercise, carrying out, and performance of the Board's powers, duties, and functions.

The UOLA and its provincial-related legislation apply to almost 44 national departments and around 110 provincial departments. In terms of the list of PFMA institutions, there are around 191 national public entities and national public enterprises, and around 130 provincial public entities and provincial enterprises. These 321 organs of state range from state-owned companies, development corporations, gambling and liquor authorities, tourism, parks, heritage, research agencies, and regulatory bodies. There are 257 municipalities in South Africa required to comply with Chapter 4 of the Municipal Systems Act. In terms of section 8(1)(c) of the PanSALB Act, the Board is required to request around 732 organs of state, distributed nationwide at all spheres of government, to supply it with any legislative, executive, or administrative measures adopted by the organs of state relating to language policy and language practice.

6. Limitations

This review may have the following limitations:

6.1. This review does not include specific domains such as education, crime and justice, health, business, and so forth, even though the evaluation approach adopted all four pillars of language policy and language practice.

6.2. This review concentrates on the status planning and prestige planning to demonstrate non-compliance and state language practices skewed toward unilingualism.

6.3. The data collection techniques deployed may be inadequate because some organs of state may claim not to have received enquiry forms. Nevertheless, that does not abdicate them of their legislative obligation to voluntarily submit the information under their respective pieces of legislation. Thus, the monitoring review is reduced to an empirical study, not a language audit by PanSALB. However, the available datasets provide sufficient information to paint a picture of language policy implementation and language practices in South Africa during the period under review.

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CHAPTER 2: EVALUATION OF NATIONAL ORGANS OF STATE IN COMPLIANCE WITH UOLA

1. National departments

1.1. Out of 44 national departments, only nine (9) submitted their language compliance reports for the 2024/25 reporting cycle, reflecting a 21% submission rate compared to the previous reporting period (2023/24 financial year), during which at least 24% (10) national departments submitted their annual language reports in terms of Section 9(2) of the UOLA. The consistently compliant national departments include:

a) the Department of Public Works and Infrastructure (DPWI),
b) National Treasury (NT),
c) the Department of Sport, Arts and Culture (DSAC),
d) the Department of Forestry, Fisheries, and the Environment (DFFE),
e) the Department of International Relations and Cooperation (DIRCO), and
f) the Department of Public Service and Administration (DPSA).

1.2. Almost 70% of national departments reported approved language policies. However, several indicated that they did not have functional language units, which limited effective implementation and monitoring as required in terms of section 8 of the UOLA.

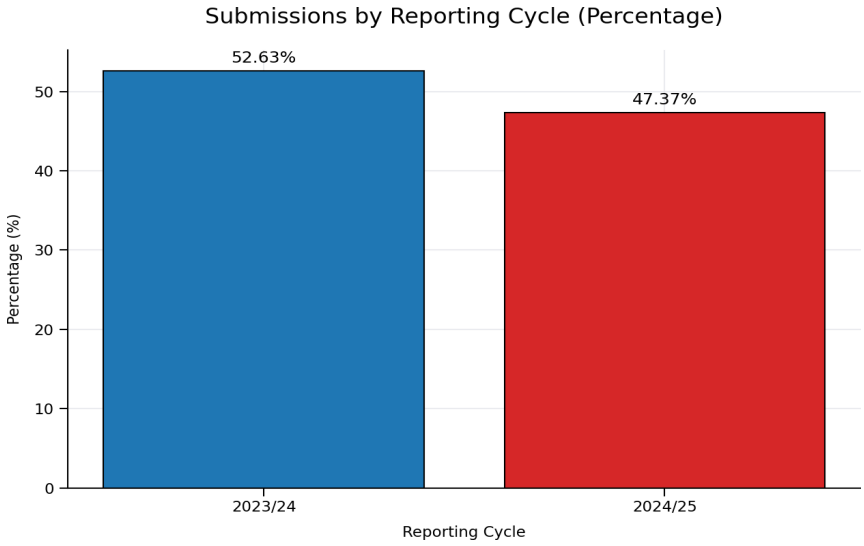
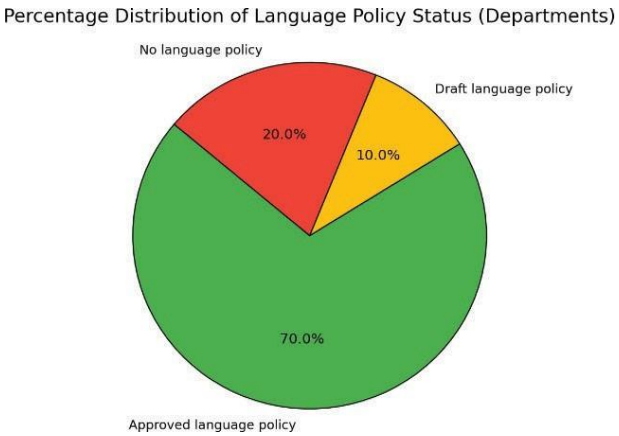


Chart 1: National departments' participation

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Graph 1: National departments' language policy status

1.3. While DSAC and DFFE reported reliance on the UOLA for official communication, NT and DIRCO, reported reliance primarily or exclusively on English, illustrating an erratic implementation of multilingualism.

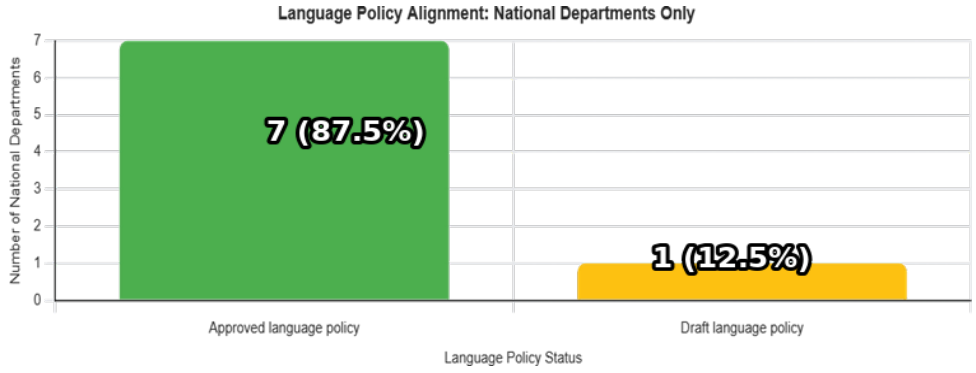


Chart 2: National departments' language policy alignment with the Constitution & UOLA

1.4. Almost 88% of the national departments' language policies were compliant with both the two official languages requirement of the Constitution and the three official languages requirement of the UOLA.

2. National public entities

2.1. Out of 191 national public entities, only 19 submitted their required reports for the 2024/25 reporting cycle, reflecting a 10% submission rate compared to the previous reporting period (2023/24 financial year), during which at least 20.33% (39) national public entities submitted their annual language reports.

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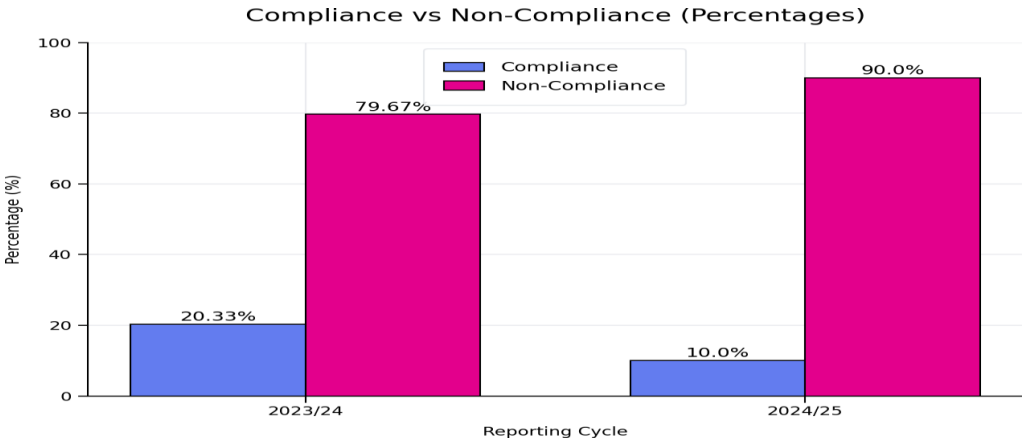


Chart 3: National public entities' compliance

2.2. The large number of non-compliant entities highlights a considerable gap in compliance that needs addressing to ensure all entities fulfil their language policy obligations. This disparity underscores the importance of improving compliance rates to achieve better accountability and transparency across all national public entities.

2.3. While several of these public entities reported having approved language policies supported by functional language units, a significant number indicated that they did not have language policies or language units and relied predominantly on English for official communication. In some cases, public entities reported the use of multiple official languages without approved language policies, reflecting fragmented and non-institutionalized implementation.

3. National public enterprises

3.1. Out of 21 national public enterprises, only 11, which totals 52%, submitted their required report during the 2024/25 reporting cycles, leaving 10 (48%) enterprises that did not comply. This is an improvement from the previous financial year (2023/24), where only 19% (4) of public enterprises submitted a report.

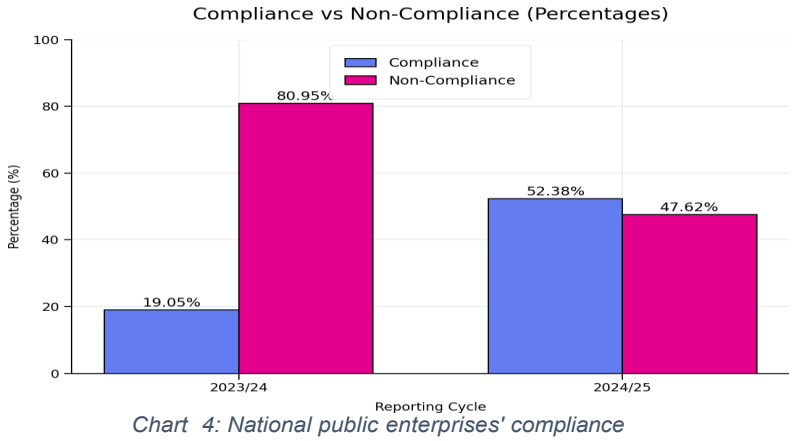


Chart 4: National public enterprises' compliance

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4. National language policy analysis

4.1. Overall, national participation by both departments and public entities demonstrates partial compliance with language legislative prescripts. Although policy development is evident among several institutions, the absence of functional language units, inconsistent multilingual practices, and continued reliance on English undermine the objectives of the UOLA and section 6 of the Constitution.

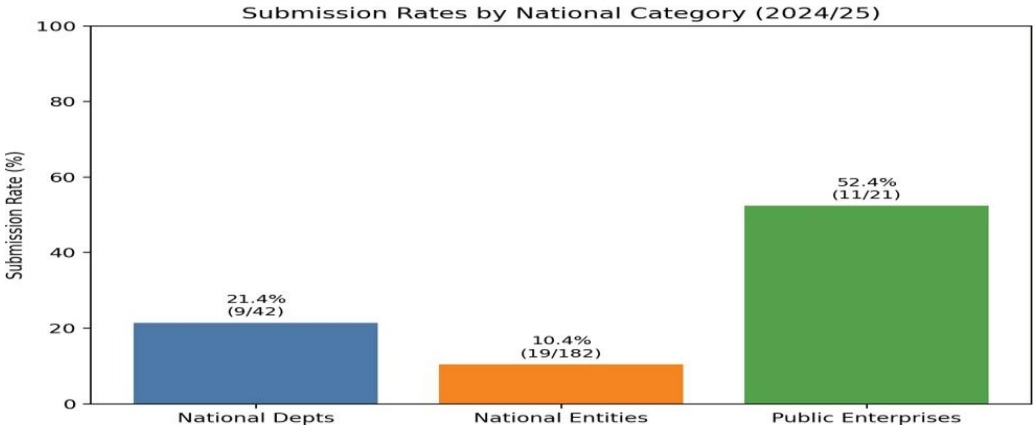


Chart 5: National government submission rates

4.2. Strengthened oversight, mandatory reporting, and consequence management remain essential to ensure uniform and effective implementation of language governance obligations across the national sphere of government.

4.3. The assessment of national institutions indicates a strong level of policy compliance and institutional commitment to language governance within the national sphere. The overwhelming majority of national departments included in the review have adopted approved language policies, reflecting clear alignment with the constitutional obligations under section 6 of the Constitution and the requirements of the UOLA. With 87.5% of the assessed national departments possessing approved language policies and the remaining 12.5% at an advanced draft stage, there is no evidence of outright non-compliance among national departments in this dataset.

4.4. While policy adoption at a national level is largely complete, the evaluation highlights that policy existence does not always equate to full or uniform implementation. Challenges such as limited dedicated budgets, the absence of standalone language units in some departments, and reliance on shared or outsourced language services continue to affect effective execution.

4.5. Nonetheless, these issues are operational rather than structural and are capable of being addressed through targeted interventions, improved interdepartmental coordination, and strengthened oversight mechanisms with consequence management.

4.6. Overall, national institutions demonstrate a solid foundation for multilingual governance, with only marginal gaps remaining. Consolidating progress now requires a shift from policy development to consistent implementation, monitoring, and resourcing, ensuring that approved language policies translate into measurable service delivery outcomes and meaningful linguistic access for the public.

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CHAPTER 3: EVALUATION OF PROVINCIAL-LEVEL COMPLIANCE

1. Provincial overview

1.1 The provincial dataset shows that most provincial departments have formally adopted language policies, indicating broad compliance with their respective provincial language Acts.

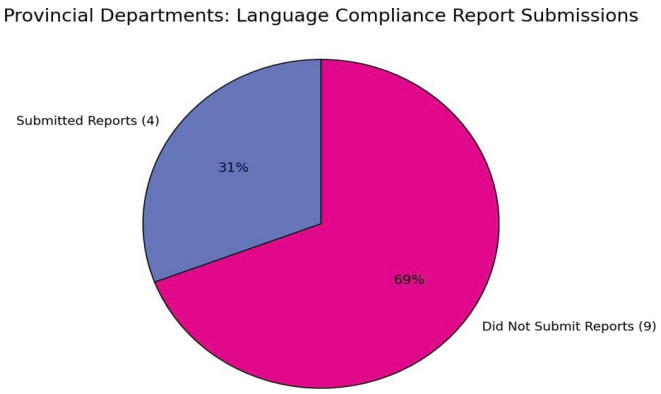
1.2 However, a considerable number of provincial departments still operate with either draft policies or no policy at all, reflecting uneven progress across provinces. This disparity demonstrates that while legislative frameworks exist, institutional follow-through remains inconsistent, particularly in provinces facing capacity and resource constraints.

1.3 Although many provincial departments report having approved language policies, alignment data highlights that policy adoption does not always translate into effective implementation. Partial alignment is frequently attributed to a lack of operational plans, monitoring indicators, or regular reporting and consequence management.

1.4 Provincial institutions that reported “unaligned” status are typically those without approved policies, confirming that alignment strongly correlates with policy maturity. This suggests that implementation oversight, rather than legislative drafting, is now the principal challenge at a provincial level. The specific provincial breakdowns are provided below.

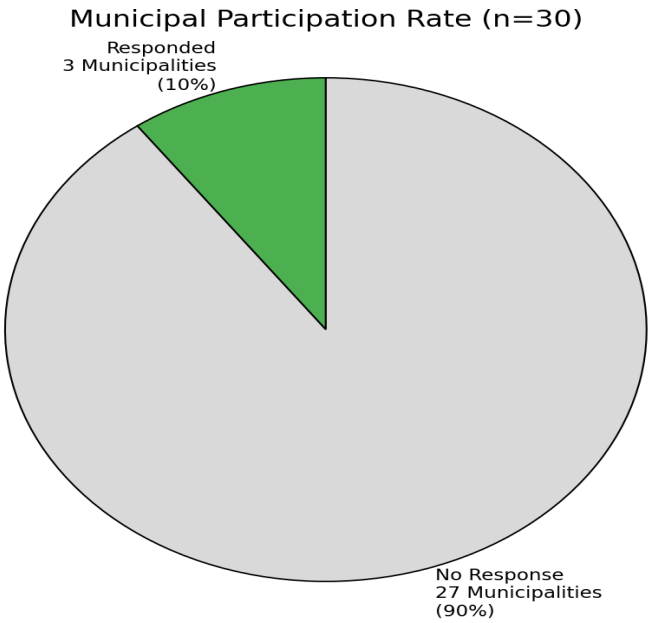
2. Western Cape

2.1 Only four (4) of 13 provincial departments submitted language compliance reports, representing a 31% participation rate, indicating limited adherence to language reporting requirements.



Graph 2: Western Cape provincial department participation

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Graph 3: Western Cape local government participation

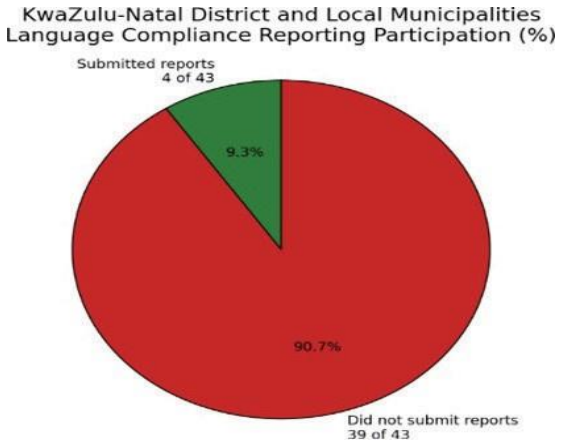
2.2 The Department of Education and the Department of Cultural Affairs and Sport reported approved language policies and functional language units. Education uses isiXhosa, Afrikaans, and English, while Cultural Affairs and Sport uses isiXhosa, Afrikaans, English, and SASL. The Department of Police Oversight and Community Safety has an approved language policy but no language unit, and uses isiXhosa, Afrikaans, and English.

2.3. At a municipal level, only three (3) of 30 municipalities responded, representing a 10% participation rate. George Local Municipality reported relatively stronger compliance, with an approved language policy, a functional language unit, and the use of isiXhosa, Afrikaans, and English. Witzenberg and Cederberg Local Municipalities reported approved language policies, but no language units; they use English, isiXhosa, and Afrikaans.

2.4. The extremely low participation by public entities reflects significant gaps in compliance with the Western Cape Languages Act.

3. KwaZulu-Natal

3.1 Only four (4) of 43 district and local municipalities submitted language compliance reports, representing a 9.3% participation rate. This very low response rate indicates limited engagement with language monitoring and reporting requirements



Graph 4: KwaZulu-Natal local government participation

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3.2 Msunduzi Local Municipality has an approved language policy but no language unit and uses isiZulu and English. Maphumulo Local Municipality has no language policy but has a language unit and uses isiZulu and English. Ndwedwe Local Municipality has neither a language policy nor a language unit and failed to indicate the languages used. King Cetshwayo District Municipality reported a draft language policy, no language unit, and the use of isiZulu, Afrikaans, and English.

3.3 Only one public entity, the KZN Growth Fund, submitted a report. It does not have a language policy nor a language unit and uses isiZulu and English.

3.4 Overall, reporting by both municipalities and public entities in KwaZulu-Natal remains critically low.

4. Gauteng

4.1 Only four (4) of the 15 Gauteng provincial departments submitted language compliance reports, representing a 26.7% participation rate. This reflects a significant decline from the 2023/24 reporting period, during which 47% of departments complied with the request to submit a report.

4.2 The low response rate indicates weakening institutional commitment to language compliance and monitoring obligations.

4.3 The Department of Health has an approved language policy but lacks a functional language unit and utilises five official languages, namely isiZulu, Afrikaans, English, Sesotho, and SASL. Gauteng Treasury has an approved language policy but no language unit and uses five languages: isiZulu, Afrikaans, Sesotho sa Leboa, Sesotho, and SASL. The Department of Sport, Arts, Culture, and Recreation reported a draft language policy, a functional language unit, and the use of all official languages.

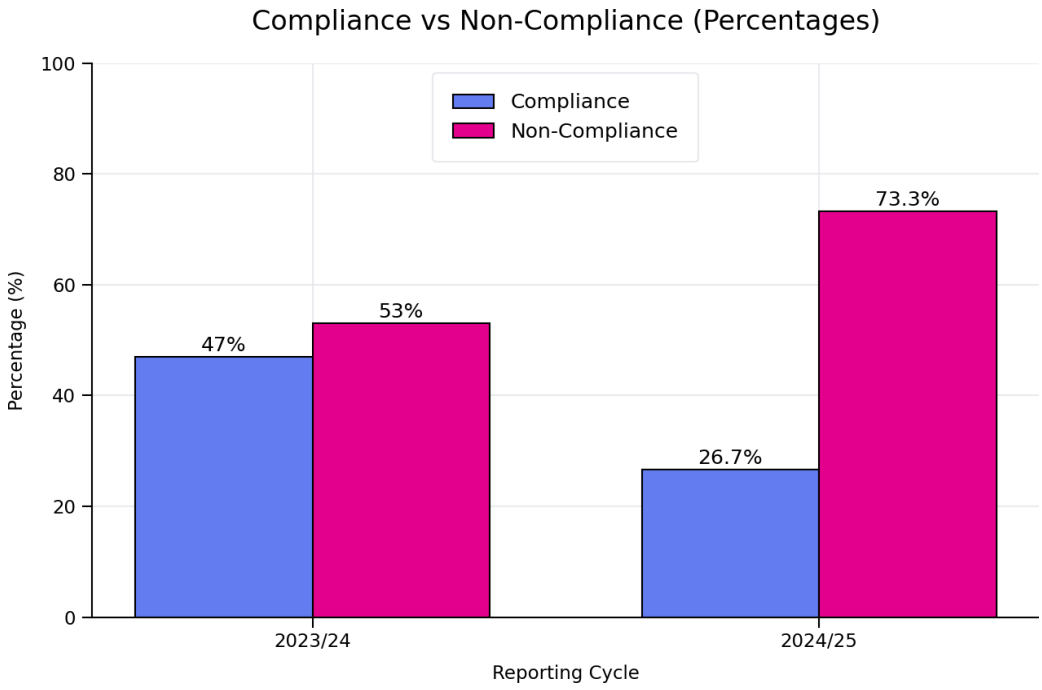


Chart 6: Gauteng provincial department compliance

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4.4 At a local government level, only two (2) of nine (9) municipalities submitted reports, representing a 22.2% participation rate. Although this reflects a marginal improvement from a 11.1% participation rate in 2023/24, overall compliance remains weak.

4.5 The City of Ekurhuleni has an approved language policy but no language unit and uses Afrikaans, English, Sesotho, and isiZulu. Emfuleni Local Municipality has a draft language policy, no language unit, and uses Afrikaans, Sesotho, SASL, English, and isiZulu. The persistently low response rate highlights ongoing governance and implementation challenges within Gauteng municipalities.

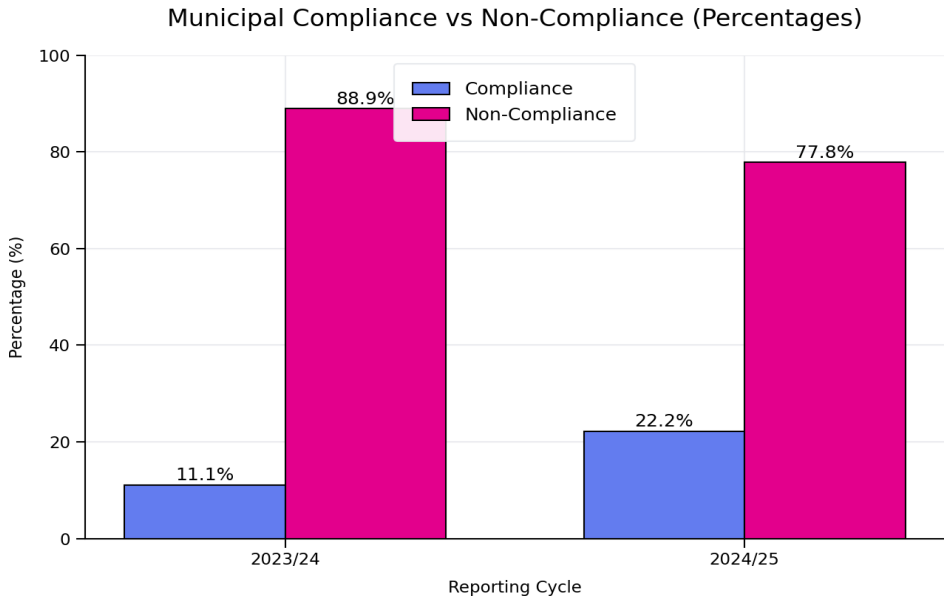
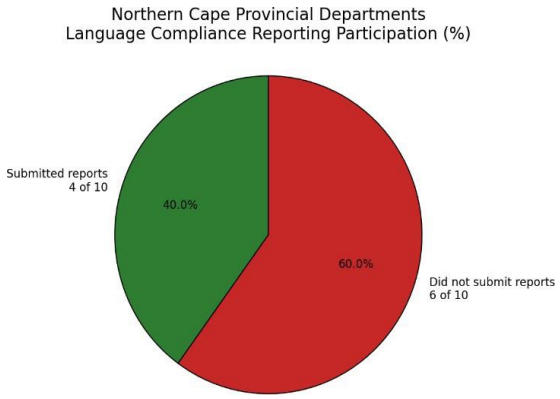


Chart 7: Gauteng local government compliance

5. Northern Cape

5.1 Four (4) of ten (10) provincial departments submitted language compliance reports, representing a 40% participation rate. While higher than in several other provinces, the data reveal significant gaps in implementation.



Graph 5: Northern Cape provincial department compliance

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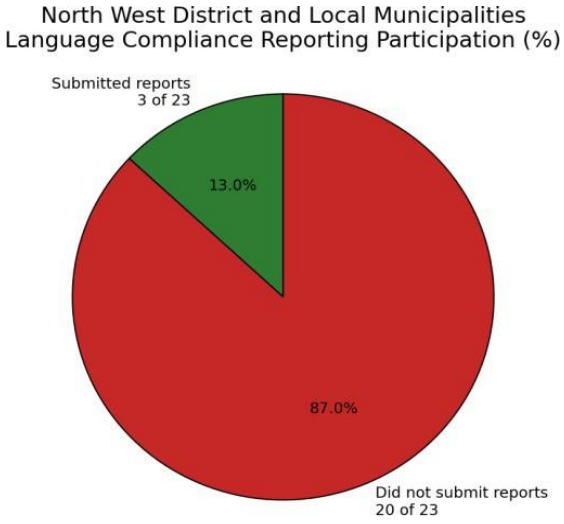
5.2 The Department of Transport, Safety, and Liaison has no language policy but has a language unit and uses six official languages. The Department of Roads and Public Works and the Department of Sport, Arts and Culture reported approved and draft language policies, respectively, with mixed availability of language units. The Department of Health reported no language policy but had a language unit and used four official languages.

5.3 None of the eight (8) public entities in the province submitted compliance reports. This complete lack of reporting reflects a serious failure to implement the Northern Cape Languages Act and undermines equitable multilingual service delivery.

6. North West

6.1 No responses were received from provincial departments or public entities, reflecting a complete lack of participation. This widespread non-compliance undermines the objectives of the North West Languages Act and poses a serious risk to the promotion of multilingualism and equitable service delivery.

6.2 Only three (3) of 23 municipalities submitted language compliance reports, representing a 13% participation rate. Tswaing, Ratlou, and Moses Kotane Local Municipalities reported having no language policies or language units, despite using between two and three official languages for communication.



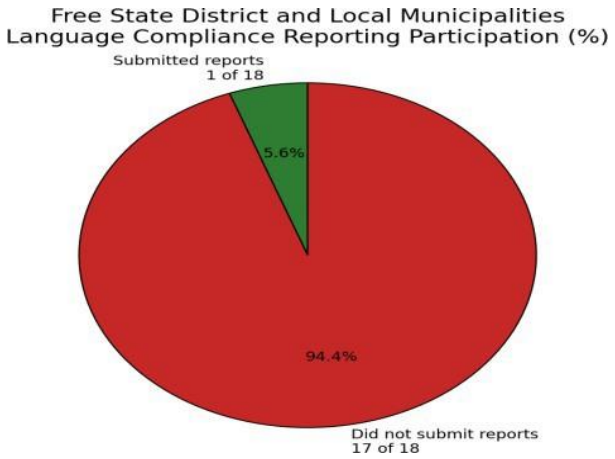
Graph 6: North West local government compliance

7. Free State

7.1 In this province, only the Department of Human Settlements responded, producing a 10% participation rate. The department reported a draft language policy, no language unit, and that it uses Afrikaans, English, isiXhosa, Sesotho, and SASL for public communication.

7.2 Only one (1) of 18 municipalities submitted a language compliance report, representing a 5.6% participation rate. Tswelopele Local Municipality reported an approved language policy but no language unit, and uses isiXhosa, Afrikaans, English, Setswana, and Sesotho.

7.3 Overall, compliance in the Free State remains critically low. The absence of functional language units and the limited adoption of approved language policies significantly weaken the implementation of the Free State Languages Act and negatively affect multilingual access to services.



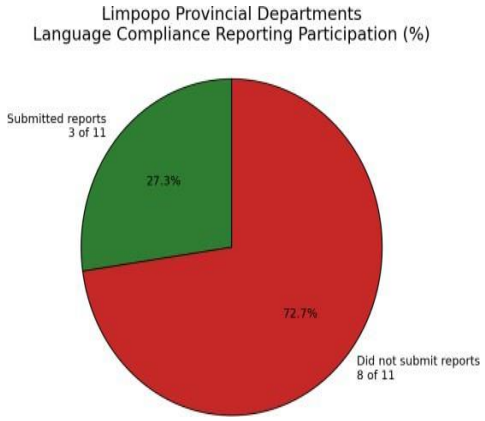
Graph 7: Free State local government compliance

8. Limpopo

8.1 Out of 11 provincial departments in Limpopo, only three (3) departments submitted language compliance reports, representing a 27.3% departmental participation rate. This low level of reporting indicates limited compliance with statutory language monitoring and reporting obligations as prescribed by the Northern Province (Limpopo) Languages Act.

8.2 The Limpopo Provincial Treasury reported that it had a draft language policy, but did not have a language unit. It uses English, Xitsonga, Sesotho sa Leboa, Tshivenda, and Afrikaans for official communication

8.3 The Department of Public Works, Roads and Infrastructure reported that it did not have a language policy or language unit, and uses Xitsonga, Sesotho sa Leboa, English, Tshivenga, and Afrikaans for official communication.



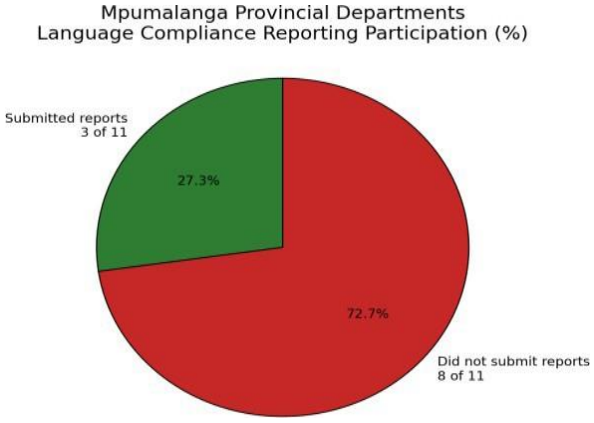
Graph 8: Limpopo provincial department compliance

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8.4 The Department of Sport, Arts and Culture reported that it had an approved language policy, a functional language unit, and uses Xitsonga, Sesotho sa Leboa, Tshivenga, isiNdebele, and Afrikaans for official communication.

8.5 Concerning public entities and municipalities, none submitted a language compliance report. This complete lack of reporting reflects poor compliance with the Northern Province (Limpopo) Languages Act and highlights significant gaps in the implementation of language governance frameworks within the public entity sector and local governance.

9. Mpumalanga



Graph 9: Mpumalanga provincial department compliance

9.1 Out of 11 provincial departments in Mpumalanga, only three (3) departments submitted language compliance reports, representing a 27.3% provincial departmental participation rate. This level of reporting reflects limited compliance with the Mpumalanga Languages Act, particularly regarding the establishment of language units and the adoption of language policies.

9.2 The Mpumalanga Provincial Treasury reported that they did not have a language policy or language unit, and uses English, isiNdebele, Siswati, and Afrikaans for official communication.

9.3 The Department of Economic Development and Tourism reported that it did not have a language policy or language unit, and uses all official languages except SASL for official communication.

9.4 The Department of Social Development reported that it did not have a language policy or language unit, and uses English, isiNdebele, Xitsonga, and Siswati for official communication.

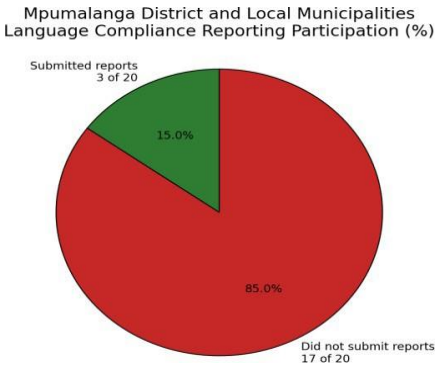
9.5 Out of 20 municipalities in Mpumalanga, only three (3) municipalities submitted language compliance reports, representing a 15% participation rate by local and district governments. This low response rate indicates weak engagement with statutory language governance and reporting obligations.

9.6 The Gert Sibande District Municipality reported that it did not have a language policy or language unit, and uses only English for official communication.

9.7 The Msukaligwa Local Municipality reported that it had a draft language policy, did not have a language unit, and uses English, Afrikaans, and isiZulu for official communication.

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Graph 10: Mpumalanga local government participation

9.8 The Nkangala District Municipality reported that it had an approved language policy but no language unit, and uses Siswati, isiNdebele, English, Sesotho sa Leboa, and Afrikaans for official communication.

9.9 No public entity in Mpumalanga submitted a language compliance report. This complete absence of reporting reflects non-compliance with the Mpumalanga Provincial Languages Act, which is the only language legislation that has punitive measures for non-compliance, with section 23 stipulating that "Any person who contravenes or fails to comply with any provision of this Act is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding 24 months, or to both such fine and imprisonment."

9.10 In the context of Mpumalanga, non-compliance may be attributed to the ineffectiveness of both the Mpumalanga Provincial Language Committee and the Mpumalanga Legislature in enforcing the legislation in terms of sections 10 and 22 of the Act, respectively.

10. Eastern Cape

10.1 The Eastern Cape Department of Sport, Recreation, Arts and Culture (DSRAC), as the coordinating department for language matters in the province, reported uneven compliance with the Eastern Cape Use of Official Languages Act.

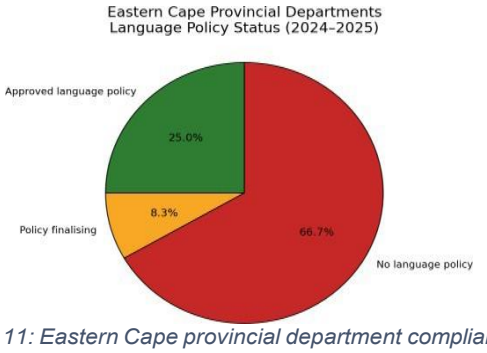
10.2 Only four (4) provincial departments had approved language policies, namely the Departments of Education, Co-operative Governance and Traditional Affairs (COGTA); and Sports, Recreation, Arts and Culture (DSRAC), and the Eastern Cape Provincial Legislature. The Office of the Premier was in the process of finalising its language policy, which was currently housed within its Strategy Unit.

10.3 The majority of provincial departments—Public Works and Infrastructure, Provincial Treasury, Agriculture, Community Safety, Economic Development, Environmental Affairs and Tourism, Transport, Health, and Human Settlements—did not have language policies in place, and many also did not respond to calls for language compliance reporting.

10.4 In terms of institutional capacity, only a few of the provincial departments had functional language units, being the DSRAC, Education, the Office of the Premier (although with limited capacity), and the Eastern Cape Legislature. All other departments lacked dedicated language units, citing budget constraints, staff shortages, and limited prioritisation of language matters as key impediments.

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10.5 Despite these challenges, the report highlights notable good practices, especially in the DSACR and Education, including the translation of strategic documents, the use of previously marginalised languages (isiXhosa and Sesotho), MTBBE implementation, and province-wide multilingual education initiatives. No formal language complaints were recorded during the reporting period.



Graph 11: Eastern Cape provincial department compliance

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CHAPTER 4: LANGUAGE PRACTICE ACROSS GOVERNMENT SPHERES

1. Introduction

1.1 In terms of section 5 of the UOLA, national organs of state must establish language units:

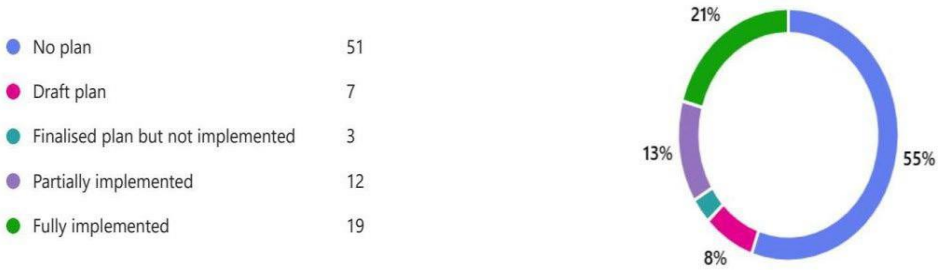
a) to regulate and monitor the use of official languages by the national government for government purposes;
b) to promote parity of esteem for and equitable treatment of the official languages of the Republic;
c) to facilitate equitable access to government services; and
d) to promote good language management.

1.2 The South African Language Practitioners Council Act (Act No. 8 of 2014**)** defines a language practitioner as a paid occupation that includes translators, interpreters, language planners, terminologists, lexicographers, text editors, or any other person conducting language-related work.

1.3 In this review, PanSALB requested information in accordance with constitutional prescripts and legislative obligations as provided in section 8(1)(j) of the PanSALB Act, which compels the Board to monitor the observance of the constitutional provisions regarding the use of languages and the contents and formulation of legislation, policies, and language programmes fostering the equal use of languages. The graphs below illustrate responses for specific questions and are from all spheres of government. Therefore, these responses paint a national picture regarding language practice.

2. Annual Language Policy Implementation Plan

2.1 Organs of state were asked whether they develop an Annual Language Policy Implementation Plan based on their institutional language policies.



Graph 12: Annual Language Policy Implementation Plans

2.2 The chart 12 illustrates the implementation status of plans across organs of state and reveals a predominantly low level of implementation maturity. A clear majority, 55%, reported having no implementation plan at all, indicating that more than half of the institutions have not yet initiated structured planning towards compliance or operationalisation. This represents a significant systemic gap and suggests limited institutional readiness or prioritisation. Only 8% of institutions are at a draft plan stage, reflecting an intent to comply but with no formal commitment or execution. Similarly, 3% have finalised plans that are not yet implemented, pointing to delays between planning and actual execution, which may be linked to capacity, resources, or governance challenges.

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3. Language Units

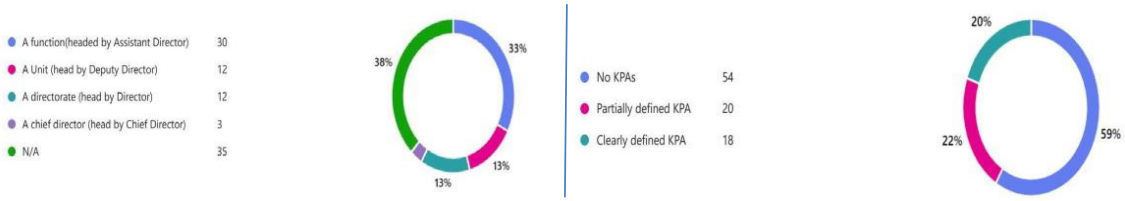
3.1 We asked the institutions whether they had a language unit. As illustrated in the chart below, there is a systematic compliance gap, where nearly two-thirds of institutions do not have a language unit, even though it is a legislative requirement. This language practice may point to widespread challenges of limited institutional capacity, lack of prioritisation, insufficient guidance, or resource constraints. It also underscores the need for targeted interventions and strengthened oversight by PanSALB to ensure focused support for policy implementation, clearer accountability mechanisms, and consistent monitoring to shift organs of state from non-compliance toward improved and sustained performance.



Graph 13: Language units

4. Positioning of language matters in the organs of state

4.1 To test the level of seniority where language matters are considered in government, we asked organs of state to indicate the job level of appointed language practitioners and whether language targets formed part of institutional key performance indicators.



Graph 14: Positioning of language matters in the organs of state

4.2 Taken together, these two graphs provide a coherent picture of structural weakness and limited institutionalisation of language functions across government. They demonstrate a strong correlation between weak structural placement of language functions and poor integration of performance management. They demonstrate that language functions are predominantly located at lower organisational levels or not formally constituted at all. Only 13% of institutions indicated that language units were at a directorate level and just 3% at a chief directorate level. This distribution indicates that language functions are largely treated as operational or ancillary responsibilities, rather than as strategic governance functions embedded in senior management structures. The second chart reinforces this finding by showing that performance management frameworks do not adequately support language functions.

4.3 The absence of KPAs in most institutions significantly undermines accountability, monitoring, and consistent

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implementation, as language responsibilities are not formally planned, measured or enforced. Where language functions lack senior positioning, it is also unlikely to be accompanied by clearly defined KPAs. This combined pattern explains persistent challenges in implementation, coordination, and compliance. It highlights the need for elevating language functions within organisational hierarchies and embedding it within formal performance management systems to achieve sustainable and effective language governance, language policy implementation, and the furtherance of multilingualism in government.

5. Budget allocations for language policy implementation

5.1 Linked to the level of consideration of language matters in government is budget allocation. The chart below indicates that government funding for language matters is largely inadequate and inconsistent, with most institutions reporting either no budget or insufficient budget allocation. It demonstrates that the promotion of multilingualism and language management is not yet mainstreamed into institutional strategic and financial planning. The lack of dedicated funding severely limits the ability of institutions to implement language policies, establish language units, or provide essential services such as translation, interpreting, and public language access, therefore infringing citizens' language rights to access state information in their preferred languages as guaranteed by the Constitution.



Graph 15: Budget allocation for language policy Implementation

5.2 Overall, the responses reveal a strong correlation between weak budget allocation and ongoing challenges in language policy implementation in South Africa. Without dedicated and adequate funding, compliance with constitutional and legislative language obligations remains difficult to achieve. The findings point to the urgent need for a ring-fenced budget, stronger financial oversight, and explicit recognition of language services as core public service delivery functions, rather than optional or peripheral activities. The underfunding of language matters creates a cycle of low prioritisation, weak implementation, and ongoing non-compliance. The cumulative effect is the erosion of multilingualism, moving towards unilingualism, with the hegemony of English in the public service and the diminished realisation of language rights and status of previously marginalised languages.

6. Official languages in organs of state

6.1 PanSALB requested organs of state to indicate their selection of official languages in their language policies. The responses in chart 8 below reflect a highly uneven selection of official languages by organs of state, revealing both progress and persistent imbalances in the realisation of multilingualism. English is by far the most frequently chosen language, underscoring its continued dominance as the primary language of administration and communication across government. While this reflects practical considerations such as

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administrative convenience, it also highlights the ongoing centralisation of state communication around English, often at the expense of broader linguistic inclusion, diversity, social cohesion, and nation-building.

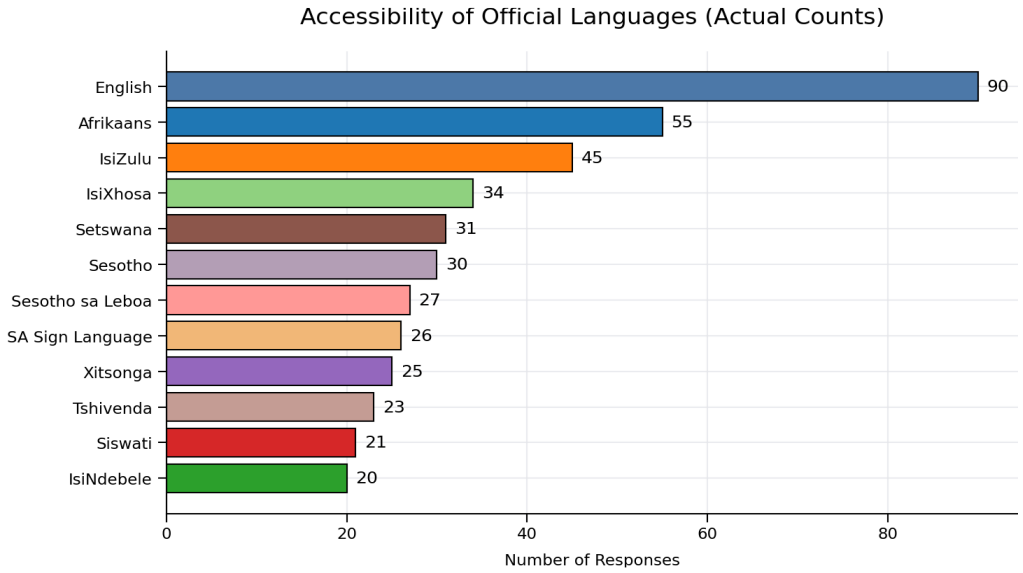


Chart 8: Official languages selection by organs of state

6.2 The selection of Afrikaans, isiXhosa, and isiZulu may indicate sustained institutional recognition of their demographic reach and historical administrative use. Their standing suggests that organs of state are more responsive to languages with established infrastructure, standardisation, and perceived operational readiness. For Setswana and Sesotho, it may also reflect regional responsiveness where these languages dominate.

6.3 However, the chart also exposes significant underrepresentation of several official languages, such as isiNdebele, Siswati, and Xitsonga, despite their status as official languages and the presence of substantial speaker communities. This pattern points to the uneven implementation of constitutional multilingualism and suggests that language selection is often driven by capacity, cost, and institutional convenience, rather than by an equitable, rights-based assessment of linguistic needs.

6.4 The inclusion of SASL is an important positive signal, indicating growing awareness of linguistic accessibility and the communication rights of the Deaf community. Nonetheless, its relatively modest selection rate shows that accessible language services remain inconsistently prioritised, often dependent on budget availability rather than systematic planning.

6.5 Overall, the chart demonstrates that while organs of state formally recognise multiple official languages, actual language choices remain concentrated around a small subset of languages, particularly English. This reinforces existing linguistic hierarchies and perpetuates marginalising speakers of less frequently selected languages. The findings highlight the need for stronger regulatory guidance and monitoring mechanisms to ensure that the selection of official languages by organs of state is more balanced, context-sensitive, and aligned with the constitutional imperative to advance all official languages equitably.

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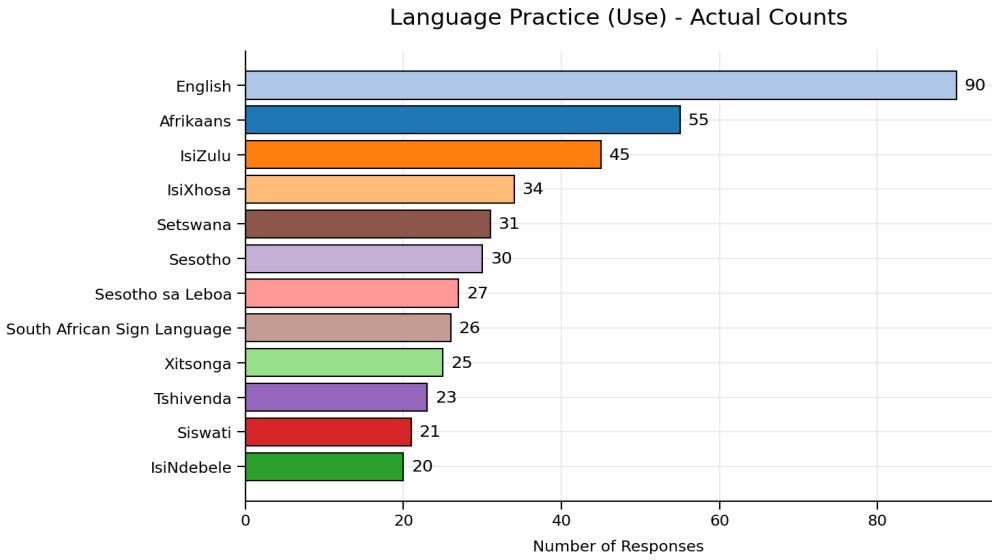


Chart 9: Official languages for external (public) communication by government

7. Official languages in external (public) communication by the government

7.1 The chart 9 above of the official languages for external communication reveals a continued pattern of uneven multilingual practice by organs of state, with communication to the public largely dominated by English, which remains the primary language used for engaging the public, issuing notices, publishing information, and conducting broader outreach. This reflects an administrative preference for a single lingua franca, driven by perceived efficiency and reach. Nevertheless, it also reinforces linguicism and linguism.

7.2 While some indigenous African languages and Afrikaans are selected for external communication, their use is not evenly distributed and appears largely context-dependent, often limited to specific regions, programmes, or events. This suggests that language choice for public communication is frequently shaped by capacity, cost considerations, and operational convenience, rather than by a systematic assessment of the linguistic profile and needs of intended audiences. The relatively limited use of several official languages in external communication raises concerns about equitable access to government information and services.

7.3 Members of the public who are not proficient in English face barriers to understanding their rights, obligations, and available services, particularly where information is not proactively provided in locally dominant or previously marginalised languages. This undermines the constitutional objective of promoting all official languages and ensuring meaningful public participation.

8. Official languages in internal communication by the government

8.1 Organs of state were requested to indicate the official languages that they use for internal communication. The dominance of English as the internal working language may indicate that English functions as the de facto lingua franca within government institutions for day-to-day internal operations, coordination, reporting, and management communication.

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8.2 While this may be regarded as administratively efficient, this dominance reflects a centralised and convenience-driven language choice, rather than promoting a multilingual operational culture within the state. It further makes other languages supplementary to English, not coequal internal languages of governance. This is despite constitutional recognition; indigenous African languages are largely excluded from internal government communication, reinforcing linguistic inequality within the public service. State internal communication prioritises operational convenience over linguistic equity, capacity building, and transformation.

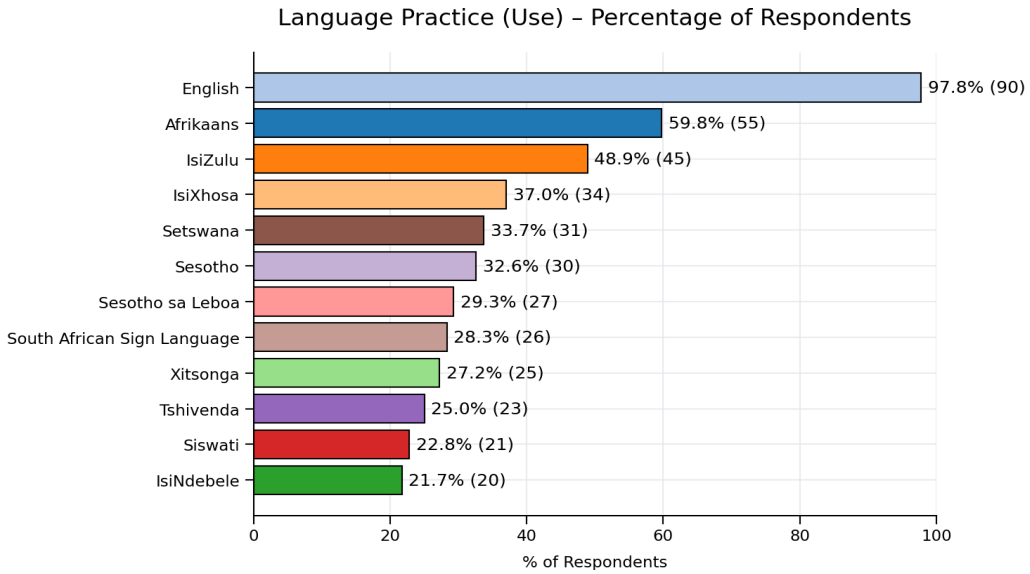


Chart 10: Official languages for internal communications by the government

9. Official languages for public (government) signage

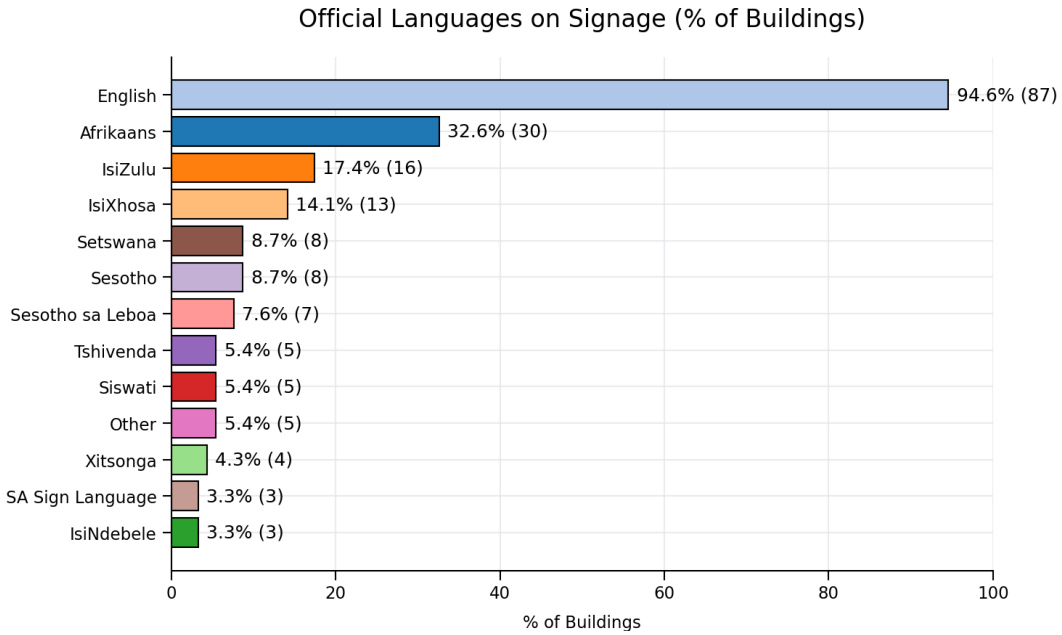


Chart 11: Official language on public (government) signage/buildings

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9.1 PanSALB requested organs of state to indicate which official language or languages were used in signage on or in their buildings. Again, English dominates public building signage, which makes it the primary visual and informational language for public-facing communication. Some may regard the predominant use of English in public buildings as a method for maximum reach and administrative convenience, but this practice effectively positions it as the default national signage language, contrary to the spirit of the Constitution and the principle of multilingualism.

9.2 Afrikaans continues to have institutional visibility, especially compared to most indigenous African languages. This is again despite these languages being official languages. Most indigenous African languages are largely invisible on public signage, especially in national and multi-provincial government or public spaces. Public building signage in South Africa overwhelmingly prioritises English, with Afrikaans playing a secondary role, and indigenous African languages receiving limited and uneven representation. This reflects a gap between constitutional commitments to multilingualism and actual visual language practices in public spaces, with significant implications for inclusion, accessibility, and linguistic equity.

10. Official languages on government websites

10.1 Chart 12 below shows a strong concentration of English use on government websites. It is regarded as the primary and often sole digital language of the South African state. This suggests that government websites are designed primarily for administrative efficiency and broad reach, rather than for comprehensive linguistic inclusion. Afrikaans is the only other language with notable visibility, indicating that some departments—often in specific provinces or legacy institutions—provide limited bilingual website content.

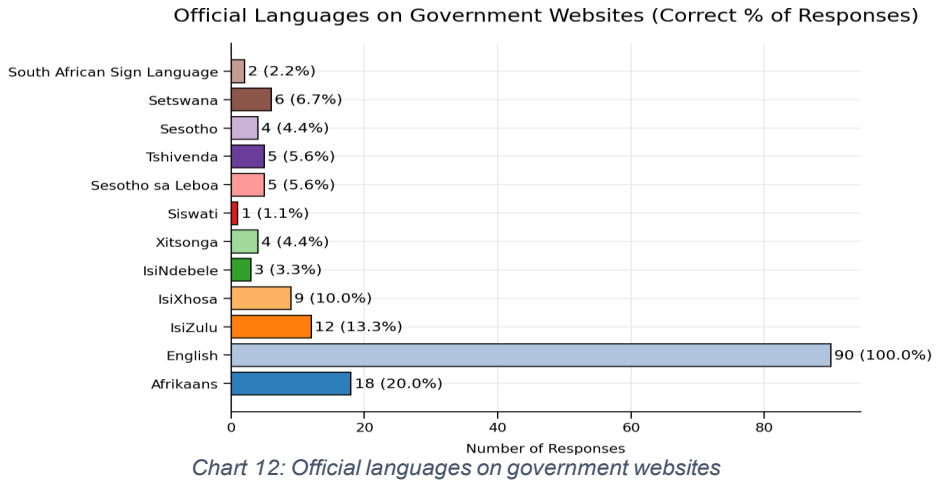


Chart 12: Official languages on government websites

10.2 The Nguni languages, especially isiZulu and isiXhosa, appear only marginally, while the remaining indigenous African languages register very low usage levels. This indicates that multilingual content for African languages on government websites is sporadic, selective, and not systematic. The absence of SASL highlights an ongoing digital accessibility gap for Deaf communities. This data demonstrates that inclusive digital design is not yet mainstreamed across government platforms. The pattern reflects a significant gap between constitutional multilingual ideals and actual digital communication practices, raising concerns about equitable access to information, inclusivity, and compliance with the UOLA.

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11. Official languages for government translations

11.1 Chart 13 below shows that document production in government is done in English. This indicates that most translations are performed to or from English, confirming its role as the central administrative and source language in government translation workflows. The implication of this is that translation and document production are primarily a one-directional process centred on English, rather than a multilingual exchange between official languages. It demonstrates that accessibility-driven translation (especially for more than 90% of the population) remains under-prioritised, even when broader translation is considered.

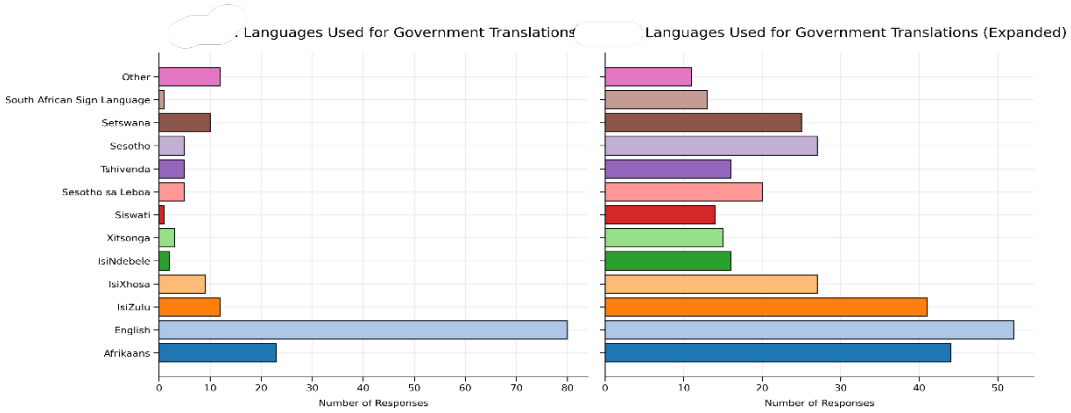


Chart 13: Official languages for government translations

11.2 Indigenous African languages are mainly considered for target texts, demonstrating that other linguistic and cultural manifestations are undermined by this latent multilingual demand in government translation that is not fully matched by operational practice. That means indigenous African languages are underutilised in this language practice, revealing a gap between multilingual policy intent and operational implementation. Translation in government is therefore largely functional and selective, rather than fully inclusive and transformative.

12. Official languages for interpreting

12.1 The results in chart 14 below indicate that government interpretation services are unevenly distributed across official languages, with a strong concentration on a limited number of dominant languages such as English, Afrikaans, and isiZulu. However, as with translations, interpretation services are largely structured around English as either the source or target language. This suggests that interpretation provisioning is influenced by institutional legacy, regional language demographics, and demand-driven considerations. These languages receive relatively consistent interpreting support compared to other official languages but on a selective and situational basis, rather than as part of a comprehensive multilingual strategy. This points to persistent inequalities in language service provision.

12.2 Notably, SASL shows a stronger presence compared to signage and websites, reflecting some recognition of accessibility needs. However, its level of provision remains lower than that of spoken languages, suggesting that interpreting services for Deaf users are acknowledged but not yet fully institutionalised. The results demonstrate that government interpreting services are largely demand-driven and concentrated on English, with secondary support for Afrikaans and isiZulu.

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12.3 While some indigenous African languages are accommodated, provision remains uneven and limited, and accessibility-oriented interpreting, particularly with SASL, requires stronger and more systematic integration. The results further reflect partial compliance with multilingual and accessibility obligations rather than a fully inclusive interpreting framework.

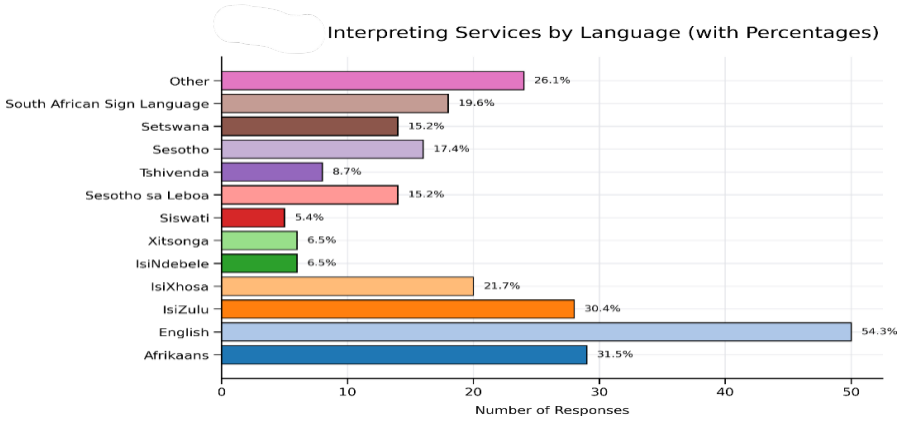


Chart 14: Official languages for interpreting

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CHAPTER 5: FINDINGS

The broad findings of this empirical review indicate that most organs of state have made some progress in establishing language management instruments, but implementation and alignment remain uneven. Most respondents reported having an approved language policy, indicating formal compliance with the UOLA. However, several institutions still operate with draft policies or no language policy at all, demonstrating partial or non-compliance. Even where policies exist, alignment with the constitution's two-language requirement and UOLA's prescribed use of three official languages for government purposes is inconsistent. Thus, operational language plans are not implemented or do not exist, revealing a gap between policy adoption and execution. This demonstrates that language policy and language practice in government are largely procedural rather than functional, raising concerns about the effective institutionalisation of multilingualism.

There is a systemic shortage of dedicated language capacity across organs of state, which undermines the sustainability and quality of language services and weakens compliance monitoring. Many institutions reported small or non-existent language units, with several indicating that language services were managed as a function within communication directorates rather than as specialised units. A significant number of institutions reported no dedicated staff, vacancies, or reliance on outsourced language services. This is caused by the fact that language matters do not feature as key performance areas and key performance indicators in most government institutions, putting multilingualism outside strategic importance, causing them to be undefined, unmeasured, and unfunded. Translation and interpreting services are frequently procured on an ad hoc basis, rather than through structured, long-term planning.

With these language practices, the government endorses functional unilingualism, with anecdotes of multilingualism applied selectively and inconsistently. The results demonstrate weak public engagement on language rights due to a lack of public awareness campaigns, non-existent, inefficient, or informal feedback mechanisms for language-related complaints. This lack limits robust accountability and public participation in government and governance of the country. The findings indicate a persistent gap between legislative intent and operational reality, pointing to the need for strengthened institutional capacity, funding, planning, and oversight to realise meaningful multilingualism in government.

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CHAPTER 6: RECOMMENDATIONS

This review can put forward the following key recommendations:

1. The PanSALB Act should be amended to strengthen legislative and regulatory enforcement. The Board should be empowered to apply punitive or remedial measures where organs of state repeatedly fail to comply with language obligations. This will move monitoring from an advisory oversight activity to effective compliance enforcement, addressing persistent non-submission and non-implementation.

2. The UOLA should be amended to clarify accountability: the UOLA should streamline reporting lines by removing duplicative ministerial oversight, and provide clarity on who receives, evaluates, and enforces annual language reports. This will reduce multiple accountability disorder and fragmentation as well as improve reporting compliance.

3. Provincial Language Committees should be strengthened by amending provincial language legislation to give Provincial Language Committees independent monitoring and enforcement authority, particularly over provincial departments and municipalities. This will decentralise oversight and improve responsiveness at provincial and local levels.

4. Language management structures should be institutionalised. This will mandate the establishment of functional language units, in line with the UOLA and provincial legislation, rather than treating language services as secondary communication functions. Language units should be staffed with suitably qualified practitioners, not just for quality assurance but also to create job opportunities and develop a thriving value chain.

5. Language functions should be elevated to senior management levels of government institutions, such as directorate or chief directorate levels, not at junior or ad-hoc levels. This elevation will ensure strategic integration of language management into decision-making and planning processes.

6. Language responsibilities should be integrated into performance management by introducing Key Performance Areas (KPAs) and Key Performance Indicators (KPIs) for senior managers linked to language policy implementation. Performance reviews should explicitly measure compliance with multilingual service delivery obligations.

7. Planning, budgeting, and sustainability can be improved by making Annual Language Policy Implementation Plans mandatory for every organ of state. Organs of state must develop and implement a costed Annual Language Policy Implementation Plan, aligned to strategic and annual performance plans. Plans should specify timelines, services (translation, interpreting, signage, digital platforms), and monitoring indicators, including ring-fenced budget allocations. National Treasury and provincial treasuries should be requested to dedicate and ring-fence budgets for language policy implementation. Language services must be recognised as core service delivery functions, not discretionary communication costs.

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8. Translation and interpreting services should be procured through planned, long-term arrangements, prioritising institutional capacity over reactive outsourcing. This will end the ad-hoc procurement of language services.

9. To reduce functional unilingualism, reliance on English as the default language should be reduced through implementing context-responsive (functional) multilingualism, based on demographic, regional, and service-user needs. Language selection for programmes and projects must reflect constitutional equity, not operational convenience, in compliance with sections 6(3) and 6(4) of the Constitution.

10. The visibility of indigenous African languages should be expanded by ensuring that public signage, websites, publications, and service points include locally dominant indigenous languages, not only English and Afrikaans. Visual multilingualism should be a minimal compliance standard, especially in public-facing environments. This is in line with section 6(2) of the Constitution.

11. Translation and interpreting services should be strengthened by adopting a multilingual translation model that should move from English-centred, one-directional workflows to broader multilingual exchanges among official languages. Translation priorities should be informed by service-user language needs rather than institutional habit.

12. Interpreting services should be systemised through planned and institutionalised approaches rather than being demand-driven and event-based.

13. The implementation of the Constitution Eighteenth Amendment has been recently proclaimed to accelerate the use of SASL through adequate budget allocation, and not just for SASL interpretation, across language management.

14. The full operationalisation of SALPC should be fast-tracked to professionalise translators, interpreters, and language practitioners, standardise qualifications, and improve the quality and accountability of language services, including through the provision of continuous training and skills development.

15. Monitoring, reporting, and accountability should be enhanced by establishing a centralised digital monitoring system to track policy adoption, implementation plans, activities of language units, and budget allocations to language practice across all spheres of government.

16. Collaboration with oversight bodies such as the Auditor-General of South Africa (AGSA), the South African Human Rights Commission, CRL Commission, and others should be strengthened to integrate language compliance into broader governance and audit processes.

17. Public awareness and public complaint mechanisms should be improved by ensuring that organs of state implement public awareness campaigns on language rights.

18. PanSALB should ensure that complaints are resolved timeously and visibly, reinforcing public confidence.

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CONCLUDING REMARKS

This monitoring review demonstrates that South Africa has established a robust legislative framework for multilingual governance, yet continues to struggle with translating constitutional language rights into consistent, lived public service practice. The recurring pattern across all spheres of government is partial compliance, characterised by formal policy presence without commensurate operational follow-through.

The persistently low levels of reporting, weak institutional capacity, inadequate funding, and absence of consequence management collectively undermine the constitutional objective of advancing multilingualism, promoting equitable access to services, and restoring the status of previously marginalised languages. Left unaddressed, these gaps risk entrenching functional unilingualism, particularly the hegemony of English, contrary to the letter and spirit of Section 6 of the Constitution.

The findings of this report point decisively toward the need for a shift from advisory oversight to enforceable compliance. Strengthened legislative authority, clearer accountability frameworks, properly resourced language units, and the integration of language obligations into performance and budgeting systems are no longer optional—they are essential for meaningful transformation. Equally critical is the urgent acceleration of SASL implementation, supported by adequate resources and institutional readiness.

PanSALB remains committed to fulfilling its constitutional mandate to promote, monitor, and create conditions for the use and development of official languages, as well as the Khoe and San languages, through advancing language rights in South Africa. However, the realisation of equitable multilingual governance ultimately depends on political will, institutional leadership, and co-ordinated action across all spheres of government. Only through sustained commitment, effective enforcement, and deliberate investment in language governance can the state ensure that linguistic diversity becomes a practical instrument of inclusion, human dignity, democratic participation, and transformation rather than a symbolic ideal.

END

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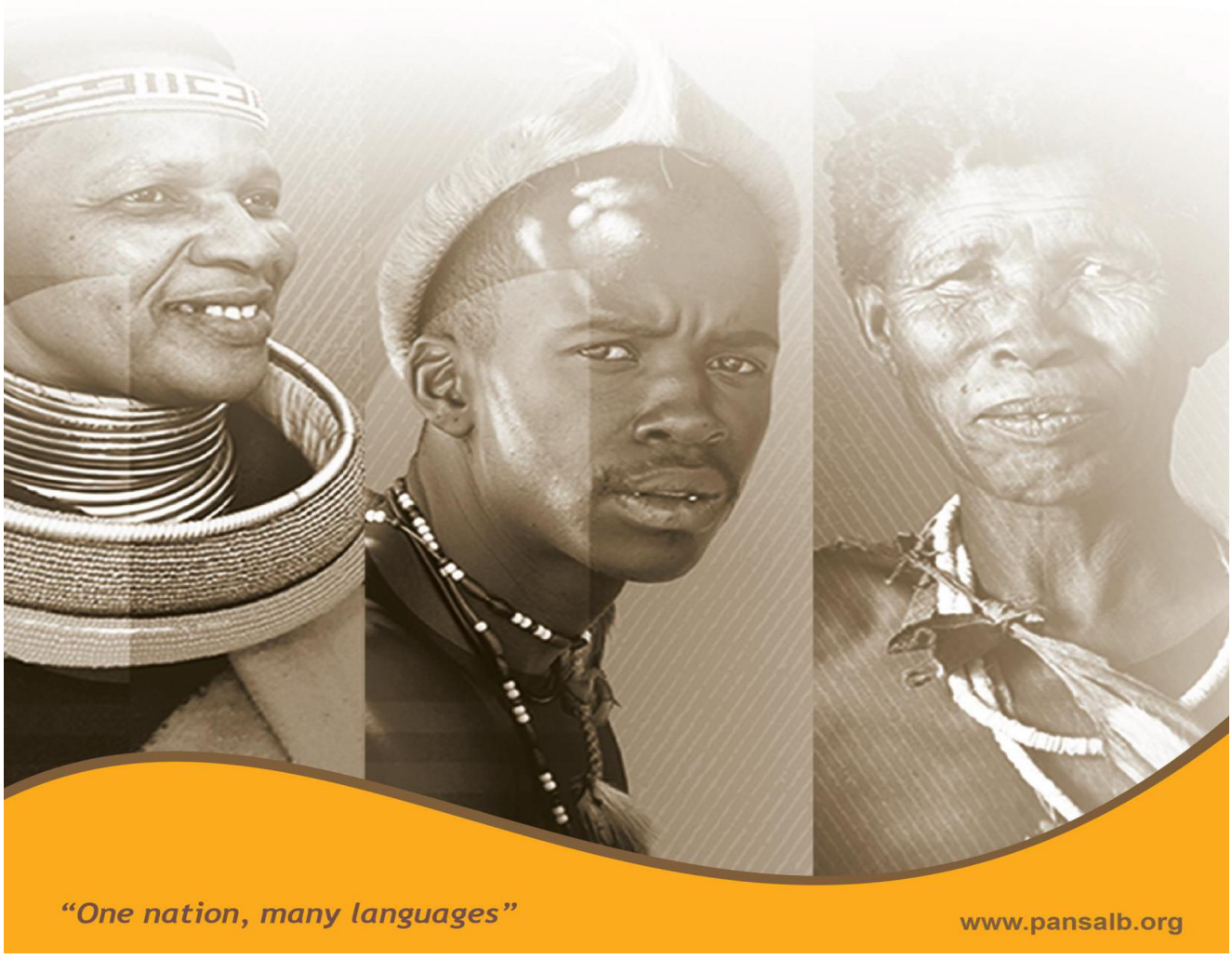
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REPORT ON THE 2025 NATIONAL SENIOR CERTIFICATE LANGUAGE RESULTS

Advancing Mother Tongue-Based Multilingual Education in South Africa



REPORT ON THE 2025 NATIONAL SENIOR CERTIFICATE LANGUAGE RESULTS

Table of Contents	Page
1.Executive Summary	5
2. Data Source and Scope	5
3. National Performance Trends and Key Insights	5
4. Provincial Performance Trends and Key Insights	8
4.1 Eastern Cape	8
4.2 Free State	11
4.3 Gauteng	14
4.4 KwaZulu-Natal	17
4.5 Limpopo	21
4.6 Mpumalanga	24
4.7 North West	27
4.8 Northern Cape	30
4.9 Western Cape	33
5. Summary and Final Insights	37
6. Recommendations to the Minister and Portfolio Committee	40
7. Conclusion	42
References	45

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LIST OF TABLES

Table 1	Eastern Cape Language Performance	8
Table 2	Free State Language Performance	11
Table 3	Gauteng Language Performance	14
Table 4	KwaZulu-Natal Language Performance	18
Table 5	Limpopo Language Performance	21
Table 6	Mpumalanga Language Performance	24
Table 7	North West Language Performance	27
Table 8	Northern Cape Language Performance	30
Table 9	Western Cape Language Performance	33

LIST OF CHARTS

Chart	Description	Page
Chart 1	National HL vs FAL Performance Trends	6
Chart 2	Eastern Cape Language Pass Rates	9
Chart 3	Free State Performance Distribution	13
Chart 4	Guateng Language Results Overview	16
Chart 5	Mpumalanga Performance Distribution	20
Chart 6	Kwazulu-Natal Language Performance	23
Chart 7	Limpopo Performance Distribution	26
Chart 8	North West Language Performance	29
Chart 9	Northern Cape Language Performance	32
Chart 10	Western Cape Performance Distribution	35

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LIST OF ACRONYMS

Acronym	Meaning
AL	Additional Language
DBE	Department of Basic Education
NSC	National Senior Certificate
HL	Home Language
FAL	First Additional Language
SAL	Second Additional Language
SASL	South African Sign Language
MTBBE	Mother Tongue-Based Bilingual Education
LOLT	Language of Learning and Teaching
LTSM	Learning and Teaching Support Materials
PanSALB	Pan South African Language Board
FET	Further Education and Training
GET	General Education and Training
STEM	Science, Technology, Engineering and Mathematics

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CONTINUES ON PAGE 130 OF BOOK 2

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1. EXECUTIVE SUMMARY

This report presents an analysis of the 2025 National Senior Certificate (NSC) language results, based on data supplied by the Department of Basic Education (DBE). The findings reveal a stable national performance profile characterised by high pass rates, particularly in Home Language (HL) subjects, but with persistent disparities in proficiency and distinction-level achievement. They indicate near-universal pass rates across language subjects, moderate levels of proficiency concentrated in the 50-79% band, low distinction rates in high-enrolment subjects, especially English HL and FAL, and consistent performance advantage for learners studying in their mother tongue.

A key conclusion emerging from the data is the strong positive correlation between learner performance and mother tongue alignment. Learners who study their home language as a HL subject consistently outperform those studying in a second or unfamiliar language. Conversely, misalignment between learners' linguistic backgrounds and subject offerings contributes to lower achievement, especially in First Additional Language (FAL) subjects and English HL streams.

The report therefore advances a mother tongue-based bilingual education (MTBBE) approach as a strategic pathway to strengthening multilingualism, equity, and educational outcomes in South Africa.

2. DATA SOURCE AND SCOPE

This report draws on official NSC 2025 language results provided by the DBE, covering all provinces and language categories (HL, FAL, Second Additional Language [SAL]). The analysis examines learner performance distributions (fail, basic, proficient, distinction), subject participation trends, provincial variations in language outcomes, and systemic constraints affecting multilingual education in South Africa.

3. NATIONAL PERFORMANCE TRENDS AND KEY INSIGHTS

Chart 1 below shows the systemic gap between HL and FAL learners. It reveals a clear and consistent pattern between HL learners who significantly outperform the FAL learners across all key performance indicators. This advantage is particularly evident in the distinction rates, where approximately 11% of HL learners achieve a distinction, compared to 3.7% of learners in FAL subjects. It is further illustrated in a lower concentration in the basic achievement band, indicating stronger foundational proficiency, and depicts the disproportionate clustering of FAL learners in the 30-49% range, which signals systemic inequality in language acquisition and academic development. These findings confirm that linguistic alignment between the learner's home language (mother tongue) and the language of assessment is a decisive factor in academic success.

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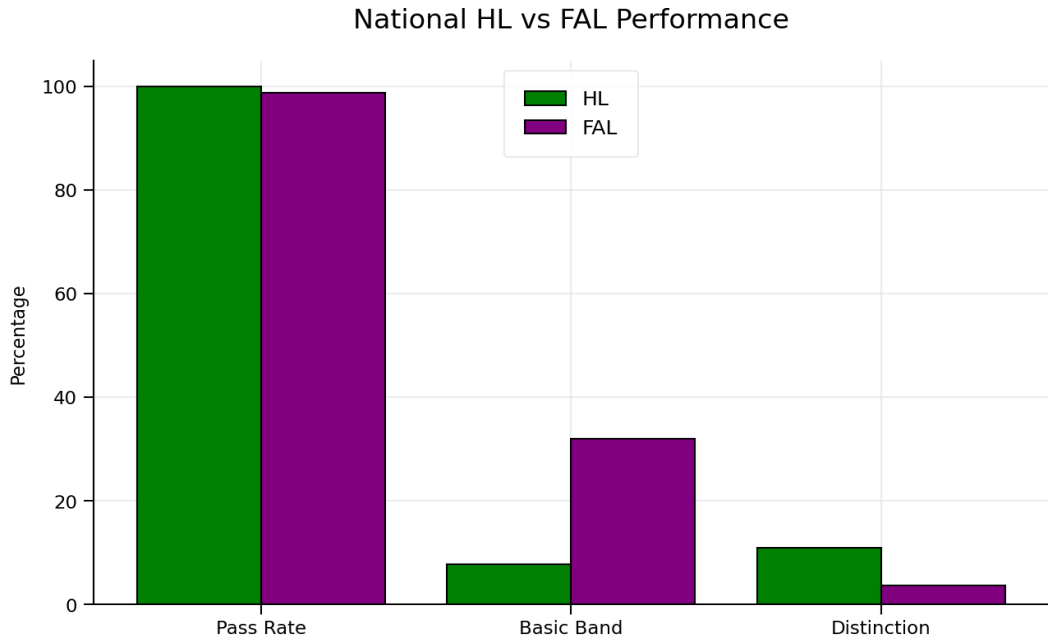


Chart 1: National Performance Trends

3.1 High Pass Rates with Moderate Achievement Levels

Across all provinces, language subjects demonstrate consistently high pass rates, with failure rates typically below 1% in major language subjects. However, a closer examination of achievement distributions shows that most learners are concentrated in the 50-79% “proficient” band. While this reflects functional competence, it also indicates that learners are achieving basic academic literacy without advancing to higher-order proficiency, and our education system is producing broad access to young people but limited linguistic excellence.

This pattern suggests that the basic education system is effective in ensuring minimum linguistic competency but may be less effective in promoting advanced analytical, interpretive, and expressive language skills as envisaged by the DBE Critical Language Awareness document published in September 2022.

3.2 Low Distinction Rates in High-Enrolment Subjects

The high-enrolment subjects, such as English HL and English FAL consistently record low distinction rates (generally below 5%), despite maintaining high pass rates. This disparity highlights a critical gap in higher-order linguistic competence, critical thinking, and textual analysis skills in this language. English is a requirement for academic literacy in the South African tertiary education system. The data indicate that while learners meet minimum assessment requirements, they often struggle to demonstrate advanced mastery of language, especially in academically demanding contexts like

Science, Technology, Engineering, and Maths (STEM) subjects.

3.3 Strong Performance in Indigenous African Home Languages

In contrast, indigenous African HL subjects (including isiZulu, isiXhosa, Sesotho, Setswana, and Xitsonga) demonstrate consistently strong performance across all provinces. The key features of these language subject results include extremely low failure rates, often close to zero. There are high concentrations in the proficient band, frequently exceeding 85-90%. They create competitive and, in some cases, high distinction rates, allowing provinces like KwaZulu-Natal to exceed expectations to top the 2025 pass rates. The Eastern Cape has increased its pass rate by more than 25% in a decade, even though it is the worst performing province overall.

These outcomes provide compelling empirical evidence that learners achieve greater cognitive engagement and comprehension when instructed and assessed in their home language (mother tongue), and mother tongue-based instruction enhances both stability and excellence in learning outcomes.

Taken together, these trends clearly demonstrate that educational performance in South Africa is strongly shaped by the degree of alignment between the Language of Learning and Teaching (LOLT) and learners' linguistic identity. Where such alignment exists (as in indigenous African HL subjects), the system produces higher linguistic proficiencies, greater academic stability, and improved progression toward excellent linguistic repertoire.

Conversely, where learners are required to learn in a second or unfamiliar language, such as in English FAL contexts, performance is characterised by lower distinction rates, greater clustering in lower achievement bands, and reduced access to advanced academic skills, including being ill-prepared for tertiary academic demands.

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4. PROVINCIAL PERFORMANCE TRENDS AND KEY INSIGHTS

4.1 Eastern Cape Language Performance Breakdown

The Eastern Cape results reflect a highly stabilised and mature assessment profile, characterised by strong clustering in the proficiency band and consistently low failure rates across most language subjects. When interpreted alongside the two accompanying charts, the data reveal both systemic strengths and specific areas requiring targeted intervention.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	6 970	2.84%	29.96%	61.42%	5.78%
Afrikaans HL	4 458	0.27%	44.80%	53.30%	1.64%
Afrikaans SAL	202	0.99%	52.48%	44.55%	1.98%
English FAL	96 872	1.22%	40.42%	57.49%	0.87%
English HL	10 067	0.49%	32.74%	64.76%	2.02%
isiXhosa FAL	2 427	0.16%	5.44%	89.08%	5.32%
isiXhosa HL	91 130	0.06%	2.72%	90.39%	6.83%
isiZulu HL	8	0.00%	0.00%	87.50%	12.50%
Sesotho HL	1 948	0.00%	0.72%	97.13%	2.16%
SASL HL	26	7.69%	50.00%	42.31%	0.00%

Table 1: Eastern Cape 2025 Language Pass Rate

4.1.1 Failure Rates (0-29%): Minimal but Unevenly Distributed

Failure rates across the province remain exceptionally low, reinforcing overall system stability. The highest failure rate appears in South African Sign Language (SASL) HL at 7.69%, significantly above all other subjects. Afrikaans FAL (2.84%) is the only other subject exceeding 2%, while English FAL is at 1.22%, and Afrikaans SAL remains moderate at around 1%. It should be noted that the 0.06% failure rate in isiXhosa HL and 0% failure rates in Sesotho HL and isiZulu HL demonstrate the importance of mother tongue education.

4.1.2. Basic Achievement (30-49%): A Key Pressure Zone

This category provides the clearest indication of under-prepared but passing learners, and it reveals several systemic weaknesses, such as Afrikaans SAL (53%) and SASL HL (50%), which show majority clustering in the basic band. Afrikaans HL (45%) and English FAL (41%) also have large proportions below proficiency. In contrast, isiXhosa HL (3%) and Sesotho HL (1%) show minimal vulnerability.

The second chart above highlights a visible bulge in the 30-49% range for specific subjects, particularly Afrikaans and SASL. The key concern is SASL HL: the combination of an 8% failure rate plus 50% basic achievement rate means nearly 60% of learners are below proficiency, severely limiting broader educational progression opportunities. Afrikaans HL also raises structural questions in the Eastern Cape. A relatively small cohort of learners (5%) failing, with a high basic rate performance

rate (45%), suggest either misalignment between learner profile and subject level or possible instructional challenges in this language subject.

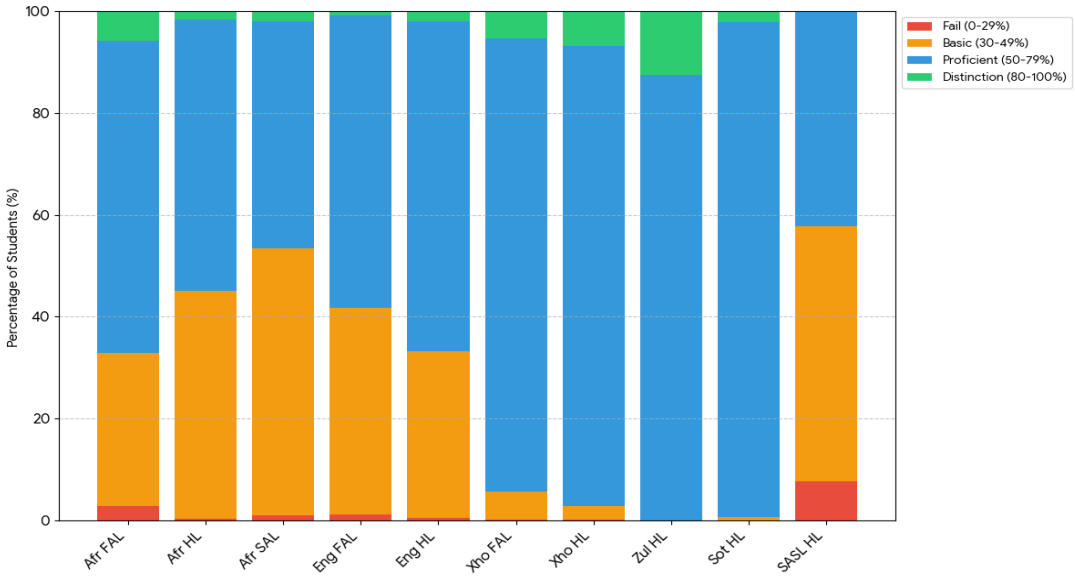


Chart 2: Eastern Cape NSC subject performance: Percentage distribution

4.1.3. Proficiency levels (50-79%):

The performance profile of language subjects in the Eastern Cape is most clearly defined by a dominant concentration of learners within this proficiency band (50-79%), which emerges as the central characteristic of the system. This pattern is particularly pronounced in key home language subjects, with Sesotho HL (97.13%), isiXhosa HL (90.39%), and isiXhosa FAL (89.08%) showing exceptionally high clustering within this band. Even subjects that perform comparatively lower still sustain strong majorities in proficiency, including English HL (64.76%) and Afrikaans HL (53.30%).

When interpreted alongside the graphical data, both charts underscore this phenomenon, highlighting a dominant central distribution in which most learners achieve at a competent level. This suggests not merely widespread passing, but a system characterised by consistent and stable performance outcomes. Importantly, this trend strongly reinforces the value of mother tongue instruction. Subjects aligned with learners' home languages (mother tongues)—particularly isiXhosa HL and Sesotho HL—demonstrate minimal failure rates, low representation in the basic band, and significant clustering in proficiency. Such outcomes indicate a depth of conceptual understanding that extends beyond superficial achievement.

Despite this strong central performance, the distinction band (80-100%) remains relatively narrow, indicating that high-level excellence, while present, is not yet widespread. The highest proportion of

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distinctions appears in isiZulu HL (12.50%), although this figure is based on a very small cohort of eight learners. Among high-enrolment subjects, isiXhosa HL (6.83%) shows the most substantial distinction in performance.

A notable comparison also emerges within FALs, where Afrikaans FAL (5.78%) significantly outperforms English FAL (0.87%) in producing top achievers. However, the absence of distinctions in SASL HL is particularly concerning, pointing to a lack of top-end achievement in that subject.

4.1.4. Eastern Cape Interpretation

The charts visually confirm this pattern, depicting a thin but visible distinction layer, suggesting that while excellence is achievable, it is not yet broadly distributed across the system. Several cross-cutting insights deepen this analysis. Firstly, the advantage of mother tongue instruction is unmistakable. HL subjects consistently display high proficiency and low risk, whereas FALs show greater variability and, in some cases, increased vulnerability. This underscores the importance of aligning the language of instruction with learners' linguistic backgrounds to support cognitive development and academic success.

Secondly, SASL HL stands out as an area of critical concern. It exhibits a dual performance challenge, characterised by the highest failure rate, many learners below proficiency, and a complete absence of distinctions. This combination suggests systemic issues, potentially including curriculum delivery gaps, resource constraints, or limited teacher capacity, and signals an urgent need for targeted intervention.

A further complexity emerges in what can be described as the Afrikaans performance paradox. Despite relatively smaller enrolment numbers, Afrikaans HL shows a high concentration in the basic achievement band (44.80%), raising questions about whether learners are appropriately placed at HL level, or whether there may be underlying issues related to teaching quality or learner support.

Additionally, the data points to emerging concerns around language diversity. The extremely low enrolment in isiZulu HL (8 candidates) and SASL HL (26 candidates) suggests a narrowing linguistic landscape. Over time, this trend could have significant implications for linguistic representation, inclusivity, and equity within the Eastern Cape education system.

Taken together, the performance profile of the Eastern Cape can best be described as a high-stability, middle-heavy system. On the one hand, it demonstrates clear strengths: very low failure rates, a dominant proficiency band, and strong evidence of the success of mother tongue instruction. On the other hand, there are notable weaknesses, including a limited spread of distinctions, ongoing

clustering in the basic band for certain subjects, and serious performance and participation challenges in SASL and other smaller languages.

Ultimately, the charts illustrate a system where access to passing is widely secured, but progression to high achievement remains constrained. Moving forward, improvement efforts should focus on lifting learners from basic to proficient ability, while also expanding the distinction band, ensuring that gains in excellence do not come at the expense of the system's existing stability.

4.2 FREE STATE LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for the Free State, as reflected in the accompanying charts, reveal a system characterised by strong stability and a clear concentration of learners within the middle performance range. The visual distribution across subjects confirms that most candidates are achieving at or above the required level, with relatively small proportions falling into the lower performance categories.

Subject description	Total Wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	4 455	2.47%	39.59%	53.45%	4.49%
Afrikaans HL	2 951	0.00%	16.44%	75.73%	7.83%
Afrikaans SAL	3 361	1.61%	60.37%	37.13%	0.89%
English FAL	34 048	0.11%	33.34%	65.35%	1.20%
English HL	4 899	0.06%	30.80%	66.22%	2.92%
isiXhosa HL	915	0.00%	3.06%	91.37%	5.57%
isiZulu FAL	3	0.00%	0.00%	100.00%	0.00%
isiZulu HL	1 247	0.00%	5.05%	94.87%	0.08%
Sesotho sa Leboa HL	19	0.00%	0.00%	100.00%	0.00%
Sesotho FAL	390	0.00%	26.41%	73.08%	0.51%
Sesotho HL	26 620	0.02%	2.37%	95.76%	1.85%
Sesotho SAL	199	0.00%	4.52%	78.39%	17.09%
Setswana HL	2 287	0.09%	3.89%	91.21%	4.81%
SASL HL	13	0.00%	15.38%	84.62%	0.00%
Xitsonga HL	22	0.00%	0.00%	90.91%	9.09%

Table 2: Free State Matric Results

4.2.1 Failure Band (0-29%)

Charts 4 and 5 show that the failure band is extremely narrow across almost all language subjects in the Free State, indicating that very few learners fall below the minimum achievement threshold. English FAL, which has the highest enrolment, records a failure rate of just 0.11%, while Sesotho HL, the largest HL cohort, shows an even smaller proportion at 0.02%. Several language subjects, including Afrikaans HL, isiXhosa HL, and Sesotho SAL, register no failures at all. Even Afrikaans FAL, which has the highest failure rate at 2.47%, still reflects a relatively small segment in the chart. Visually, this produces a near-absence of the failure band, confirming that the system is highly effective in ensuring that learners meet the basic passing requirement.

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4.2.2 Basic Band (30-49%)

The charts begin to show more variation in the basic band, where learners demonstrate minimum competency but have not yet reached proficiency. Afrikaans SAL is particularly notable, with 60.37% of its learners in this category, forming a large and clearly visible block in the chart. Similarly, Afrikaans FAL at 39.59% and English FAL at 33.34% display substantial clustering in this band, indicating that a significant portion of learners in these subjects are not progressing beyond basic achievement. In contrast, Sesotho HL shows only 2.37% of learners in this range, which appears as a very thin section in the chart. This stark difference highlights the stronger performance associated with certain HL subjects, where most learners move well beyond the minimum threshold.

4.2.3 Proficiency Band (50-79%)

The most prominent feature in both charts is the dominance of the proficiency band, which clearly forms the core of the Free State's performance profile. Sesotho HL stands out, with 95.76% of its 26 620 learners achieving within this band, creating a large central block in the chart. Similar patterns are observed in isiZulu HL (94.87%), isiXhosa HL (91.37%), and Setswana HL (91.21%), where many learners are clustered within the proficient range. English HL (66.22%) and English FAL (65.35%) also show strong representation in this band, indicating that even where learners are not studying in their home language, they are still achieving at a competent level. The charts reinforce the conclusion that the Free State is a "middle-heavy" system, with most learners performing solidly above the pass mark. The particularly strong clustering in indigenous HL subjects further supports the value of mother tongue instruction in enabling consistent academic performance.

4.2.4 Distinction Band (80-100%)

At the top end of the charts, the distinction band is present but relatively narrow, indicating that while high achievement exists, it is not widely distributed. Sesotho SAL stands out with a distinction rate of 17.09%, which appears as a noticeably larger top segment compared to other subjects. Among HLs, Afrikaans HL leads with 7.83% distinction rate, while isiXhosa HL and Setswana HL also show modest but visible distinction bands. In the FAL category, Afrikaans FAL (4.49%) performs better than English FAL (1.20%), as reflected in the difference in the size of their upper bands. However, several subjects with small enrolments, such as Sesotho sa Leboa HL and SASL HL, show no distinctions at all, which is also evident in the charts through the absence of a top band.

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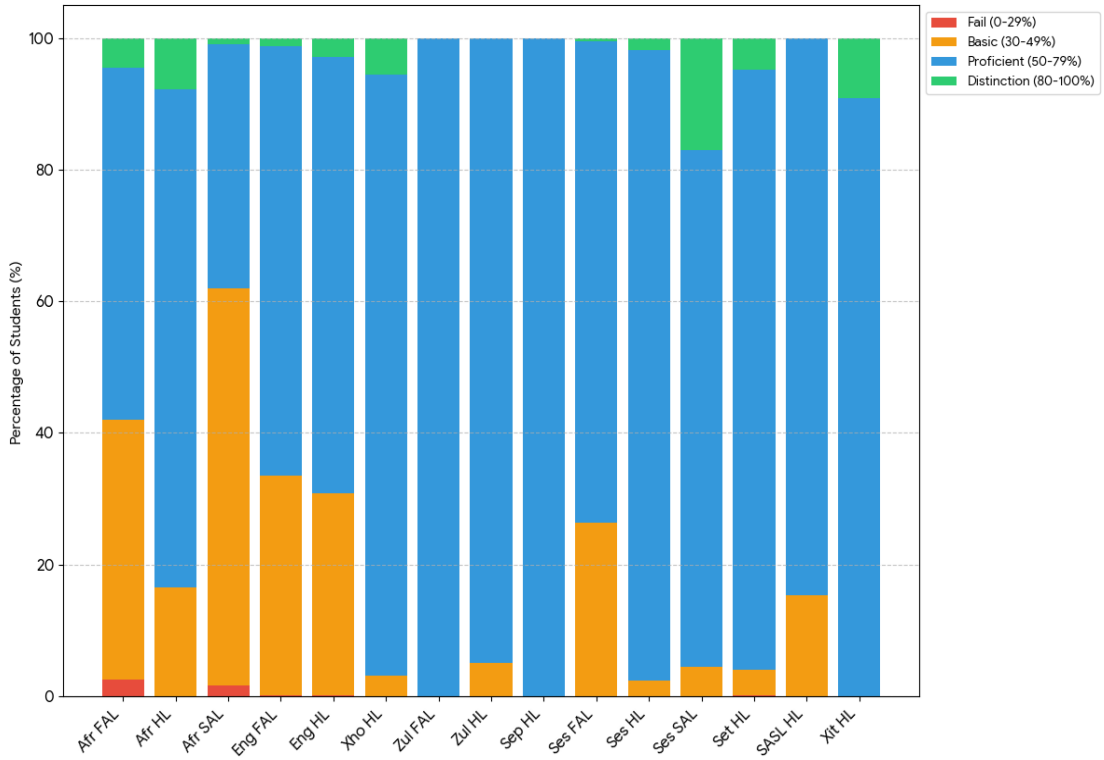


Chart 3: Free State NSC subject performance: Percentage distribution

4.2.5 Free State Interpretation

Taken together, the charts depict a system that is both stable and effective in ensuring widespread learner success. The near absence of the failure band, combined with the overwhelming dominance of the proficiency band, indicates that most learners are achieving comfortably above the minimum standard. At the same time, the relatively thin distinction band suggests that while excellence is attainable, it is not yet widespread. Additionally, the charts highlight concerns around smaller subjects, where low enrolment and limited distinction performance point to challenges in both participation and the development of high-level achievement.

Overall, the Free State can be described as a high-performing, middle-concentrated system, where access to passing is secure and consistent, but where further progress will depend on expanding the proportion of learners who move from proficiency into distinction-level performance.

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4.3 GAUTENG LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for Gauteng, as illustrated in the accompanying charts, reflect a large and diverse system that continues to demonstrate strong overall performance, particularly through high pass rates and a dominant concentration of learners in the proficiency band. The charts visually confirm that while most learners achieve acceptable levels, there is considerable variation between subjects, especially when comparing HL and FAL streams.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	42 505	6.77%	45.93%	42.88%	4.43%
Afrikaans HL	9 009	0.02%	7.99%	77.36%	14.63%
Afrikaans SAL	815	0.61%	47.24%	48.10%	4.05%
English FAL	91 365	0.13%	25.76%	70.94%	3.17%
English HL	50 698	0.11%	24.63%	72.93%	2.34%
isiNdebele FAL	36	2.78%	0.00%	61.11%	36.11%
isiNdebele HL	41	0.00%	0.00%	48.78%	51.22%
isiXhosa FAL	25	4.00%	32.00%	64.00%	0.00%
isiXhosa HL	5 526	0.14%	3.26%	89.41%	7.18%
isiZulu FAL	6 445	0.28%	3.75%	65.35%	30.61%
isiZulu HL	30 305	0.15%	6.15%	89.89%	3.81%
isiZulu SAL	22	0.00%	4.55%	68.18%	27.27%
Sesotho sa Leboa FAL	563	0.00%	11.37%	85.61%	3.02%
Sesotho sa Leboa HL	13 769	0.32%	16.20%	82.76%	0.72%
Sesotho sa Leboa SAL	6	0.00%	33.33%	66.67%	0.00%
Sesotho FAL	226	0.44%	20.80%	77.43%	1.33%
Sesotho HL	13 247	0.15%	8.78%	90.27%	0.80%
Setswana FAL	314	0.00%	3.50%	78.03%	18.47%
Setswana HL	14 448	0.01%	3.93%	92.04%	4.01%
Setswana SAL	19	0.00%	15.79%	84.21%	0.00%
Siswati FAL	1	0.00%	0.00%	100.00%	0.00%
SASL HL	30	0.00%	20.00%	80.00%	0.00%
Tshivenḓa FAL	51	0.00%	0.00%	66.67%	33.33%
Tshivenḓa HL	1 442	0.14%	1.60%	77.25%	21.01%
Xitsonga FAL	44	0.00%	6.82%	81.82%	11.36%
Xitsonga HL	3 790	0.16%	3.01%	91.00%	5.83%

Table 3: Gauteng Language Performance

4.3.1 Failure Band (0-29%)

The charts show that the failure band is generally very small across most Gauteng language subjects, confirming high overall pass rates. English FAL, which represents the largest cohort with more than 91 000 learners, records a minimal failure rate of 0.13%, appearing as a very thin segment in the chart. Similarly, isiZulu HL, the largest African HL group with over 30 000 candidates, has a low failure rate of 0.15%. English HL follows the same pattern, with only 0.11% of learners failing.

However, Afrikaans FAL stands out as a clear outlier in the charts, with a significantly larger failure segment at 6.77%, making it one of the few subjects where failure is visibly more pronounced. Several smaller subjects, such as isiNdebele HL and SASL HL, show no failures at all, although their small enrolment sizes limit the broader impact of this trend. Overall, the charts depict a system where the failure band is largely contained, ensuring that most learners meet the minimum requirements.

4.3.2 Basic Band (30-49%)

The charts reveal more substantial variation in the basic band, particularly among FAL and SAL subjects. Afrikaans SAL (47.24%) and Afrikaans FAL (45.93%) display large concentrations of learners in this category, forming prominent blocks in the charts that indicate many candidates are not progressing beyond basic competency. IsiXhosa FAL (32%) also reflects a noticeable presence in this band. Among HLs, English HL shows a relatively high proportion at 24.63%, which appears as a sizeable segment compared to other HL subjects, while SASL HL records 20% in this range.

This pattern suggests that a notable group of learners is achieving only minimum pass levels in these subjects. As reflected in the charts, this raises concerns about depth of understanding and progression potential, particularly where learners may not be studying in their strongest language or where support structures may be insufficient. The consistent presence of SASL HL in this band also aligns with broader concerns regarding performance challenges in the subject.

4.3.3 Proficiency Band (50-79%)

The most striking feature in the charts is the dominant proficiency band, which forms the core of Gauteng's performance profile. Across both HL and FAL subjects, most learners are concentrated in the 50-79% range. Setswana HL leads with 92.04% of learners in this band, followed closely by Xitsonga HL (91.00%), Sesotho HL (90.27%), and isiZulu HL (89.89%). These large, central blocks in the charts highlight a consistent pattern of strong, stable performance among African home language speakers.

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English HL (72.93%) and English FAL (70.94%) also show substantial clustering in the proficiency band, indicating that even where learners are not studying in their home language, they are still achieving at a competent level. The charts reinforce the interpretation of Gauteng as a middle-heavy system, where most learners perform solidly above the pass mark. At the same time, the particularly strong outcomes in indigenous HL subjects once again point to the advantages of linguistic alignment in supporting learner achievement.

4.3.4 Distinction Band (80-100%)

At the upper end of the charts, the distinction band is present but varies significantly across subjects. Some smaller-enrolment subjects display exceptionally high distinction rates, which appear as disproportionately large top segments in the charts. IsiNdebele HL, for instance, records a remarkable 51.22% distinction rate, while Tshivenḓa HL reaches 21.01%. Similarly, in the FAL category, isiNdebele FAL (36.11%), Tshivenḓa FAL (33.33%), and isiZulu FAL (30.61%) show unusually high proportions of distinctions.

However, these patterns must be interpreted in the context of small candidate numbers, which amplify percentage outcomes in the charts. By contrast, larger subjects such as English HL (2.34%) and English FAL (3.17%) show much thinner distinction bands, indicating that while many learners pass and perform at a proficient level, relatively few reach the highest achievement category. Afrikaans HL

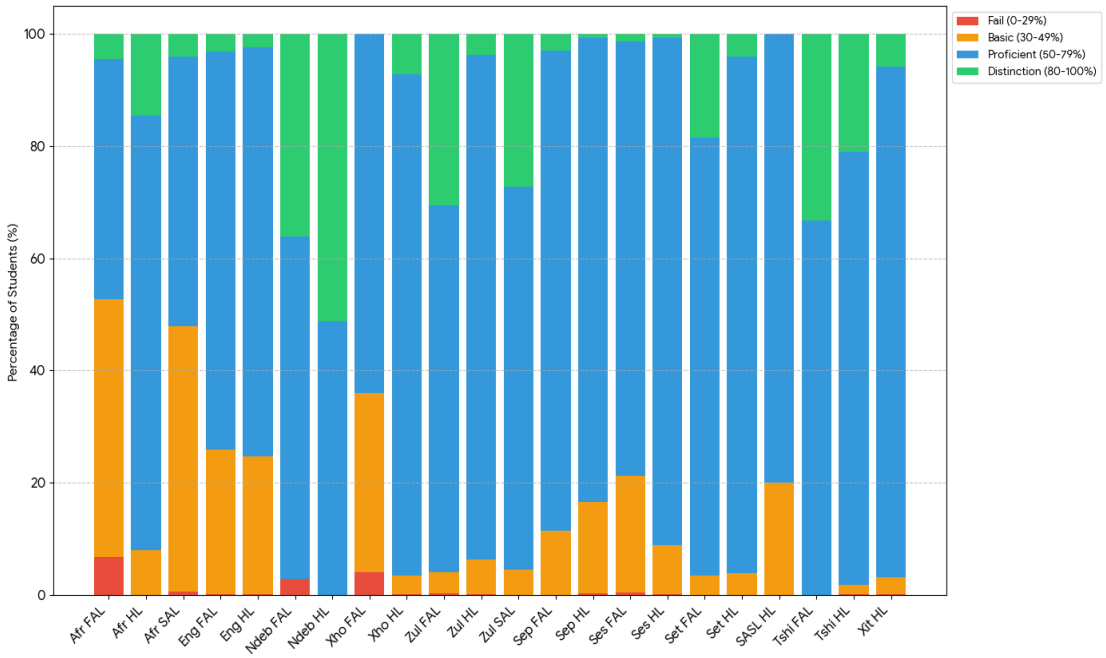


Chart 4: Gauteng NSC subject performance: Percentage distribution

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stands out among larger cohorts with a stronger distinction rate of 14.63%, visible in the charts as a more substantial upper segment. At the same time, subjects such as isiXhosa FAL and SASL HL show no distinctions, reflected in the complete absence of a top band, which raises concerns about the development of high-performing learners in these areas.

4.3.5 Overall Interpretation

Taken together, the charts present Gauteng as a high-performing but complex and uneven system, characterised by strong overall pass rates and a dominant proficiency band. The failure band remains minimal across most language subjects, ensuring widespread access to passing, while the basic band highlights areas where learners are not yet progressing to higher levels of achievement. The charts strongly reinforce the success of home language instruction, where learners consistently achieve high levels of proficiency with low risk.

At the same time, the data reveal important structural concerns. Afrikaans FAL stands out as a significant outlier with higher failure and basic-level clustering, suggesting possible issues related to subject availability or learner placement. Extremely low enrolments in subjects such as Siswati FAL and Sesotho sa Leboa SAL are reflected in the charts as negligible distributions, raising concerns about the sustainability of these subjects within the province. Furthermore, the absence of distinctions in subjects like SASL HL and isiXhosa FAL indicates limited opportunities for learners to reach top-level performance, which is particularly concerning in the context of equitable education outcomes.

Overall, the charts illustrate a system where success is widespread but unevenly distributed, with strong stability in the middle ranges but varying capacity to produce excellence. Future improvements will depend on strengthening progression from basic to proficient levels, while also expanding access to distinction-level achievement without undermining the system's existing stability.

4.4 KWAZULU-NATAL LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for KwaZulu-Natal, as illustrated in the accompanying charts, reveal a system marked by strong overall pass rates and a distinctive performance profile shaped by both high proficiency and notably strong distinction outcomes in certain subjects. The charts visually reflect a largely stable system, though with important variations across HL and Additional Language (AL) categories.

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Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	10 337	12.11%	40.09%	41.93%	5.87%
Afrikaans HL	496	0.00%	12.90%	81.85%	5.24%
Afrikaans SAL	1 188	3.28%	52.02%	39.48%	5.22%
English FAL	148 282	1.02%	30.75%	66.61%	1.63%
English HL	26 015	0.26%	21.23%	73.35%	5.15%
isiXhosa FAL	60	0.00%	1.67%	90.00%	8.33%
isiXhosa HL	4 056	0.00%	1.50%	88.51%	9.99%
isiZulu FAL	12 427	1.60%	3.03%	43.65%	51.73%
isiZulu HL	146 950	0.04%	0.60%	70.16%	29.20%
Sesotho HL	20	0.00%	45.00%	55.00%	0.00%
SASL HL	36	0.00%	36.11%	61.11%	2.78%

Table 4: KwaZulu-Natal Language Performance

4.4.1 Failure Band (0-29%)

The charts show that the failure band in KwaZulu-Natal is generally very small across most language subjects, reinforcing the province's strong overall pass rates. English FAL, which accounts for the largest cohort with more than 148 000 learners, records a low failure rate of 1.02%, appearing as a thin segment in the chart relative to its size. IsiZulu HL, the dominant HL subject with nearly 147 000 candidates, shows an exceptionally low failure rate of just 0.04%, making the failure band almost invisible in the chart.

Several subjects, including Afrikaans HL, isiXhosa HL, and SASL HL, record no failures at all, further contributing to the minimal presence of this band. However, Afrikaans FAL stands out as a clear exception, with a significantly higher failure rate of 12.11%, which is visually prominent in the chart compared to other subjects. This suggests that while the system overall is highly effective in limiting failure, certain subjects continue to experience greater vulnerability.

4.4.2 Basic Band (30-49%)

The charts reveal a more substantial presence in the basic performance band, particularly among AL subjects. Afrikaans SAL (52.02%) and Afrikaans FAL (40.09%) show large concentrations of learners in this category, forming prominent sections in the charts that indicate many learners are not progressing beyond minimum competency. Sesotho HL also stands out, with 45.00% of its very small cohort in this band, which suggests a need for targeted support. Among HL subjects, SASL HL (36.11%) and English HL (21.23%) show relatively large proportions of learners in the basic band, as reflected in the charts.

This pattern is significant, as it indicates that a notable group of learners is achieving only at a minimum passing level, which may limit their educational and career progression. The charts thus highlight areas where performance is stable but not yet sufficiently strong to support upward movement into higher achievement levels.

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4.4.3 Proficiency Band (50-79%)

The proficiency band remains the most dominant feature in the KwaZulu-Natal charts, forming the central mass of learner achievement across most subjects. IsiXhosa FAL shows a particularly strong concentration, with 90% of learners in this range, while isiXhosa HL follows closely with 88.51%. Afrikaans HL (81.85%) and English HL (73.35%) also demonstrate substantial clustering within this band. The two largest subjects, isiZulu HL (70.16%) and English FAL (66.61%), both display large and clearly visible central blocks in the charts, confirming that most learners are achieving at competent levels well above the minimum pass mark.

This pattern reinforces the interpretation of KwaZulu-Natal as a system where performance is largely centred in the middle-to-upper range. The strong showing of HL subjects again reflects the benefit of linguistic alignment, where learners studying in their mother tongue are able to achieve consistently high levels of proficiency.

4.4.4 Distinction Band (80-100%)

One of the most striking features of the KwaZulu-Natal charts is the relatively strong distinction band in several subjects, particularly within isiZulu and isiXhosa. IsiZulu HL records a notably high distinction rate of 29.20%, which appears as a substantial upper segment in the chart, especially given the very large number of candidates. Even more striking is isiZulu FAL, where 51.73% of learners achieve distinctions, creating a dominant top band in the chart. IsiXhosa HL (9.99%) and isiXhosa FAL (8.33%) also show meaningful levels of high achievement.

These patterns suggest that many learners in these categories may be studying languages closely aligned to their home language (mother tongue), enabling stronger performance at the top end. In contrast, larger subjects such as English HL (5.15%) and English FAL (1.63%) display comparatively thinner distinction bands, despite their strong overall pass and proficiency rates. Other subjects, such as Sesotho HL, show no distinctions at all, which is reflected in the absence of an upper band and highlights limited top-end achievement in smaller or less supported language groups.

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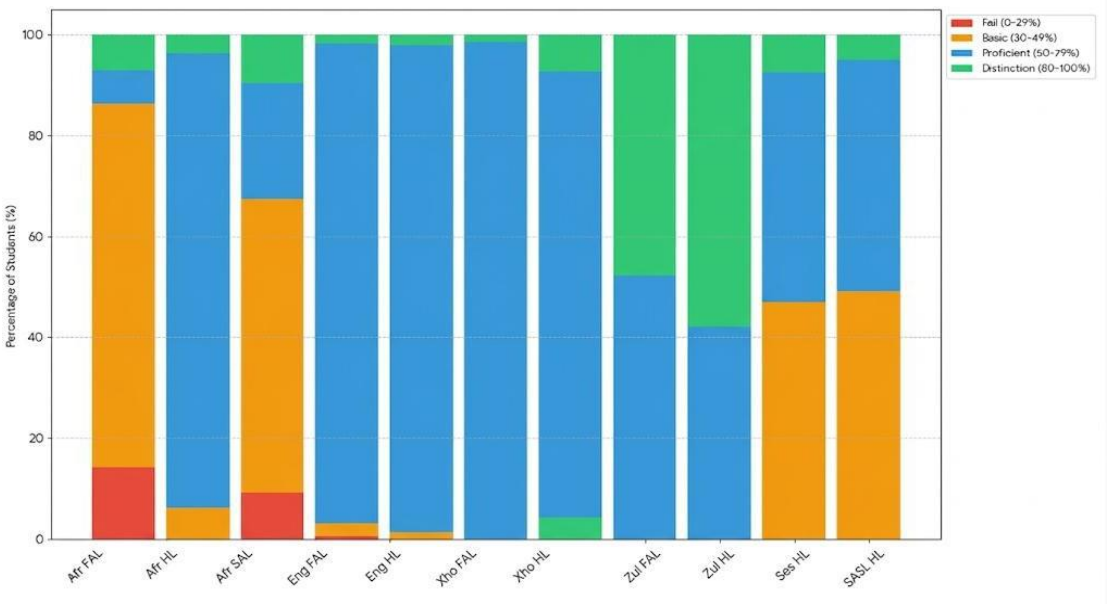


Chart 5: KZN NSC subject performance: Percentage distribution

4.4.5 Overall Interpretation

Taken together, the charts illustrate a KwaZulu-Natal system that combines strong stability with pockets of high excellence. The failure band remains minimal across most subjects, ensuring that the majority of learners meet the required standard. The proficiency band dominates the distribution, confirming that most learners are performing at a solid and consistent level. However, unlike some other provinces, KwaZulu-Natal also demonstrates significant strength in the distinction band for certain subjects, particularly isiZulu and isiXhosa, where high achievement is more widely distributed.

At the same time, the charts highlight areas of concern. Afrikaans FAL emerges as a clear outlier with a comparatively high failure rate and significant clustering in the basic band, suggesting possible issues related to subject access, learner placement, or support. Similarly, the performance of smaller subjects such as Sesotho HL, where there are no distinctions and a high proportion of learners in the basic band, points to challenges in achieving excellence in minority language offerings. The continued presence of SASL HL in the basic band, coupled with limited distinction outcomes, remains a concern in terms of equitable educational outcomes for Deaf learners.

Overall, the KwaZulu-Natal performance profile can be described as a high-performing, proficiency-driven system with strong top-end potential in selected subjects. While access to passing is firmly established, the charts suggest that future improvement should focus on reducing basic-level clustering in certain subjects while sustaining and expanding the strong distinction performance already evident in key HL and aligned FAL subjects.

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4.5 LIMPOPO LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for Limpopo, as reflected in the accompanying charts, present a system characterised by strong overall stability, very high pass rates, and a clear dominance of the proficiency band across most language subjects. The charts visually reinforce the view of Limpopo as a high-performing province in terms of consistent learner achievement, while also revealing important variations between subjects, particularly in relation to distinction performance and outcomes in smaller cohorts.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	2 458	2.24%	38.28%	53.05%	6.43%
Afrikaans HL	1 038	0.10%	9.92%	82.66%	7.32%
Afrikaans SAL	148	0.00%	61.49%	36.49%	2.03%
English FAL	98 320	0.24%	29.78%	67.99%	1.99%
English HL	2 879	0.03%	17.78%	77.42%	4.76%
isiNdebele HL	443	0.00%	0.45%	61.40%	38.15%
isiXhosa HL	87	0.00%	1.15%	94.25%	4.60%
isiZulu HL	522	0.57%	18.58%	78.35%	2.49%
Sesotho sa Leboa FAL	207	0.00%	4.83%	83.57%	11.59%
Sesotho sa Leboa HL	58 482	0.09%	7.01%	90.91%	1.99%
Setswana HL	1 020	0.20%	5.29%	92.25%	2.25%
SASL HL	13	0.00%	38.46%	61.54%	0.00%
Tshivenḓa FAL	66	0.00%	12.12%	65.15%	22.73%
Tshivenḓa HL	19 473	0.01%	0.62%	87.99%	11.38%
Xitsonga FAL	67	1.49%	0.00%	53.73%	44.78%
Xitsonga HL	17 316				

Table 5: Limpopo Language Performance

4.5.1 Failure Band (0-29%)

The charts show that the failure band is extremely limited across most language subjects in Limpopo, reflecting consistently high pass rates. English FAL, which represents the largest group with more than 98 000 learners, records a failure rate of only 0.24%, appearing as a very thin segment in the chart. Similarly, Sesotho sa Leboa HL, the dominant HL subject with over 58 000 learners, has a failure rate of just 0.09%, further reinforcing the near absence of this band.

Several subjects, including isiNdebele HL, Sesotho sa Leboa FAL, and SASL HL, show no failures at all, which is evident in the charts as a complete absence of the lower band. Afrikaans FAL records a slightly higher failure rate of 2.24%, which is still relatively small but more visible compared to other major subjects. Overall, the charts illustrate a system where very few learners fall below the minimum threshold, confirming that access to passing is firmly established.

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4.5.2 Basic Band (30-49%)

The charts reveal more variation in the basic band, particularly among AL subjects and certain HL. Afrikaans SAL (61.49%) stands out prominently, with most learners clustered in this category, forming a large and clearly visible segment in the chart. Afrikaans FAL (38.28%) also shows a significant presence in this band, indicating that many learners are achieving only the minimum proficiency level. Within the HL category, SASL HL (38.46%) presents a notable concern, as a large proportion of learners remain in the basic range, which is clearly reflected in the chart. English HL (17.78%) and isiZulu HL (18.58%) also show moderate clustering in this band.

These patterns suggest that while learners are passing, a substantial number are not progressing into higher levels of performance. The charted distribution highlights the need for targeted support, particularly for SASL HL learners, as well as for those in subjects where linguistic alignment may not be optimal. In the case of isiZulu HL, the relatively high proportion in this band raises questions about whether all learners are fully benefiting from studying this language at the HL level.

4.5.3 Proficiency Band (50-79%)

The dominant feature of the Limpopo charts is the strong concentration of learners within the proficiency band, which forms the central mass of achievement across subjects. IsiXhosa HL leads with 94.25% of learners in this category, followed closely by Setswana HL (92.25%), Sesotho sa Leboa HL (90.91%), and Tshivenḓa HL (87.99%). These subjects display large, visually prominent central blocks in the charts, highlighting consistent and strong performance among learners studying in their home language (mother tongue). English HL (77.42%) and English FAL (67.99%) also demonstrate substantial clustering in the proficiency band, indicating that even where learners are not studying in their home language, performance remains solidly within the competent range. The charts strongly reinforce the pattern seen in other provinces: a “middle-heavy” system in which most learners achieve between 50% and 79%, ensuring both stability and widespread success. The particularly strong performance in indigenous HLs once again underscores the importance of mother tongue instruction in supporting sustained academic achievement.

4.5.4 Distinction Band (80-100%)

At the upper end of the charts, the distinction band is present but unevenly distributed across subjects. Some subjects, particularly those with smaller enrolments, show very high distinction rates. IsiNdebele HL, for instance, records an impressive 38.15% distinction rate, which appears as a substantial upper segment in the chart. Tshivenḓa HL also shows strong top-end performance with 11.38% of students achieving distinctions. Among FALs, Xitsonga FAL (44.78%) and Tshivenḓa FAL (22.73%) stand out with remarkably high proportions of learners achieving distinctions, creating

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relatively large top bands in the charts. However, these results are influenced by smaller candidate numbers, which amplify percentage outcomes. In contrast, larger subjects such as English FAL (1.99%) and Sesotho sa Leboa HL (1.99%) show very narrow distinction bands, indicating that while most learners pass and perform competently, relatively few reach the highest achievement levels. Notably, SASL HL records no distinctions, which is reflected in the absence of a top band and continues to raise concerns about equity and performance opportunities for Deaf learners.

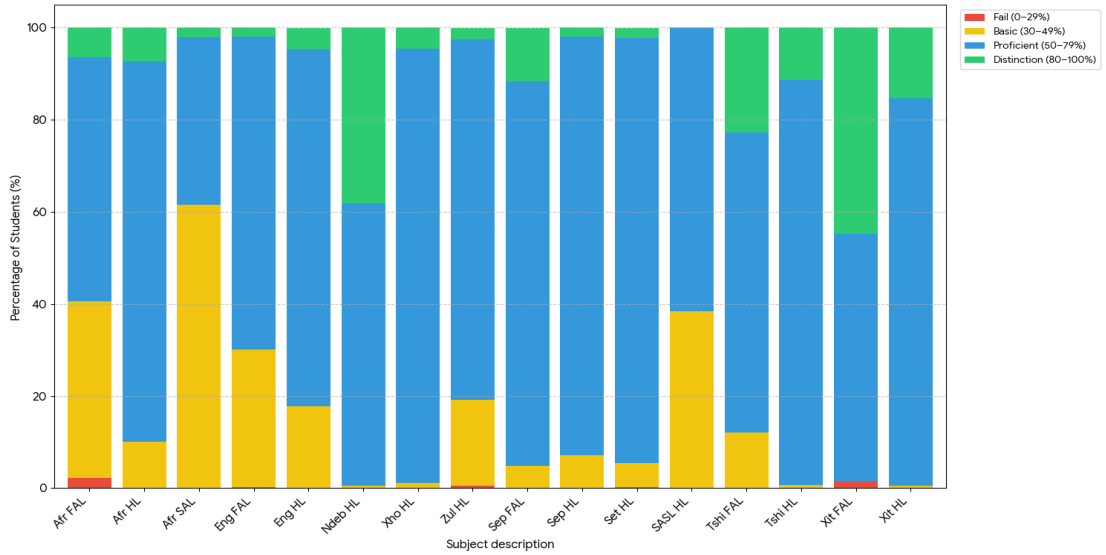


Chart 6: Limpopo NSC subject performance: Percentage distribution

4.5.5 Overall Interpretation

Taken together, the charts illustrate a system that is highly stable and strongly centred in the proficiency band, with very low failure rates and widespread access to passing. HL subjects, particularly Sesotho sa Leboa HL, Tshivenḓa HL, and Setswana HL, demonstrate consistently strong outcomes, reinforcing the importance of linguistic alignment in learner success.

At the same time, the charts reveal several structural concerns. Afrikaans FAL and Afrikaans SAL show significant clustering in the basic band, suggesting that some learners may not be optimally placed or supported within these subjects. The relatively high proportions of learners in the basic band for SASL HL highlight ongoing challenges for Deaf learners, particularly given the absence of distinctions. In addition, while some smaller subjects display very strong distinction performance, others show no top-end achievement at all, indicating uneven access to excellence across the system.

Overall, the Limpopo performance profile can be understood as a high-performing, middle-concentrated system with pockets of strong excellence but uneven distribution at the top end. The charts suggest that while the province has successfully secured broad-based achievement, future improvement efforts should focus on reducing basic-level clustering in specific subjects and expanding the distinction band, ensuring that more learners can progress from competence to high achievement.

4.6 MPUMALANGA LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for Mpumalanga, as illustrated in the accompanying charts, reflect a system that is largely stable, with high overall pass rates and a strong concentration of learners in the proficiency band. At the same time, the charts reveal distinct variations across subjects, particularly in relation to performance in the basic band and the distribution of distinctions.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	5 840	3.87%	45.21%	46.61%	4.32%
Afrikaans HL	1 813	0.00%	9.71%	82.30%	7.94%
Afrikaans SAL	959	6.26%	62.88%	29.82%	1.04%
English FAL	61 834	0.72%	36.00%	61.99%	1.28%
English HL	6 434	0.06%	20.09%	77.28%	2.56%
isiNdebele HL	5 181	0.04%	0.29%	56.40%	43.27%
isiXhosa HL	79	0.00%	0.00%	98.73%	1.27%
isiZulu FAL	217	0.00%	0.46%	63.13%	36.41%
isiZulu HL	15 094	0.02%	1.85%	91.91%	6.21%
Sesotho sa Leboa HL	7 265	0.33%	12.39%	85.15%	2.13%
Sesotho HL	194	0.00%	0.00%	95.36%	4.64%
Setswana HL	1 089	0.00%	3.76%	92.29%	3.95%
Siswati FAL	322	1.86%	12.11%	77.95%	8.07%
Siswati HL	20 571	0.14%	1.14%	68.58%	30.14%
SASL HL	18	0.00%	72.22%	27.78%	0.00%
Xitsonga HL	10 483	0.59%	5.30%	89.32%	4.78%

Table 6: Mpumalanga Language Performance Breakdown

4.6.1 Failure Band (0-29%)

The charts indicate that the failure band remains relatively small across most language subjects in Mpumalanga, reinforcing the province's overall high pass rate. English FAL, the largest cohort with more than 61 000 candidates, records a low failure rate of 0.72%, which appears as a narrow segment in the chart. Siswati HL, the largest African HL group with over 20 000 learners, shows an even lower failure rate of 0.14%, making the failure band almost negligible in visual terms.

Several subjects, including isiXhosa HL, isiZulu FAL, and SASL HL, register no failures at all, which is reflected in the charts by the complete absence of the lower band. However, Afrikaans SAL stands out with a higher failure rate of 6.26%, forming a more visible segment compared to other subjects. This suggests that while the system overall is effective in preventing failure, certain subjects continue

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to show pockets of vulnerability.

4.6.2 **Basic Band (30-49%)**

The charts show more pronounced clustering in the basic band, particularly within AL subjects. Afrikaans SAL (62.88%) is especially prominent, with a clear majority of learners concentrated in this band, forming a large and dominant section in the chart. Afrikaans FAL (45.21%) shows a similar, though slightly smaller, pattern of clustering. Among HL subjects, SASL HL stands out most strongly, with 72.22% of learners in the basic band, which is visually striking and indicates that most candidates are achieving only minimum competency. English HL (20.09%) and Sesotho sa Leboa HL (12.39%) also display notable proportions of learners in this band, though to a lesser extent.

These patterns suggest that while many learners are passing, they are not consistently progressing into the higher performance range. The charts thus highlight particular concern for SASL HL learners, as well as questions regarding the distribution of learners across HLs such as Sesotho sa Leboa HL, where performance may be affected by linguistic misalignment.

4.6.3 **Proficiency Band (50-79%)**

The most dominant feature in the Mpumalanga charts is the proficiency band, which forms the core of learner performance across most subjects. IsiXhosa HL shows the strongest concentration, with 98.73% of its learners in this range, creating an almost complete central block in the chart. Similarly, Sesotho HL (95.36%), Setswana HL (92.29%), and isiZulu HL (91.91%) display very strong clustering in this band. Larger subjects such as Afrikaans HL (82.30%) and English HL (77.28%) also show substantial proportions of learners achieving at this level. The charts clearly depict Mpumalanga as a “middle-heavy” system, where most learners perform within the 50-79% range, ensuring both consistency and a strong foundation of achievement. Once again, the particularly high levels of proficiency in indigenous HL subjects reinforce the importance of studying in a language aligned to learners’ linguistic backgrounds.

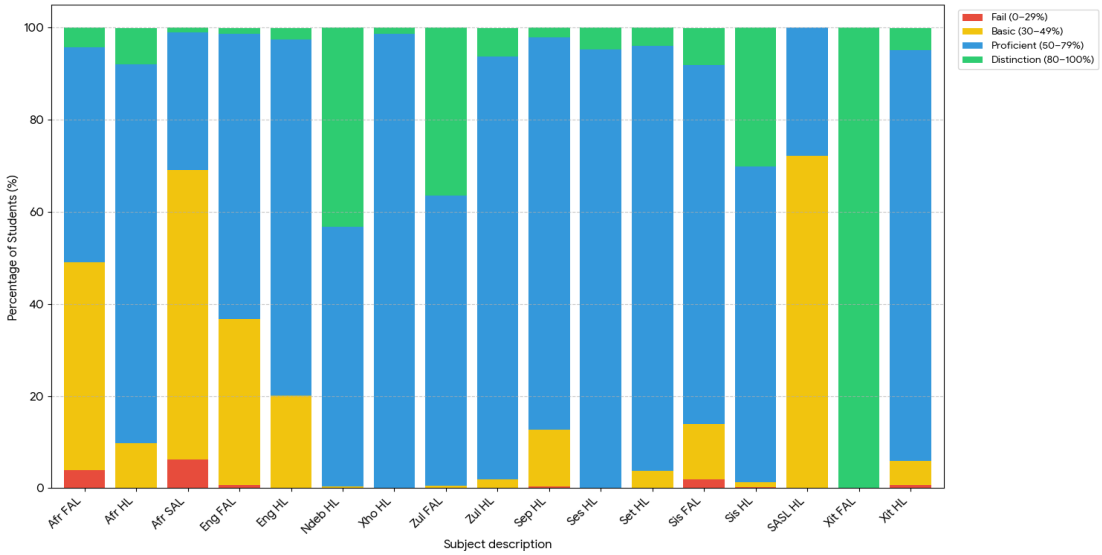


Chart 7: Mpumalanga NSC subject performance: Percentage distribution

4.6.4 **Distinction Band (80-100%)**

At the upper end of the charts, the distinction band shows significant variation between subjects. IsiNdebele HL records an exceptionally high distinction rate of 43.27%, which appears as a large and prominent top segment in the chart. Siswati HL also shows strong performance with 30.14% of learners achieving distinctions. In the FAL category, isiZulu FAL (36.41%) stands out with a similarly strong top band, indicating high levels of achievement that may be linked to linguistic familiarity among learners. In contrast, larger subjects such as English HL (2.56%) and English FAL (1.28%) display much thinner distinction bands, even though they maintain strong overall pass and proficiency rates. Notably, SASL HL shows no distinctions, which is clearly reflected in the absence of a top band in the chart and remains a significant concern in terms of equitable performance outcomes.

4.6.5 **Overall Interpretation**

Taken together, the charts illustrate a system that is stable and strongly centred in the proficiency band, with most learners achieving comfortably above the pass mark. The failure band is minimal, ensuring broad-based success, while the dominance of the proficiency band highlights consistent performance across subjects.

However, the charts also reveal areas that require attention. The strong clustering in the basic band for subjects such as Afrikaans SAL and SASL HL suggests limited progression beyond minimum competency for certain groups of learners. The exceptionally high distinction rates in some smaller subjects, while positive, also point to uneven distribution of excellence, particularly when compared to larger subjects where distinction rates remain modest. Additionally, the absence of distinctions in

SASL HL highlights ongoing challenges for Deaf learners, reinforcing concerns about equitable access to high-level achievement.

Overall, Mpumalanga can be characterised as a high-performing but uneven system, where stability and widespread proficiency are evident, but where progression into higher achievement levels varies significantly across subjects. The charts suggest that future improvement efforts should focus on reducing clustering in the basic band and expanding access to distinction-level performance, while maintaining the strong foundation of consistent pass rates already achieved.

4.7 NORTH WEST LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for the North West province, as reflected in the accompanying charts, present a system characterised by generally strong performance across both HL FAL subjects. The charts illustrate a stable achievement profile, with high pass rates and a dominant concentration of learners in the proficiency band, although some variation is evident across specific subjects and categories.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	4 601	3.74%	41.73%	49.94%	4.59%
Afrikaans HL	2 239	0.00%	18.54%	74.98%	6.48%
Afrikaans SAL	3 998	0.38%	61.18%	37.59%	0.85%
English FAL	36 280	0.17%	26.08%	71.49%	2.26%
English HL	4 955	0.32%	28.80%	67.71%	3.17%
isiXhosa HL	871	0.23%	6.31%	89.78%	3.67%
Sesotho HL	895	0.00%	4.25%	95.42%	0.34%
Setswana FAL	88	0.00%	2.27%	68.18%	29.55%
Setswana HL	32 612	0.05%	2.19%	90.30%	7.46%
SASL HL	8	0.00%	37.50%	62.50%	0.00%

Table 7: North West Language Performance Breakdown

4.7.1 Failure Band (0-29%)

The charts show that the failure band is minimal across most language subjects in the province, confirming that most learners meet the minimum requirements for passing. English FAL, which represents one of the largest cohorts, records a failure rate of just 0.17%, appearing as a very thin segment in the chart. Similarly, Setswana HL, the dominant HL subject with more than 32 000 candidates, shows an exceptionally low failure rate of 0.05%, making the failure band almost negligible in visual terms.

Several subjects, including Afrikaans HL, Sesotho HL, and Setswana FAL, record no failures at all, which is clearly reflected in the charts through the absence of a lower band. Afrikaans FAL shows a slightly higher failure rate at 3.74%, which is more visible in comparison to other subjects, though still relatively contained. Overall, the charts depict a system where access to passing is secure, and failure is not a widespread concern.

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4.7.2 Basic Band (30-49%)

The charts reveal more noticeable clustering in the basic band, particularly among AL subjects. Afrikaans SAL stands out most prominently, with 61.18% of learners in this category, forming a large and dominant section in the chart that indicates limited progression beyond minimum competency. Afrikaans FAL (41.73%) also shows a substantial presence in this band. Among HL subjects, SASL HL (37.50%) displays a relatively large basic band, which is clearly visible in the chart and signals that a significant proportion of learners are achieving only minimum levels of competence. English HL (28.80%) and Afrikaans HL (18.54%) also show notable, though smaller, clustering in this range.

These patterns suggest that while many learners are passing, a considerable proportion are not advancing into higher levels of performance. The charts, therefore, highlight areas of concern, particularly for SASL HL and certain language streams where learners may not be fully supported to move beyond basic achievement.

4.7.3 Proficiency Band (50-79%)

The most dominant feature in the North West charts is the strong central concentration within the proficiency band, which clearly defines the province's performance profile. Sesotho HL leads with an exceptional 95.42% of learners in this category, forming a large, visually dominant block in the chart. Setswana HL follows closely at 90.30%, with isiXhosa HL at 89.78%, all indicating consistently high levels of achievement among HL learners. Afrikaans HL (74.98%), English FAL (71.49%), and English HL (67.71%) also show strong clustering in this band, demonstrating that most learners across both HL and FAL categories are achieving comfortably above the pass threshold.

The charts reinforce the interpretation of the North West as a "middle-heavy" system, where most learners perform within the 50-79% range. As seen in other provinces, the particularly strong outcomes in HL subjects underscore the benefits of studying in a language aligned with learners' linguistic backgrounds.

4.7.4 Distinction Band (80-100%)

At the top end of the charts, the distinction band is present but varies across subjects. Setswana FAL stands out with a notably high distinction rate of 29.55%, which appears as a large upper segment in the chart, although this must be interpreted in the context of a relatively small cohort. Setswana HL, with a much larger group of learners, achieves a solid distinction rate of 7.46%, which is visible as a meaningful top band. Afrikaans HL also shows steady performance with 6.48% distinctions.

In contrast, larger subjects such as English HL (3.17%) and English FAL (2.26%) display thinner distinction bands, indicating that while most learners pass and achieve proficiency, relatively fewer reach the highest performance level. SASL HL records no distinctions, which is reflected in the absence of a top band and remains a point of concern regarding opportunities for top-end achievement.

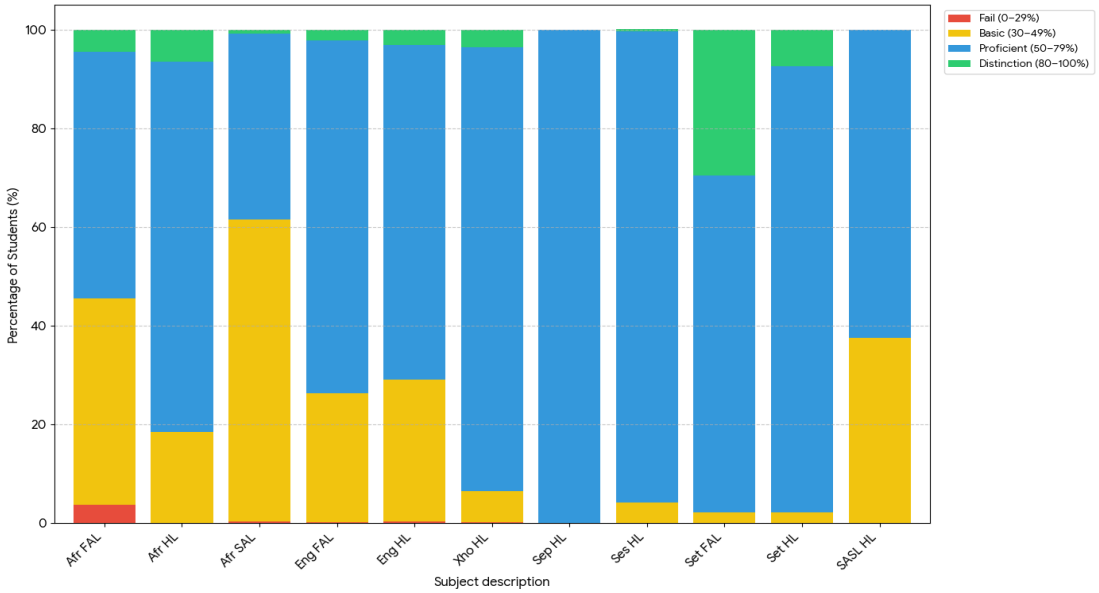


Chart 8: North West NSC subject performance: Percentage distribution

4.7.5 Overall Interpretation

Taken together, the charts illustrate a system that is stable and strongly centred around the proficiency band, with very low failure rates and widespread learner success. The visual dominance of the middle band confirms that most learners are achieving at competent levels, while the consistently strong performance in HL subjects highlights the ongoing importance of mother tongue instruction in supporting learner outcomes.

At the same time, the charts reveal areas that require attention. The significant clustering in the basic band for subjects such as Afrikaans SAL and SASL HL suggests that not all learners are progressing beyond minimum competency. Additionally, while some subjects demonstrate strong distinction performance, particularly in smaller cohorts, the overall distribution of excellence remains uneven, with larger subjects showing relatively modest top-end achievement. The low enrolment in subjects such as SASL HL also raises concerns about participation and sustainability, even though the absence of zero distinctions across most mid-sized subjects suggests a more balanced performance profile than in some other provinces.

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Overall, the North West can be described as a high-performing, middle-concentrated system with moderate but uneven development at the top end. The charts suggest that future improvement efforts should focus on supporting learners to move from basic to proficient levels, while also expanding the distinction band to ensure that a greater proportion of learners are able to achieve excellence without compromising the stability of the system.

4.8 NORTHERN CAPE LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for the Northern Cape, as illustrated in the accompanying charts, present a system characterised by very high overall pass rates and a strong concentration of learners within the proficiency band. The charts clearly reflect a stable performance profile, where most learners are achieving above the minimum threshold, although there are noticeable differences between HL and AL subjects, particularly in relation to distinction performance and the distribution of learners in the basic band.

Subject description	Total wrote	0-29% (Fail)	30-49% (Basic)	50-79% (Proficient)	80-100% (Distinction)
Afrikaans FAL	2 084	0.43%	10.84%	74.18%	14.54%
Afrikaans HL	5 756	0.03%	16.52%	80.96%	2.48%
Afrikaans SAL	523	1.15%	66.35%	31.74%	0.76%
English FAL	12 098	0.21%	39.21%	59.07%	1.51%
English HL	2 032	0.05%	21.36%	74.41%	4.18%
isiXhosa HL	611	0.00%	14.73%	79.71%	5.56%
Setswana HL	5 813	0.03%	3.58%	92.48%	3.91%

Table 8: Northern Cape Language Performance Breakdown

4.8.1 Failure Band (0-29%)

The charts show that the failure band is extremely limited across almost all language subjects in the Northern Cape, reinforcing the province's strong overall pass rates. English FAL, which represents the largest cohort, records a very low failure rate of 0.21%, appearing as a thin segment in the chart. Similarly, Setswana HL and Afrikaans HL, both large HL groups, record minimal failure rates of 0.03%, making the failure band almost invisible in visual terms. Afrikaans SAL shows the highest failure rate at 1.15%, though this remains relatively small compared to other provinces and is only modestly visible in the chart. Subjects such as isiXhosa HL record no failures at all, further contributing to the near absence of this band. Overall, the charts illustrate a system where most learners successfully meet the minimum performance requirements.

4.8.2 Basic Band (30-49%)

The charts reveal a more noticeable presence in the basic band, particularly among AL subjects. Afrikaans SAL stands out most prominently, with 66.35% of learners clustered in this category, forming a dominant segment in the chart that indicates limited progression into higher performance levels. English FAL also shows a significant proportion of learners in this range at 39.21%, which appears as a substantial section in the chart for the largest subject group. Among HLs, English HL (21.36%) and Afrikaans HL (16.52%) show visible clustering in the basic band, although these are less pronounced than in the AL streams. IsiXhosa HL, at 14.73%, also reflects some presence in this category.

These patterns suggest that while pass rates remain high, a considerable number of learners are performing at only the minimum required level, particularly in subjects that may not align closely with learners' home languages.

4.8.3 Proficiency Band (50-79%)

The most dominant feature in the Northern Cape charts is the strong central concentration within the proficiency band, which clearly defines the province's performance profile. Setswana HL leads with 92.48% of its learners in this category, forming a large and visually dominant block in the chart. Afrikaans HL (80.96%), isiXhosa HL (79.71%), and English HL (74.41%) all show similarly strong clustering, indicating that most learners in these HL subjects are achieving comfortably above the pass mark. Afrikaans FAL also demonstrates robust performance, with 74.18% of learners in this band, making it one of the stronger-performing AL subjects. In contrast, English FAL (59.07%) shows a smaller but still dominant central band, reflecting solid but more moderate levels of proficiency.

The charts clearly reinforce the interpretation of the Northern Cape as a "middle-heavy" system, where most learners achieve within the 50-79% mark range, ensuring both consistency and overall system stability.

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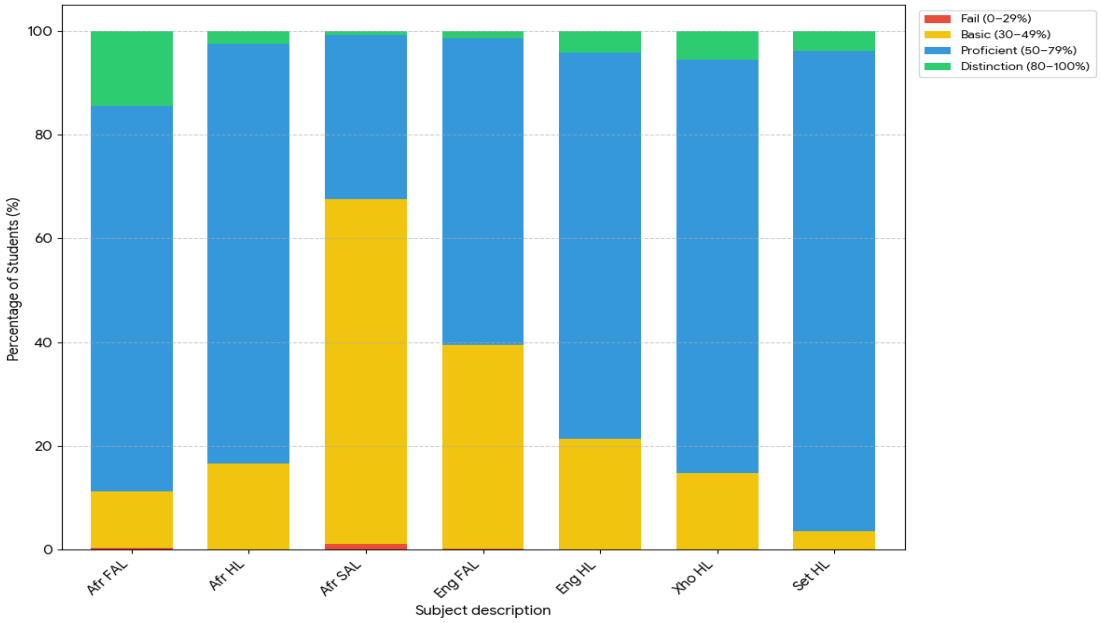


Chart 9: Northern Cape NSC subject performance: Percentage distribution

4.8.4 Distinction Band (80-100%)

At the top end of the charts, the distinction band is present but relatively narrow across most subjects, with a few notable exceptions. Afrikaans FAL stands out with a particularly strong distinction rate of 14.54%, which appears as a prominent upper segment in the chart. Among HL subjects, isiXhosa HL (5.56%), English HL (4.18%), and Setswana HL (3.91%) show steady but more modest levels of high achievement. Afrikaans HL, despite its strong performance in the proficiency band, shows a relatively smaller distinction rate of 2.48%. English FAL, the largest subject, records only a 1.51% distinction rate, which is reflected in a very thin upper band, indicating that while most learners pass and achieve proficiency, relatively few reach the highest performance level. The charts thus confirm that excellence exists but is not widely distributed across the system.

4.8.5 Overall Interpretation

Taken together, the charts illustrate a system that is highly stable and strongly centred within the proficiency band, with very low failure rates and widespread learner success. The visual dominance of the middle band highlights consistent achievement across both HL and AL subjects, while the strong performance of Setswana HL and Afrikaans HL reinforces the benefits of linguistic alignment in supporting learner outcomes.

However, the charts also reveal important areas for consideration. The significant clustering in the basic band for subjects such as Afrikaans SAL and English FAL suggests that many learners are not

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progressing beyond minimum competency levels. Additionally, while Afrikaans FAL demonstrates strong distinction performance, the overall distribution of distinctions remains limited across most subjects, particularly in larger cohorts such as English FAL. The absence of distinctions in smaller subjects, including Sesotho HL and Setswana FAL, further points to uneven access to top-end achievement.

The charts also highlight broader concerns around subject participation. Extremely low enrolments in subjects such as isiZulu FAL and the absence of SASL HL in the province indicate potential gaps in linguistic access and inclusivity. These patterns suggest that, while the Northern Cape performs strongly in ensuring high pass rates, there are underlying challenges related to subject diversity and the development of excellence across a wider range of language subjects.

Overall, the Northern Cape can be described as a high-performing, middle-concentrated system with limited but emerging areas of excellence. The charts suggest that future improvements should focus on reducing the proportion of learners in the basic band and expanding the distinction band, while maintaining the strong foundation of stability and high pass rates that currently define the province's language performance profile.

4.9 WESTERN CAPE LANGUAGE PERFORMANCE BREAKDOWN

The 2025 NSC results for the Western Cape, as illustrated in the accompanying chart, present a system characterised by strong overall pass rates and a clear concentration of learners within the proficiency band. The chart visually reflects a stable performance landscape across both HL and FAL subjects, although important variations emerge in relation to the distribution of learners in the basic and distinction bands.

Subject description	Total wrote	Fail %	Basic % (30-49)	Proficient % (50-79)	Distinction % (80-100)
Afrikaans FAL	24 791	3.48%	22.17%	63.09%	11.26%
Afrikaans HL	20 794	0.05%	18.09%	74.24%	7.62%
Afrikaans SAL	374	1.60%	65.24%	32.09%	1.07%
English FAL	39 579	0.32%	32.14%	63.49%	4.05%
English HL	27 120	0.17%	21.11%	69.79%	8.93%
English SAL	4	0.00%	50.00%	50.00%	0.00%
isiXhosa FAL	1 324	0.23%	8.01%	88.07%	3.70%
isiXhosa HL	19 485	0.16%	4.58%	88.94%	6.32%
isiXhosa SAL	34	0.00%	11.76%	50.00%	38.24%
isiZulu FAL	3	0.00%	0.00%	33.33%	66.67%
Sesotho FAL	0	0.00%	0.00%	0.00%	0.00%
Sesotho HL	111	0.90%	7.21%	90.99%	0.90%
Setswana HL	0	0.00%	0.00%	0.00%	0.00%
SASL HL	11	0.00%	45.45%	54.55%	0.00%

Table 9: Language Performance Breakdown

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4.9.1 Failure Band (0-29%)

The chart shows that the failure band is relatively small across most language subjects in the Western Cape, confirming that the majority of learners successfully meet the minimum pass requirements. English FAL, which represents the largest cohort, records a low failure rate of 0.32%, appearing as a narrow segment in the chart. English HL performs even stronger, with a failure rate of 0.17%, while Afrikaans HL shows near-perfect performance at just 0.05%, making the failure band almost invisible in visual terms. Afrikaans FAL records the highest failure rate at 3.48%, which is more noticeable in the chart when compared to other subjects, though it remains relatively contained. Several smaller subjects, including isiXhosa SAL and SASL HL, show no failures at all, which is reflected in the absence of a lower band. Overall, the chart illustrates a system where failure is minimal and access to passing is firmly secured.

4.9.2 Basic Band (30-49%)

The chart reveals a more substantial presence in the basic band, particularly among AL subjects. Afrikaans SAL stands out prominently, with 65.24% of learners concentrated in this category, forming a large and dominant segment that signals limited progression beyond minimum competency. English FAL also shows a significant proportion of learners in this band at 32.14%, which is clearly visible in the chart given the size of the cohort. Within the HL category, SASL HL presents a notable concern, with 45.45% of learners in the basic band, indicating that nearly half of the candidates are not reaching proficiency. English HL (21.11%) and Afrikaans HL (18.09%) also show meaningful clustering in this range, although less pronounced. These patterns suggest that, despite high pass rates, a considerable number of learners are performing at only basic levels, which may have implications for further study and progression. The chart further highlights ongoing concerns about SASL HL performance, particularly in relation to equitable outcomes for Deaf learners.

4.9.3 Proficiency Band (50-79%)

The most dominant feature in the chart is the strong central concentration within the proficiency band, which forms the core of learner performance in the Western Cape. Sesotho HL leads with 90.99% of its learners in this category, although it represents a very small cohort. Among larger subjects, isiXhosa HL (88.94%) and isiXhosa FAL (88.07%) show substantial clustering in the proficiency band, forming large central blocks in the chart. Afrikaans HL (74.24%), English HL (69.79%), and English FAL (63.49%) all demonstrate strong performance in this range, confirming that the majority of learners achieve comfortably above the pass threshold. The chart reinforces the interpretation of the Western Cape as a “middle-heavy” system, where most learners are concentrated within the 50-79% band. The particularly strong performance of isiXhosa HL and FAL also reflects the benefits of linguistic alignment in supporting learner achievement.

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4.9.4 Distinction Band (80-100%)

At the upper end of the chart, the distinction band is present but unevenly distributed across subjects. IsiXhosa SAL stands out with an exceptionally high distinction rate of 38.24%, which appears as a large upper segment, although this is based on a very small number of learners. Among larger subjects, Afrikaans FAL shows a strong distinction rate of 11.26%, forming one of the more prominent top bands in the chart. English HL (8.93%) and Afrikaans HL (7.62%) also display solid high-level performance. In contrast, English FAL (4.05%) and isiXhosa HL (6.32%) have relatively thinner distinction bands despite their strong performance, indicating that fewer learners reach the highest achievement levels. This pattern, clearly visible in the chart, suggests that while excellence is present, it remains somewhat limited in relation to the large number of learners achieving in the middle band.

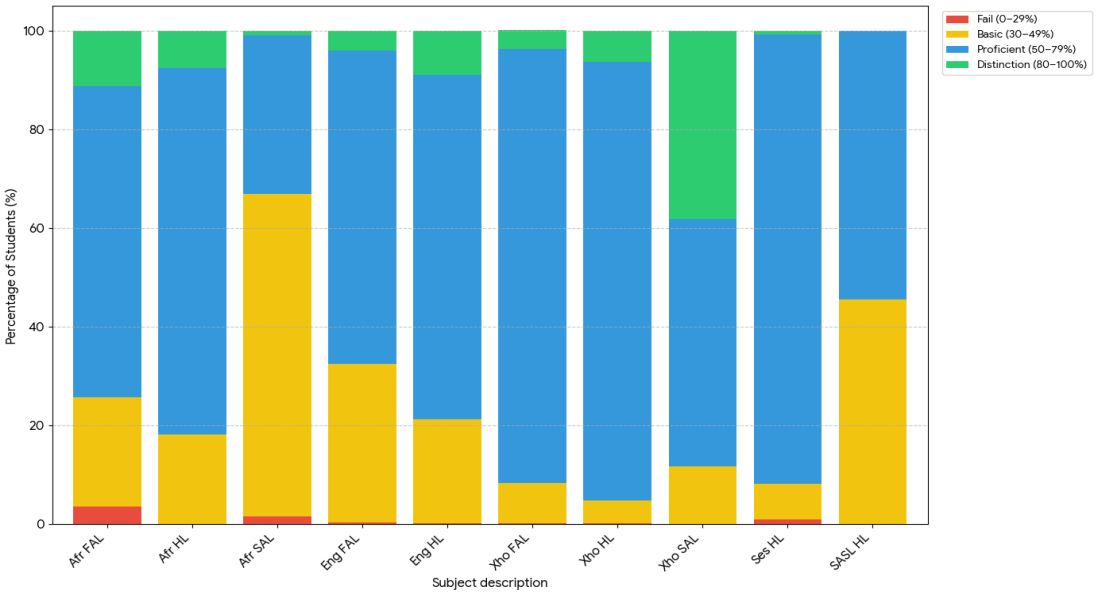


Chart 10: Western Cape NSC subject performance: Percentage distribution

4.9.5 Overall Interpretation

Taken together, the chart illustrates a system that is highly stable and strongly centred in the proficiency band**,** with consistently low failure rates and a solid foundation of learner achievement. The visual dominance of the middle band confirms that most learners perform at a competent level, while strong outcomes in both Afrikaans and isiXhosa highlight the importance of language alignment in supporting academic success.

However, the chart also reveals important structural concerns. The significant clustering in the basic band for Afrikaans SAL, English FAL and SASL HL suggests that many learners are not progressing beyond minimum competency. The absence of distinctions in SASL HL remains particularly

concerning, reinforcing broader national trends regarding the performance of Deaf learners. At the same time, although some subjects demonstrate strong distinction rates, the overall distribution of high achievement remains uneven, with larger subjects showing relatively modest proportions of top performers.

The chart also highlights issues related to subject participation. The absence of enrolment in subjects such as Sesotho FAL and Setswana HL, as well as extremely low numbers in English SAL and isiZulu FAL, suggests a limited language offering shaped by provincial linguistic realities. While this may reflect the dominance of certain languages in the province, it also raises questions about inclusivity and access for speakers of less represented languages.

Overall, the Western Cape can be described as a stable, middle-concentrated system with pockets of strong excellence but uneven distribution at the top end. The chart suggests that future improvement efforts should focus on supporting learners to move from basic to proficiency, while also expanding the distinction band to ensure broader access to high-level achievement without compromising the system's existing strengths.

5. SUMMARY AND FINAL INSIGHTS

5.1. The 2025 NSC language results, as reflected in the report and supported by the accompanying provincial charts, reveal a highly stable but structurally uneven national performance profile. Across provinces, the system demonstrates a strong ability to ensure learner progression and passing, yet remains constrained in consistently producing high-level academic excellence.

5.2. At a national level, the charts collectively illustrate a system with exceptionally low failure rates, confirming that access to passing is firmly secured. In most major subjects—particularly English FAL and large HL groups such as isiXhosa, isiZulu, and Sesotho—failure rates are frequently below 1%, making the failure band almost invisible in many of the provincial distributions. These patterns indicate a high degree of systemic stability and suggest that foundational teaching and assessment practices are largely effective in supporting minimum achievement across diverse linguistic contexts.

5.3. The most defining feature of the national performance profile, consistently reinforced across all provincial charts, is the dominance of the proficiency band (50-79%). Most learners in nearly every province are concentrated within this middle range, with standout examples such as Sesotho HL in the Free State, where over 95% of candidates achieved proficiency. This widespread clustering reflects a system that is middle-heavy, where learners reliably achieve competence but do not necessarily progress into advanced performance categories. While this indicates strong conceptual grounding, it also suggests a ceiling effect in which upward academic mobility is limited.

5.4. Despite these strengths, the charts simultaneously reveal a persistent constraint in the distinction band (80-100%), particularly among high-enrolment subjects. English HL and English FAL, which dominate nationally, consistently produce relatively low proportions of distinctions—often below 5%—despite their high overall pass rates. This pattern highlights a critical gap between access and excellence, where large numbers of learners succeed but relatively few achieve at the highest levels.

5.5. In contrast, smaller subjects—particularly certain indigenous languages—occasionally demonstrate exceptionally high distinction rates, such as isiNdebele HL in Gauteng, which exceeded 50%. However, as reflected in the charts, these outcomes are often linked to small and potentially selective cohorts, limiting their broader systemic impact.

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5.6. A key insight emerging consistently from both the data and the visual distributions is the clear advantage of mother tongue alignment. Indigenous HL subjects across provinces show strong proficiency clustering and relatively low risk, confirming that learners perform best when their HL subject aligns with their actual linguistic background. This reinforces the central importance of MTBBE as a foundation for both comprehension and academic progression. By contrast, FAL subjects—particularly Afrikaans FAL in several provinces—show greater variability, with higher concentrations in the basic band and, in some cases, elevated failure rates, suggesting structural challenges related to subject choice and access.

5.7. The charts also highlight systemic risks related to subject participation and language diversity. Several provinces report critically low enrolment in certain languages, including isiZulu in the Eastern Cape and Free State, as well as Siswati and Sesotho sa Leboa in other regions. These patterns point to a shrinking linguistic offering within schools, raising concerns about the long-term sustainability of some languages in the curriculum. Where learners are unable to access their home language as a subject, they are often redirected into dominant languages such as English or Afrikaans, which may not align with their linguistic competence and can limit their academic performance.

5.8. Of particular concern, as reflected consistently across the charts, is the performance of SASL HL. The report indicates that SASL HL frequently shows higher proportions of learners in the basic band, very low or zero distinctions, and in some cases, comparatively higher failure rates. This combination signals a systemic performance crisis within the subject. The implications are especially serious given that SASL HL is the home language of Deaf learners. Persistent underperformance in this subject effectively restricts access to higher education and employment opportunities, reinforcing patterns of marginalisation.

5.9. A critical underlying theme emerging from the report is the interdependence between language access and teacher competence. Effective language learning requires both exposure to the language beyond the classroom and high-quality teaching within it. Where learners study in their actual home language, poor performance may point to gaps in instructional quality. However, where there is a misalignment between learners' linguistic background and their subject choices, performance challenges are more likely to reflect structural issues rather than individual or teacher shortcomings. This is particularly evident in English HL, where many learners are not first-language speakers, and in FAL subjects where access to alternative indigenous languages is limited.

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5.10. In the case of SASL, this challenge is further intensified by the reported practice of appointing teachers without sufficient proficiency in the language, which undermines both teaching quality and learner outcomes. This creates a cyclical disadvantage in which Deaf learners are unable to achieve the marks required for further study, thereby limiting the future pool of qualified Deaf educators.

5.11. Overall, the charts and data together depict a national system that can be best described as a high-stability, middle-concentrated system with constrained excellence. The strengths of the system lie in its ability to ensure low failure rates, strong proficiency outcomes, and consistent performance in mother tongue-aligned subjects. However, the limitations are equally clear: a restricted distinction band, uneven access to languages, declining participation in minority subjects, and critical performance challenges in SASL.

5.12. The upgraded analytical insight is therefore that South Africa's language education system has successfully secured access and stability but now faces a second-generation challenge: enabling upward mobility into high achievement while ensuring equitable linguistic access. Future interventions must focus on expanding mother tongue access, strengthening teacher capacity—particularly in SASL—and systematically supporting learners to progress from basic and proficient levels into distinction-level performance, without destabilising the strong foundational gains already achieved.

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6. RECOMMENDATIONS TO THE MINISTER OF BASIC EDUCATION AND PORTFOLIO COMMITTEE ON BASIC EDUCATION

6.1. Institutionalising MTBBE requires a coordinated, system-level reform approach that integrates policy, curriculum, teacher development, and accountability mechanisms. Drawing on the findings of the 2025 NSC language results, which clearly demonstrate the strong performance advantage of learners studying in their home language, this advisory outlines how MTBBE can be effectively embedded as a core feature of South Africa's education system.

6.2. At the policy level, MTBBE must be formally codified as a mandatory instructional standard rather than a guiding principle. While current frameworks promote multilingualism, implementation remains inconsistent across provinces. The Minister should therefore direct the DBE to adopt a phased but compulsory MTBBE model, where home language instruction is prioritised in the early years and systematically extended through the Intermediate Phase, with structured transition strategies into the Further Education Training (FET) phase. This must be accompanied by clear compliance requirements, ensuring that schools justify deviations from MTBBE where alignment with learners' linguistic profiles is not achieved.

6.3. Closely linked to this is the need for curriculum and assessment alignment. Institutionalising MTBBE will only succeed if learners have access to high-quality content in their home languages across all subjects. The report confirms that strong learner outcomes in indigenous languages are directly linked to accessibility and familiarity. The DBE should therefore prioritise the development, standardisation, and distribution of Learning and Teaching Support Materials (LTSM) in all official languages, ensuring parity in quality and availability. In addition, assessment frameworks should be strengthened to support both conceptual understanding and higher-order language skills, enabling learners to progress from proficiency to distinction-level performance.

6.4. A central pillar of institutionalisation is teacher capacity and deployment. MTBBE cannot be successfully implemented without ensuring that teachers are both linguistically proficient and pedagogically equipped to deliver bilingual instruction. The report identifies teacher competence as a critical determinant of learner performance, particularly where language misalignment exists. It is therefore recommended that the DBE, under ministerial oversight, implement a national teacher development strategy for MTBBE, including strengthened pre-service training in bilingual pedagogy, targeted in-service training programmes, and improved teacher deployment practices to align language proficiency with classroom needs.

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6.5. This becomes especially critical in the context of SASL, where systemic weaknesses in teacher proficiency and support have resulted in poor learner outcomes, including higher concentrations in the basic band and limited distinctions. Institutionalising MTBBE must therefore include a dedicated SASL intervention strategy, with accelerated recruitment and training of qualified Deaf teachers, minimum language proficiency standards for all teachers of Deaf learners, and the development of specialised teaching and assessment resources. Addressing SASL is not only a pedagogical priority but a matter of equity, as current outcomes limit Deaf learners' access to post-school opportunities.

6.6. Another critical component is expanding subject access and reforming school-level provisioning. The report consistently highlights the constraint posed by limited language offerings, particularly in schools that provide only English and Afrikaans. To institutionalise MTBBE, the DBE must ensure that all schools offer at least one indigenous African language as an HL or FAL, supported by appropriate staffing and resources. This requires a review of the current post-provisioning model, with the introduction of a special dispensation for minority indigenous languages, ensuring that these subjects are protected from under-resourcing and potential phase-out due to low enrolment.

6.7. The sustainability of MTBBE is further dependent on protecting and promoting language diversity. Declining enrolments in languages such as isiZulu FAL, Siswati, and Sesotho sa Leboa in certain provinces signal systemic risks to multilingual education. The Minister should direct the DBE to conduct provincial language audits, identifying gaps between community language use and school offerings. Based on these findings, targeted interventions such as incentives for schools, dedicated teacher posts, and curriculum support should be implemented to revitalise minority indigenous African languages and ensure their continued inclusion in the curriculum.

6.8. Institutionalisation also requires a strong system of monitoring, evaluation, and accountability. The variability in provincial performance patterns indicates that implementation of language policy is uneven. The DBE should establish a national MTBBE monitoring framework that tracks learner enrolment against home language profiles, assesses performance across HL, FAL, and SAL subjects, and identifies schools where language misalignment is prevalent. This data must inform policy adjustments, targeted interventions, and performance management at provincial and school levels.

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6.9. Equally important is stakeholder engagement and advocacy. The perception that English is the primary pathway to success continues to influence language choices, often at the expense of learner performance. The evidence from the 2025 results strongly challenges this assumption, demonstrating that learners achieve better outcomes when taught in their home language. The DBE, supported by the Portfolio Committee on Basic Education, should therefore implement national awareness campaigns to promote the academic and cognitive benefits of MTBBE, encouraging parents and learners to make informed language choices.

6.10. Finally, the DBE should adopt a knowledge-sharing and system-learning approach, leveraging best practices from high-performing subjects and provinces. The report highlights strong performance examples such as isiNdebele in Gauteng, isiZulu in KwaZulu-Natal, and Sesotho in the Free State, which demonstrate effective teaching and learning models. These should be systematically documented and used to support underperforming areas through inter-provincial collaboration, mentorship programmes, and targeted support initiatives.

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7. CONCLUSION

The 2025 NSC language results confirm that South Africa's language education system remains highly stable in ensuring access and overall success, but continues to face structural constraints in achieving equitable high-level performance across all language groups. Across provinces, achievement patterns consistently reflect the influence of linguistic alignment, subject availability, and resource distribution, with the charts and data demonstrating that learners perform most effectively when their HL subject corresponds to their actual mother tongue.

Provincial variations reinforce this central finding. The Eastern Cape remains anchored by isiXhosa HL as a dominant and stable performer, while smaller cohorts such as isiZulu HL achieve high distinction proportions. Gauteng reflects the most linguistically diverse system, where high-volume subjects coexist with exceptionally high-end performance in smaller cohorts such as isiNdebele HL. KwaZulu-Natal's profile is strongly shaped by isiZulu HL, which combines scale with relatively strong distinction outcomes, although inconsistencies in Afrikaans FAL signal underlying system pressures. The Western Cape demonstrates stability in Afrikaans and English HL, yet distinction performance is uneven, particularly among larger cohorts. The Free State and North West show consistent strength in Sesotho HL and Setswana HL, respectively, while Limpopo and Mpumalanga sustain strong proficiency in Sesotho sa Leboa, Tshivenḓa, and Xitsonga HL, despite ongoing challenges in low-enrolment and migrant languages. In the Northern Cape, Setswana HL and Afrikaans FAL highlight contrasting strengths in proficiency and distinction outcomes. These provincial patterns collectively illustrate a system that is contextually responsive but uneven in its capacity to produce excellence.

A consistent national trend emerging from the data is the clear performance gap between HL and FAL learners. While both groups achieve high pass rates, HL learners are stronger performers across all performance bands, with significantly fewer learners in the basic category and a substantially higher proportion achieving distinctions. In contrast, FAL learners are disproportionately clustered in the 30-49% range, indicating that many achieve only minimum competency. This pattern highlights the limitations of second-language acquisition in contexts where foundational linguistic support is insufficient.

English HL and English FAL illustrate a particularly important national trend. Although both subjects maintain very high pass rates, they produce relatively low distinction outcomes and show notable clustering in the basic and lower proficiency bands. This confirms that a significant proportion of learners enrolled in English HL are not first-language speakers and therefore face challenges in achieving advanced language proficiency. Similarly, Afrikaans demonstrates one of the clearest disparities between HL and FAL performance, with Afrikaans HL performing well while Afrikaans FAL

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shows higher failure rates and substantial basic-level clustering, suggesting structural limitations in subject choice and access.

At the same time, the data reveal an important but complex pattern within certain indigenous African languages, where FAL learners occasionally outperform HL learners in distinction rates. This is most likely attributable to smaller, more selective cohorts and higher levels of informal language exposure, rather than a systemic advantage in the FAL stream.

These findings collectively underscore the centrality of a learner's mother tongue as a determinant of educational success**.** The results demonstrate that learners studying in their home language achieve stronger proficiency, more stable outcomes, and greater progression into higher performance bands.

Conversely, where misalignment exists between a learner's linguistic background and their chosen subject, performance declines, conceptual understanding is weakened, and equity gaps are reinforced. This misalignment is further exacerbated by restricted access to indigenous African language options in many schools, forcing learners into English or Afrikaans streams that may not reflect their linguistic identity.

The report also highlights significant structural and systemic challenges. These include declining enrolments in several indigenous languages, placing them at risk of marginalisation, and persistent inequalities in the performance of SASL HL, where higher concentrations of learners remain in the basic band and distinction rates are often absent. This represents a critical equity issue, particularly for Deaf learners, whose access to post-school opportunities is directly affected by their performance in an HL subject.

From a broader perspective, the data align strongly with international research on multilingual education, which emphasises the importance of strong first-language foundations for cognitive development, literacy acquisition, and second-language learning. The South African results clearly support an additive bilingual model, where learners build proficiency in their home language while acquiring additional languages in a structured and supported manner.

The overarching conclusion is therefore that, while South Africa's multilingual education system is functioning effectively in ensuring high levels of participation and basic success**,** it is not yet optimally structured to deliver equitable excellence or sustain linguistic diversity. A system-wide shift toward MTBBE is required to address these gaps. Such a shift must ensure alignment between learners' linguistic identities and subject offerings, expand access to indigenous languages, strengthen teacher capacity, and create pathways for higher-level achievement across all language groups.

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Ultimately, the central lesson emerging from the 2025 NSC language results is clear: learners achieve best when they learn through their mother tongue and build bilingual competence from that foundation. Without fully institutionalising this principle, disparities in achievement will persist, linguistic diversity will continue to decline, and the system will remain constrained in its ability to produce high-level outcomes at scale. Parliament's Portfolio Committee on Basic Education and the Minister for Basic Education are therefore called upon to support a co-ordinated, evidence-based reform agenda that positions MTBBE at the centre of language policy implementation, ensuring that multilingualism becomes not only a constitutional commitment, but a practical driver of improved educational outcomes for all learners.

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List of References

Cummins, J. (2000). *Language, Power and Pedagogy: Bilingual Children in the Crossfire*. Bristol: Multilingual Matters & Channel View Publications.

Heugh, K. 2011. Theory and practice - language education models in Africa: Research, design, decision-making, and outcomes. In A. Ouane & C. Glanz (Eds.), *Optimising Learning, Education and Publishing in Africa*. Hamburg: UNESCO.

Department of Basic Education [DBE]. 2025. *National Senior Certificate Language Results Data (2025)*. Pretoria: DBE.

Department of Basic Education [DBE]. 2022. *Critical Language Awareness*, September 2022, published on the DBE website

UNESCO. 2016. If you don't understand, how can you learn? Global Education Monitoring Report. Hamburg: UNESCO.

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2025/2026 LINGUISTIC HUMAN RIGHTS REPORT

Language Rights are Human Rights



2025/2026 LINGUISTIC HUMAN RIGHTS REPORT

1. EXECUTIVE SUMMARY

The Annual Linguistic Human Rights (LHR) Cases Report for the 2025/26 financial year presents a comprehensive account of PanSALB's efforts to uphold and advance linguistic human rights in South Africa. Guided by its constitutional and legislative mandate, the organisation continues to promote multilingualism while investigating and resolving complaints related to language rights. The LHR Unit remains central to this mandate, using mediation, conciliation, and, where necessary, legal processes to address violations and ensure compliance.

During the reporting period, the LHR Unit recorded a total of sixteen complaints, of which thirteen were successfully resolved, while three remain outstanding. This represents a resolution rate of 81%, reflecting a strong level of performance and demonstrating the effectiveness of PanSALB's intervention strategies. Most cases were resolved through cooperative engagement with institutions, indicating a generally positive response to the organisation's oversight role and its emphasis on constructive, non-litigious resolution mechanisms.

The resolved cases span a wide range of sectors, including law enforcement, education, media, and the private sector. They largely involved issues of language policy compliance, equitable access to services in different languages, and the appropriate use and recognition of South African Sign Language (SASL). In many instances, institutions responded by revising policies, providing language alternatives, or correcting practices that were inconsistent with linguistic rights. These outcomes underscore the practical impact of PanSALB's engagements and highlight the value of dialogue and mediation in achieving meaningful change without resorting to protracted legal action.

Despite this progress, a small number of cases remain unresolved, primarily due to their complex and sensitive nature. These include disputes involving institutional policy positions, such as the Legal Practice Council's decision to limit professional examinations to English, as well as matters relating to inclusivity and equity in multilingual contexts, and cases involving the perceived misrepresentation or disrespect of SASL. Such matters extend beyond straightforward rights violations and often require deeper legal interpretation, sustained stakeholder engagement, and, in some cases, formal adjudicative processes. Their ongoing status reflects broader systemic challenges within the linguistic landscape rather than shortcomings in operational performance.

The report also identifies emerging trends, notably an increase in complaints related to SASL and broader concerns about language accessibility within institutions. These trends point to growing public awareness of linguistic rights, particularly among historically marginalised language communities, while also revealing areas where institutional practices have yet to fully align with

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constitutional and legislative expectations. At the same time, the relatively low number of complaints overall suggests that public awareness of linguistic human rights remains limited, indicating the need for continued advocacy and education initiatives.

Several challenges are highlighted, including resistance from some institutions on policy-related issues, the complexity of certain cases that require legal enforcement rather than mediation, and the ongoing need to strengthen public understanding of linguistic rights. These constraints have implications for both the pace and scope of interventions, particularly where voluntary compliance is not readily achieved.

In response, the report outlines a strategic way forward that emphasises strengthening enforcement mechanisms, expanding public awareness campaigns, and enhancing collaboration with key stakeholders such as government departments and the South African Human Rights Commission (SAHRC).These measures are intended to reinforce PanSALB's capacity to address more complex cases, while also promoting a culture of respect for linguistic diversity and inclusion.

Overall, the report concludes that the LHR Unit has performed effectively during the financial year, achieving a high-resolution rate and demonstrating the value of proactive engagement with institutions. At the same time, it recognises that unresolved cases and emerging trends signal the need for a more robust combination of enforcement, advocacy, and partnership-based approaches to fully realise linguistic human rights in South Africa.

2. LEGAL FRAMEWORK AND BACKGROUND

Section 6(5) of the Constitution provides for the establishment of the Pan South African Language Board (PanSALB). PanSALB is established by Pan South African Language Board Act, No. 59 0f 1995, amended by Act 10 of 1999 (herein the PanSALB Act).

The PanSALB Act provides the Board with several powers and functions. The objects of PanSALB, among others, in Section 3(a)(i) of this legislation, are the creation of conditions for the development and for promotion of the equal use and enjoyment of all the official South African languages. Section 8(1)(i) of PanSALB Act provides that the Board may investigate, on its own initiative or on receipt of a written complaint, any alleged violation of a language right, language policy, or language practice.

The PanSALB Act further provides that the PanSALB shall, after an investigation of the alleged violation in terms of Section 11(4)(a), and if it is of the view that there is a substance in the allegation, by mediation or conciliation or negotiation endeavour to have the dispute resolved or take further appropriate action.

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2025/2026 LINGUISTIC HUMAN RIGHTS REPORT

Pursuant to its Constitutional and legislative mandates, PanSALB created the Linguistic Human Rights subprogramme to deal with alleged linguistic human rights and language rights violations.
This report is hereby submitted as a quarterly progress report.

3. THE REPORT WILL COVER

3.1. The cases resolved

3.2. The unresolved cases

4. COMPLAINTS

4.1. Western Cape Provincial SAPS Commissioner's English-only instruction

A complaint was made against the WC SAPS position that all statements by police officials must be in English only. It was reported in the last report that the LDU division had already drafted the relevant documentation, as a decision was taken that a public hearing would be necessary to pursue this matter further. The relevant documents were served to the Office of the National Commissioner of SAPS and the WC Provincial Commissioner. The date of the hearing was confirmed for 18 September 2025. However, SAPS, through the Office of the State Attorney, submitted a revised position deviating from the previous language policy directive (the source of the complaint that necessitated the proposed public hearing). The complaint then became moot, and the hearing was discontinued. In addition, PanSALB concluded that its Western Cape Provincial Office would monitor compliance with the revised provincial language policy directive proposed by in the response of the State Attorney. The matter has been resolved.

4.2. Legal Practice Council withdraws Afrikaans as a language of Candidate Attorneys' Examination

The Legal Practice Council (LPC) decided that candidates who were to write their examinations to be admitted as attorneys, notaries, and conveyancers would only be allowed to do so in English. Previously, these examinations were conducted in both English and Afrikaans. PanSALB engaged with the LPC with the view to advising it to reverse this decision and to ensure that it took positive measures to accommodate the other previously marginalized official languages. The LPC took the position that English is its official language insofar as examinations are concerned. The status is that PanSALB is of the view that this matter should be proceeded with by enforcing its statutory powers and issuing a subpoena for the LPC to appear before the Board.

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2025/2026 LINGUISTIC HUMAN RIGHTS REPORT

4.3. MiWay refuses to offer insurance services in isiZulu

This is a complaint about the MiWay insurance company, which insisted that the official language of their business is English. The complainant sought assistance from the company in isiZulu. The Board's Legal and Governance Committee decided that a legal opinion be obtained on the matter. A legal opinion was obtained from a firm of legal practitioners who have an existing service level agreement with PanSALB. The legal opinion offered was that it would not be legally sound to proceed with a form of action against Miway Insurance Company, but it further proposed the necessary steps that would be relevant to the private sector regarding the issue of multilingualism. This case is considered resolved.

4.4. Limpopo Tshivenda Distortion by the SABC News and Current Affairs matter

A complaint was received by the Limpopo Provincial Office regarding the inaccurate and inconsistent use of Tshivenḓa in SABC broadcasts, including Phalaphala FM, Zwa Maramani, and Tshivenḓa news segments. The complainant, a Tshivenḓa-speaking individual, raised concerns about the omission of diacritical marks arguing that critical pronunciation and meaning were lost when diacritical marks were excluded in written and spoken Tshivenḓa. Mismatched written and spoken language meant that there were deviations from standard orthographic rules, leading to confusion among listeners and viewers. The SABC was required to review and rectify the language use in Tshivenḓa broadcasts, ensuring adherence to standard orthography in line with the SABC Language Policy and to also provide clarity on measures taken to prevent such errors in the future. A consensus was reached, and the matter was resolved.

4.5. Department of Science, Technology, and Innovation (DSTI) and South African Translator's Institute (SATI) Tender Requirements

A complaint by a member of the public was lodged with PanSALB against the Department of Science, Technology, and Innovation (DSTI). The complaint related to DSTI's requirements that South African Sign Language interpreters procured through their processes have SATI accreditation. The complainant alleged that SATI did not accredit any indigenous African languages into SASL, nor SASL into African languages – only English is supported for accreditation. The complainant argued that this disadvantaged SASL interpreters who competently interpreted between SASL and other indigenous languages but could not qualify for accreditation.

PanSALB issued a letter requesting an explanation of SATI's SASL interpreter accreditation process and its limitations. Furthermore, communication was directed to DSTI explaining that accreditation may not be included as a requirement in the appointment of SASL interpreters because SATI accreditation is voluntary, SATI is not a regulatory body, and this prerequisite may unfairly disadvantage other interpreters. DSTI responded positively to the advice and the matter has been resolved.

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4.6. Limpopo isiNdebele Multilingual Spelling Bee Competition matter

A complaint was received after a Grade 7–9 learner from Esther Maleka Comprehensive School was initially denied recognition in the Sekhukhune District Multilingual Spelling Bee for using isiNdebele, while the competition officially included only Sepedi, Xitsonga, and Tshivenḓa. The exclusion was based on learner numbers, not willful discrimination. When the learner was placed in the top three, a resolution was reached, allowing her to compete at a provincial level under the Sepedi category. She participated in the provincial competition on 4 September 2025. However, the parents expressed their dissatisfaction with the resolution; this matter is still ongoing.

4.7. SASL complaint regarding Setotolwane High School (Limpopo)

A complaint was received regarding a Deaf learner at Setotolwane High School who had been provided with learning materials intended for hearing students. The Limpopo Provincial Office conducted a site visit on 2 September 2025, collected samples of teaching materials, and had them assessed by the SASL Chief Language Practitioner. The assessment noted potential challenges with the use of American or British Sign Language in some materials and suggested reviewing curriculum implementation with the Limpopo Department of Basic Education. Based on the investigation, it was concluded that no linguistic human rights violation had occurred. The teaching and learning materials were deemed suitable and compliant with DBE standards, and the matter was resolved.

4.8. South African Sign Language (SASL) hate speech matter

A complaint that was received by the Gauteng Provincial Office against several public posts and private messages made by a profile under the name of Snenhlanhla Mkhize toward several Deaf organizations and individuals. The respondent had used derogatory words to describe Deaf people and had issued death threats toward Deaf individuals and the Deaf community. It was noted that the respondent was based in KwaZulu-Natal. While the incidents related to language, it was agreed that the matter was all-encompassing on human rights. The matter was referred to the South African Human Rights Commission (SAHRC) for further action and the matter is considered resolved.

4.9. Avianto Estate Private School matter

A complaint was lodged with PanSALB about Avianto Estate Private School's decision to discontinue isiZulu as a First Additional Language (FAL) from 2026, leaving only Afrikaans as a FAL option. PanSALB investigated, requesting the school's language policy, learner demographics, and evidence regarding isiZulu enrolment and parent preferences. The school explained that low enrolment (12 learners in Grades 4–8) and financial constraints made a full-time isiZulu teacher unsustainable. Alternative arrangements, including a part-time teacher, were not feasible. Some learners transferred to schools offering isiZulu. The school committed to reinstating isiZulu if

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sufficient demand arose. The matter has been resolved.

4.10 Trompsburg Primary School matter

A complaint was lodged by a dorm father at Trompsburg Primary School regarding the provision of disciplinary and accommodation policy documents in English rather than Afrikaans, despite the school being an Afrikaans institution. The complainant highlighted the unreasonably short 7-day response period and that some colleagues could only understand Afrikaans. After PanSALB's intervention, the school provided the requested documents in Afrikaans, and the matter was resolved.

4.11 Fildelfia SASL Interpreter matter

A complaint was received regarding a SASL interpreter at Fildelfia School, alleging poor voice-over interpreting, missed information, and undue religious influence on learners. The interpreter had served as an intern for three years with limited improvement. PanSALB reviewed all documentation, including responses from the school principal and the interpreter, and noted that the complaint had not followed internal grievance procedures. The allegations were found to be unsubstantiated, personal rather than professional, and insufficient to warrant disciplinary action. The matter has been resolved.

4.12 Mpho "Popps" Modikoane and Ms Farieda Pharoafi – SASL mockery complaints

On 8 May 2025, a video was posted by Mr Mpho Popps Modikoane on social media, featuring President Mantashe, and incorporating SASL in a mocking and disrespectful manner, with the signing performed by Ms Farieda Pharoafi. The Deputy Chairperson of the SASL National Language Body found the content deeply offensive, noting that it trivialized SASL, promoted harmful stereotypes, and reinforced stigma against the Deaf community. PanSALB emphasized that public figures must use their platforms responsibly to avoid marginalizing minority language communities. An allegation letter was issued to Ms Pharoafi, and both respondents were requested to address the concerns within seven days, including removing the offending content. The videos were subsequently removed, but the matter is still on-going as the respondents have not acknowledged the complaint.

4.13 The unavailability of content in 11 official languages on South African Revenue Services (SARS) website

A complaint was received regarding the unavailability of written official languages on the SARS website. The North-West Provincial Office requested confirmation of whether the website content was available in all eleven written official languages, a copy of SARS's approved language policy, and clarification on whether services could be provided in any official language upon request.

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PanSALB confirmed that SARS had adopted 5 official languages in their policy and all those languages were available on their website. The matter has been resolved.

4.14 Inconsistent provision of SASL interpreting services by Mahikeng Children's Court

A complaint was received about the SASL interpreting services at the Mahikeng Children's Court. Investigations revealed that the Department of Justice and Constitutional Development had an approved language policy aligned with the Use of Official Languages Act, 2012, and the North-West Provincial Languages Act, 2015. SASL services were provided upon request from the second court appearance onwards, with new dates scheduled if an interpreter was unavailable. The Court acknowledged the inconvenience caused, and recommendations were made. The matter has been resolved.

4.15 Complaint about Investec Bank/Sowetan

PanSALB investigated a complaint regarding an Investec Bank advertisement in the Sowetan that was written in Sesotho using Lesotho orthography. It was confirmed that the advertisement had been issued by Investec, not NERSA. Investec acknowledged that using Lesotho Sesotho was an error and committed to consulting PanSALB in the future to ensure that South African Sesotho was used correctly. PanSALB advised the bank to ensure accuracy in its language use, and the complaint was considered resolved.

5 CONCLUSION

The LHR Unit received 16 complaints, resolved 13, and three cases are ongoing. The LHR Unit has man-aged to resolve matters beyond the baseline requirements with an achievement percentage of 81%. This can be attributed to the diligent approach in endeavoring to have the alleged linguistic human rights violation resolved. This may also be because most of the complaints are straight-forward, and that complainants have a clear understanding of the PanSALB mandate and its jurisdiction.

PanSALB is concerned about the low numbers of complaints lodged. However, alleged linguistic human rights violations compete with other rights which are of immediate concern to the people of this country. This may include socio-economic rights such as access to water, food, and housing. PanSALB will implement various innovative ways to ensure empowerment and awareness and that the public is educated about their linguistic human rights.

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