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# Closing times for **ORDINARY WEEKLY** **GOVERNMENT GAZETTE** **2018**

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

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
- **16 February**, Friday for the issue of Friday **23 February 2018**
- **23 February**, Friday for the issue of Friday **02 March 2018**
- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **22 March**, Thursday for the issue of Thursday **29 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **19 April**, Thursday for the issue of Thursday **26 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Friday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
- **30 November**, Friday for the issue of Friday **07 December 2018**
- **07 December**, Friday for the issue of Friday **14 December 2018**
- **13 December**, Thursday for the issue of Friday **21 December 2018**
- **19 December**, Wednesday for the issue of Friday **28 December 2018**

# 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 **R3026.32** 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](http://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
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
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 <b>after</b> 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 <b>after</b> submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> 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](http://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](mailto: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 be 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](mailto: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](mailto: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](http://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:**
**Government Printing Works**

149 Bosman Street

Pretoria

**Postal Address:**

Private Bag X85

Pretoria

0001

**GPW Banking Details:**
**Bank:** ABSA Bosman Street

**Account No.:** 405 7114 016

**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)
**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)
**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)
**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF ARTS AND CULTURE****NO. 1403****21 DECEMBER 2018****BUREAU OF HERALDRY****APPLICATION FOR REGISTRATION OF HERALDIC REPRESENTATIONS AND OBJECTIONS THERETO  
SECTIONS 7, 7A AND 7B OF THE HERALDRY ACT, 1962 (ACT NO. 18 OF 1962)**

The under-mentioned bodies and persons have applied in terms of section 7 of the Heraldry Act, 1962 (Act No. 18 of 1962), for the registration of their heraldic representations. Anyone wishing to object to the registration of these heraldic representations on the grounds that such registrations will encroach upon rights to which he or she is legally entitled should do so within one month of the date of publication of this notice upon a form obtainable from the State Herald, Private Bag X236, Pretoria, 0001.

**1. APPLICANT Michiel van Breda du Toit Family Association (H4/3/1/4152)**

ARMS: Per chevron Argent and Or, over the partition a fillet-chevron Azure, between in chief dexter a martlet Sable and sinister an Afrikaner-bull face caboshed in umbra Sable, and in base an orange tree proper; on a chief Azure a fleur-de-lis Or. MOTTO: GOD MET ONS.

**2. APPLICANT Clifton School (H4/3/1/4153)**

ARMS: Argent a cross throughout Gules, in the sinister canton a fleur-de-lis in bend sinister Sable. MOTTO: PRODESSE QUAM CONSPICI

**3. APPLICANT Gerard Cecil Sharp (H4/3/4/1047)**

ARMS: Gules, a fringed ecclesiastical pallium Or, charged with a sword inverted proper, between in chief a pheon of the second and in base two Maltese crosses Argent. The shield is ensigned of an ecclesiastical hat Sable, roped Purpure, tassled of six Gules. MOTTO: DUM SPIRO SPERO

**4. APPLICANT Mark Jason Bridge (H4/3/4/1049)**

ARMS: Per fess enarched Gules and Vert, over the partition line a fess enarched Argent, between in chief two keys in saltire wards to base Argent, and in base a square, angle to base Argent, debriused of a sword erect Argent, hilted Or, upon its point a balance Argent. CREST: In front of an open book Argent, edged to dexter Gules and to sinister Vert, bound Sable, a compass Or. WREATH AND MANTLING: Dexter – Gules and Argent; Sinister – Vert and Argent. MOTTO: NIL SINE LABORE

**5. APPLICANT Muhammad Masoom Bagdadi (H4/3/4/610)**

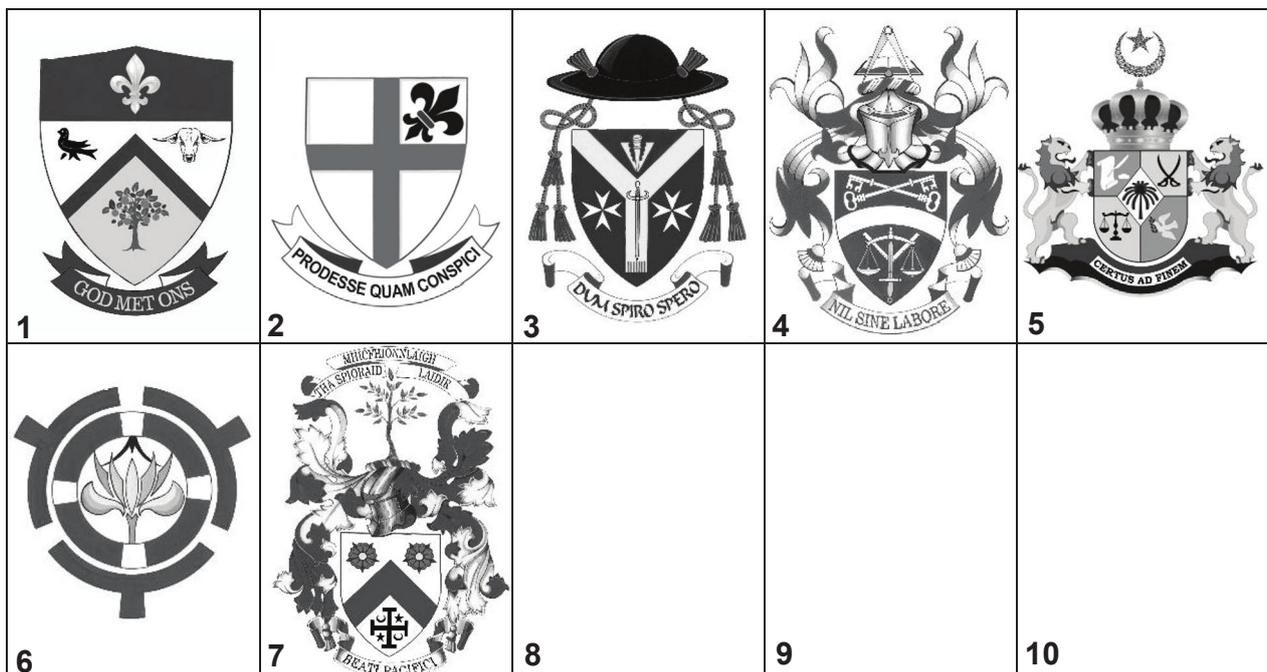
ARMS: Quarterly Blue Celeste and Or, in chief dexter a scroll with pen and inkpot Argent, sinister two sabres in saltire Sable, and in base dexter a balance Sable, sinister a dove Volant Argent, in its beak an olive branch Vert; the shield debriused at fess point of a lozenge Argent, there-upon a palm tree Vert. The shield is ensigned of a coronet Or, lined Gules, ensigned of a five pointed mullet within a crescent Vert. SUPPORTERS: two lions proper. COMPARTMENT: Vert. MOTTO: CERTUS AD FINEM.

6. APPLICANT: **The SANDF FUND** (H4/3/3/120)

EMBLEM: On a background Argent, upon an annulet Gules, a cross throughout Argent, there-within a protea-flower Or, seeded Argent, the whole within three potents embowed per pall Vert.

7. AANSOEKER: **Alexander Samuel Findlay** (H4/3/4/1051)

ARMS: Argent, a chevron Azure, between in chief two roses Gules, barbed Vert, seeded Or, and in base a cross potent between two crescents and two mullets placed in saltire, all Sable. CREST: A young Olive tree, leaved and fructed Proper. WREATH AND MANTLING: Azure and Argent. MOTTO: BEATI PACIFICI. CRI DE GUERRE: THA SPIORAID MHICFHIONNLAIGH LÁIDIR



## DEPARTEMENT VAN KUNS EN KULTUUR

NO. 1403

21 DESEMBER 2018

## BURO VIR HERALDIEK

## AANSOEK OM REGISTRASIE VAN HERALDIESE VOORSTELLINGS EN BESWARE DAARTEEN

## ARTIKELS 7, 7A EN 7B VAN DIE HERALDIEKWET, 1962 (WET NO. 18 VAN 1962)

Ondergenoemde instansies en persone het kragtens artikel 7 van die Heraldiekwet, 1962 (Wet No. 18 van 1962), aansoek gedoen om die registrasie van hulle heraldiese voorstellings. Enigeen wat teen die registrasie van hierdie heraldiese voorstellings beswaar wil aanteken op grond daarvan dat sodanige registrasie inbreuk sal maak op regte wat hom of haar wettiglik toekom, moet dit binne een maand na die datum van publikasie van hierdie kennisgewing doen op 'n vorm wat van die Staatsheraldikus, Privaat Sak X236, Pretoria, 0001, verkrygbaar is.

1. AANSOEKER: **Michiel van Breda du Toit Familiebond** (H4/3/1/4152)

WAPEN: kepersgewys verdeel van silwer en goud, oor die verdelingslyn heen 'n blou streepkeper, tussen in die skildhoof regs 'n swart merlet en links 'n aansiene Afrikaner-bulkop in swart buitelyne, en in die skildvoet 'n lemoenboom van natuurlike kleur; op 'n blou skildhoof 'n goue fleur de lis. WAPENSPREUK: GOD MET ONS

2. AANSOEKER: **Clifton Skool** (H4/3/1/4153)

WAPEN: In silwer 'n deurlopende rooi kruis; in die linker kanton 'n skuinslinks geplaaste swart fleur de lis. WAPENSPREUK: PRODESSE QUAM CONSPICI

3. AANSOEKER: **Gerard Cecil Sharp** (H4/3/4/1047)

WAPEN: In rooi 'n gefraingde goue pallium belaaï met 'n omgekeerde swaard van natuurlike kleur, tussen in die skildhoof 'n goue pylpunt en in die skildvoet twee silwer Malteser kruise. Die skild is oortop van 'n swart predikershoed met purper toue en ses rooi tossels. WAPENSPREUK: DUM SPIRO SPERO

4. AANSOEKER: **Mark Jason Bridge** (H4/3/4/1049)

WAPEN: Geboë deursnede van rooi en groen, oor die verdelingslyn heen 'n geboë silwer dwarsbalk tussen in die skildhoof twee skuinsgekruste silwer sleutels, baarde na benede en in die skildvoet voor 'n silwer winkelhaak, hoek na benede, 'n regopgeplaaste silwer swaard met goue hef, op die punt 'n skaal ook silwer. HELMTEKEN: Voor 'n oop silwer boek regs rooi en links groen gesnee, swart gebind, 'n regop geplaaste goue passer. WRONG EN DEKLEDE: Regs – Rooi en silwer; Links – Groen en silwer. WAPENSPREUK: NIL SINE LABORE

5. AANSOEKER: **Muhammad Masoom Bagdadi** (H4/3/4/610)

WAPEN: Gevierendeel hemelsblou en goud, in die skildhoof regs 'n papier rol met pen en inktpot van silwer, links twee skuinsgekruste swart sabels, en in die skildvoet regs 'n swart skaal en links 'n silwer duif, in sy bek 'n groen olyftakkie; die skild belaaï op die hartpunt met 'n silwer ruit, daarop 'n groen palmboom. Die skild is oortop van 'n goue kroon rooi gevoer, oortop van 'n vyfpuntige ster binne-in 'n wassenaar van groen.

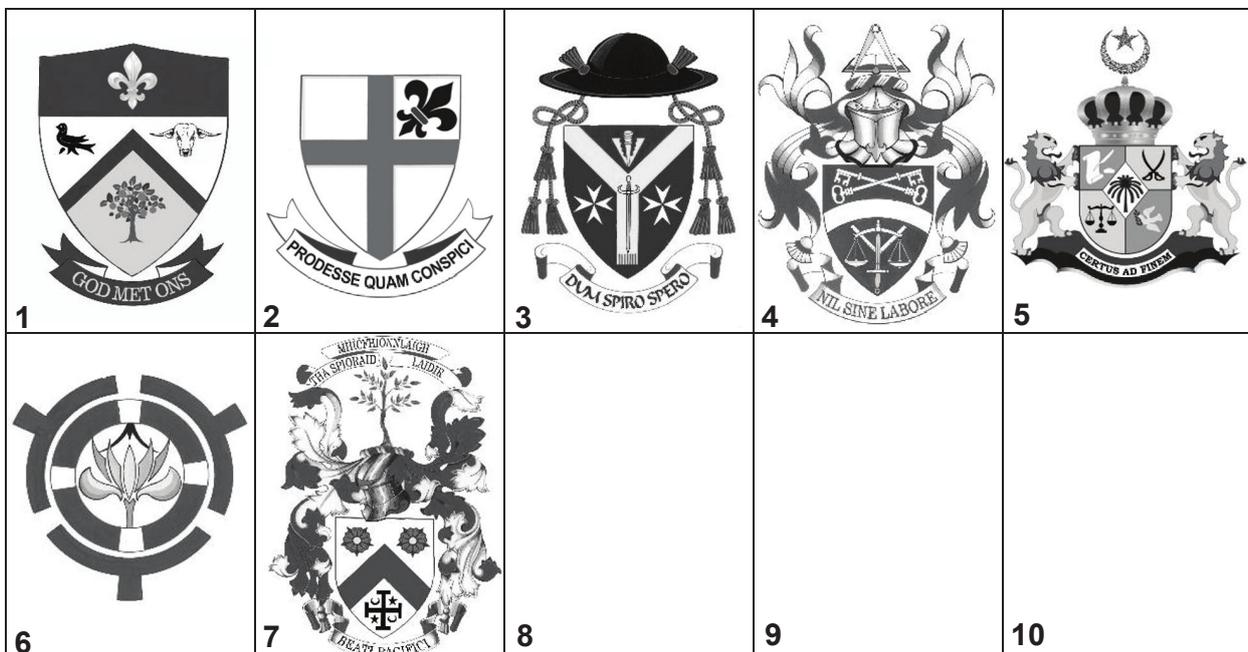
SKILDHOUERS: twee leeus van natuurlike kleur. KOMPARTEMENT: groen. WAPENSPREUK: CERTUS AD FINEM

6. AANSOEKER: **The SANDF FUND** (H4/3/3/120)

EMBLEEM: Op 'n silwer agtergrond 'n rooi ring daarop 'n deurlopende silwer kruis, daarin 'n goue proteablom, silwer gesaad, die geheel binne-in drie gaffelsgewys geplaaste geboë groen krukke.

7. AANSOEKER: **Alexander Samuel Findlay** (H4/3/4/1051)

WAPEN: In silwer 'n blou keper, tussen in die skildhoof twee rooi rose, groen geknop en goud gesaad, en in die skildvoet 'n krukkruis, tussen twee skuinskruislings geplaaste wassenaars en twee vyfpuntige sterre alles swart. HELMTEKEN: 'n Jong olyfboompie geblaar en gevrug van natuurlike kleur. WAPENSPREUK: BEATI PACIFICI. SLAGSPREUK: THA SPIORAIÐ MHICFHIONNLAIGH LAÐIDIR



## DEPARTMENT OF ARTS AND CULTURE

NO. 1404

21 DECEMBER 2018



## SOUTH AFRICAN HERITAGE RESOURCES AGENCY

## DECLARATION OF THE SOUTH AFRICAN ASTRONOMICAL OBSERVATORY (ROYAL OBSERVATORY) AS A NATIONAL HERITAGE SITE

By virtue of the powers vested in the South African Heritage Resources Agency, in terms of section 27 (5) of the National Heritage Resources Act (No. 25 of 1999) SAHRA hereby declares the South African Astronomical Observatory, Erf 26423 Cape Town, Western Cape, as a National Heritage Site.

**Statement of Significance**

*The South African Astronomical Observatory in Cape Town has played a highly significant scientific role over time as the oldest permanent observatory in the Southern Hemisphere. The site offers an overview of the history of astronomy both locally and internationally. It is a "living site" with more than 150 years history while still retaining its prominence in the international astronomical community.*

*Contributions to astronomy from site range from accurate measurements of the distance to a star (Alpha Centuri), first catalogues of the principle southern stars, first photographic survey of the sky, accurate measurement of the distance to the sun (a value that became the benchmark to measure all other cosmic distances and represented a paradigm shift in astronomy), development of spectroscopy, remeasurement and extension of Lacaille's Arc of Meridian, establishment of the true shape of the Earth in the southern hemisphere and first accurate geodetic surveys of southern Africa*

*Architecturally, there are several buildings of historical value and not only reflect the changing the architectural styles over the nineteenth century, but also have considerable scientific value due their contributions to the field of astronomy. The Main Building (a Georgian building) - designed by the British naval architect, John Rennie, and completed in 1828, the heliograph - the oldest dome on the site and runs on cannon balls, and the McClean Telescope Building - designed by Herbert Baker are closely association with David Gill and leading astronomer of the time.*

*The range of scientific objects related to the observatory as a collection are integral to the scientific value of the site. Some of the instruments within structures have been used with varying degrees of continuity and consistency for about 180 years*

**Schedule**

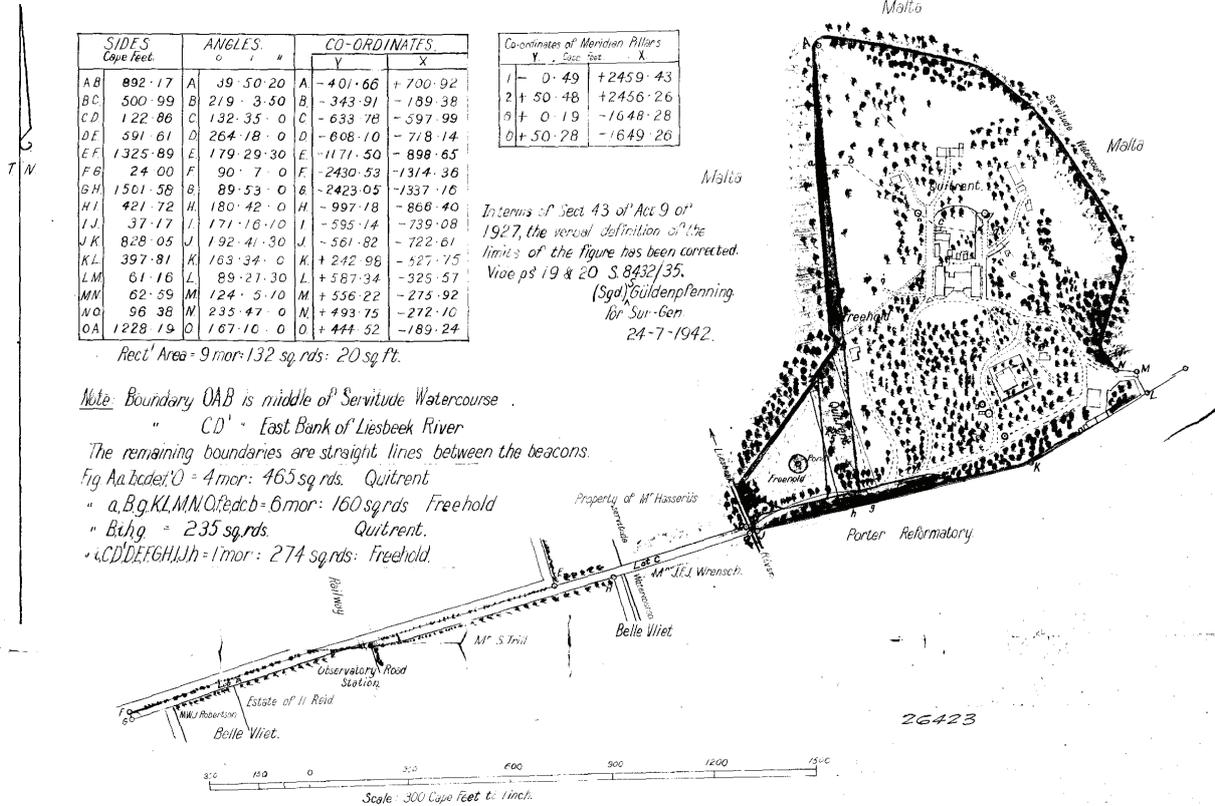
The demarcation of the South African Astronomical Observatory (Royal Observatory) is as follows:

Site Name	Erf No/ Farm	Province	Town	Municipality	Survey Diagram	Figure
The South African Astronomical Observatory (The Royal Observatory)	Erf 26423 Cape Town	Western Cape	Cape Town	City of Cape Town	512/1888	A,B,D,D <sup>1</sup> ,E,F,G,H,I,J,K,L,M,N,O

D<sub>o</sub> N<sup>o</sup> 572/1888

The numerical data of this diagram are sufficiently consistent

(Sgd) Max Jurisch  
Examiner.



SIDES Cape Feet	ANGLES o' "	CO-ORDINATES Y X
AB 892.17	A 39.50.20	A -401.66 +700.92
BC 500.99	B 219.3.50	B -343.91 -189.38
CD 122.86	C 132.35.0	C -633.78 -597.99
DE 591.61	D 264.18.0	D -808.10 -718.14
EF 1325.89	E 179.29.30	E -1171.50 -898.65
FG 24.00	F 90.7.0	F -2430.53 -1314.36
GH 1501.58	G 89.53.0	G -2423.05 -1337.16
HI 421.72	H 180.42.0	H -997.18 -866.40
IJ 37.17	I 171.16.10	I -595.14 -739.08
JK 828.05	J 192.41.30	J -561.82 -722.61
KL 397.81	K 163.34.0	K +242.98 -527.75
LM 61.18	L 89.27.30	L +587.34 -325.57
MN 62.59	M 124.5.10	M +536.22 -275.92
NO 56.38	N 233.47.0	N +493.75 -272.10
OA 1228.19	O 167.10.0	O +444.52 -189.24

Co-ordinates of Meridian Pillars	
Y	X
1 - 0.49	+2459.43
2 + 50.48	+2456.26
3 + 0.19	-1648.28
4 + 50.78	-1649.28

In terms of Sect 43 of Act 9 of 1927, the verbal definition of the limits of the figure has been corrected. Vice ps 19 & 20 S 8432/35. (Sgd) Guldenspinner for Sur-Gen 24-7-1942.

Rect Area = 9 mor: 132 sq. rds: 20 sq. ft.

Note: Boundary OAB is middle of Servitude Watercourse.  
" CD " East Bank of Liesbeek River

The remaining boundaries are straight lines between the beacons.  
fig Aa,b,c,d,e,f,g = 4 mor: 465 sq. rds. Quitrent.  
" a,b,g,k,l,m,n,o,f,e,d,c,b = 6 mor: 160 sq. rds Freehold  
" Bchg = 2.35 sq. rds. Quitrent.  
" c,d,d,e,f,g,h,i,j,k = 1 mor: 274 sq. rds: Freehold.

The figure ABCD'EFGH'IJKL'MNO represents 12 morgen 534 sq. rds of land in the Cape Division called the Royal Observatory, being an amended diagram of the several properties granted and transferred as follows:-

- Freehold Grant to Rev<sup>d</sup> F follows dated 18 December 1824
- Quitrent " " Rev<sup>d</sup> F follows " 27 December 1827
- Transfer " " Lords Com<sup>s</sup> of the Admiralty 31 January 1840
- " " " Naval Civil Department 13 June 1843

Bounded as indicated above

Surveyed by me.  
(Sgd) Edward H.V. Melvill  
Govt. Surveyor.  
October 1888.

amended  
24th June 1889  
David Gill in his capacity as H.M. Astronomer  
C.F. 20:1  
N<sup>o</sup> 1085/1947

Deducted:  
1 Lot D = 34 sq. rds: 133 sq. ft. for Colonial Government ded. 28 5 1908 trf<sup>d</sup> 24 7 1907  
2 Lot A = 104 " " " Cape Town City Council " 28 11 1927 " 13 6 1929 trf<sup>d</sup> 585/1929  
3 Lot C = 363 " " " " " " " 13 6 1929 " 383/1929

E.1706/50 7435.50 E.1706/27  
" do " 7436.50 E.1706/26  
E.175/93 480/93 E.175/83  
5139 Conn. Gt. 279/156  
51385 Conn. Gt. 274/156  
withdrown R2  
16-11-56

M 3457  
B M 1428 S  
M 1422  
C

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1405

21 DECEMBER 2018

Institutional Statute of the University of Pretoria

**Correction Notice: Government Gazette No 41913  
dated 21 September 2018**

Please take note that the Institutional Statute of the University of Pretoria, as published in Government Gazette No. 41913, Vol 962 dated 21 September 2018, is incorrect. The correct version is now published as follows:

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING****HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)****AMENDED INSTITUTIONAL STATUTE****UNIVERSITY OF PRETORIA**

I, Mrs GNM Pandor, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended), hereby publish the amended Institutional Statute of the University of Pretoria set out in the Schedule hereto.



*G.N.M. Pandor*  
Mrs GNM Pandor, MP

**Minister of Higher Education and Training**

**Date:** 29-8-2018

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING****HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)****THE INSTITUTIONAL STATUTE OF THE UNIVERSITY OF PRETORIA**

The Council of the University of Pretoria has made amendments to the Statute, set out in the Schedule to this Notice in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997) as amended, which is, in terms of the provisions of section 33 of the said Act, hereby published with the approval of the Minister of Higher Education and Training and which comes into operation on the date of its publication.

**SCHEDULE**

The aim is to introduce a new Statute for the University of Pretoria to give effect to any law or guidelines relating to the University of Pretoria and to promote the effective and responsible management and governance of the University in respect of matters not expressly prescribed by any law.

**INSTITUTIONAL STATUTE OF THE UNIVERSITY OF PRETORIA****CONTENTS**

CHAPTER 1	Definitions
CHAPTER 2	Institution
CHAPTER 3	Chancellor
CHAPTER 4	Vice-Chancellor and Principal, Vice-Principals, Executive Directors and Registrar
CHAPTER 5	Council
CHAPTER 6	Senate
CHAPTER 7	Faculties and faculty boards
CHAPTER 8	Institutional Forum
CHAPTER 9	Convocation
CHAPTER 10	Degrees, diplomas and certificates
CHAPTER 11	Employees
CHAPTER 12	Students
CHAPTER 13	Donors
CHAPTER 14	Repeal of previous statute
CHAPTER 15	Transitional provisions

## CHAPTER 1

### DEFINITIONS

1. **Definitions.**– In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997) as amended, has the meaning so assigned to it, and unless the context otherwise indicates:

“**academic activity**” includes distance education, but is not limited thereto;

“**academic employee**” means any lecturer appointed to teach or to do research at the University and any other employee designated as such by the Council of the University;

“**Act**” means the Higher Education Act, 1997 (Act No. 101 of 1997) as amended;

“**appoint**” also means nominate;

“**Chancellor**” means the person as contemplated in Chapter 3;

“**Convocation**” means the Convocation as contemplated in Chapter 9;

“**Council**” means the governing body of the University as contemplated in Chapter 5;

“**days**” includes Saturdays, Sundays and public holidays;

“**Dean**” means the head of a faculty of the University;

“**donor**” means a person, body or entity who has made a donation, which, in the opinion of the Council, warrants that person, body or entity being recognised as a donor as contemplated in Chapter 13;

“**employee**” means an academic or a non-academic employee of the University;

“**Executive**” means the Principal, Vice-Principals and other senior employees designated by the Principal;

“**Executive Director**” means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12;

“**functions**” include powers and duties and *vice versa*;

“**good standing**” means a person who is regarded as having complied with all his or her financial obligations towards the University after having completed his/her studies at the University, or in the case of a student who is currently enrolled at the University, has made reasonable and satisfactory arrangements for the payment of his or her debt to the University, while not being subject to any form of previous disciplinary sanction imposed by the University;

“**Institutional Forum**” means the Institutional Forum as contemplated in Chapter 8;

“**Institutional Rules**” mean rules made by the University as contemplated in section 32 of the Act and include all the regulations and policy documents of the University;

“**Minister**” means the Minister responsible for tertiary education;

“**non-academic employee**” means any employee who is not an academic employee;

“**office bearer**” means a functionary provided for in the Act or determined by the Council;

“**professor**” means an academic employee or any other person who has been given the title of professor by the University and includes an associate, adjunct, honorary and extraordinary professor;

“**qualification**” means a certificate, diploma or degree as approved by the Senate and Council;

“**relative**” means a person as defined in the Higher Education Act 101 of 1997, as amended;

“**representative employees’ organisation**” means an organisation which consists of employees organised in a staff association or trade union for the purpose of regulating relations between themselves and the University and which is recognised by the Executive on such conditions as have been negotiated

between the Executive and the employee organisation, and which recognition and conditions have been reduced to writing in a collective or recognition agreement;

“**seat of the University**” means the seat as contemplated in paragraph 2 of this Statute and section 65A of the Act;

“**Senate**” means the body responsible for academic matters as contemplated in Chapter 6;

“**senior management**” means the Executive plus the Deans of all faculties as well as heads/directors of support services so designated by the Principal: Provided that for purposes of paragraph 37(1)(c) it means the Executive only;

“**spouse**” means a person as defined in the Higher Education Act 101 of 1997, as amended;

“**SRC**” means the Student Representative Council as contemplated in paragraph 59;

“**Statute**” means the statute framed and in force as contemplated in section 32 of the Act;

“**student**” means a person registered for a qualification at the University;

“**the University**” means the University of Pretoria;

“**Vice-Principal**” means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12;

“**written notice**” means any notice in writing and includes any notice sent as contemplated by the Electronic Communications and Transactions Act (Act No. 25 of 2002), or any act that amends or replaces it.

## CHAPTER 2

### INSTITUTION

**2. Name, seat and powers.**— (1) The name of the University is the “University of Pretoria”.

(2) The official street address of the University is: University of Pretoria, c/o Roper Street and Lynnwood Road, Hillcrest, Pretoria, South Africa. The official postal address of the University is: University of Pretoria, Private Bag X20, Hatfield, Pretoria 0028, South Africa.

(3) The seat of the University is in the metropolitan area of Tshwane.

(4) The University also conducts its academic activities within the area of jurisdiction of the Tshwane Local Authority, at its Business School in Illovo, Johannesburg, Gauteng and at eMalahleni (Witbank) and Mbombela (Nelspruit) in Mpumalanga.

(5) The University of Pretoria is a university established in terms of the Act and is a juristic person as contemplated in section 20(4) of the Act.

(6) The University functions in accordance with the Act, the Statute and the Institutional Rules of the University.

(7) The University may confer degrees and honorary degrees.

(8) The University may award degrees, diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act and Chapter 10 of this Statute.

(9) The University may withdraw and revoke a degree, diploma and certificate as contemplated in section 65BA of the Act and Chapter 10 of this Statute.

**3. Language policy.**— The language policy of the University shall be determined by Council with the concurrence of Senate as provided for in section 27(2) of the Act.

**4. Composition of the University.**– (1) The University shall consist of –

- (a) a Chancellor;
- (b) a Principal;
- (c) Vice-Principals;
- (d) Executive Directors;
- (e) a Council;
- (f) a Senate;
- (g) a Registrar;
- (h) a Convocation;
- (i) an Institutional Forum;
- (j) the faculties, departments, schools and such other academic structures of the University as may be determined by the Council;
- (k) the academic employees of the University;
- (l) the non-academic employees of the University;
- (m) the Student Representative Council;
- (n) the students of the University;
- (o) the various support services and such other offices, bodies or structures as may be established by the Council; and
- (p) all the University's property and assets.

(2) No vacancy in any of the offices as contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures as contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function, rights or privileges conferred by the Act or this Statute upon the University or the Council or the Senate: Provided that no resolution of the Council or of the Senate shall be valid unless passed at a meeting at which a quorum was present and the rules relating to any such meeting has materially been complied with.

### CHAPTER 3

#### CHANCELLOR

**5. Functions of Chancellor.**– (1) The Chancellor shall be the titular head of the University with no executive powers.

(2) The Chancellor shall confer all degrees and award all diplomas and certificates in the name of the University.

(3) In the absence of the Chancellor, degrees shall be conferred by the Principal or by one of the Vice-Principals; and diplomas and certificates shall be awarded by officials designated to do so by the Council.

(4) The Chancellor performs such other functions as assigned to him or her by the Council, subject to the provisions of paragraph 5(1).

**6. Election and appointment of Chancellor.**– (1) The Chancellor shall be elected by an electoral college consisting of the members of Council and Senate and the President of the Convocation.

(2) If the office of Chancellor becomes vacant, the Registrar acting as Secretary to the Convocation shall give notice thereof to the members of the electoral college and call for nominations for a successor.

(3) No person shall be elected unless he or she has been nominated in writing, with his or her written consent, by at least two members of the electoral college, and such nomination reaches the Registrar at least sixteen days before the meeting referred to in paragraph 6(5).

(4) After the closing date for nominations, a special meeting of the Institutional Forum must be held before the meeting as contemplated in paragraph 6(5) for purposes of considering the nominations and advising the electoral college on the appointment of a candidate to the office of Chancellor.

(5) The Registrar shall convene a meeting of the electoral college by sending a written notice to each member of the electoral college stating the time, date, place and purpose of the meeting at least two weeks before the date fixed for the meeting.

(6) The nominations shall be submitted to the electoral college by the Registrar for a final decision at the meeting referred to in paragraph 6(5).

(7) Thirty members of the electoral college shall form a quorum.

(8) The Principal shall be the Chairperson of the meeting of the electoral college, but should he or she be absent, the members present shall elect one of the Vice-Principals to act as Chairperson of that meeting.

(9) The election shall be by secret ballot and a majority of the members present at the meeting as contemplated in paragraph 6(5) must vote for the successful candidate and every member has one vote, except for the Chairperson who also has a casting vote.

(10) If no candidate receives a majority of votes, successive rounds of voting are held.

(11) In each successive round of voting the candidate receiving the least number of votes is eliminated as a candidate.

(12) After the electoral college has elected a Chancellor, the name of the Chancellor is announced by the Chairperson of the electoral college as soon as possible at an appropriate time.

**7. Term of office.**– (1) The Chancellor shall be elected for a period to be determined by the Council, but not exceeding five years, unless his or her term of office is terminated as contemplated in paragraphs 7(4) and 7(5).

(2) A person may be elected for more than one term of office.

(3) If the Chancellor is unable, for any reason, to perform the functions of his or her office, or if the office of Chancellor becomes vacant, the Principal performs the functions of the Chancellor.

(4) The term of office of the Chancellor terminates in the event of –

(a) death or incapacity;

(b) resignation; or

(c) removal from office by the electoral college as contemplated in paragraph 7(5).

(5) The Chancellor may only be removed from office by means of a resolution passed by a majority of the members of the electoral college as contemplated in paragraph 6(1), and then only after the Chancellor has been given the opportunity to answer to the reasons provided by the electoral college for such removal.

## CHAPTER 4

### VICE-CHANCELLOR AND PRINCIPAL, VICE-PRINCIPALS EXECUTIVE DIRECTORS AND REGISTRAR

#### VICE-CHANCELLOR AND PRINCIPAL

**8. Status.**– The Principal is the Vice-Chancellor of the University *ex officio* and its chief executive and accounting officer.

**9. Functions of Principal.**– (1) The Principal is responsible for the management and administration of the University and has all the powers necessary to perform these functions.

(2) The Principal is the University's chief executive officer and is ultimately responsible for the discipline at the University.

(3) The Council shall delegate to the Principal all the powers necessary to perform his or her duties.

(4) The Principal may in turn delegate duties to other employees or the chairperson of any committee.

(5) The Principal reports to the Council.

(6) The Principal is *ex officio* a member of all the committees of the Council and the Senate, excluding the Human Resources Committee of Council and the Audit, IT (Information Technology) and Risk Management Committee of Council: Provided that the Principal may attend the meetings of the latter two committees.

(7) The Council may assign additional functions, and grant additional powers and privileges to the Principal as contemplated in section 68(2) of the Act.

(8) When the Principal is absent or unable to carry out his or her duties, he or she may delegate all his or her powers and duties to a member of the Executive as contemplated in section 68(3) of the Act.

**10. Appointment of Principal.**– (1) Subject to section 31(1) of the Act, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are in the manner determined by the Council and the Institutional Rules of the University.

(2) The Council shall, after consultation with the Senate and the Institutional Forum, appoint the Principal: Provided that when the first term of a Principal has expired, and he or she is reappointed for a period which, together with any previous period(s) of office as Principal, does not exceed ten years, consultation with the Senate and the Institutional Forum is not compulsory.

**11. Term of office of Principal.**– The Principal is appointed by the Council for such period as agreed upon in his or her contract: Provided that the Principal shall not be appointed for a period exceeding ten years at a time.

#### VICE-PRINCIPALS, EXECUTIVE DIRECTORS AND REGISTRAR

**12. Duties.**– The Vice-Principals, Executive Directors and Registrar are responsible for assisting the Principal in the management and administration of the University and have the powers and duties conferred upon them by the Council, this Statute, the Institutional Rules and delegated to them by the Principal.

**13. Appointment and terms of office.**– The Vice-Principals, Executive Directors and Registrar are appointed in such manner and for such periods as determined by the Council and the Institutional Rules.

## CHAPTER 5

### COUNCIL

**14. Functions.**– (1) The Council governs the University subject to the provisions of the Act and this Statute.

(2) The Council shall perform all the duties imposed on it by this Statute.

(3) The Council is responsible for governance and policy-making at the University, as well as to monitor compliance therewith and, particularly, to lay down guidelines relating to –

(a) strategic governance;

(b) financial governance;

(c) staff matters;

(d) fostering a positive academic atmosphere;

(e) disciplinary matters regarding staff and students; and

(f) the admission and language policies of the University: Provided that the language policy and aspects of the admission policy are determined with the concurrence of the Senate, as required by sections 27 and 37 of the Act.

(4) The Council may appoint committees to assist it in carrying out its duties.

(5) The Institutional Forum shall advise the Council on the issues as contemplated in section 31(1)(a) of the Act in writing. In instances where the Council does not accept the advice given, written reasons must be provided.

(6) Subject to section 34 of the Act, the Council shall appoint people whom the Council considers necessary to manage the University effectively in line with the human resource policies contained in the Institutional Rules: Provided that no person shall be appointed as an academic employee except after consultation with the Senate or a committee of the Senate.

(7) The Council may delegate the function as set out in subparagraph (6) above to the Principal, with the right to further delegate, in accordance with the University's policy in this regard.

(8) The Council shall –

(a) ensure that an external audit is conducted on an annual basis in accordance with accepted audit principles and standards and that the recommendations are implemented;

(b) keep comprehensive records of all its proceedings;

(c) keep complete accounting records of all assets, liabilities, income, expenditure and other financial transactions as required by section 41(1) of the Act; and

(d) shall report to the Minister as contemplated in section 41(2) of the Act.

(9) The Council, after consultation with the SRC, shall make provision for and establish in accordance with the Institutional Rules of the University, a structure or structures for advising the Council on the rendering of student services at the University.

**15. Composition.**— (1) Council is constituted as follows –

- (a) the Principal;
  - (b) the Vice-Principals;
  - (c) three members of Senate;
  - (d) six persons appointed by Council on the basis of their expertise and experience, inter alia in the fields of education, general management, financial management, human resources, technology and investment;
  - (e) four members of the Convocation of the University, elected/appointed by the Convocation in accordance with the applicable institutional rules as provided for in paragraph 48(2);
  - (f) two student members as set out in paragraph 17(3);
  - (g) five persons appointed by the Minister in accordance with section 27(4)(c) of the Act;
  - (h) one person appointed by a local authority in whose area the University has its seat, to represent the communities served by the University;
  - (i) two persons elected from the ranks of the donors of the University as provided for in paragraph 63;
  - (j) one employee elected from the ranks of the academic employees; and
  - (k) one employee elected from the ranks of the non-academic employees.
- (2) Council members are elected or appointed in accordance with the provisions of paragraph 17 of this Statute.

**16. Term of office.**— (1) The Principal and the Vice-Principals are members of Council for as long as they remain in their posts.

(2) The term of office of representatives of the SRC is the same as that of the SRC that appointed them.

(3) The term of office of all other members is four years: Provided that a member's term of office that has expired may be extended for a maximum period of six months by the Council if, according to the Council, special circumstances so demand.

(4) Members, whose terms of office have expired, may be re-elected or reappointed.

(5) A Council member's membership is terminated –

- (a) if the Council member fails to attend three consecutive ordinary meetings of the Council without Council's consent;
- (b) if the Council member is sequestered;
- (c) if the Council member is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that the member's continued membership of Council is not desirable;
- (d) if the Council member is elected or appointed by a particular interest group and the Council member's membership of, or association with the interest group is terminated;
- (e) if the Council rules that a conflict of interest has arisen or that it may arise, such as being a council member or student of another higher education institution in South Africa; or
- (f) if the Council member has transgressed Council's rules of conduct.

(6) Apart from the Principal, Vice-Principals, representatives of the Senate and employee representatives and students appointed in terms of paragraph 17(3) to serve on Council, no other Council member shall be a permanent or temporary staff member or student of the University, and should this happen, such Council member's membership of the Council terminates immediately.

(7) Any person who has been a member of a council of a public higher education institution against whom an independent assessor has made an adverse finding, or has been implicated in a matter that will be to the detriment of the University's name, shall not be eligible for appointment, election, reappointment or re-election as a member of the Council of the University.

(8) Any person who is not in good standing with the University shall not be eligible for appointment, election, reappointment or re-election as a member of the Council of the University.

(9) A Council member is entitled at any time to submit his or her resignation in writing to the Chairperson of Council.

**17. Election and nomination procedures.**— (1) The Senate members who serve on Council shall be elected in accordance with the procedure prescribed in Chapter 6.

(2) Employee representatives on the Council shall be elected from the ranks of the academic and non-academic employees in accordance with a process controlled by the Registrar consisting of the following –

- (a) Within a reasonable period of time before a specific election date, the Registrar shall offer
  - (i) every permanent academic employee the opportunity to nominate a permanent academic employee to represent the permanent academic staff on the Council; and
  - (ii) every permanent non-academic employee the opportunity to nominate a permanent non-academic employee to represent the permanent non-academic staff on the Council.
- (b) Each nominated candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the case of a non-academic nominee they must be non-academic employees) and the nominee shall indicate in writing to the Registrar that he or she accepts the nomination.
- (c) On the closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.
- (d) Permanent academic employees shall vote in respect of the vacancy to be filled by a permanent academic employee and permanent non-academic employees shall vote in respect of the vacancy to be filled by a permanent non-academic employee.
- (e) An election shall be valid only if at least 15 per cent of the permanent academic employees or permanent non-academic employees, as the case may be, participated in the election.
- (f) The Registrar shall announce the results of the election as soon as possible after conclusion of the election.
- (g) The Registrar shall determine, after consultation with the Director of Human Resources, whether an employee of the University, or an employee of the University jointly appointed by the University and another body, qualifies as an academic or a non-academic employee.
- (h) If an employee performs academic and non-academic tasks in accordance with his or her job description, that particular employee is considered to be an academic employee.

(3) Student members on the Council shall be appointed at an ordinary or a special meeting of the SRC from the ranks of the SRC in accordance with an appointment procedure of the SRC.

(4) The election of Council members from the ranks of the University's donors shall take place in accordance with Chapter 13 of this Statute.

(5) The members of Council who are appointed to the Council on the basis of their expertise and experience shall be appointed by means of a process controlled and supervised by the Registrar:

- (a) The Registrar shall place an advertisement in two national papers and on the University's website, inviting organisations, interest groups and individuals to nominate persons with expertise and experience as determined by the Council to serve on the Council: Provided that if, in the opinion of the Council, the advertisements fail to elicit a satisfactory response, the Council may request organisations or individuals to nominate additional persons.
- (b) The Standing Committee of Council, after consultation with the Registrar, may draw up a list of the most suitable nominees for recommendation to the Council: Provided that the names of all nominees will be tabled at the Council meeting.
- (c) The members of Council shall be elected at an ordinary or an extraordinary meeting of the Council from the ranks of the nominees, after taking into consideration the recommendations made by the Standing Committee of Council.

(6) In electing members of Council as contemplated in subparagraph (5), the Council shall take into account that, apart from the required expertise and experience of the individual candidates, it is also desirable to have a broad and balanced representation on the Council as far as gender and racial composition are concerned.

(7) The process for the appointment of Council members as contemplated in paragraphs 15(1)(g) and 15(1)(h), shall be facilitated by the Registrar: Provided that the local authority referred to in paragraph 15(1)(h) shall be designated by the Council.

(8) The process to be followed in the event of an incidental vacancy arising on the Council shall, with the necessary changes, be the same as described above.

(9) A new Council member who is elected or appointed to fill a vacancy that arose before the expiry of the previous incumbent's term of office, shall be elected for the full four-year term of the particular office.

**18. Chairperson, Deputy Chairperson and Secretary.**– (1) The Council shall elect a Chairperson from the ranks of Council members who are not employees or students of the University, and he or she shall hold the office for a term of two years.

(2) If the office of Chairperson falls vacant for any reason other than the expiry of the term of office, the Council shall elect a successor for the unexpired part of the term of office of his or her predecessor.

(3) The Council shall elect a Deputy Chairperson from the ranks of Council members who are not employees or students of the University and he or she shall hold the office for a term of two years.

(4) The Deputy Chairperson of the Council shall act as the Chairperson in the absence of the Chairperson: Provided that if the Chairperson and the Deputy Chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(5) The Registrar is the Secretary to the Council in terms of section 26(4)(b) of the Act.

**19. Meetings and meeting procedures.**– (1) The Council shall meet at least once a semester at a time and place determined by the Council.

(2) The Council shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(3) Sixteen members present shall constitute a quorum.

(4) At least seven days before an ordinary meeting and at least three days before an extraordinary meeting of Council, the Registrar shall give each member written notice of the date, time and place of the meeting, as well as an agenda with supporting documents, if any.

(5) Members wishing to place additional matters for discussion on the agenda shall send a written request in this regard to the Registrar a reasonable time before the date of the meeting.

(6) With the approval of a majority of the members present, urgent matters may be placed on the agenda during a meeting.

(7) The Registrar shall keep comprehensive minutes of each Council meeting.

(8) The Council shall take decisions by a majority vote of the members who are present.

(9) The Chairperson of the meeting shall have an ordinary vote and a casting vote in the event of a tie of votes.

(10) Subject to the provisions of subparagraph (4), the Chairperson may convene an extraordinary meeting at any time, stating the matter or matters for discussion.

(11) At the request of the Principal or at the request of at least five Council members, the Chairperson shall convene an extraordinary meeting: Provided that reasons for the request are in writing and a brief description of the matters for discussion is provided.

(12) The Council may generally, or in a specific case, grant observer status to a person or office bearer that allows such a person to attend a Council meeting or meetings.

(13) With the permission of the Council a person with observer status may take part in the debates of the Council, but may not vote.

(14) All members of Council must participate in the deliberations of Council or any committee of Council, or exercise any delegated function, in the best interests of the University.

(15) A Council member must, before he or she assumes office, and annually for as long as he or she continues to hold such office, declare any business, commercial or financial activities undertaken for financial gain that may give rise to a conflict or a possible conflict of interest with the University.

(a) No Council member may have a direct or indirect financial, economic, personal or other interest in any matter to be discussed at a meeting, or in regard to which he or she is to make a decision in terms of a delegated function and which entails or may entail a conflict or possible conflict of interest with the University.

(b) A Council member must, before the meeting of the Council or a committee of Council, in writing inform the Chairperson of that meeting of the existence of a conflict or possible conflict of interest that he or she may be aware of.

(c) Any person may, in writing, inform the Chairperson of a meeting of Council or a committee of Council, before that meeting, of a conflict or possible conflict of interest of a member of Council or a committee of Council of which such person may be aware.

(d) Where applicable, the Council member must recuse himself or herself from any decision-making process where an actual or deemed conflict of interest is present.

(e) In the event that any member of a committee of Council with delegated functions has a conflict or possible conflict of interest in respect of a matter to be considered, the committee may not consider or take a decision on the matter but must refer it to Council for a decision, having noted the member's interest in the matter.

**20. Standing Committee of Council.**— (1) The Standing Committee of Council is constituted as follows –

- (a) the Chairperson of the Council;
- (b) the Deputy Chairperson of the Council;
- (c) the Principal;
- (d) two Council members appointed from the ranks of Council members who are employees of the University: Provided that at least one of the members who is appointed in this manner is a member of the Senate; and
- (e) two Council members appointed by the Council from the ranks of the Council members who are not employees of the University.

(2) The term of office of members of the Standing Committee of Council as contemplated in subparagraphs (1)(d) and (e) shall be two years.

(3) Members, whose terms of office have expired, may be re-elected.

(4) At the request of the person acting as the Chairperson of the Standing Committee of Council at a meeting, any member of the Council may serve as a substitute member for an absent member of the Standing Committee: Provided that employees may only substitute for employees and non-employees for non-employees; and provided further that student members of Council may not substitute for absent members.

**21. Chairperson, Deputy Chairperson, Secretary of Standing Committee and meeting procedures.**—

(1) The Deputy Chairperson of Council shall *ex officio* be the Chairperson of the Standing Committee of Council and the Chairperson of the Council shall *ex officio* be the Deputy Chairperson of the Standing Committee of Council.

(2) In the absence of the Chairperson of the Standing Committee of Council, the Deputy Chairperson of the Standing Committee of Council shall act as the Chairperson of the Standing Committee of Council: Provided that if the Chairperson and the Deputy Chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(3) Four members of the Standing Committee of Council shall constitute a quorum.

(4) The Standing Committee of Council shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(5) The Registrar shall act as Secretary of the Standing Committee of Council.

**22. Powers and functions of Standing Committee.**— (1) When the Council is not in session, the Standing Committee of Council, as the representative of the Council, may assume the authority of Council and may act on behalf of the Council in urgent matters, except with regard to matters as referred to in section 68(2) of the Act.

(2) The Standing Committee of Council shall report to the Council on the actions of the Standing Committee in accordance with subparagraph (1), which actions shall be considered at the next Council meeting.

(3) The Council may, generally and specifically, grant the Standing Committee of Council the authority to finalise matters on behalf of the Council, in which case the Standing Committee merely reports to Council.

(4) Where the Council grants the Standing Committee of Council the authority to finalise matters as envisaged in subparagraph (3), the Council shall ratify or review the delegations framework at least every four years.

(5) The Registrar shall maintain a detailed consolidated record of all powers delegated in terms of the delegations framework as contemplated in subparagraph (3).

(6) The Standing Committee of Council may further delegate the authority granted to it by the Council, this Statute and the Institutional Rules, including the authority granted in accordance with subparagraph (3), to a committee, or an individual as set out in the Institutional Rules, except in cases where the Council has explicitly specified to the contrary.

(7) In circumstances where the Minister has given the Council, in accordance with section 42 of the Act, notice of his or her intention to issue a directive, the Standing Committee of Council shall respond, should time be of the essence or other circumstances so dictate, to the Minister's notice in a suitable manner. If time is not of the essence, Council shall respond to the Minister's notice.

**23. Committees.**– (1) Apart from the Standing Committee of Council, the Council shall establish an Audit, IT (Information Technology) and Risk Management Committee, a Human Resources Committee and an Investment Committee and shall determine their functions and authority.

(2) The Council may establish any other committee as well as joint Council and Senate committees.

(3) The Council shall determine the constitution, election, term of service and functions of committees.

(4) The Council may appoint persons who are not Council members to the committees.

(5) In line with the governance principles as set out in the King IV Report on Corporate Governance for South Africa, 2016, the Chairperson of Council may not serve on the Audit, IT and Risk Management Committee of Council.

## CHAPTER 6

### SENATE

**24. Functions.**– (1) The Senate conducts its business under the management of the Council and is accountable to the Council for academic, research and community engagement matters as contemplated in section 28(1) of the Act.

(2) The functions of the Senate are as follows –

(a) academic planning and development;

(b) the regulation of all academic activities of the University in respect of teaching, learning and research, including –

(i) guidelines for the appointment and promotion of academic staff;

(ii) guidelines for the organisation, structures and administration of teaching, learning, research and community engagement at the University;

(iii) management and supervision of student evaluation; and

(iv) quality assurance in respect of teaching, learning and research;

(c) to make recommendations to the Council on *inter alia* the following matters –

(i) the establishment, amalgamation or closure of faculties, departments, institutes, bureaux, research units and centres;

- (ii) the introduction or discontinuation of degrees, diplomas, programmes, curricula, subjects and courses;
  - (iii) curricula for degrees, diplomas and programmes and the content of subjects and courses: Provided that in case of certificates for short courses the Senate may delegate its authority to the faculty boards;
  - (iv) the general admission policy of the University;
  - (v) the management, operation and development of the library;
  - (vi) the conferring of honorary degrees;
  - (vii) academic dress, graduation and diploma ceremonies;
  - (viii) organised student life, including student services and student discipline;
  - (ix) the selection of candidates for the position of Chancellor, Principal, and Vice-Principals; and
  - (x) the appointment and promotion of the academic staff of the University;
- (d) together with the Council, as required by section 37(4) of the Act, to approve the following –
- (i) the language policy of the University;
  - (ii) admission requirements for specific academic programmes;
  - (iii) the number of students who may be admitted to a specific programme as well as the method of selection;
  - (iv) the minimum admission requirements for readmission to the University and the refusal of students who do not comply with the minimum requirements; and
- (e) the execution of any other function that the Council may assign or delegate to the Senate.

(3) A Senate member must, before the meeting of the Senate or a committee of Senate, in writing inform the Chairperson of that meeting of the existence of a conflict or possible conflict of interest that he or she may be aware of.

**25. Composition.**– (1) The Senate is constituted as follows:

- (a) *Ex officio* members of the Senate, namely the –
  - (i) Chairperson of Council;
  - (ii) Deputy Chairperson of the Council;
  - (iii) Principal;
  - (iv) Vice-Principals;
  - (v) Executive Directors;
  - (vi) Deans and Deputy Deans as well as any academic staff members who have similar status and who have specifically been declared members by the Senate;
  - (vii) Heads of academic departments;
  - (viii) Academic staff who have similar status as the Heads of academic departments and who have specifically been declared members by the Senate;
  - (ix) Registrar;
  - (x) Chairpersons of schools;
  - (xi) Chairperson of the Institutional Forum.
- (b) Members who are nominated or elected, namely –
  - (i) four members nominated by the SRC;

- (ii) two employees, who are not already members of the Senate, elected from the ranks of the permanent academic employees;
  - (iii) two employees, who are not already members of the Senate, elected from the ranks of the permanent non-academic employees.
- (c) The Directors of support service divisions, and any other person invited by the Chairperson, may attend the meetings of Senate on invitation.

(2) Incidental vacancies in the category of members who are nominated or elected are to be filled as set out in subparagraph (1)(b) for the remainder of the previous incumbent's term of office.

**26. Terms of office.**– (1) The persons referred to in paragraph 25(1)(a) are members of the Senate for as long as they remain in the posts concerned.

(2) The term of office of representatives of the SRC shall be the same as that of the SRC that appointed them.

(3) The term of office of all other members shall be four years: Provided that members may be re-elected or renominated when their terms of office expire.

(4) If a student representative is re-elected to the SRC, he or she may be nominated as a student representative for another term: Provided that a student representative's membership lapses automatically when he or she is no longer a registered student or is found guilty of a transgression by a disciplinary body of the University.

(5) The membership of a Senate member shall be terminated in cases where the member was elected or nominated by a specific interest group to represent it and the association of the Senate member with the interest group concerned ceases.

**27. Election and nomination procedures.**– (1) The Registrar shall make the arrangements for the nomination and election of members.

(2) Student members of the Senate are elected at an ordinary or special meeting of the SRC in accordance with the election procedures of the SRC.

(3) Two members from the ranks of the permanent academic employees and two members from the ranks of the permanent non-academic employees shall be elected in accordance with the process set out in subparagraph (4).

(4) The Registrar shall arrange and administer an election of members from the ranks of the employees to the Senate in the following manner:

- (a) Within a reasonable period before a particular election date, the Registrar shall afford –
  - (i) every permanent academic employee the opportunity to nominate a representative or representatives to represent the permanent academic employees on the Senate; and
  - (ii) every permanent non-academic employee the opportunity to nominate a representative or representatives to represent the permanent non-academic employees on the Senate.
- (b) Each nominated candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the case of a non-academic nominee they must be non-academic employees), not be a Senate member already and inform the Registrar in writing whether he or she accepts the nomination.

- (c) On the closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.
- (d) Permanent academic employees shall vote in respect of vacancies to be filled by permanent academic employees and permanent non-academic employees shall vote in respect of vacancies to be filled by permanent non-academic employees.
- (e) An election shall be valid only if at least 15 per cent of the permanent academic employees or permanent non-academic employees, as the case may be, participated in the election.
- (f) If an employee performs academic and non-academic tasks in accordance with his or her job description, that particular employee is considered to be an academic employee. Should a dispute arise in this regard, the Registrar has the discretion to decide whether an employee is an academic or non-academic employee.
- (g) The Registrar shall announce, as soon as possible at an appropriate time, the names of the members duly elected.

**28. Chairperson and Secretary.**— (1) In terms of section 26(4)(a) of the Act, the Principal is the Chairperson of Senate.

- (2) In the absence of the Chairperson, the acting Principal shall act as the Chairperson of Senate.
- (3) The Registrar is the Secretary of the Senate.

**29. Scheduling of meetings and meeting procedures.**— (1) The Senate shall meet at least once a semester.

(2) The Senate shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(3) Seventy-five members of the Senate shall constitute a quorum.

(4) The Registrar shall notify each member in writing of the date, time and venue of a meeting at least seven days before the meeting and the agenda for the meeting shall accompany the notice. The dates of Senate meetings are determined annually in advance.

(5) Members who wish to place additional matters for discussion on the agenda shall submit such matters in writing to the Secretary at least nine days before the date of the meeting.

(6) The Registrar shall keep minutes of every meeting.

(7) Urgent matters may be placed on the agenda for discussion or for discussion and finalisation during a meeting by agreement between the Chairperson and the majority of members present at the meeting.

(8) In the absence of a Senate resolution to the contrary, the Senate shall reach its decisions through a majority vote by the members present.

(9) Normally, members shall vote by a show of hands, but the Senate may decide on a different procedure in a particular case.

(10) Secret ballot papers shall be used when members of the Senate vote to elect an individual, but the Senate may decide on a different procedure in a particular case.

(11) The Chairperson of the meeting shall have an ordinary vote and a casting vote in the event of a tie of votes.

(12) The Chairperson may at any time convene an extraordinary meeting: Provided that the matters for discussion are stated and a brief description thereof is provided.

(13) The Chairperson shall convene an extraordinary meeting at a date determined by him or her, if requested to do so by at least 25 members: Provided that the request is in writing and the matters for discussion are stated and a brief description thereof is provided.

(14) The Chairperson shall decide whether or not observers may attend or speak at meetings.

**30. Composition of Senate Executive.**– (1) The Senate Executive is constituted as follows –

(a) the Principal;

(b) the Vice-Principals;

(c) the Executive Directors;

(d) the Deans of faculties;

(e) the Chairpersons of the committees of the Senate who are not already members of the Senate Executive;

(f) the members of the Senate on the Council, elected in accordance with paragraph 35(1), who are not already members of the Senate Executive; and

(g) the Registrar.

(2) The Directors of support service divisions, and any other person invited by the Chairperson, may attend the meetings of the Senate Executive on invitation.

(3) Those bodies that are entitled to nominate or elect members, nominate or elect members in terms of their internal nomination or election procedures.

(4) The Senate Executive is entitled to co-opt members to the Senate Executive.

(5) The Registrar shall be the Secretary of the Senate Executive.

(6) The Chairperson as contemplated in paragraph 31(1) shall decide whether or not observers may attend or speak at meetings.

**31. Chairperson of Senate Executive and meeting procedures.**– (1) The Principal shall be the Chairperson of the Senate Executive: Provided that in the absence of the Principal, a Vice-Principal present shall act as the Chairperson.

(2) If neither the Principal nor any of the Vice-Principals are available, the Senate Executive shall elect a Chairperson for the particular meeting from its own ranks.

(3) One half of all the members of the Senate Executive plus one shall constitute a quorum.

(4) The Senate Executive shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

**32. Powers and functions of Senate Executive.**– (1) When Senate is not in session, the Senate Executive, as a representative of the Senate, may assume the authority of Senate and may execute the functions of Senate, particularly with regard to academic planning.

(2) The Senate Executive shall report to Senate on its actions in terms of subparagraph (1): Provided that all actions taken by the Senate Executive on behalf of Senate shall be ratified or reviewed at the next meeting of Senate.

(3) The Senate is entitled to give the Senate Executive a general or specific authority to finalise matters on behalf of the Senate, in which event the Senate Executive merely reports to the Senate and the action is neither ratified nor reviewed by the Senate.

(4) Where the Senate authorises the Senate Executive to finalise matters, as envisaged in subparagraph (3), the Senate shall ratify or review the delegated in terms of the delegations framework at least every four years.

(5) The Registrar shall keep a detailed consolidated record of all powers delegated in terms of the delegations framework, as contemplated subparagraph (3).

(6) The Senate Executive shall meet before each meeting of Senate, except in case of an extraordinary meeting of Senate.

**33. Committees of Senate.**– (1) In addition to the Senate Executive, the Senate shall establish a number of committees to enable the Senate Executive to execute its functions, namely the –

- (a) Selection Committees for the purpose of advising the Council on the appointment of academic employees;
- (b) Timetable Committee;
- (c) Appeals Committee of Senate (Student Discipline);
- (d) Faculty boards;
- (e) Academic Planning Committee;
- (f) and Senate Committees dealing with Research, Research Ethics and Postgraduate Education; Teaching and Learning; Student Affairs; Academic Admission; Admission Status, GIBS et cetera.

(2) The Senate may appoint any other committee, including joint Council and Senate committees: Provided that the latter shall be appointed in consultation with the Council.

(3) The activities of all committees of the Senate are co-ordinated by and executed under the control and supervision of the Senate Executive.

(4) The Senate Executive may further delegate the authority granted to it by the Senate, this Statute and the Institutional Rules, including the authority entrusted to it in terms of paragraph 32(3), to a committee of the Senate or to an individual, as set out in the Institutional Rules, except in cases where the Senate has specified to the contrary.

(5) The reporting by the Senate Executive to the Senate shall include the activities of the committees of the Senate.

(6) The Senate shall nominate and elect members and chairpersons of committees. A non-member of Senate may be elected as a member of a Senate committee.

(7) Matters concerning the constitution, election, terms, functions and procedures of committees not regulated in terms of the above shall be regulated by means of the Institutional Rules.

**34. Faculties.**– (1) At the University there shall be such faculties, schools and departments (whether subdivisions of faculties or not) as the Council, after consultation with the Senate, may from time to time establish.

(2) The faculty board of each faculty is a committee of the Senate.

(3) The following matters concerning the faculty boards are defined in the Institutional Rules –

- (a) the constitution of such boards: Provided that only academic employees of the University may serve on faculty boards;
- (b) their powers and functions;
- (c) their procedures;
- (d) the selection of candidates for the position of Dean, Deputy Dean or persons of similar status;
- (e) the appointment of committees of the faculty as well as the manner in which their functions are determined; and
- (f) their authority to delegate.

(4) The Dean of the faculty concerned is *ex officio* the Chairperson of the faculty board meeting.

(5) In the absence of the Dean, the acting Dean or the Deputy Dean shall act as the Chairperson: Provided that if the Dean and the Deputy Dean or the acting Dean are absent, the members present at the faculty board meeting shall elect a Chairperson for the particular meeting from their own ranks.

(6) Each faculty may have an advisory committee operating in terms of the Institutional Rules.

**35. Members of Senate on Council.**— (1) The Senate shall elect three members from its ranks to serve as Council members for a term of four years: Provided that at least one of the said members is elected from the ranks of the Senate members in the faculties of natural sciences (including the health sciences and veterinary science) and at least one is elected from the ranks of the Senate members in the faculties for the humanities.

(2) Members who are already *ex officio* members of the Council shall not be considered as candidates.

(3) The Registrar shall notify all members of the Senate in writing of the election of a member or members of the Senate to serve on Council at least seven days before a Senate meeting.

(4) A person shall be a candidate if he or she is nominated during a Senate meeting by at least two persons, and indicates verbally or in writing that he or she accepts the nomination.

(5) Members, whose terms of office have expired, may be re-elected or renominated.

(6) The election shall be by secret ballot and a majority of the members present at the meeting of the Senate must vote for the successful candidate.

(7) If no candidate receives a majority of votes, successive rounds of voting are held.

(8) In each successive round of voting the candidate receiving the least number of votes is eliminated as a candidate.

(9) After Senate has elected the members to serve on Council, their names are announced by the Chairperson.

(10) Incidental vacancies shall be filled, with the necessary changes, as set out above.

## CHAPTER 7

### FACULTIES AND FACULTY BOARDS

**36. Functions, compositions and procedures.**— These matters are provided for in paragraph 34 and in the Institutional Rules of the University.

## CHAPTER 8

### INSTITUTIONAL FORUM

**37. Functions.**– (1) The Institutional Forum shall advise the Council and the Executive on the following matters affecting the University –

- (a) the implementation of the Act and national policy on higher education;
- (b) the formulation of race and gender equity policies;
- (c) the selection of candidates for senior management positions;
- (d) codes of conduct;
- (e) mediation and dispute resolution procedures;
- (f) the formulation of policy for fostering an institutional culture characterised by tolerance, respect for fundamental human rights and a positive academic climate; and
- (g) the management of cultural diversity on the University's campuses.

(2) The advice given by the Institutional Forum to the Council shall be submitted in written form by the Chairperson of the Institutional Forum. In instances where Council does not accept the advice given, written reasons must be provided.

(3) The Institutional Forum shall perform such additional functions as are determined by the Council or the Executive.

(4) The Council may, after consultation with the Institutional Forum, amend or revoke the mandate of the Institutional Forum referred to in subparagraph (3).

**38. Composition.**– The Institutional Forum is constituted as follows –

- (a) two representatives of the Executive of the University appointed by the Principal;
- (b) two representatives of the Council elected by the Council;
- (c) two representatives of the Senate elected by the Senate;
- (d) a maximum of five representatives elected from the ranks of the trade unions and staff associations recognised as such by the University as set out in paragraph 40(3);
- (e) one member appointed by the President of the Convocation;
- (f) one disabled person (either a member of staff or a student) appointed by the Council;
- (g) not more than ten student representatives in accordance with an appointment procedure of the SRC set out in the Institutional Rules; and
- (h) a maximum of three employee or student members, appointed by the Council after consultation with the Institutional Forum –
  - (i) on the basis of their expertise and experience; or
  - (ii) in order to represent a specific interest group or groups on campus not already represented in the Institutional Forum: Provided that a student or an employee who had been found guilty of misconduct by a disciplinary committee of the University may not be a member of the Institutional Forum.

**39. Term of office.**– (1) The term of office of all members of the Institutional Forum is four years, with the exception of members appointed by the SRC and student members co-opted in accordance with paragraph 38(h).

(2) The term of office of student members shall correspond with the term of office of the SRC that appointed them.

(3) The term of office of student members co-opted in accordance with paragraph 38(h) shall be one year.

(4) A member may be re-elected, reappointed or co-opted again for another term when his or her term expires.

(5) A student member's membership of the Institutional Forum shall be terminated if the member is no longer a registered student.

(6) The membership of a member of the Institutional Forum shall be terminated if the said member is elected or appointed by a specific interest group to represent the particular group and the member's membership of, or association with the interest group is terminated or the member is suspended by the interest group.

**40. Election procedure.**– (1) The Registrar shall facilitate the process in terms of which members are appointed, elected or co-opted.

(2) When members are elected or appointed by a particular body that is entitled to do so, the body shall elect or appoint such members in accordance with its own internal appointment or election procedures but with a sensitivity for gender and race.

(3) Each trade union and staff association recognised as such by the University shall be entitled to one representative: Provided that the representative shall be elected from the ranks of the employees of the University by members of the trade union or staff association and provided further that where there are more than five trade unions and staff associations that qualify in this way, only the five trade unions and staff associations with the largest University employee membership, shall be entitled to appoint representatives.

(4) Only members of the SRC may be appointed as student representatives on the Institutional Forum.

**41. Chairperson and Deputy Chairperson.**– (1) The Institutional Forum shall elect a Chairperson and a Deputy Chairperson from the members of the Institutional Forum.

(2) The term of office of the Chairperson and the Deputy Chairperson shall correspond with their terms of office as members of the Institutional Forum.

(3) If the office of the Chairperson or the Deputy Chairperson becomes vacant, the Institutional Forum shall elect a successor at its next meeting.

(4) The Chairperson of the Institutional Forum reports back to the Institutional Forum on the Council's acceptance, partial acceptance or rejection of the advice of the Institutional Forum.

(5) The Institutional Forum shall elect a Secretary: Provided that the Registrar, or a staff member designated by him or her, shall assist the Secretary or act in his or her place.

**42. Executive Committee, task and work groups.**– (1) The Institutional Forum shall be empowered to make use of task and work groups in order to facilitate and expedite the activities of the Institutional Forum.

(2) The Institutional Forum shall appoint an Executive Committee to control, manage and administer the Institutional Forum on a day-to-day basis.

(3) The Executive Committee of the Institutional Forum is constituted as follows –

(a) the Chairperson of the Institutional Forum;

- (b) the Deputy Chairperson of the Institutional Forum; and
- (c) three members appointed by the Institutional Forum, of which one, but not more than two, is a student or are students.

(4) The Executive Committee of the Institutional Forum shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(5) The quorum for a meeting of the Executive Committee of the Institutional Forum shall be three members.

(6) The term of office of the three members referred to in subparagraph (3)(c) shall correspond with their respective terms of office as members of the Institutional Forum.

(7) The Registrar, or a staff member designated by him or her, shall be responsible for the administrative services that the Executive Committee may require.

**43. Meeting procedures.**— (1) The Institutional Forum shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(2) Eight members of the Institutional Forum shall constitute a quorum.

(3) Resolutions of the task and work groups shall not be binding on the Institutional Forum and consequently there shall be no quorum requirement for the meetings of these bodies.

(4) The Secretary shall keep comprehensive minutes of all meetings of the Institutional Forum, including meetings of the task and work groups.

(5) At least four days before a meeting the Secretary of the Institutional Forum shall send each member, by written notice, an agenda indicating inter alia the date, venue and time of the meeting as well as the matters for discussion.

(6) Members wishing to place additional matters for discussion on the agenda shall send a written request in this regard to the Secretary at least two days before the date of the meeting.

(7) The Chairperson may convene an extraordinary meeting at any time on four days' notice, stating the matter or matters for discussion.

(8) When requested by at least eight members of the Institutional Forum, the Chairperson shall convene an extraordinary meeting: Provided that the request is in writing and the matters for discussion are stated and a brief description of each such matter is provided.

**44. Decision-making.**— (1) If at least 75 per cent of the members present at a meeting vote either in favour of or against a specific proposal, the Institutional Forum has taken a decision: Provided that where the decision is to be taken on the suitability of a person to be appointed to a position, a decision by the majority of members present shall be the decision of the Institutional Forum.

(2) If the Council requests the Institutional Forum to advise the Council on a specific matter and no proposal put before the Institutional Forum enjoys the support of 75 per cent of the members present, the Chairperson shall be obliged to call a follow-up meeting within two weeks.

(3) If at the follow-up meeting the Institutional Forum does not take an advisory decision, the Executive Committee of the Institutional Forum in conjunction with the other members of the Institutional Forum shall compile a summary of the various opinions expressed at the Institutional Forum and shall submit the summary to the Council.

(4) Where the Institutional Forum has taken an advisory decision that is submitted to the Council, a member or members with a minority viewpoint shall be entitled to formulate the minority viewpoint or viewpoints in writing and to submit such viewpoint or viewpoints to the Executive Committee of the Institutional Forum that, in turn, will submit it to Council.

## CHAPTER 9

### CONVOCATION

**45. Membership.**– The Convocation shall consist of –

(1) all the persons, other than persons referred to in subparagraph (2), who immediately before the commencement of this Statute were members of the Convocation of the University;

(2) the Principal, the Vice-Principals, the Executive Directors, Registrar, the Deans of faculties, the academic employees on the permanent staff of the University, professors emeriti, other retired academic employees and such other persons as the Council may determine; and

(3) all persons who have obtained a qualification, as approved by the Senate and the Council, from the University (“Alumni”): Provided that if any person who, by virtue of the provisions of subparagraph (1) or (3), is or is about to become a member of the Convocation, notifies the Council in writing that he or she does not wish to continue to be or to become such a member, he or she shall, upon the receipt of such notice by the Council, cease to be such a member or not become such a member, as the case may be.

**46. President.**– (1) There shall be a President of the Convocation who shall be elected by the Convocation from among its number for a period of five years: Provided that the retiring President shall be eligible for re-election.

(2) The President’s term of office is terminated –

(a) if he or she is sequestered;

(b) if he or she is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that his or her continued membership of the Convocation is not desirable;

(c) if he or she reaches the age of 75 years;

(3) If the office of President becomes vacant, the Principal shall act as President until the Convocation elects a successor.

**47. Election of President.**– (1) The election of the President of the Convocation shall take place in accordance with the procedure provided for in the Institutional Rules.

**48. Meetings.**– (1) The recording of Convocation members’ details, the convening of meetings and meeting procedures shall take place in accordance with the Institutional Rules.

(2) The election/appointment of members of the Convocation to serve on Council shall take place in accordance with the procedure provided for in the Institutional Rules.

**49. Submission of resolutions to Council.**— A copy of any resolution of the Convocation taken at a meeting of the Convocation, duly signed as a true reflection of the meeting by the Chairperson and the Registrar, shall be submitted to the Council by the Registrar: Provided that the Convocation may discuss any matter that relates to the University or is referred to it by Council, and may convey its views thereon to Council.

## CHAPTER 10

### DEGREES, DIPLOMAS AND CERTIFICATES

**50. Capacity.**— (1) The University may, subject to the provisions of this Statute and the Act, confer such degrees and award diplomas and certificates.

(2) Save as is provided by paragraph 51, no degree may be conferred upon and no diploma or certificate may be awarded by the University to any person who has not –

- (a) been registered as a student of the University for the period prescribed by the Senate; and
- (b) completed the work and attained the prescribed standard of proficiency determined through assessment as required by the Senate.

(3) The University may grant a certificate to any person who has pursued a course of study approved by Senate or an entity under the control of the University.

(4) The Council may, in consultation with Senate, withdraw and revoke any degree, diploma, certificate or other qualification that was awarded –

- (a) on the basis of a material error on the part of the University: Provided that such withdrawal and revocation may only take place within a period not exceeding two years after the conferment concerned; or
- (b) as a result of a fraudulent or dishonest act in connection with the obtaining of such degree, diploma, certificate or other qualification.

(5) Prior to the Council withdrawing and revoking the conferment of a degree, diploma, certificate or other qualification, Council must –

- (a) notify the recipient of the qualification concerned that a revocation and withdrawal is being considered;
- (b) provide the recipient with relevant information justifying the intended action;
- (c) provide the recipient with an opportunity to obtain assistance and to present his or her case; and
- (d) consider the submissions and representations of the recipient.

(6) In the event that the withdrawal and revocation relates to circumstances contemplated in subparagraph (5)(b), the University must report the matter for criminal investigation as contemplated in section 66(2) of the Act.

(7) The power of Council as contemplated in subparagraph 50(4), may be delegated to Principal who, in turn, may further delegate such power to any other employee of the University in terms of section 68(3) of the Act.

**51. Honorary degrees.**– (1) Subject to the provisions of this paragraph, the University may, on the resolution of Council and of Senate, and without examination, confer an honorary doctorate it deems appropriate upon any person whom the University may deem worthy of such a degree: Provided that the holder of such a degree which has been conferred *honoris causa*, shall not, by the fact that he or she has been admitted thereto, be entitled to practise any profession.

(2) A candidate for the award of an honorary degree shall be selected by a selection committee consisting of the Senate Executive with the addition of the Chairperson and the Deputy Chairperson of Council: Provided that the Chairperson and the Deputy Chairperson of Council may each nominate a member of Council as his or her representative on the selection committee.

(3) The name of the candidate recommended by the selection committee shall be submitted to Senate.

(4) Senate shall vote by secret ballot and without preliminary discussion on the candidate recommended by the selection committee: Provided that Senate shall not discuss or deal with any proposal not recommended by the selection committee.

(5) The name of the candidate who has obtained an ordinary majority of the votes of the members of Senate present at the meeting shall be submitted to the Council.

(6) Council shall vote by secret ballot and without preliminary discussion on the candidate recommended by Senate: Provided that Council shall not discuss or deal with any proposal not recommended by the selection committee and Senate.

(7) The honorary degree shall be awarded to the candidate who has obtained a majority vote of the members of Council present at the meeting, at the time and place determined by the Principal: Provided that no honorary degree shall be conferred posthumously.

(8) In the event that Council is of the opinion that a recipient of an honorary degree from the University of Pretoria has brought the University's name into disrepute and is no longer deemed to be worthy of the award, Council may revoke such honorary degree after consultation with Senate.

(9) Prior to the Council revoking the honorary degree, Council must –

- (a) notify the recipient of the qualification concerned that a revocation is being considered;
- (b) provide the recipient with relevant information justifying the intended action;
- (c) provide the recipient with an opportunity to present his or her case; and
- (d) consider the submissions and representations of the recipient.

**52. Congregation and conferring of degrees.**– (1) A meeting of the members of the University called a Congregation shall be held for the purpose of conferring degrees.

(2) The Chancellor, or in his or her absence the Principal or a Vice-Principal, shall preside at a Congregation.

(3) A Congregation of the University shall be held at least once a year on a date to be announced at the beginning of every academic year.

(4) The procedure as to the presentation of graduates, the conferring of degrees *in absentia*, academic dress and all other matters in connection with Congregations not provided for in this Chapter shall be determined by the Senate Executive, taking into account the advice of the Senate.

## CHAPTER 11

### EMPLOYEES

**53. Appointment.**– Subject to section 34 of the Act, Council appoints employees according to the human resource policies of the University as determined in the Institutional Rules.

**54. Conditions of employment and conflict of interest.** – (1) The conditions of employment, including the determination and review of salaries and all other forms of remuneration, disciplinary provisions, privileges and functions of employees, are approved by Council and may be amended from time to time by Council, and are furthermore subject to the applicable labour laws. The power contemplated in paragraph 54 may be delegated to the Human Resources Committee of Council that may make arrangements with the Principal regarding the implementation or determination of any of these conditions of employment.

(2) With regard to conflict of interest the following shall apply:

- (a) An employee must in writing before he or she assumes office and whenever a new interest arises, declare any business, commercial or financial activities undertaken for financial or other gain that may give rise to a conflict or possible conflict of interest with the University.
- (b) An employee may not conduct business directly or indirectly with the University that entails or may entail a conflict of interest with the University, unless the Council is of the opinion, and takes a decision, that –
  - (i) the goods, product or service are unique;
  - (ii) the supplier is a sole provider; and
  - (iii) it is in the best interest of the University.
- (c) An employee may not on behalf of the University contract with himself or herself or his or her relative or any entity in which the employee or any relative has a direct or indirect financial, personal, fiduciary or other interest.

**55. Evaluation.**– All employees of the University are subject to continuous evaluation in the performance of their duties and the outcome of such evaluation may have an impact on an employee's remuneration and/or employment status.

**56. Staff discipline.**– Subject to applicable labour laws, all staff members of the University shall be subject to a disciplinary code, a disciplinary procedure and a grievance procedure as approved by Council or the Human Resources Committee of Council. These codes and procedures shall be deemed to be Institutional Rules.

**57. Representative employees' organisations.**– Agreements with representative employees' organisations may, with reference to conditions of employment and according to the relevant labour legislation, be entered into by Council or by the Principal acting on the delegated authority of Council.

## CHAPTER 12

### STUDENTS

**58. Admission and registration of students.**– (1) As contemplated in section 37 of the Act, a person may be permitted by the Council to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at the University and, further, satisfies any other requirements for admission that may be determined by the Council and the Senate and laid down in the Institutional Rules.

(2) Upon registration, whether for a degree, diploma, certificate or one or more subjects or modules, the student subjects himself or herself to the Institutional Rules of the University, as set out in the various publications of the University.

(3) The requirements for admission of a student to the University are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate: Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(4) A student is registered for one year at a time or for such shorter period as the Council may determine in general or in a particular case.

(5) In order for a student to renew his or her registration after the expiry of the period as contemplated in subparagraph (4), the student is required to comply with any conditions set by the Senate: Provided that the Senate may delegate its authority in this respect to the various faculty boards.

(6) The Council may refuse to allow the renewal of registration if a student fails to meet the conditions as contemplated in subparagraph (5): Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(7) The conditions as contemplated in subparagraph (5) may include the payment of outstanding fees as well as non-performance academically or disciplinary matters.

**59. SRC.**– (1) In matters that may affect them, the students of the University are represented by the SRC acting in accordance with the provisions of the SRC's Constitution which is subordinate to the Institutional Rules of the University.

(2) Only students registered for a degree or diploma at the University shall be elected as members of the SRC.

(3) No student who has been found guilty of transgressing the University's disciplinary code by a disciplinary committee of the University shall be eligible to serve on the SRC and a standing member of the SRC thus found guilty shall immediately vacate his or her position.

(4) The SRC, as contemplated in section 35 of the Act, must be representative of the student body.

(5) The election of SRC members must be democratic and transparent.

(6) The term of office of the members of the SRC is one year.

(7) The privileges of members of the SRC are determined by the Council and can be revoked by the Council.

(8) The SRC is composed and functions in terms of a Constitution as well as the provisions of this Statute and the Institutional Rules.

(9) The SRC Constitution or any amendment thereof must be approved by the Council, after consultation with the SRC.

(10) If the Council is of the opinion that the SRC is inoperative or unable to function properly, the Council may:

- (a) revoke the SRC Constitution;
- (b) make interim arrangements for the functioning of the SRC; or
- (c) initiate a process to have a new SRC Constitution drafted.

**60. Student discipline.**— The disciplinary measures and provisions applicable to students are set out in the Institutional Rules as contemplated in section 36 of the Act, and may be changed by the Council after consultation with the Senate and the SRC as provided for in section 32(2)(d) of the Act.

## CHAPTER 13

### DONORS

**61. Donors.**— The University may receive donations corporeal or incorporeal in nature from donors to assist the University in realising its objectives.

**62. Qualification as donor.**— (1) Any person or entity, who is not an organ of state and who has made a particular donation to the University, shall be deemed to be a donor: Provided that if a donation is made by a juristic person, a nominated representative of such juristic person shall be eligible for election to Council and provided further that only donors who have donated more than the minimum amount as contemplated in subparagraph (2) shall for a period of five years be entitled to elect two members of the Council as mentioned in paragraph 15(1).

(2) For purposes of eligibility for election to Council, the donation referred to in subparagraph (1), whether corporeal or incorporeal in nature, shall be not less than an amount or valued at not less than an amount fixed from time to time by the Council and is subject to the issuing of a section 18A tax certificate by the University in accordance with the provisions of the Income Tax Act 58 of 1962 as amended.

(3) The period a person shall be deemed to be a donor is five years, calculated from the time when the donation satisfies the requirements set in subparagraph (2).

(4) In the case of a donor who, having satisfied the requirements of subparagraph (2), makes further donations, the period of five years shall be calculated from the last date on which the requirements of subparagraph (2) were satisfied.

**63. Election by donors.**— (1) The Registrar shall call for written nominations for candidates in the press and in any other appropriate way.

(2) Each nomination shall be signed by at least two donors, shall be countersigned by the nominee as accepting the nomination and shall be lodged with the Registrar at least four weeks before the election.

(3) If the number of persons nominated does not exceed the number to be elected, the Registrar shall forthwith declare such person or persons to be duly elected.

(4) If more persons are nominated than are to be elected, the Registrar shall submit the nominations to a meeting of the donors for a final ruling.

(5) The Principal shall preside at any meeting of the donors and in his or her absence the donors present shall elect a Chairperson for the particular meeting from its own ranks.

(6) Five donors shall constitute a quorum. If less than five donors are present, the Registrar shall reconstitute the meeting. The number of donors present at such a meeting shall then be deemed to be a quorum.

## CHAPTER 14

### REPEAL OF PREVIOUS STATUTE

**64. Repeal of previous Statute.**– The Statute applicable to the University of Pretoria published in *Government Gazette* No. 35195 in Government Notice No. 262 of 30 March 2012 (as amended), is hereby repealed with effect from the date on which this Statute comes into operation.

## CHAPTER 15

### TRANSITIONAL PROVISIONS

**65. Transitional provisions.**– (1) With the publication of this Statute, the existing Council, Council Committees, Senate, Senate Committees and Faculty Boards shall be deemed to be composed in terms of this Statute and shall continue to perform its activities.

(2) Any decision of the Council, Council Committees, Senate, Senate Committees and Faculty Boards made before the publication of this Statute shall be regarded as having been made in terms of this Statute.

(3) There shall be no interruption in the legal personality of the University as it existed before and after the coming into operation of this Statute.

(4) This Statute has no effect on the rights and duties that the University had against any legal subject or which any legal subject had against the University prior to the coming into operation of this Statute, except as specifically provided for herein.

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1406

21 DECEMBER 2018

**NATIONAL QUALIFICATIONS FRAMEWORK ACT, 2008 (ACT No.67 OF 2008)  
APPOINTMENT OF A MEMBER FROM ORGANISED LABOUR TO THE BOARD OF THE  
SOUTH AFRICAN QUALIFICATIONS AUTHORITY**

I, Grace Naledi Mandisa Pandor, Minister of Higher Education and Training, in terms of section 15 of the National Qualifications Framework Act (67 of 2008), hereby appoint Mr Ashley Benjamin of the Federation of Unions of South Africa (FEDUSA) to represent Organised Labour in the Board of the South African Qualifications Authority with immediate effect. Mr Benjamin will serve for the remainder of the term of the Board ending on 31 December 2020.

*G.N.M. Pandor*  
Mrs GNM Pandor, MP

**Minister of Higher Education and Training**

**Date:** 20-11-2018

## DEPARTMENT OF HOME AFFAIRS

NO. 1407

21 DECEMBER 2018

## ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the forename printed in *italics*:

1. Thembeka Kose - 860907 1340 087 - Miller Mission, ELLIOTDALE, 5070 - *Thobeka*
2. Munaadiya Baigum Pillay - 830802 0140 082 - 4 Nizam Crescent, BOMBAY HEIGHTS, 3201 - *Nadia*
3. Patricia Pauline Bukes - 831130 0206 086 - 9 Turay Mansions, 264 Moore Road, Glenawood, DURBAN, 4001 - *Zahra-Iman*
4. Vanitha Singh - 840617 0228 085 - 593 Kathmandu Street, Laudium, PRETORIA, 0037 - *Nimerah Vanitha*
5. Liezel Susan Daniels - 841125 0102 085 - 4 Karen Road, GRASSY PARK, 7941 - *Aashieqa*
6. Rajesperry Haniff - 841107 0187 084 - 62 Whitfordird, PHOENIX, 4068 - *Nolene*
7. Adien Sabodien - 831213 5002 088 - 25 Cathrin Crescent, MITCHELLS PLAIN, 7785 - *Adiel*
8. Xabiso Mpu - 970328 5393 088 - 1 Vlok Road, Bryanston, JOHANNESBURG, 2021 - *Xabiso Xhanti*
9. Theodoris Saayman - 840124 5015 088 - 11 Middle Street, Danville, MAFIKENG, 2745 - *Abdulaleem*
10. Edwin Gangen - 860706 5063 087 - 10 Ebor Road, Escombe, QUEENSBURGH, 4093 - *Eddy*
11. Litshedzani Ofelia Dangale - 871223 0474 084 - 308 Chebema, 59 Celliers Street, SUNNYSIDE, 0002 - *Munangiwa Courage*
12. Anver Andrew Abrahams - 821220 5282 083 - 19 Gabrielli Street, DEFT, 7100 - *Anwar*
13. Ellah Portia Thobejane - 821024 0766 086 - 3775 Thusi Street, CLAYVILLE, 1066 - *Daniel*
14. Gumani Colbert Munarini - 850721 5677 085 - Farm Lapalala, Wilderness, VAALWATER, 0530 - *Tsumbedzo*
15. Amber Astrid Serfontein - 830714 0143 083 - 66 Elkehof, Heilbron Street, Rabela, PORT ELIZABETH, 6025 - *Zahra*
16. Shanaaz Govender - 820121 0257 081 - Flat 86 B, Dinapur Road, Merebank, DURBAN, 4052 - *Desiree*
17. Chantelle Kruger - 820111 0096 084 - 26 Edna Court, PARK WOOD, 7941 - *Shameema*
18. Bhongo Gadu - 891031 5553 083 - 178 Motswaledi Street, Steve Tswete Village, PORT ELIZABETH, 6211 - *BhongoIwethu Wesley*
19. Cornita Jolene Cindy Morgan - 791218 0160 086 - 11 Bloekom Street, LOEVENSTEIN, 7530 - *Nita*
20. Cirelda Michelle Hartnick - 820305 0128 083 - 73 Verlore Vlei, DELFT, 7100 - *Shahieda*
21. Sumaya Losper - 820922 0169 089 - 31 Colleen Court, MANENBERG, 7164 - *Statum*
22. Alwyn Pillay - 841215 5160 087 - 25 Peridot Crescent, PELICAN PARK, 7941 - *Niyaaz*
23. Pona Pauline Seabi - 800614 0443 085 - 38 Koorsboom Street, Flora Park, POLOKWANE, 0699 - *Mmakgoshi Pauline*
24. Lodewyk Gerhardus Deyssel - 800421 5162 086 - D1 Albom Gardens, CAPE TOWN, 7405 - *Logan Gabriel*
25. Gezinus Louis Martin Kock - 791220 5261 083 - 5 Narsden Road, WALMAR ESTATE, 7521 - *Martin*
26. Johanna Hendrika Vorster - 730222 0095 080 - 85 De Wetstreet, 10 De Westhof, KRUGERSDORP, 1740 - *Hannelie*
27. Anges Ryan - 711202 0193 088 - 42 Arlington Crescent, Riverton, ELSIES RIVER, 7490 - *Agnes*
28. Ana Sofia Fuentes Baganha Baganha - 711214 0131 083 - Cnr Blandford & Hyperion Streets, NORTH RIDING, 2159 - *Ana Sofia Fuentes*
29. Bayakumthanda Ncusane - 000625 5527 084 - 815 Longhomes, KOKSTAD, 4700 - *Bayanda*
30. Kamleshan Naidoo - 911125 5296 085 - 16 Leadwood Loop, Zimbali, BALLITO, 4418 - *Kamleshan Perumal*

31. Adri Du Plessis - 801111 0008 082 - 4 Utopia, 689 Nunanda Street, PRERTIA NORTH, 0182 - *Adri Bothma*
32. Hyde Léne Magerine Pieterse - 780208 0131 081 - 18 Barunka Street, Hexpark, WORCESTER, 6850 - *Hydelene Magerine*
33. Jason George Walters - 800207 5229 086 - No 7 First Road, Greymond, JOHANNESBURG, 2195 - *Phoenix Jason*
34. Dale Patrick Schoeman - 850914 5156 081 - 85 Azalia Street, Lentebour, MITCHELLS PLAIN, 7785 - *Abdul Dayaan*
35. Lee Roy Adams - 860210 5278 084 - 7 Water Works Complex, ROCKLANDS, 7785 - *Laeeg*
36. Carmen Bester - 781108 0138 087 - Morningside, SANDTON, 2196 - *Carmeni Naidoo*
37. Elaine Naidoo - 741005 0126 089 - P O Box 7003, ILLOVO, 4150 - *Tholsie Elaine*
38. Douglas Stuart Adams - 520425 5197 082 - 19 Koedde Street, MACASSAR, 7130 - *Saliegh Deen*
39. Johanna Mary Elizabeth Pillay - 590225 0190 081 - 25 Peridot Crescent, PELICAN PARK, 7941 - *Rayyanna*
40. Maxine Rozanne Saayman - 890206 0164 083 - 69 Hercules Road, MITCHELLS PLAIN, 7785 - *Malikah*
41. Mary Mert - 541108 0143 088 - 45 Lupine Street, VREDENBURG, 7880 - *Mary-Jane*
42. Michael Arendse - 560422 5144 082 - 3 Hoop Singer, Saxionsea, ATLANTA, 7349 - *Mansoor*
43. Keshnee Naidoo - 860112 0015 083 - 92 Lotus Road, Springfield, DURBAN, 4091 - *Raeesa*
44. Steyntjie Solomons - 860130 0235 089 - Joubertsdal Farm, PAARL, 7646 - *Jo-Anne*
45. Chanell May - 870211 0055 087 - 71 Kilmanjaro Street, New Tafelsig, MITCHELLS PLAIN, 7784 - *Sameerah*
46. Samantha Jane Eksteen - 780228 0137 086 - 3 Hyde Park, MITCHELLS PLAIN, 7785 - *Shakeera*
47. Martin Richard Kinnear - 761221 5028 080 - 22 Good Street, SOPHIATOWN, 2092 - *Mateen-Ud-Deen*
48. Deon Abraham Taylor - 751002 5198 087 - 13 Freemant Avenue, Sherwood Park, ATLANTIS, 7349 - *Dion Abraham*
49. Chantle Samodien - 780818 0162 082 - 11 Charles Peers Close, New Woodlands, MITCHELLS PLAIN, 7785 - *Shameeqah*
50. Reedwaan Ismail - 771011 5228 089 - Unit 18, Japura Street, RIVERLEA, 2093 - *Edwin Ridwaan*
51. Raghmah Joseph - 810124 0134 088 - 9 Ssop Street, Witteklip, VREDENBURG, 7380 - *Priscilla*
52. Vispanathan Lutchman - 820426 5036 087 - 183 Croftdene Drive, CHATSWORTH, 4092 - *Clayton*
53. Bianca Zwennis - 821215 0007 089 - 317 Manitoba Street, FAERIE GLEN, 0081 - *Bianca Ferreira*
54. Vanashree Pieterse - 800225 0133 087 - 28 Evergreen Terrace, HAVENSIDE, 4092 - *Natasha Vanashree*
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58. Sophia Elizabetha Jacaba Lourens - 710707 0025 081 - 16 Letaba Crescent, Tzangeni Estate, TZANEEN, 0850 - *Elize*
59. Gezina Aletta Visser - 690823 0259 085 - 18 Hoof Street, AURORA, 7325 - *Zinnet Gezina Aletta*
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61. Luganne Fredericks - 820424 0182 089 - K63 Blikkesdorp, Symphony Way, DELFT, 7100 - *Luzanne*
62. Lynne Haynes - 820615 0204 084 - 24 Dromedaris Square, Facreton, KENSINGTON, 7405 - *Lailah Lynne*
63. Natasha Delene Jacobs - 820709 0126 080 - 12 E Storms River Walk, MANENBERG, 7764 - *Nazeerah*
64. Catherine Stevens - 870101 0093 081 - 11 Chelmligh, 39 Jb Marks Road, Berea, DURBAN, 4001 - *Catherine Keogh*

65. Praneesha Kader - 770914 0057 083 - 05 Albany Street, Extension 1, LENASIA SOUTH, 1827 - *Sameera*
66. Natalia Nogalawe - 990914 1013 089 - 334 Tyhali Street, PORT ALFRED, 6170 - *Natalia Yolisa*
67. Ofentse Sibiyi - 890421 0314 089 - 45 Magodiello Street, ATTERIDGEVILLE, 0008 - *Ofentse Brigid*
68. Lutho Sinama - 970928 0260 081 - Ngwashin Location, PEDDIE, 5640 - *Lutholwethu*
69. Fabian Philander - 900418 5159 087 - 96 Samantha Road, MITCHELLS PLAIN, 7785 - *Fawaaz*
70. Nicole Minnaar - 950410 0140 088 - 65 Carmen Crescent, MITCHELLS PLAIN, 7785 - *Nimaat*
71. George Michael Boshoff - 981012 0153 088 - 4532 Bushwillow, LYDENBURG, 1120 - *Shelly*
72. Ramokone Elizabeth Moseitha - 900328 0678 082 - 39 Oliphant Street, ELANSFONTEIN, 0633 - *Refilwe Elizabeth*
73. Bonginkosi Buthelezi - 900618 5865 084 - Phola Location, Stand 920, OGIES, 2230 - *Bonginkosi Khulekani*
74. Happiness Nokukhanya Zulu - 900822 0508 083 - Lot 1466 Jackol Road, WATERLOO, 4319 - *Nokukhanya Happiness*
75. Linda Mkhize - 880709 5554 085 - D28 Banzi Avenue, Sakhumzi Village, GUGULETU, 7750 - *Silosamambo Lindokuhle*
76. Nombuyiselo Tanya Martin - 990327 0157 080 - Ny 2 No 7 Fezeka Street, GUGULETU, 7750 - *Tanya*
77. Bennifulicious Ngwanatsomane Nkadimeng - 810224 5553 082 - 50 Sadc Street, MIDDELBURG, 1050 - *Benfocious Ngwanatsomane*
78. Eunice Kokoti - 880507 0465 087 - 12030 Lithium Street, VREDENBURG, 7380 - *Eunice Ntombi*
79. Kutlwano Molelekwa - 940202 0641 089 - 1104 Tabalelo Street, TAUNG, 8584 - *Kutlwano Kgabiso*
80. Kebogile Motlhabi - 920604 5008 087 - 1983 Diamond Street, Toekomsrus, WELKOM, 1759 - *Christopher*
81. Princence Ketso - 950605 0358 081 - 41 Holomomden Street, SOUTH HILLS, 2197 - *Princess Fikile*
82. Eugeni-E Blythe - 910415 0033 083 - 54 Ocean View Drive, BLUFF DURBAN, 4052 - *Eugenie*
83. Maloka Maloka - 950912 5972 084 - 5478 Extension 8, Phomolong, MAMELODI, 0122 - *Maloka Kgaogelo*
84. Wesley Karl Bloemstein - 680411 5281 080 - 82 Chukker Road, KENWYN, 7780 - *Waleed*
85. Mabhoiyisana Nongauza - 751108 5820 081 - 8170 Ngwangi Road, Lower Cross Road, PHILLIPI, 7785 - *Loyiso Wilfred*
86. Kongkong Amos Mashai - 980530 5514 088 - Stand No 1235, LENYENYE, 0857 - *Katlego Amos*
87. Joseph Mnguni - 800202 5855 089 - 21232 Minie Street, Bloekombos, KRAAIFONTEIN, 7570 - *Lukhaya Joseph*
88. Steenkole Ephraim Mofokeng - 860502 5799 089 - 122/4 B Khabisi, WITSIESHOEK, 9870 - *Ephraim*
89. Chantel Elaine Abrahams - 921217 0098 083 - B Amber Road, STEENBERG, 7945 - *Laeeqah*
90. Mongezi William Malangabe - 940409 5813 080 - 1323 Bevonja, Morojaneng, DEWETSDORP, 9940 - *Mongezi Joel Mclangizi*
91. Sithembile Hope Mathabela - 980617 0234 083 - 45 Whiptail Avenue, NEWLANDS EAST, 4037 - *Lwandiswa Sithembile Hope*
92. Thobekile Ndovela - 790505 6294 088 - 34 Carlow Road, Bonela, DUBAN, 4000 - *Thobekile Zola Stanley*
93. Tumelo Feo Baisitse - 000404 5683 085 - 1148 Zone 5, THABA NCHU, 9780 - *Tumelo Theo*
94. Happy Matias Guliwe - 001029 5293 087 - Stand No 12081, Clau-Clau, KABOKWENI, 1245 - *Happy Matias Lalito*
95. Abram Matlejewane - 971202 5927 089 - Kome Village, NEBO, 1059 - *Phashe Mmaswi*
96. Morwakgadi Martha Malahlela - 000110 0779 089 - Viannen, BOCHUM, 0790 - *Martha Mosetsi*
97. Tumisang Tercia Monyepao - 980802 0872 088 - 309 Zone 7, GA RANKUWA, 0208 - *Daniel*

98. Kgothatso Jaqueline Bertha Sathekge - 990729 0107 082 - 198 Zone 16, KGARANKUWA, 0208 - *Paul*
99. Gloria Nontlekiso Jonas - 971227 0825 087 - 967 Extension 5, ROUXVILLE, 9958 - *Gloria Thembeka*
100. Ana Maria Rodrigues Rodrigues - 680318 0045 081 - 61 Lucilina Street, Monument Park, PRETORIA, 0181 - *Ana Maria*
101. Zarina Rajah - 631104 0075 082 - 69 1st Road, Linbro Park, SANDTON, 2091 - *Zarina Goolam*
102. Johannes Jacobus Bouwer - 640308 5055 085 - 18 Muller Street, PIET RETIEF, 2380 - *Johannes Jacobus Gidien*
103. Anton Van Tonder - 670113 5024 088 - 301 26th Avenue, Valleiria, PRETORIA, 0186 - *Anton Carl*
104. Jennifer Leigh Green - 880616 0010 080 - 7 Wrenrose Avenuebirdhaven, JOHANNESBURG, 2196 - *Jennifer Leigh Almendro*
105. Andrew Goliath - 890108 5112 085 - 2128 Closemottle Crescent, Malbar, PORT ELIZABETH, 6020 - *Ameer*
106. Themba Gobelo - 820707 6171 084 - E263 Colorado Road Moon Wood, PHILIPPI, 7785 - *Thembelani*
107. Dimakatso Molekwa - 840525 0834 085 - 2095 Zone 2, GA RANKUWA, 0208 - *Mary*
108. Thobela Pall Mogane - 930115 5178 083 - 103 Sekelbos, Tasbetpark, Extension 1, WITBANK, 6078 - *Paul*
109. Sandile Derrick Ngcobo - 800612 5855 089 - 36 School Avenue, CHESTERVILLE, 4001 - *Sandile*
110. Josias Mukhuba - 670111 5487 081 - P O Box 2138, POLOKWANE, 0700 - *Roxuka Josias*
111. Thanduxolo Lawrence Peace Peace - 720113 5880 083 - 3 Sweetgum Street, Fairview, PORT ELIZABETH, 6070 - *Thanduxolo Lawrence*
112. Ncediwe Swaartbooi - 820810 0544 080 - 3851 Nu 2, Mdantsane, EAST LONDON, 5219 - *Yondela Ncediwe*
113. Niceilin Van Rooyen - 990206 0260 088 - Thusong Centre, CITRUSDAL, 1340 - *Nickaylin*
114. Noora El Sayed Ahmed Abdoel Hamid Nadasen - 580922 0207 087 - No 2 Emily Hobhouse, 21 Wyoming, Residential, ROODEPOORT, 0175 - *Noora*
115. Delina Lefule Dikgasu - 920419 0733 088 - 265 Tarontaal Rabie Ridge, MIDRAND, 1685 - *Delene Refilwe*
116. Magetse Letsibogo Phaklyago - 540213 0674 081 - Stand 5784, Extension 10, REFILWE, 1003 - *Magetse Selina*
117. Chabi Job Mthethwa - 830507 5662 085 - 42 Rampela Street, KWA-THEMA, 1575 - *Chabi Jobe*
118. Sonja Catherine Maasdorp - 591108 0858 080 - 15 Saturn Way, OCEAN VIEW, 7976 - *Soraya*
119. Falimehang Makgofola - 930703 5593 086 - P10058 Pienaarspoort, MAMELODI, 0122 - *Fadimehang Enoch*
120. Tshidaho Eunice Tshihomu - 520320 0725 088 - P O Box 577, VHUFULI, 0971 - *Tshidaho Yullice*
121. John Phasha - 981214 5609 086 - Ga Nkoana, SEKHUKHUNE, 1129 - *Motšhamonyane John*
122. Tshwane Thabang Maphuta - 970712 5762 089 - Stand No 55, Moganyaka, GROBLERSDAL, 0459 - *Thobela Thabang*
123. Duduzile Nkosiyapha Mtshali - 000201 0413 082 - Langakazi Area, MAHLABATHINI, 3865 - *Phiwokuhle*
124. Dannielle Davids - 860119 0157 088 - 5 Ivanita Way, KRAAIFONTEIN, 7570 - *Israel*
125. Gerswin Clint Benjamin - 850222 5164 083 - 36 Nowdew Street, Tafelsig, MITCHELLS PLAIN, 7785 - *Ghakeem*
126. Leshma Singh - 850324 0080 080 - 13 B Ridge Road, Ocean View, KWADUKUZA, 4450 - *Zulfiya*
127. Patrizio-Dario- Spitalieri - 850805 5020 089 - 18 A Stirling Avenue, BUCCLEUCH, 2006 - *Patrizio Dario*
128. Lizelle Sophia Meyer - 860101 0186 085 - 42 Garcia Crescent, Searidge Park, TAFELSIG, 7785 - *Ilhaam*
129. Elyon Lewies - 860109 5234 081 - Montieth Trust, GRABOUW, 7160 - *Elton*
130. Theodore Reginald Simons - 860708 5061 087 - No 61 Kilomanjaro Street, Tafelsig, MITCHELLS PLAIN, 7785 - *Tauriq*

131. Susanna Petronella Johanna Van Der Westhuizen - 860731 0023 084 - Plot 24 Farm, Nootgedacht, Klipriver, MIDVAAL, 1747 - *Tanja*
132. Thato Ramadimetje Mapheto - 991116 0707 088 - P O Box 3027, MPHAALELE, 0736 - *Mokgohloe Thato*
133. Cherylene Philander - 800802 0095 084 - 25 Swartysterhout Street, BONTHEUWEL, 7764 - *Cherylene*
134. Maria Van Wyk - 511208 0605 080 - 05 Mc Donald Street, Promosa, POTCHEFSTROOM, 2531 - *Iris Maria*
135. Bhutityi Irvin Winter - 740210 5490 081 - 6568 Majova Street, Zone 9, Thembalethu, GEORGE, 6529 - *Irvin*
136. Ilham Mazema - 960708 0252 086 - 120 Grasmere Street, ATHLONE, 7764 - *Dahlia Ilham*
137. Christiaan Krisjan Van Rooyen - 670715 5924 081 - 78 Qolweni Location, PLETERN BERG BAY, 6600 - *Christiaan*
138. Olivein Balebetse Bogopa - 981023 0396 080 - Tjatane, JANE FURSE, 1085 - *Olivian Balebetse*
139. Hezekiel Dumisana Kholokholo - 841017 5648 081 - 3966 Lower Cross Roads, Block 8, PHILLIPI, 7785 - *Tumisang Ezekiel*
140. Mmapuleng Makume - 800313 0399 088 - 167 Carlswald Greek, 9th Street, MIDRAND, 1682 - *Mpai Mmapuleng*
141. Martha Mahlodi Pitsoane - 911125 0914 088 - 490 Extension 2, SOSHANGUVE, 0152 - *Mary*
142. Mathule Jan Mothapo - 000302 5210 083 - P O Box 55251, POLOKWANE, 0700 - *Mathule*
143. Alandi Thorburn - 880717 0005 086 - 30 Blue Crane Drive, MEYERSDAL, 1448 - *Alexa Alandi*
144. Ash-Leigh Leitch - 880726 0301 080 - P O Box 172, UMTENTWENI, 4235 - *Ash*
145. Chesmund Ion Smith - 880424 5050 080 - 216 Athburg Walk, HANDOVER PARK, 7780 - *Ijaz*
146. Bronwyn Leniese Hajee - 880201 0060 086 - 574 Farm Road, WENTWORTH, 4052 - *Shaakirah*
147. Hilton Swartz - 870522 5101 084 - 52 Pyrenees Road, MITCHELLS PLAIN, 7785 - *Chakeem*
148. Kumandry Petzer - 870113 0150 084 - 34 Ascar 48, Niven Avenue, Douglasdale, SANDTON, 2196 - *Sydie Kumandry*
149. Melania Ali - 860924 0153 080 - 16 Faversham Grove, Westham, PHOENIX, 4068 - *Ummerah*
150. Virginia Magdalena Abrahams - 550721 0162 086 - 24 Steyn Street, Eastridge, MITCHELLS PLAIN, 7785 - *Mümienah*
151. Aphiwe Clive Matshekethe - 970812 5182 088 - 110 Mankayi Street, Cambridge Location, EAST LONDON, 5247 - *Elonga*
152. Zinhle Magubane - 950303 0565 083 - 2065 Masilo Street, Dube Village, SOWETO, 1801 - *Zinhleintombi Lindiwe Ashleigh*
153. Tebello Samuel Sehlako - 640306 5251 084 - 572 Kwenele South, KATLEHONG, 1431 - *Oupa*
154. Sekobo Isaac Malatji - 930824 5954 084 - Mokgwathi Village, BOLOUDI, 0838 - *Isaac*
155. Pieter Lubini - 930331 5084 086 - 310 Celliers Avenue, Littelton Manor, CENTURION, 0157 - *Pieter Benjamin*
156. Rieshka Bridget Pause - 920821 0215 083 - Zobethelgarded, Chrch Street, DURBANVILLE, 7550 - *Rieshka*
157. Khomotso Maloko - 740924 0594 081 - 80 Vaalboscat Street, 37 Kareesig Complex, Hester Park, PRETORIA NORTH, 0182 - *Makano Mokgaetsi Khomotso*
158. Fulu fhelo Myrtle Mutibi - 860818 0733 083 - Lelura's Place Complex, Unit 25, Noordwyk, MIDRAND, 1685 - *Mary*
159. Goodnass Lebogang Malau - 920415 0698 081 - 220 Mogaung, Maphepha Section, MOGAUNG, 1051 - *Goodnass Siya Sebotse*
160. Yonga Bebe - 980718 0407 081 - 262 Zimbane Valley, MTHATHA, 5099 - *Yonga Alunamda*
161. Nokubonga Precious Makhanya - 840909 1087 085 - 14 Stead Avenue, The Reeds, CENTURION, 0157 - *Nokubonga*
162. Sanele Philimon Cibane - 000715 5520 088 - 4406 Nubian Avenue, MAYVILLE, 4091 - *Sanele Armstrong*
163. Miringo Brian Mathebula - 920514 6281 080 - P O Box 722, MASINGITA, 0832 - *Ebenezer Zigi*

164. Sivanja Boaventure Zondela - 920920 1586 086 - 17566 Chapman's Peak Street, Extension 12, KAGISO I, 1754 - *Sivanja Meagan*
165. Nonhlanhla Mokoena - 921112 0207 083 - 48 Ntshenga Street, KWA THEMA, 1575 - *Nonhlanhla Mapule Noluthando*
166. Elizabeth Nothando Mosoma - 930428 1235 082 - Becker No 30, CLAYVILLE, 1666 - *Nothando Elizabeth*
167. Given Tebogo Bendile - 930712 5378 083 - 15649 Nondakuthini Street, KRAAIFONTEIN, 7570 - *Thamsanqa Tebogo*
168. Kgotso Morothi Glad Molaba - 931216 5758 087 - Seleteng-Manoge, MPHABLELE, 0736 - *Kgotso*
169. Frans Rengane - 940114 6105 086 - E71b Greenside, MARAPYANE, 0431 - *Frans Thabang*
170. Bronny Amogelang Matlou - 940412 5815 089 - P O Box 407, TRICHARDSDAL, 0890 - *Bronny*
171. Pamela Zulu - 970523 0646 080 - Private Bag X10661, KWADUKUZA, 4450 - *Pamela Pinky*
172. Frans Mahlane Monyama - 970901 6002 088 - P O Box 06, BOYNE, 0728 - *Clement Mahlane*
173. Meshack Faro Mduduzi Tshabalala - 950127 5551 081 - 4383 Hlatshwayo Street, ORLANDO, 1804 - *Meshack Mduduzi*
174. Mkhipehi Ngidi - 990709 5423 080 - Dlodlo Main Road, TAFELKOP, 3700 - *Philani Innocent*
175. Megan Samantha Mathys-Salie - 771223 0182 084 - 24 Botrivier Street, Fafelsig, MITCHELLS PLAIN, 7785 - *Mushfeeqah*
176. Charné Marie Van Rooyen - 750216 0059 083 - 13 Elandplace, Beacon Bay, EAST LONDON, 5204 - *Charné Sophia*
177. Theodore James Mckenzie - 770302 5230 089 - 49 Sapphire Crescent, Rocklands, MITCHELLS PLAIN, 7785 - *Tashreeq*
178. Nyankwabe Letta Khoza - 570831 0252 088 - Stand No 1443, Matsulu A, MATSULU, 1203 - *Nomthandazo Letta*
179. Seboifeng Josephine Pooe - 581228 0329 080 - 3341 Modise Street, BRITS, 0250 - *Josephine Maserona*
180. Nkosinathi Johns Mehlo - 680323 6070 083 - 3728 Thabatha Street, Thembalethu, GEORGE, 6529 - *Nkosinathi John*
181. Mashego Vinolia Seboane - 860501 0785 085 - 233 B Myathaza Street, PIETSPRUIT, 2231 - *Ramogohlo Vinolia*
182. Elvis Mokoena - 900505 5896 088 - 2159 Pruchard, MMOTLA, 0407 - *Success Elvis*
183. Balungile Mthembu - 990219 0330 082 - Kwamsane Reserve, MTUBATUBA, 3935 - *Balungile Thobeka*
184. Rashead Roderick Wldebees - 801214 5337 082 - 5th Avenue 17, Postdene, 8420, POSTMASBURG, 8420 - *Rashid Roderick*
185. Matsatsi Beginners Aphane - 720715 0420 085 - 33 Kennedy Street, Westernburg, POLOKWANE, 0699 - *Matsatsi Begenius*
186. Phola Mapule Mothiba - 950909 0774 085 - P O Box 1224, LEBOWAKGOMO, 0737 - *Abigael*
187. Kgongwane Margaret Lentsoane - 890404 1155 081 - Marishane, SEKHUKHUNE, 1064 - *Mmaphuti Thato*
188. Eunice Mbali Luthuli - 861222 0680 080 - 17984 Mpatsaka Street, Extension 25, Vosloorus, BOKSBURG, 1475 - *Mbali*
189. Mancane Doris Zungu - 860228 0488 086 - P O Box 2497, ESIKHAWINI, 3887 - *Mancane Mitchel*
190. Daryn Martin - 981115 5345 086 - 10 Mallard Court, PILICAN PARK, 7945 - *Dawood*
191. Berna Goosen - 000115 0065 082 - 6 Atum Close, Saturn Road, SURREY ESTATE, 7764 - *Naadiyah*
192. Yvette Greeff - 840829 0160 081 - 627 Steenvilla, Military Road, STEENBERG, 7945 - *Yusrah*
193. Angelina Perez - 940526 0646 080 - 15 Maydeep Street, South Crest, ALBERTON, 1449 - *Angelina Grandal*
194. Maria Kedibone Roda - 950929 0656 082 - 228 Gideon Rambwane Street, Klipfontein, MIDRAND, 1685 - *Lala Kedibone*
195. Siyanda Paul Morrison - 810831 5420 086 - R82 Security Village, No 1 Tambo Street, Kibler Park, JOHANNESBURG, 2091 - *Zanethemba Paulos*
196. Maggy Maishago Rakabe - 820904 0725 086 - 1194 Daan De Wet Nel, DARANDIA, 0182 - *Molemaisago Magdeline*

197. Sebolela Mphafi - 810312 5726 087 - 2939 Thabo Street, Silumaview, KATLEHONG, 1431 - *Nnyane Sebolela Jane*
198. Bonginkosi Buthelezi - 960108 5254 080 - 28846 Fox Lake, MEADOLANDS, 1852 - *Sinenhlanhla*
199. Thabang Maburwane Makua - 950124 5916 083 - 38 Icanti Street, Lotus Gardens, PRETORIA, 0125 - *Thabang*
200. Nosipho Phezisa - 940811 0785 082 - Dambeni Location, Ntlamvini Area, TABANKULU, 5130 - *Andiswa Nosipho*
201. Kgomo Kinsly Mashabela - 981001 5702 080 - P O Box 453, LEFALANE, 0741 - *Nthepeng Lehumo Kingsley*
202. Wilhelmina Mohapi - 940207 0062 087 - Nkululeko Site 103, BARKLY EAST, 9786 - *Thembisile Wilhelmina*
203. Mamusa Tsogofatso Ledimo - 960524 0843 083 - 27 St Andres Road, Wits Education Campus, Medhurst Hall, PARKTOWN, 2193 - *Tshegofatso Zoe-Destiny*
204. Mosidi Degracia Tikoe - 941221 0792 089 - 1523 Central Park, VILJOENSKROON, 9520 - *Mosidi Keyoncé*
205. Sizeka Aspidistra Mampangash-Singeni - 780416 0177 083 - 4028 B Pokojwe Street, Zone 4, PIMVILLE, 1809 - *Sizeka Norie*
206. Sibusiso Samson Masanabo - 990828 5084 088 - 4449 Rolihlahla Street, WINTERVELDT, 0198 - *Sibusiso Theophilus*
207. Preshaantin Pillay - 971124 5127 082 - 371 Pia Street, PRETORIA, 0037 - *Mohamme Sayhan*
208. Rochélie Jeanette Prinsloo - 961005 0212 080 - 28 Lake Street, SPRINGS, 1559 - *Chelly Skyé*
209. Bulelani Bradley Maponya - 880128 5329 085 - 44 Santa Cruz County View, MIDRAND, 1685 - *Makgola Bradley*
210. James Mokonyane - 780702 5578 080 - 441 Kgomoyahlaba Street, BEKKERSDAL, 1779 - *James Jimmy*
211. Jolene Dhaver - 940529 0026 089 - 79 Asplenium Grove, Brackenham, RICHARDS BAY, 3900 - *Joelerne*
212. Gavin Swarts - 830706 5265 085 - 75 Station Road, MAITLAND, 7405 - *Angie*
213. Andrie Stepaanie Gouws - 820815 0011 089 - 34 A Dragoon Street, PLUMSTEAD, 9465 - *Shafiqah*
214. Rochell Leatitia Keys - 821216 0245 083 - 32 Freesia Tygersdal, GOODWOOD, 7460 - *Saadiqah*
215. Roshelle Ernstina Steenkamp - 830418 0089 086 - 31 Bloubok Street, Nigel, ALRAPARK, 1491 - *Perfection Mercy*
216. Lynn Dee Tape - 830505 0155 089 - 30 Buren Street, BOTHASIG, 7441 - *Liya*
217. Resemate Johannes Nkuna - 780201 5486 089 - 1086 Sterkwater, MAPELA, 0610 - *Mashaba Johannes*
218. Lesiba Given Tjale - 921204 5495 084 - Mosesejana Village, MOKOPANE, 0600 - *Verona*
219. Everrolling Breitner Armati Mashimbye - 850217 5572 087 - House 599, Section E, GIYANI, 0826 - *Ezekiel Bright Amat*
220. Pamela Mqolweni - 871222 0785 085 - 176 Swartzclose, Kayamandi, STELLENBOSCH, 7600 - *Lemithandazo Pamela*
221. Xolisa Tyelapantsi - 920205 5065 083 - 1 Roger Street, BLACKHEATH, 7580 - *Xolisa Leonard*
222. Priti Gokal - 890321 0399 082 - 15 Ilala Drive, Unit 316 Seabreeze, LA LUCIA, 4051 - *Preeti*
223. Mumtaz Ramdin - 881226 0031 083 - 24 A Lemoen Stree, Van Dyk Park, BOKSBURG, 1459 - *Devika*
224. Clifford Telemachus - 410620 5096 085 - 28 Acanthus, BELHAR, 7493 - *Clifford Hope*
225. Fred Christie Moore - 560105 5145 080 - 63 Wessel Circle, Montana, CAPE TOWN, 7490 - *Frederick Christiaan*
226. Kasavarangeni Hussain - 490227 0066 080 - 605 Bengal Street, LAUDIUM, 0037 - *Kausan*
227. Jacqueline Leondré Komotso - 960922 0217 086 - 45 John Noble Street, Promosa, POTCHEFSTROOM, 2531 - *Jacqueline Leondré Khadijah*
228. Hans Thabiso Mokoena - 861119 5445 081 - 8294 Mabhelebhele Street, Pimville, SOWETO, 1808 - *Hans Thabiso Roscoe*
229. Bonginhlhla Zacheus Zwane - 380805 5187 085 - 6099 Humakwini Street, Swaneville, KAGISO, 1754 - *Bonginhlhla Zacchaeus*

230. Thabo Mashalane - 890626 6061 084 - 2667 Mangaliso Sobekwe Street, Haube Valley, Extension 1, MAMELODI, 122 - *Andrew*
231. Boitumelo Christine Monageng - 940727 1176 081 - 1643 Marapyane, MARAPYANE0431, Madam - *Motlakadibe Boitumelo Christine*
232. Arnold Don Simon - 650919 5195 080 - 7 Willowbrae Foats, Lourie Road, SOUTHFIELD, 7800 - *Ayaan Don*
233. Padmini Govender - 640627 0224 085 - 33 Brighthaven, Foresthaven, PHOENIX, 4068 - *Sandra*
234. Steven Wayne Hutchinson - 620502 5002 089 - 56 12 Avenue, Belmont Park, KRAAIFONTEIN, 7520 - *Shane Jadin*
235. Dennis George Crozier - 660828 5227 082 - 75 E Mandenbrug Avenue, MANENBURG, 7764 - *Darweez*
236. Nashmia Moodley - 790610 0186 080 - Unit 9, Hennorspride Klip Street, Hennospark, CENTURION, 0157 - *Nashania*
237. Clinton Dirks - 781204 5209 088 - 59 Rugby Crescent, Beacon Valley, MITCHELLS PLAIN, 7785 - *Abdulah Hakeem*
238. Michelle Goslett - 781107 0222 081 - 15 Oranjekloof, Eastridge, MITCHELLS PLANE, 7785 - *Mishka*
239. Kayla Azmuth Clark - 780801 0115 086 - Sub 2, Lots 3, Oldmain Road, UMZINTO, 4200 - *Carol Taryn*
240. Kathryn Julie Muir - 780218 0006 084 - 40 Upperk Kinkae, Crescent, FISH HOEK, 7975 - *Christian*
241. Susana Jenat February - 771118 0215 084 - 72 Railway Station House, LEEUGAMKA, 6950 - *Suezan Jena*
242. Susanna Davids - 771012 0080 087 - 24 Beer Street, Rosemoor, GEORRGE, 6529 - *Susan*
243. Tracy Abbass - 750507 0296 083 - 27 Hanlyn Crescent, HANOVER PARK, 7780 - *Tougeedah*
244. Kiyaaam Lawrence - 750115 5168 081 - 7 Frite Road, OTTERY, 7800 - *Oscar*
245. Sinokhozo Kene - 910404 5356 087 - Khulile Location, DEBE NEK, 5604 - *Sinokholo*
246. Thokozani Ndlovu - 910702 5258 082 - 4016 B Zone 3, Ketsiaja Street, DIEPKLOOF, 1862 - *Thokozani Lwandle*
247. Tiragalo Zibaya - 910711 5830 089 - Block 40 Unit 3, Jabulani Flats, KWA XUMA, 1868 - *Tiro Nkululeko*
248. Maphatje Edward Motjoadi - 900531 5715 086 - Dithabaneng, GA MPHAHLELE, 0736 - *Lebogang Maphatje*
249. Thabo Badimo - 901224 5390 089 - 34689 Mongana Street, Extension 6, MAMELODI, 0122 - *Kgabo Thabo*
250. Andisiwe Mavuso - 001117 0467 085 - Weyi Area, LIBODE, 5160 - *Wongeza Collin*
251. Thapelo Kaleni - 000816 5874 085 - Mnke Area, CALA, 5455 - *Benny Thapelo*
252. Susimpi Mila Mkwanazi - 420505 5420 088 - Ezibomvu Area, EDUMBE, 3180 - *Susimpi Mica*
253. Ishmael Maswikaneng - 890220 5598 088 - Alaska No 4950, Extension 22, MAMELODI EAST, 0122 - *Ishmael Phoko*
254. Peter Oerson - 890717 5242 088 - 33 Gladwyn Street, Voorbrug, DELFT, 7100 - *Rushdeen*
255. Charles Zamani Mbatha - 871001 5641 083 - 14 Stead Avenue, The Reeds, CENTURION, 0157 - *Ndabezitha Zamani*
256. Selekgeng Rebeccah Matlaila - 880714 0646 084 - 163 Kerk Street, RUSTENBURG, 0300 - *Selekgeng Rebeccah Sthembiso*
257. Melita Nozuko Vitsha - 780917 0351 081 - 14 B Furstenvurg Terrace Frake Road, Stirling, EAST LONDON, 5247 - *Nolho Nozuko*
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259. Cyerena Floreska - 950109 0032 085 - 8 Hillcrest, BRACKENFELL, 7560 - *Zareena*
260. Mzimkhulu Newman Oliphant - 511029 5339 081 - 24 Siwani Street, Kwa Nobuhle, UITEHAGE, 6242 - *Mzimkhulu*
261. Mncedisi Mazibuko - 960424 5848 080 - 5465 Ndongwa Street, Extension 4, PROTEA GLEN, 1818 - *Mncedisi Khulekani*
262. Mmatseketa Maphari Ntwanano Mabote - 951202 0404 088 - 05 Colonel John Blake Street, Lyttelton, CENTURION, 0157 - *Mmatseketa*
263. Dikeledi Selina Mahape - 950105 0553 088 - 1059 Bafokeng Section, MABOLOKA, 0197 - *Molebatsi Mmachipi*

264. Thobani Mkhize - 950819 5790 087 - 130321 Midilovo, AMANZIMTOTI, 4126 - *Thobani Sbusiso*
265. Mdumiseni Buthelezi - 931023 6103 085 - Ezimfabeni Reserve, MAHLABATHINI, 3865 - *Mdumiseni Mnyamananist Thembinkosi*
266. Dineo Innocentia Mongwaketse - 780502 0295 080 - 2462 Segawana Street, VRYBURG, 8601 - *Dineo Innocentia*
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288. Mpilonhle Hlalanathi Buthelezi - 980421 5344 082 - Mahhashini Section, Wembezi, ESTCOURG, 3310 - *Simiso Mpilonhle Hlalanathi Alonde*
289. Sibongile Bonnie Matlaisane - 991119 1111 086 - 13779 Mohlala Street, DAVEYTON, 1520 - *Lebogang Sibongile Bonnie*
290. Elina Semakaleng Mpete - 990407 6435 084 - 1514 Libangeni, MBIBANE, 0449 - *Elia Semakaleng*
291. Khethukuthula Amos Mpungose - 990306 5219 087 - 55 Street 610708, Lot 2039 Cornabia, VEURLAM, 4339 - *Ntobeko Gladwell*
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299. Takalani Netshifhefhe - 930417 0816 083 - 249 Eastwood Street, Arcadia, PRETORIA, 0002 - *Itumeleng Takalani*
300. Todo Felixia Thabethe - 910530 0353 081 - 260262 Dindi Location, PIETERMARITZBURG, 3201 - *Todo Felixia Ntombizodumo*
301. Pontso Mawela - 900917 5957 085 - 471 D F Moremela Trust, THABATLOU, 1271 - *Andrew*
302. Luleka Mavis Tafane - 750809 0547 089 - 3332 Extension 21, Circle Bush, Oliven, CENTURION, 0157 - *Asakhe Mavis*
303. Joana Clementine Pettele - 930813 0332 081 - 22284 Balla Street, NALEDI, 1861 - *Clementine*
304. Ntombeziningi Buthelezi - 830304 0942 088 - 28 Andries Road, Brackendowns, ALBERTON, 1441 - *Bright Lihle*
305. Glory Shery Mtsweni - 900517 0706 089 - 15172 Soshanguve, PRETORIA, 0152 - *Glory Phumelele*
306. Morongwa Meriam Maluleka - 881119 0644 080 - 270 Skolong Section, MOTLA, 0190 - *Gibashe*
307. Linamandla Mphilisi Cwayi - 941204 5201 082 - 6 Pylon Avenue, ESTCOURT, 3310 - *Power*
308. Ricardo Mervyn Jansen - 701031 5017 089 - 72 Federal Road, MITCHELLS PLAIN, 7785 - *Raees*
309. Allisin Cecil Karelse - 691015 5248 085 - 5 Vlei Singel, KARATARA, 6580 - *Allistin Cecil*
310. Gril Patrica Julies - 690811 0195 086 - 5 Melck Street, Extension 13, BELHAR, 7493 - *Gail Patricia*
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312. Naveeda Nusrat Vorster - 690206 0054 088 - 342 Winkel Street, ABBOTSDALE, 7301 - *Alisha Zuleikha Elizabeth*
313. Sonnyboy Dube - 971014 5523 085 - 5335 Robert Sobukwe Street, TSHEPISONG, 1724 - *Tshepo Sonnyboy*
314. Jeffrey Sechaba Morobane - 890325 5893 080 - 112 Rosemary, GEELHOUT PARK, 0299 - *Sechaba*
315. Bosaletse Crosby Ramme - 820910 1746 088 - 40282 Matsheng Village, TAUNG, 8584 - *Bosealetse Lydia*
316. Lucinda Staüdt - 581231 0057 081 - 87 First Road, GRASSY PARK, 7945 - *Lucinda Dawn*
317. Anastacia Petersen - 000729 0079 081 - 23 Galiced Street, Extension 7, BELHAR, 7993 - *Anastacia Tersia*
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319. Zodwa Mpumelelo Thabede - 890912 0966 084 - 723 George Maphosa Street, BENONI, 1501 - *Zodwa Nobuhle*
320. Nokuphumla Zono - 681010 2278 088 - 30387 Geelmilkhout Street, DELFT SOUTH, 7100 - *Gcotyiswa Cynthia*
321. Stuna Joseph Mojaki - 880510 5363 083 - 798 Rantso Street, Kgotsong, BOTHAVILLE, 9660 - *Leepile Richard*
322. Isaac Mbuso Cele - 720703 5452 089 - Hlokozi Location, HIGHFLATS, 3306 - *Mbuso Phahla*
323. Duncan Lebogang Letebele - 800402 5536 081 - 21 Griekoes Street, Sunset Manor, Roodepan, KIMBERLEY, 8301 - *Duncan James*
324. Molope Kopano Matlala - 800501 0715 085 - 605/38 Mahube Valley, Extension 2, MAMELODI EAST, 0122 - *Gwarimbo Gabriel*
325. Ohimile Isaac Moeti - 811229 6096 089 - 657 Solomon Mekgwe Street, Retswelele, KIMBERLEY, 8345 - *Lesego*
326. Amamkele Ngxabazi - 960603 6026 081 - Emachubeni, LADY FRERE, 5410 - *Lutho*
327. Promise Marishane - 960527 5771 084 - P O 767, MARISHANE, 1064 - *Letladi Promise*
328. Tefo Isaac Masike - 840609 5339 082 - 3 Kings Gate 1, Farrar Street, Comet Extension 7, BOKSBURG, 1459 - *Vusi Mahlangu*
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333. Jerome Dennis - 730321 5168 080 - 11 Hurricane Road, MANENBERG, 7764 - *Yagyah*
334. Ceaser Cecil Satira - 730927 5302 089 - 7 Sage Crescent, Kewtown, ATHLONE, 7764 - *Qaasim*
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337. Sedick Hendricks - 671225 5210 084 - 86 Church Street, ATHLONE, 7764 - *Siddique*
338. Mary-Lee Magdolene Stynder - 660103 0541 089 - 51 Heron Way, Sunbird Park, MITCHELLS PLAIN, 7785 - *Marylee Megdolene*
339. Lukhanyo Nkohla - 910107 6447 082 - 12 Sterele Street, Kwamagxaki, PORT ELIZABETH, 6201 - *Dilan Vidal*
340. Elton Bestman - 791006 5087 085 - 57 Du Toits Crescent, Malibu Village, BLUE DOWNS, 7105 - *Ebrahim*
341. Renate Elizabeth Van As - 800405 0101 082 - 28 Nootgedacht, Sienna Drive, MILNERTON, 7441 - *Renate Elizabeth Mentoor*
342. Marche Davids - 800823 0194 081 - 33 Stork Street, MATROOS FONTEIN, 7490 - *Madeniah*
343. Michelle Nazier - 790822 0205 089 - 78 D Vyglekraal, MANENBURG, 7780 - *Tougeedah*
344. Nteboeleng Mirriam Mthombeni - 870619 0445 084 - Denge Location, CATO RIDGE, 3680 - *Nteboeleng Thembeke*
345. Alicia Deidre Thaver - 941027 0078 084 - 90 Leith Road, Bartlett, BOKSBURG, 1459 - *Alicia Kristen*
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351. Alfredo Marshilino Arries - 950524 5066 088 - 102 Gash Street, DELFT, 7100 - *Faheem*
352. Clifford Senokoane Mokgoshi - 800114 5494 084 - 5831 Zone 5, GA RANKUWA, 0208 - *Clifford Rampyane*
353. Pertunia Nhlonipho - 890509 0722 085 - 711 Sekampaneng, Block B, HAMMANSKRAAL, 0400 - *Khanyisile Pertunia*
354. Lucia Molefi - 990922 0919 081 - 1854 Lefarakgatla Section, Extension 4, BOITEKONG, 0308 - *Lucia Keitumetse*
355. Naazneen Rauff - 910311 0080 085 - 1 Jacques Street, GRAHAMSTOWN, 6139 - *Aaisha*
356. Jwalane Clairine Tshabalala - 920204 1142 087 - 1001 Paballong, WITSIESHOEK, 9870 - *Noluthando*
357. Taswell Stanford Stoffels - 910428 5215 084 - 137-18th Avenue, Factreton, MAITLAND, 7405 - *Tauriq*
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359. Vuyani Kungune - 690329 5081 086 - 14 William Nicol Street, S W 2, VANDERBIJLPARK, 1911 - *Vuyani Gladman Farirai*
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361. Thale Letheo - 810907 0473 088 - Stand No 10279, Lesetheng Village, MANKWE, 0374 - *Thale Katlego*
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366. Carly Ceasar - 960528 0324 085 - 586 Main Road, DELFT, 7100 - *Izoihar*
367. Mtariyana Mzwakhe Mathibela - 931022 5761 083 - Kwaggafontein D, KWAGGA D, 0458 - *Nicollas Mzwakhe*
368. Lebogang Phala - 930628 5912 087 - 61 Mohlaetsi, JANE FURSE, 1121 - *Malekaleke Lebogang*
369. Sebina Proud Tjabadi - 941221 0851 083 - Ga-Maepa Village, NGWAABE, 1058 - *Sepeke Proud*
370. Sikhumbuzo Lindelani Mbuyazi - 950503 5689 081 - Mbabe Reserve, Kwesakamthethwa, KWAMBONAMBI, 3915 - *Bongumusa Sikhumbuzo*
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374. Meshack Moyeni Nkambule - 780710 5824 081 - 56 Thembalethu Flats, ZAMDELA, 1949 - *Meshack Mosa*
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391. Nthabiseng Mariam Mohajane - 860909 0266 081 - 1880 New Location, KOPPIES, 9540 - *Seapehi*
392. Oakanyang Joseph Senwedi - 720622 5538 087 - 23826 Dunston, KIMBERLEY, 8300 - *Obakanyeng Joseph*
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394. Antonette Sibongile Lepheane - 950812 0206 084 - 1097 Inqubekelaphambili Street, Extension 1, PALMRIDGE, 1458 - *Antoinette Ntombezhle Sibongile*
395. Thabsile Shinga - 940808 0383 082 - 6 Comercial Road, NTWENTWENI, 4241 - *Shanice*
396. Botinyane Alphious Motthanke - 761126 5903 085 - House No 23A, DRYHARTS, 8588 - *Botinyane Alphious Gobuiwang*

397. Zamantungwa Dlamini - 000105 0733 086 - Gugwini Area, Ward 14, HARDING, 4680 - *Zama*
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413. Roda Mthombeni - 870311 0509 081 - 514 Enhlanzeni Section, TEMBISA, 1632 - *Roda Ntsako*
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416. Kagiso Shakespeare Makuwa - 861106 5699 080 - 2236 Extension 10, TSAKANE, 1550 - *Kagiso Moele*
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427. Dihloriso Marcus Mashilo - 850412 5445 083 - 1733 Mmaba Street, Olievenhoutbosch X13, CENTURION, 0187 - *Makgadisha Marcus*
428. Eston Draaiwers - 991130 5107 087 - 10-5th Avenue, HAZENDAL, 7824 - *Aqeel*

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**

NO. 1408

21 DECEMBER 2018

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA****"REASONS DOCUMENT TO THE AMENDMENT OF THE CALL TERMINATION  
REGULATIONS, 2014"**

The Independent Communications Authority of South Africa published the Amendment to the Call Termination Regulations, 2014 under General Notice 1016 in Government Gazette 41943 on 28 September 2018, in terms of section 67(8) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), as amended. The Authority hereby publishes the Reasons Document on the Amendment of the Call Termination Regulations, 2014.

A handwritten signature in black ink, appearing to be 'Rubben Mohlaloga', written over a horizontal line.

**Rubben Mohlaloga****Chairperson**

**Reasons Document on the Amendment of the Call Termination Regulations, 2014**

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## Reasons Document on the Amendment of the Call Termination Regulations, 2014

**1. EXECUTIVE SUMMARY**

- 1.1. The Independent Communications Authority of South Africa ("ICASA or the Authority") is enjoined in terms of section 2 of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) ("ICASA Act"), amongst others, to regulate electronic communications in the public interest.
- 1.2. The Authority undertook a review of the 2014 Call Termination Regulations<sup>1</sup> in line with regulation 8 of the 2014 Call Termination Regulations, read with section 4(7)(b) and 67(8) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) ("ECA").
- 1.3. The purpose of the call termination review was to assess competition in the provision of services in a market and to consider the appropriate form of *ex ante* regulation, if any, that should be imposed in this market to protect consumers from harm arising from market power.
- 1.4. This reasons document sets out the Authority's reasons for the decision to amend the 2014 Call Termination Regulations.

**Key decisions:**

- 1.5. The Call Termination Amendment Regulations, 2018<sup>2</sup> ("the final Regulations") amend the 2014 Call Termination Regulations by revising the wholesale voice call termination rates as follows:

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<sup>1</sup> Published under Government Notice No 844 of 2014 (Government Gazette No. 38042), as amended by Government Notice No. 729 of 2017 (Government Gazette No. 41132) and Government Notice No 811 of 2017 (Government Gazette No. 41167).

<sup>2</sup> Published under Government Notice No 1016 of 2018 (Government Gazette No. 41943)

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- 1.5.1. for operators with more than a 20% share of total minutes terminated in the wholesale voice market, a glide path period–
- 1.5.1.1. where a charge for terminating a call at a fixed location would be **0.09c** from October 2018 to September 2019; **0.07c** for the period October 2019 to September 2020; and **0.06c** from October 2020 onwards.
- 1.5.1.2. where a charge for terminating a call at a mobile location would be **0.12c** from October 2018 to September 2019; **0.10c** for the period October 2019 to September 2020; and **0.09c** from October 2020 onwards.
- 1.6. For operators with 20% or less share of total minutes terminated in the wholesale voice market, a glide path period–
- 1.6.1. where a charge for terminating a call at a fixed location would be **0.10c** from October 2018 to September 2019; **0.08c** for the period October 2019 to September 2020; **0.06c** from October 2020 onwards.
- 1.6.2. where a charge for terminating a call at a mobile location would be **0.18c** from October 2018 to September 2019; **0.16c** for the period October 2019 to September 2020; and **0.13c** from October 2020 onwards.
- 1.7. Changes in termination rates to a fixed location were made after consideration of oral and written submissions by stakeholders. The rates as per the draft Call Termination Regulations<sup>3</sup> resulted in an increasing asymmetric divergence between mobile termination rate ("MTR") and fixed termination rate ("FTR"). This divergence of termination rates between markets was argued to be prejudicial to small fixed operators. The prejudice would arise in that the rates exacerbate the financial strain that small fixed operators are placed under, given the market dynamics and flow of traffic between the two voice markets (larger volumes of calls placed from fixed to mobile locations than vice versa).

<sup>3</sup> Published under Government Notice No 489 of 2018 (Government Gazette No. 41845)

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1.8. To inform the determination of termination rates, the Authority looked beyond the scope of just the cost modelling results (i.e. cost of termination services) to consider a range of other contributing factors. These include, but are not limited to:

- 1.8.1. the skewed competitive landscape;
- 1.8.2. the convergent pressures on the mobile and fixed markets due to technological developments;
- 1.8.3. regulatory consistency with past approaches;
- 1.8.4. comparison with international precedent;
- 1.8.5. objectives of the ECA;
- 1.8.6. position of the Authority as expressed in the Findings document;
- 1.8.7. inputs by stakeholders; and
- 1.8.8. the overall South African economic context and social realities (cost to communicate).

1.9. The proposed FTRs recommend that asymmetry between MTRs and FTRs remain constant for the duration of the 3-year glide path at 3 cents per minute. This is in line with the asymmetry between MTRs and FTRs in the 2014 Call Termination Regulations.

1.10. Operators that benefitted from economies of scale and scope with a share of total minutes terminated in the wholesale voice call termination markets with more than 20% of total minutes terminated:

- 1.10.1. to a mobile location as at 31 December 2016; or
- 1.10.2. to a fixed location as at 31 December 2016;

must comply with the publication of a Reference Interconnection Offer document and cost-based pricing by charging prices as specified in Schedule 7 of the Amendment to the Call Termination Regulations, 2014.

## Reasons Document on the Amendment of the Call Termination Regulations, 2014

## 2. INTRODUCTION

2.1 Following the review of the 2010 Call Termination Regulations, the Authority published the 2014 Call Termination Regulations on 30 September 2014. The 2014 Call Termination Regulations determined that the Mobile termination markets and the Fixed termination markets, as defined in regulation 3 of the 2014 Call Termination Regulations, exhibited ineffective competition and further that the following market failures within fixed and mobile termination continue to exist:

- (a) A lack of provision of access;
- (b) The potential for discrimination between licensees offering similar services;
- (c) A lack of transparency; and
- (d) Inefficient pricing.

2.2 To remedy the abovementioned market failures, the Authority imposed an obligation upon all licensees to charge fair and reasonable prices for wholesale voice call termination in terms of regulation 7(2) of the 2014 Call Termination Regulations. Additional obligations in the form of the publication of a reference interconnection offer and price control (cost-based pricing) were imposed upon Vodacom (Pty) Ltd, and MTN (Pty) Ltd in the Mobile termination markets, and Telkom SA SOC Limitedd in respect of the Fixed termination markets, in line with regulation 7(3) of the 2014 Call Termination Regulations.

## Reasons Document on the Amendment of the Call Termination Regulations, 2014

### 3. THE REVIEW OF THE 2014 REGULATIONS AND AN OUTLINE OF THE PROCESS FOLLOWED

3.1 As indicated above, the Authority undertook a review of the 2014 Call Termination Regulations in line with regulation 8 of the 2014 Call Termination Regulations, read with section 4(7)(b) and 67(8)(a) of the ECA.

3.2 Section 4(7) of the ECA states:

*"The provisions of subsection (4) do not apply with regard to-*

*(a) any regulation made by the Authority which, after the provisions of that subsection have been complied with, has been amended after receipt of comments or representations received in terms of a notice issued under that subsection; or*

*(b) any regulation which the public interest requires should be made without delay."*

3.3 Section 67(8)(a) of the ECA states that:

*"Where the Authority undertakes a review of the pro-competitive conditions imposed upon one or more licensees under this subsection, the Authority must -*

*(i) review the market determinations made on the basis of earlier analysis; and*

*(ii) decide whether to modify the pro-competitive conditions set by reference to a market determination..."*

**Reasons Document on the Amendment of the Call Termination Regulations, 2014**

- 3.4 The review of the 2014 Call Termination Regulations pro-competitive process commenced on 30 January 2017, with the publication of a media release and a questionnaire on the Authority's website and the Government Gazette<sup>4</sup>.
- 3.5 The process was finalised in September 2017 with the publication of the Findings Document<sup>5</sup> on the review of the 2014 pro-competitive remedies ("Findings Document"), and the 12-month extension of the call termination rate glide path from 1 October 2017 to 30 September 2018.

**4. CALL TERMINATION COST MODELLING PROCESS**

- 4.1 The process commenced with the cost modelling and consultation process outlined below. The cost modelling exercise, in combination with stakeholder consultation, assisted the Authority to determine the new termination rates which would apply from 1 October 2018.
- a. The Authority initiated a cost modelling process on 1 October 2017, whereby it further held an industry workshop on 13 November 2017 through a series of one-on-one meetings with stakeholders. In total, there were three rounds of one-on-one meetings with stakeholders during the consultation process, taking place over a period of approximately seven months from 13 November 2017 to 22 June 2018.
- b. Based on the results of the cost modelling process, the Authority amended the 2014 Call Termination Regulations, taking into consideration the outcome of both the Top-Down and Bottom-Up cost models. This resulted in the draft Call Termination Regulations, 2018.

<sup>4</sup> Published on 8 February 2017 in the Government Gazette (Notice No. 103 of 40603).

<sup>5</sup> Published on 22 September 2017 in the Government Gazette (Notice No 729 of 41132).

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- c. On 22 June 2018, the Authority published a Briefing Note on Asymmetry in Mobile and Fixed Wholesale Voice Call Termination ("Briefing Note") on the Authorities website.
- d. In the Briefing Note, the Authority states that it is of the view that:
- i. No new evidence has been submitted by the operators to persuade the Authority that the market for the provision of mobile and fixed wholesale voice call termination services has substantially changed;
  - ii. Despite the progress made by small (late) entrants in recent years, competition in these wholesale voice call termination markets remains ineffective;
  - iii. Each Individual Electronic Communications Network Service and Electronic Communications Service licensee that offers wholesale voice call termination services continues to have Significant Market Power, as defined in section 67(5) of the ECA, in respect of access to their own networks;
  - iv. The four market failures as per regulation 7(1) of the 2014 Call Termination Regulations as amended may still exist in the absence of regulation; and
  - v. The pro-competitive conditions imposed on licensees in 2014 are still relevant.
- e. The draft Call Termination Regulations, 2018, were published in the Government Gazette (Notice No. 489 of 41845) on 16 August 2018, for public comments, for a period of twenty-one (21) calendar days. The submission deadline for stakeholders to make comments was the 7<sup>th</sup> of September 2018.
- f. The Authority resolved to allow interested stakeholders to make oral presentations on their submissions. A notice was published in the

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Government Gazette (Notice No. 892 of 41859) to inform all interested stakeholders of the Authority's intention to hold public hearings on the 10<sup>th</sup> of September 2018.

- g. The following stakeholders made oral presentations on the draft Call Termination Regulations, 2018:
- i. Mobile Telephone Networks Pty Ltd;
  - ii. Telkom SA SOC Ltd;
  - iii. Vodacom Pty Ltd;
  - iv. Jethro Consulting Solution Pty Ltd;
  - v. Cell C Ltd; and
  - vi. Switch Telecom Pty Ltd.

- 4.2 Taking into account the submissions received and the oral presentations made by the stakeholders, the Authority amended the draft Call Termination Regulations which resulted in the final Regulations<sup>6</sup> which were published on the 28<sup>th</sup> of September 2018 in the Government Gazette.

## **5. CONCERNS RAISED AROUND THE PUBLIC CONSULTATION PROCESS FOLLOWED BY THE AUTHORITY**

- 5.1 Stakeholders complained that the Authority had not provided them with sufficient and adequate time to analyse the draft regulations, and the impact thereof, in order to make meaningful submissions. They claimed that the short public comment period is prejudicial to interested parties in that only twenty-one (21) days were provided for submissions to be

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<sup>6</sup> Amendment of the Call Termination Regulations, 2014 (Notice No. 1016 of Government Gazette 41943).

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made. They further stated that the proceedings were completed with undue haste.

5.2 The Authority's response is as follows:

5.2.1 The Authority initiated this process in January 2017 with the aforementioned cost modelling phase starting on 1 October 2017. There had been numerous one-on-one meetings with stakeholders, in addition to multiple opportunities for stakeholders to make written submissions on the cost modelling exercise, between October 2017 and July 2018. During this consultation period, stakeholders requested extensions on a number of occasions, some of which the Authority acceded to. The Authority considered it important and necessary to have all relevant stakeholders involved in the process. The Authority, therefore, deems that the consultation period consisted of the 10-month consultation period and the 21-day period after the draft Call Termination Regulations, 2018 were published was sufficient for stakeholders to raise their concerns.

**6. ISSUES RAISED AND REASONS FOR DECISION**

The table below summarises the issues raised by stakeholders in their submissions to the public hearing and the Authority’s responses thereto. It is separated into two sections; “Final Regulations” and “Cost Models”. The “Cost Models” section is largely restricted to issues regarding the bottom-up cost models. The top-down cost models are not discussed in detail because stakeholders’ questions were predominantly dealt with in previous stages of the consultation process and were, therefore, not included in their public hearing submissions.

Issue no.	Issue/comment	ICASA Reasons
<b>FINAL REGULATIONS</b>		
<b>1.</b>	Stakeholders are of the view that the definitions of the terms “BON” and “WON” should remain unchanged, as the market dynamics still differentiate between local, regional and national calls. Further, different call rates still apply respectively.	The terms BON and WON were deleted, as references to them are no longer made in the Regulations. The Authority, therefore, has not adopted this recommendation in the final Regulations.
<b>2.</b>	Some stakeholders raised concern that the deletion of regulation 3 (Market definition) from the Amendment of the Call Termination Regulations, 2014 will be legally defective when	The Authority agrees with the comments raised and did not delete regulation 3 of the Regulations.

## Reasons Document on the Amendment of the Call Termination Regulations, 2014

Issue no.	Issue/comment	ICASA Reasons
	one considers the provisions of section 67 of the ECA. The market to be addressed will no longer be defined.	
3.	Some stakeholders indicated that regulation 4 should remain in the final regulations as it delineates the Methodology used in the Amendment Regulations.	The Authority is of the view that regulation 4 is still relevant to the current regulations and it provides clarification to stakeholders. The final Regulations therefore includes regulation 4.
4.	Some stakeholders believe that regulation 5, which stipulates the effectiveness of competition in the market used, should be retained in the Amendment Regulations. This is because it justifies the asymmetric termination rates imposed by the Authority.	The Authority agrees with the submission and, as such, did not amend regulation 5 in the final Call Termination Regulations, 2014.

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Issue no.	Issue/comment	ICASA Reasons
5.	<p>Stakeholders claim that the Authority acted in a pre-emptory manner in assuming fixed and mobile asymmetry. They have further claimed that the results of the process, in particular the cost modelling exercise, are unlawful because the Authority is acting on pre-determinations instead of validated information.</p>	<p>The principle of asymmetry was considered as a pro-competitive condition only after the Authority had:</p> <ul style="list-style-type: none"> <li>defined the relevant markets as evidenced in the Authority's Findings document<sup>7</sup>; and</li> <li>determined the presence of effective competition (done in 2017) and the Significant Market Power ("SMP") of licensees in the Authority's Findings document, in line with the requirements of section 67(4) of the ECA.</li> </ul>
6.	<p>Changes to all 3 tables in the Regulations prescribing the rates to be charged were made as follows in response to submissions by stakeholders:</p> <p><b>Substitution of regulation 3 in Annexure A of the Regulations:</b></p> <ul style="list-style-type: none"> <li>Change in termination rates to a fixed location in column 2 of Table A2:</li> </ul>	<ul style="list-style-type: none"> <li>The word 'maximum' in regulation 3 of Annexure A is included so as to allow licensees the discretion to charge lower rates.</li> </ul>

<sup>7</sup> Finding's Document on the review of the 2014 Pro-Competitive Remedies published on 22 September 2017 in the Government Gazette (Notice No 729 of 41132)

Issue no.	Issue/comment	ICASA Reasons																
	<p>Table A2: <i>Maximum</i> rate for termination to a fixed location</p> <table border="1" data-bbox="501 1104 667 1765"> <thead> <tr> <th></th> <th>Maximum Termination rate</th> </tr> </thead> <tbody> <tr> <td>1 Oct 2018 to 30 Sep 2019</td> <td>R0.10</td> </tr> <tr> <td>1 Oct 2019 to 30 Sep 2020</td> <td>R0.08</td> </tr> <tr> <td>1 Oct 2020</td> <td>R0.06</td> </tr> </tbody> </table> <p><b>Substitution of regulation 3 in Annexure A of the Regulations:</b></p> <ul style="list-style-type: none"> <li>Change in termination rates to a mobile location in column 2 of Table A1</li> </ul> <p>Table A1: <i>Maximum</i> rate for termination to a Mobile location</p> <table border="1" data-bbox="999 1115 1214 1765"> <thead> <tr> <th></th> <th>Maximum Termination rate</th> </tr> </thead> <tbody> <tr> <td>1 Oct 2018 to 30 Sep 2019</td> <td>R0.18</td> </tr> <tr> <td>1 Oct 2019 to 30 Sep 2020</td> <td>R0.16</td> </tr> <tr> <td>1 Oct 2020</td> <td>R0.13</td> </tr> </tbody> </table>		Maximum Termination rate	1 Oct 2018 to 30 Sep 2019	R0.10	1 Oct 2019 to 30 Sep 2020	R0.08	1 Oct 2020	R0.06		Maximum Termination rate	1 Oct 2018 to 30 Sep 2019	R0.18	1 Oct 2019 to 30 Sep 2020	R0.16	1 Oct 2020	R0.13	<ul style="list-style-type: none"> <li>Changes in termination rates to a fixed location were made after consideration of oral and written submissions by stakeholders. A number of stakeholders, including small fixed operators, argued that the FTRs as per the draft Call Termination Amendment Regulations, 2018 would have a major negative impact on their operations and further entrench the dominance of the large operators.</li> <li>The rates as per the draft Call Termination Regulations resulted in an increasing asymmetric divergence between MTR and FTR. This divergence of termination rates between markets was argued to be prejudicial to small fixed operators. The prejudice would arise in that the rates exacerbate the financial strain such operators are placed under, given the market dynamics and flow of traffic between the two voice markets (larger volumes of calls placed from fixed to mobile locations than vice versa). Currently, fixed operators make payments to mobile operators in excess of what they receive. The rates as</li> </ul>
	Maximum Termination rate																	
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Issue no.	Issue/comment	ICASA Reasons												
	<p><b>Substitution of regulation 7 in the Regulations</b>                      Change in termination rates to a mobile and fixed location in Table 1.</p> <table border="1" data-bbox="571 1111 818 1767"> <thead> <tr> <th></th> <th>Termination rate to a mobile location</th> <th>Termination rate to a fixed location</th> </tr> </thead> <tbody> <tr> <td>1 Oct 2018 to 30 Sep 2019</td> <td>R0.12</td> <td>R0.09</td> </tr> <tr> <td>1 Oct 2019 to 30 Sep 2020</td> <td>R0.10</td> <td>R0.07</td> </tr> <tr> <td>1 Oct 2020</td> <td>R0.09</td> <td>R0.06</td> </tr> </tbody> </table>		Termination rate to a mobile location	Termination rate to a fixed location	1 Oct 2018 to 30 Sep 2019	R0.12	R0.09	1 Oct 2019 to 30 Sep 2020	R0.10	R0.07	1 Oct 2020	R0.09	R0.06	<p>further distort competition in favour of mobile operators and to the detriment of fixed operators.</p> <ul style="list-style-type: none"> <li>In order to inform the proposed termination rates, the Authority looked beyond the scope of just the cost modelling results (i.e. cost of termination services) to consider a range of other contributing factors. These include, but are not limited to:                             <ol style="list-style-type: none"> <li>1) the skewed competitive landscape;</li> <li>2) the convergent pressures on the mobile and fixed markets due to technological developments;</li> <li>3) regulatory consistency with past approaches;</li> <li>4) comparison with international precedent;</li> <li>5) objectives of the ECA;</li> <li>6) position of the Authority as expressed in the Findings document;</li> <li>7) inputs by stakeholders; and</li> <li>8) the overall South African economic context and social realities (cost to communicate).</li> </ol> </li> </ul>
	Termination rate to a mobile location	Termination rate to a fixed location												
1 Oct 2018 to 30 Sep 2019	R0.12	R0.09												
1 Oct 2019 to 30 Sep 2020	R0.10	R0.07												
1 Oct 2020	R0.09	R0.06												

Issue no.	Issue/comment	ICASA Reasons
		<p>The proposed FTRs recommend that asymmetry between MTRs and FTRs remain constant for the duration of the 3-year glide path at 3 cents per minute. This is in line with the asymmetry between MTRs and FTRs in the 2014 regulations. These rates further consider the realities of the current competitive landscape in the South African market.</p>
<b>COST MODELS</b>		
7.	<p>Several operators complained about "last minute" changes made to the voice and data forecasts between the draft final and final cost models. The primary concern is regarding changes made to the hypothetical small operator's voice traffic forecast. In particular, some operators do not accept the Authority's proposition that a small operator's market share of the voice traffic market might remain flat (or even decline) or our revisions to the national roaming assumptions.</p>	<p>Throughout the consultation process, various points have been raised regarding the voice and data forecasts. These points have been individually appraised and resulted in alterations to the traffic forecasts at each stage of the consultation. For example, after the draft cost model was circulated, concerns were raised regarding the aggressive nature of the large operator data forecast – comments which were considered in detail by ICASA and resulted in significant adjustments before the circulation of the draft final model. The primary criticism at that stage centered around the reliability of third-party forecasts in consideration of the South African market realities. On this matter, as on many other modelling inputs, ICASA's</p>

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Issue no.	Issue/comment	ICASA Reasons
	<p>It has been stated by one operator that this forecast is incompatible with the hypothetical efficient operator postulate. Furthermore, another operator has submitted a detailed analysis of the traffic and market share assumptions, indicating that the voice market share no longer appears to correlate with the subscriber market share and this, among other things, constitutes a material change which is not justified.</p>	<p>consultants have reviewed all operators' comments. ICASA is therefore of the opinion that sufficient consultation has been carried out. This results in final forecasts more representative of operators' actual voice and data forecasts, adjusted as necessary where these forecasts are not consistent with each other. Furthermore, adjustments have been made to operator data so as to effectively map onto the proposed geotypes.</p> <p>Specifically, regarding the changes made between the draft final and final model – such changes were made based upon additional comments and inputs received after the previous round of operator engagement. For example:</p> <ul style="list-style-type: none"> <li>- One operator submitted a revision to its initial data submission.</li> <li>- Another operator raised concern that its previous submissions had not been fully taken into account, specifically regarding an updated traffic forecast provided with reference to the ICASA geotypes.</li> </ul>

Reasons Document on the Amendment of the Call Termination Regulations, 2014

Issue no.	Issue/comment	ICASA Reasons
		<p>It is important to note that the final submitted traffic forecasts of each operator have been considered, without prejudice to the outcome of ICASA's review of asymmetry. The changes made to the final traffic forecasts result in a set of internally consistent inputs, including market shares (by service), technology splits (by service) and geotype splits, in addition to total traffic volumes. These inputs may be predominantly traced to operator supplied data, including monthly traffic volumes per subscriber and actual traffic volumes (cross-checked with operator annual reports where possible).</p> <p>The changes made to the data forecast for both the large and the small operator are relatively minor (~5% and ~1% respectively in 2020) and are, therefore, not discussed in detail here. The voice forecast for the large operator has been adjusted by ~3% in 2020, resulting from further analysis of the minutes per subscriber per month reported by the existing large operators. The voice forecast for the small mobile network operator ("MNO") has been adjusted in a similar fashion, however, this resulted in a decrease of</p>

Issue no.	Issue/comment	ICASA Reasons
		<p>~50% to the small operators' total minutes in 2020 (although it is worth noting that this forecast did previously increase in the last round of consultation). This change has been made based on the input corrections described in the paragraph above. As noted above, changes have been made to the traffic forecasts at each stage of the consultation; acting both to increase and decrease asymmetry. Furthermore, the magnitude of the changes made in the final model are not unprecedented; for example, the magnitude of the decrease in data traffic for the large operator after the draft model that was circulated was material.</p> <p>On the point of the voice forecast's correlation to subscriber market share, the Authority can confirm that the total number of subscribers of each operator do in fact drive the voice traffic forecast (in combination with minutes per subscriber per month).</p> <p>It is important to note that the reduction in small operator minutes is an output of ICASA's analysis of demand data,</p>

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Issue no.	Issue/comment	ICASA Reasons
		<p>not an assumption in itself. It is a consequence of taking into account comments on the draft final model. Combining the operator data and our adjustments does lead to the proposition that a small operator’s market share of the voice traffic market might remain flat (or even decline), which some respondents have described as counterintuitive. ICASA agrees that it would be desirable for small operators’ market share of voice minutes to grow, and that such growth could lead to a more efficient competitive market. But ICASA does not see the need, necessarily, to factor such growth into these Bottom Up cost models. ICASA does not have data upon which to base such a predicted higher 2020 market share. ICASA’s current model represents the best attempt to compare, contrast and critically appraise the operators’ own long-range plans using their submissions as a starting point. It is true that our small operator, as currently modelled, seems to focus more on growth in data than on voice. However, ICASA does not see that this is, on the face of it, necessarily wrong nor even ‘counter-intuitive’.</p>

Issue no.	Issue/comment	ICASA Reasons
8.	<p>An operator made a comment regarding the data market shares in the dense urban and urban geotypes, specifically noting that the market share for the small MNO is projected to decrease from 27.1% in 2016 to 21.5% in 2020 in the dense urban geotype and from 25.5% in 2016 to 21.6% in 2020 in the urban geotype. The operator is of the opinion that the forecast market share of the small MNO should be assumed to increase within all geotypes and that this is a necessary condition for a hypothetical efficient operator such as that being modelled.</p>	<p>In summary, ICASA is confident that the final traffic forecasts are the product of a careful data analysis, informed by the operators' several contributions during the preceding consultation stages.</p>
		<p>As discussed previously, the final traffic forecasts are based upon analysis of data provided by all operators.</p> <p>Nevertheless, ICASA notes that this comment concentrates specifically on the dense urban and urban geotypes, excluding the suburban and rural geotypes from consideration. If one considers the data market as a whole, the market share of the small operator is projected to increase from 15% in 2016 to 23% in 2020.</p> <p>ICASA notes further that one of the small operators considers that this rate of forecast market share gain is too high.</p>

Issue no.	Issue/comment	ICASA Reasons
9.	<p>One operator has submitted a detailed analysis of the distribution of traffic between the proposed geotypes and how this compares to reality on its network. The primary point made here is that the traffic is "skewed" toward the rural geotype, particularly for the small MNO.</p> <p>Furthermore, it has noted that this results in suburban and rural 3G macrocells being more heavily utilised in terms of data traffic than their urban/suburban counterparts. It has stated that ICASA has continually avoided responding on these points throughout the consultation process.</p>	<p>ICASA and its consultants asked all operators to submit traffic data using their own geotype definitions in the initial data request format. Following these submissions, data analysis has been performed to map the operators' traffic onto the single set of geotypes proposed during the first round of one-to-one meetings, whilst also performing the necessary 'sanity checks', including comparison of usage per subscriber per month for services. The total traffic of each operator was then used (along with subscriber market shares and subscriber usage figures etc.) to determine the total traffic in each geotype for the hypothetical market. Finally, operator data was used once more to determine the appropriate market shares and technology splits for both the large operator and small operator in each geotype.</p> <p>The process used to determine the final traffic forecast and accompanying inputs may be summarised as follows:</p> <ul style="list-style-type: none"> <li>- Firstly, where applicable each operator's traffic has been adjusted to match the ICASA geotypes. This is done by</li> </ul>

Issue no.	Issue/comment	ICASA Reasons
		<p>considering operators' actual sites and reclassifying them within the ICASA geotypes before multiplying the sites by the proportion of total traffic per site in each of the operator's own geotypes to determine the split of total traffic between them.</p> <ul style="list-style-type: none"> <li>- Secondly, the traffic per subscriber per month is determined for each service, for each operator. These values are then compared and analysed to determine a representative value for both the large MNO and the small MNO.</li> <li>- Thirdly, the total number of subscribers per operator is used to determine the size of the overall market. Once more, the data is also analysed to determine a representative subscriber market share for each of the small and the large MNO, split by technology.</li> <li>- The monthly subscriber usage is then multiplied through by the number of subscribers for each of the services to determine the total traffic, as well as the technology split for each service.</li> <li>- Finally, each of the inputs described above is fed into the BU mobile model.</li> </ul>

Issue no.	Issue/comment	ICASA Reasons
		<p>This analysis outputs a self-consistent set of model inputs, including: total traffic for each service, as well as market shares and technology splits by geotype for each service. Furthermore, it is important to note that the updated data submission provided by this operator (containing traffic data mapped to the proposed geotypes) has now been considered and used to inform the aforementioned data analysis. Clearly, the final traffic forecasts represent a 'hybrid' of all the operators' data, adjusted by ICASA following critical appraisal, and cannot therefore be mapped directly back to any single operator's submission. Whilst we acknowledge this operator's concern, the final traffic forecasts are the result of the aforementioned analysis of all submissions. Furthermore, the final distribution of traffic is a result of the trends observed in operator data submissions; whilst it may seem intuitive for urban macrocells to exhibit greater utilization than their rural counterparts, this is not necessarily reflected in the data (both actual and forecast) provided to ICASA.</p>

Issue no.	Issue/comment	ICASA Reasons
10.	<p>An operator stated that whilst our changes to the 3G coverage site uplift (cell breathing uplift) represent an improvement on the "erroneous" assumptions in the draft final BU model, the operator is still of the view that this does not reflect the reality of South African deployments. This statement is based on calibration to actual site numbers for large and small operators. Based on the coverage maps provided to ICASA and benchmarks of other cost models, the operator suggested the 3G coverage site uplift is entirely removed.</p>	<p>In summary, the updated data submission provided by this operator using the ICASA geotypes has been evaluated and applied in determining the final traffic inputs. Therefore, no further action is required.</p>
		<p>We have demonstrated previously the approximate calibration of total site numbers for both large and small operators<sup>8</sup>. One of the most substantive points made in this operator's submission relates to the number of sites (presumably coverage sites) in the rural geotype for the hypothetical large MNO. As such, it must be considered in the context of the point below, whereby another operator has implied that the number of rural sites is understated for the large operator (or overstated for the small operator) as a result of the differing cell radii in the rural geotype. We have considered both points in detail, in the context of actual site numbers, and concluded that the current assumptions are adequate in both cases. The technical reasons provided for the inclusion of this uplift have been given in previous responses (Briefing Note on</p>

<sup>8</sup> Final BU Mobile Model – 20\_07\_2018.pdf – Slides 28-29

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Issue no.	Issue/comment	ICASA Reasons
		<p>issues raised by operators in their submissions of 18-25 June 2018 and Briefing Note on issues raised by operators in their submissions of 9-13 July 2018).</p> <p>In summary, all the operators' input has been considered on this point, as well as all other points related to coverage. ICASA's position remains unchanged and, therefore, no further changes have been made. As noted above, for further information regarding the technical reasons for the inclusion of this uplift refer to the Briefing Note on issues raised by operators in their submissions of 18-25 June 2018 and Briefing Note on issues raised by operators in their submissions of 9-13 July 2018.</p>
<p><b>11.</b></p>	<p>Cell Radius/Radii. One operator claims the logic and evidence for setting the rural cell radius is still not clear.</p>	<p>ICASA disagrees. The logic is clear and was set out in the draft and draft final deliverables.</p> <p>The purpose of setting separate cell radii for the large and the small MNOs in the rural geotype is to account for the differing coverage assumptions of the two operators in this geotype. The large MNO is assumed to cover 82% of the</p>

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		<p>rural geotype in 2020 whilst the small MNO is assumed to cover only 18%. It is assumed that the small operator's coverage in the rural areas will be concentrated on the most densely populated areas within this geotype. Within such areas, factors including clutter will impact upon the cell radii which are achievable for a given spectrum band. These effects are commonly accepted and are similar to those which require the cell radii to be different between geotypes, as noted by the operator. However, the difference is only implemented in the rural geotype as this is the only geotype where the level of coverage is materially different between the small and the large MNOs.</p> <p>ICASA accepts the argument that subdividing the rural geo-type would have been one possible modelling approach. However, it is not the only approach, and the approach we have chosen is acceptable, and has been transparently implemented.</p>

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Issue no.	Issue/comment	ICASA Reasons
12.	An operator argued that ICASA took MNO submissions into account without critical appraisal ("sanity checks").	ICASA does not accept this argument. In fact, the operator in question knows that, in our draft model, we did not take its own data forecast on trust, but instead modified it in view of publicly available third-party data sources. The operator commented on our modifications; we listened to these comments and took them into account, making significant changes in the draft final model.
13.	An operator observed that ICASA has not responded on its point that Telkom's data traffic has historically been much higher than the data traffic in the small MNO model.	ICASA does not accept this observation. In response to the draft model, both large operators argued for strong downward reductions to our data growth forecast for the large operators. One small operator made a similar request regarding the data growth forecasts for the small operator. We reduced the large by much more than the small. Our decision on this point was informed, in part, by the data point referred to in the operator's observation.
14.	An operator argued that small MNOs should be assumed to gain market share in every geotype, a necessary condition for a hypothetical efficient operator, which is what has been modelled.	ICASA does not agree that forecasts from operators are not relevant. As we mentioned in the Questions of Clarity Document ("QCD") sent to operators on 16 August 2018, we have taken all operators' submissions into account. On

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	<p>Forecasts from Cell C and Telkom are not relevant as it is not Cell C or Telkom that are being modelled and traffic levels of the hypothetical efficient small MNO are very different from either operator.</p>	<p>the specific question of the voice and data traffic forecasts, our phased consultation approach has allowed us to gauge confidence in the operators' forecasts. It is true that our voice forecast is strongly informed by operators' own long-range plans. We do not see why it is necessary to assume that the small operators' voice market share should necessarily "increase in all geotypes". In the past, Cell C's market share has gone up, and then gone down again. We think it is an out-dated notion to assume that the voice market must always grow, and that smaller operators must always increase their share of it. Firstly, the voice market may be on the verge of significant disruption (from over-the-top services using voice over IP). Secondly, smaller mobile operators face significant barriers to gaining market share, arising out of competitive conditions in the retail market. For these reasons we requested traffic forecasts from the operators, and took them into account.</p>

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15.	<p>An operator stated that not all of its comments were addressed in the QCD in any form at all. These were "National roaming inputs" and "(Still) Incorrect spectrum allocations". A further point, "Outdated spectrum fee inputs", was only partly responded to.</p>	<p>These comments were taken into account in the final models, as set out in the three points which now follow, which flesh out the summary provided in the QCD.</p>
16.	<p>"National roaming inputs": the operator stated that the response given on its point regarding National Roaming (that the new data represented internally consistent parameters which demonstrate reasonable alignment with actual traffic data) was insufficiently transparent. The operator had noted that, between the draft and draft final model, we had reduced the proportion of total terminated minutes handled by national roaming by approximately 2%, largely as a result of adjustments to the split of traffic by geotype. They indicated that this diverged from their observation of the actual proportion of</p>	<p>The percentage in question (i.e. the proportion of terminated minutes handled by national roaming) must necessarily be part of an internally-consistent set of assumptions about the 'small' operator. As has been done previously, it is important to note that the small operator models do not represent either Cell C or Telkom, but a single hypothetical operator which has service demand and coverage representative of a small operator in South Africa. In fact, the two small MNO models differ only according to their spectrum allocation because this is considered the only lasting, exogenous difference between Cell C and Telkom in the context of this call termination review. The result of this is that some data points must,</p>

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	terminated minutes handled by national roaming on their network.	necessarily, depart from the data observed by existing operators.  ICASA considers that its original response was appropriate, however, the national roaming inputs were updated once more as part of the final review of traffic forecasts.
<b>17.</b>	“(Still) Incorrect spectrum allocations”: the operator claimed that the response given on its point regarding spectrum allocations was insufficiently transparent. The operator had stated: assumed spectrum allocations for the small operator without sub-1GHz were incorrect; this operator possesses a total of 12MHz of spectrum in the 1800MHz band, as is the case in the draft version of the model; the model should be updated to reflect this increased spectrum allocation.	The spectrum allocation for the small operator without sub-1GHz spectrum was updated in the final model, based upon the information submitted by operators. This operator is now assumed to have a total of 12MHz of spectrum in the 1800MHz band, 7MHz of which is allocated to 2G technology and 5MHz of which is allocated to LTE. ICASA considers that was made clear in its response and in its final model.
<b>18.</b>	“Outdated spectrum fee inputs”: the operator noted that some of its comments had not been	There was no need for any change.

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	<p>addressed, on the same issue as above (of spectrum benchmarking). The main concern raised was regarding inflation adjustment. The operator in question observed that the inflation inputs appeared to be out-of-date. For example, in the 2100MHz benchmarks, the Slovenia and Iceland auctions which both happened at least one year ago had no inflation adjustment applied (cells R66 and R67 in ICASA's benchmark file had the value 1). Furthermore, the operator notes similar cases in the other benchmarks. For example, 1800MHz auctions for Slovenia, Denmark and Sweden that occurred in 2016. As such, the operator requested that we thoroughly review all inflation adjustment inputs.</p>	<p>The BU model takes as inputs unit costs for the year 2016. Therefore, the purpose of the benchmark exercise is to estimate the hypothetical price of spectrum in South Africa in the year 2016. As such, the 2016 auctions in Slovenia, Denmark and Sweden use a neutral (0%) inflation rate.</p>
<b>19.</b>	<p>"Outdated spectrum fee inputs" (continued): the operator also noted that several of its comments had not been addressed on spectrum benchmarking. We think this was about selection of benchmark countries. The operator had said</p>	<p>Only European benchmarks are used in this dataset as they could be considered more representative to the specific conditions in South Africa. The auctions in Thailand, Indonesia and India were excluded on this basis.</p>

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	<p>that the 2300MHz "benchmark" value was based on only one datapoint (UK). ICASA's raw data includes 2300MHz auctions in India, Latvia, Indonesia and Thailand that are not included. However, there have been also other auctions within the last five years (e.g. Australia, Canada and Nigeria) that could be considered. The operator said ICASA should seek to base the value on a wider selection of datapoints.</p>	<p>The 2017 auction in Australia was mainly a regional auction. Only two 7MHz lots were auctioned in the metropolitan areas. Furthermore, these two lots were sold at reserve price to the operator with adjacent spectrum, possibly indicating that no other bidder had any value in acquiring 7MHz of standalone spectrum in this band. Every other lot was auctioned in areas with less than 120,000 population. To illustrate the possible distortion of the auction results, Lot 15 in Cameron Corner was sold at ~58x higher price per MHz/pop than the metropolitan lots (Sydney and Melbourne).</p> <p>The auction in Latvia in 2012 was excluded as it did not pertain to mobile usage.</p>
<p><b>20.</b></p>	<p>"Outdated spectrum fee inputs" (continued): the operator also stated ICASA did not respond to its comment on the draft final model, that ICASA appears to be including a country for some benchmarks and excluding it for others.</p>	<p>ICASA did respond to the issue of spectrum benchmarking, as Issue 31 in the QCD.</p> <p>Regarding the benchmark in question (Ukraine), certain outliers are removed from the benchmarks. In the case of the 2100MHz spectrum auction in Ukraine, the adjusted</p>

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		<p>price per MHz pop is roughly ten times higher than the average of the other countries, indicating that the circumstances were very different from the other instances.</p> <p>The 2100MHz auction in Ukraine generated prices that were ~2.5x higher than the 1800MHz auction in the same country. However, generally the 1800MHz band is considered superior to the 2100MHz band. This is also supported by the results of our benchmarks, which indicate that on average 1800MHz auction prices are significantly higher than 2100MHz.</p>
21.	<p>One operator suggested that, in its response, the Authority did not address or even acknowledge the specific issue of wealth adjustment using GDP. Furthermore, they suggest that the applied method results in materially understated spectrum values in the final model.</p>	<p>ICASA did acknowledge and address this, as Issues 11 and 12 in the QCD.</p> <p>Our methodology converts all benchmark to USD at the year of award and uses the USD inflation rate to estimate 2016 USD equivalent prices. Using a stable economy, such as the USA, as an intermediary point, attempts to minimise exactly the distortions described above (which are mainly</p>

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	<p>They also state the following: "It is the Authority's duty to ensure that, as much as possible, the cost models are free from error. If stakeholders raise concerns as to what they consider to be material issues, these concerns should be addressed as part of a fair and transparent consultation process. Not addressing this point suggests that material errors remain in the final model used to determine the regulations."</p>	<p>because of the high fluctuations of South Africa's GDP per capita).</p>
<p><b>22.</b></p>	<p>An operator stated that those of its comments which were addressed in the Clarity Document were not addressed with a comprehensive response - the commentary is so brief as to not enable it to determine why its submissions were not accepted.</p>	<p>The issues cited by the operator on this point were:</p> <ul style="list-style-type: none"> <li>• One of the spectrum benchmarks</li> <li>• Imbalances in forecasts</li> <li>• Not clear that ICASA has used the forecasts supplied.</li> </ul> <p>The first of these points has already been dealt with earlier in this document.</p> <p>On the second two points, ICASA considers that it did take all operators' submissions into account in arriving at the</p>

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23.	One operator stated that we are using a National Roaming (NR) cost per minute which is too high, and supplied some additional confidential data on NR rates. Another noted that the revised assumptions on NR now reflect the actual national roaming arrangements observed.	ICASA considers that an appropriate effort has been devoted already during this process to collecting and appraising National Roaming data from operators, so it would not be appropriate to include the new confidential data supplied in this round of submissions.
24.	An operator stated that ICASA's previous response on Issue 10 failed to explain Why two small operators have been modelled with their actual spectrum holdings, but not their actual traffic volumes. How does modelling a small MNO with sub-1GHz spectrum, but lower traffic than Cell C's, further the Authority's policy goals? Which aspects of an operator are hypothetical and what is the benefit of replacing actual with hypothetical operator sizes?	<p>ICASA had understood that this question had been addressed during one-to-one sessions.</p> <p>It is correct to say that the two small MNO models differ only according to their spectrum allocation, as this is considered the only lasting, exogenous difference between the two small operators in the current context.</p> <p>The small and large MNO models were originally set up to differ according to size because, if there was to be an asymmetric tariff regime, part of the justification for such</p>

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25.	<p>One operator observed that calibration to Cell C's and Telkom's site numbers is not possible using the final BU cost models. This is because the small MNO is very different from either Cell C or Telkom in terms of traffic volumes, coverage, etc. They state that this is a substantial disadvantage of the small MNO definition, where differences in spectrum between small MNOs have been considered but not differences in e.g. traffic volumes between the small MNOs. The operator stated that ICASA has not responded to this specific question so far.</p>	<p>a regime would have to do with competitive conditions in the retail market. Such conditions would include: high and sustained market shares on the part of one or more large operators.</p>
		<p>ICASA had understood that this question had been addressed during one-to-one sessions.</p> <p>There is no necessity to model each existing operator under the hypothetical efficient operator postulate, or to calibrate against existing site numbers. If anything, it could be argued that there are too many small operator variants (i.e. two variants) and not too few. Two hypothetical small MNOs are modelled in order to capture the impact of Cell C and Telkom's differing spectrum allocations on the efficient costs of call termination; the only exogenous difference between the two operators identified by ICASA. They are not intended to capture differences in, for example, traffic volumes because these are the result of business decisions which are unrelated to the efficient costs of call termination. Therefore, whilst it is</p>

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		<p>correct to say that the modelled networks of the hypothetical small MNOs do not closely reflect the networks of either Telkom or Cell C, ICASA do not deem this to be a flaw in the small MNO definitions.</p> <p>It is worth noting that at least one of the large operators has repeatedly asked ICASA not to model a small operator at all. If we had agreed to that request and modelled a single type of mobile operator (neither 'small' nor 'large') this would not have resolved the problem highlighted here, of the need to calibrate against some representative number of sites. Furthermore, one of the other operators has noted in its submission that, if fed with key information for 2017 (as well as making input changes), ICASA's model could be made to align with Cell C's number of sites in 2017.</p>
<b>26.</b>	Continuing on the point regarding the choice of hypothetical operators modelled, it has been pointed out that the draft Call Termination Regulations, 2018 maintains asymmetry	ICASA debated and considered carefully the question of whether to have a 'small fixed' operator model. We even circulated a draft of such a model for comment and consultation. It was not perfect in terms of data from

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	<p>between large and small mobile operators up to 2020, but eliminates the asymmetry for fixed.</p>	<p>operators regarding the likely dimensions of such an operator (geographic scope, technology costs, and suchlike). In the end, ICASA did not use it. However, it could have formed part of a 'compare-and-contrast' exercise, along with benchmarks and ratios from other similar situations, to set an asymmetric FTR for small operators. For the current pricing round, we have decided to leave it to one side, and proceed with a single large operator model.</p>
27.	<p>Operators continue to disagree as to whether the small operator cost markup of 25% model should apply to a greater, or lesser, proportion of the small operator's network elements.</p> <p>One operator stated that a vague reference to "subsequent discussions" is clearly not sufficient to address material concerns relating to the inclusion of this model input. This manifests</p>	<p>Both sides have provided several pages of evidence on this point. It is impossible to know with certainty whether the smaller operators will face a lasting disadvantage when purchasing electronics or acquiring sites due to their relative scale. However, it appears to be the case that the smaller operators have recently faced such disadvantages and they are, therefore, considered. It is worth noting that this mark-up is applied to a small proportion of total costs. Its impact on the MTR is not very material. ICASA disagrees with the suggestion that it has not done justice to all the data points supplied by the operators. It is worth</p>

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	<p>revisionism, which is highly concerning and inconsistent with the principles of a transparent and robust consultation process. Another stated that ICASA did not address individually all of the data points that it supplied on this issue of relative equipment price uplift.</p>	<p>noting that none of these "data points" were derived from technology supplier prices, nor experience of actual supply chain purchases. Instead, they were circumstantial and/or indirect demonstrations of the absence of size advantages while negotiating such prices. Arguments on both sides were weighed up, and neither side's data points were accepted in full.</p>
28.	<p>Despite ICASA pointing out in the QCD that National Roaming should not be used outside the National Roaming area, an operator continued to insist that its views on this point had not been considered.</p>	<p>ICASA did consider the operator's point and rejected it on the basis that National Roaming is not provided outside the National Roaming area.</p>
29.	<p>One operator contends that an "error remains" in our routing calculation. This relates to Issue 15 of our Questions of Clarity Document (QCD), where the operator in question would prefer us to allocate certain costs using voice termination</p>	<p>ICASA responded on this point in the previous stage of the process. This is not best described as an "error", but rather a difference in opinion regarding the modelling of cost recovery. One of the other operators, by contrast, noted agreement with our method. We are, in effect, calculating an average incremental cost (with markups for common costs), so the outputs should be calculated by allocating</p>

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	minutes only, rather than both voice and data traffic.	costs across all network services (voice, SMS, MMS, data etc.).
<b>30.</b>	One operator claims that we did not provide an explanation of our busy hour dimensioning parameters.	<p>ICASA did respond on this point, at Issue 8. We pointed out that the busy hour parameters were determined using confidential data from all operators, in addition to international benchmarks.</p> <p>The busy hour parameters provided to ICASA by this operator referred to either 3 or 8 busy days per month and, as such, were high in comparison to other operators' submissions and international benchmarks, within which standard practice is to assume all weekdays are 'busy days'. If the busy hour percentages were increased to allow for a greater proportion of traffic in the busy hour (e.g. for 3 busy days per month) it would be necessary to adjust other related parameters, such as the maximum utilisation.</p>
<b>31.</b>	One operator stated ICASA had failed to apply certain key cost modelling assumptions in a	The operator is wrong to suggest that ICASA considers wireless to be the wrong type of access network to serve

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	<p>systematic and rational way. This operator's comments on this point relate solely to ICASA's decision not to include wireless technology in the fixed model. The operator implies that ICASA considers wireless to be the wrong type of access network to serve customers in South Africa.</p>	<p>customers in South Africa. By making this suggestion the operator demonstrates that it has not read, or not understood, our arguments on this point. ICASA is not prescribing any particular network technology. Instead, we are pointing out that the inclusion of wireless technology in the fixed model would be unprecedented internationally. Furthermore, it would not be justified because there is no way to know that its inclusion would increase or decrease the FTR (after taking into account the portion of the base station costs which would be recovered by a line rental charge, in the same way as a high proportion of the cost of OLTs and MSANs are thus recovered).</p>
32.	<p>Business overheads. Two operators noted that the Authority sets the mark-up percentage for recovery of common business cost at 9% for large MNOs and 16% for small MNOs based on 2016 accounts. There is a 7-percentage points efficiency gap which ICASA effectively considers</p>	<p>ICASA can see the reason why such a gap should disappear over time between the two varieties of 'small' operator, whose only exogenous difference is spectrum. However, the difference between the small and large operator is to do with size, a difference that is not forecast to disappear by 2020. For this reason, it would not be necessary to expect a difference in efficiency to disappear either.</p>

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	to be exogenous, and should disappear over time.	
33.	One operator suggested the common-cost mark-up was too low, and should be greater than 23%.	ICASA took this set of data points from the top-down models for the reasons already explained in the QCD under Issue 14.
34.	One operator observed that ICASA's comparison with FNO mark-ups provides little, if any, assurance with regard to the reasonability of the appropriate mark-up for MNOs.	ICASA disagrees with the observation. This overhead percentage models the 'share' of corporate overheads (often characterized as the 'CEO's wastebasket', including elements of finance, HR, IT, etc.) allocated to wholesale call termination. As part of a transparent and thorough process we wanted to do as many compare-and-contrast exercises as the data permitted. Our comparison with Telkom FNO is conservative in our view. Telkom is likely to have a proportionally higher corporate overhead cost than

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35.	One operator disagreed that the small operator should have a transmission network of the same length as large MNOs unless there is proof for this being the case (for example, if the top-down models showed a similar cost for large and small MNOs, on this score).	the MNOs, because of its wide product range, as well as its legacy of having passed through numerous stages of organizational and product situations.
		The cost on this account for one of the small operators appears to be between that of the two larger operators in the Top Down cost models. In any case, it is important to note that the distance we have set equal for small and large operators is a relatively minor portion of the total transmission network: the core (excluding aggregation, and excluding backhaul). ICASA confirms there is proof of this: the fact that the small operators are present in all the main cities connected by this portion of a typical national (inter-city) transmission network.

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36.	<p>One operator disagreed with the use of 'equivalent-megabytes' as the universal unit of traffic in the TD models. They suggested that 'equivalent-minutes' would be a more appropriate unit and converted the TD template circulated by ICASA to use 'equivalent-minutes' in the draft version of their TD model.</p>	<p>The Authority has responded to this point previously, highlighting that it is possible to achieve the same result using both 'equivalent-minutes' and 'equivalent-megabytes' to allocate cost in the TD models. As such, the Authority decided that no changes to the TD template were necessary and that the process would continue using 'equivalent-megabytes'.</p> <p>Since the use of 'equivalent-minutes' was rejected, the operator in question was asked to convert their TD model to work in 'equivalent-megabytes'. This was done for the sake of consistency with other operators. The final TD model for this operator, and all other operators, used 'equivalent-megabytes' as the universal unit of traffic.</p>

## DEPARTMENT OF PUBLIC WORKS

NO. 1409

21 DECEMBER 2018

**DRAFT EXPROPRIATION BILL, 2019****INVITATION FOR THE PUBLIC TO COMMENT ON THE DRAFT EXPROPRIATION BILL, 2019**

I, Thulas Waltermade Nxesi, the Minister of Public Works, having obtained Cabinet approval, hereby publish the draft Expropriation Bill, 2019 for broader public comment.

Interested persons may submit written comments on the draft Expropriation Bill, 2019 not later than sixty days (60) days from the date of publication of this notice to:

The Director-General, Department of Public Works  
Private Bag X65  
PRETORIA 0001

Or hand deliver to:

Central Government Offices (CGO) Building  
256 Madiba street  
Pretoria  
0002

Tel No: 012 406 2000/012 406 1315 /012 406 1567

Facsimile: 086-272-4554

E-mail: livhuwani.ndou@dpw.gov.za / [johannes.lekala@dpw.gov.za](mailto:johannes.lekala@dpw.gov.za)

For Attention: Livhuwani Ndou / Johannes Lekala

**REPUBLIC OF SOUTH AFRICA**

**EXPROPRIATION BILL**

*(As introduced in the National Assembly (proposed section 76); explanatory  
summary of Bill published in Government Gazette No. ... of ... 2019)  
(The English text is the official text of the Bill)*

**(MINISTER OF PUBLIC WORKS)**

**[B —2019]**

031118se

**BILL**

**To provide for the expropriation of property for a public purpose or in the public interest and to provide for matters connected therewith.**

**PREAMBLE**

**WHEREAS** section 25 of the Constitution of the Republic of South Africa, 1996, provides as follows:

**“Property**

**25.** (1) No one may be deprived of property except in terms of law of general application, and no law may permit arbitrary deprivation of property.

(2) Property may be expropriated only in terms of law of general application—

(a) for a public purpose or in the public interest; and

(b) subject to compensation, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.

(3) The amount of the compensation and the time and manner of payment must be just and equitable, reflecting an equitable

balance between the public interest and the interests of those affected, having regard to all relevant circumstances, including—

- (a) the current use of the property;
- (b) the history of the acquisition and use of the property;
- (c) the market value of the property;
- (d) the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- (e) the purpose of the expropriation.

(4) For the purposes of this section—

- (a) the public interest includes the nation's commitment to land reform, and to reforms to bring about equitable access to all South Africa's natural resources; and
- (b) property is not limited to land.

(5) The state must take reasonable legislative and other measures, within its available resources, to foster conditions which enable citizens to gain access to land on an equitable basis.

(6) A person or community whose tenure of land is legally insecure as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to tenure which is legally secure or to comparable redress.

(7) A person or community dispossessed of property after 19 June 1913 as a result of past racially discriminatory laws or practices is entitled, to the extent provided by an Act of Parliament, either to restitution of that property or to equitable redress.

(8) No provision of this section may impede the state from taking legislative and other measures to achieve land, water and related reform, in order to redress the results of past racial discrimination, provided that any departure from the provisions of this section is in accordance with the provisions of section 36(1).

(9) Parliament must enact the legislation referred to in subsection (6).”; and

**WHEREAS** section 33(1) of the Constitution provides that everyone has the right to administrative action that is lawful, reasonable and procedurally fair; and

**WHEREAS** section 34 of the Constitution provides that everyone has the right to have any dispute that can be resolved by the application of law decided in a fair public hearing before a court or, where appropriate, another independent and impartial tribunal or forum; and

**WHEREAS** uniformity across the nation is required in order to deal effectively with these matters;

**AND IN ORDER TO ENABLE** expropriation in accordance with the Constitution,

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

*Sections***ARRANGEMENT OF ACT****CHAPTER 1****DEFINITIONS AND APPLICATION OF ACT**

1. Definitions
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**CHAPTER 2****POWERS OF MINISTER OF PUBLIC WORKS TO EXPROPRIATE**

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**SCHEDULE****CHAPTER 1****DEFINITIONS AND APPLICATION OF ACT****Definitions**

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

“**claimant**” means a person who has lodged a claim for compensation with an expropriating authority arising from or in connection with an expropriation of property;

“**Constitution**” means the Constitution of the Republic of South Africa, 1996;

“**court**” means—

- (a) a High Court within whose area of jurisdiction a property is situated;
- (b) a Magistrate’s Court within whose area of jurisdiction a property is situated, having competent jurisdiction and designated as such in terms of paragraph (b)(ii) in the definition of ‘court’ in section 1, read with section 9A, of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000); or
- (c) in the case of intangible property, the court within whose area of jurisdiction the owner of that property is ordinarily resident or has its principal place of business within the Republic;

“**date of expropriation**” means the date mentioned in the notice of expropriation, which date must not be earlier than the date of service of such notice;

“**deliver**”, in relation to any document, means to deliver by hand, facsimile transmission or post as contemplated in section 24(3) and (4);

“**Department**” means the Department of Public Works;

“**Director-General**” means the Director-General of the Department;

“**disputing party**” means an owner, holder of a right, expropriated owner or expropriated holder who does not accept the amount of compensation offered in terms of section 14(1) or 15(1);

“**expropriation**” means the compulsory acquisition of property by an expropriating authority or an organ of state upon request to an expropriating authority, and

“expropriate” has a corresponding meaning;

“**expropriated holder**” means a holder of an unregistered right in property, which right has been expropriated by notice in terms of section 8(1) or in terms of section 9(1)(b);

“**expropriating authority**” means an organ of state or a person empowered by this Act or any other legislation to acquire property through expropriation;

“**holder of a right**” means the holder of an unregistered right in property;

“**land parcel**” means land that has been surveyed and is either registered or yet to be registered in a deeds registry;

“**Master**” means the Master of the High Court;

“**Minister**” means the Minister responsible for Public Works;

“**notice of expropriation**” means a notice contemplated in section 8;

“**organ of state**” means an organ of state as defined in section 239 of the Constitution;

“**owner**”, in relation to property or a registered right in property, means the person in whose name such property or right is registered, and—

- (a) if the owner of any property or registered right in land is deceased, means the executor of his or her estate and if no executor has been appointed or his or her appointment has lapsed, the Master;

- (b) if the estate of the owner of any property or registered right in land has been sequestrated, means the provisional or final trustee of his or her insolvent estate, as the case may be, or if no such appointment has been made, the Master;
- (c) if the owner of any land or registered right in property is a company that is being wound up, means the provisional or final liquidator of that company or if no such appointment has been made, the Master;
- (d) if any property or registered right in property is vested in a liquidator or trustee in terms of any other law, means that liquidator or trustee;
- (e) if the owner of any property or registered right in property is otherwise under a legal disability, means his or her representative by law;
- (f) if any land or registered right in property has been attached in terms of an order of a court, means the sheriff or deputy sheriff, as the case may be;
- (g) in the case of a public place, road or street under the control of a municipality, means that municipality;
- (h) for the purposes of section 5, includes a lawful occupier of the land concerned; and
- (i) includes the authorised representative of the owner, which authorised representative is ordinarily resident in the Republic;

“**possession**” includes the exercise of a right;

“**prescribed**” means prescribed by regulation;

“**property**” means property as contemplated in section 25 of the Constitution;

“public interest” includes the nation’s commitment to land reform, and to reforms 10 to bring about equitable access to all South Africa’s natural resources in order to redress the results of past racial discriminatory laws or practices;

“**public purpose**” includes any purposes connected with the administration of the provisions of any law by an organ of state;

“**registered**” means registered or recorded with a government office in which 15 rights in respect of land, minerals or any other property are registered or recorded for public record in terms of any law;

“**regulation**” means a regulation made in terms of section 28;

“**service**” in relation to a notice means, as contemplated in section 24(1), to serve by delivery or tender, post, publication or in accordance with the direction of a 20 court, and “serve” has a corresponding meaning;

“**this Act**” includes the regulations;

“**unregistered right**” means a right in property, including a right to occupy or use land, which is recognised and protected by law, but is neither registered nor required to be registered;

“**valuer**” in relation to land, means a person registered as a professional valuer or professional associated valuer in terms of section 19 of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000).

(2) (a) A Saturday, Sunday or public holiday must not be reckoned as part of any period calculated in terms of this Act.

(b) The period 20 December to 7 January inclusive, must not be reckoned as part of any period calculated in terms of this Act.

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## Application of Act

2. (1) Despite the provisions of any law to the contrary, an expropriating authority may not expropriate property arbitrarily or for a purpose other than a public purpose or in the public interest.

(2) Despite the provisions of any law to the contrary, an expropriating authority may not expropriate the property of a state-owned corporation or a state-owned entity without the concurrence of the executive authority responsible for that corporation or entity.

(3) Subject to section 22, a power to expropriate property may not be exercised unless the expropriating authority has without success attempted to reach an agreement with the owner or the holder of an unregistered right in property for the acquisition thereof on reasonable terms.

(4) An expropriating authority may expropriate property in terms of a power conferred on such expropriating authority by or under any law of general application, provided that the exercise of those powers is in accordance with sections 5 to 27 and 31.

## CHAPTER 2

### POWERS OF MINISTER OF PUBLIC WORKS TO EXPROPRIATE

#### Powers of Minister to expropriate

3. (1) Subject to the provisions of Chapter 5, the Minister may expropriate property for a public purpose or in the public interest.

(2) If an organ of state, other than an expropriating authority, satisfies the Minister that it requires particular property for a public purpose or in the public interest, then the Minister must expropriate that property on behalf of that organ of state upon its written request, subject to and in accordance with the provisions of this Act.

(3) The Minister's power to expropriate property in terms of subsections (1) and (2) applies to property which is connected to the provision and management of the accommodation, land and infrastructure needs of an organ of state, in terms of his or her mandate.

(4) Where only a portion of a land parcel is expropriated, the Minister may expropriate that portion together with the remainder of the land parcel, provided that—

- (a) the owner so requests; and
- (b) the Minister is satisfied that due to the partial expropriation the use or potential use of the remainder of such land has become so impaired in consequence of the expropriation, that it would be just and equitable to the owner to expropriate it.

- (5) When the Minister expropriates property in terms of subsection (2)—
- (a) the ownership of the property vests in the relevant organ of state on the date of expropriation;
  - (b) the date on which the right to possession of the property vests in the relevant organ of state must be determined in terms of section 9;
  - (c) the relevant organ of state is liable for the fees, duties and other charges which would have been payable by that organ of state in terms of any law if it had purchased that property; and
  - (d) all costs incurred by the Minister in the performance of his or her functions on behalf of an organ of state must be refunded by the relevant organ of state within a reasonable time.

#### **Delegation or assignment of Minister's powers and duties**

4. (1) Subject to subsection (2), the Minister may, either generally or in relation to a particular property or in relation to a particular case, delegate or assign to an official of the Department any power or duty conferred or imposed on him or her in terms of this Act.

(2) The Minister may not delegate or assign the powers or duties conferred on him or her in terms of sections 3, 22(1), 23(1) and 28.

## CHAPTER 3

### INVESTIGATION AND VALUATION OF PROPERTY

#### Investigation and gathering of information for purposes of expropriation

5. (1) When an expropriating authority is considering the expropriation of property, he or she must, amongst others, ascertain—

- (a) the suitability of the property for the purpose for which it is required, and
- (b) the existence of registered and unregistered rights in such property and the impact of such rights on the intended use of the property.

(2) Subject to subsection (3), if the property is land, an expropriating authority may, in writing—

- (a) for purposes of subsection (1)(a), authorise a person or persons with the necessary skills or expertise to—
  - (i) enter upon the property with the necessary workers, equipment and vehicles at all reasonable times or as may be agreed to by the owner or occupier of the property;
  - (ii) survey and determine the area and levels of the land;
  - (iii) dig or bore on or into the land;
  - (iv) construct and maintain a measuring weir in any river or stream;
  - (v) insofar as it may be necessary to gain access to the property, enter upon and go across another property with the necessary workers, equipment and vehicles; and
  - (vi) demarcate the boundaries of the property required for the said purpose; and

(b) authorise a valuer, for purposes of ascertaining the value of the property, to enter upon the land and any building on such land and to do the necessary inspections and investigations for that purpose.

(3) The person or persons contemplated in subsection 2(a) and (b) may not enter the property unless authorised in writing by the expropriating authority to do so, and—

- (a) the owner or occupier of the property has consented thereto in writing, after being informed;
- (b) the owner of the property has consented in writing to the performance of an act contemplated in subsection (2)(a); or
- (c) in the event of the owner or occupier refusing or failing to grant consent contemplated in paragraphs (a) and (b), is in possession of a court order authorising the expropriating authority and such person or persons to enter the land, including any building thereon, for purposes of conducting the investigations contemplated in subsection (2).

(4) The valuer contemplated in subsection (2)(b) may—

- (a) require the owner or occupier of the property to give him or her access to a document in the possession or under the control of the owner or occupier that the valuer reasonably requires for the purposes of valuing the property;
- (b) extract information from or make copies of a document to which he or she is given access in terms of paragraph (a);
- (c) in writing require the owner or occupier of the property to provide him or her, either in writing or orally, with particulars regarding the property that he or she reasonably requires for the purposes of valuing the property; and

- (d) despite the provisions of any law to the contrary, require the municipality in whose area the land is situated, to provide such valuer—
- (i) insight into building plans of improvements on such land;
  - (ii) a copy or copies of building plans on such land at the cost of the valuer or valuers; and
  - (iii) such information in respect of municipal property rates or other charges, land use rights including the zoning of the land, availability of engineering services to such land, or such other information with respect to the land, as is in the possession of the municipality and as may be reasonably required for the valuation of the said land by the valuer.
- (5) An expropriating authority must, if the information has not already been established at any time before deciding to expropriate property—
- (a) by written notice call upon the following persons, to furnish in writing within 20 days from delivery of the notice, subject to section 25, the names and addresses of all known persons holding unregistered rights in the property, as well as particulars of such rights:
- (i) an owner;
  - (ii) a person apparently in charge of the property; and
  - (iii) any holder of unregistered rights in the property, known to the expropriating authority;
- (b) if the property is land, consult—
- (i) the Departments responsible for rural development and land reform, for environmental affairs, for mineral resources and for water and sanitation and any other organ of state whose functions and

responsibilities will be materially affected by the intended expropriation, for the purposes of establishing the existence of and the impact of expropriation on rights therein; and

(ii) if applicable, with the municipality as contemplated in section 6.

(6) (a) A person authorised in writing to perform an act contemplated in subsection (2), must—

- (i) provide the owner or occupier of the property with a copy of the said written authorisation;
- (ii) at all times whilst performing any such act, be in possession of such written authority; and
- (iii) identify himself or herself to the owner or occupier of the property by means of an official identification document.

(b) If the person contemplated in paragraph (a) fails to comply with subparagraphs (i), (ii) or (iii) of that paragraph the owner or occupier of the property may refuse that person entry to the property or may refuse the performance of an act contemplated in subsection (2).

(7) If the property in question is damaged as a result of the performance of an act contemplated in subsection (2), the expropriating authority must repair to a reasonable standard, or compensate the affected person for that damage after delivery of a written demand by the affected person and without undue delay.

(8) Any legal proceedings arising out of a claim referred to in subsection (7) must comply with the relevant provisions of the Institution of Legal Proceedings Against Certain Organs of State Act, 2002 (Act No. 40 of 2002).

## Consultation with municipality during investigation

6. (1) When contemplating an expropriation of land, an expropriating authority must, if not already established, in writing, request the municipal manager of the municipality where the land is situated to inform the expropriating authority of the effect which the purpose for which the property is being acquired may have on municipal planning.

(2) The request contemplated in subsection (1) must include—

- (a) a statement that the expropriating authority is contemplating the acquisition of land;
- (b) a full description of the land in question;
- (c) details of the purpose for which the land is required; and
- (d) such other details as the expropriating authority may deem necessary.

(3) The municipal manager must deliver a written response to the request contemplated in subsection (1) to the expropriating authority within 20 days of receiving the request or within a reasonable time to be agreed between the expropriating authority and municipal manager or determined in terms of section 25.

(4) If the expropriating authority is the municipal council of the municipality where the land is situated, the request contemplated in subsection (1) is not required.

## CHAPTER 4

### INTENTION TO EXPROPRIATE AND EXPROPRIATION OF PROPERTY

#### Notice of intention to expropriate

7. (1) If an expropriating authority intends to expropriate property, it must—

- (a) serve a notice of intention to expropriate on the owner and any known holder of a right in the property; and
- (b) publish the notice of intention to expropriate, in accordance with section 24(2).

(2) A notice of intention to expropriate must include—

- (a) a statement of the intention to expropriate the property;
- (b) a full description of the property;
- (c) a short description of the purpose for which the property is required and the address at which documents setting out the purpose may be inspected and particulars of the purpose may be obtained during business hours;
- (d) the reason for the intended expropriation of that particular property;
- (e) the intended date of expropriation or, as the case may be, the intended date from which the property will be used temporarily and the intended period of such temporary use;
- (f) the intended date on which the expropriating authority will take possession of the property;

- (g) an invitation to any person who may be affected by the intended expropriation to lodge with the expropriating authority at a given address within 30 days after the publication of the said notice, subject to section 25—
- (i) any objections to the intended expropriation;
  - (ii) any submissions relating to the intended expropriation;
  - (iii) a postal address and a facsimile number, if any, to which further communications to such person may be addressed by the expropriating authority; and
  - (iv) the choice of official language for the purposes of further written communication;
- (h) a directive to the owner and a holder of a right contemplated in subsection (1)(a) to deliver or cause to be delivered in writing, within 30 days of service, subject to section 25—
- (i) the names and addresses of any holders of unregistered rights and particulars of such rights, other than those furnished in accordance with section 5(5)(a) to the extent that such names, addresses and particulars are within the knowledge of the owner or the holder; and
  - (ii) a written statement stipulating the amount claimed by him or her as just and equitable compensation;
- (i) a statement that if a person has an unregistered right in respect of the property of which the expropriating authority had no knowledge when making an offer of compensation, the expropriating authority may adjust that offer; and
- (j) a statement drawing the owner or the holder's attention to the provisions of section 27.

- (3) If the property contemplated in (1) is land, the expropriating authority must also deliver a copy of the notice referred to in subsection (1) to—
- (a) the Directors-General responsible for rural development and land reform, for environmental affairs, for mineral resources and for water and sanitation, and the accounting authority of any other organ of state whose functions and responsibilities will be materially affected by the intended expropriation, provided that if the expropriating authority is the executive authority of one of the departments or organs of state concerned, delivery of such notice to the relevant Director-General or accounting authority is not required; and
  - (b) the municipal manager of the municipality where the property is situated, provided that if the expropriating authority is the relevant municipal council of that municipality, no such delivery is required.

(4) Subject to section 25, an owner or a holder of an unregistered right responding to a notice contemplated in subsection (1) must within 30 days of the service of the notice or, if the notice had not been served on him or her, within 30 days of the publication, as the case may be, deliver to the expropriating authority a written statement indicating—

- (a) the amount claimed by him or her as just and equitable compensation should his or her property be expropriated and furnishing full particulars as to how the amount is made up;
- (b) if the property is land, full particulars of all improvements thereon which, in the opinion of such owner or holder of a right, affect the value of the land;
- (c) if the property is land—

- (i) which prior to the date of such notice was leased as a whole or in part by an unregistered lease, the name and address of the lessee, and accompanied by the lease or a certified copy thereof;
  - (ii) which prior to the date of such notice was sold by the owner, but transfer had not yet been effected, the name and address of the buyer, and accompanied by the contract of purchase and sale or a certified copy thereof;
  - (iii) on which a building has been erected which is subject to a builder's lien by virtue of a written building contract, the name and address of the builder, and accompanied by the building contract or a certified copy thereof; and
- (d) the address at which the owner or the holder of an unregistered right desires to receive further documents in connection with the expropriation.

(5) The expropriating authority must acknowledge receipt in writing, consider and take into account all objections and submissions timeously received before proceeding with an expropriation.

(6) The expropriating authority must, within 20 days of receiving the statement contemplated in subsection (4), in writing—

- (a) inform the relevant owner or relevant holder of an unregistered right whether the amount of compensation claimed in the statement is accepted; and
- (b) if the amount of compensation claimed is not accepted, indicate the amount of compensation offered by the expropriating authority, furnishing full details and supporting documents in respect thereof.

(7) (a) If no agreement on the amount of compensation payable has been reached between the expropriating authority and the owner or the holder of

a right within 40 days of the expropriating authority receiving the statement contemplated in subsection (4), the expropriating authority must decide whether or not to proceed with the expropriation.

(b) If the expropriating authority decides—

- (i) to proceed to expropriate, it must serve a notice of expropriation in terms of section 8(1) within a reasonable time;
- (ii) to continue with negotiation on compensation in accordance with section 16, it must inform the owner or the holder of a right accordingly in writing within a reasonable time; or
- (iii) not to proceed with the expropriation of the property, it must inform the owner or the holder of a right accordingly in writing within a reasonable time and must publish a notice of his or her decision not to proceed in terms of section 24(2).

### **Notice of expropriation**

8. (1) If the expropriating authority decides to expropriate a property, the expropriating authority must cause a notice of expropriation to be served on the owner and the known holders of unregistered rights, as the case may be, whose rights in the property are to be expropriated.

(2) The expropriating authority must cause a copy of the notice of expropriation to be—

- (a) published in accordance with section 24(2), provided that if the notice of expropriation has taken place by publication in terms of section 24(1)(c), the publication in terms of this paragraph is not required;

- (b) delivered to a holder of an unregistered right in the property of whom he or she is aware and whose rights are not to be expropriated, and
- (c) if the property is land or a right in land, delivered to—
  - (i) the municipal manager of the municipality where the property is situated, provided that if the expropriating authority is the municipal council the delivery of such notice is not required;
  - (ii) the Director-General responsible for rural development and land reform, for environmental affairs, for mineral resources, and for water and sanitation, and the accounting authority of any other organ of state whose functions and responsibilities will be materially affected by the intended expropriation, provided that if the expropriating authority is the executive authority of one of the departments or organs of state concerned, the delivery of the notice on the relevant Director-General or accounting authority is not required;
  - (iii) a holder of a mortgage bond registered in the Deeds Office in respect of the property concerned;
  - (iv) if the property is subject to a contract contemplated in section 7(4)(c)(ii), on the buyer; and
  - (v) if the building thereon is subject to a lien contemplated in section 7(4)(c)(iii), on the builder.

(3) The notice of expropriation served as contemplated in subsection (1) must contain—

- (a) a statement of the expropriation of the property;
- (b) the full description of the property, including—

- (i) in the case where the expropriation applies to a portion of a land parcel, the approximate extent of such portion in relation to the whole;  
or
- (ii) in the case where the expropriation applies to a right in land, a description of the approximate position of the right in land on such land;
- (c) a short description of the purpose for which the property is required and the address at which documents setting out that purpose may be inspected and particulars of that purpose may be obtained during business hours;
- (d) the reason for the expropriation of that particular property;
- (e) the date of expropriation or, as the case may be, the date from which the property will be used temporarily and also stating the period of such temporary use;
- (f) the date on which the right to possession of the property will pass to the expropriating authority; and
- (g) except in the case of an urgent expropriation contemplated in section 22, the amount of compensation offered by the expropriating authority or agreed to by the expropriating authority and the owner and the holder of an unregistered right, as the case may be.

(4) The notice of expropriation served as contemplated in subsection (1) must be accompanied by documents detailing the following:

- (a) the date or dates on which the expropriating authority proposes to pay the compensation and any interest payable in respect thereof in terms of section 13;

- (b) in the case where the expropriation applies to a portion of a land parcel, a survey diagram or sketch plan showing the approximate position of such portion in relation to the whole;
- (c) in the case where the expropriation applies to a right in land, a survey diagram or sketch plan on which the approximate position of the right in land on such land is indicated, unless the right in land is accurately described without such survey diagram or sketch plan;
- (d) an explanation of what the offer of compensation referred to in subsection (3)(g) comprises of, together with supporting documents detailing how the offer of compensation was determined;
- (e) a directive calling upon the expropriated owner and expropriated holder as the case may be, to submit in writing the names and addresses of all holders of unregistered rights in the property and particulars of such rights, other than those furnished in accordance with sections 5(5)(a) and 7(2)(h), if any, to the extent that such names, addresses and particulars are within the knowledge of the expropriated owner;
- (f) a statement that if a person has an unregistered right in respect of the property of which the expropriating authority had no knowledge when making the offer of compensation, the expropriating authority may adjust that offer;
- (g) a statement informing the expropriated owner and expropriated holder, as the case may be, that he or she may request a translation of the notice of expropriation in the official language of his or her choice; and
- (h) a statement drawing an expropriated owner, expropriated holder or any other person's attention to the provisions of section 27.

(5) (a) Rights in a property may be expropriated from different owners and holders of unregistered rights in the same notice of expropriation.

(b) A separate offer of just and equitable compensation must be stated in respect of each owner or holder mentioned in the notice of expropriation contemplated in paragraph (a).

### **Vesting and possession of expropriated property**

9. (1) The effect of an expropriation of property is that—
- (a) the ownership of the property described in the notice of expropriation vests in the expropriating authority or in the person on whose behalf the property was expropriated, as the case may be, on the date of expropriation;
  - (b) all unregistered rights in such property are simultaneously expropriated on the date of expropriation unless—
    - (i) the expropriation of those unregistered rights are specifically excluded in the notice of expropriation; or
    - (ii) those rights, including permits or permissions, were granted or exist in terms of the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002);
  - (c) in the case of a right to use a property temporarily, the expropriating authority or the person on whose behalf the property was expropriated may as from the date of expropriation exercise that right; and
  - (d) the property remains subject to all registered rights in favour of third parties, with the exception of a mortgage, with which the property was burdened prior

to expropriation, unless or until such registered rights are expropriated from the holder thereof in terms of this Act.

(2) (a) The expropriating authority, or the person on whose behalf the property was expropriated, must take possession of the expropriated property on the date stated in terms of section 8(3)(f) or such other date as may be agreed upon with the expropriated owner or expropriated holder.

(b) The right to possession passes on the relevant date contemplated in paragraph (a) to the person referred to therein, as the case may be.

(3) (a) The expropriated owner or expropriated holder who is in possession of the property concerned must, from the date of expropriation to the date referred to in subsection (2) or (4), take all reasonable steps to maintain the property.

(b) If the expropriated owner or expropriated holder wilfully or negligently fails to maintain the property and as a result thereof the property depreciates in value, the expropriating authority may recover the amount of depreciation from the expropriated owner or the expropriated holder, concerned.

(c) The expropriating authority must compensate the expropriated owner or expropriated holder, as the case may be, for costs which were necessarily incurred after the date of expropriation in respect of such maintenance.

(4) If the expropriated owner or expropriated holder, as the case may be, desires to place the expropriating authority in possession of the expropriated property prior to the date contemplated in section 8(3)(f) and the expropriating authority does not agree to a date on which the right to possession of the property will pass to it, the expropriated owner or expropriated holder, as the case may be, may give the expropriating authority notice in writing of not less than

20 days before the date on which the expropriated owner or expropriated holder wishes to transfer the right to possession of the property, in which case the right to possession of the property passes to the expropriating authority on that date.

(5) The expropriated owner or expropriated holder who is in possession of the property concerned, remains entitled to the use of and the income from the expropriated property, as was enjoyed immediately prior to the date of expropriation, from the date of expropriation to the date referred to in subsection (2)(b), but remains, during that period, responsible for the payment of municipal property rates and other charges, if applicable, and normal operating costs in respect of the expropriated property as if the property had not been expropriated.

### **Verification of unregistered rights in expropriated property**

**10.** (1) If, after the date of expropriation, a person claims to have held an unregistered right in the expropriated property for which that person has not been compensated, the expropriating authority must request that person to deliver within 30 days of receipt of the request, subject to section 25, a copy of any written instrument evidencing or giving effect to the unregistered right, if such instrument is in his or her possession or under his or her control, or any other evidence to substantiate the claim.

(2) If the unregistered right, claimed as contemplated in subsection (1), pertains to the use of improvements on expropriated land, the evidence required in terms of subsection 35(1) must include—

(a) a full description of those improvements;

- (b) an affidavit or affirmation by the person concerned stating whether those improvements were erected by that person and if so, whether the materials used for erecting those improvements were owned by that person; and
- (c) the amount claimed as compensation for such unregistered right, together with details or a report, if any, on how the amount is computed.

(3) After receipt of the evidence requested in terms of subsection (1) and if the unregistered right claimed pertains to land, the expropriating authority may forward that evidence to the Directors-General responsible for rural development and land reform, for environmental affairs, for mineral resources and for water and sanitation, and to the accounting authority of any other organ of state, as the case may be, for assistance in the verification of such claim.

(4) A Director-General or accounting authority referred to in subsection (3) must submit comments within 30 days of receipt of the request contemplated in that section.

(5) (a) The expropriating authority must decide on the claim contemplated in subsection (1) within 20 days of expiry of the period referred to in subsection (4) and notify the claimant in writing of the decision.

(b) If the expropriating authority accepts the claim contemplated in subsection (1), the expropriating authority must serve the notice contemplated in section 11(2) on such claimant.

(c) If the expropriating authority does not accept the claim contemplated in subsection (1), the expropriating authority must inform the claimant accordingly in writing and must provide reasons for the rejection.

## **Consequences of expropriation of unregistered rights and duties of expropriating authority**

11. (1) An expropriated holder of an unregistered right in a property that has been expropriated by the operation of section 9(1)(b) is, subject to section 10 and this section, entitled to compensation.

(2) If the expropriating authority becomes aware that an unregistered right in the expropriated property has been expropriated by the operation of section 9(1)(b) and becomes aware of the identity of the expropriated holder thereof, the expropriating authority must serve on that expropriated holder a notice that the unregistered right has been expropriated, together with a copy of the notice of expropriation served on the expropriated owner in terms of section 8(1).

(3) The notice contemplated in subsection (2) must—

- (a) inform the expropriated holder of the date on which the right to possession of the expropriated property passed to the expropriating authority in terms of section 9(2) or (4);
- (b) contain a statement contemplated in section 8(3)(f), if applicable; and
- (c) except if this information was furnished in terms of section 10(1), request the expropriated holder to deliver to the expropriating authority, within 20 days of receipt of the notice, subject to section 25, a copy of any written instrument in which the unregistered right is contained, if such instrument is in his or her possession or under his or her control.

(4) When a notice in terms of subsection (2) has been served on the expropriated holder concerned, this Act applies with the changes required by the context as if such notice were a notice of expropriation in terms of section 8(1) in

respect of such unregistered right: Provided that if that expropriated holder is a lessee, he or she remains liable to pay rental to the expropriated owner until the right to possession passes in terms of section 9(2) or (4) and, if applicable, thereafter to the expropriating authority.

(5) If the expropriated owner or expropriated holder knew of the existence of an unregistered right contemplated in subsection (2) and failed to inform the expropriating authority of the existence thereof, the expropriated owner or expropriated holder, as the case may be, is liable to the expropriating authority for any loss incurred in the event of the expropriating authority having to pay compensation for the expropriation of the unregistered right after the date of payment of compensation to the expropriated owner or expropriated holder, as the case may be.

## CHAPTER 5

### COMPENSATION FOR EXPROPRIATION

#### Determination of compensation

**12.** (1) The amount of compensation to be paid to an expropriated owner or expropriated holder must be just and equitable reflecting an equitable balance between the public interest and the interests of the expropriated owner or expropriated holder, having regard to all relevant circumstances, including—

- (a) the current use of the property;
- (b) the history of the acquisition and use of the property;
- (c) the market value of the property;

- (d) the extent of direct state investment and subsidy in the acquisition and beneficial capital improvement of the property; and
- (e) the purpose of the expropriation.

(2) In determining the amount of compensation to be paid in terms of this Act, the expropriating authority must not, unless there are special circumstances in which it would be just and equitable to do so, take account of—

- (a) the fact that the property has been taken without the consent of the expropriated owner or expropriated holder;
- (b) the special suitability or usefulness of the property for the purpose for which it is required by the expropriating authority, if it is unlikely that the property would have been purchased for that purpose in the open market;
- (c) any enhancement in the value of the property, if such enhancement is a consequence of the use of the property in a manner which is unlawful;
- (d) improvements made to the property in question after the date on which the notice of expropriation was served upon the expropriated owner and expropriated holder, as the case may be, except where the improvements were in advance agreed to by the expropriating authority or where they were undertaken in pursuance of obligations entered into before the date of expropriation;
- (e) anything done with the object of obtaining compensation therefor; and
- (f) any enhancement or depreciation, before or after the date of service of the notice of expropriation, in the value of the property in question, which can be directly attributed to the purpose in connection with which the property was 10 expropriated.

(3) It may be just and equitable for nil compensation to be paid where land is expropriated in the public interest, having regard to all relevant circumstances, including but not limited to:

- (a) Where the land is occupied or used by a labour tenant, as defined in the Land Reform (Labour Tenants) Act, 1996 (Act No. 3 of 1996);
- (b) where the land is held for purely speculative purposes;
- (c) where the land is owned by a state-owned corporation or other state-owned entity;
- (d) where the owner of the land has abandoned the land;
- (e) where the market value of the land is equivalent to, or less than, the present value of direct state investment or subsidy in the acquisition and beneficial capital improvement of the land.

### Interest on compensation

**13.** Interest, at the rate determined from time to time in terms of section 80(1)(b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), from the date the expropriating authority, or the person on whose behalf the property was expropriated, takes possession of the expropriated property, shall accrue on any outstanding portion of the amount of compensation payable in accordance with section 12, and becomes payable in the manner contemplated in section 17, provided that—

- (a) if the expropriated owner or expropriated holder fails to comply with section 14(1) within the period referred to in that section, including any extension of such period, the amount so payable during the period of such failure and for the purposes of the payment of interest, is not regarded as an outstanding amount;
- (b) until the claimant complies with the requirement of section 17(5), the amount so payable during the period of such failure and for the purposes of the payment of interest, is not regarded as an outstanding amount;
- (c) interest due in terms of this subsection must be regarded as having been paid on the date on which the amount has been made available or by prepaid registered post dispatched to the expropriated owner or the expropriated holder concerned, or electronically transferred to his or her account, as the case may be;
- (d) a payment, utilisation or deposit of an amount in terms of section 17(1), 19(2) or 20(1) or (2) must be regarded as being a payment to the expropriated

owner or an expropriated holder and no interest accrues on any such amount as from the date on which it has been so paid, utilised or deposited.

### Compensation claims

- 14.** (1) An owner or a holder of an unregistered right who receives a notice of expropriation in terms of section 8(1) must, subject to section 25, within 20 days from the date on which that notice was served on that owner or holder deliver or cause to be delivered to the expropriating authority a written statement—
- (a) either confirming that the compensation as stipulated in such notice was agreed to or, if applicable, indicating whether the offer of compensation stipulated in such notice is accepted;
  - (b) if no compensation was offered, as in the case of an urgent expropriation in terms of section 22, or if such offer in the notice is not accepted, indicating the amount claimed by such owner or holder as just and equitable compensation;
  - (c) furnishing full particulars as to how the amount contemplated in paragraph (b) is made up, including a copy of a valuation, other professional report or other document that forms the basis of the compensation claimed, if any;
  - (d) if the property expropriated is land, furnishing full particulars of—
    - (i) improvements on the land that in the opinion of the owner or the holder affect the value of that land; and
    - (ii) all unregistered rights that exist in respect of such land and that he or she is aware of, including the name and address of the holder of such unregistered right and a copy of any written instrument

evidencing or giving effect to an unregistered right, in his or her possession or under his or her control;

- (e) the physical address or postal address, facsimile number and email address, if any, to or at which further documentation in connection with the expropriation must be delivered; and
- (f) such information and annexing such documentation as may be prescribed by the Minister in order to facilitate electronic payment of compensation to the expropriated owner or expropriated holder.

(2) If the property expropriated is land—

- (a) the expropriated owner must deliver or cause to be delivered to the expropriating authority, subject to section 25, within 30 days of the expropriating authority requesting, the title deed to such land or, if it is not in his or her possession or under his or her control, written particulars of the name and address of the person in whose possession or under whose control the title deed is; and
- (b) the person referred to in paragraph (a) in whose possession the title deed may be, must deliver or cause to be delivered the title deed in question to the expropriating authority within 20 days of the expropriating authority requesting it, subject to section 25.

### **Offers of compensation**

**15.** (1) If the expropriating authority does not accept the amount claimed by a claimant in terms of section 14(1) the expropriating authority must, within 20 days of delivery of the statement contemplated in that section, make

an offer of just and equitable compensation to the claimant in writing, furnishing full particulars of how such amount is made up and calculated.

(2) The offer of compensation contemplated in subsection (1) must be accompanied by copies of reports detailing how the offer of compensation was determined, if the amount is different from the amount offered by the expropriating authority in terms of section 8(3).

(3) The provisions of section 21 shall apply if—

- (a) an owner or holder of an unregistered right does not deliver a statement in terms of section 14(1); or
- (b) the claimant does not accept the offer of compensation contemplated in subsection (1), by written reply within 20 days, or within such additional time as may be permitted in terms of section 25.

### **Requests for particulars and offers**

**16.** (1) The expropriating authority and the claimant may from time to time in writing deliver a request for reasonable particulars regarding the claimant's claim for just and equitable compensation or the offer of just and equitable compensation, as the case may be, and particulars so requested must be furnished within 20 days of such request.

(2) If the expropriating authority or the claimant fails to comply with a request in terms of subsection (1), the requesting party may apply to a court on notice for an order directing the defaulting party to comply with subsection (1), and the court may make such an order.

(3) A claim for just and equitable compensation and an offer of just and equitable compensation remain in force until—

- (a) such compensation claimed or offered is revised by the claimant or expropriating authority, as the case may be;
- (b) the amount of compensation has been agreed to by the expropriating authority and the claimant; or
- (c) the compensation has been decided or approved by a court.

### **Payment of amount offered as compensation**

17. (1) An expropriated owner or expropriated holder is entitled to payment of compensation by no later than the date on which the right to possession passes to the expropriating authority in terms of section 9(2) or (4), subject to sections 18, 19 and 20.

(2) The payment, utilisation or deposit of any amount contemplated in sections 18, 19 and 20 does not preclude the determination of an amount by agreement or by a court: Provided that where the amount so determined is less than the amount paid, the difference must be refunded to the expropriating authority together with interest at the rate contemplated in section 13 from the date on which the amount was so paid, utilised or deposited.

(3) Any delay in payment of compensation to the expropriated owner or expropriated holder by virtue of subsection (2) or any other dispute arising will not prevent the passing of the right to possession to the expropriating authority in terms of sections 9(2) or (4), unless a court orders otherwise.

(4) If the expropriating authority or expropriated owner or expropriated holder has proposed a later date than the date contemplated in subsection (1) for the payment of compensation, the party proposing later payment may, in the absence of agreement, apply to court for an order for payment on such later date, and the court may make an appropriate order, having regard to all relevant circumstances.

(5) If value-added tax is leviable by a claimant in terms of section 7(1)(a) of the Value-Added Tax Act, 1991 (Act No. 89 of 1991), by virtue of section 8(21) of that Act, payment of compensation must be made by the expropriating authority only upon receipt of a tax invoice as required in terms of section 20 of that Act from the claimant, together with confirmation of the tax compliance status of the claimant by the South African Revenue Service.

(6) The Minister may prescribe the information and documentation to be delivered by a person to whom compensation or interest is payable in terms of this Act, in order to facilitate electronic payment thereof.

### **Property subject to mortgage or deed of sale**

**18.** (1) If property expropriated in terms of this Act was, immediately prior to the date of expropriation, encumbered by a registered mortgage or subject to a deed of sale, the expropriating authority may not pay out any portion of the compensation money except to such person and on such terms as may have been agreed upon between the expropriated owner or expropriated holder and the mortgagee or buyer concerned, as the case may be, after the claimant has notified the expropriating authority of the agreement.

(2) The expropriated owner or expropriated holder and the bond holder or buyer, as the case may be, must notify the expropriating authority by no later than 30 days from the date contemplated in section 9(2) or (4), of their agreement and its terms contemplated in subsection (1), failing which the expropriating authority may deposit the compensation money with the Master in terms of section 20(2).

(3) In the event of a dispute arising out of subsection (1), the expropriating authority may deposit the compensation money with the Master, and any of the disputing parties may apply to a court of competent jurisdiction for an order directing the Master to pay out the compensation money in such manner and on such terms as the court may determine.

### **Payment of municipal property rates and other charges out of compensation money**

**19.** (1) For the purposes of this section, the charges referred to are municipal rates, taxes or other charges that must be paid in order for ownership of land to be transferred by the registrar of deeds to the expropriating authority through registration in the deeds office.

(2) If land which has been expropriated is subject to the charges contemplated in subsection (1), the municipal manager must, within 30 days of receipt of a copy of the notice of expropriation in terms of section 8(2)(c)(i), inform the expropriating authority in writing of such charges, as at the date contemplated in section 9(2) or (4): Provided that if the expropriating authority is the municipal council of the municipality where the land is situated, the notice is not required.

(3) (a) The expropriating authority must in writing, by registered mail, inform the expropriated owner or expropriated holder of any outstanding charges contemplated in subsection (1).

(b) If the said amount is not disputed in writing by the expropriated owner or expropriated holder within 20 days of the notification, the expropriating authority may utilise as much of the compensation money in question as is necessary for the payment, on behalf of the expropriated owner or expropriated holder, of any outstanding charges contemplated in subsection (1).

(4) If the municipal manager fails to inform the expropriating authority of the outstanding charges contemplated in subsection (1) within the 20 days, the expropriating authority may pay the compensation to the expropriated owner or expropriated holder without regard to the outstanding municipal property rates or other charges, and in such an event and despite the provisions of any law to the contrary—

- (a) the Registrar of Deeds must register transfer of the expropriated property;
- (b) the expropriating authority or the person on whose behalf the property was expropriated, as the case may be, is not liable to the municipality concerned before or after such registration for the outstanding municipal property rates or other charges; and
- (c) the expropriated owner or expropriated holder, as the case may be, continues to be liable to the municipality for the outstanding rates and charges calculated up to the date of possession, notwithstanding the registration of the expropriated property in the name of the expropriating authority or person on whose behalf the property was expropriated, as the case may be.

## Deposit of compensation money with Master

20. (1) The expropriating authority must deposit the amount of compensation payable in terms of this Act with the Master after which the expropriating authority ceases to be liable in respect of that amount—
- (a) if a property expropriated under this Act was left in terms of a will or testament to an undetermined beneficiary or beneficiaries;
  - (b) if compensation is payable in terms of this Act to a person whose address is not readily ascertainable or who, unless otherwise agreed, fails to supply the prescribed information and documentation for electronic payment within 20 days of being given written notice to do so; or
  - (c) if compensation is payable and the expropriating authority, after reasonable endeavours, is unable to determine to whom it must be paid.

(2) In the event of a dispute or doubt as to the person who is entitled to receive compensation payable in terms of this Act, or in the event that an interdict prevents the expropriating authority from paying compensation to that person, the expropriating authority may deposit the amount of compensation with the Master.

(3) Any money received by the Master in terms of subsection (1) or (2) must be paid into the guardian's fund referred to in section 86 of the Administration of Estates Act, 1965 (Act No. 66 of 1965), for the benefit of the persons who are or may become entitled thereto and bear interest at the interest rate determined in terms of section 80(1)(b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

(4) A court of competent jurisdiction may make an order which it may deem expedient in respect of money received by the Master in terms of subsection (1) or (2).

## CHAPTER 6

### MEDIATION AND DETERMINATION BY COURT

#### Mediation and determination by court

21. (1) If the expropriating authority and expropriated owner or expropriated holder do not agree on the amount of compensation, they may attempt to settle the dispute by mediation, which must be initiated and finalized without undue delay by either party.

(2) If the expropriating authority and disputing party are unable to settle the dispute by consensus in the manner contemplated in subsection (1) or if the disputing party did not agree to mediation, the expropriating authority must refer the matter to a competent court to decide or approve just and equitable compensation provided that nothing in this section alters the ordinary civil onus.

(3) Subsection (2) does not preclude a person from approaching a court on any matter relating to the application of this Act.

(4) Where a court finds that a provision of this Act has not been complied with, it must make such order as it considers just and equitable, having regard to all relevant circumstances, including—

(a) the nature and extent of the interest of the person who has challenged the conduct in question;

- (b) the materiality of the non-compliance;
- (c) the stage which has been reached in the expropriation process; and
- (d) the interests of other persons which may be affected by the relief which is ordered.

(5) A dispute on the amount of compensation alone shall not preclude the operation of section 9.

## CHAPTER 7

### URGENT EXPROPRIATION

#### Urgent expropriation

**22.** (1) An expropriating authority may, if a property is required on an urgent basis, take a right to use property temporarily for so long as it is urgently required for a period 10 not exceeding 12 months.

(2) The power referred to in subsection (1) may only be exercised if suitable property held by the national, provincial or local government is not available under the following circumstances:

- (a) in the case of a disaster, as defined in the Disaster Management Act, 2002 (Act 15 No. 57 of 2002); or
- (b) where a court grants an order that an expropriating authority is entitled to use the provisions of this section due to—
  - (i) urgent and exceptional circumstances that justify action under subsection (1);

- (ii) real and imminent danger to human life or substantial injury or damage to property; or
- (iii) any other ground which in the view of the court justifies action under subsection (1).

(3) Should an expropriating authority exercise the power referred to in subsection (1), the expropriating authority will be exempted from compliance with the provisions of sections 5(1), 6(1) and 7(1).

(4) The owner or the holder of an unregistered right whose right in property has been taken for temporary use in terms of this section is entitled to just and equitable compensation as calculated, determined and paid in terms of this Act.

(5) The expropriating authority must make a written offer of compensation to the expropriated owner or expropriated holder of an unregistered right within 30 days from the date on which the notice to use the property temporarily was given, and payment must be made within a reasonable time thereafter: Provided that in the event of any dispute, the provisions of section 21 apply.

(6) If the property taken for temporary use in terms of this section is damaged during the use of the property, the expropriating authority must repair such damage or compensate the owner or the holder of an unregistered right concerned for the damage.

(7) (a) If an expropriating authority wishes to extend the period of temporary usage beyond 12 months and the owner or the holder of an unregistered right whose right in property has been taken does not agree thereto, the expropriating authority may approach the court for an extension of the period.

(b) The court may, on sufficient cause shown by the expropriating authority, extend the period of temporary usage.

(c) The period of extension may not exceed a period of 18 months from the date the property was taken for temporary use in terms of subsection (1).

(8) If the court refuses to grant an extension as applied for in terms of subsection (7), the expropriating authority must vacate the property on the expiry of the period of temporary use or on the date agreed to by the parties or determined by the court.

(9) An expropriating authority may at any time during the temporary use of the property, commence with the expropriation of the property and must comply with all relevant provisions of this Act.

## CHAPTER 8

### WITHDRAWAL OF EXPROPRIATION

#### Withdrawal of expropriation

**23.** (1) (a) Notwithstanding anything to the contrary contained in any law, the expropriating authority may withdraw any expropriation from a date mentioned in a notice of withdrawal if the withdrawal of that expropriation is in the public interest or the reason for which the property was expropriated is no longer applicable.

(b) The notice of withdrawal contemplated in paragraph (a) must be served on every person on whom the notice of expropriation in question was served.

(2) An expropriation may not be withdrawn—

- (a) after the expiration of three months from the date of expropriation, except with the written consent of the expropriated owner and all expropriated holders or, in the absence of a written consent, if a court, on application by the expropriating authority, authorises the withdrawal on the ground that it is in the public interest that the expropriation be withdrawn;
- (b) if, where the expropriated property is land, the property has already been registered in the name of the expropriating authority in consequence of the expropriation; or
- (c) if the expropriating authority has already paid compensation in connection with such expropriation, unless the agreement in writing of every person to whom the compensation has been paid is obtained.

(3) If an expropriation of property is withdrawn—

- (a) ownership of the property concerned again vests, from the date contemplated in subsection (1), in the owner from whom it was expropriated, and any mortgage or other rights discharged or expropriated in connection with or as a consequence of the expropriation are fully revived;
- (b) the Registrar of Deeds or the registrar of any other office at which such expropriated right was registered or recorded must, on receipt of a copy of the notice of withdrawal, cancel any endorsement made in connection with the expropriation in his or her registers and on the title deed in question; and
- (c) the expropriating authority is liable for all reasonable costs and damages incurred or suffered by a claimant as a result of such withdrawal.

## CHAPTER 9

### RELATED MATTERS

#### Service and publication of documents and language used therein

24. (1) Whenever a notice in terms of section 7(1), a notice of expropriation, a notice in terms of section 11(2) to an expropriated holder or a notice of withdrawal in terms of section 23(1)(b) is required to be served in terms of this Act, the original or a certified copy thereof must—

- (a) be delivered or tendered to the addressee personally at his or her residential address, place of work, place of business or at such address or place as the expropriating authority and the addressee may, in writing, agree upon;
- (b) be posted by pre-paid registered post to the postal address of the addressee;
- (c) be published in the manner contemplated in subsection (2)—
  - (i) if the whereabouts of the person concerned are unknown to the expropriating authority and is not readily ascertainable, after taking reasonable steps; or
  - (ii) in the case of *fideicommissaries* in respect of a property which is subject to a *fideicommissum* and it is not known to the expropriating authority who all the *fideicommissaries* are or will be; or
- (d) if none of the modes of service set out in paragraphs (a) to (c) is practicable under the circumstances, be served in accordance with such directions as the court, on application, may direct.

(2) Whenever publication of a notice in terms of section 7(1) or (7)(b)(iii), a notice of expropriation or other document is required by this Act, publication must take place—

- (a) by the publication of the notice or document in English and in any other official language commonly used in the area where the property is situated once in the *Gazette* and, simultaneously therewith or not more than one week thereafter, once in the said languages in two widely circulated and accessible newspapers of different languages circulating in the area in which the property is situated;
- (b) if the property is land, by the display of the notice in the said languages on such land in a conspicuous place, from not later than the date of publication in the *Gazette* contemplated in paragraph (a); and
- (c) if the expropriating authority deems it necessary in the circumstances, by the advertising in such languages as may be appropriate on television or radio, transmitting to the area where the property is situated in the languages commonly used in that area, the contents of the advertisement to adhere as closely as is practicable to the contents of the notice or document so advertised.

(3) Whenever a document must or may be delivered in terms of this Act, delivery must take place by delivering—

- (a) to the owner and holder of an unregistered right in a property known to the expropriating authority, at the address appointed in the notice in terms of section 7(1), the notice of expropriation, the notice in terms of section 11(2) or other document, as the case may be; and

- (b) to any owner, holder of an unregistered right, person who has lodged an objection or submission contemplated in section 7(2)(g), expropriated owner and expropriated holder, at the address or facsimile number appointed by such person in terms of this Act, or in the absence thereof—
- (i) at an address supplied in respect of such person in terms of this Act;
  - (ii) at the residential or postal address of such person, if known to the expropriating authority; or
  - (iii) if no address of such person is known to or readily ascertainable by the expropriating authority, by publication in the manner contemplated in subsection (2)(a).

(4) The delivery contemplated in subsection (3) must take place at the address in question either by—

- (a) hand;
- (b) facsimile transmission, provided that a confirmatory copy of the document is sent by ordinary mail or by any other suitable method within one day of such transmission; or
- (c) registered post.

(5) Whenever a document or a part of a document which is in colour has to be delivered, every copy thereof which is delivered, and in the case of a facsimile transmission, the confirmatory copy, must be in the same colour as the original.

(6) All documents must be in English and if an addressee has prior to a communication expressed in writing a preference for another official language, also in that preferred official language.

(7) Every addressee who has received a written communication from the expropriating authority is entitled to request, in writing, a translation of that communication into the official language indicated in the request.

### **Extension of time**

**25.** Wherever a period is mentioned within which something must be done in terms of this Act, the expropriating authority may, on written request and good cause shown by the relevant owner or relevant holder of a right in property or other interested or affected person, as the case may be, from time to time extend that period for a further period or periods as may be reasonable in the circumstances.

### **Expropriation register**

**26.** (1) The Director-General must ensure that a register of all expropriations that are intended, effected and withdrawn, and of decisions not to proceed with a contemplated expropriation by all expropriating authorities, is opened, maintained and accessible to the public.

(2) All expropriating authorities must deliver to the Department a copy of any notice of an intended expropriation, expropriation and withdrawal of expropriation, and of any decision not to proceed with an intended expropriation, within 20 days of the service or delivery of such notices.

**Civil fines and offences**

- 27.** (1) A person commits a breach of this Act if that person fails to—
- (a) comply with a directive by the expropriating authority in terms of section 7(2)(h)(i);
  - (b) deliver to the expropriating authority a statement contemplated in section 7(4)(c)(i), (ii) or (iii); or
  - (c) provide the information contemplated in section 8(4)(e).

(2) A civil court may impose a fine up to a maximum prescribed amount, in favour of the National Revenue Fund, on a person referred to in subsection (1), upon application by the expropriating authority brought on notice to the affected person.

(3) The rules of the relevant court apply to the application referred to in subsection (2).

(4) The breach referred to in subsection (1) is not a criminal offence.

(5) A person who wilfully furnishes false or misleading information in any written instrument which he or she by virtue of this Act delivers or causes to be delivered to an expropriating authority, is guilty of an offence and liable on conviction to be punished as if he or she had been convicted of fraud.

## Regulations

**28.** (1) The Minister may, by notice in the Gazette, make regulations regarding—

- (a) any matter that may or must be prescribed in terms of this Act; and
- (b) any ancillary or incidental administrative or procedural matter that may be necessary for the proper implementation or administration of this Act.

(2) (a) The Minister must, before making any regulations contemplated in subsection (1), publish the draft regulations for public comment.

(b) The period for submitting comments must be at least 20 days from the date of publication of the draft regulations.

## Interpretation of other laws dealing with expropriation

**29.** (1) Subject to section 2, any law dealing with expropriation of property that was in force immediately before the date on which this Act came into operation, must be interpreted in a manner consistent with this Act, and for that purpose any reference in any such law to—

- (a) a functionary authorised to expropriate property, must be construed as a reference to an expropriating authority; and
- (b) compensation as provided for in sections 12 and 13 of the Expropriation Act, 1975 (Act No. 63 of 1975), must be construed as a reference to compensation contemplated in the provisions of section 25(3) of the Constitution and the provisions of this Act.

(2) In the event of a conflict between this Act and any other law contemplated in subsection (1) in relation to matters dealt with in this Act, this Act prevails.

### **Repeal of laws**

30. The laws mentioned in the second column of the Schedule are hereby repealed to the extent set out in the third column.

### **Transitional arrangements and savings**

31. (1) This Act does not apply to any expropriation initiated through delivery of a notice of expropriation prior to the date of commencement of this Act or to any consequences of any expropriation initiated prior to the date of commencement of this Act.

(2) Any proceedings for the determination of compensation in consequence of an expropriation contemplated in paragraph (a) must be instituted, or if already instituted must be concluded, as if this Act had not been passed: Provided that the parties concerned may agree to the application of this Act to such expropriation or proceedings in which case the relevant provisions of this Act apply to the extent agreed upon between the parties as if it were an expropriation or proceedings for the determination of compensation in terms of this Act.

**Short title and commencement**

**32.** (1) This Act is called the Expropriation Act, 2019, and comes into operation on a date determined by President by proclamation in the *Gazette*.

(2) Different dates may be determined in respect of different provisions of this Act.

**SCHEDULE****(Section 30)**

<b>No. and year of Act</b>	<b>Short title</b>	<b>Extent of repeal</b>
Act No. 63 of 1975	Expropriation Act, 1975	The whole
Act No. 19 of 1977	Expropriation Amendment Act, 1977	The whole
Act No. 3 of 1978	Expropriation Amendment Act, 1980	The whole
Act No. 21 of 1982	Expropriation Amendment Act, 1982	The whole
Act No. 45 of 1992	Expropriation Amendment Act, 1992	The whole

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1410

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by the late Richard Mbatha on behalf of Mbatha family on the property mentioned here under situated in Some Local Municipality, Gert Sibande District in Mpumalanga Province: KRP: 9075

CURRENT PARTICULARS OF THE PROPERTY  
VLAKPOORT 89 HS

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 6	Eksteen Theunis Johannes Trustees	<ul style="list-style-type: none"> <li>• T140490/2001</li> <li>• T12399/2011</li> </ul>	85.7774 ha	None	None	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **30 [thirty days]** from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

Private Bag X 11330

Nelspruit

1200

or 30 Samora Machel Drive

Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859

  
CHECKED BY: SUCCESS MNISI

ACTING D.D : LEGAL

DATE: 08/11/2018

  
MR. L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
MPUMALANGA PROVINCE

DATE: 20/11/21

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1411

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by Mr. Delani Isaac Thubane ID No. 4812135157083 on behalf of Thubane family on the property mentioned hereunder situated in Emakhazeni Local Municipality, Nkangala District in Mpumalanga Province: KRP: 9097

CURRENT PARTICULARS OF THE PROPERTY  
WINTERSHOEK 390 JS

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Extent of Portion 2	HENKO TRUST [6375/2003]	T52507/2004	209.94.2ha	None	None	K1023/2004RM
			The Total hectares on the claimed land is 50ha			

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

## Commissioner for Restitution of Land Rights

Private Bag X11330  
Nelspruit  
1200

Or 30 Samora Machel Drive  
Restitution House  
Nelspruit  
1200

TEL NO: 013 – 756 6000  
FAX NO: 013 – 752 3859

CHECKED BY: MR. SUCCESS MNISI  
ACTING: D D LEGAL OFFICER  
DATE: 24/10/2018

MR. L.H. MASHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
MPUMALANGA PROVINCE  
DATE: 20/11/01

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1412

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by the late **Mr Vusumuzi Alfas Sidu** ID. NO. 510514 5201 085 on behalf of **Tshabalala** family on the property mentioned here under situated in Msukalligwa Local Municipality, Gert Sibande District in Mpumalanga Province **KRP: 6968**

CURRENT PARTICULARS OF THE PROPERTY  
ERF 42

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
ERF 42	<ul style="list-style-type: none"> <li>• Madonsela Nkuzana Timothy (3706255179086)</li> <li>• Madonsela Thombe Letta</li> </ul>	<ul style="list-style-type: none"> <li>• TL7173/1991</li> <li>• TL7173/1991</li> </ul>	504.0000 sqm	None	None	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

Private Bag X 11330

Nelspruit

1200

or 30 Samora Machel Drive

Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859

  
CHECKED BY: SUCCESS MNISI  
ACTING D.D.: LEGAL  
DATE: 03/11/2018

  
MR. L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
MPUMALANGA PROVINCE  
DATE: 2018/11/21

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1413

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by the late Mr Victor Knox Simelane ID. NO. 610529 5705 082 on behalf of Simelane family on the property mentioned here under situated in Msukaligwa Local Municipality, Gert Sibande District in Mpumalanga Province (KRP: 6980

CURRENT PARTICULARS OF THE PROPERTY  
ERF 54

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
ERF 54	Msukaligwa Local Municipality	T81300/1996 T59126/2001	508,0000 sqm	None	None	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

**Private Bag X 11330**

**Nelspruit**

**1200**

**or 30 Samora Machel Drive**

**Restitution House**

**Nelspruit**

**1200**

**TEL NO: 013 756 6000**

**FAX NO: 013 752 3859**



**CHECKED BY: SUCCESS MNISI**

**ACTING D.D : LEGAL**

**DATE: 03/11/2018**



**MR. L.H. MAPHUTHA**

**REGIONAL LAND CLAIMS COMMISSIONER**

**MPUMALANGA PROVINCE**

**DATE: 2018/11/21**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1414

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by the late Ms Maureen Thela ID. NO. 500606 0673 086 on behalf of Thela family on the property mentioned here under situated in Msukaligwa Local Municipality, Gert Sibande District in Mpumalanga Province KRP: 6877

CURRENT PARTICULARS OF THE PROPERTY  
ERF 89

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
ERF 89	<ul style="list-style-type: none"> <li>• Mкомо Mbuti Johann (5405145256083)</li> <li>• Mкомо Phindle Dorcas</li> </ul>	<ul style="list-style-type: none"> <li>• T41039/2003</li> <li>• T41039/2003</li> </ul>	502.0000 sqm	None	None	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

Private Bag X 11330

Nelspruit

1200

or 30 Samora Machel Drive

Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859

  
CHECKED BY: SUCCESS MNISI

ACTING D.D : LEGAL

DATE: 03/11/2018

  
MR. L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER

MPUMALANGA PROVINCE

DATE: 2018/11/20

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1415

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of **Section 11[1]** of the **Restitution of the Land Rights Act 1994 [Act 22 of 1994]** as amended, that a **Land claim for Restitution of Land Rights** has been lodged by **Mr Amos Mabena** in his capacity as a **direct dispossessed person** on the property mentioned hereunder situated in **Emalahleni Local Municipality, Nkangala District in Mpumalanga Province: KRP: 9127**

CURRENT PARTICULARS OF THE PROPERTY  
ROODEPOORT 259 JS

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The remaining extent of Portion 2	<ul style="list-style-type: none"> <li>• Oostuizen Cornelis Andries (6512295224081)</li> <li>• Oostuizen Annelien (6806260049089)</li> </ul>	<ul style="list-style-type: none"> <li>• T3497/2013</li> <li>• T3497/2013</li> </ul>	150.0472	B1671/2014	Land & Landbou – Ontwikkelingsbank Van Suid – Afrika	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **30 [thirty days]** from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

Private Bag X7201

Witbank

1035

Or High-Tech House

23 Botha Avenue

Witbank

1035

TEL NO: 013 – 655 1000

FAX NO: 013 – 690 3438

  
**CHECKED BY: SUCCESS MNISI**

**ACTING D.D. LEGAL**

**DATE: 03/11/2018**

  
**MR. L.H. MAPHUTHA**  
**REGIONAL LAND CLAIMS COMMISSIONER**  
**MPUMALANGA PROVINCE**

**DATE: 2018/11/21**

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1416

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by Mr Sabela Mahlangu ID. NO. 330416 5250 088 and Hendrick Mahlangu on behalf of Mahlangu family on the property mentioned hereunder situated in Emakhazeni Local Municipality , Nkangala District in Mpumalanga Province: KRP: 10208

CURRENT PARTICULARS OF THE PROPERTY  
PAARDEPLAATS 125 JT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining extent of the farm 125 JT	AFSEL CC (CK92/16084/23)	T24596/1994	924.5449 ha	None	None	<ul style="list-style-type: none"> <li>• K485/1990RM in favour of Smit Stephanus Johannes</li> <li>• K622/1997RM in favour of Ackermann Coenraad Christoffel Andries</li> <li>• K642/1942RM</li> </ul>

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

**Commissioner for Restitution of Land Rights**

Private Bag X7201

Witbank

1035

Or High- Tech House

23 Botha Avenue

Witbank

1035

TEL NO: 013 -- 655 1000

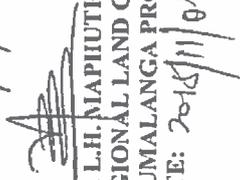
FAX NO: 013 -- 690 3438



CHECKED BY: SUCCESS MNISI

ACTIONG D.D | LEGAL

DATE: 23/10/2018



MR. L.H. MAPHUTHA  
REGIONAL LAND CLAIMS COMMISSIONER  
MPUMALANGA PROVINCE

DATE: 2018/11/01

## DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 1417

21 DECEMBER 2018

## GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr. Sithole Kleimbooi Skosana [ID No. 4307125284088] on behalf of Skosana Family on the property mentioned hereunder situated in Emakhazeni Local Municipality in Nkangata District in the Mpumalanga Province: [KRP: 9563]

## CURRENT PARTICULARS OF THE PROPERTY

## GROOTRIETVLEY 210 JS

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 14	Theunis Jacobus Luus (4504090033082)	T58543/1981	126.1654ha	None	None	• None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

## Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

or Shop No. E 8

Saveways Crescent Centre

Car OR Thambo and Mandela Street

Witbank

1035

TEL NO: 013 655 1000

FAX NO: 013 690 2438

CHECKED BY: MR SUCCESS MINISI

ACTING D.D. LEGAL

DATE 16/08/2018

MR. L. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

DATE: 07/11/2018

## DEPARTMENT OF WATER AND SANITATION

NO. 1418

21 DECEMBER 2018

**MZIMVUBU-TSITSIKAMMA WATER MANAGEMENT AREA (WMA 7) IN THE EASTERN CAPE PROVINCE: AMENDING AND LIMITING THE USE OF WATER IN TERMS OF ITEM 6 OF SCHEDULE 3 OF THE NATIONAL WATER ACT OF 1998; FOR URBAN, AGRICULTURAL AND INDUSTRIAL (INCLUDING MINING) PURPOSES**

The Minister of Water and Sanitation has, in terms of item 6(1) of Schedule 3 of the National Water Act of 1998 (Act 36 of 1998) (The Act), empowered to limit the use of water in the area concerned if the Minister, on reasonable grounds, believes that a water shortage exists within the area concerned. This power has been delegated to me in terms of Section 63 (1) (b) of the Act.

Therefore, I, Deborah Mochotlhi, in my capacity as the Acting Director-General of the Department of Water and Sanitation hereby under delegated authority, in terms of item 6 (1) of Schedule 3 read with section 72(1) of the Act, publish a notice in the gazette to amend and limit the taking and storing of water in terms of section 21(a) and 21(b) by all users in the geographical areas listed and described below, as follows:

1. The Algoa Water Supply System (WSS) and associated primary catchments:

- a. Decrease the curtailment from 30% to 25% on all taking of water from surface or groundwater resources for domestic and industrial water use from the Algoa WSS and the relevant parts of the catchments within which the Algoa WSS occurs.
- b. Decreased the curtailment from 80% to 60% on all taking of water from surface or groundwater resources for agricultural water use from the Algoa WSS and the relevant parts of the primary catchments within which the Algoa WSS occurs.
- c. The taking of water from individual sub-systems and dams in the Algoa WSS be limited to the reduced allocations as specified in Table 1.

**Table 1: Dams & sub-systems of the Algoa WSS with restricted allocations for 2018/9, (based on Annual Operating Analysis and Algoa WSS Operating Forum meeting decisions of 14<sup>th</sup> June 2018)**

Scheme / Dam	River catchment	Restricted Allocation Availability
Kouga & Loerie Dams Scheme	Kouga River	13.41 Mm <sup>3</sup> /a for domestic use (NMBM), 23.82 Mm <sup>3</sup> /a for irrigation use, 0.88 Mm <sup>3</sup> /a for domestic use (Kouga LM)
Churchill & Impofu Dams	Kromme River	36.56 Mm <sup>3</sup> /a for domestic use (NMBM, including 3.38 Mm <sup>3</sup> /a for domestic use at Kouga LM) 0.8 Mm <sup>3</sup> / for irrigation use.
Nooitgedagt	Sundays River	50 Mm <sup>3</sup> /a for domestic use (NMBM)
Groendaal Dam	Kwazungu River	6.50 Mm <sup>3</sup> /a for domestic use (NMBM) and 1.44 Mm <sup>3</sup> /a for irrigation use
Van Stardens, Sand & Bulk Dams	various	3.33 Mm <sup>3</sup> /a for domestic use (NMBM)

- d. The Eastern Cape Provincial Head is delegated the power to lift the water restrictions should the Algoa WSS recover to above 65% before the next decision date on 1 June 2019.
- e. I hereby direct the Eastern Cape Provincial Head to cease further releases from any system dams once an agricultural bulk water user association, irrigation board and /or individual water users have depleted their curtailed annual bulk volumes.
2. Other water schemes / dams and their catchments affected by drought, listed in table 2 below:
- The taking of water from the water schemes/dams listed in Table 2 below for domestic, industrial and irrigation use be restricted by the percentages shown in the corresponding rows,
  - The taking of surface or ground water for domestic, industrial and irrigation water use within the catchments above the schemes/dams listed in table 2 be restricted at the same percentage level (as in Table 2) applicable to the scheme/dam in the corresponding catchment.

**Table 2: Other Water Schemes with restricted use, (based on Dam Operating Rules and risk assessments).**

Scheme / Dam	River catchment	DM / LM	Restriction Required
Nqweba Dam	Sundays River	Dr Beyers Naude LM	10% of allocation for domestic use
Oxkraal Dam	Oxkraal River	CHDM	30% of allocation for irrigation use
Howiesonspoor & Settlers Dams	Palmiet River	Makana LM	10% of allocation for domestic use & 70% of irrigation use
Jameson & Milner Dams	New Years River	Makana LM	10% of allocation for domestic use & 70% of irrigation use
Xilinxha & Gcuwa Dams	Xilinxha River	Amathole DM	10% of allocation for domestic use
Toleni Dam	Toleni River	Amathole DM	10% of allocation for domestic use
Mhlanga Dam	Mhlanga River	ORTambo DM	10% of allocation for domestic use
Ntenetyana	Ntenetyana River	Alfred Nzo DM	15% of allocation for domestic use

- The curtailments in points (1) and (2) above are measured against the water allocations / water registrations or water demand of the users as per projected annual water use.
- The limitation applies from the date of publication of this gazette until the next decision month of June 2019, or they are reviewed again.
- All water use sectors groups and individuals taking water from any water resource (surface or groundwater) regardless of their authorisation type, in the geographical areas listed and described above in the Mzimvubu to Tsitsikamma Water Management Area, shall install electronic water recording, monitoring or measuring devices to enable monitoring of abstractions, storage and use of water by existing lawful users and

establish links with any monitoring or management system as well as keeping of records of the water used.

6. Records of metered volumes abstracted shall be provided, with effect from 30 days following the date of publication of this notice, in a format specified by the Department and shall continue such recording and reporting data monthly to the Department by the 5<sup>th</sup> day of each month to [metering.mzitsidws.gov.za](mailto:metering.mzitsidws.gov.za)

All the affected Water Service Authorities must ensure that all domestic water users, at least, have access to basic water service and that potable water supply to all domestic water users is not completely restricted.

In exercising these powers I have given preference to, the maintenance of the Reserve, treated all water users on a basis, that is fair and reasonable, considered the actual extent of the water shortage, the likely effects of the shortage on the water users, the strategic importance of any water use and any water rationing or water use limitations by a Water Services Institution having jurisdiction in the area concerned, under the Water Services Act 108 of 1997.

Placing limitation on the taking of water use as set out in this notice is an administrative action, affecting the rights of the public as contemplated in section 4 of the Promotion of Administrative Justice Act 3 of 2000 (PAJA). After I have taken into consideration all relevant factors, including those referred in section 4 (4) (b), I have decided that it is reasonable and justifiable in the circumstances to depart from the requirements referred to in section 4 (1)(a) to (e), (2) and (3) and instituted these amendments and limitation without allowing the water users affected and other role players to comment on the matter before I institute the amendment / limitation.

This Notice replaces any other previous authorization on water use issued by the Department relating to water users from systems, dams and schemes specified in this Notice.

  
ACTING DIRECTOR-GENERAL  
DATE: 07/11/2018

## DEPARTMENT OF WATER AND SANITATION

NO. 1419

21 DECEMBER 2018

**NATIONAL WATER ACT, 1998  
(ACT NO. 36 OF 1998)****PROPOSED RESERVE DETERMINATION OF WATER RESOURCES FOR THE VAAL  
CATCHMENT**

I, Gugile Nkwinti, Minister of Water and Sanitation, in terms of section 16(3) of the National Water Act, 1998 (Act No. 36 of 1998) hereby publish, for public comment the proposed Reserve of the water resources for the Vaal catchment area, as set out in the Schedule.

Any person who wishes to submit written comments with regard to the proposed Reserve should submit the comments within 60 days from the date of publication of this Notice to:

Acting Director: Reserve Determination  
Attention: Mr Kwazi Majola  
Department of Water and Sanitation  
Ndinaye Building 178 Francis Baard Street  
Private Bag X313  
Pretoria  
0001  
Email: [majolak@dws.gov.za](mailto:majolak@dws.gov.za)



**NKWINTI GE (MP)**  
**MINISTER OF WATER AND SANITATION**  
**DATE: 23/10/2018**

## SCHEDULE

### PROPOSED RESERVE OF WATER RESOURCES FOR THE VAAL CATCHMENT IN TERMS OF SECTION 16(1) AND (2) OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)

#### DESCRIPTION OF WATER RESOURCE

1. (1) The Reserve is determined for all or part of every significant water resource within the Vaal catchment as set out below:

Water Management Area: Vaal

Drainage Regions: C Primary Drainage Region:  
C11, C12, C13, C21, C22, C23, C81, C82, C83, C24, C25, C41, C42, C43, C60, C70, C31, C32, C33, C91, C92, C41, C42  
(excluding the Modder Riet catchment, C51 and C52; and excluding the Molopo catchment, D41 and D42 of the Vaal Water Management Area)

Rivers: Vaal, Wilge, Klip, Klein Vaal, Waterval, Suikerbosrand, Blesbokspruit, Mooi, Vals, Schoonspruit, Sand, Vet, Harts

(2) The Minister has in terms of section 12 of the National Water Act, 1998 (Act No.36 of 1998) ("the Act"), prescribed a system for classifying water resources by issuing Government Notice No. R. 810, published in *Government Gazette* No. 33541 dated 17 September 2010. In terms of section 16(1) of the Act, the Minister must, as soon as reasonably practicable after the class of all or part of a water resource has been determined, by Notice in the *Gazette*, determine the Reserve for all or part of that water resource.

(3) The Minister, in terms of section 16(3) of the Act, proposes, for the purpose of section 16(1) of the Act, the following Reserve determination for the Vaal catchment.

## 2. ACRONYMS AND DEFINITIONS

### 2.1 Acronyms

BAS	Best attainable state
BHN	Basic Human Needs
CAWC	Co-ordinated Water Bird Counts
CBA	Critical Biodiversity Areas
EC	Ecological Category
EcoSpecs	Ecological Specifications
EIA	Environmental Impact Assessment
EIS	Ecological Importance and Sensitivity
ESA	Ecological Support Areas
EWR	Ecological Water Requirement
GRAII	Groundwater Resource Assessment Phase II
GRDM	Groundwater Reserve Determination Methodology
GRUs	Groundwater Resource Units
MAR	Mean Annual Runoff
MCM	Million Cubic Metres
PES	Present Ecological Status
REC	Recommended Ecological Category
TEC	Target Ecological Category
TPCs	Thresholds of Potential Concern
WUL	Water Use Licence

## 2.2 Definitions

**Baseflow** is a sustained low flow in rivers during dry or fair weather conditions, but not necessarily all contributed by groundwater; includes contribution from delayed interflow and groundwater discharge.

**Ecological Importance and Sensitivity (EIS):** Key indicators in the ecological classification of water resources. Ecological importance relates to the presence, representativeness and diversity of species of biota and habitat. Ecological sensitivity relates to the vulnerability of the habitat and biota to modifications that may occur in flows, water levels and physico-chemical conditions.

**Ecological Water Requirements (EWR):** The flow patterns (magnitude, timing and duration) and water quality needed to maintain a riverine ecosystem in a particular condition. This term is used to refer to both the quantity and quality components.

**Ecological Water Requirement (EWR) Sites:** Specific points on the river as determined through the site selection process. An EWR site consists of a length of river which may consist of various cross-sections for both hydraulic and ecological purposes. These sites provide sufficient indicators to assess environmental flows and assess the condition of biophysical components (drivers such as hydrology, geomorphology and physico-chemical) and biological responses (viz. fish, invertebrates and riparian vegetation).

**Present Ecological State (PES):** A category indicating the current health or integrity of various biological attributes of the water resource, compared to the natural or close to natural reference conditions. The results of the process are provided as Ecological Categories (ECs) ranging from A (near natural) to F (completely modified) for the PES.

**Recharge** is the addition of water to the zone of saturation, either by downward percolation of precipitation or surface water and/ or the lateral migration of groundwater from adjacent aquifers.

**Recommended Ecological Category (REC):** An ecological category indicating the ecological management target for a water resource based on its ecological classification that should be attained. Categories range from Category A (unmodified, natural) to Category D (largely modified).

**River Node (biophysical node):** These are modelling point's representative of an upstream reach or area of an aquatic eco-system (rivers, wetlands, estuaries and groundwater) for which a suite of relationships apply.

**Sub-quaternary catchments:** A finer subdivision of the quaternary catchments (the catchment areas of tributaries of main stem rivers in quaternary catchments).

**Target Ecological Category (TEC):** Means the assigned ecological condition by the Minister to a water resource that reflects the ecological condition of that water resource in terms of the deviation of its biophysical components from the natural reference condition. The ultimate target to achieve a sustainable system both ecologically and economically taking into account the PES and REC.

**PROPOSED RESERVE DETERMINATION AS REQUIRED IN TERMS OF SECTION 16(1) AND (2) OF THE NATIONAL WATER ACT, 1998**

3. (1) ~~The proposed Reserve which includes the Ecological Water Requirements (EWRs) and the Basic Human Needs Reserve (BHN) for the Rivers at EWR sites and selected biophysical nodes in the Vaal catchment is set out in section 4. The Vaal catchment locality and EWR sites are indicated in **Figure 1**.~~
- (2) The water quality component of the proposed Reserve for the Rivers at the EWR sites in Vaal catchment in terms of section 16(1) of the Act is set out in section 5.
- (3) The proposed Groundwater Reserve for Water Quantity in terms of section 16(1) of the Act for the Vaal catchment is set out in section 6.
- (4) The proposed Groundwater Reserve for Water Quality in terms of section 16(1) of the Act for the Vaal catchment is set out in **section 6**.
- (5) The proposed ecological specifications for the Wetlands in terms of section 16(1) of the Act for Vaal catchment is set out in **section 7**.
- (6) The Reserve will apply from the date signed off as determined in terms of section 16(1) of the Act, unless otherwise specified by the Minister.

#### 4. PROPOSED RESERVE FOR RIVERS

Proposed Reserve determination and ecological categorisation in terms of section 16(1) of the Act for the rivers of the Vaal catchment area, where the Reserve is expressed as a percentage of the NMAR for the respective catchments (cumulative):

**Table 4.1:** Proposed Reserve for the Rivers at the EWR sites which include the EWRs to protect the aquatic ecosystem and the BHN requirements

Quaternary Catchment	Water Resource	PES	EIS	TEC <sup>5</sup>	MAR (MCM) <sup>1</sup>	Reserve <sup>2</sup> (%MAR)	Ecological Reserve <sup>3</sup> (%MAR)	Basic human needs Reserve <sup>4</sup> (%MAR)
C11J	Vaal River – EWR 1	B/C	High	B/C	332.3*	39.411	39.41	0.001
C11M	Vaal River – EWR 2	C	Moderate	C	457.7 <sup>#</sup>	13.610	13.61	0.00022
C12F	Waterval – EWR WA1	D	Low	D	76.71 <sup>#</sup>	3.501	3.5	0.0007
C12G	Waterval – EWR WA2	D	Low	D	147.43 <sup>#</sup>	6.4003	6.4	0.00027
C12H	Vaal River – EWR 3	C	Moderate	C	858.1 <sup>#</sup>	14.300	14.3	0.00004
C22F	Vaal River – EWR 4	C	High	B/C	1977.3 <sup>#</sup>	21.550	21.55	0.00015
C23L	Vaal River – EWR 5	C/D	High	C	2288*	34.100	34.1	0.00004
C13D	Klip River – EWR 6	B/C	Moderate	B/C	95.3 <sup>#</sup>	26.542	26.54	0.0021
C81A	Wilge River – EWR 7	A/B	High	A/B	23.5 <sup>#</sup>	45.893	45.88	0.0128
C82C	Wilge River – EWR 8	C	Moderate	C	474.3 <sup>#</sup>	11.770	11.77	0.00006
C21C	Suikerbosrand – EWR 9	C	High	B/C	31.3 <sup>#</sup>	41.893	41.89	0.0032
C21G	Suikerbosrand – EWR 10	C/D	Moderate	C/D	149.27*	34.391	34.39	0.0007
C21F	Blesbokspruit – EWR 11	D	Low	D	100.69*	18.145	18.14	0.0050
C11C	Klein Vaal River – RE-EWR 1	C	Moderate	C	26.09 <sup>#</sup>	24.725	24.71	0.0153
C23G	Mooi River – RE-EWR 2	D	Low	D	37.7 <sup>#</sup>	19.061	19.05	0.0106
C24B	Vaal River – EWR 12	D	Moderate	D	1574.64*	28.280	28.28	0.00009
C24J	Vaal River – EWR 13	C/D	Moderate	C/D	1638.37*	35.800	35.8	0.00009
C60J	Vals River – EWR 14	C/D	Moderate	C/D	145.79 <sup>#</sup>	17.050	17.05	0.00034
C43A	Vet River – EWR 15	C/D	Moderate	C/D	253.15*	18.200	18.2	0.00028
C41E	Klein Vet – RE – EWR 3	C	Moderate	C	49.56 <sup>#</sup>	19.540	19.54	0.00028
C42J	Sand – EWR RD1	C/D	Moderate	B/C	140.76 <sup>#</sup>	23.820	23.82	0.00007
C42L	Sand – EWR RD2	C	Moderate	B/C	180.692 <sup>#</sup>	23.490	23.49	0.00011
C24E	Schoonspruit – EWR S1	C	Low	C	59.38 <sup>#</sup>	35.805	35.8	0.0049
C24G	Schoonspruit – EWR S3	C/D	Low	C/D	89.96 <sup>#</sup>	30.902	30.9	0.0018
C24H	Schoonspruit – EWR S4	C/D	Low	C/D	102.09 <sup>#</sup>	31.203	31.2	0.0034
C91A	Vaal – EWR 16	D	Moderate	D	3242.51*	13.020	13.02	0.00007
C33C	Harts – EWR 17	D	Moderate	D	147.85*	51.6034	51.60	0.0034
C92B	Vaal – EWR 18	C	Moderate	C	1177.28*	21.871	21.87	0.00060

- 1) MAR is the Mean Annual Runoff (<sup>#</sup> Based on natural flow at the EWR site MAR; \* Based on present day flow at the EWR site; \* Based on observed flow at the EWR site).
- 2) The Reserve is the total requirement that accounts for both the Ecological Reserve and the Basic Human Needs Reserve (BHN).
- 3) Ecological Reserve requirement represents the long term mean based on the MAR. If the MAR changes, this volume will also change.
- 4) Represents the BHN requirement as a percentage of the MAR. Basic human needs includes the population directly reliant on rivers, streams and springs for water supply (derived from 2011 Census data)
- 5) Target Ecological Category (TEC): The ultimate target to achieve a sustainable system both ecologically and economically taking into account the PES and REC.

## ECOLOGICAL WATER REQUIREMENTS SITE INFORMATION

EWR Site	EWR site name	River	Sub-quaternary river reach	Coordinates		Quaternary catchment
				Latitude	Longitude	
EWR1	Uitkoms	Vaal	C11J-01838	S26.872800	E29.613840	C11J
EWR2	Grootdraai	Vaal	C11M-01894	S26.92110	E29.27929	C11M
EWR WA1	Waterval_1	Waterval	C12F-01722	S26.64608	E29.01857	C12F
EWR WA2	Waterval_2	Waterval	C12G-01896	S26.88543	E28.88357	C12G
EWR3	Gladdedrift	Vaal	C12C-01997	S26.99087	E28.72971	C12H
EWR4	De Neys	Vaal	C22F-01737	S26.84262	E28.11230	C22F
EWR5	Skandinavia	Vaal	C22L-01792	S26.93243	E27.01367	C23L
EWR6	Klip	Klip	C13D-02226	S27.36166	E29.48503	C13D
EWR7	Upper Wilge	Wilge	C81A-02790	S28.20185	E29.55827	C81A
EWR8	Bavaria	Wilge	C82C-2505	S27.80017	E28.76778	C82C
EWR9	Suikerbos Upstream	Suikerbosrand	C21C-01675	S26.64670	E28.38197	C21C
EWR10	Suikerbos Downstream	Suikerbosrand	C21G-01627	S26.68137	E28.16798	C21G
EWR11	Blesbokspruit	Blesbokspruit	C21F-01447	S26.47892	E28.42488	C21F
RE-EWR1	Klein Vaal	Klein Vaal	C11C-01846	S26.912750	E30.174970	C11C
RE-EWR2	Mooi River	Mooi	C23G-01250	S26.258670	E27.159730	C23G
EWR12	Vaal River: Vermaasdrift	Vaal	C24B-01817	S26.93615	E26.85025	C24B
EWR13	Vaal River: Regina bridge	Vaal	C24J-02016	S27.10413	E26.52185	C24J
EWR14	Vals River: Proklameersdrift	Vals	C60J-02262	S27.48685	E26.81320	C60J
EWR15	Vet River: Fisantkraal	Vet	C43A-02561	S27.93482	E26.12569	C43A
RE-EWR 3	Klein-Vet, just downstream of Winburg	Klein Vet	C41E-03132	S28.564708	E26.943946	C41E
EWR RD1	RD1 at Meloding	Sand	C42J-02716	S28.1131994	E26.9080556	C42J
EWR RD2	RD2 at Steel Bridge	Sand	C42L-02635	S28.1228333	E26.5855555	C42L
S1	EWR S1	Schoonspruit	C24E-01164	S26.31172	E26.31172	C24E
S3	EWR S3	Schoonspruit	C24G-01661	S26.67500	E26.586108	C24G
S4	EWR S4	Schoonspruit	C24H-01860	S26.93333	E26.66528	C24H
EWR16	Downstream Bloemhof Dam	Vaal	C91A-02391	S27.65541	E25.59564	C91A
EWR17	Lloyds weir on Harts River	Harts	C33C-02836	S28.37694	E24.30305	C33C
EWR18	Schmidtsdrift	Vaal	C92B-02903	S28.70758	E24.07578	C92B

**Table 4.2:** The proposed Reserve for the Rivers at the priority biophysical nodes with High Ecological importance

Quaternary catchment	Node	River	Sub-quaternary river reach	PES	Ecological Importance	REC	Ecological Reserve (%NMAR)	BHN Reserve (%NMAR)	Total Reserve (%NMAR)	NMAR (MCM/a)
C11A	UA.1	Vaal	C11A-01460	B/C	High	B/C	44.09	0.053	44.143	13.27
C13C	UB.1	Vaal	C13C-02550	B	High	B	63.86	0.018	63.878	5.67
C13D	UB.2	Vaal	C13D-02416	B/C	High	B/C	38.86	0.004	38.864	54
C13D	UB.3	Vaal	C13D-02284	B/C	High	B	44.26	0.003	44.263	68.04
C13E	UB.6	Klip	C13E-02228	B/C	High	B	50.66	0.006	50.666	33.6
C81A	UC1.1	Wilge	C81A-02790	B	High	B	45.69	0.004	45.694	69.03
C81L	UC1.3	Meul	C81L-02594	B	High	B	57.25	0.008	57.258	26.49
C81G	UC2.3	Klerkspruit	C81G-02882	B	High	B	69.45	0.017	69.467	5.85
C83G	UD.4	Liebenbergsvlei	C83G-02364	B/C	High	B/C	62.48	0.006	62.486	4.74
C23H	UD.5	Liebenbergsvlei	C23H-02395	B/C	High	B	64.50	0.015	64.515	2.66
C12A	UH.1	Suikerbosrant	C12A-01567	B/C	High	B	47.17	0.002	47.172	28.65

## 5. WATER QUALITY COMPONENT OF THE PROPOSED ECOLOGICAL RESERVE FOR RIVERS

The ecological specifications for water quality for the maintenance of the Reserve target ecological category at each EWR site is detailed in Tables 5.1 to Table 5.18. These are the values of water quality parameters (threshold concentrations) that should not be exceeded in order to meet the water quality attribute of the TEC.

**Table 5.1: EWR1: Water Quality Ecological Specifications**

River: Vaal		EWR 1: at Uitkoms	Water quality monitoring site/gauge: C1H007/ VS4 GDCC11
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 28 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 38 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 36 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 69 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 243 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
Physical variables	Electrical Conductivity	The 95 <sup>th</sup> percentile of the data must be ≤ 70 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0, and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 7.0 mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.7 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.025 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 20 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be < 21 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.044 mg/L	
	Atrazine	The 95 <sup>th</sup> percentile of the data must be ≤ 0.064 mg/l	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 2.5 mg/L	
	Endosulfan	The 95 <sup>th</sup> percentile of the data must be ≤ 0.13 µg/l	

**Table 5.2: EWR2: Water Quality Ecological Specifications**

River: Vaal		EWR 2: Downstream Grootdraai	Water quality monitoring site/gauge: C1H019
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 23 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 33 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 57 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0, and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 7.5mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.25 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.025mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 18 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 16 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.044 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

**Table 5.3: EWR3: Water Quality Ecological Specifications**

River: Vaal		EWR 3: at Gladdedrift	Water quality monitoring site/gauge: C1H012
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 33 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 57 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 55 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 7.5 mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.25 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 20 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 21 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.1 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

**Table 5.4: EWR4: Water Quality Ecological Specifications**

River: Vaal		EWR 4: at De Neys	Water quality monitoring site/gauge: C1H012
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 33 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 57 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 7 mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.7 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be <10 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 1.7 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.1 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

**Table 5.5: EWR5: Water Quality Ecological Specifications**

River: Vaal		EWR 5: Skandinavia	Water quality monitoring site/gauge: C2H122
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 36 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.8 to 9.2	
	Temperature	Temperatures should be close to natural range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 6 mg/L	

<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 1.0 mg/L
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.025 mg/L
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be ≤ 20 µg/L
<b>Toxics</b>	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 21 mg/m <sup>2</sup>
	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.1 mg/L
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L
<b>Inorganic ions</b>	Sulphate	The 95 <sup>th</sup> percentile of the data must be ≤ 200 mg/L

Table 5.6: EWR6: Water Quality Ecological Specifications

River: Klip		EWR 6: Klip	Water quality monitoring site/gauge: C1H002 (Downstream site in C13F)
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 28 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 20 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 15 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 21 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 45 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 55 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Temperature	Temperatures should be close to natural range	
	Dissolved oxygen	Must be between 7 and 8 mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range, minor silting of instream habitats acceptable	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.75 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.020 mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 15 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be < 12 mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.044 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

Table 5.7: EWR7: Water Quality Ecological Specifications

River: Wilge		EWR 7: Upper Wilge	Water quality monitoring site/gauge: No weir/WQ site in vicinity of EWR site
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 23 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 33 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be < 30 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be < 57 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be < 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 351 mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be < 55 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0, and the 95 <sup>th</sup> percentile 8.8 to 9.2	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 8 mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range, minor silting of instream habitats acceptable	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be between < 0.7 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be < 0.025 mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be ≤ 15 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 12 mg/m <sup>2</sup>	

<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq 0.044$ mg/L
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq 1.5$ mg/L

**Table 5.8: EWR8: Water Quality Ecological Specifications**

River: Wilge		EWR 8: Bavaria	Water quality monitoring site/gauge: C8H028
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 16$ mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 20$ mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $< 15$ mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $< 21$ mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $< 45$ mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 351$ mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be $< 55$ mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq 8$ mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range, minor silting of instream habitats acceptable	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be between $< 0.7$ mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $< 0.025$ mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $< 20$ $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $< 21$ mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq 0.073$ mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq 1.5$ mg/L	

**Table 5.9: EWR9: Water Quality Ecological Specifications**

River: Suikerbosrand		EWR 9: Upstream	Water quality monitoring site/gauge: C2H131
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 37$ mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 51$ mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $< 30$ mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $< 57$ mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $< 45$ mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $< 351$ mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be $< 55$ mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 – 8.0 and the 95 <sup>th</sup> percentile 8.0 - 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq 8$ mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range, minor silting of instream habitats acceptable	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $< 0.7$ mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $< 0.020$ mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $< 20$ $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $< 21$ mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq 0.073$ mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq 1.5$ mg/L	

**Table 5.10: EWR10: Water Quality Ecological Specifications**

River: Suikerbosrand		EWR 10: Downstream	Water quality monitoring site/gauge: C2H070
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be <51 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be <105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be < 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be < 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be between 6.5 – 8.0 and the 95 <sup>th</sup> percentile 8.0 - 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 7 mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be < 0.7 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be < 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 30 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be < 21 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.100 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

**Table 5.11: EWR11: Water Quality Ecological Specifications**

River: Blesbokspruit		EWR 11: Blesbokspruit	Water quality monitoring site/gauge: C2H185
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be < 36 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be <105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be < 389 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be < 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be < 85 mS/m (<111mS/m)	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 – 8.0 and the 95 <sup>th</sup> percentile 8.0 - 8.8	
	Temperature	Moderate change from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 6.0 mg/L	
	Turbidity	Initiate baseline monitoring for this variable	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.70 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be < 20 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 21 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be ≤ 0.100 mg/L	
	Atrazine	The 95 <sup>th</sup> percentile of the data must be ≤ 100 µg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 3.0 mg/L	
	Endosulfan	The 95 <sup>th</sup> percentile of the data must be ≤ 0.200 µg/L	

**Table 5.12: EWR12: Water Quality Ecological Specifications**

River: Vaal		EWR 12: at Vermaasdrift	Water quality monitoring site/gauge: C2H007
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	MgCl <sub>2</sub>	The 5 <sup>th</sup> and 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	

Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be $\leq$ 85 mS/m
	pH	The 5 <sup>th</sup> percentile of the data must be 7.5 to 8.0 and the 95 <sup>th</sup> percentile 8.8 to 9.2
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq$ 7.5 mg/L
	Turbidity	Vary by a small amount from the natural turbidity range
	TDS	The 95 <sup>th</sup> percentile data must be $\leq$ 560 mg/L
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $\leq$ 1.0 mg/L
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq$ 0.125 mg/L
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 30 $\mu$ g/L
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 84 mg/m <sup>2</sup>
Toxics	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be $\leq$ 0.1 mg/L
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq$ 1.5 mg/L
	Cyanide	The 95 <sup>th</sup> percentile data must be $\leq$ 0.05 mg/L
	Aluminium	The 95 <sup>th</sup> percentile data must be $\leq$ 0.1 mg/L
Inorganic ions	Sulphate	The 95 <sup>th</sup> percentile data must be $\leq$ 160 mg/L
	Magnesium	The 95 <sup>th</sup> percentile data must be $\leq$ 33 mg/L

Table 5.13: EWR13: Water Quality Ecological Specifications

River: Vaal		EWR 13: At Regina Bridge	Water quality monitoring site/gauge: C2H022
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 51 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $\leq$ 191 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 105 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 351 mg/L	
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 7.5 to 8.0, and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq$ 6 mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range	
	TDS	The 95 <sup>th</sup> percentile data must be $\leq$ 560 mg/L	
Nutrients	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $\leq$ 4.0 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq$ 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 30 $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 84 mg/m <sup>2</sup>	
Toxics	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq$ 0.0438 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq$ 1.5 mg/L	
	Aluminium	The 95 <sup>th</sup> percentile data must be $\leq$ 0.1 mg/L	
	Cyanide	The 95 <sup>th</sup> percentile data must be $\leq$ 0.05 mg/L	
Inorganic ions	Magnesium	The 95 <sup>th</sup> percentile data must be $\leq$ 33 mg/L	
	Sulphate	The 95 <sup>th</sup> percentile data must be $\leq$ 160 mg/L	

Table 5.14: EWR14: Water Quality Ecological Specifications

River: Vals		EWR 14: Proklameersdrift	Water quality monitoring site/gauge: C6H007
Inorganic Salts	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 51 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 191 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $\leq$ 105 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq$ 351 mg/L	
Physical	EC	The 95 <sup>th</sup> percentile of the data must be $\leq$ 85 mS/m	

<b>variables</b>	pH	The 5th percentile of the data must be 5.5 to 6.0 and the 95th percentile 8.8 to 9.2
	Temperature	Small deviation from the natural temperature range
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq 8$ mg/L
	Turbidity	Vary by a 10% from the natural turbidity range
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $\leq 0.7$ mg/L
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq 0.125$ mg/L
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq 30$ ug/L
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq 84$ mg/m <sup>2</sup>
<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq 0.073$ mg/L
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq 1.5$ mg/L

**Table 5.15: EWR15: Water Quality Ecological Specifications**

River: Vet		EWR 15: at Fisantkraal	Water quality monitoring site/gauge: C4H004
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 37$ mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 51$ mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 36$ mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 69$ mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $\leq 191$ mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 351$ mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be $\leq 55$ mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 – 8.0, and the 95 <sup>th</sup> percentile 8.0 – 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq 6.0$ mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $\leq 0.7$ mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq 0.058$ mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq 25$ $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq 84$ mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia	The 95 <sup>th</sup> percentile of the data must be $\leq 0.044$ mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq 1.5$ mg/L	
<b>Inorganic ions</b>	Sulphate	The 95 <sup>th</sup> percentile data must be $\leq 120$ mg/L	
	Chloride	The 95 <sup>th</sup> percentile data must be $\leq 100$ mg/L	

**Table 5.16: EWR16: Water Quality Ecological Specifications**

River: Vaal		EWR 16: Downstream Bloemhof Dam	Water quality monitoring site/gauge: C9H021
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 28$ mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 51$ mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 30$ mg/L	
	CaCl <sub>2</sub>	- The 95 <sup>th</sup> percentile of the data must be $\leq 69$ mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be $\leq 191$ mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be $\leq 351$ mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be $\leq 55$ mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be between 6.5 to 8.0, and the 95 <sup>th</sup> percentile between 8.0 to 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq 6$ mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be $\leq 0.25$ mg/L	

	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.025 mg/L
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be ≤ 30 µg/L
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 84 mg/m <sup>2</sup>
<b>Toxics</b>	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be ≤ 0.073 mg/L
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 3.0 mg/L
	Atrazine	The 95 <sup>th</sup> percentile data must be ≤ 0.079 mg/L
	Endosulfan	The 95 <sup>th</sup> percentile data must be ≤ 0.15 µg/L

**Table 5.17: EWR17: Water Quality Ecological Specifications**

River: Harts		EWR 17: Lloyds weir	Water quality monitoring site/gauge: C3H016
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 37 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 389 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Temperature	Small deviation from the natural temperature range	
	Dissolved oxygen	5 <sup>th</sup> percentile of the data must be ≥ 6.0 mg/L	
	Turbidity	Vary by a small amount from the natural turbidity range	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 1.0 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.025 mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be ≤ 30µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 84 mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be ≤ 0.073 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

**Table 5.18: EWR18: Water Quality Ecological Specifications**

River: Vaal		EWR 18: at Schmidtsdrift	Water quality monitoring site/gauge: C9H024
<b>Inorganic Salts</b>	MgSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 28 mg/L	
	Na <sub>2</sub> SO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 51 mg/L	
	MgCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 30 mg/L	
	CaCl <sub>2</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 105 mg/L	
	NaCl	The 95 <sup>th</sup> percentile of the data must be ≤ 191 mg/L	
	CaSO <sub>4</sub>	The 95 <sup>th</sup> percentile of the data must be ≤ 351 mg/L	
<b>Physical variables</b>	EC	The 95 <sup>th</sup> percentile of the data must be ≤ 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 6.5 to 8.0 and the 95 <sup>th</sup> percentile 8.0 to 8.8	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be ≥ 4 mg/L	
	Turbidity	The 5 <sup>th</sup> percentile of the data must be ≥ 4 mg/L	
<b>Nutrients</b>	Total inorganic Nitrogen (TIN)	The 50 <sup>th</sup> percentile of the data must be ≤ 0.7 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be ≤ 0.125 mg/L	
<b>Response variables</b>	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be ≤ 30 µg/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be ≤ 84 mg/m <sup>2</sup>	
<b>Toxics</b>	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be ≤ 0.073 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be ≤ 1.5 mg/L	

Table 5.19: EWR WA1: Water Quality Ecological Specifications

River: Waterval		EWR WA1: Waterval_1	Water quality monitoring site/gauge: C1H036
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be $\leq$ 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 5.0 to 5.6 and the 95 <sup>th</sup> percentile 9.2 to 10.0	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq$ 6.5 mg/L	
Nutrients	Nitrate (NO <sub>3</sub> ) + Nitrite (NO <sub>2</sub> )	The 50 <sup>th</sup> percentile of the data must be $\leq$ 4.0 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq$ 0.125 mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 30 $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 84 mg/m <sup>2</sup>	
Toxics	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be $\leq$ 0.1 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq$ 3.0 mg/L	
	Atrazine	The 95 <sup>th</sup> percentile data must be $\leq$ 0.1 mg/L	
	Endosulfan	The 95 <sup>th</sup> percentile data must be $\leq$ 0.20 $\mu$ g/L	
	Cadmium (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.005 mg/L	
	Chromium (VI)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.2 mg/L	
	Copper (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.008 mg/L	
	Manganese	The 95 <sup>th</sup> percentile data must be $\leq$ 1.3 mg/L	
	Lead (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.013 mg/L	
	Mercury	The 95 <sup>th</sup> percentile data must be $\leq$ 0.0017 mg/L	
	Selenium	The 95 <sup>th</sup> percentile data must be $\leq$ 0.030 mg/L	
	Zinc	The 95 <sup>th</sup> percentile data must be $\leq$ 0.036 mg/L	

Table 5.20: EWR WA2: Water Quality Ecological Specifications

River: Waterval		EWR WA2: Waterval_2	Water quality monitoring site/gauge: C1H030
Physical variables	EC	The 95 <sup>th</sup> percentile of the data must be $\leq$ 85 mS/m	
	pH	The 5 <sup>th</sup> percentile of the data must be 5.0 to 5.6 and the 95 <sup>th</sup> percentile 9.2 to 10.0	
	Dissolved oxygen	The 5 <sup>th</sup> percentile of the data must be $\geq$ 6.5 mg/L	
Nutrients	Nitrate (NO <sub>3</sub> ) + Nitrite (NO <sub>2</sub> )	The 50 <sup>th</sup> percentile of the data must be $\leq$ 4.0 mg/L	
	PO <sub>4</sub> -P	The 50 <sup>th</sup> percentile of the data must be $\leq$ 0.125mg/L	
Response variables	Chl-a phytoplankton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 30 $\mu$ g/L	
	Chl-a periphyton	The 50 <sup>th</sup> percentile of the data must be $\leq$ 84 mg/m <sup>2</sup>	
Toxics	Ammonia as Nitrogen	The 95 <sup>th</sup> percentile of the data must be $\leq$ 0.1 mg/L	
	Fluoride	The 95 <sup>th</sup> percentile of the data must be $\leq$ 3.0 mg/L	
	Atrazine	The 95 <sup>th</sup> percentile data must be $\leq$ 0.1 mg/L	
	Endosulfan	The 95 <sup>th</sup> percentile data must be $\leq$ 0.20 $\mu$ g/L	
	Cadmium (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.005 mg/L	
	Chromium (VI)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.2 mg/L	
	Copper (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.008 mg/L	
	Manganese	The 95 <sup>th</sup> percentile data must be $\leq$ 1.3 mg/L	
	Lead (hard)	The 95 <sup>th</sup> percentile data must be $\leq$ 0.013 mg/L	
	Mercury	The 95 <sup>th</sup> percentile data must be $\leq$ 0.0017 mg/L	
	Selenium	The 95 <sup>th</sup> percentile data must be $\leq$ 0.030 mg/L	
	Zinc	The 95 <sup>th</sup> percentile data must be $\leq$ 0.036 mg/L	

**Table 5.21: EWR S1: Water Quality Ecological Specifications**

River: Schoonspruit		EWR S1: downstream Schoonspruit Eye	Water quality monitoring site/gauge: No site in vicinity
Physical variables	EC	The 95th percentile of the data must be $\leq 55$ mS/m	
	pH	The 5th percentile of the data must be 5.6 to 5.9 and the 95th percentile 8.5 to 8.8	
	Dissolved oxygen	The 5th percentile of the data must be $\geq 7.0$ mg/L	
Nutrients	Nitrate (NO <sub>3</sub> ) + Nitrite (NO <sub>2</sub> )	The 50th percentile of the data must be $\leq 2.5$ mg/L	
	PO <sub>4</sub> -P	The 50th percentile of the data must be $\leq 0.02$ mg/L	
Response variables	Chl-a phytoplankton	The 50th percentile of the data must be $\leq 10$ $\mu$ g/L	
	Chl-a periphyton	The 50th percentile of the data must be $\leq 12$ mg/m <sup>2</sup>	

**Table 5.22: EWR S3: Water Quality Ecological Specifications**

River: Schoonspruit		EWR S3: downstream Taaibosspuit and Rietspruit confluence	Water quality monitoring site/gauge: No active site
Physical variables	EC	The 95th percentile of the data must be $\leq 70$ mS/m	
	pH	The 5th percentile of the data must be 5.2 to 5.4 and the 95th percentile 9.3 to 9.6	
	Dissolved oxygen	The 5th percentile of the data must be $\geq 6.5$ mg/L	
Nutrients	Nitrate (NO <sub>3</sub> ) + Nitrite (NO <sub>2</sub> )	The 50th percentile of the data must be $\leq 2.5$ mg/L	
	PO <sub>4</sub> -P	The 50th percentile of the data must be $\leq 0.125$ mg/L	
Response variables	Chl-a phytoplankton	The 50th percentile of the data must be $\leq 20$ $\mu$ g/L	
	Chl-a periphyton	The 50th percentile of the data must be $\leq 21$ mg/m <sup>2</sup>	

**Table 5.22: EWR S4: Water Quality Ecological Specifications**

River: Schoonspruit		EWR S4: downstream Johan Nesor Dam	Water quality monitoring site/gauge: C2H073
Physical variables	EC	The 95th percentile of the data must be $\leq 85$ mS/m	
	pH	The 5th percentile of the data must be 5.2 to 5.4 and the 95th percentile 9.3 to 9.6	
	Dissolved oxygen	The 5th percentile of the data must be $\geq 6.5$ mg/L	
Nutrients	Nitrate (NO <sub>3</sub> ) + Nitrite (NO <sub>2</sub> )	The 50th percentile of the data must be $\leq 2.5$ mg/L	
	PO <sub>4</sub> -P	The 50th percentile of the data must be $\leq 0.125$ mg/L	
Response variables	Chl-a phytoplankton	The 50th percentile of the data must be $\leq 20$ $\mu$ g/L	
	Chl-a periphyton	The 50th percentile of the data must be $\leq 21$ mg/m <sup>2</sup>	
Inorganic ions	Sulphate	The 95th percentile of the data must be $\leq 200$ mg/L	
Toxics	Ammonia as Nitrogen	The 95th percentile of the data must be $\leq 0.073$ mg/L	
	Aluminium	The 95th percentile of the data must be $\leq 0.1$ mg/L	
	Manganese	The 95th percentile of the data must be $\leq 0.250$ mg/L	
	Uranium	The 95th percentile of the data must be $\leq 0.03$ mg/L	
	Iron	The 95th percentile of the data must be $\leq 0.25$ mg/L	
	Chromium (VI)	The 95th percentile data must be $\leq 0.2$ mg/L	
	Copper (hard)	The 95th percentile data must be $\leq 0.008$ mg/L	
Cyanide (free)	The 95th percentile data must be $\leq 0.050$ mg/L		

## 6. PROPOSED RESERVE FOR GROUNDWATER

**Table 6.1** below presents the Groundwater Reserve for the Vaal Catchment area derived using the Groundwater Resources Directed Measures (GRDM) methodology.

A groundwater quantity ranking approach was applied using the stress index (SI) principle. The stress index provides a measure of the groundwater balance in a groundwater unit (in this case the quaternary catchment) indicating the fraction of how much of the groundwater recharge [volume] is used, *i.e.* (i) amount required for BHN (25 l/c/d), (ii) the volume of groundwater supporting the base flow (*i.e.* the baseflow requirement of the quaternary catchment), and (iii) the actual groundwater use/abstraction. When the SI is  $\geq 1.00$  it means that all the recharged groundwater is "allocated". The "safe" cut off is 0.65 or 65% of the groundwater recharge. SI is an indicator of the groundwater use impact.

The prescribed GRDM algorithm was used and an "allocable groundwater" volume (MCM/a) was calculated. The potential impact of groundwater abstraction on the surface water component in the quaternary catchments is listed. According to the GRDM algorithm for calculating the "groundwater component" of a water resource unit (*i.e.* in this case it's the quaternary catchment). This algorithm is explained in the GRDM protocols, and it indicates the component of the annual recharge that is still available after BHN, baseflow requirements and the current water use is subtracted from the calculated groundwater recharge. SI is used as an indicator in a table format to sort and rank the dataset to highlight quaternary catchments where the groundwater balance is approaching over utilisation.

The groundwater quality for each quaternary catchment, where available in a data count of  $>9$ , was applied and the ranking of the groundwater quality is according to the guideline: "Quality of domestic water supplies Volume 1: Assessment Guide". 1998. Water Research Commission, the Department of Water Affairs and Forestry & the Department of Health.

### NOTE:

**Class 0** This is ideal water quality, suitable for lifetime use, with no adverse health effects on the user. This class is essentially the same as the target water quality range in the 2<sup>nd</sup> edition of the South African Water Quality Guidelines for Domestic Use (DWAf, 1996).

**Class I** Water in this class is safe for lifetime use, but falls short of the ideal water quality in that there may be instances of adverse health effects, but these are usually mild, and overt health effects are almost sub-clinical and difficult to demonstrate. Water in Class I does not cause health effects under normal circumstances. Aesthetic effects may, however, be apparent.

**Class II** Water in this class is defined as that where adverse health effects are unusual for limited short-term use. Adverse health effects may become more common particularly with prolonged use over many years, or with lifetime use. This class represents water suitable for short-term or emergency use only, but not necessarily suitable for continuous use over a lifetime.

**Class III** This water has constituents in a concentration range where serious health effects might be anticipated, particularly in infants or elderly people with short-term use, and even more so with longer term use. The water in this class is not suitable for use as drinking water without adequate treatment to shift the water into a lower and safer class.

Table 8.1: Groundwater Resource Directed Measures (GRDM) for the Vaal River Catchment

Quaternary Catchment	Area (km <sup>2</sup> )	MAP (mm)	Recharge (Mm <sup>3</sup> /a)	% MAP	Population	Basic Human Needs (Mm <sup>3</sup> /a)	RESERVE				USE & BALANCE & ALLOCABLE						GRDM Classification <sup>2</sup>	Impact of groundwater abstraction on surface water <sup>3</sup>	Groundwater Water Quality Reserve specification: Class <sup>4</sup>
							Groundwater Component of Baseflow (Mm <sup>3</sup> /a)	Total Reserve (Mm <sup>3</sup> /a)	Groundwater Use (Mm <sup>3</sup> /a)	Groundwater Balance (Mm <sup>3</sup> /a)	Exploitation Factor <sup>1</sup>	Allocable Groundwater Total (Mm <sup>3</sup> /a)	Groundwater Quality Class <sup>4</sup>						
<b>UPPER VAAL</b>																			
C11A	719.4	743	38.93	7.3	1955	0.02	23.54	23.56	0.00	15.37	0.32	4.93	Moderate to High	Low	Limited hydrochemistry data.				
C11B	534.7	705	26.49	7.0	2142	0.02	14.45	14.47	0.09	11.83	0.30	3.53	Moderate to High	Low	Limited hydrochemistry data.				
C11C	448.8	765	22.16	6.5	1277	0.01	11.92	11.93	0.14	10.09	0.31	3.16	Moderate to High	Low	Limited hydrochemistry data.				
C11D	371.7	702	17.05	6.5	965	0.01	8.12	8.13	0.17	8.75	0.30	2.64	Moderate to High	Low	Limited hydrochemistry data.				
C11E	1154.7	697	46.83	5.8	23889	0.22	18.56	18.78	1.26	26.59	0.31	8.31	Moderate to High	Low	Limited hydrochemistry data.				
C11F	925.1	705	39.67	6.1	31634	0.29	15.61	15.90	0.38	23.38	0.26	6.14	Moderate to High	Low	Limited hydrochemistry data.				
C11G	431.7	659	17.01	6.0	1460	0.01	6.29	6.30	0.22	10.49	0.27	2.84	Moderate to High	Low	Limited hydrochemistry data.				
C11H	1102.8	664	40.16	5.5	33924	0.31	13.57	13.88	1.38	24.90	0.31	7.73	Moderate to High	Low	Limited hydrochemistry data.				
C11J	1000.6	658	36.15	5.5	3106	0.03	11.06	11.09	0.48	24.58	0.32	7.78	Moderate	Low	Limited hydrochemistry data				
C11K	340.0	633	11.47	5.3	2970	0.03	3.28	3.31	0.31	7.85	0.33	2.55	Moderate	Low	No hydrochemistry data.				
C11L	946.9	675	32.74	5.1	6416	0.06	10.02	10.08	0.49	22.17	0.33	7.21	Moderate	Low	No hydrochemistry data.				
C11M	795.2	637	23.38	4.6	38506	0.35	4.54	4.88	0.43	18.06	0.33	5.87	Moderate	Low	Limited hydrochemistry data				
C12A	484.1	614	12.10	4.1	758	0.01	1.59	1.60	0.00	10.50	0.32	3.39	Low	Low	No hydrochemistry data.				
C12B	478.4	631	14.40	4.8	2461	0.02	3.51	3.53	0.13	10.74	0.33	3.49	Moderate	Low	No hydrochemistry data.				
C12C	665.6	605	18.66	4.6	4257	0.04	7.29	7.33	0.17	11.16	0.31	3.51	Moderate to High	Low	No hydrochemistry data.				
C12D	898.4	667	32.75	5.5	53555	0.49	9.37	9.86	3.78	19.11	0.30	5.79	Moderate to High	Low	No hydrochemistry data.				
C12E	497.3	641	16.87	5.3	1960	0.02	5.01	5.03	0.26	11.58	0.32	3.65	Moderate	Low	Limited hydrochemistry data				
C12F	834.1	635	29.46	5.6	3241	0.03	10.02	10.05	0.36	19.05	0.30	5.63	Moderate to High	Low	No hydrochemistry data.				
C12G	570.4	640	21.20	5.8	6797	0.06	8.04	8.10	0.20	12.90	0.34	4.44	Moderate to High	Low	Limited hydrochemistry data				
C12H	355.1	618	11.26	5.1	16104	0.15	8.86	9.01	0.08	2.17	0.33	0.72	High	Low	No hydrochemistry data.				
C12J	344.3	615	9.67	4.6	627	0.01	0.56	0.59	0.17	8.91	0.31	2.75	Low	Low	No hydrochemistry data.				
C12K	478.7	657	19.93	6.3	2739	0.02	7.55	7.57	0.09	12.27	0.34	4.14	Moderate to High	Low	Limited hydrochemistry data				
C12L	886.5	648	31.99	5.6	2116	0.02	11.57	11.59	3.77	16.63	0.33	5.57	Moderate to High	Low	No hydrochemistry data.				
C13A	583.5	779	27.18	5.9	2807	0.03	11.85	11.88	0.21	15.09	0.33	4.90	Moderate to High	Low	Limited hydrochemistry data.				
C13B	615.0	683	21.93	5.2	2395	0.02	6.29	6.31	0.27	15.35	0.33	4.99	Moderate	Low	No hydrochemistry data.				
C13C	836.2	724	35.96	5.9	5970	0.05	14.54	14.59	0.04	21.33	0.33	6.97	Moderate to High	Low	Limited hydrochemistry data				
C13D	894.6	698	32.67	5.2	1742	0.02	9.80	9.82	0.11	22.74	0.33	7.39	Moderate	Low	No hydrochemistry data.				
C13E	602.1	699	21.94	5.2	1130	0.01	6.31	6.32	0.01	15.61	0.33	5.07	Moderate	Low	No hydrochemistry data.				
C13F	610.6	692	19.25	4.6	1525	0.01	5.01	5.02	0.03	14.20	0.33	4.62	Moderate	Low	No hydrochemistry data.				
C13G	434.0	674	14.14	4.8	15885	0.14	3.02	3.16	0.01	10.97	0.29	3.21	Moderate	Low	Limited hydrochemistry data				
C13H	588.4	628	15.36	4.2	1688	0.02	2.18	2.20	0.02	13.14	0.32	4.21	Low	Low	Limited hydrochemistry data				
C21A	706.6	674	26.89	5.6	4853	0.04	9.77	9.81	0.06	17.02	0.33	5.68	Low	Low	Limited hydrochemistry data				
C21B	430.6	697	9.70	3.2	19019	0.17	7.97	8.14	0.23	1.33	0.34	0.46	High	Low	Limited hydrochemistry data				
C21C	437.9	674	9.85	3.3	8820	0.08	7.75	7.83	0.13	1.89	0.33	0.63	High	Low	Limited hydrochemistry data				
C21D	445.8	698	8.56	2.8	180660	1.65	5.78	7.43	0.84	0.29	0.44	0.13	Critical	Low	Class 0 <sup>5</sup>				
C21E	628.2	691	9.21	2.1	40363	0.37	7.89	8.06	0.22	0.93	0.41	0.36	High	Low	Class 1 <sup>5</sup>				
C21F	426.6	704	9.49	3.2	17170	0.65	8.26	8.91	0.59	0.01	0.35	0.00	Critical	Low	Class 0				
C21G	462.4	667	9.38	3.0	2339	0.02	8.07	8.09	0.03	1.26	0.36	0.45	High	Low	Class 0 <sup>5</sup>				
C22A	548.4	695	19.56	5.4	517617	4.73	7.04	11.77	1.41	6.38	0.42	2.68	High	Low	Class 1				
C22B	391.4	691	11.22	4.7	237009	2.16	3.11	5.27	1.47	4.48	0.42	1.89	Moderate to High	Low	Class 2 <sup>5</sup>				
C22C	465.3	684	14.72	4.5	96073	0.86	10.17	11.05	0.03	3.64	0.41	1.49	High	Low	Class 1				
C22D	345.2	701	12.24	9.2	30823	0.28	7.55	7.83	2.34	4.61	0.47	2.15	High	Low	Class 1 <sup>5</sup>				
C22E	532.1	669	12.13	3.4	13549	0.12	10.47	10.59	0.91	0.63	0.44	0.28	High	Low	Class 0 <sup>5</sup>				
C22F	440.2	655	7.01	2.4	108440	1.00	7.48	8.48	0.05	1.52	0.35	0.53	Critical	Low	Class 1 <sup>5</sup>				

Quaternary Catchment	Area (km <sup>2</sup> )	MAP (mm)	Recharge (Mm <sup>3</sup> /a)	% MAP	Population	Basic Human Needs (Mm <sup>3</sup> /a)	Ground-water Component of Baseflow (Mm <sup>3</sup> /a)	Total Reserve (Mm <sup>3</sup> /a)	Ground-water Use (Mm <sup>3</sup> /a)	Ground-water Balance (Mm <sup>3</sup> /a)	Exploitation Factor <sup>1</sup>	Allocable Ground-water Total (Mm <sup>3</sup> /a)	GRDM Classification <sup>2</sup>	Impact of groundwater abstraction on surface water <sup>3</sup>	Groundwater Reserve specification: Class <sup>4</sup>	
C22G	830.4	613	25.77	5.1	2596	0.02	0.00	0.02	0.47	25.28	0.33	8.23	Natural	Low	Limited hydrochemistry data.	
C22H	454.2	639	9.35	3.2	282162	2.57	4.81	7.38	0.07	1.90	0.43	0.81	High	Moderate	Class 0 <sup>5</sup> ; Neire	
C22J	668.7	633	15.25	3.6	14856	0.14	10.89	11.03	0.24	3.98	0.42	1.68	High	Moderate	Class 1 <sup>6</sup> ; Neire	
C22K	433.8	644	18.27	6.5	58152	0.53	7.86	8.39	0.34	9.54	0.34	3.22	Moderate to High	Low	Class 0 <sup>5</sup> ; Neire	
C23A	258.0	612	7.39	4.7	1028	0.01	1.04	1.05	0.12	6.22	0.33	2.02	Low	Low	No hydrochemistry data.	
C23B	701.1	619	27.63	6.4	2152	0.02	8.14	8.16	0.40	19.07	0.34	6.49	Moderate	Low	Class 0 <sup>5</sup>	
C23C	1068.7	609	23.13	3.6	42853	0.39	14.95	15.34	0.60	7.19	0.32	2.28	High	Low	Class 1	
C23D	510.1	664	25.79	7.6	99877	0.91	6.53	7.44	4.93	13.42	0.49	6.54	Moderate to High	Low	Class 0 <sup>5</sup>	
C23E	850.0	631	35.84	6.7	64933	0.59	11.34	11.93	34.23	10.32	0.49	5.06	Critical	Low	Class 1 <sup>6</sup>	
C23F	1323.6	605	47.38	5.9	2373	0.01	15.87	15.89	0.28	31.21	0.44	13.78	Low	Moderate	Class 0 <sup>5</sup>	
C23G	613.1	597	27.18	7.4	1605	0.01	9.01	9.02	2.32	15.84	0.48	7.57	Moderate	Low	Class 2	
C23H	451.2	604	12.43	4.6	8385	0.08	6.96	7.04	0.27	5.12	0.48	2.45	Moderate to High	Moderate	Class 1	
C23J	890.3	620	19.05	3.5	25528	0.23	12.12	12.35	0.63	6.07	0.44	2.69	High	Low	Class 1 <sup>6</sup>	
C23K	395.9	607	10.76	4.5	1605	0.01	6.86	6.87	0.26	3.63	0.49	1.79	High	Low	Class 1 <sup>6</sup>	
C23L	1211.0	612	24.44	3.3	40749	0.37	16.70	17.07	0.73	6.64	0.44	2.93	High	Low	Class 0 <sup>5</sup>	
C81A	381.9	882	22.72	6.7	323	0.00	15.86	15.86	0.05	6.81	0.38	2.55	High	Low	Limited hydrochemistry data	
C81B	575.5	763	26.44	6.0	1374	0.01	13.14	13.15	0.08	13.21	0.35	4.69	Moderate to High	Low	Limited hydrochemistry data	
C81C	249.7	730	9.88	5.4	230	0.00	3.76	3.76	0.03	6.09	0.30	1.83	Moderate to High	Low	No hydrochemistry data.	
C81D	194.8	735	8.31	5.8	216	0.00	3.38	3.38	0.03	4.90	0.32	1.59	Moderate to High	Low	No hydrochemistry data.	
C81E	642.4	658	22.34	5.3	21029	0.19	8.27	8.46	0.10	13.78	0.30	4.17	Moderate to High	Low	No hydrochemistry data.	
C81F	688.0	592	46.15	7.5	236987	2.16	42.98	45.14	0.35	0.66	0.31	0.21	Critical	Moderate	Class 0 <sup>5</sup>	
C81G	434.5	722	19.86	6.3	3855	0.04	9.12	9.16	0.09	10.61	0.32	3.38	Moderate to High	Low	No hydrochemistry data.	
C81H	357.8	638	12.37	5.4	1227	0.01	5.89	5.90	0.04	6.43	0.31	1.96	Moderate to High	Low	No hydrochemistry data.	
C81J	391.6	612	12.88	5.4	1496	0.01	1.38	1.39	0.06	11.43	0.30	3.43	Low	Low	Limited hydrochemistry data	
C81K	359.1	623	12.34	5.5	793	0.01	4.99	5.00	0.05	7.29	0.30	2.20	Moderate to High	Low	No hydrochemistry data.	
C81L	793.4	740	35.97	6.1	689	0.01	16.93	16.94	0.11	18.92	0.37	7.08	Moderate to High	Low	No hydrochemistry data.	
C81M	1091.7	662	38.82	5.4	2936	0.03	12.34	12.37	0.16	26.29	0.37	9.66	Moderate	Low	Limited hydrochemistry data	
C82A	581.7	670	21.75	5.6	1303	0.01	0.00	0.01	0.08	21.66	0.3	7.55	Natural	Low	Limited hydrochemistry data	
C82B	493.0	660	16.88	5.2	4736	0.04	0.00	0.04	0.07	16.77	0.3	5.25	Natural	Low	Class 0	
C82C	353.1	646	12.39	5.4	978	0.01	5.27	5.28	0.07	7.04	0.3	1.85	Moderate to High	Low	No hydrochemistry data.	
C82D	571.6	623	19.50	5.5	1849	0.02	5.35	5.37	0.16	13.97	0.2	3.48	Moderate	Low	No hydrochemistry data.	
C82E	622.1	666	20.73	5.0	1725	0.02	5.34	5.36	0.04	15.33	0.3	4.31	Moderate	Low	No hydrochemistry data.	
C82F	483.1	639	14.02	4.5	827	0.01	2.67	2.68	0.01	11.33	0.3	3.27	Moderate	Low	No hydrochemistry data.	
C82G	580.3	655	18.14	4.8	1086	0.01	5.16	5.17	0.09	12.88	0.2	3.16	Moderate	Low	No hydrochemistry data.	
C82H	782.1	614	20.70	4.3	1537	0.01	3.29	3.30	0.19	17.21	0.3	5.11	Moderate	Low	Class 2	
C83A	745.5	692	31.27	6.1	3635	0.02	12.06	12.09	0.07	19.11	0.35	6.76	Moderate	Low	Limited hydrochemistry data	
C83B	250.5	668	9.95	5.9	2141	0.03	2.91	2.93	0.03	6.99	0.40	2.76	Moderate	Low	Class 1	
C83C	827.5	663	30.60	5.6	39056	0.36	9.91	10.27	0.10	20.23	0.31	6.26	Moderate	Low	No hydrochemistry data.	
C83D	464.6	650	17.05	5.6	1781	0.02	4.54	4.56	0.05	12.44	0.31	3.90	Moderate	Low	No hydrochemistry data.	
C83E	426.0	654	15.46	5.6	1918	0.02	4.72	4.74	0.11	10.61	0.30	3.16	Moderate	Low	No hydrochemistry data.	
C83F	874.8	637	32.35	5.8	2266	0.02	10.93	10.95	11.23	10.17	0.28	2.88	high	Low	No hydrochemistry data.	
C83G	694.9	647	24.23	5.4	14040	0.13	7.26	7.39	0.21	16.63	0.26	4.25	Moderate	Low	No hydrochemistry data.	
C83H	546.7	646	16.23	4.6	4173	0.04	3.42	3.46	0.24	12.53	0.25	3.13	Moderate	Low	No hydrochemistry data.	
C83J	221.5	641	6.88	4.7	18257	0.17	1.52	1.69	0.11	4.88	0.25	1.24	Moderate to High	Low	No hydrochemistry data.	
C83K	547.6	635	16.63	4.8	943	0.01	3.55	3.56	0.24	12.83	0.30	3.82	Moderate	Low	No hydrochemistry data.	
C83L	825.4	641	23.21	4.4	2014	0.02	3.97	3.99	0.05	19.17	0.33	6.23	Moderate	Low	No hydrochemistry data.	
C83M	1100.0	639	31.72	4.5	9681	0.09	6.91	7.00	0.39	24.33	0.32	7.90	Moderate	Low	No hydrochemistry data.	
<b>MIDDLE VAAL</b>																
C24A	839.0	582.6	18.6	4.18	5 017	0.1	0.10	0.10	0.3	18.3	0.41	7.46	Natural	Low	Class 2	

Quaternary Catchment	Area (km <sup>2</sup> )	MAP (mm)	Recharge (Mm <sup>3</sup> /a)	% MAP	Population	Basic Human Needs (Mm <sup>3</sup> /a)	Ground-water Component of Baseflow (Mm <sup>3</sup> /a)	Total Reserve (Mm <sup>3</sup> /a)	Ground-water Use (Mm <sup>3</sup> /a)	Ground-water Balance (Mm <sup>3</sup> /a)	Exploitation Factor <sup>#</sup>	Allocable Ground-water Total (Mm <sup>3</sup> /a)	GROM Classification <sup>#</sup>	Impact of groundwater abstraction on surface water <sup>#</sup>	Groundwater Water Quality Reserve specification: Class <sup>#</sup>
C24B	529.6	561.0	16.31	5.49	31 256	0.29	3.55	3.84	5.1	7.4	0.45	3.33	Moderate to High	Low	Class 3 <sup>+</sup>
C24C	1349.8	586.9	96.96	12.24	25 663	0.23	13.09	13.3	14.9	68.76	0.48	33.24	Low	Moderate	Class 1
C24D	364.3	584.3	3.99	1.88	3 079	0.03	3.94	3.97	0.2	0.2	0.43	0.08	Critical	Low	Class 0
C24E	925.1	560.0	21.87	6.23	51389	0.47	10.17	10.64	7.51	9.14	0.45	4.14	High	Low	Class 1
C24F	2019.8	577.5	55.91	5.52	24827.00	0.27	13.63	13.90	1.30	40.71	0.46	18.87	Moderate	Low	Class 1
C24G	985.2	581.6	11.75	2.05	20 852	0.19	9.01	9.20	0.3	2.3	0.45	1.01	High	Low	Class 0
C24H	839.8	574.9	10.81	2.24	5 225	0.05	3.64	3.69	1.4	5.7	0.42	2.41	Moderate to High	Negligible	Class 1 <sup>+</sup>
C24I	2109.4	550.9	22.31	1.88	17403.00	0.16	10.15	10.31	0.80	11.20	0.41	4.57	Moderate to High	Negligible	Class 0
C25A	863.4	542.8	12.49	2.67	2 998	0.03	2.88	2.91	0.5	9.1	0.38	3.49	Moderate	Negligible	Class 0 <sup>+</sup>
C25B	1887.6	510.0	18.16	1.89	63 942	0.58	4.45	5.03	0.6	12.5	0.35	4.34	Moderate	Negligible	Class 3
C25C	1209.7	523.0	7.02	1.84	5004.00	0.09	5.76	5.85	0.80	0.37	0.38	0.14	Critical	Negligible	Class 2
C25D	1202.4	525.1	8.74	1.21	60167.00	0.67	1.74	2.41	0.60	5.73	0.39	2.26	Moderate	Negligible	Limited hydrochemistry data
C25E	1536.1	510.7	8.3	1.01	10597.00	0.1	1.2	1.3	1.9	5.1	0.34	1.76	Moderate to High	Negligible	Class 2
C25F	2218.2	481.9	10.48	0.96	3706.00	0.06	3.24	3.30	0.60	6.58	0.34	2.22	Moderate to High	Negligible	Class 0 <sup>+</sup>
C41A	1077.8	598.2	9.04	1.41	54136.00	0.74	2.66	3.40	1.10	4.54	0.35	1.60	Moderate to High	Low	Class 2
C41B	1004.8	598.2	9.51	1.58	20033.00	0.27	3.06	3.33	0.40	5.78	0.37	2.15	Moderate to High	Low	Limited hydrochemistry data
C41C	1094.6	594.7	10.09	1.55	21 292	0.19	3.05	3.24	0.3	6.6	0.42	2.74	Moderate to High	Low	Limited hydrochemistry data
C41D	1154.5	549.5	4.94	0.78	29 024	0.26	2.09	2.35	0.3	2.3	0.41	0.93	High	Negligible	Class 1 <sup>+</sup>
C41E	391.3	519.0	0.62	0.30	2 629	0.02	2.75	2.77	0.1	2.3	0.38	0.84	High	Negligible	Limited hydrochemistry data
C41F	565.5	494.9	0.56	0.20	8 630	0.08	0.01	0.09	0.2	0.3	0.37	0.10	Critical	Negligible	No hydrochemistry data
C41G	271.8	516.8	0.29	0.21	130.00	0.00	0.24	0.24	0.1	0.1	0.1	0.02	Critical	Negligible	No hydrochemistry data
C41H	887.4	498.2	2.32	0.52	8 669	0.08	0.78	0.86	0.2	1.3	0.33	0.42	Critical	Negligible	No hydrochemistry data
C41J	565.5	494.6	2.16	0.79	11 390	0.10	0.90	1.00	0.1	1.1	0.34	0.36	Critical	Negligible	No hydrochemistry data
C42A	694.7	632.0	8.77	2.00	5 110	0.05	7.24	7.29	0.3	1.2	0.37	0.44	Critical	Low	Limited hydrochemistry data
C42B	726.5	581.0	5.10	1.21	1 903	0.02	4.06	4.08	0.3	0.7	0.35	0.25	Critical	Low	Limited hydrochemistry data
C42C	793.3	625.6	6.27	1.26	8 731	0.08	4.76	4.84	0.3	1.1	0.34	0.38	Critical	Low	No hydrochemistry data
C42D	662.5	555.5	1.71	0.46	21 992	0.20	2.45	2.65	0.3	1.2	0.31	0.38	Critical	Low	No hydrochemistry data
C42E	750.4	564.0	2.93	0.69	6 150	0.06	2.19	2.25	0.3	0.4	0.33	0.13	Critical	Low	No hydrochemistry data
C42F	733.7	566.2	1.42	0.34	39 809	0.36	0.25	0.61	0.2	0.6	0.33	0.20	Critical	Low	No hydrochemistry data
C42G	555.0	550.4	0.82	0.27	6 876	0.06	1.64	1.70	0.2	1.1	0.35	0.38	Critical	Low	No hydrochemistry data
C42H	445.0	541.1	0.53	0.22	41 319	0.38	0.53	0.91	1.1	1.5	0.32	0.47	Critical	Low	No hydrochemistry data
C42J	1013.9	530.8	1.99	0.37	12 391	0.11	1.29	1.40	0.4	0.2	0.34	0.06	Critical	Low	Limited hydrochemistry data
C42K	668.0	522.1	0.87	0.19	587.00	0.01	0.16	0.17	0.9	0.4	0.37	0.15	Critical	Low	Limited hydrochemistry data
C42L	510.8	505.2	0.96	0.37	1 182	0.01	0.70	0.71	0.1	0.2	0.35	0.05	Critical	Low	Limited hydrochemistry data
C43A	1490.7	482.2	3.37	0.47	26 707	0.24	1.98	2.22	0.3	0.9	0.32	0.27	Critical	Negligible	Limited hydrochemistry data
C43B	723.3	494.0	1.26	0.35	1 854	0.02	0.05	0.07	0.2	1.0	0.33	0.32	Critical	Negligible	Class 2 <sup>+</sup>
C43C	912.5	469.0	3.17	0.74	9 364	0.09	1.04	1.13	0.3	1.7	0.30	0.51	High	Negligible	No hydrochemistry data
C43D	1475.4	464.0	3.95	0.58	24 645	0.22	0.58	0.80	0.4	2.8	0.30	0.83	High	Negligible	No hydrochemistry data
C60A	859.4	632.8	10.01	1.84	2 340	0.02	7.88	7.70	0.2	2.1	0.35	0.75	High	Low	Limited hydrochemistry data
C60B	1021.6	617.8	10.11	1.60	10 790	0.10	8.26	8.36	0.5	1.3	0.33	0.42	Critical	Low	Limited hydrochemistry data
C60C	1047.4	578.4	5.51	0.91	8 469	0.08	3.64	3.72	0.4	1.4	0.40	0.55	High	Low	Limited hydrochemistry data
C60D	644.7	552.7	2.53	0.71	2 567	0.02	0.85	0.87	0.2	1.5	0.42	0.62	High	Low	Limited hydrochemistry data
C60E	663.9	563.9	2.76	0.74	7 788	0.07	1.12	1.19	0.6	1.0	0.40	0.39	Critical	Low	Limited hydrochemistry data
C60F	659.1	556.2	1.94	0.53	96 217	0.88	1.29	2.17	0.2	0.4	0.40	0.17	Critical	Low	Limited hydrochemistry data
C60G	781.6	539.2	2.68	0.54	1 300	0.01	2.34	2.35	2.1	2.2	0.36	0.78	High	Low	Limited hydrochemistry data
C60H	1232.0	514.8	2.29	0.42	6 274	0.06	0.25	0.31	0.3	2.1	0.34	0.71	High	Negligible	Limited hydrochemistry data
C60J	968.9	550.6	10.02	1.90	6 169	0.06	3.84	3.90	0.8	5.3	0.37	1.98	Moderate to High	Negligible	No hydrochemistry data
C70A	612.5	628.1	7.02	1.82	2 218	0.02	5.28	5.30	0.5	1.2	0.34	0.41	Critical	Low	Limited hydrochemistry data
C70B	659.7	612.6	4.74	1.17	6 715	0.06	3.53	3.59	0.4	0.8	0.34	0.26	Critical	Low	No hydrochemistry data

Quaternary Catchment	Area (km <sup>2</sup> )	MAP (mm)	Recharge (Mm <sup>3</sup> /a)	% MAP	Population	Basic Human Needs (Mm <sup>3</sup> /a)	Ground-water Component of Baseflow (Mm <sup>3</sup> /a)	Total Reserve (Mm <sup>3</sup> /a)	Ground-water Use (Mm <sup>3</sup> /a)	Ground-water Balance (Mm <sup>3</sup> /a)	Exploitation Factor <sup>1</sup>	Allocable Ground-water Total (Mm <sup>3</sup> /a)	GRDM Classification <sup>2</sup>	Impact of groundwater abstraction on surface water <sup>3</sup>	Groundwater Water Quality Reserve specification: Class <sup>4</sup>
C70C	886.9	616.0	5.92	1.08	4 114	0.04	4.14	4.18	0.4	1.3	0.32	0.43	Critical	Low	No hydrochemistry data.
C70D	674.6	586.6	3.82	0.96	2 012	0.02	2.30	2.32	0.6	0.9	0.32	0.83	Critical	Low	Class 1
C70E	692.8	580.4	7.67	1.91	13 034	0.12	4.67	4.79	0.2	2.7	0.31	0.83	Moderate to High	Low	No hydrochemistry data
C70F	564.3	576.4	4.95	1.52	2 141	0.02	3.98	4.00	0.2	0.8	0.29	0.22	Critical	Low	No hydrochemistry data
C70G	901.2	579.1	7.15	1.37	2 745	0.03	3.91	3.94	0.3	2.9	0.33	0.97	High	Low	No hydrochemistry data
C70H	250.6	570.4	1.92	1.34	3 081	0.03	1.59	1.62	0.1	0.2	0.33	0.07	Critical	Low	No hydrochemistry data
C70J	520.6	577.3	6.45	2.14	3 602	0.03	3.99	4.02	0.2	2.2	0.39	0.86	High	Low	No hydrochemistry data
C70K	890.6	567.4	9.39	1.86	3 050	0.03	5.14	5.17	0.7	3.5	0.39	1.38	Moderate to High	Low	Limited hydrochemistry data
<b>LOWER VAAL</b>															
C31A	1402	330.00	32.68	7.00	28400	0.71	3.93	4.64	0.80	27.33	0.47	12.87	Low	Negligible	Class 2
C31B	1743	230.00	20.59	5.00	4400	0.11	9.10	9.21	1.10	11.27	0.41	4.60	Moderate to High	Negligible	Class 2
C31C	1635	280.00	21.79	5.00	800	0.02	7.92	7.94	1.40	13.83	0.40	5.58	Moderate to High	Negligible	Class 2
C31D	1483	300.00	22.95	5.00	30400	0.76	5.34	6.10	0.60	16.09	0.31	5.06	Moderate	Negligible	Class 2
C31E	2958	270.00	37.91	5.00	65600	1.64	17.35	18.99	2.30	17.28	0.37	6.40	Moderate to High	Negligible	Class 2
C31F	1787	205.00	12.92	3.00	63600	1.59	5.75	7.34	1.40	3.99	0.33	1.32	High	Negligible	Class 2
C32A	1403	165.00	8.62	3.50	25200	0.63	4.55	5.18	1.10	2.81	0.36	1.01	High	Negligible	Class 2
C32B	2997	225.00	31.22	5.00	123200	3.08	10.50	13.58	2.50	17.64	0.47	8.30	Moderate to High	Negligible	Class 2
C32C	1657	245.00	15.24	3.50	<1000	0.00	6.49	6.49	0.80	8.75	0.35	3.03	Moderate	Negligible	Class 2
C32D	4134	240.00	60.26	6.00	40000	1.00	10.65	11.65	3.30	47.61	0.48	23.41	Moderate	Negligible	Class 2
C33A	2855	245.00	35.29	5.00	57600	1.44	7.84	9.28	1.10	24.57	0.43	10.67	Moderate	Negligible	Class 2
C33B	2830	230.00	36.55	5.00	17600	0.44	3.47	3.91	0.80	32.20	0.49	15.71	Low	Negligible	Class 2
C33C	4141	190.00	35.06	4.50	2400	0.06	3.43	3.49	0.97	31.51	0.41	12.99	Low	Negligible	Class 2
C91A	2545	170.00	16.81	3.50	11200	0.28	6.07	6.35	0.80	10.18	0.32	3.31	Moderate	Negligible	Class 1
C91B	4675	270.00	59.66	4.50	2600	0.07	20.10	20.17	1.10	39.42	0.33	13.19	Moderate	Negligible	Class 2
C91C	3133	240.00	33.55	4.00	10400	0.26	6.83	7.09	0.18	26.20	0.38	9.91	Moderate	Negligible	Class 2
C91D	2694	265.00	27.83	4.00	22000	0.55	1.70	2.25	0.50	25.03	0.35	8.65	Low	Negligible	Class 2
C91E	1506	190.00	9.32	3.00	36400	0.91	2.08	2.99	0.40	5.42	0.34	1.85	Moderate to High	Negligible	Class 2
C92A	3913	180.00	27.50	4.00	24000	0.60	4.07	4.67	2.03	22.23	0.39	8.74	Moderate to High	Negligible	Class 1
C92B (68%) <sup>2</sup>	1341	190.00	9.00	3.50	<1000	0.00	0.30	0.30	2.70	8.70	0.36	3.14	Moderate	Negligible	Class 2
C92C (67%) <sup>2</sup>	1332	185.00	10.00	4.00	6600	0.17	0.35	0.52	4.70	9.31	0.41	3.82	Moderate to high	Negligible	Class 2

Limited hydrochemistry data: Number of water quality analyses is less than 9 per quaternary catchment (Limit of population number required for statistical analyses)  
 Class ♦ implies groundwater quality classification range where the median value of the quaternary catchment analyses range falls in pre-1995.  
 NA - Unknown  
<sup>1</sup>Surface water – Groundwater Interaction (Based on potential Stream Flow Reduction Factor): Moderate = <10% to 5%, Low = <5% to 1%, and Negligible = <1%.  
<sup>2</sup>Only the upper parts (indicated as percentages of the total quaternary catchment area) falls in the Lower Vaal catchment area.  
<sup>3</sup>In terms of Water Research Commission: Quality of Domestic Water Supplies – Volume 1. Report No. TT 10/98, Second Edition, 1998.  
 Grey shading: Dolomite water areas (Significant aquifer systems) - At least 25% of quaternary catchment contains dolomite rocks.  
**#GRDM Classification System:**  
 0.20 - 0.40 Moderate  
 0.40 - 0.65 Moderate to High  
 0.65 - 0.95 High  
 > 0.95 Critical

## PROPOSED GROUNDWATER RESERVE – WATER QUALITY COMPONENT

The groundwater quality of quaternary catchments with available hydrochemistry data was assessed against the domestic water target water quality ranges as shown in Table 6.2 and Table 6.3. A summary of the results for the groundwater quality classification at quaternary level in terms of the basic human needs requirement is included in the tables that follow (Tables 6.4 – 6.73).

**Table 6.2: Chemical water quality**

Chemical Parameter	Water Quality Ranges <sup>1</sup>				
	Units	Class 0	Class I	Class II	Class III
Calcium as Ca	mg/l	0 - 80	80 - 150	150 - 300	> 300
Magnesium as Mg	mg/l	0 - 30	30 - 70	70 - 100	> 100
Potassium as K	mg/l	0 - 25	25 - 50	50 - 100	> 100
Sodium as Na	mg/l	0 - 100	100 - 200	200 - 400	> 400
Chloride as Cl	mg/l	0 - 100	100 - 200	200 - 600	> 600
Sulphate as SO <sub>4</sub>	mg/l	0 - 200	200 - 400	400 - 600	> 600
Nitrate as NO <sub>x</sub> -N	mg/l	0 - 6	6 - 10	10 - 20	> 20
Fluoride as F	mg/l	< 0.7	0.7 - 1.0	1.0 - 1.5	> 1.5
Total hardness as CaCO <sub>3</sub>	mg/l	0 - 200	200 - 300	300 - 600	> 600

1) Reference: Classification System in terms of - Water Research Commission: Quality of Domestic Water Supplies – Volume 1, Report No. TT 101/98, Second Edition, 1998.

**Table 6.3: Physical water quality**

Physical Parameter	Water Quality Ranges <sup>2</sup>				
	Units	Class 0	Class I	Class II	Class III
pH (pH Units)		6 - 9	5 - 6 & 9 - 9.5	4.5 - 5 & 9.5 - 10	< 4 or > 10
Total Dissolved Solids	mg/l	0 - 450	450 - 1000	1000 - 2400	> 2400
Electrical Conductivity	mS/m	0 - 70	70 - 150	150 - 370	> 370

2) Reference: Classification System in terms of - Water Research Commission: Quality of Domestic Water Supplies – Volume 1, Report No. TT 101/98, Second Edition, 1998.

The water quality for the following quaternary catchments were not assessed due to insufficient information (lack of representable groundwater quality data):

- C11A; C11B; C11C; C11D; C11E; C11F; C11G; C11J; C11K; C11L; C11M
- C12A; C12B; C12C; C12E; C12F; C12G; C12H; C12J; C12K; C12L
- C13A; C13B; C13C; C13D; C13E; C13F; C13G
- C21A; C21B
- C22G
- C23A; C23C
- C25D
- C41B; C41C; C41E; C41F; C41G; C41H; C41J
- C42A; C42B; C42C; C42D; C42E; C42F; C42G; C42H; C42J; C42K; C42L
- C43C; C43D
- C60A; C60B; C60C; C60D; C60F; C60G; C60H; C60J
- C70A; C70B; C70C; C70E; C70F; C70G; C70H; C70J; C70K
- C81A; C81B; C81C; C81D; C81E; C81G; C81H; C81J; C81K; C81L; C81M
- C82A; C82C; C82D; C82E; C82F; C82G
- C83A; C83C; C83D; C83E; C83F; C83G; C83H; C83J; C83K; C83L; C83M

**Table 6.4: Groundwater Quality Reserve – Quaternary catchment C11H**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C11H			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		37	8.20	9.5 – 5.0 ( $\pm 0.05$ )	9.0
Electrical Conductivity	mS/m	37	79.70	<150	88
Calcium as Ca	mg/l	37	78.65	<150	87
Magnesium as Mg	mg/l	37	36.28	<70	39
Sodium as Na	mg/l	37	48.76	<200	54
Potassium as K	mg/l	37	4.24	<50	4.7
Total Hardness as CaCO <sub>3</sub>	mg/l	37	345.8	<300	380
Chloride as Cl	mg/l	37	32.32	<200	36
Sulphate as SO <sub>4</sub>	mg/l	37	61.58	<400	68
Nitrate as NO <sub>x</sub> -N	mg/l	37	4.75	<10	5.2
Fluoride as F	mg/l	37	0.35	<1.0	0.39
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC *et al.* 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

**Table 6.5: Groundwater Quality Reserve – Quaternary catchment C12D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C12D			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		34	8.13	9.5 – 5.0 ( $\pm 0.05$ )	9.0
Electrical Conductivity	mS/m	34	89.25	<150	98
Calcium as Ca	mg/l	34	84.75	<150	93
Magnesium as Mg	mg/l	34	48.91	<70	54
Sodium as Na	mg/l	34	29.33	<200	32
Potassium as K	mg/l	34	8.34	<50	9
Total Hardness as CaCO <sub>3</sub>	mg/l	34	413	<300	454
Chloride as Cl	mg/l	34	44.61	<200	49
Sulphate as SO <sub>4</sub>	mg/l	34	96.36	<400	106
Nitrate as NO <sub>x</sub> -N	mg/l	34	3.63	<10	4
Fluoride as F	mg/l	34	0.28	<1.0	0.3
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC *et al.* 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used

**Table 6.6: Groundwater Quality Reserve – Quaternary catchment C21C**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C21C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		67	7.65	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	67	57.20	<150	63
Calcium as Ca	mg/l	67	40.10	<150	44
Magnesium as Mg	mg/l	67	19.40	<70	21
Sodium as Na	mg/l	67	39.10	<200	43
Potassium as K	mg/l	67	4.98	<50	5
Total Hardness as CaCO <sub>3</sub>	mg/l	67	180	<300	198
Chloride as Cl	mg/l	67	43.40	<200	48
Sulphate as SO <sub>4</sub>	mg/l	67	31.60	<400	35
Nitrate as NO <sub>x</sub> -N	mg/l	67	0.10	<10	0.11
Fluoride as F	mg/l	67	0.71	<1.0	0.78
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.7: Groundwater Quality Reserve – Quaternary catchment C21D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C21D <sup>†</sup>			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		17	7.37	9.5 – 5.0 ( $\pm 0.05$ )	8.1
Electrical Conductivity	mS/m	17	27.50	<150	30
Calcium as Ca	mg/l	17	19.10	<150	21
Magnesium as Mg	mg/l	17	11	<70	12
Sodium as Na	mg/l	17	13.40	<200	15
Potassium as K	mg/l	17	2.20	<50	2.4
Total Hardness as CaCO <sub>3</sub>	mg/l	17	101.60	<300	112
Chloride as Cl	mg/l	17	8.50	<200	9
Sulphate as SO <sub>4</sub>	mg/l	17	6.10	<400	7
Nitrate as NO <sub>x</sub> -N	mg/l	17	0.23	<10	0.25
Fluoride as F	mg/l	17	0.12	<1.0	0.13
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
<sup>†</sup> Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.8: Groundwater Quality Reserve – Quaternary catchment C21E

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C21E*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		11	7.52	9.5 – 5.0 ( $\pm 0.05$ )	8.3
Electrical Conductivity	mS/m	11	51.90	<150	57
Calcium as Ca	mg/l	11	39.70	<150	44
Magnesium as Mg	mg/l	11	20.90	<70	23
Sodium as Na	mg/l	11	26.00	<200	29
Potassium as K	mg/l	11	10.43	<50	11
Total Hardness as CaCO <sub>3</sub>	mg/l	11	185.2	<300	203
Chloride as Cl	mg/l	11	29.50	<200	32
Sulphate as SO <sub>4</sub>	mg/l	11	32.30	<400	36
Nitrate as NO <sub>x</sub> -N	mg/l	11	1.73	<10	1.9
Fluoride as F	mg/l	11	0.17	<1.0	0.19
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.9: Groundwater Quality Reserve – Quaternary catchment C21F

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C21F			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		31	7.92	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	31	41.80	<150	46
Calcium as Ca	mg/l	31	39.34	<150	43
Magnesium as Mg	mg/l	31	19.71	<70	22
Sodium as Na	mg/l	31	10.72	<200	12
Potassium as K	mg/l	31	0.50	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	31	179.5	<300	198
Chloride as Cl	mg/l	31	25.60	<200	28
Sulphate as SO <sub>4</sub>	mg/l	31	12.87	<400	14
Nitrate as NO <sub>x</sub> -N	mg/l	31	2.88	<10	3.21
Fluoride as F	mg/l	31	0.13	<1.0	0.15
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used

**Table 6.10: Groundwater Quality Reserve – Quaternary catchment C21G**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C21G*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		15	7.58	9.5 – 5.0 ( $\pm 0.05$ )	8.3
Electrical Conductivity	mS/m	15	48.30	<150	53
Calcium as Ca	mg/l	15	32	<150	35
Magnesium as Mg	mg/l	15	20.80	<70	23
Sodium as Na	mg/l	15	23.80	<200	26
Potassium as K	mg/l	15	3.23	<50	4
Total Hardness as CaCO <sub>3</sub>	mg/l	15	165.6	<300	182
Chloride as Cl	mg/l	15	12.409	<200	14
Sulphate as SO <sub>4</sub>	mg/l	15	12.40	<400	14
Nitrate as NO <sub>x</sub> -N	mg/l	15	1.52	<10	2
Fluoride as F	mg/l	15	0.21	<1.0	0.23
Water Quality Class					Class 0
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.11: Groundwater Quality Reserve – Quaternary catchment C22A**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22A			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		45	8.00	9.5 – 5.0 ( $\pm 0.05$ )	8.1
Electrical Conductivity	mS/m	45	46.5	<150	51
Calcium as Ca	mg/l	45	38.6	<150	43
Magnesium as Mg	mg/l	45	29.0	<70	32
Sodium as Na	mg/l	45	8.00	<200	8.8
Potassium as K	mg/l	45	0.96	<50	1.1
Total Hardness as CaCO <sub>3</sub>	mg/l	45	215.8	<300	237
Chloride as Cl	mg/l	45	5.8	<200	6.4
Sulphate as SO <sub>4</sub>	mg/l	45	90.0	<400	99
Nitrate as NO <sub>x</sub> -N	mg/l	45	4.07	<10	4.5
Fluoride as F	mg/l	45	0.10	<1.0	0.11
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%.					

Table 6.12: Groundwater Quality Reserve – Quaternary catchment C22B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		53	7.70	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	53	134.10	<150	148
Calcium as Ca	mg/l	53	106.45	<150	117
Magnesium as Mg	mg/l	53	58.70	<70	65
Sodium as Na	mg/l	53	46.25	<200	51
Potassium as K	mg/l	53	3.75	<50	4
Total Hardness as CaCO <sub>3</sub>	mg/l	53	507.5	<300	558
Chloride as Cl	mg/l	53	55.10	<200	61
Sulphate as SO <sub>4</sub>	mg/l	53	308.70	<400	340
Nitrate as NO <sub>x</sub> -N	mg/l	53	2.40	<10	2.6
Fluoride as F	mg/l	53	0.15	<1.0	0.17
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.13: Groundwater Quality Reserve – Quaternary catchment C22C

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		123	7.79	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	123	57	<150	63
Calcium as Ca	mg/l	123	44.0	<150	50
Magnesium as Mg	mg/l	123	32.0	<70	35
Sodium as Na	mg/l	123	14.8	<200	16
Potassium as K	mg/l	123	1.84	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	123	241.6	<300	266
Chloride as Cl	mg/l	123	16.8	<200	19
Sulphate as SO <sub>4</sub>	mg/l	123	23.2	<400	26
Nitrate as NO <sub>x</sub> -N	mg/l	123	2.38	<10	2.6
Fluoride as F	mg/l	123	0.10	<1.0	0.11
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

Table 6.14: Groundwater Quality Reserve – Quaternary catchment C22D

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22D*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		182	7.60	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	182	38.15	<150	42
Calcium as Ca	mg/l	182	35.90	<150	39
Magnesium as Mg	mg/l	182	22.85	<70	25
Sodium as Na	mg/l	182	6.30	<200	7
Potassium as K	mg/l	182	0.84	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	182	183.7	<300	202
Chloride as Cl	mg/l	182	6.25	<200	7
Sulphate as SO <sub>4</sub>	mg/l	182	9	<400	10
Nitrate as NO <sub>x</sub> -N	mg/l	182	1.20	<10	1.3
Fluoride as F	mg/l	182	0.10	<1.0	0.11
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.15: Groundwater Quality Reserve – Quaternary catchment C22E

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22E*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		181	7.68	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	181	38.70	<150	43
Calcium as Ca	mg/l	181	33.80	<150	37
Magnesium as Mg	mg/l	181	22.90	<70	25
Sodium as Na	mg/l	181	10.10	<200	11
Potassium as K	mg/l	181	0.94	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	181	178.70	<300	197
Chloride as Cl	mg/l	181	7.10	<200	8
Sulphate as SO <sub>4</sub>	mg/l	181	9.70	<400	11
Nitrate as NO <sub>x</sub> -N	mg/l	181	1.05	<10	1.2
Fluoride as F	mg/l	181	0.13	<1.0	0.14
Water Quality Class					Class 0
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.16: Groundwater Quality Reserve – Quaternary catchment C22F

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22F*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		39	7.60	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	39	48.30	<150	53
Calcium as Ca	mg/l	39	42.70	<150	47
Magnesium as Mg	mg/l	39	22.30	<70	25
Sodium as Na	mg/l	39	18	<200	20
Potassium as K	mg/l	39	1.61	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	39	198.5	<300	218
Chloride as Cl	mg/l	39	14.40	<200	16
Sulphate as SO <sub>4</sub>	mg/l	39	10.30	<400	11
Nitrate as NO <sub>x</sub> -N	mg/l	39	0.50	<10	0.55
Fluoride as F	mg/l	39	0.20	<1.0	0.22
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.17: The results of the Groundwater Component – QC C22H

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22H*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		30	7.21	9.5 – 5.0 ( $\pm 0.05$ )	7.9
Electrical Conductivity	mS/m	30	18.30	<150	20
Calcium as Ca	mg/l	30	14.50	<150	16
Magnesium as Mg	mg/l	30	6	<70	7
Sodium as Na	mg/l	30	7.05	<200	8
Potassium as K	mg/l	30	0.91	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	30	60.9	<300	67
Chloride as Cl	mg/l	30	4.45	<200	5
Sulphate as SO <sub>4</sub>	mg/l	30	4.70	<400	5
Nitrate as NO <sub>x</sub> -N	mg/l	30	0.11	<10	0.12
Fluoride as F	mg/l	30	0.14	<1.0	0.15
Water Quality Class					Class 0
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.18: Groundwater Quality Reserve – Quaternary catchment C22J

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22J*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		30	7.40	9.5 – 5.0 ( $\pm 0.05$ )	8.1
Electrical Conductivity	mS/m	30	56.10	<150	62
Calcium as Ca	mg/l	30	47.70	<150	52
Magnesium as Mg	mg/l	30	27.65	<70	30
Sodium as Na	mg/l	30	23.75	<200	26
Potassium as K	mg/l	30	1.17	<50	1.3
Total Hardness as CaCO <sub>3</sub>	mg/l	30	233.0	<300	256
Chloride as Cl	mg/l	30	17.35	<200	19
Sulphate as SO <sub>4</sub>	mg/l	30	21.85	<400	24
Nitrate as NO <sub>x</sub> -N	mg/l	30	4.29	<10	5
Fluoride as F	mg/l	30	0.21	<1.0	0.23
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.19: Groundwater Quality Reserve – Quaternary catchment C22K

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C22K*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		9	7.71	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	9	50.60	<150	56
Calcium as Ca	mg/l	9	40.20	<150	44
Magnesium as Mg	mg/l	9	13	<70	14
Sodium as Na	mg/l	9	33.60	<200	37
Potassium as K	mg/l	9	2.73	<50	3
Total Hardness as CaCO <sub>3</sub>	mg/l	9	153.9	<300	169
Chloride as Cl	mg/l	9	17.80	<200	20
Sulphate as SO <sub>4</sub>	mg/l	9	3.10	<400	3.4
Nitrate as NO <sub>x</sub> -N	mg/l	9	0.20	<10	0.22
Fluoride as F	mg/l	9	0.28	<1.0	0.31
Water Quality Class					Class 0
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.20: Groundwater Quality Reserve – Quaternary catchment C23B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		16	7.64	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	16	43.10	<150	47
Calcium as Ca	mg/l	16	31.05	<150	34
Magnesium as Mg	mg/l	16	20.45	<70	23
Sodium as Na	mg/l	16	15.95	<200	18
Potassium as K	mg/l	16	2.37	<50	3
Total Hardness as CaCO <sub>3</sub>	mg/l	16	161.7	>300	178
Chloride as Cl	mg/l	16	13.30	<200	15
Sulphate as SO <sub>4</sub>	mg/l	16	10.25	<400	11
Nitrate as NO <sub>x</sub> -N	mg/l	16	2.44	<10	3
Fluoride as F	mg/l	16	0.23	<1.0	0.25
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.21: Groundwater Quality Reserve – Quaternary catchment C23C

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C23C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		35	7.92	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	35	64.80	<150	71
Calcium as Ca	mg/l	35	42.45	<150	47
Magnesium as Mg	mg/l	35	27.76	<70	31
Sodium as Na	mg/l	35	53.10	<200	58
Potassium as K	mg/l	35	4.61	<50	5
Total Hardness as CaCO <sub>3</sub>	mg/l	35	220.3	<300	242
Chloride as Cl	mg/l	35	24.50	<200	26
Sulphate as SO <sub>4</sub>	mg/l	35	19.40	<400	21
Nitrate as NO <sub>x</sub> -N	mg/l	35	4.07	<10	5
Fluoride as F	mg/l	35	0.42	<1.0	0.46
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

Table 6.22: The results of the Groundwater Component – QC C23D

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23D*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		74	7.08	9.5 – 5.0 (±0.05)	7.8
Electrical Conductivity	mS/m	74	20.40	<150	22
Calcium as Ca	mg/l	74	16	<150	18
Magnesium as Mg	mg/l	74	10.70	<70	12
Sodium as Na	mg/l	74	3.80	<200	4
Potassium as K	mg/l	74	0.78	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	74	84.0	<300	92
Chloride as Cl	mg/l	74	2.25	<200	2.5
Sulphate as SO <sub>4</sub>	mg/l	74	12.90	<400	14
Nitrate as NO <sub>x</sub> -N	mg/l	74	0.53	<10	1
Fluoride as F	mg/l	74	0.05	<1.0	0.06
Water Quality Class					Class 0
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.23: Groundwater Quality Reserve – Quaternary catchment C23E

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23E*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		34	7.56	9.5 – 5.0 (±0.05)	8.3
Electrical Conductivity	mS/m	34	50.4	<150	55
Calcium as Ca	mg/l	34	51.1	<150	56
Magnesium as Mg	mg/l	34	33.7	<70	37
Sodium as Na	mg/l	34	9.9	<200	11
Potassium as K	mg/l	34	1.29	<50	1.4
Total Hardness as CaCO <sub>3</sub>	mg/l	34	266.4	<300	293
Chloride as Cl	mg/l	34	5.15	<200	6
Sulphate as SO <sub>4</sub>	mg/l	34	24.6	<400	27
Nitrate as NO <sub>x</sub> -N	mg/l	34	1.96	<10	2
Fluoride as F	mg/l	34	0.05	<1.0	0.06
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.24: Groundwater Quality Reserve – Quaternary catchment C23F

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23F*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		14	7.72	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	14	31.20	<150	34
Calcium as Ca	mg/l	14	30.90	<150	34
Magnesium as Mg	mg/l	14	16.75	<70	18
Sodium as Na	mg/l	14	3.40	<200	4
Potassium as K	mg/l	14	0.90	<50	1
Total Hardness as CaCO <sub>3</sub>	mg/l	14	146.1	<300	161
Chloride as Cl	mg/l	14	3.35	<200	3.7
Sulphate as SO <sub>4</sub>	mg/l	14	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	14	1	<10	1.1
Fluoride as F	mg/l	14	0.12	<1.0	0.13
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.25: Groundwater Quality Reserve – Quaternary catchment C23G

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23G*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		196	7.78	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	196	88.95	<150	98
Calcium as Ca	mg/l	196	79.95	<150	88
Magnesium as Mg	mg/l	196	44.55	<70	49
Sodium as Na	mg/l	196	44.35	<200	48
Potassium as K	mg/l	196	1.88	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	196	383.1	<300	421
Chloride as Cl	mg/l	196	45.40	<200	50
Sulphate as SO <sub>4</sub>	mg/l	196	228.05	<400	251
Nitrate as NO <sub>x</sub> -N	mg/l	196	2.11	<10	2.3
Fluoride as F	mg/l	196	0.11	<1.0	0.12
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on long-term hydrochemistry dataset from only one monitoring (spring/eye) site in the quaternary catchment

**Table 6.26: Groundwater Quality Reserve – Quaternary catchment C23H**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23H			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		19	7.91	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	19	43.70	<150	48
Calcium as Ca	mg/l	19	44	<150	48
Magnesium as Mg	mg/l	19	24.60	<70	27
Sodium as Na	mg/l	19	11.40	<200	13
Potassium as K	mg/l	19	1.14	<50	1.25
Total Hardness as CaCO <sub>3</sub>	mg/l	19	211.3	<300	232
Chloride as Cl	mg/l	19	7.20	<200	8
Sulphate as SO <sub>4</sub>	mg/l	19	5.20	<400	6
Nitrate as NO <sub>x</sub> -N	mg/l	19	3.11	<10	3.4
Fluoride as F	mg/l	19	0.13	<1.0	0.14
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.27: Groundwater Quality Reserve – Quaternary catchment C23J**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23J*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		20	7.73	9.5 – 5.0 ( $\pm 0.05$ )	8.50
Electrical Conductivity	mS/m	20	44.2	<150	49
Calcium as Ca	mg/l	20	28.3	<150	31
Magnesium as Mg	mg/l	20	31.0	<70	34
Sodium as Na	mg/l	20	14.3	<200	16
Potassium as K	mg/l	20	1.50	<50	1.65
Total Hardness as CaCO <sub>3</sub>	mg/l	20	198.3	<300	218
Chloride as Cl	mg/l	20	8.40	<200	9.0
Sulphate as SO <sub>4</sub>	mg/l	20	7.45	<400	8.20
Nitrate as NO <sub>x</sub> -N	mg/l	20	0.79	<10	0.87
Fluoride as F	mg/l	20	0.22	<1.0	0.24
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.28: Groundwater Quality Reserve – Quaternary catchment C23K

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23K*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		9	7.76	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	9	39.50	<150	43
Calcium as Ca	mg/l	9	44.50	<150	49
Magnesium as Mg	mg/l	9	19.20	<70	21
Sodium as Na	mg/l	9	15.70	<200	17
Potassium as K	mg/l	9	1.07	<50	1.1
Total Hardness as CaCO <sub>3</sub>	mg/l	9	190.2	<300	209
Chloride as Cl	mg/l	9	6.10	<200	7
Sulphate as SO <sub>4</sub>	mg/l	9	4	<400	4.5
Nitrate as NO <sub>x</sub> -N	mg/l	9	2.32	<10	3
Fluoride as F	mg/l	9	0.18	<1.0	0.2
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.29: Groundwater Quality Reserve – Quaternary catchment C23L

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C23L*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		26	7.20	9.5 – 5.0 ( $\pm 0.05$ )	7.9
Electrical Conductivity	mS/m	26	34.70	<150	38
Calcium as Ca	mg/l	26	33.55	<150	37
Magnesium as Mg	mg/l	26	16.80	<70	18
Sodium as Na	mg/l	26	10.25	<200	11
Potassium as K	mg/l	26	1.47	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	26	153	<300	168
Chloride as Cl	mg/l	26	5.90	<200	6
Sulphate as SO <sub>4</sub>	mg/l	26	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	26	0.87	<10	1
Fluoride as F	mg/l	26	0.13	<1.0	0.14
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

**Table 6.30 Groundwater Quality Reserve – Quaternary catchment C24A**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24A			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		112	7.40	9.5 – 5.0 ( $\pm 0.05$ )	8.1
Electrical Conductivity	mS/m	112	108.05	<150	119
Calcium as Ca	mg/l	112	89.95	<150	99
Magnesium as Mg	mg/l	112	74.30	<70	82
Sodium as Na	mg/l	112	70.35	<200	77
Potassium as K	mg/l	112	7.74	<50	9
Total Hardness as CaCO <sub>3</sub>	mg/l	112	529.3	<300	582
Chloride as Cl	mg/l	112	67.05	<200	74
Sulphate as SO <sub>4</sub>	mg/l	112	323.45	<400	356
Nitrate as NO <sub>x</sub> -N	mg/l	112	1.99	<10	2
Fluoride as F	mg/l	112	0.16	<1.0	0.18
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.31: Groundwater Quality Reserve – Quaternary catchment C24B**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24B <sup>♦</sup>			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		13	7.17	9.5 – 5.0 ( $\pm 0.05$ )	7.9
Electrical Conductivity	mS/m	13	361.20	<150	397
Calcium as Ca	mg/l	13	458.60	<150	504
Magnesium as Mg	mg/l	13	225.40	<70	248
Sodium as Na	mg/l	13	118.90	<200	131
Potassium as K	mg/l	13	20.14	<50	22
Total Hardness as CaCO <sub>3</sub>	mg/l	13	2073.3	<300	2281
Chloride as Cl	mg/l	13	143.40	<200	158
Sulphate as SO <sub>4</sub>	mg/l	13	2109.90	<400	2321
Nitrate as NO <sub>x</sub> -N	mg/l	13	4.82	<10	5.3
Fluoride as F	mg/l	13	0.22	<1.0	0.24
Water Quality Class					Class 3

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
<sup>♦</sup> Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.32: Groundwater Quality Reserve – Quaternary catchment C24C

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		161	7.95	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	161	40.70	<150	45
Calcium as Ca	mg/l	161	34	<150	37
Magnesium as Mg	mg/l	161	29.20	<70	32
Sodium as Na	mg/l	161	4.60	<200	5
Potassium as K	mg/l	161	1.43	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	161	205.1	<300	226
Chloride as Cl	mg/l	161	5.70	<200	6
Sulphate as SO <sub>4</sub>	mg/l	161	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	161	1.97	<10	2.2
Fluoride as F	mg/l	161	0.05	<1.0	0.06
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

Table 6.33: Groundwater Quality Reserve – Quaternary catchment C24D

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24D			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		10	7.70	9.5 – 5.0 ( $\pm 0.05$ )	8.5
Electrical Conductivity	mS/m	10	24.30	<150	27
Calcium as Ca	mg/l	10	16.95	<150	19
Magnesium as Mg	mg/l	10	10.10	<70	11
Sodium as Na	mg/l	10	13.90	<200	15
Potassium as K	mg/l	10	3.03	<50	3.3
Total Hardness as CaCO <sub>3</sub>	mg/l	10	83.9	<300	92
Chloride as Cl	mg/l	10	5.05	<200	6
Sulphate as SO <sub>4</sub>	mg/l	10	7.05	<400	8
Nitrate as NO <sub>x</sub> -N	mg/l	10	3.46	<10	3.8
Fluoride as F	mg/l	10	0.13	<1.0	0.15
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.34: Groundwater Quality Reserve – Quaternary catchment C24E**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24E			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		48	7.89	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	48	48.80	<150	54
Calcium as Ca	mg/l	48	35.45	<150	39
Magnesium as Mg	mg/l	48	35.75	<70	39
Sodium as Na	mg/l	48	7.20	<200	8
Potassium as K	mg/l	48	1.37	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	48	235.7	<300	259
Chloride as Cl	mg/l	48	12.15	<200	13
Sulphate as SO <sub>4</sub>	mg/l	48	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	48	5.21	<10	6
Fluoride as F	mg/l	48	0.13	<1.0	0.14
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.35: Groundwater Quality Reserve – Quaternary catchment C24F**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24F			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		175	7.84	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	175	46.30	<150	51
Calcium as Ca	mg/l	175	40	<150	44
Magnesium as Mg	mg/l	175	26.90	<70	30
Sodium as Na	mg/l	175	7.70	<200	8
Potassium as K	mg/l	175	1.80	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	175	211	<300	232
Chloride as Cl	mg/l	175	30.50	<200	34
Sulphate as SO <sub>4</sub>	mg/l	175	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	175	6.62	<10	7
Fluoride as F	mg/l	175	0.05	<1.0	0.06
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

Table 6.36: Groundwater Quality Reserve – Quaternary catchment C24G

Chemical Parameter	Unit	Vaai WMA – Quaternary catchment: C24G			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		23	7.80	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	23	38	<150	42
Calcium as Ca	mg/l	23	33.70	<150	37
Magnesium as Mg	mg/l	23	15.70	<70	17
Sodium as Na	mg/l	23	14.70	<200	16
Potassium as K	mg/l	23	1.99	<50	2.2
Total Hardness as CaCO <sub>3</sub>	mg/l	23	148.8	<300	164
Chloride as Cl	mg/l	23	7.60	<200	8.4
Sulphate as SO <sub>4</sub>	mg/l	23	11.80	<400	13
Nitrate as NO <sub>x</sub> -N	mg/l	23	3.21	<10	3.5
Fluoride as F	mg/l	23	0.31	<1.0	0.34
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

Table 6.37: Groundwater Quality Reserve – Quaternary catchment C24H

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24H*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		42	7.80	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	42	51.40	<150	57
Calcium as Ca	mg/l	42	46.10	<150	51
Magnesium as Mg	mg/l	42	25.80	<70	28
Sodium as Na	mg/l	42	14.85	<200	16
Potassium as K	mg/l	42	1.59	<50	1.75
Total Hardness as CaCO <sub>3</sub>	mg/l	42	221.4	<300	244
Chloride as Cl	mg/l	42	15.40	<200	17
Sulphate as SO <sub>4</sub>	mg/l	42	11.55	<400	13
Nitrate as NO <sub>x</sub> -N	mg/l	42	3.67	<10	4.0
Fluoride as F	mg/l	42	0.27	<1.0	0.29
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

**Table 6.38: Groundwater Quality Reserve – Quaternary catchment C24J**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C24J			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		22	7.64	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	22	42.60	<150	43
Calcium as Ca	mg/l	22	36.30	<150	37
Magnesium as Mg	mg/l	22	16.30	<70	17
Sodium as Na	mg/l	22	24.85	<200	26
Potassium as K	mg/l	22	1.06	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	22	157.3	<300	173.5
Chloride as Cl	mg/l	22	10.45	<200	11
Sulphate as SO <sub>4</sub>	mg/l	22	7.55	<400	8
Nitrate as NO <sub>x</sub> -N	mg/l	22	1.62	<10	2
Fluoride as F	mg/l	22	0.22	<1.0	0.24
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.39: Groundwater Quality Reserve – Quaternary catchment C25A**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C25A*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		9	7.84	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	9	53.60	<150	59
Calcium as Ca	mg/l	9	30	<150	33
Magnesium as Mg	mg/l	9	24.90	<70	27
Sodium as Na	mg/l	9	33.40	<200	37
Potassium as K	mg/l	9	1.37	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	9	177.4	<300	195
Chloride as Cl	mg/l	9	17	<200	19
Sulphate as SO <sub>4</sub>	mg/l	9	14.20	<400	16
Nitrate as NO <sub>x</sub> -N	mg/l	9	3.10	<10	3.4
Fluoride as F	mg/l	9	0.82	<1.0	0.9
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.40: Groundwater Quality Reserve – Quaternary catchment QC C25B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C25B			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		16	8.29	9.5 – 5.0 ( $\pm 0.05$ )	9.1
Electrical Conductivity	mS/m	16	136.95	<150	151
Calcium as Ca	mg/l	16	27.32	<150	30
Magnesium as Mg	mg/l	16	15.25	<70	17
Sodium as Na	mg/l	16	267.18	<200	294
Potassium as K	mg/l	16	5.03	<50	6.0
Total Hardness as CaCO <sub>3</sub>	mg/l	16	131.0	<300	144
Chloride as Cl	mg/l	16	117.83	<200	130
Sulphate as SO <sub>4</sub>	mg/l	16	33.93	<400	37
Nitrate as NO <sub>x</sub> -N	mg/l	16	0.35	<10	0.4
Fluoride as F	mg/l	16	2.38	<1.0	2.62
Water Quality Class					Class 3

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

Table 6.41: Groundwater Quality Reserve – Quaternary catchment C25C

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C25C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		28	8.13	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	28	50.45	<150	56
Calcium as Ca	mg/l	28	46.63	<150	51
Magnesium as Mg	mg/l	28	27.52	<70	30
Sodium as Na	mg/l	28	14.95	<200	16
Potassium as K	mg/l	28	1.93	<50	2
Total Hardness as CaCO <sub>3</sub>	mg/l	28	229.8	<300	253
Chloride as Cl	mg/l	28	8.77	<200	10
Sulphate as SO <sub>4</sub>	mg/l	28	4.32	<400	5
Nitrate as NO <sub>x</sub> -N	mg/l	28	9.57	<10	11
Fluoride as F	mg/l	28	0.13	<1.0	0.15
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.42: Groundwater Quality Reserve – Quaternary catchment C25E**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C25E			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		11	7.99	9.5 – 5.0 (±0.05)	8.8
Electrical Conductivity	mS/m	11	67.70	<150	74
Calcium as Ca	mg/l	11	48.30	<150	53
Magnesium as Mg	mg/l	11	20.70	<70	23
Sodium as Na	mg/l	11	19.80	<200	22
Potassium as K	mg/l	11	2.75	<50	3
Total Hardness as CaCO <sub>3</sub>	mg/l	11	205.8	<300	226
Chloride as Cl	mg/l	11	17.80	<200	20
Sulphate as SO <sub>4</sub>	mg/l	11	8.90	<400	10
Nitrate as NO <sub>x</sub> -N	mg/l	11	13.07	<10	14
Fluoride as F	mg/l	11	0.18	<1.0	0.2
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.43: Groundwater Quality Reserve – Quaternary catchment C25F**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C25F <sup>♦</sup>			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		22	7.75	9.5 – 5.0 (±0.05)	8.5
Electrical Conductivity	mS/m	22	27.20	<150	30
Calcium as Ca	mg/l	22	20.92	<150	23
Magnesium as Mg	mg/l	22	12.30	<70	14
Sodium as Na	mg/l	22	4.10	<200	5
Potassium as K	mg/l	22	1	<50	1.1
Total Hardness as CaCO <sub>3</sub>	mg/l	22	102.9	<300	113
Chloride as Cl	mg/l	22	1.50	<200	2
Sulphate as SO <sub>4</sub>	mg/l	22	11.45	<400	13
Nitrate as NO <sub>x</sub> -N	mg/l	22	0.84	<10	1.0
Fluoride as F	mg/l	22	0.05	<1.0	0.06
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
<sup>♦</sup> Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

**Table 6.44: Groundwater Quality Reserve – Quaternary catchment QC C31A**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31A			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		187	7.82	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	187	60.90	<150	67
Calcium as Ca	mg/l	187	59	<150	65
Magnesium as Mg	mg/l	187	34.30	<70	38
Sodium as Na	mg/l	187	13.10	<200	14
Potassium as K	mg/l	187	2.19	<50	2.4
Total Hardness as CaCO <sub>3</sub>	mg/l	187	288.6	<300	317
Chloride as Cl	mg/l	187	27	<200	30
Sulphate as SO <sub>4</sub>	mg/l	187	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	187	4.96	<10	5.5
Fluoride as F	mg/l	187	0.12	<1.0	0.13
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and  
<sup>3</sup> Median value plus 10%.

**Table 6.45: Groundwater Quality Reserve – Quaternary catchment C31B**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		69	7.87	9.5 – 5.0 ( $\pm 0.05$ )	8.6
Electrical Conductivity	mS/m	69	74.80	<150	82
Calcium as Ca	mg/l	69	80.80	<150	89
Magnesium as Mg	mg/l	69	36.90	<70	41
Sodium as Na	mg/l	69	23.30	<200	26
Potassium as K	mg/l	69	3.10	<50	3.3
Total Hardness as CaCO <sub>3</sub>	mg/l	69	353.7	<300	389
Chloride as Cl	mg/l	69	35.70	<200	39
Sulphate as SO <sub>4</sub>	mg/l	69	11.30	<400	12
Nitrate as NO <sub>x</sub> -N	mg/l	69	14.05	<10	15
Fluoride as F	mg/l	69	0.23	<1.0	0.25
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

**Table 6.46: Groundwater Quality Reserve – Quaternary catchment C31C**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31C*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		41	7.61	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	41	42.90	<150	47
Calcium as Ca	mg/l	41	31.90	<150	35
Magnesium as Mg	mg/l	41	18.10	<70	20
Sodium as Na	mg/l	41	24.80	<200	27
Potassium as K	mg/l	41	2.73	<50	3
Total Hardness as CaCO <sub>3</sub>	mg/l	41	154.2	<300	169
Chloride as Cl	mg/l	41	11.60	<200	13
Sulphate as SO <sub>4</sub>	mg/l	41	10.10	<400	11
Nitrate as NO <sub>x</sub> -N	mg/l	41	9.76	<10	11
Fluoride as F	mg/l	41	0.25	<1.0	0.28
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.47: Groundwater Quality Reserve – Quaternary catchment C31D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31D*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		23	8.05	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	23	83	<150	91
Calcium as Ca	mg/l	23	83.20	<150	92
Magnesium as Mg	mg/l	23	41.30	<70	45
Sodium as Na	mg/l	23	49.60	<200	55
Potassium as K	mg/l	23	4.43	<50	5
Total Hardness as CaCO <sub>3</sub>	mg/l	23	377.8	<300	416
Chloride as Cl	mg/l	23	56.20	<200	62
Sulphate as SO <sub>4</sub>	mg/l	23	19	<400	21
Nitrate as NO <sub>x</sub> -N	mg/l	23	10.56	<10	12
Fluoride as F	mg/l	23	0.42	<1.0	0.46
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.48: Groundwater Quality Reserve – Quaternary catchment C31E

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31E*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		82	7.88	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	82	74.85	<150	82
Calcium as Ca	mg/l	82	70.85	<150	78
Magnesium as Mg	mg/l	82	30.50	<70	34
Sodium as Na	mg/l	82	44.50	<200	49
Potassium as K	mg/l	82	3.57	<50	4
Total Hardness as CaCO <sub>3</sub>	mg/l	82	302.5	<300	333
Chloride as Cl	mg/l	82	42.95	<200	47
Sulphate as SO <sub>4</sub>	mg/l	82	18.95	<400	21
Nitrate as NO <sub>x</sub> -N	mg/l	82	14.37	<10	16
Fluoride as F	mg/l	82	0.34	<1.0	0.37
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.49: Groundwater Quality Reserve – Quaternary catchment C31F

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C31F*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		35	7.28	9.5 – 5.0 ( $\pm 0.05$ )	8
Electrical Conductivity	mS/m	35	57.20	<150	63
Calcium as Ca	mg/l	35	43.30	<150	48
Magnesium as Mg	mg/l	35	21.90	<70	24
Sodium as Na	mg/l	35	43.20	<200	48
Potassium as K	mg/l	35	2.97	<50	3.3
Total Hardness as CaCO <sub>3</sub>	mg/l	35	198.3	<300	218
Chloride as Cl	mg/l	35	26.90	<200	30
Sulphate as SO <sub>4</sub>	mg/l	35	23.60	<400	26
Nitrate as NO <sub>x</sub> -N	mg/l	35	13.28	<10	15
Fluoride as F	mg/l	35	0.35	<1.0	0.39
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.50: Groundwater Quality Reserve – Quaternary catchment C32A

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C32A*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		135	7.92	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	135	88.30	<150	97
Calcium as Ca	mg/l	135	69.90	<150	77
Magnesium as Mg	mg/l	135	34.60	<70	38
Sodium as Na	mg/l	135	71.70	<200	79
Potassium as K	mg/l	135	3.10	<50	3.4
Total Hardness as CaCO <sub>3</sub>	mg/l	135	316.00	<300	349
Chloride as Cl	mg/l	135	45.20	<200	50
Sulphate as SO <sub>4</sub>	mg/l	135	18.80	<400	21
Nitrate as NO <sub>x</sub> -N	mg/l	135	15.87	<10	17
Fluoride as F	mg/l	135	0.55	<1.0	0.61
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.51: Groundwater Quality Reserve – Quaternary catchment C32B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C32B			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		896	7.91	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	896	80.95	<150	89
Calcium as Ca	mg/l	896	56	<150	62
Magnesium as Mg	mg/l	896	44.60	<70	49
Sodium as Na	mg/l	896	39.70	<200	44
Potassium as K	mg/l	896	3.18	<50	3.5
Total Hardness as CaCO <sub>3</sub>	mg/l	896	323.5	<300	356
Chloride as Cl	mg/l	896	43.90	<200	48
Sulphate as SO <sub>4</sub>	mg/l	896	18.40	<400	20
Nitrate as NO <sub>x</sub> -N	mg/l	896	7.05	<10	7.8
Fluoride as F	mg/l	896	0.40	<1.0	0.44
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%.					

**Table 6.52: Groundwater Quality Reserve – Quaternary catchment C32C**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C32C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		98	7.94	9.5 – 5.0 (±0.05)	8.7
Electrical Conductivity	mS/m	98	71.80	<150	79
Calcium as Ca	mg/l	98	58	<150	64
Magnesium as Mg	mg/l	98	43.35	<70	48
Sodium as Na	mg/l	98	37.35	<200	41
Potassium as K	mg/l	98	2.70	<50	3.0
Total Hardness as CaCO <sub>3</sub>	mg/l	98	323.3	<300	356
Chloride as Cl	mg/l	98	29.30	<200	32
Sulphate as SO <sub>4</sub>	mg/l	98	22.70	<400	25
Nitrate as NO <sub>x</sub> -N	mg/l	98	5.90	<10	6.5
Fluoride as F	mg/l	98	0.40	<1.0	0.44
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%.					

**Table 6.53: Groundwater Quality Reserve – Quaternary catchment C32D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C32D			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		148	8.14	9.5 – 5.0 (±0.05)	8.95
Electrical Conductivity	mS/m	148	85.65	<150	94
Calcium as Ca	mg/l	148	76.09	<150	84
Magnesium as Mg	mg/l	148	64.45	<70	71
Sodium as Na	mg/l	148	13.30	<200	15
Potassium as K	mg/l	148	0.67	<50	0.74
Total Hardness as CaCO <sub>3</sub>	mg/l	148	455.4	<300	501
Chloride as Cl	mg/l	148	33.08	<200	36
Sulphate as SO <sub>4</sub>	mg/l	148	44.35	<400	49
Nitrate as NO <sub>x</sub> -N	mg/l	148	7.51	<10	8.3
Fluoride as F	mg/l	148	0.29	<1.0	0.32
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%.					

Table 6.54: Groundwater Quality Reserve – Quaternary catchment C33A

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C33A*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		264	8	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	264	85.95	<150	95
Calcium as Ca	mg/l	264	69.05	<150	76
Magnesium as Mg	mg/l	264	69.20	<70	76
Sodium as Na	mg/l	264	13.40	<200	15
Potassium as K	mg/l	264	0.95	<50	1.1
Total Hardness as CaCO <sub>3</sub>	mg/l	264	457.4	<300	503
Chloride as Cl	mg/l	264	36	<200	40
Sulphate as SO <sub>4</sub>	mg/l	264	31.30	<400	34
Nitrate as NO <sub>x</sub> -N	mg/l	264	5.80	<10	6.4
Fluoride as F	mg/l	264	0.33	<1.0	0.36
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.55: Groundwater Quality Reserve – Quaternary catchment C33B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C33B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		388	7.97	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	388	80.15	<150	88
Calcium as Ca	mg/l	388	59.60	<150	66
Magnesium as Mg	mg/l	388	62.45	<70	69
Sodium as Na	mg/l	388	14.40	<200	16
Potassium as K	mg/l	388	1.21	<50	1.3
Total Hardness as CaCO <sub>3</sub>	mg/l	388	406.0	<300	447
Chloride as Cl	mg/l	388	31.40	<200	35
Sulphate as SO <sub>4</sub>	mg/l	388	21.30	<400	23
Nitrate as NO <sub>x</sub> -N	mg/l	388	5.67	<10	6.2
Fluoride as F	mg/l	388	0.24	<1.0	0.26
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.56: Groundwater Quality Reserve – Quaternary catchment C33C

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C33C*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		290	7.99	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	290	71.80	<150	79
Calcium as Ca	mg/l	290	65.10	<150	72
Magnesium as Mg	mg/l	290	44.30	<70	49
Sodium as Na	mg/l	290	13	<200	14
Potassium as K	mg/l	290	2.07	<50	2.3
Total Hardness as CaCO <sub>3</sub>	mg/l	290	345.0	<300	380
Chloride as Cl	mg/l	290	30.65	<200	34
Sulphate as SO <sub>4</sub>	mg/l	290	16.35	<400	18
Nitrate as NO <sub>x</sub> -N	mg/l	290	3.99	<10	4.4
Fluoride as F	mg/l	290	0.21	<1.0	0.23
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.57: Groundwater Quality Reserve – Quaternary catchment C41A

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C41A			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		17	7.97	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	17	71.50	<150	79
Calcium as Ca	mg/l	17	74.90	<150	82
Magnesium as Mg	mg/l	17	29.20	<70	32
Sodium as Na	mg/l	17	56.10	<200	62
Potassium as K	mg/l	17	2.62	<50	2.9
Total Hardness as CaCO <sub>3</sub>	mg/l	17	307.3	<300	338
Chloride as Cl	mg/l	17	11.80	<200	13
Sulphate as SO <sub>4</sub>	mg/l	17	25.18	<400	28
Nitrate as NO <sub>x</sub> -N	mg/l	17	2.51	<10	2.8
Fluoride as F	mg/l	17	0.28	<1.0	0.31
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide); and  
<sup>3</sup> Median value plus 10%.

Table 6.58: Groundwater Quality Reserve – Quaternary catchment C41D

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C41D*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		14	8.18	9.5 – 5.0 ( $\pm 0.05$ )	9.0
Electrical Conductivity	mS/m	14	82.35	<150	91
Calcium as Ca	mg/l	14	65	<150	72
Magnesium as Mg	mg/l	14	26.50	<70	29
Sodium as Na	mg/l	14	65.15	<200	72
Potassium as K	mg/l	14	2.30	<50	2.5
Total Hardness as CaCO <sub>3</sub>	mg/l	14	271.4	<300	299
Chloride as Cl	mg/l	14	30.05	<200	33
Sulphate as SO <sub>4</sub>	mg/l	14	21.40	<400	24
Nitrate as NO <sub>x</sub> -N	mg/l	14	4.50	<10	5.0
Fluoride as F	mg/l	14	0.40	<1.0	0.43
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.59: Groundwater Quality Reserve – Quaternary catchment C43B

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C43B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		15	7.60	9.5 – 5.0 ( $\pm 0.05$ )	8.4
Electrical Conductivity	mS/m	15	70	<150	77
Calcium as Ca	mg/l	15	69.30	<150	76
Magnesium as Mg	mg/l	15	39.90	<70	44
Sodium as Na	mg/l	15	22.70	<200	25
Potassium as K	mg/l	15	2.32	<50	2.6
Total Hardness as CaCO <sub>3</sub>	mg/l	15	337.4	<300	371
Chloride as Cl	mg/l	15	25.50	<200	28
Sulphate as SO <sub>4</sub>	mg/l	15	41.90	<400	46
Nitrate as NO <sub>x</sub> -N	mg/l	15	0.07	<10	0.08
Fluoride as F	mg/l	15	0.20	<1.0	0.22
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.60: Groundwater Quality Reserve – Quaternary catchment C60E**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C60E			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		12	7.90	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	12	64.30	<150	71
Calcium as Ca	mg/l	12	43.90	<150	48
Magnesium as Mg	mg/l	12	15.80	<70	17
Sodium as Na	mg/l	12	42.30	<200	47
Potassium as K	mg/l	12	1.01	<50	1.1
Total Hardness as CaCO <sub>3</sub>	mg/l	12	174.7	<300	192
Chloride as Cl	mg/l	12	20.50	<200	23
Sulphate as SO <sub>4</sub>	mg/l	12	12	<400	13.2
Nitrate as NO <sub>x</sub> -N	mg/l	12	1.91	<10	2.10
Fluoride as F	mg/l	12	0.24	<1.0	0.26
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.61: Groundwater Quality Reserve – Quaternary catchment C70D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: * C70D			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		21	8.11	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	21	77.50	<150	85
Calcium as Ca	mg/l	21	62.72	<150	69
Magnesium as Mg	mg/l	21	23.75	<70	26
Sodium as Na	mg/l	21	70.50	<200	78
Potassium as K	mg/l	21	4.93	<50	5
Total Hardness as CaCO <sub>3</sub>	mg/l	21	254.4	<300	280
Chloride as Cl	mg/l	21	29.17	<200	32
Sulphate as SO <sub>4</sub>	mg/l	21	68.34	<400	75
Nitrate as NO <sub>x</sub> -N	mg/l	21	1.76	<10	1.9
Fluoride as F	mg/l	21	0.60	<1.0	0.66
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

Table 6.62: Groundwater Quality Reserve – Quaternary catchment C81F

Chemical Parameter	Unit	Vaai WMA – Quaternary catchment: C81F <sup>4</sup>			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		18	7.25	9.5 – 5.0 ( $\pm 0.05$ )	8.0
Electrical Conductivity	mS/m	18	28.90	<150	32
Calcium as Ca	mg/l	18	24.75	<150	27
Magnesium as Mg	mg/l	18	6.30	<70	6.9
Sodium as Na	mg/l	18	20	<200	22
Potassium as K	mg/l	18	1.30	<50	1.4
Total Hardness as CaCO <sub>3</sub>	mg/l	18	87.7	<300	97
Chloride as Cl	mg/l	18	1.50	<200	1.7
Sulphate as SO <sub>4</sub>	mg/l	18	2	<400	2.2
Nitrate as NO <sub>x</sub> -N	mg/l	18	0.31	<10	0.34
Fluoride as F	mg/l	18	0.21	<1.0	0.23
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
<sup>4</sup> Samples only from monitoring done in 1976.

Table 6.63: Groundwater Quality Reserve – Quaternary catchment C82B

Chemical Parameter	Unit	Vaai WMA – Quaternary catchment: *C82B			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		29	8.21	9.5 – 5.0 ( $\pm 0.05$ )	9.0
Electrical Conductivity	mS/m	29	39.90	<150	44
Calcium as Ca	mg/l	29	32.23	<150	35
Magnesium as Mg	mg/l	29	13.98	<70	15
Sodium as Na	mg/l	29	27.60	<200	30
Potassium as K	mg/l	29	3.39	<50	3.7
Total Hardness as CaCO <sub>3</sub>	mg/l	29	138.0	<300	152
Chloride as Cl	mg/l	29	25.24	<200	28
Sulphate as SO <sub>4</sub>	mg/l	29	22.16	<400	24
Nitrate as NO <sub>x</sub> -N	mg/l	29	0.17	<10	0.19
Fluoride as F	mg/l	29	0.32	<1.0	0.35
Water Quality Class					Class 0

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

**Table 6.64: Groundwater Quality Reserve – Quaternary catchment C82H**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C82H			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		18	8.07	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	18	85.15	<150	94
Calcium as Ca	mg/l	18	65.77	<150	72
Magnesium as Mg	mg/l	18	27.34	<100	30
Sodium as Na	mg/l	18	89.79	<200	99
Potassium as K	mg/l	18	1.08	<50	1.2
Total Hardness as CaCO <sub>3</sub>	mg/l	18	276.8	<300	305
Chloride as Cl	mg/l	18	20.71	<200	23
Sulphate as SO <sub>4</sub>	mg/l	18	22.56	<400	25
Nitrate as NO <sub>x</sub> -N	mg/l	18	0.38	<10	0.41
Fluoride as F	mg/l	18	0.78	<1.0	0.85
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.65: Groundwater Quality Reserve – Quaternary catchment C83B**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: *C83B			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		33	7.98	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	33	60	<150	66
Calcium as Ca	mg/l	33	52.12	<150	57
Magnesium as Mg	mg/l	33	27.20	<70	30
Sodium as Na	mg/l	33	33.50	<200	37
Potassium as K	mg/l	33	0.85	<50	0.9
Total Hardness as CaCO <sub>3</sub>	mg/l	33	242.82	<300	267
Chloride as Cl	mg/l	33	28.89	<200	32
Sulphate as SO <sub>4</sub>	mg/l	33	35.06	<400	39
Nitrate as NO <sub>x</sub> -N	mg/l	33	0.79	<10	0.9
Fluoride as F	mg/l	33	0.29	<1.0	0.32
Water Quality Class					Class 1

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Indicates that only post-1995 hydrochemical datasets for the specific quaternary catchment were used.

**Table 6.66: Groundwater Quality Reserve – Quaternary catchment C91A**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C91A*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		14	8.41	9.5 – 5.0 (±0.05)	9.3
Electrical Conductivity	mS/m	14	70.10	<150	77
Calcium as Ca	mg/l	14	27.45	<150	30
Magnesium as Mg	mg/l	14	36.85	<70	41
Sodium as Na	mg/l	14	59.70	<200	66
Potassium as K	mg/l	14	4.02	<50	4.4
Total Hardness as CaCO <sub>3</sub>	mg/l	14	220.3	<300	242
Chloride as Cl	mg/l	14	44.40	<200	49
Sulphate as SO <sub>4</sub>	mg/l	14	60.20	<400	66
Nitrate as NO <sub>x</sub> -N	mg/l	14	3.05	<10	3.4
Fluoride as F	mg/l	14	0.28	<1.0	0.30
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.67: Groundwater Quality Reserve – Quaternary catchment C91B**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C91B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		41	7.90	9.5 – 5.0 (±0.05)	8.7
Electrical Conductivity	mS/m	41	96.00	<150	106
Calcium as Ca	mg/l	41	50.50	<150	56
Magnesium as Mg	mg/l	41	46.40	<70	51
Sodium as Na	mg/l	41	70.40	<200	77
Potassium as K	mg/l	41	2.30	<50	2.5
Total Hardness as CaCO <sub>3</sub>	mg/l	41	317.2	<300	349
Chloride as Cl	mg/l	41	68.50	<200	75
Sulphate as SO <sub>4</sub>	mg/l	41	60.20	<400	66
Nitrate as NO <sub>x</sub> -N	mg/l	41	7.02	<10	7.7
Fluoride as F	mg/l	41	0.56	<1.0	0.62
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.68: Groundwater Quality Reserve – Quaternary catchment C91C**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C91C			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		33	8.12	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	33	98.90	<150	109
Calcium as Ca	mg/l	33	82.90	<150	91
Magnesium as Mg	mg/l	33	62.57	<70	69
Sodium as Na	mg/l	33	25.81	<200	28
Potassium as K	mg/l	33	3.33	<50	3.7
Total Hardness as CaCO <sub>3</sub>	mg/l	33	464.7	<300	511
Chloride as Cl	mg/l	33	92.36	<200	102
Sulphate as SO <sub>4</sub>	mg/l	33	54.36	<400	60
Nitrate as NO <sub>x</sub> -N	mg/l	33	14.42	<10	16
Fluoride as F	mg/l	33	0.41	<1.0	0.45
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.

**Table 6.69: Groundwater Quality Reserve – Quaternary catchment C91D**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C91D*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		15	7.90	9.5 – 5.0 ( $\pm 0.05$ )	8.7
Electrical Conductivity	mS/m	15	71.30	<150	78
Calcium as Ca	mg/l	15	49.60	<150	55
Magnesium as Mg	mg/l	15	38.80	<70	43
Sodium as Na	mg/l	15	30.30	<200	33
Potassium as K	mg/l	15	2.91	<50	3.2
Total Hardness as CaCO <sub>3</sub>	mg/l	15	283.6	<300	312
Chloride as Cl	mg/l	15	35.00	<200	39
Sulphate as SO <sub>4</sub>	mg/l	15	36.50	<400	40
Nitrate as NO <sub>x</sub> -N	mg/l	15	2.55	<10	2.8
Fluoride as F	mg/l	15	0.64	<1.0	0.7
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

Table 6.70: Groundwater Quality Reserve – Quaternary catchment C91E

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C91E*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		29	8.00	9.5 – 5.0 ( $\pm 0.05$ )	8.8
Electrical Conductivity	mS/m	29	113.20	<150	125
Calcium as Ca	mg/l	29	78.20	<150	86
Magnesium as Mg	mg/l	29	61.10	<70	67
Sodium as Na	mg/l	29	53.90	<200	59
Potassium as K	mg/l	29	1.80	<50	2.0
Total Hardness as CaCO <sub>3</sub>	mg/l	29	446.9	<300	492
Chloride as Cl	mg/l	29	69.50	<200	76
Sulphate as SO <sub>4</sub>	mg/l	29	116.80	<400	128
Nitrate as NO <sub>x</sub> -N	mg/l	29	7.45	<10	8.2
Fluoride as F	mg/l	29	0.58	<1.0	0.64
Water Quality Class					Class 2
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

Table 6.71: Groundwater Quality Reserve – Quaternary catchment C92A

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C92A*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		298	8.09	9.5 – 5.0 ( $\pm 0.05$ )	8.9
Electrical Conductivity	mS/m	298	49.10	<150	54
Calcium as Ca	mg/l	298	51.35	<150	56
Magnesium as Mg	mg/l	298	19.20	<70	21
Sodium as Na	mg/l	298	10.58	<200	12
Potassium as K	mg/l	298	2.29	<50	2.5
Total Hardness as CaCO <sub>3</sub>	mg/l	298	207.3	<300	228
Chloride as Cl	mg/l	298	20.35	<200	22
Sulphate as SO <sub>4</sub>	mg/l	298	20.45	<400	23
Nitrate as NO <sub>x</sub> -N	mg/l	298	2.31	<10	2.5
Fluoride as F	mg/l	298	0.17	<1.0	0.19
Water Quality Class					Class 1
<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9); <sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2 <sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and <sup>3</sup> Median value plus 10%. * Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)					

**Table 6.72: Groundwater Quality Reserve – Quaternary catchment C92B**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C92B*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		46	8.22	9.5 – 5.0 ( $\pm 0.05$ )	9.0
Electrical Conductivity	mS/m	46	100.20	<150	110
Calcium as Ca	mg/l	46	82.85	<150	91
Magnesium as Mg	mg/l	46	73.40	<70	81
Sodium as Na	mg/l	46	29.05	<200	32
Potassium as K	mg/l	46	3.28	<50	3.6
Total Hardness as CaCO <sub>3</sub>	mg/l	46	509.1	<300	560
Chloride as Cl	mg/l	46	55.55	<200	61
Sulphate as SO <sub>4</sub>	mg/l	46	42.25	<400	46
Nitrate as NO <sub>x</sub> -N	mg/l	46	6.14	<10	6.8
Fluoride as F	mg/l	46	0.31	<1.0	0.34
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

**Table 6.73: Groundwater Quality Reserve – Quaternary catchment C92C**

Chemical Parameter	Unit	Vaal WMA – Quaternary catchment: C92C*			
		[A]	[B]	[C]	[D]
		No. of Samples	GW quality (median value) <sup>1</sup>	BHN Limit <sup>2</sup>	Groundwater Quality Reserve <sup>3</sup>
pH		100	8.27	9.5 – 5.0 ( $\pm 0.05$ )	9.1
Electrical Conductivity	mS/m	100	87.60	<150	96
Calcium as Ca	mg/l	100	83.55	<150	92
Magnesium as Mg	mg/l	100	56.10	<70	62
Sodium as Na	mg/l	100	20.95	<200	23
Potassium as K	mg/l	100	4.13	<50	4.5
Total Hardness as CaCO <sub>3</sub>	mg/l	100	439.6	<300	484
Chloride as Cl	mg/l	100	50.85	<200	56
Sulphate as SO <sub>4</sub>	mg/l	100	32.30	<400	36
Nitrate as NO <sub>x</sub> -N	mg/l	100	4.29	<10	4.7
Fluoride as F	mg/l	100	0.33	<1.0	0.36
Water Quality Class					Class 2

<sup>1</sup> Based on long-term groundwater quality datasets (DWS Water Management System). Minimum number of analyses used for the statistical evaluation is nine (9);  
<sup>2</sup> Upper limit of Class I water quality [Drinking] (WRC et al. 2<sup>nd</sup> Edition, 1998, Volume 1: Assessment Guide);and  
<sup>3</sup> Median value plus 10%.  
\* Based on pre-1995 hydrochemistry dataset (most representative spatial dataset)

## 7. PROPOSED PROTECTION AND MONITORING MEASURES FOR PRIORITY WETLANDS

Priority wetlands in the Vaal River catchment area includes those wetlands which display an ecological sensitivity of a High or Very High. Additional priority wetlands were identified taking cognisance of inter alia unique features, red data species and peat wetlands. Proposed recommended ecological categories (REC) and ecological specifications for the priority wetlands in the Vaal catchment area is presented in Table 7.1. The Present Ecological State (PES), Importance and Sensitivity (IS) for the identified priority wetlands are also presented.

Table 7.1: Ecological specifications for priority wetlands in the Vaal catchment area

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
UA	C11H	Headwaters of the Blesbokspruit (Upper Vaal)	Unchannelled Valley Bottom	C	High	B/C	C	<p>Diffuse water distribution is required to optimise the water quality enhancement functions.</p> <p>The unchannelled nature of sections of the wetland must be maintained.</p> <p>Maintain existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of an Environmental Impact Assessment (EIA) and/or Water Use Licence (WUL) applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>Any application for development including mining likely to impact this system, besides going through the normal licensing processes, should also include as a minimum an Intermediate Level Wetland Reserve which includes flow modelling (surface and groundwater including interflow) of scenarios to establish the potential impact in terms of achieving the REC.</p>
UB	C13C	Vanger	Unchannelled Valley Bottom	A	Very High	A	A	<p>Diffuse water distribution is required to optimise hydrological and biodiversity support functions.</p> <p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the Critically Biodiversity Areas 1 and Ecological Support Areas 2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p>

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
UB	C13C	Seekoiviet	Floodplain	E <sup>1</sup>	Very High	D	D	<p>Diffuse water distribution is required to optimise hydrological and biodiversity support functions.</p> <p>Implement measures to improve the state of the wetland towards a more natural ecological condition and manage per the protected area management plan objectives. Protect the wetland and its catchment for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the Critically Biodiversity Areas 1, Ecological Support Areas 1 and 2, landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem type and its associated biodiversity.</p> <p>Improve the existing flow distribution and retention patterns in the system to restore the some of the lost ecological and hydrological functionality of the system and improve vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>Monitor effluent originating from the upstream urban areas which are known to cause frequent sewage spill, as well as runoff from the solid waste site.</p> <p>Identify and prioritise wetland rehabilitation requirements to be implemented by the already engaged Working for Wetlands programme.</p> <p>Implement measures to improve or at least maintain the ecological condition of the system for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the Critically Biodiversity Areas 1 and Ecological Support Areas 2, landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain the existing flow distribution and retention patterns in the system. Maintain existing vegetation structure and composition as well as low disturbance levels for continued support of threatened biodiversity.</p> <p>Currently unchannelled wetlands must be maintained as unchannelled systems.</p> <p>Flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply. Apply the precautionary principle for disturbance of unknown impact.</p> <p>Any application for development that is likely to impact this system, besides going through the normal licensing processes, should also include as a minimum an Intermediate Level Wetland Reserve which includes flow modelling (surface and groundwater including interflow) of scenarios to establish the potential impact in terms of achieving the REC.</p>
UC1	C81B	Murphy's Rust	Unchannelled and Channelled Valley Bottom	C	Very High	B	B/C	

<sup>1</sup> The system is in a PES category of E (Seriously Modified) but has a Very High IS as it is a Ramsar Site (Designated as a Wetland of International Importance in terms of the Ramsar Convention). A PES category of E is not sustainable so the TEC is recommended to be the same as the REC and is set one category higher than the PES. Rehabilitation intervention would be required to improve the PES. Achieving an improvement in the PES of this system should thus be prioritised.

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
UC1	C81A	Ingula (Bedford wetland complex)	Unchannelled Valley Bottom	C	Very High	B	B/C	<p>Maintain the naturally simulated water release from the Ingula Dam to ensure unaltered hydrological regime. Diffuse water distribution is required to optimise hydrological and biodiversity support functions.</p> <p>Maintain the near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain the existing flow distribution and retention patterns in the system. Maintain existing vegetation structure and composition as well as low disturbance levels for continued support of threatened biodiversity.</p> <p>Currently unchannelled wetlands must be maintained as unchannelled systems. No erosion gullies (no incision of channels or headouts) can be permitted to develop within the wetland. This is an unchannelled wetland and is very sensitive to erosion and incision.</p> <p>Flow releases from the Ingula dam must simulate the natural hydrological regime required to maintain the wetland in its existing state. The approved Reserve for the wetland recommends both baseflow and flood releases for the wetland. The baseflows are required to ensure shallow inundation of the valley floor, particularly within those parts of the valley floor supporting mixed sedge marsh. This is required not only to provide potentially suitable habitat for the critically endangered White winged flufftail, and breeding habitat for Wattled cranes, but to ensure saturation of the peat in the system. This will also create favourable conditions for the functioning of the wetland and the provision of ecosystem services through maximizing contact between the water column and the wetland sediments.</p> <p>The function of these higher flows helps to achieve a level of wetland habitat maintenance (for the smaller inundation events) and to allow for some scour of the weakly developed channels (in the case of the larger, more infrequent flushing events).</p> <p>Monitoring should be aimed at determining whether or not the recommended baseflow and flood releases are achieving the desired objectives for the wetland and the REC. It should also be for detecting change, especially changes related to the hydrological regime to inform future water releases.</p> <p>Future potential impact of development applications must be determined as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply. Apply the precautionary principle for disturbance of unknown impact.</p> <p>Monitoring of existing wetland rehabilitation structures is required to ensure the continued performance of the structures.</p>
UC1	C81A	Upper Wilge	Floodplain	B	High	A/B	B	<p>Floods are needed to inundate the floodplain thereby providing the wetting regime required for supporting the floodplain vegetation that are dependent on flooding for their life cycles.</p>

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IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
								<p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licencing conditions including monitoring of the systems should apply.</p>
UC1	C87L	Meul	Floodplain	B	High	A/B	B	<p>Floods are needed to inundate the floodplain thereby providing the wetting regime required for supporting the floodplain vegetation that are dependent on flooding for their life cycles</p> <p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the ESA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licencing conditions including monitoring of the systems should apply.</p>
U1	C21E	Biesbokspruit <sup>2</sup>	Flooded Valley Bottom (artificially supported)	D	High	C/D	D	<p>In order to improve the state of the wetland, the following should be considered:</p> <ul style="list-style-type: none"> <li>• Management interventions to re-establish certain habitat types necessary for certain bird species;</li> <li>• Improved treatment of mine water, waste water and effluent discharges at source prior to release in to the wetland areas;</li> <li>• Engineering of some sections of the wetland to create oxidation zones to effect improved water quality. This will also recreate some of the open water habitats that were associated with high waterfowl numbers in the 1970s and 1980's;</li> <li>• Prioritisation and protection of the few reaches where the species rich, seasonally wet grassland still occurs; and</li> <li>• Monitoring to ensure that the specified water quality standards in terms of discharge are adhered to and enforced.</li> </ul>

<sup>2</sup> The system is a Ramsar Site (Designated as a Wetland of International Importance in terms of the Ramsar Convention) and is regarded as being important from both a birdlife and hydro-functional perspective

		<b>Ecological Specifications Protection, Maintenance and Management Requirements</b>					
IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC
							<p>Furthermore these previous studies recommended further work to understand the effects of changing the flows through the system. There has been concern that introducing variability in flow to the system could result in some of the sediments undergoing chemical changes resulting in the mobilization of certain heavy metals and uranium, thereby creating health risks. More clarity on this issue would be required before any recommendation related to changing the flows through the system could be made with any confidence that it would not result in health risks.</p> <p>Liaise with interested and affected parties to develop and implement a collaborative Management, Rehabilitation and Monitoring Plan for the wetland</p>
UI	C22D	Klip River wetland	Unchannelled and Channelled Valley Bottom	D/E	Moderate	D	D
							<p>Historically the flows in this system were much lower than present day, but due to the altered channel geometry – the incision of the channel in to the wetland – larger flows are now required to inundate the floodplain than would have been necessary under the Reference channel condition. Even so, the present day flows are much higher than the estimated ecological water requirements for the reach. The present day wet season baseflows even exceed the estimated annual flood requirement for the D REC. If the TEC is to be improved from the current D/E to a D or higher, then baseflows need to be reduced, if the flows cannot be reduced then it is very unlikely that the improved D condition of the wetland reach will be achieved.</p> <p>If the flows are reduced then this would open up opportunities for some rehabilitation actions, such as small weirs that could be used to reinstate local baselevels to counteract the impacts of the incised channels. These sorts of structures in the mainstem would be able to raise the water and rewet the valley bottom and associated peat substrates.</p> <p>Rehabilitation actions in the Klip River catchment should focus on:</p> <ul style="list-style-type: none"> <li>• Attenuating urban stormwater peaks (in the smaller tributaries);</li> <li>• Stabilising headcuts in the mainstem and larger tributaries; and</li> <li>• Raising the watertable and rewetting the valley bottom peats of the main tributaries.</li> </ul> <p>Liaise with interested and affected parties to develop and implement a collaborative Management, Rehabilitation and Monitoring Plan for the wetland.</p>
UI	C22B	Natalspruit	Unchannelled and Channelled Valley Bottom	D	High	C/D	D
							<p>Diffuse water distribution is required to optimise the water quality enhancement functions. Therefore it is important to maintain and if possible enhance the existing flow distribution and retention patterns in the system.</p> <p>Unchannelled sections of the wetland must be maintained as unchannelled and existing vegetation structure and composition should at least be retained or improved.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state and the functions it is performing.</p>

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
								Liaise with interested and affected parties to develop and implement a collaborative Management, Rehabilitation and Monitoring Plan for the wetland.
UK	C23B	Kromelbos-spruit	Floodplain and Channelled Valley Bottom	C	High	B/C	C	<p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the ESA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain and enhance the existing flow distribution and retention patterns in the system.</p> <p>Currently unchannelled wetlands must be maintained as unchannelled systems.</p> <p>Maintain existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state.</p>
UL	C23F	Boovenste Oog	Peat wetland (dolomitic eye)	B/C	High	B	B	<p>Maintaining the perennial nature of the system and a diffuse water distribution pattern across the system are key features which determine it's ecological as well as functional importance.</p> <p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity, flow regulation function, and as an important and unique landscape feature.</p> <p>Maintain good water quality normally associated with dolomitic aquifers and associated eyes/springs.</p> <p>Prevent over-abstraction from the associated dolomitic aquifer.</p> <p>Maintain the natural fish and macro-invertebrate diversity of the system and prevent the introduction of exotic taxa. A management plan should be developed and implemented for the system. It has previously been suggested that reclaiming peripheral shallow open water habitats with adequate reed corridors left between the open water areas would enhance the biodiversity of the system. It was also suggested that infilling of some of the excavated canals in the system would allow for an improvement in the PES. In developing the management plan, these suggestions should be investigated further.</p> <p>Determine a Preliminary Wetland and Groundwater Reserve for the system as well as protection and management requirements for the groundwater to protect the associated dolomitic aquifer and flows into the system.</p>

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
UL	C23F	Mool	Unchannelled Valley Bottom	D	High	C/D	C/D	<p>Diffuse water distribution is required to optimise hydrological and biodiversity support functions.</p> <p>Maintain and where possible improve the ecological condition for the purpose of the long-term protection of hydrological functions, biodiversity and as an important landscape feature. Maintain a viable representative sample of this ecosystem type and its associated biodiversity.</p> <p>Implement measures to improve the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Maintaining the perennial nature of the system and a diffuse water distribution pattern across the system are key features which determine its ecological as well as functional importance.</p> <p>Maintain the current ecological condition for the purpose of the long-term protection of the remaining peat, important biodiversity, flow regulation and water quality enhancement functions, and as an important and unique landscape feature.</p> <p>Maintain and where possible improve the natural flow distribution and retention patterns in the system. Maintain good water quality normally associated with dolomitic aquifers and associated peat wetlands.</p> <p>Since peatlands require low energy flow with permanent saturation and anaerobic conditions for peat to be able to accumulate or at least not decompose, it is important that these conditions are met in order to maintain the system. At worst, maintaining the system based on a TEC of C would mean that it would be important to maintain a daily flow as recommended in the Preliminary Reserve in order to constantly replenish the peat and keep it saturated, thus preventing any chance of it drying out, oxidizing and decomposing or burning.</p> <p>On the other hand, improving the system based on an REC of B/C would mean that it would be important to increase the daily flow into the peatland as indicated in the Preliminary Reserve. This would allow inundation of the system thus facilitating the accretion or accumulation of peat via the creation of anaerobic conditions within the rhizomatous zone, thus creating conditions favourable for accumulation of organic matter derived from the seasonal die off of rhizomes. This would result in an improvement in the system via the re-wetting of lateral habitats, the inundation of currently exposed peat, and the re-establishment of the natural peat accumulation process, particularly in those areas where peat has previously been mined.</p> <p>Prevent over-abstraction from the associated dolomitic aquifer.</p> <p>Ensure implementation of the rehabilitation measures recommended for the peat mining that has taken place in the system.</p> <p>A management and rehabilitation plan should be developed and implemented for the system.</p> <p>Update the existing Preliminary Wetland Reserve and determine a Preliminary Groundwater Reserve for the system as well as protection and management requirements for the groundwater to protect the associated dolomitic aquifer and flows into the system.</p>
UL	C23G	Gerhard Minnebron	Peat wetland	C	High	B/C	C	

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
UL	C23E	Abe Bailey Nature Reserve Wetlands	Unchannelled and Channelled Valley Bottom	D <sup>3</sup>	High	C	C	Implement measures to improve the ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA and ESA landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity. Maintain and where possible enhance the existing flow distribution and retention patterns in the system. Excessive nutrient inputs should be identified and addressed.
UL	C23H and C23L	O.P.M. Prozesky Bird Sanctuary	Floodplain	E <sup>4</sup>	High	D	D	Implement measures to improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity. Maintain and enhance the existing flow distribution and retention patterns in the system. Excessive nutrient inputs should be identified and addressed.
MA	C70K	Witpan	Pan	F <sup>5</sup>	High	D	D	Implement measures to improve the current state (ecological condition) of the system for it to continue to provide existing services. Excessive nutrient inputs to the system should be identified and addressed.
MC	C24C	Pan and wetland complex - Leliefontein	Pan, Seeps and Unchannelled Valley Bottom	C	High	B/C	C	Maintain in the current ecological condition for the purpose of the long-term protection of the biodiversity and as an important landscape feature. Maintain or improve existing ecological diversity and interconnectivity of the pan and associated wetland system. Water quantity and quality impacts must be managed so as not to undermine the ecological value of the pan and its associated wetland.

<sup>3</sup> As this system is associated with a Nature Reserve, the TEC is recommended to be the same as the REC and is set one category higher than the PES

<sup>4</sup> The system is in a PES category of E (Seriously Modified) but has a High IS as it is regarded as an important sanctuary for birdlife. A PES category of E is not sustainable so the TEC is recommended to be the same as the REC and is set one category higher than the PES

<sup>5</sup> The system is in a PES category of F (Critically Modified) but has a High IS as it is regarded as an important sanctuary for birdlife. A PES category of F is not sustainable so the TEC is recommended to be the same as the REC and is set two categories higher than the PES

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
MC	C24C	Verpan	Pan	C	High	B/C	C	<p>Maintain in the current ecological condition for the purpose of the long-term protection of the biodiversity and as an important landscape feature.</p> <p>Maintain or improve existing ecological diversity and interconnectivity of the pan and associated drainage system and surrounding natural habitats.</p> <p>Water quantity and quality impacts must be managed so as not to undermine the ecological value of the pan and its associated wetland.</p>
MC	C24C	Klippan and wetland system associated with Klippan	Pan and Unchannelled Valley Bottom	C	High	B/C	C	<p>Maintain in current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CEA and ESA landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Water quantity and quality impacts must be managed so as not to undermine the ecological value of the pan and its associated wetland.</p> <p>Maintain and enhance the existing flow distribution and retention patterns in the system.</p> <p>Currently unchannelled wetlands must be maintained as unchannelled systems.</p> <p>Maintain existing vegetation structure and composition.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state.</p> <p>Maintaining the perennial nature of the system and a diffuse water distribution pattern across the system are key features which determine it's ecological as well as functional importance.</p>
MC	C24C	Upper section of the Schoonspruit peatland and the Schoonspruit eye	Peat wetland and dolomitic eye	B	Very High	A	B	<p>Maintain in natural or near-natural ecological condition for the purpose of the long-term protection of important biodiversity, peat, flow regulation function, and as an important and unique landscape feature.</p> <p>Maintain the natural flow distribution and retention patterns in the system. Maintain good water quality normally associated with dolomitic aquifers and associated eyes/springs.</p> <p>Prevent over-abstraction from the associated dolomitic aquifer.</p> <p>Maintain the natural fish and macro-invertebrate diversity of the system and prevent the introduction of exotic taxa.</p> <p>A management plan should be developed and implemented for the system in consultation with interested and affected parties.</p> <p>Determine a Preliminary Wetland and Groundwater Reserve for the system as well as protection and management requirements for the groundwater to protect the associated dolomitic aquifer and flows into the system.</p>

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
MC	C24F	Floodplain and lower section of the Taalbospruit	Floodplain and Unchannelled Valley Bottom	C	High	B/C	C	<p>Floods are needed to inundate the floodplain thereby providing the wetting regime required for supporting the floodplain vegetation that are dependent on flooding for their life cycles.</p> <p>The lower section of the wetland is unchannelled and should remain as such as it is likely to provide water quality enhancement functions and habitat that is different from the rest of the system. This enhances the biodiversity of the wetland.</p> <p>Maintain in the current ecological condition and where possible improve the condition of the system for the purpose of the long-term protection of important biodiversity and as an important landscape feature.</p> <p>Maintain the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Unchannelled sections of the wetland must be maintained as unchannelled and existing vegetation structure and composition should at least be retained or improved.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state and the functions it is performing.</p>
MC	C24G	Floodplain of the Schoonspruit including Mahemsvele	Floodplain	C	High	B/C	C	<p>Floods are needed to inundate the floodplain thereby providing the wetting regime required for supporting the floodplain vegetation that are dependent on flooding for their life cycles.</p> <p>Maintain in the current ecological condition and where possible improve the condition of the system for the purpose of the long-term protection of important biodiversity and as an important landscape feature.</p> <p>Maintain the existing flow distribution and retention patterns in the system to maintain the existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state and the functions it is performing.</p>

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
MC	C24C and C24E	Lower section of the Schoonspruit peatland	Peat wetland	D	Very High	C	C	<p>Maintaining the perennial nature of the system and a diffuse water distribution pattern across the system are key features which determine its ecological as well as functional importance.</p> <p>Improve the ecological condition of the system for the purpose of the long-term protection of important biodiversity, peat, flow regulation function, and as an important and unique landscape feature.</p> <p>Maintain the natural flow distribution and retention patterns in the system. Maintain good water quality normally associated with dolomitic aquifers and associated eyes/springs.</p> <p>Prevent over-abstraction from the associated dolomitic aquifer.</p> <p>Prevent and manage over-abstraction/diversion of flows/water from the peatland.</p> <p>Maintain the natural fish and macro-invertebrate diversity of the system and prevent the introduction of exotic taxa. A management plan should be developed and implemented for the system in consultation with interested and affected parties.</p> <p>Determine a Preliminary Wetland and Groundwater Reserve for the system as well as protection and management requirements for the groundwater to protect the associated dolomitic aquifer and flows into the system.</p>
MA	C70G	Grootwei in a tributary of the Heuningsspruit and on the Heuningsspruit	Unchannelled and Channelled Valley Bottom	D	High	C/D	D	<p>Maintain and where possible improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA1, ESA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.</p> <p>Maintain and enhance the existing flow distribution and retention patterns in the system.</p> <p>Currently unchannelled wetlands must be maintained as unchannelled systems.</p> <p>Maintain existing vegetation structure and composition.</p> <p>Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply.</p> <p>The wetland should be assessed to identify potential rehabilitation measures that will improve its current state.</p> <p>Maintain and enhance the existing flow distribution and retention patterns in the system.</p>
MA	C70K	Wetland system adjacent to Vijoenskroon	Unchannelled and Channelled Valley Bottom	E <sup>6</sup>	High	D	D	<p>Pressure from sewage spills, physical obstruction, informal settlements and other in upstream area needs to be attended to.</p>

<sup>6</sup> The system is in a PES category of E (Seriously Modified) but has a High IS due to its hydro-functional importance. A PES category of E is not sustainable so the TEC is recommended to be the same as the REC and is set one category higher than the PES

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
								Currently unchannelled wetlands must be maintained as unchannelled systems. Maintain or improve existing vegetation structure and composition. The wetland should be assessed to identify potential rehabilitation measures that will improve its current state and ability to improve water quality.
MA	C70K	Groot Rietpan	Pan	D	High	C/D	C/D	Implement measures to improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contribute towards the CBA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity. Maintain and enhance the existing flow distribution and retention patterns in the system. Monitor nutrient and sediment inputs from immediate catchments area. The wetland should be assessed to identify potential rehabilitation measures to restore the hydrology to a more natural state.
MF	C25B	Upper reaches of the Sandspruit (immediately north of Kuitloaong)	Unchannelled and Channelled Valley Bottom	D	High	C/D	D	Maintain and where possible improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contribute towards the CBA1 and ESA1 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity. Maintain and where possible enhance the existing flow distribution and retention patterns in the system. Pressure from sewage spills, physical obstruction, informal settlements and other in upstream area needs to be attended to. Currently unchannelled wetlands must be maintained as unchannelled systems. Maintain or improve existing vegetation structure and composition. Lateral flow inputs to the wetland must be protected through application of hydrological buffers determined via hydro-pedological assessments undertaken as part of EIA and/or WUL applications, and strict licensing conditions including monitoring of the systems should apply. The wetland should be assessed to identify potential rehabilitation measures that will improve its ability to enhance water quality.
MF and MD2	C25B, C25F and C43B	Pan cluster around Wesselbron including Volstruispan to the north	Pan cluster	C	High	B/C	B/C	Maintain in near-natural ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contribute towards the ESA1 and ESA2 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
MD2	C43B	Fleming Pan	Pan	F <sup>7</sup>	High	D	D	Protect the water quality and ecological characteristics of the different pans associated with the cluster to ensure that they continue to provide the biodiversity support functions typically associated with the different pan types present. Maintain or improve existing ecological diversity and interconnectivity of individual depression wetlands (pans). Implement measures to improve the current state of the pan for it to continue to provide existing services. Excessive nutrient and pollution inputs should be identified and addressed. Propose and implement physical and management interventions where required.
ME2	C43A	Bultfontein Pan	Pan	D	High	C/D	C/D	In consultation with interested and affected parties explore and where feasible implement measures to improve the hydrological regime towards a more natural state. Prevent sewage effluent from flowing into the wetland system.
MD2	C43B	Toronto Pan	Pan	F <sup>8</sup>	High	D	D	Assess and monitor the impact of salt works and other activities on the hydrology and the biodiversity support function of the wetland. Propose and implement physical and management interventions where required. Implement measures to improve the current state of the pan for it to continue to provide existing services. Excessive nutrient and pollution inputs should be identified and addressed. Propose and implement physical and management interventions where required.
LA1	C31D	Barberspan <sup>9</sup>	Pan	C	Very High	B	B/C	Maintain and if possible improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important wetland and landscape feature. Excessive nutrient and sediment inputs should be identified and addressed. Liaise with interested and affected parties to develop a collaborative management and monitoring plan together with that for Leeupan.

<sup>7</sup> The system is in a PES category of F (Critically Modified) but has a High IS as it is regarded as an important sanctuary for birdlife. A PES category of F is not sustainable so the TEC is recommended to be the same as the REC and is set: two categories higher than the PES

<sup>8</sup> The system is in a PES category of F (Critically Modified) but has a High IS as it is regarded as an important sanctuary for birdlife. A PES category of F is not sustainable so the TEC is recommended to be the same as the REC and is set: two categories higher than the PES

<sup>9</sup> The system is a Ramsar Site (Designated as a Wetland of International Importance in terms of the Ramsar Convention)

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
LA1	C31D	Leeupan	Pan	C <sup>10</sup>	High	B/C	B/C	Implement measures to improve the ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Excessive nutrient and/or sediment inputs should be identified and addressed. Liaise with interested and affected parties to develop a collaborative management and monitoring plan together with that for Barberspan. Erosion and channel incision threaten to undermine the flood attenuation functions of the wetland. It is also important to ensure the protection and maintenance of the floodplain habitats which support biodiversity.
LA2	C31E	Harts River Floodplain	Floodplain	C	High	B/C	B/C	Implement measures to improve the current condition of the wetland for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Maintain a viable representative sample of this ecosystem types and its associated biodiversity. Maintain and enhance the existing flow distribution and retention patterns in the system and maintain the hydrological and ecological link to Barberspan. Maintain existing vegetation structure and composition.
LB	C91E	Kamferpan <sup>11</sup>	Pan	C	Very High	B	B/C	Maintain and where possible improve the state of the pan for it to continue to provide existing hydrological and biodiversity support services. Excessive nutrient and pollution inputs should be identified and addressed. Continuation of existing efforts to prevent sewage input and managing of water levels to prevent flooding of breeding areas. Monitor threats such as eutrophication and reed encroachment. Liaise with interested and affected parties to develop a collaborative management and monitoring plan for the pan.
LB	C91B	Gamapan	Pan	C	High	B/C	B/C	Maintain and where possible improve the current ecological condition for the purpose of the long-term protection of important biodiversity and as an important landscape feature. Ensure that the site and its catchment contributes towards the CBA1, CBA2 and ESA1 landscape level purpose for the site to represent and maintain a viable representative sample of this ecosystem types and its associated biodiversity.

<sup>10</sup> As this system is associated with the Barberspan Ramsar Site, the TEC is recommended to be the same as the REC and is set half a category higher than the PES

<sup>11</sup> Although largely artificially maintained, this system is a critical breeding site for Lesser Flamingo and strict protection requirements should be applied to ensure it remains a successful breeding site for this species

IUA	Quaternary Catchment	Wetland Name	Wetland Type	PES	IS	REC	TEC	Ecological Specifications Protection, Maintenance and Management Requirements
LB	C92A	Silverstreams Pan (The Great Pan) and associated Wetland Complex	Pans, Unchannelled Valley Bottom and Springs	B	High	A/B	B	<p>Maintain existing hydrological regime and ecological processes to protect the pans and springs and associated wetland habitats in current ecological state.</p> <p>Maintain the natural flow distribution and retention patterns in the system. Maintain good water quality normally associated with dolomitic aquifers and associated eyes/springs.</p> <p>Prevent over-abstraction from the associated dolomitic aquifer.</p> <p>A management plan should be developed and implemented for the system in consultation with interested and affected parties.</p> <p>Determine a Preliminary Wetland and Groundwater Reserve for the system as well as protection and management requirements for the groundwater to protect the associated dolomitic aquifer, associated springs and flows into the system.</p>

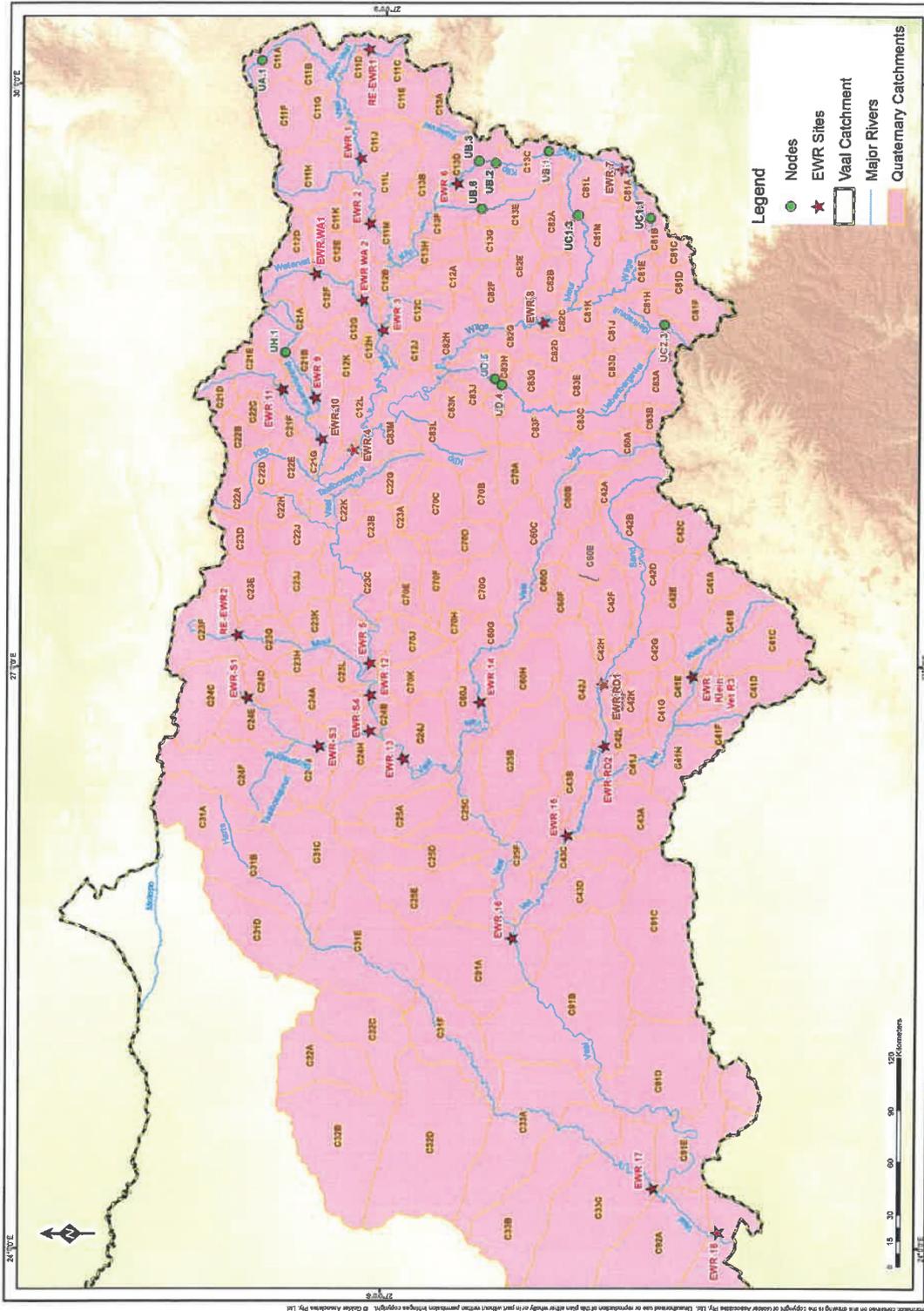


Figure 1: Map of the Vaal Catchment illustrating the quaternary catchments and EWR and node sites

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES

#### NOTICE 810 OF 2018

#### NON-GOVERNMENTAL ORGANIZATION

#### SOUTH AFRICAN MEAT INDUSTRY COMPANY (SAMIC)

The South African Meat Industry Company (SAMIC) has been appointed as assignee in terms of section 2(3) of the Agricultural Product Standards Act (Act No. 119 of 1990), to apply the Regulations regarding the Classification and Marking of Meat intended for Sale in the Republic of South Africa (No. R. 55 of 30 January 2015) at all red meat abattoirs who participate in the voluntary classification and marking of meat system. In terms of section 3(1)(1A) of Agricultural Product Standards Act (Act No. 119 of 1990), SAMIC hereby impose the following fees as approved by the members of the Red Meat Industry Forum at SAMIC's AGM, which will be effective from **1 January 2019**:

#### 1. Abattoir Service Fees:

Abattoir Grade	Service fee / Month (VAT excluded)
High Throughput	R 4,665.22
Low Throughput	R 2, 969.00

#### 2. Fees for auditing of Quality Indication Marks:

Type of Quality Indication Audit	Service fee per Audit (VAT excluded)
Farm Audits – Woolworths	R3,875.54
Farm Audits – All other QI Marks	R1,179.14
Feedlot Audits	R2,891.14
Abattoir Audits	R2,289.80
Deboning Plant Audits	R2, 289.80
Trade Outlet Audits	R560.68
Franchise Audits	R560.68
Wholesale Audits	R560.68

Official Kilometres Travelled for Audits = R5.50/km

**DEPARTMENT OF LABOUR  
NOTICE 811 OF 2018**

**LABOUR RELATIONS ACT, 1995**

**INVITATION TO MAKE REPRESENTATIONS**

**NOTICE IN TERMS OF SECTION 32(2) READ WITH SECTION 32(5)(c) OF THE LABOUR  
RELATIONS ACT, 1995: EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE  
AGREEMENT OF THE BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING  
INDUSTRY OF THE SOUTH WESTERN DISTRICTS**

1. I, **Mildred Nelisiwe Oliphant**, Minister of Labour, do hereby in terms of section 32(2) read with section 32(5)(c) of the Labour Relations Act, 1995, publish a notice in accordance with the provisions of subsection 32(5)(c) inviting representations from the public in response to the Bargaining Council for the Furniture Manufacturing Industry of the South Western Districts' application for extension to non-parties regarding its Main Collective Agreement which was submitted to the Department of Labour on **29 October 2018**.
2. Representations must reach the Department of Labour not later than 21 days from the date of publication of this notice.
3. A copy of this Application may be inspected or obtained c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA.
4. Representations should be submitted to the following address:

**By Post or Fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Ms MM Ngwetjana  
Postal Address: Private Bag X117  
PRETORIA, 0001

**By e-mail**

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)  
[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)

**Hand Deliveries:**

Department of Labour  
Laboria House  
Room 122/124  
215 Francis Baard Street  
PRETORIA, 0002

  
.....

**MM OLIPHANT, MP  
MINISTER OF LABOUR**

DATE: 28/11/2018.....

**UMNYANGO WEZABASEBENZI****UMTHETHO WEZOBUDLELWANO KWEZABASEBENZI, 1995****ISIMEMO SOKULETHWA KWEZIKHALO**

**ISAZISO NGOKWESIGABA 32(2) SIFUNDWA NESIGABA 32(5)(c) SOMTHETHO WEZOBUDLELWANO KWEZABASEBENZI KA 1995: UKWELULWA KWESIVUMELWANO SABAQASHI NABASEBENZI ESIYINGQIKITHI SE BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY OF THE SOUTH WESTERN DISTRICTS SELULELWA KULABO ABANGEYONA INGXEYENYE YASO**

- 1 Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi, lapha ngokwesigaba-32(2) sifundwa nesigaba 32(5)(c) soMthetho Wezobudlelwano Kwezabasebenzi, ka 1995, ngikhipha isaziso ngokwezihlinzeko zesigatshana 32(5)(c) sokumema izikhalo zomphakathi mayelana nesicelo se Bargaining Council for the Furniture Manufacturing Industry of the South Western Districts sokwelulwa Kwesivumelwano Sabaqashi Nabasebenzi esiyiNgqikithi selulelwa kulabo abangeyona ingxenye yaso esalethwa eMnyangweni Wezabasebenzi mhlaka 29 kuMfumfu 2018.
- 2 Izikhalo kumele zifike eMnyangweni Wezabasebenzi zingakapheli izinsuku ezingu 21 kusukela osukwini lokushicilelwa kwalesiSaziso.
- 3 Ikhophi yalesisicelo ingahlolwa noma itholakale ku c/o Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA
- 4 Izikhalo Kanye/noma imibuzo mayelana namakhopi alesisicelo kumele zilethwe kulelikheli elilandelayo:

**Ngeposi noma ngefeksi:**

Umnyango Wezabasebenzi

Umqondisi: Wezokuxoxisana kwabaqashi nabasebenzi

Iqondiswe ku: Mary Ngwetjana

Postal address: Private Bag X117

PRETORIA, 0001

Fax 012 309 4156

[mary.ngwetjana@labour.gov.za](mailto:mary.ngwetjana@labour.gov.za)[alfred.katane@labour.gov.za](mailto:alfred.katane@labour.gov.za)**Okulethwa ngezandla:**

Ihhovisi 122/124

Latoria House

215 Francis Baard Street

PRETORIA

  
.....  
MN OLIPHANT, MP  
UNGQONGQOSHE WEZABASEBENZI  
USUKU: 28/11/2018  
.....

**LEGAL PRACTICE COUNCIL  
NOTICE 812 OF 2018**



**ADDRESS & CONTACT DETAILS**

**NATIONAL OFFICE**  
Temporary address  
ProcForum Building  
123 Paul Kruger Street  
Pretoria  
Tel: +27 (0)12 338 5800

**TO ALL LEGAL PRACTITIONERS AND CANDIDATE LEGAL PRACTITIONERS**

**AMENDMENT TO RULE 16 OF THE RULES PUBLISHED UNDER THE AUTHORITY OF  
SECTIONS 95(1), 95(3) AND 109(2) OF THE LEGAL PRACTICE ACT, 28 OF 2014 (AS  
AMENDED)**

Kindly take notice that the Legal Practice Council hereby publishes an amended Rule 16 (dealing with the election of Provincial Councils) of the Rules previously published under the authority of Sections 95(1), 95(3) and 109(2) of the Legal Practice Act, 28 of 2014 (as amended), on 20 July 2018 in Government Gazette No 41781.

Kindly further take notice that due to the urgency and importance thereof for the Provincial Councils to be elected and constituted as soon as possible, the amended Rule 16 is published in terms of Section 95(5) of the Legal Practice Act, 28 of 2014 (as amended).

**Signed at Pretoria on this 13<sup>th</sup> day of December 2018.**



**Ms Hlaleleni Kathleen Matolo-Dlepu**  
**Chairperson: Legal Practice Council**

**PART IV****Provincial Councils**

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16. **Election of Provincial Councils**  
**[section 95(1)(j) read with section 23(4)]**

- 16.1 A Provincial Council shall consist of such number of members as the Council may determine from time to time, elected in accordance with the provisions of this rule. A member of a Provincial Council shall hold office for a term of three years but may serve as a member for one further term if he or she is again so elected.
- 16.2 Until otherwise determined by the Council, every Provincial Council other than the Gauteng Provincial Council will comprise six practising attorneys and four practising advocates, and the Gauteng Provincial Council will comprise eight practising attorneys and four practising advocates, constituted in accordance with the principles set out in Schedule 1A (in the case of attorney members) or Schedule 1B (in the case of advocate members) respectively.

- 16.3 The provisions of sections 8, 11 and 12 of the Act shall apply, with the necessary changes required by the context, to members of a Provincial Council.
- 16.4 Within 60 days after a Provincial Council has been established by the Council in terms of the Act, the Council shall organise the holding of the first election for members of that Provincial Council. In respect of such election -
- 16.4.1 the provisions of this rule will apply;
- 16.4.2 no member of the Council may make himself or herself available for election as a member of a Provincial Council.
- 16.5 An election for members of a Provincial Council shall be held, in the manner prescribed in these rules, every third year after the year in which the first such election is held. The term of office of members of the Provincial Council shall run from the date of their election to the third anniversary of the date of the announcement of the results of the election at which they were elected.
- 16.6 Should a vacancy become available at a Provincial Council, the candidate who in the last election received the most electoral votes following a member of such a Provincial Council who received the least votes, and who falls within the same category set out in Schedule 1A (in the case of attorney members) or Schedule 1B (in the case of advocate members) as the departed member, shall be appointed to fill the vacancy, provided that if that person is not available to fill that vacancy, the Council shall conduct a by-election to fill the vacancy concerned. The term of office of the member appointed or elected as the case may be to fill a casual vacancy in the Provincial Council shall terminate on the date on which the office of the member replaced by him or her would have terminated, provided that the member appointed or elected to fill such a casual vacancy shall be eligible for re-election.
- 16.7 An election for members of a Provincial Council shall be conducted by –
- 16.7.1 electronic voting (e-voting), in the manner prescribed by the Council; and /  
or
- 16.7.2 paper ballot,
- in accordance with the provisions of this rule.

- 16.8 The Council shall appoint an independent electoral service provider for the purpose of performing the duties assigned to an independent electoral service provider in these rules.
- 16.9 Within 90 days prior to and by no later than 60 days prior to the third anniversary of the date of the announcement of the results of the previous election, the Council shall despatch a notice to every attorney and every advocate admitted to practise and enrolled on the practising roll in the area of jurisdiction of the Provincial Council concerned calling for nominations of eligible attorneys and eligible advocates for election to the Provincial Council, such nominations to be received not later than a date stipulated in the notice. The notice -
- 16.9.1 shall be sent by email to the email address of the legal practitioner concerned; where no email address has been provided to the Council by the legal practitioner concerned the notice shall be sent by telefax;
- 16.9.2 shall be published once in the Government Gazette on a date as close as possible to the date of dispatch of the notice;
- 16.9.3 shall be published on the Council's website from the date of dispatch of the notice to the closing date of the nominations;
- 16.9.4 shall give details of the number of vacancies on the Provincial Council for attorney members and advocate members respectively;
- 16.9.5 shall contain a provision that any two nominating individuals shall only nominate one eligible candidate.
- 16.10 Any two attorneys admitted to practise and enrolled on the practising roll may, in the manner prescribed in this rule, nominate any eligible attorney (other than themselves) as an attorney member of the Provincial Council for the then ensuing period of office.
- 16.11 Any two advocates admitted to practise and enrolled on the practising roll may, in the manner prescribed in this rule, nominate any eligible advocate (other than themselves) as an advocate member of the Provincial Council for the then ensuing period of office.
- 16.12 Any such nomination shall be made over the signature of the two nominating individuals in a document which shall provide the following information in relation

to the nominee, in not more than 600 words and in such format as the Council may require -

- 16.12.1 his or her name and identity number;
- 16.12.2 in the case of an attorney, the name of the firm of which he or she is a proprietor or a member or by which he or she is employed, stating also the status of that attorney within the firm;
- 16.12.3 his or her race, gender, date of admission and enrolment and period in practice;
- 16.12.4 if he or she has a disability and wishes to disclose that fact, a statement to that effect and the nature of the disability;
- 16.12.5 the address of his or her principal place of practice

and on which shall be endorsed, over the signature of each nominee named therein, the acceptance of nomination by that nominee and his or her confirmation that the information given therein is correct and that he or she is not disqualified from membership of the Provincial Council.

- 16.13 Nominations must be lodged with the Provincial Council by not later than the date stipulated in the notice referred to in rule 16.9. Provided that in respect of the first election such nominations must be lodged with the Council. Any nomination which does not comply substantially with the provisions of this rule or which is not lodged within the prescribed time shall not be recognised.
- 16.14 If no greater number of eligible candidates is nominated than the number to be elected, then the eligible candidates who are nominated will be deemed to have been elected, in accordance with the categories set out in Schedule 1A (in the case of attorney members) or Schedule 1B (in the case of advocate members) provided that if the number of the candidates who are nominated or so elected is less than the number of the vacancies, the Council may call for further nominations in the manner prescribed by the Council.
- 16.15 If the number of eligible candidates who are nominated exceeds the number to be elected as attorney members or as advocate members, as the case may be, the Council must, within 10 days after the last day on which nominations are required to be lodged in terms of rule 16.9, publish on the Council's website and send by

email to every legal practitioner eligible to vote, to the legal practitioner's email address or, where the legal practitioner has not appointed an email address, by telefax -

- 16.15.1 directions to the legal practitioner as to the size and format of the two envelopes to be used by the legal practitioner in the case of voting by ballot paper;
- 16.15.2 a declaration in such form as the Council may direct containing appropriate spaces for -
  - 16.15.2.1 the surname and forenames of the voting legal practitioner and a statement whether he or she is an attorney or an advocate;
  - 16.15.2.2 the date of signature by that legal practitioner and that legal practitioner's signature;
  - 16.15.2.3 a declaration by the legal practitioner above his or her signature that he or she has not already voted in the election concerned;
- 16.15.3 a ballot paper, substantially in the form of Schedule 1A (in the case of the election of attorney members) or Schedule 1B (in the case of the election of advocate members), containing the surnames and forenames in alphabetical order by surname of the nominated candidates and providing the information indicated in Schedule 1A or Schedule 1B, as the case may be, and nothing more;
- 16.15.4 a written notice in such form as the Council may direct –
  - 16.15.4.1 drawing the attention of legal practitioners to the fact that votes must be cast by paper ballot or electronic means. Legal practitioners shall vote only once in the election concerned and either by paper ballot or electronic means.
  - 16.15.4.2 requesting the legal practitioner, if he or she wishes to record a vote, (in the case of voting by paper ballot)-
    - 16.15.4.2.1 to place a cross on the accompanying ballot paper against the name of each candidate for whom the legal practitioner wishes

- to vote and so as to indicate a vote in favour of not more than the number of candidates for which there are vacancies, and to make no other mark or alteration on the ballot paper;
- 16.15.4.2.2 to place the ballot paper in the envelope marked "ballot paper";
- 16.15.4.2.3 to seal the envelope containing the ballot paper;
- 16.15.4.2.4 to complete and sign the declaration form;
- 16.15.4.2.5 to place a completed and signed declaration form, together with the envelope containing the ballot paper in and seal the envelope marked "voting papers";
- 16.15.4.2.6 to despatch the envelope marked "voting papers" with its contents to the Council's appointed address so as to reach the Council's appointed address not later than a date referred to in the notice.
- 16.15.4.3 requesting the legal practitioner, if he or she wishes to record his or her vote (in the case of voting by e-voting), to follow the guidelines issued by the Council for the purpose of e-voting.
- 16.15.4.4 drawing the attention of legal practitioners to the fact that the profiles of candidates, containing the information set out in rule 16.12, will be published on the website of the Council for a period starting from the date of opening of casting of votes until the date of closing of casting of votes.
- 16.15.5 guidelines as to the conduct of the e-voting, which shall be in the form and manner determined by the Council, and among other things provide for the period within which to cast the votes, the platform to be utilised for e-voting,

directions as to the completion of the declaration form and the electronic ballot, provided that-

- 16.15.5.1 an electronic identification system shall be developed;
  - 16.15.5.2 legal practitioners shall be required to authenticate themselves;
  - 16.15.5.3 the electronic ballot must exactly resemble the ballot paper referred to in rule 16.15.3;
  - 16.15.5.4 the electronic declaration form must exactly resemble the declaration form referred to in rule 16.15.2;
  - 16.15.5.5 a legal practitioner must be given an overview of all his or her votes and asked to confirm his or her choice before submitting the electronic ballot;
- 16.16 The notice referred to in rule 16.15.4 shall contain a warning that if a vote is cast in favour of more than the number of names referred to in rule 16.15.4.2.1, or if any mark or alteration is made on the ballot paper other than the cross indicating a vote in favour of the candidates for whom the legal practitioner intends to vote, or if the declaration referred to in rule 16.15.2 is not duly completed and signed by the voter, the ballot paper will be void.
- 16.17 The Council shall despatch separate notices to attorneys and advocates for purposes of any election in terms of this rule, and all notifications shall distinguish clearly as to whether they are intended for the election of an attorney or for the election of an advocate. Only attorneys may elect attorneys and only advocates may elect advocates.
- 16.18 Within 7 days after the last date on which nominations were required to be lodged in terms of rule 16.9 the chairperson of the Council or in his or her absence or inability to act any member of the Council nominated for that purpose by the Council (the person who is to fulfil the functions of the chairperson of the Council for purposes of rule 16 being referred to in this rule as "the chairperson") shall in writing appoint a practising legal practitioner of more than fifteen years standing as a referee for the purpose of performing the duties assigned to a referee under these rules. The Council may appoint different referees for different Provincial Councils. The referee(s) shall not be a candidate for office, a legal practitioner

who has nominated a candidate, or a member of the Council or of a Provincial Council, as the case may be.

- 16.19 On each day on which envelopes marked "voting papers", in respect of paper ballot, are received by the Council, or if it is not practicable on that day, as soon as practicable thereafter, the chairperson or the executive officer shall, in the presence of the referee, open each such envelope and remove its contents. The chairperson or the executive officer and the referee shall then together examine each declaration form, shall verify, to such extent as may appear necessary, the information contained in the declaration form against the records of the Council and shall satisfy themselves that the declaration form has been duly completed and signed by the legal practitioner, failing which it will be regarded as invalid. In the event of a disagreement between the chairperson or the executive officer and the referee as to the validity or otherwise of any declaration form, the view of the referee shall prevail and his or her judgment on the matter shall be final. The referee shall endorse with his or her signature each declaration form found to be invalid, with the reason for the invalidity. The chairperson or the executive officer and the referee shall together note the name and surname of each legal practitioner who has submitted a declaration form and envelope marked "ballot papers", as well as whether that legal practitioner is an attorney or an advocate, in a voting register kept by the referee.
- 16.20 The chairperson or the executive officer shall, in the presence of the referee, in respect of each declaration form found to be valid, place its accompanying envelope marked "ballot paper" unopened through a slot in a ballot box of a design and construction approved by the Council, which shall have been securely locked and sealed in advance by the chairperson or the executive officer and for which the chairperson or the executive officer shall retain the key until the day following the day referred to in rule 16.15.4.2.6. After placing the last of such envelopes duly received in the ballot box the chairperson or the executive officer shall, in the presence of the referee, securely seal the slot, and shall hand the key to the referee. The chairperson or the executive officer shall securely retain the ballot box, locked and sealed as required, and shall deliver the ballot box in that condition to the scrutineers appointed in terms of rule 16.22 on the day following the day referred to in rule 16.15.4.2.6 Separate ballot boxes shall be kept for ballot papers in respect of attorneys and advocates respectively.

- 16.21 An envelope marked "ballot paper" which is accompanied by a declaration form which has been found to be invalid shall not be placed in the ballot box but the chairperson shall, in the presence of the referee, replace in the envelope marked "voting papers" in which it was received each such envelope marked "ballot paper" unopened, together with its accompanying declaration form endorsed by the referee as provided in rule 16.19, shall securely seal all those documents and shall separately retain them in the same manner as is provided for in rule 16.21, for a period of three months after the date referred to in rule 16.15.4.2.6 The chairperson shall thereafter destroy all such envelopes unless ordered otherwise by an order of court; provided that if there should be a dispute regarding the validity of the declaration form the documents shall be retained until the dispute has been resolved. The chairperson shall keep a separate record of the number of declarations and envelopes thus retained by him.
- 16.22 Prior to or on the date referred to in rule 16.15.4.2.6 the Council shall appoint as scrutineers to observe the counting of the votes received, not less than two legal practitioners, not being candidates for office or legal practitioners who have nominated candidates or who are members of the Council or of a Provincial Council, and none of whom shall be the legal practitioner appointed as referee under these rules. Upon receipt by the independent electoral service provider of the ballot box he or she shall break the seal, open the ballot box and remove its contents in the presence of the scrutineers and the chairperson or any member of the Council nominated for that purpose by the Council or the executive officer. He or she shall then open each of the envelopes marked "ballot paper", remove the ballot paper, examine the ballot paper and satisfy themselves of its validity in accordance with these rules or, if not so satisfied, reject the ballot paper after having endorsed on its reverse over the signatures of the scrutineers and the chairperson or any member of the Council nominated for that purpose by the Council or the executive officer the reason for its rejection. The independent electoral service provider shall then count the votes recorded in the remaining ballot papers and record the result in the presence of the scrutineers and the referee. Thereafter they shall replace all the ballot papers, including those rejected, in the ballot box and shall lock and re-seal it, and hand it to the chairperson for safekeeping.
- 16.23 On each day on which electronic ballots despatched to the Council are received by the Council, or if it is not practicable on that day, as soon as practicable

thereafter, the chairperson or the executive officer shall, in the presence of the referee, examine each electronic declaration form, shall verify, to such extent as may appear necessary, the information contained in the electronic declaration form against the records of the Council and shall satisfy themselves that the electronic declaration form has been duly completed and signed by the legal practitioner, failing which it will be regarded as invalid. In the event of a disagreement between the chairperson or the executive officer and the referee as to the validity or otherwise of any electronic declaration form, the view of the referee shall prevail and his or her judgment on the matter shall be final. The referee shall maintain a record of each electronic declaration form found to be invalid, with the reason for the invalidity and endorse the record with his or her signature. The chairperson or the executive officer and the referee shall together note the name and surname of each legal practitioner who has submitted an electronic declaration form and an electronic ballot, as well as whether that legal practitioner is an attorney or an advocate, in a voting register kept by the referee.

- 16.24 The chairperson or the executive officer shall, in the presence of the referee, securely retain or save in the form and manner approved by the Council each electronic declaration form as well as the accompanying electronic ballots found to be valid. The chairperson or the executive officer shall retain each electronic declaration form and electronic ballot in the same manner for a period of three months after the date of closing of casting of votes. The chairperson shall thereafter destroy all such electronic declaration forms and electronic ballots unless ordered otherwise by an order of court; provided that if there should be a dispute regarding the validity of the electronic declaration form, the electronic declaration forms and electronic ballots shall be retained until the dispute has been resolved. The chairperson shall keep a separate record of the number of electronic declaration forms and electronic ballots thus retained by him.
- 16.25 The independent electoral service provider shall then count the votes recorded in the e-voting system and record the result in the presence of the scrutineers and the referee. Thereafter the chairperson shall securely retain or save the electronic records in the manner determined by the Council.
- 16.26 The number of attorney candidates in the respective categories indicated on the ballot paper who received the greatest number of votes of attorneys in diminishing order among the attorney candidates shall be deemed to have been elected as attorney members of the Provincial Council in those categories, and the advocate

candidates in the respective categories indicated on the ballot paper who received the greatest number of votes of advocates in diminishing order among the advocate candidates shall be deemed to have been elected as advocate members of the Provincial Council in those categories.

- 16.27 If there are insufficient candidates to fill a particular category the Council shall co-opt a suitable candidate to fill the vacancy, and the co-opted candidate shall be deemed to have been elected in accordance with these rules.
- 16.28 If two or more candidates in any category receive the same number of votes, the question as to which of them shall be deemed elected shall be determined immediately by lot drawn by the scrutineers in the manner determined by them.
- 16.29 Upon completion of the counting of the votes (both electronic votes and paper ballots) and the scrutiny by the scrutineers, the scrutineers shall immediately report the result of the election in writing to the chairperson and the referee. The referee shall as soon as practicable thereafter determine whether the election was conducted freely and fairly, and shall issue a signed declaration in that regard to the chairperson. The report shall be signed by all of the scrutineers and shall contain the following particulars:
- 16.29.1 the total number of ballot papers and electronic ballots received by them;
  - 16.29.2 the number of ballot papers and electronic ballots rejected and the grounds of rejection;
  - 16.29.3 the total number of votes in favour of each candidate in each category;
  - 16.29.4 the result of any lot drawn in terms of rule 16.28;
  - 16.29.5 the names of those candidates who are deemed to have been elected.
- 16.30 The chairperson shall, after receipt of the written confirmation of the scrutineers and a declaration in terms of rule 16.29 that the election was conducted freely and fairly, cause each candidate to be advised of the result of the election.
- 16.31 The written confirmation of the scrutineers together with a declaration from the referee in terms of rule 16.29 that the election was conducted freely and fairly shall be conclusive as to the result of the election.

- 16.32 The independent electoral service provider, having completed the counting, shall return the ballot box containing the examined ballot papers and which is locked in accordance with rule 16.22 to the chairperson, together with its key. The chairperson shall securely retain the ballot box in that condition for a period of three months after the date referred to in rule 16.15.4.2.6 and shall thereupon break the seal, unlock the box, empty it of its contents and destroy the contents. The chairperson shall then also destroy all the valid declaration forms received by the Council.
- 16.33 If an election is declared to be not free and fair by the referee in terms of rule 16.29, or by a court on application, the process for the election of members of the Provincial Council shall be conducted afresh, provided that such an application shall be brought within one month of the announcement of the result,

**LEGAL PRACTICE COUNCIL  
NOTICE 813 OF 2018**

**TO ALL LEGAL PRACTITIONERS AND CANDIDATE LEGAL PRACTITIONERS**

**AMENDMENT TO CODE OF CONDUCT PUBLISHED IN TERMS OF SECTION 97(1)(b)  
OF THE LEGAL PRACTICE ACT, 28 OF 2014, ON 10 FEBRUARY 2017 IN  
GOVERNMENT GAZETTE NO 40610**

Kindly take notice that the Legal Practice Council hereby publishes the draft amended Code of Conduct previously published in terms of Section 97(1)(b) of the Legal Practice Act, 28 of 2014, on 10 February 2017 in Government Gazette No 40610.

Kindly further take notice that -

- the draft amended code of Conduct is published in terms of Section 36(5) of the Legal Practice Act, 28 of 2014 (as amended);
- all interested parties are called upon to comment thereon in writing by **7 February 2019**; and
- all written comments should be addressed to Ms Charity Nzuzza, Acting Executive Officer, Legal Practice Council at **e-mail address [codeofconduct@lpc.org.za](mailto:codeofconduct@lpc.org.za)** ; or hand delivered to the Legal Practice Council at ***Proforum Building, 123 Paul Kruger Street, Pretoria.***

**Signed at Pretoria on this 13<sup>th</sup> day of December 2018.**



**Ms. Hlaleleni Kathleen Matolo-Dlepu**  
**Chairperson: Legal Practice Council**

**Executive Committee:** Ms. Kathleen Matolo-Dlepu – Chairperson, Adv Anthea Platt SC - Deputy Chairperson, Adv. Greg Harpur SC, Ms. Trudie Nichols, Mr Lutendo Sigogo, Mr Jan Stemmett, Adv. Phillip Zilwa SC, Executive Officer (acting): Ms. Charity Nzuzza

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South African Legal Practice Council

Code of Conduct

made under the authority of section 36(1) of the Legal Practice Act, 28 of 2014

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**PART I****Definitions**

1. In this code, unless the context otherwise indicates:
  - 1.1 **"the Act"** means the Legal Practice Act, 28 of 2014;
  - 1.2 **"advocate"** means a legal practitioner who is admitted and enrolled as such under the Act;
  - 1.3 **"attorney"** means a legal practitioner who is admitted and enrolled as such under the Act;
  - 1.4 **"branch office"** means an office at or from which the firm practises, but which is not a main office;
  - 1.5 **"candidate attorney"** means a person undergoing practical vocational training with a view to being admitted and enrolled as an attorney;
  - 1.6 **"candidate legal practitioner"** means a person undergoing practical vocational training, either as a candidate attorney or as a pupil;
  - 1.7 **"chambers"** means an office suitable for the practice of an advocate;
  - 1.8 **"code of conduct" or "code"** means this code;
  - 1.9 **"conveyancer"** means any practising attorney who is admitted and enrolled to practice as a conveyancer in terms of the Act;
  - 1.10 **"Council"** means the South African Legal Practice Council established in terms of section 4 of the Act;
  - 1.11 **"court"** means any court in the Republic as defined in section 166 of the Constitution of the Republic;
  - 1.12 **"disciplinary body"** means -
    - 1.12.1 an investigating committee;
    - 1.12.2 a disciplinary committee; or
    - 1.12.3 an appeal tribunal,as the case may be;

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- 1.13 **"Fidelity Fund Certificate"** means the certificate referred to in section 85 of the Act;
- 1.14 **"firm"** means -
- 1.14.1 a partnership of attorneys;
- 1.14.2 an attorney practising for his or her own account; or
- 1.14.3 a juristic entity
- who or which in each case conducts the practice of an attorney;
- 1.15 **"Fund"** means the Legal Practitioners' Fidelity Fund referred to in Section 53 of the Act;
- 1.16 **"High Court"** means the High Court of South Africa established by section 6 of the Superior Courts Act, 10 of 2013 or, if the context indicates otherwise, the Division thereof having jurisdiction;
- 1.17 **"juristic entity"** means a commercial juristic entity established to conduct a legal practice as an attorney, as contemplated in section 34(7) of the Act and a limited liability legal practice as contemplated in section 34(9) of the Act;
- 1.18 **"legal practitioner"** means an advocate or attorney admitted and enrolled as such in terms of sections 24 and 30 respectively of the Act;
- 1.19 **"main office"** means the premises at and from which the practice of a firm is as a whole administered and controlled, including such premises in two or more buildings situated in sufficiently close proximity to one another to allow the administration of that practice as a single composite entity, and includes premises declared or determined as such in terms of accounting rules 54.2 or 54.5 as the case may be;
- 1.20 **"Minister"** means the Minister of Justice and Constitutional Development;
- 1.21 **"notary"** means any practising attorney who is admitted and enrolled to practise as a notary in terms of this Act;
- 1.22 **"principal place of practice"** means the place at which the main office of a firm is situated, notwithstanding that any member of the firm may habitually or temporarily practise at or from a branch office; provided that the principal place of practice of a member of the firm who is a member of more than one firm, or

who is the proprietor of one firm and a member of another firm or other firms, shall be deemed to be the place of the main office of that firm which has its main office closest to his residential address;

1.23 **"private practice"** means the practice of a legal practitioner who places legal services at the disposal of the public for reward and is actively engaged in the profession either as an attorney or as an advocate, or the practice of a legal practitioner as contemplated in sections 34(5)(c), (d) or (e) or section 34(6)(b), (c) or (d), and **"practise"** has a corresponding meaning; and for purposes of this definition -

1.23.1 attorneys referred to in sections 34(5)(c), (d) and (e) of the Act will be regarded as being attorneys in private practice;

1.23.2 advocates referred to in sections 34(6)(b), (c) and (d) will be regarded as being advocates in private practice;

1.24 **"pupil"** means a person undergoing practical vocational training with a view to being admitted and enrolled as an advocate;

1.25 **"Republic"** means the Republic of South Africa;

1.26 **"roll"** means the roll of legal practitioners referred to in section 30(3) of the Act;

1.27 **"rules"** means the rules made in terms of the Act;

1.28 **"trust account practice"** means a practice conducted by -

1.28.1 one or more attorneys who are; or

1.28.2 an advocate referred to in section 34(2)(b) of the Act who is,

in terms of the Act, required to hold a Fidelity Fund certificate.

1.29 Words or expressions referred to in this code which are not defined shall bear the respective meanings assigned to them by section 1 of the Act.

**PART II****Code of Conduct: general provisions**

2. The provisions of Part II of the code shall apply to, and be observed by, all legal practitioners, candidate legal practitioners and juristic entities including, where the context requires, legal practitioners who are not in private practice, but nothing in this code shall prevent adherence to higher standards than those referred to in this code.
3. Legal practitioners, candidate legal practitioners and juristic entities shall -
  - 3.1 maintain the highest standards of honesty and integrity;
  - 3.2 uphold the Constitution of the Republic and the principles and values enshrined in the Constitution, and without limiting the generality of these principles and values, shall not, in the course of his or her or its practice or business activities, discriminate against any person on any grounds prohibited in the Constitution;
  - 3.3 treat the interests of their clients as paramount, provided that their conduct shall be subject always to:
    - 3.3.1 their duty to the court;
    - 3.3.2 the interests of justice;
    - 3.3.3 the observation of the law; and
    - 3.3.4 the maintenance of the ethical standards prescribed by this code, any other code of ethics applicable to them and any ethical standards generally recognised by the profession;
  - 3.4 honour any undertaking given by them in the course of their business or practice, unless prohibited by law;
  - 3.5 refrain from doing anything in a manner prohibited by law or by the code of conduct which places or could place them in a position in which a client's interests conflict with their own or those of other clients;
  - 3.6 maintain legal practitioner/client privilege and confidentiality regarding the affairs of present or former clients or employers, according to law;
  - 3.7 respect the freedom of clients to be represented by a legal practitioner of their choice;

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- 3.8 account faithfully, accurately and timeously for any of their clients' money which comes into their possession, keep such money separate from their own money, and retain such money for only as long only as is strictly necessary;
- 3.9 retain the independence necessary to enable them to give their clients or employers unbiased advice;
- 3.10 advise their clients at the earliest possible opportunity on the likely success of such clients' cases and not generate unnecessary work, nor involve their clients in unnecessary expense;
- 3.11 use their best efforts to carry out work in a competent and timely manner and not take on work which they do not reasonably believe they will be able to carry out in that manner;
- 3.12 be entitled to a reasonable fee for their work, provided that no member shall fail or refuse to carry out, or continue, a mandate on the ground of non-payment of fees and disbursements (or the provision of advance cover therefor) if demand for such payment or provision is made at an unreasonable time or in an unreasonable manner;
- 3.13 remain reasonably abreast of legal developments, applicable laws and regulations, legal theory and the common law, and legal practice in the fields in which they practise;
- 3.14 behave towards their colleagues, whether in private practice or otherwise, including any legal practitioner from a foreign jurisdiction, and towards members of the public, with integrity, fairness and respect and without unfair discrimination, and shall avoid any behaviour which is insulting or demeaning;
- 3.15 refrain from doing anything which could or might bring the legal profession into disrepute;
- 3.16 unless exempted therefrom, pay promptly to the Council or any organ of the Council, or to the Fund, all amounts which are legally due or payable in respect of fees, charges, levies, subscriptions, penalties, fines or any other amounts of whatsoever nature levied on legal practitioners, candidate legal practitioners or juristic entities in terms of any powers arising under the Act or the rules;
- 3.17 comply with the provisions of this code and any other code applicable to them and with those of the rules with which it is their duty to comply.

## **PART III**

### **Conduct of Attorneys**

- 4.1 Unless otherwise stated or unless the context indicates otherwise, Part III of this code applies only to attorneys, candidate attorneys and juristic entities who are in private practice (all of whom, for purposes of this code, and unless the context otherwise requires, being referred to as "attorneys"). If Part III of this code conflicts with the provisions of Part II then the provisions of Part II will prevail and take precedence over the provisions of Part III.

### **Approaches and publicity**

- 4.2 For purposes of Part III of this code:

- 4.2.1 "publicity" shall include any direct or indirect reference to an attorney or firm, published or disseminated by any written, pictorial or oral means, in any medium (including electronic and social media), irrespective of whether such publicity or reference:

- 4.2.1.1 is made in connection with any sponsorship, patronage, welfare activity, other similar benevolent purpose or support in any cause; or
- 4.2.1.2 is made, or is paid for, at the instance, or with the knowledge or consent, of the attorney or firm; or
- 4.2.1.3 appears, or is contained, in any editorial, advertorial or advertisement

and "publicise" has a corresponding meaning.

- 4.3 Attorneys shall ensure that all written and oral approaches (including letterheads) to clients, or potential clients, and all publicity, including the offering of services by publicity, made or published by or on behalf of an attorney:
- 4.3.1 are made in a manner which does not bring the attorneys' profession into disrepute;

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- 4.3.2 are not offensive or inappropriate or do not constitute conduct which is in bad faith, unreasonable or unfair in respect of a matter in which another attorney has already received instructions;
- 4.3.3 do not misrepresent the nature of the service offered;
- 4.3.4 accord in every respect with the requirements of this rule;
- 4.3.5 do not misrepresent, disparage, compare, criticise the quality of or claim to be superior to, the service provided by any other legal practitioner, whether or not such other legal practitioner is identified;
- 4.3.6 do not refer to a client by name in any publicity or advertisement published by or on behalf of an attorney unless:
  - 4.3.6.1 the prior written consent of the client had been obtained; or
  - 4.3.6.2 the advertisement relates solely to the sale or letting of a client's property.
- 4.4 Attorneys' responsibilities set out in paragraph 4.3 cannot be delegated. Where an attorney or a firm becomes aware of publicity referring to him or her or it which is in conflict with or infringes this paragraph 4, he or she or it shall immediately take appropriate steps reasonably necessary to have the publicity rectified or withdrawn and to further publish the rectification in the same medium or media as that in which the conflicting or infringing publicity appeared.

### **Specialisation and expertise**

- 5. Attorneys may, on the basis of specialised qualifications or experience -
  - 5.1 advertise or hold themselves out as being specialists or as offering specialist services, provided that if an attorney claims specialisation or expertise in any branch of the law, the Council may:
    - 5.1.1 require the attorney to show good cause by a specified date why he or she should not be ordered by the Council to cease to hold himself or herself out as a specialist or as expert in any particular branch of the law;

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- 5.1.2 order the attorney to cease holding himself or herself out as a specialist or expert in the branch of the law concerned if it is the opinion of the Council that the attorney's claim is not justified; and
- 5.1.3 declare that such order shall serve as notice in terms of the rules relating to disciplinary procedures without in any way limiting the Council's powers in terms of those rules;
- 5.2 be accorded senior attorney status in accordance with procedures prescribed by the Council.

### **Sharing of fees**

- 6.1 An attorney or a firm shall not, directly or indirectly, enter into any express or tacit agreement, arrangement or scheme of operation or any partnership (express, tacit or implied), the result or potential result whereof is to secure for him or her or it the benefit of professional work, solicited by a person who is not an attorney, for reward, whether in money or in kind; but this prohibition shall not in any way limit *bona fide* and proper marketing activities.
- 6.2 An attorney shall furnish the Council with an affidavit, within seven days of request, explaining the presence and function or position of an employee and manner or form of remuneration earned by such employee, or containing similar information relating to any person who is not an attorney who is apparently associated with the attorney's practice or who is continuously or repeatedly in, at or about the attorney's office.
- 6.3 An attorney may not hold himself or herself out as practising as an attorney while in the employ of a person who is not an attorney otherwise than as permitted in terms of section 34 of the Act.

### **Sharing of offices**

7. An attorney, other than an attorney referred to in sections 34(5) (c), (d) and (e) of the Act, may not, without the prior written consent of the Council, share offices with a person who is not an attorney or an employee of an attorney.

### **Payment of commission**

8. An attorney or firm may not effect payment, directly or indirectly, of agent's commission in advance of the date upon which such commission is due and payable,

except out of funds provided by the person liable for such commission and on the express authority of such person.

### **Naming of partners and practice**

9.1 Subject to paragraph 9.4, an attorney shall disclose his or her name on any letterhead used for the practice and, in the case of -

9.1.1 a partnership, the names of all the partners; or

9.1.2 a juristic entity, the names of all directors

and, where the attorney has also been admitted as a notary or as a conveyancer, may disclose that fact on the letterhead of his or her firm.

9.2 An attorney who discloses in his or her letterhead or in other publications the name of any person employed by him or her or his or her firm in any capacity shall indicate clearly whether or not such person is an attorney or his or her partner or fellow director; provided that, without prior written consent of the Council, such indication shall be made by using one or more of the following words and no others:

9.2.1 where such person is an attorney, "consultant", "associate", "professional assistant" or "assisted by";

9.2.2 where such person is not an attorney, "candidate attorney", or in the case of professionals in fields other than law, such professional status as may be appropriate, or in the case of management employees, the descriptive management title.

9.3 An attorney in private practice shall practise only under a style or name which -

9.3.1 is his or her own name or the name of a former proprietor of, or partner or director in, such practice if he or she practises without partners; or

9.3.2 contains the names of any or all of the present partners or directors or former partners or directors of or in such firm if he or she practises in partnership or as a juristic entity; or

9.3.3 is a derivative of the names referred to in paragraphs 9.3.1 or 9.3.2, or is the name of a national or international legal practice of which the attorney is an employee or with which the attorney or his or her firm is associated

or of which he or she or his or her firm forms part, unless the Council in the particular circumstances prohibits the use of that name; or

9.3.4 the Council has first approved in writing, in the case of any other name.

9.4 Notwithstanding the provisions of paragraph 9.1, it will be sufficient compliance with that rule:

9.4.1 in the case of a partnership consisting of more than twenty partners, if the names of the senior partner and managing partner (and in the case of a branch office, the names of the senior partner of the partnership and the managing partner of the branch) are disclosed on the letterhead, provided the letterhead contains a note indicating the address at which the names of all the partners will be available for inspection;

9.4.2 in the case of a juristic entity, if the names of the directors are disclosed in the same manner as if the directors are partners in a partnership.

### **Replying to communications**

10. An attorney -

10.1 shall within a reasonable time reply to all communications which require an answer unless there is good cause for refusing an answer;

10.2 shall respond timeously and fully to requests from the Council for information and/or documentation which he or she is able to provide;

10.3 shall comply timeously with directions from the Council; and

10.4 shall refrain from doing anything that may hamper the ability of the Council to carry out its functions.

### **Naming in deed of alienation**

11. An attorney may not act in terms of a deed of alienation of immovable property in which the attorney's name or the name of the attorney's firm has been printed or duplicated as the transferring attorney. This prohibition will not, however, apply if a separate written instruction is given to the attorney prior to the signature of the deed of alienation or to an agreement prepared by the attorney on instruction from the client.

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### **Specific provisions relating to conduct of attorneys**

12. An attorney shall -

12.1 refrain from accepting from any person directly or indirectly any sum of money which it is agreed or intended should be used as payment or part payment for services to be rendered or for disbursements to be made in the future in the event of any future act or omission forming the basis of any criminal charge against the person by or for whose benefit such payment was made;

12.2 issue and, on request, hand over or otherwise deliver to the person making payment, a receipt for any money received;

12.3 exercise proper control and supervision over his or her staff and offices;

12.4 not abandon his or her practice, or shall not close his or her practice, without prior notice to the Council and to his or her clients and without arranging with the clients for the dispatch of their business or the care of their property in his or her possession or under his or her control;

12.5 if he or she is practising as a sole practitioner, and intends to be absent from his or her practice for a period in excess of 30 consecutive days, give notice to the Council at least 14 days prior to his or her departure of the arrangements which he or she has made for the supervision of the practice during his or her absence. The attorney may, in the case of urgency only, give the Council a shorter period of notice. In the notice the attorney must inform the Council -

12.5.1 which other attorney will be supervising his or her practice;

12.5.2 the extent of the supervision which the other attorney will exercise;

12.5.3 what arrangements he or she has made for the payment of business and trust creditors; and

12.5.4 the reason for the late notice, if applicable.

This paragraph 12.5 applies also to attorneys who practise as partners or directors of a firm where all the partners or directors intend to be absent simultaneously from the firm for a period in excess of 30 consecutive days;

12.6 not overreach a client or overcharge the debtor of a client, or charge a fee which is unreasonably high, having regard to the circumstances of the matter.

Any disputes about the quantum or rate of fees by an attorney or by work done by and value received from an attorney shall be subject to a fees enquiry conducted by the Council or an authorised sub-structure of the Council, and an onus shall rest on as the attorney to justify the reasonableness of fees charged and that the work charged for was done and was reasonably necessary to do, or was done at the request of the client;

12.7 submit an account for taxation or assessment, as the case may be, within a reasonable time after a request to do so by the Council, the client or the person purportedly liable for payment of the fee;

12.8 not act in association with any organisation or person whose business or part of whose business it is to solicit instructions for the attorney;

12.9 not buy instructions in matters from a third party and may not, directly or indirectly, pay or reward a third party, or give any other consideration for the referral of clients other than an allowance on fees to an attorney for the referral of work;

12.10 use the services of a third party (including services for the purpose of gathering evidence) only where the attorney has established a *bona fide* attorney and client relationship with the client, such that -

12.10.1 the client is free to elect whether or not to use the services of the third party;

12.10.2 the attorney takes proper instructions directly from the client; and

12.10.3 the attorney is mandated to engage the third party at the client's cost

in which event the attorney may issue an instruction to a third party whom the attorney considers will be competent to do specific work, and the attorney may, on the client's behalf, pay to the third party a fair and reasonable fee, consistent with the value of the work actually done by the third party;

12.11 when using the services of a third party, render an account to the client which discloses the payment to the third party as a disbursement;

12.12 not accept a mandate knowing there to be an existing mandate, or a freshly terminated mandate, given to another attorney without explaining to the client all the implications of his doing so, including in particular the cost implications;

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and in particular an attorney shall not accept a mandate in a matter taken on a contingency fee basis where he or she knew or ought reasonably to have known that there were no good grounds for the potential client to terminate the existing mandate;

12.13 perform professional work or work of a kind commonly performed by an attorney with such a degree of skill, care or attention, or of such a quality or standard, as may reasonably be expected of an attorney;

12.14 in any communication with another person on behalf of a client -

12.14.1 not represent to that person that anything is true which the attorney knows, or reasonably ought to know, or reasonably believes, is untrue; or

12.14.2 not make any statement that is calculated to mislead or intimidate that other person, and which materially exceeds the legitimate assertion of the rights or entitlement of the attorney's client; or

12.14.3 not threaten the institution of criminal proceedings against any other person in default of that person's satisfying a concurrent civil liability to the attorney's client; or

12.14.4 not demand the payment of any costs to the attorney in the absence of an existing liability owed by the person to the attorney's client;

12.15 be in attendance, or immediately accessible, during a consultation with counsel or an attorney acting as counsel, or at court during the hearing of a matter (other than an unopposed application) in which he or she is the attorney of record, in person or through a partner or employee, being an attorney or a candidate attorney;

12.16 take all such steps as may be necessary from time to time to ensure compliance at all times as an accountable institution with the requirements of the Financial Intelligence Centre Act, 38 of 2001;

12.17 pay timeously, in accordance with any contractual terms or, in the absence of contractual terms, in accordance with the standard terms of payment, the reasonable charges of any legal practitioner, whether an advocate or an attorney, whom he or she has instructed to provide legal services to or on behalf of a client; such liability shall extend to every partner of a firm or member

of an incorporated practice, and if the firm is dissolved or the incorporated practice is wound up, liability shall remain with each partner or member, as the case may be, the one paying, the others to be absolved;

- 12.18 dress appropriately when rendering services to or on behalf of a client
- 12.19 not have a branch office unless, at all times when practice is being conducted there, that office is under the effective supervision of an attorney who, if he or she is not the attorney himself or herself or his or her partner or co-director, then under the supervision of an employee of that attorney who is an attorney of not less than three years' experience in practice and who has been approved for that purpose in writing by the Council. The opinion of the Council as to whether or not a branch office is under effective supervision shall be binding on the attorney and, if negative, shall entitle the Council to order that the matter be rectified or that the branch office be closed;
- 12.20 if he or she accepts appointment as an acting judge, adhere to the code of conduct applicable to judges;
- 12.21 not tout for professional work. An attorney will be regarded as being guilty of touting for professional work if he or she either personally or through the agency of another, procures or seeks to procure, or solicits for, professional work in an improper or unprofessional manner or by unfair or unethical means, all of which for purposes of this rule will include, but not be limited to -
- 12.21.1 the payment of money, or the offering of any financial reward or other inducement of any kind whatsoever, directly or indirectly, to any person in return for the referral of professional work; or
- 12.21.2 directly or indirectly participating in an arrangement or scheme of operation resulting in, or calculated to result in, the attorney's securing professional work solicited by a third party.

For purposes of this paragraph 12.21 "professional work", in addition to work which may by law or regulation promulgated under any law be performed only by an attorney, means such other work as is properly or commonly performed by or associated with the practice of an attorney.

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## **Misconduct**

13. Misconduct on the part of any attorney will include (without limiting the generality of these rules) -

13.1 a breach of the Act or of the code or of any of the rules, or a failure to comply with the Act or the code or any rule with which it is the attorney's duty to comply;

13.2 any conduct which would reasonably be considered as misconduct on the part of an attorney or which tends to bring the attorney's profession into disrepute

provided that this code is not applicable to the private life of an attorney insofar as the activities in an attorney's private life do not impact on his or her practice as an attorney, or on the attorneys' profession.

## **PART IV**

### **Conduct of advocates contemplated in section 34(2)(a)(i) of the Act**

#### **14. Preamble**

14.1 Part IV of this code is applicable to, and binding upon, every person who has been admitted and enrolled to practice as an advocate in South Africa and who is an independent practitioner of advocacy as contemplated in section 34(2)(a)(i) of the Act, called in part IV of this code, 'counsel'.

14.2 Part IV of this code is applicable to the professional conduct of counsel.

14.3 This code is not applicable to the private lives of counsel insofar as the activities in their private life do not impact on either counsel's practice of advocacy or on the profession of advocacy.

14.4 This code is not exhaustive of the ethical professional responsibilities of counsel.

14.5 Counsel shall upon admission as an advocate immediately become acquainted with this code.

14.6 Counsel shall comply fully with Part IV of this code

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- 14.7 Counsel who at any time are in doubt about the meaning or applicability of Part IV of this code shall promptly apply for a ruling from the Council or from any sub-structure of the Council to which the Council has delegated the function ("the authorised sub-structure").
- 14.8 Counsel shall report unprofessional conduct by other counsel to the Council or to the authorised sub-structure in a manner as prescribed in the Professional Disciplinary Procedure.
- 14.9 The interpretation of Part IV of this code shall be effected purposively and aimed to give the fullest effect to the fundamental principles that shape, guide and express the essence of the profession of advocacy, which principles are that -
- 14.9.1 counsel are independent practitioners of advocacy and agents of the rule of law, who resist any undue influence from anyone, whose specialised services are available to all persons, in particular indigent people, regardless of any disregard in which persons requiring the services of counsel may be held by anyone;
- 14.9.2 counsel uphold the highest standards of integrity, accountability and diligence in carrying out all of their professional responsibilities;
- 14.9.3 Counsel understand that the profession of advocacy is primarily vocational and serves the public interest and accordingly acknowledge fiduciary duties towards the courts and to their clients and to all professional colleagues.

## 15. The nature of work undertaken by counsel

### General Work

- 15.1 Counsel undertake to perform professional legal services for a reasonable reward.
- 15.2 There is no closed list of subject matter about which a brief may be accepted by counsel provided the brief does not require counsel to undertake work which is properly that of an attorney. In particular, counsel may accept a brief:
- 15.2.1 to give legal advice orally or in a written opinion;

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- 15.2.2 to prepare any documents required for use in any court or arbitral or other adjudicative proceedings;
- 15.2.3 to prepare written argument and heads of argument;
- 15.2.4 to argue an application;
- 15.2.5 to argue an appeal;
- 15.2.6 to move an unopposed matter;
- 15.2.7 to appear in a trial or in an arbitration or in any other decision-making forum;
- 15.2.8 to negotiate on behalf of a client;
- 15.2.9 to settle a matter, whether on trial or otherwise;
- 15.2.10 to argue a matter on taxation before a taxing master;
- 15.2.11 to make representations to the National Prosecution Authority about whether or not to charge a person with a criminal offence;
- 15.2.12 to undertake a criminal prosecution on behalf of the state or on behalf of, or as, a private prosecutor;
- 15.2.13 to preside as an arbitrator, or as the chair of a disciplinary enquiry, or as presiding officer in any other adversarial proceedings, or to conduct any inquisitorial proceedings;
- 15.2.14 to act as an expert or to act as a referee;
- 15.2.15 to act as a mediator or facilitator;
- 15.2.16 to conduct an investigation and furnish a report with recommendations as to facts found and to make recommendations as to future action;
- 15.2.17 to act as a curator *ad litem*;
- 15.2.18 to make representations to a statutory or voluntary body or any state official;
- 15.2.19 to act as a commissioner in an enquiry in terms of the company laws.

**Counsel as prosecutor for the state**

- 15.3 Whenever briefed on behalf of the state to conduct a prosecution, counsel shall comply with these rules of conduct and the rules of conduct applicable to prosecutors issued by the National Prosecution Authority, and in the event that any conflict might arise between the sets of rules, these rules of conduct shall prevail.

**Acting judicial appointments****16. Counsel's commitment to the practice of advocacy**

- 16.1 Counsel shall, in general, devote themselves to the practice of advocacy and to this end shall not engage in any other occupation or activity which is likely to compromise counsel's ability diligently to perform the work on any briefs or to diminish counsel's standing within the profession of advocacy or adversely affect the reputation of the profession of advocacy itself.
- 16.2 Counsel, in their professional capacity, shall not be involved in any way in any relationship or arrangement which resembles a partnership.

**17. Independence of counsel**

- 17.1 Counsel shall, in the advancement of the client's cause, resist any conduct calculated to deflect counsel from acting in the best interests of the client and to that end counsel shall be fearless in the conduct of the client's case, and shall not be deterred by the threat of or the prospects of adverse consequences to counsel or any other person.
- 17.2 Counsel shall unreservedly assert and defend the rights of the client and in particular in order to protect the client's liberty, to the best of counsel's ability and within lawful bounds.
- 17.3 Counsel shall upon acceptance of a brief exercise personal judgment over all aspects of the brief and shall not permit any person to dictate how the matter is to be conducted. If the decisions made or advice given by counsel are not acceptable to the instructing attorney or to the client, counsel must offer to surrender the brief, and if the instructing attorney elects to accept the surrender, counsel must forthwith withdraw.

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- 17.4 Counsel shall not appear in any superior court in the absence of their instructing attorneys or instructing attorney's candidate attorneys, or other representatives, save as provided below.
- 17.5 Counsel may, when appearing in a matter before any court or tribunal of any kind, appear unaccompanied by their instructing attorney or the instructing attorney's representative, provided that the instructing attorney or a partner or employee of the instructing attorney (being an attorney or a candidate attorney) is immediately accessible to counsel at all times.
- 17.6 Counsel shall not bring about a binding settlement of any matter without an express and specific mandate by the instructing attorney as to the terms and conditions of an agreement of settlement.
- 17.7 Counsel shall ordinarily consult with instructing attorneys, clients and witnesses at counsel's chambers.
- 17.8 In circumstances which reasonably indicate that consultations cannot conveniently be held at the chambers of counsel, counsel may exercise a discretion to consult at some other place appropriate to the circumstances, which places include the home of counsel or the offices of the instructing attorney or the offices of the client, provided that counsel in so doing guards against compromising counsel's independent status, which circumstances may include -
- 17.8.1 where the large volume of documents to be scrutinised cannot usefully be accommodated in or transported to or from counsel's chambers;
- 17.8.2 where the great number of witnesses to be interviewed make it more convenient to meet at the place where they can be conveniently assembled;
- 17.8.3 where the consultations are to be held after hours or on weekends;
- 17.8.4 where the persons to be interviewed are located in places distant from counsel's chambers;
- 17.8.5 where counsel is to appear in proceedings occurring in a place other than counsel's home centre.

**18. Acceptance of briefs and the cab-rank rule**

- 18.1 Counsel are at liberty to limit in what areas of practice, and in which courts, they wish to accept briefs and to appear, and to profess to practise in such limited areas and courts. In the absence of expressly professing to practise in limited areas and in certain courts only, counsel shall be deemed to profess to practice in all areas of practice and in all courts.
- 18.2 Counsel shall not refuse to accept briefs in an area of practice in which they profess to practise or in a court in which they profess to practise on the grounds that they disapprove of the client or of the client's opinions or alleged conduct or because of any disregard in which such person might be held.
- 18.3 Counsel shall, unless they reasonably believe they are not professionally competent to do so, accept the offers of briefs to defend persons charged with criminal offences and shall resist any conduct designed to inhibit or discourage the acceptance of such a brief on any grounds, especially any disregard in which such accused person or the cause with which such accused person is associated, may be held by anyone.
- 18.4 Counsel may decline offers of briefs in matters in which they believe they are not competent to render professional services at the appropriate standard reasonably expected of a counsel in such matters or to discharge their duty of diligence, and when declining such offers counsel shall disclose those reasons to the instructing attorneys.
- 18.5 Counsel may decline the offer of a brief if agreement between counsel and the instructing attorney cannot be reached on the fee to be charged by counsel; provided that the fee proposed by counsel must satisfy the norm of the reasonable fee, as dealt with in paragraph 25 of the code.
- 18.6 Counsel shall, once alerted to the fact that the court or other adjudicative body is to be presided over by a member of counsel's family or other person with a close personal relationship with counsel, disclose that fact to the instructing attorney and to opposing counsel.
- 18.7 Counsel shall, once counsel is alerted to the fact that a family member or other person with a close personal relationship to counsel is opposing counsel or is an attorney in the opposing party's attorney's firm, notify the instructing attorney of such relationship.

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- 18.8 Counsel may continue to act in any civil proceedings despite a family member or other person with a close personal relationship presiding over the matter, provided that none of the parties, having been informed of this, raises an objection. Whenever an objection is raised counsel must either withdraw, or the parties must jointly request and procure the recusal of the presiding officer.
- 18.9 Counsel shall not in a criminal trial, whether acting for the state or the defence, appear before a court presided over by his or her family member or other person with a close personal relationship to counsel.
- 18.10 Counsel may refuse to accept a brief if:
- 18.10.1 counsel is a senior counsel and considers that the nature of the brief and the work involved does not reasonably require the engagement of senior counsel;
- 18.10.2 the scale and duration of the work involved in undertaking the brief is such that counsel is apprehensive, on reasonable grounds, that commitment to the brief would prejudice counsel's practice or other professional or personal commitments;
- 18.10.3 the instructing attorney is reasonably suspected by counsel of being unlikely to pay the fees due to counsel timeously or at all.

**19. Acceptance of briefs: the referral rule**

- 19.1 Counsel undertakes to perform legal professional services in court-craft and knowledge of the law only upon the offer and acceptance of a brief.
- 19.2 Counsel shall accept a brief only from an attorney, and counsel shall not accept a brief directly from any other person or entity for either litigious or non-litigious work of any kind, save that counsel may accept a brief -
- 19.2.1 from a justice centre;
- 19.2.2 to perform professional services on brief from an attorney or legal practitioner in another country, including the equivalent of a state attorney or the attorney general or director of public prosecutions, without the intervention of a South African attorney;

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19.3 Counsel who act as arbitrators or umpires shall do so only on receipt of a brief from the parties' attorneys, or on receipt of instructions from an arbitration body accredited by the Council or a Provincial Council.

19.4 Counsel shall receive fees charged only from or through the instructing attorney who gave the brief to counsel, except where such attorney, for reasons of insolvency, or for any other reason, is unable to pay, in which circumstances, with leave from the Provincial Council, counsel may receive the fees due from another source in discharge of the indebtedness of the attorney.

**20. Acceptance of briefs: implied undertaking of diligence**

20.1 Counsel shall ordinarily only accept a brief given in writing or by email, but in circumstances of urgency counsel may accept an oral brief but must insist on receipt, as soon as practicable, of a written or emailed brief, failing which counsel shall in writing or by email confirm the terms of the oral brief.

20.2 Counsel shall, upon accepting a brief, not resile from the undertaking to fulfil the brief in order to attend to another brief offered later, except for good cause; which cause shall be deemed to be present under either of the following circumstances:

20.2.1 the interests of justice would otherwise be impaired;

20.2.2 the instructing attorneys of both the initially offered brief and of the later offered brief agree in writing to release counsel from the initially offered brief.

20.3 Counsel shall not pass on a brief to another counsel except on the express prior agreement of the instructing attorney.

20.4 Counsel shall personally attend to all of the work involved in the briefs accepted by them, save as undertaken by leading counsel and one or more junior counsel briefed together, and subject to the long-standing practice of employing a "devil" in terms of which counsel shall be entitled, by agreement with another counsel, to have that counsel undertake research work in a particular brief in return for a fee agreed between counsel, and paid by the counsel on brief, provided that this shall not be converted into a permanent arrangement akin to employment of one counsel by another.

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- 20.5 Counsel, upon accepting a brief, shall perform the necessary work to the best of their abilities, in keeping with counsels' seniority and relevant experience and:
- 20.5.1 counsel, upon acceptance of a trial brief, tacitly represent that they can properly commit themselves to remaining available throughout the period of the trial without compromising such commitment by reason of any prior commitments in other matters, regardless of whether such other matters have been set down at a time before or after the period estimated for the duration of the trial;
- 20.5.2 counsel, upon acceptance of a brief in any opposed application, tacitly represent that they can properly commit themselves to remaining available throughout the period during which that opposed application may be heard without compromising such commitment by reason of any prior commitments in other matters, regardless of whether such other matters have been set down at a time before or after the period during which the opposed application may be heard.
- 20.6 Counsel must decline the offer of a brief if their other commitments do not reasonably allow them to discharge their duty of diligence in the preparation of the brief. In particular, counsel shall not accept any brief if it is reasonably foreseeable that -
- 20.6.1 counsel shall be unable to attend to all of the necessary work within a reasonable time;
- 20.6.2 the risk exists that counsel might, because of a conflict of interest or any other reason, have to surrender the brief;
- 20.6.3 the failure to attend to the brief timeously or the surrender of the brief is likely to result in embarrassment, inconvenience or prejudice to the instructing attorney or the client or a fellow counsel who might be briefed thereafter, or to the court.
- 20.7 If, after counsel has accepted a brief in any matter, any circumstance arises that imperils the proper discharge of counsel's duty of diligence, counsel shall, once such eventuality is apparent, especially in respect of trial briefs, report such circumstances to the instructing attorney to facilitate timeous steps to

inhibit prejudice to the client and facilitate a successor to be briefed in time to take over the brief.

- 20.8 Counsel shall not accept more than one brief on trial for the same day.
- 20.9 Counsel shall not, when briefed on trial on a given day, also accept a brief to appear in any other opposed matter, save an application for leave to appeal, provided such proceedings are arranged to ensure no interference with the matter in which counsel is briefed on trial.
- 20.10 Counsel may, on a day on which counsel is briefed on trial, accept a further brief as listed below only, provided that the performance of that further brief does not interfere with the conduct of the matter in which counsel is briefed on trial:
- 20.10.1 a brief to mention, at a roll call, a trial matter for postponement by agreement;
- 20.10.2 a brief to record, at the roll call, the fact of a settlement of a trial matter and submit a settlement agreement to be made an order of court;
- 20.10.3 a brief to note a judgment in a matter in which counsel had been briefed to conduct the case;
- 20.10.4 a brief to attend to any matter during a period outside of court hours.
- 20.11 Counsel may, once released from any obligation to remain available in relation to a trial matter, accept any other brief for that period.
- 20.12 Counsel shall in appropriate circumstances expressly advise the client about the prospects of and availability of dispute resolution options other than litigation.
- 20.13 Counsel shall upon acceptance of a brief take reasonable steps to determine whether or not prescription might be imminent and if so deal with the matter to avoid that consequence.

## 21. Acceptance of briefs: legal aid cases

- 21.1 Counsel shall not refuse to accept a Legal Aid South Africa brief in counsel's professed area of practice solely on the grounds that the brief is offered by Legal Aid South Africa, except for good cause.

21.2 Good cause may include that the matter may proceed on contingency in terms of the Contingency Fees Act 66 of 1997;

21.3 If a matter is accepted on a legal aid basis this shall not exclude rights of recovery of costs, if applicable, under section 92 of the Act.

## 22. Integrity in performance of professional services

22.1 Counsel shall take reasonable steps to avoid and prevent any reasonable suspicion arising that counsel's integrity is compromised in any respect.

22.2 Counsel shall not, in giving advice to a client, advise conduct that would contravene any law; more particularly, counsel shall not devise any scheme which involves the commission of any offence.

22.3 Counsel may give advice about whether any act, omission or course of conduct may contravene any law.

22.4 Counsel may give advice designed to limit or avoid liability for any taxation law, but shall not give advice about the evasion of the provisions of such a law.

22.5 Whenever counsel performs any act in a personal capacity, which is ostensibly of a professional nature, counsel shall not permit any confusion to exist on the part of any interested person about whether counsel acts in a personal or professional role or both.

22.6 Whenever a client charged with an offence confesses at any time to counsel that the client is guilty of the offence, counsel must at once explain to that client that the future conduct of the matter shall be subject to these strictures:

22.6.1 counsel shall not assert or imply any fact, or permit the assertion or implication of any fact, which counsel knows to be untrue, nor shall counsel connive to substantiate a falsehood;

22.6.2 counsel shall not put forward any affirmative case inconsistent with the confession of the client;

22.6.3 counsel may argue that the evidence adduced to support the charge is insufficient to justify a conviction;

22.6.4 counsel may invoke or assert any point of law that might be of advantage to a resistance to a conviction;

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22.6.5 the client may choose to retain counsel on the basis set out or choose to relieve counsel of the brief.

22.7 Counsel shall, when a client gives conflicting instructions, or attempts to retract earlier instructions, withdraw from the matter if continuing to act for the client would cause unavoidable embarrassment to counsel.

22.8 Counsel shall in the composition of pleadings and of affidavits rely upon the facts given to counsel by the instructing attorney or client and in so doing:

22.8.1 shall not gratuitously disparage, defame or otherwise use invective;

22.8.2 shall not recklessly make averments or allegations unsubstantiated by the information given to counsel.

22.9 Counsel who is briefed to prepare a document articulating the reasons relied upon by any entity or person whose decision is being reviewed or subjected to administrative appeal, must scrupulously express the reasons, as instructed, and must not distort their meaning by the manner of formulation or by the addition or subtraction of additional material.

22.10 Counsel shall, in giving any advice about the prospects of success in any matter, give a true account of counsel's opinion and shall not pander to a client's whims or desires. However, in any matter in which counsel's opinion is adverse to the prospects of success, counsel may upon client's insistence place before a court the client's case for the adjudicating officer to decide the matter and counsel shall advance that case as best as the circumstances allow.

22.11 Counsel shall not abuse their positions of influence over clients by undue pressure upon them to:

22.11.1 plead guilty or plead guilty to a lesser charge;

22.11.2 accept a settlement of a matter.

### 23. Advertising of counsel's services

Counsel may publish information about the professional work which they undertake and the areas of practice in which they profess a preference to practise or any specialised expertise. In this regard, any representation made by counsel, whether individually or in conjunction with other counsel, shall not compare any one or more

counsel with any one or more other counsel, or be boastful, false, deceptive, sensationalist or vulgar or give rise to a risk that the profession of advocacy might be brought into disrepute or ridicule.

#### 24. **Continuing legal education**

Counsel shall take reasonable steps to keep abreast of legal developments in the areas of practice in which they profess to practise, on their own initiative and by participation in the programmes that are organised and accredited by the Council or any other organ of the legal profession.

#### 25. **Counsel's fees**

##### **The norm of the reasonable fee**

25.1 Counsel shall, in calculating a fee for services rendered or to be rendered, be mindful that the profession of advocacy is primarily vocational and exists to serve the public interest, and accordingly, shall charge only reasonable fees for all work undertaken.

25.2 Counsel shall calculate a reasonable fee by having regard to the following factors, none of which is determinative and all of which are simply guides to a fair calculation:

25.2.1 the time and labour required;

25.2.2 the customary charges by counsel of comparable standing for similar services;

25.2.3 the novelty and difficulty of the issues involved;

25.2.4 the skill and expertise required to properly address the matter;

25.2.5 the amount at stake in the matter;

25.2.6 the importance of the matter to the client.

25.3 Counsel shall, in calculating a fee, guard against both overvaluing and undervaluing the services to be rendered.

25.4 Counsel shall not, in calculating a fee, inflate the amount because the client is able to pay generously.

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25.5 Counsel may, in calculating a fee, on the grounds of a client's lack of means to pay fees, charge the client an amount less than would otherwise be reasonable for the services rendered, or charge no fee at all.

**26. Agreements about fees**

26.1 If an attorney offers a brief to counsel which is already marked with a fee, counsel upon acceptance of the brief tacitly agrees to that fee; if counsel chooses to refuse the brief on those terms, counsel and the instructing attorney must expressly agree in writing or by email to a different fee, otherwise, if counsel performs the work mandated by the brief, the initial marked fee shall bind counsel.

26.2 Counsel shall, at the time of accepting a brief, stipulate to the instructing attorney the fee that will be charged for the service or the daily or hourly rate that shall be applied to computing a fee.

26.3 Counsel shall, in respect of every brief, expressly agree with the instructing attorney the fee or the rate of fees to be charged, unless there is a tacit understanding between counsel and the instructing attorney about the fees or the rate of fees usually charged by counsel for the particular kind of work mandated by the brief.

26.4 Counsel who is briefed under circumstances of urgency which are such that an agreement on the fees or the rate of the fees to be charged cannot reasonably be concluded immediately when the brief is offered, must take reasonable steps to agree a fee as soon as possible thereafter.

26.5 If for any reason, despite reasonable steps by counsel to reach an agreement about the amount or the rate of fees, no agreement is achieved, counsel shall be entitled to decline the brief.

26.6 The following standard terms, which counsel must draw to the attention of the instructing attorney, shall be implied in a brief offered to and accepted by counsel:

26.6.1 no amount agreed upon shall exceed a reasonable fee;

26.6.2 counsel may charge a reasonable fee for a reserved hearing date unless the instructing attorney releases counsel on reasonable notice;

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26.6.3 counsel who charges a fee for a reserved hearing date shall deliver to the instructing attorney a certificate to the effect that counsel did not undertake any other brief for a hearing for the reserved date.

26.7 Counsel may expressly, in writing or in an email, conclude an agreement with an instructing attorney which includes provision for any or all of the following:

26.7.1 that the fees, or a specified amount as cover for counsel's fees, must be paid to the instructing attorney prior to the performance of any obligation in terms of the brief and that the attorney will hold the money in trust for payment of counsel's fees subject to counsel performing the brief;

26.7.2 that a special collapse fee shall be payable to counsel in the event that proceedings in a court or before a tribunal, for which counsel has, at the request of the instructing attorney, reserved a number of days, not proceed as envisaged, whether as a result of the matter being settled, postponed by agreement between the parties or by an order of court, or concludes earlier than the end of the period reserved by counsel, provided that the fee actually charged is a reasonable fee.

## 27. Pro bono briefs

27.1 Counsel who accept *pro bono* briefs shall not, after acceptance, seek to charge a fee except as may be permissible under section 92 of the Act.

27.2 Counsel who appear in proceedings *pro bono* shall disclose that fact to all interested parties and to the court.

## 28. Contingency fee agreements

Counsel may accept briefs on contingency provided that the provisions of the Contingency Fees Act 66 of 1997 are strictly adhered to.

## 29. Prohibited terms in contingency fee agreements

Council are prohibited from concluding a fee agreement on any of the following terms:

29.1 Counsel shall not agree to charge on results or agree to reduce or waive fees if a positive result is not achieved, except in a matter taken on contingency in terms of the Contingency Fees Act 66 of 1997 and/or save as contemplated in section 92 of the Act;

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29.2 Counsel shall not agree to charge a fee as allowed on taxation except in a matter undertaken on contingency, as permitted in terms of section 92 of the Act..

### 30. **Acceptance of gifts by counsel**

30.1 Counsel shall guard against compromising their independence by the acceptance of gifts from a client or an attorney, and whenever it is not inappropriate to accept a gift from a client it shall be received by counsel through the agency of the instructing attorney.

30.2 Counsel may accept a gift of substantial value which is or may be considered to be in consideration of services rendered.

30.3 Counsel may, whenever gifts of substantial value are offered, seek advice from the Council or the authorised sub-structure about the appropriateness of acceptance, before acceptance of the gift.

### 31. **Marking briefs and submitting fees accounts**

31.1 Counsel shall mark a fee as soon as practicable after the specific service has been rendered and shall render an account monthly of all fees owing by every debtor.

31.2 Counsel shall render accounts to the instructing attorney, or accredited entity as contemplated in paragraph 19.3 of this code, and shall receive payment only from the instructing attorney or accredited entity.

31.3 Counsel shall not submit an account directly to a client except by agreement with the instructing attorney and client and on condition that the same account is simultaneously submitted to the instructing attorney, nor receive payment directly from a client.

31.4 Counsel shall maintain a banking account into which every fee received shall be deposited.

31.5 Counsel shall keep and preserve records of account, in either physical or electronic format, up to date, for five years or for such longer period as may be required by any law, and hold them available for inspection by the Council at all times. Such records of account shall accurately record every fee marked, the instructing attorneys or other accredited entities who gave the briefs, the nature

of the service rendered, the dates of performance, and every payment received.

31.6 Counsel shall not mark a brief, or in any form record a description of fees in any record of account, which is false or misleading as to the true nature of the brief or of the services rendered; in particular:

31.6.1 a brief to settle an agreement to resolve litigation shall not be recorded as a brief on trial;

31.6.2 a brief to negotiate a settlement shall not be recorded as a brief on trial.

### 32. Recovery by counsel of fees owing and payable

32.1 Counsel may sue an attorney or other accredited entity for fees due and payable to him or her if –

32.1.1 the debtor attorney or accredited entity has not paid the fees to counsel, and

32.1.2 the debtor attorney or accredited entity has not obtained a deferral of time from counsel to pay the fees.

32.2 Counsel may conclude agreements to factor their fees, provided this code of conduct is not compromised and the factoring house is fully informed that any agreement concluded by counsel remains subject to this code.

### 33. Disputes About Fees

33.1 Any disputes about the quantum or rate of fees charged by counsel or about work done by and value received from counsel shall be subjected to a fees enquiry to be conducted by an authorised sub-structure of the Council.

33.2 An onus shall rest on counsel to justify the reasonableness of fees charged and that work charged for was done and was reasonably necessary to do or was done at the request of the instructing attorney or the client.

### 34. Appropriate dress

Counsel shall dress appropriately when rendering services to or on behalf of a client.

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### 35. Applications For Silk

Applications for silk shall be dealt with in accordance with a procedure to be prescribed by the Council.

## PART V

### Conduct of advocates contemplated in section 34(2)(a)(ii) of the Act

#### 36. Preamble

36.1 The rules of conduct in Part V of this code of conduct are applicable to, and binding upon, every person who has been admitted and enrolled to practice as an advocate in South Africa in terms of section 34(2)(a)(ii) of the Act, called in Part V of this code "a trust account advocate".

36.2 The provisions of paragraphs 12.9, 12.10, 12.12, 12.14, 12.16 and 12.17 which apply to the attorneys, and paragraphs 14.2 to 14.9 inclusive, which apply to counsel, will apply, with the necessary changes required by the context, to trust account advocates.

36.3 For purposes of this Part V a reference to a trust account advocate accepting a brief shall include his or her accepting an instruction directly from a member of the public or from a justice centre.

#### 37. Nature of work undertaken by trust account advocates

##### General Work

37.1 The provisions of paragraph 15.1 and 15.2 of this code apply, with the necessary changes required by the context, to trust account advocates.

37.2 A trust account advocate shall comply with the requirement to be in possession of a Fidelity Fund certificate and shall conduct his or her practice in accordance with the relevant provisions of chapter 7 of the Act and the rules relating to the opening and keeping of trust accounts and the handling of trust monies.

**Trust account advocates as prosecutors for the State**

- 37.3 The provisions of paragraph 15.3 of this code apply, with the necessary changes required by the context, to trust account advocates.

**Acting judicial appointments**

- 37.4 The provisions of paragraph 15.4 of this code apply, with the necessary changes required by the context, to trust account advocates.

**38. Trust account advocate's commitment to the practice of advocacy**

The provisions of paragraph 16 of this code apply, with the necessary changes required by the context, to trust account advocates.

**39. Independence of trust account advocates**

- 39.1 The provisions of paragraph 17.1, 17.2, 17.7 and 17.8 of this code apply, with the necessary changes required by the context, to trust account advocates.
- 39.2 A trust account advocate shall upon acceptance of a brief, whether from an instructing attorney or from a client directly, exercise personal judgment over all aspects of the brief and shall not permit any person to dictate how the matter is to be conducted. If the decisions made or advice given by the trust account advocate are not acceptable to the instructing attorney or to the client, the trust account advocate must offer to surrender the brief, and if the instructing attorney or the client elects to accept the surrender, the trust account advocate must forthwith withdraw.
- 39.3 A trust account advocate shall not appear in any superior court in the absence of his or her instructing attorney or instructing attorney's candidate attorney, or the client where the trust account advocate has taken an instruction directly from a member of the public, save as provided below.
- 39.4 A trust account advocate may, when appearing in a matter before any court or tribunal of any kind, appear unaccompanied by the instructing attorney or the instructing attorney's representative, or the client where the trust account advocate has been instructed directly by a member of the public, provided that the trust account advocate is able to remain in contact with the instructing attorney (or where the trust account advocate has been instructed directly by a member of the public, the client at all times.

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39.5 The trust account advocate shall not bring about a binding settlement of any matter without an express and specific mandate by the instructing attorney or by the client, as the case may be, as to the terms and conditions of an agreement of settlement.

40. **Acceptance of briefs and instructions and the cab-rank rule**

40.1 The provisions of paragraphs 18.1, 18.2, 18.3, 18.8, 18.9 and 18.10 of this code apply, with the necessary changes required by the context, to trust account advocates.

40.2 A trust account advocate may decline offers of briefs in matters in which the trust account advocate believes he or she is not competent to render professional services at the appropriate standard reasonably expected of a trust account advocate in such matters or to discharge his or her duty of diligence, and when declining such offers the trust account advocate must disclose those reasons to the instructing attorney, or to the client where the trust account advocate has accepted an instruction directly from a member of the public.

40.3 A trust account advocate may decline the offer of a brief if agreement between him or her and the instructing attorney or the client (where the trust account advocate has been approached directly by a member of the public) cannot be reached on a fee to be charged in the matter; provided that the fee proposed by the trust account advocate must satisfy the norm of the reasonable fee, as dealt with in paragraph 25 of this code.

40.4 A trust account advocate shall, once he or she is alerted to the fact that the court or other adjudicative body is to be presided over by a member of his or her family or other person with a close personal relationship with him or her, disclose that fact to the instructing attorney, or to the client (where the trust account advocate has received an instruction directly from a member of the public), and to opposing counsel.

40.5 A trust account advocate shall, once he or she is alerted to the fact that a family member or other person with a close personal relationship to him or her is opposing counsel or is an attorney in the opposing party's attorneys' firm, notify the instructing attorney or the client (where the instruction has come directly from a member of the public) of such relationship.

**41. Acceptance of briefs and instructions**

- 41.1 A trust account advocate shall perform legal professional services in court-craft and knowledge of the law only upon the offer and acceptance of a brief.
- 41.2 A trust account advocate may accept a brief from an attorney or from a member of the public or from a justice centre.
- 41.3 Where a trust account advocate accepts a brief from an attorney or from an accredited entity as contemplated in paragraph 19.3, the trust account advocate shall receive deposits and payment of accounts only from or through the instructing attorney or from or through the accredited entity which gave the brief to him or her, except where the attorney or accredited entity, for reasons of insolvency or for any other reason, is unable to pay, in which circumstances, with leave from the authorised sub-structure of the Council, a trust account advocate may receive payments due from another source in discharge of the indebtedness of the attorney or accredited entity.
- 41.4 Where a trust account advocate receives instructions directly from a member of the public or from a justice centre, he or she may receive fees from that member of the public or justice centre or from any other source, subject to his or her complying with chapter 7 of the Act.

**42. Acceptance of briefs: implied undertaking of diligence**

- 42.1 The provisions of paragraphs 20.1, 20.4, 20.5, 20.6, 20.8, 20.9, 20.10, 20.11, 20.12 and 20.13 of this code apply, with the necessary changes required by the context, to trust account advocates.
- 42.2 A trust account advocate shall, upon accepting a brief, not resile from the undertaking to fulfil the brief in order to attend to another brief offered later, except for good cause, which shall be deemed to be present under either of the following circumstances -
- 42.2.1 the interest of justice would otherwise be impaired;
- 42.2.2 the instructing attorneys or the instructing clients of both the initially offered brief and of the later offered brief agree in writing to release the trust account advocate from the initially offered brief.

42.3 A trust account advocate shall not pass on a brief to another advocate except on the express prior agreement of the instructing attorney or of the client where the trust account advocate has been instructed directly by the client.

42.4 If, after a trust account advocate has accepted a brief in any matter, any circumstances arise that imperil the proper discharge of his or her duty of diligence, he or she shall, once such eventuality is apparent, especially in respect of trial briefs, report such circumstances to the instructing attorney or to the instructing client, as the case may be, to facilitate timeous steps to inhibit prejudice to the client and facilitate a successor to be briefed in time to take over the brief.

**43. Acceptance of briefs: legal aid cases**

The provisions of paragraph 21 of this code apply, with the necessary changes required by the context, to trust account advocates.

**44. Integrity in performance of professional services**

The provisions of paragraph 22 of this code apply, with the necessary changes required by the context, to trust account advocates.

**45. Advertising of services of trust account advocates**

The provisions of paragraphs 4.2, 4.3, 4.4, 5.1, 12.21 and 23 of this code apply, with the necessary changes required by the context, to trust account advocates.

**46. Continuing legal education**

The provisions of paragraph 24 of this code apply, with the necessary changes required by the context, to trust account advocates.

**47. Advocate's fees: The norm of the reasonable fee**

The provisions of paragraph 25 of this code apply, with the necessary changes required by the context, to trust account advocates.

**48. Agreements about fees**

48.1 The provisions of paragraph 26.1, 26.4 and 26.5 of this code apply, with the necessary changes required by the context, to trust account advocates.

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- 48.2 A trust account advocate shall at the time of accepting a brief or an instruction, stipulate to the instructing attorney or to the client, as the case may be, the fee that will be charged for the service or the daily or hourly rate that will be applied to computing a fee.
- 48.3 A trust account advocate shall, in respect of every brief, expressly agree with the instructing attorney (or with the client, where the trust account advocate is instructed directly) the fee or the rate of fees to be charged, unless there is a tacit understanding between the trust account advocate and the instructing attorney or the client, as the case may be, about the fees or the rate of fees usually charged by the trust account advocate for the particular kind of work mandated by the brief or instruction.
- 48.4 The following standard terms, which the trust account advocate must draw to the attention of the instructing attorney, shall be implied in a brief or instruction offered to and accepted by the trust account advocate:
- 48.4.1 no amount agreed upon shall exceed a reasonable fee;
- 48.4.2 the trust account advocate may charge a reasonable fee for a reserved hearing date unless the instructing attorney or the client, as the case may be, releases the trust account advocate on reasonable notice;
- 48.4.3 a trust account advocate who charges a fee for a reserved hearing date shall deliver to the instructing attorney or to the client, as the case may be, a certificate to the effect that the trust account advocate did not undertake any other brief for a hearing for the reserved date.
- 48.5 A trust account advocate may expressly, in writing or in an email, conclude an agreement with an instructing attorney, or with a client, as the case may be, which includes a provision for any or all of the following:
- 48.5.1 that payment of fees or a specified amount as cover for the fees must be made prior to the performance of any obligation in terms of the brief; provided that in such a case the payment shall be held in a trust account in accordance with chapter 7 of the Act and the accounting rules applicable to a trust account advocate;
- 48.5.2 that a special collapse fee shall be payable to the trust account advocate in the event that proceedings in a court or before a tribunal, for which the trust account advocate has, at the request of the instructing attorney or

the client, reserved a number of dates, not proceed as envisaged, whether as a result of the matter being settled, postponed by agreement between the parties or by a court order, or concludes earlier than the end of the period reserved by the trust account advocate, provided that the fee actually charged is a reasonable fee.

**49. Pro bono instructions**

Paragraphs 27.1 and 27.2 of this code apply, with the necessary changes required by the context, to trust account advocates.

**50. Contingency fee agreements**

The provisions of paragraph 28 of this code apply, with the necessary changes required by the context, to trust account advocates.

**51. Prohibited terms in contingency fee agreements**

The provisions of paragraph 29 of this code apply, with the necessary changes required by the context, to trust account advocates.

**52. Acceptance of gifts by advocates**

52.1 Trust account advocates shall guard against compromising their independence by the acceptance of gifts from a client or an attorney, and whenever it is not inappropriate to accept a gift from a client it shall be received by the advocate through the agency of the instructing attorney, where the advocate is briefed by an attorney.

52.2 The provisions of paragraphs 30.2 and 30.3 of this code apply, with the necessary changes required by the context, to trust account advocates.

**53. Marking briefs and submitting fees accounts**

53.1 The provisions of paragraphs 31.1, 31.4, 31.5, 31.6 and 31.7 of this code apply, with the necessary changes required by the context, to trust account advocates.

53.2 A trust account advocate shall render accounts to the instructing attorney or accredited entity and shall receive payment only from the instructing attorney or accredited entity. Where a trust account advocate receives an instruction directly from a member of the public or from a justice centre accounts shall be

rendered to the client directly, and payment may be received from a client or from a third party.

53.3 A trust account advocate shall not submit an account directly to a client nor receive payment directly from a client where the trust account advocate has been instructed by an attorney.

53.4 A trust account advocate shall maintain banking accounts in accordance with chapter 7 of the Act and the accounting rules applicable to trust account advocates, and shall cause payments in respect of accounts to be paid into the appropriate banking account in accordance with chapter 7 of the Act and the accounting rules.

#### 54. **Recovery by trust account advocates of fees owing and payable**

54.1 The provisions of paragraph 32.1 of this code apply, with the necessary changes required by the context, to trust account advocates in respect of accounts owing arising from briefs from attorneys.

54.2 A trust account advocate acting in terms of an instruction received directly from a member of the public or from a justice centre shall be entitled to recover directly from the client any accounts owing and payable by that client.

54.3 A trust account advocate may conclude an agreement to factor his or her fees, provided this code is not compromised and the factoring house is fully informed that any agreement concluded by a trust account advocate remains subject to this code.

#### 55. **Disputes about fees**

The provisions of paragraph 34 of this code apply, with the necessary changes required by the context, to trust account advocates.

#### 56. **Professional etiquette**

The provisions of paragraph 66 of this code apply, with the necessary changes required by the context, to trust account advocates.

#### 57. **Applications for Silk**

The provisions of paragraph 35 of this code apply, with the necessary changes required by the context, to trust account advocates.

## **PART VI**

### **Conduct of legal practitioners and candidate legal practitioners in relation to appearances in court and before tribunals.**

#### **58. Preamble**

58.1 Unless otherwise stated or unless the context dictates otherwise, Part VI of this code applies to all legal practitioners and candidate legal practitioners in relation to appearances in any court in which they have the right of appearance or before any tribunal which performs a judicial, quasi-judicial or administrative function.

58.2 If Part VI of this code conflicts with any of the other provisions of this code then those other provisions will prevail and take precedence over the provisions of Part VI.

#### **59. Interviewing of Witnesses**

##### **General**

59.1 A legal practitioner shall ordinarily interview clients and witnesses in the presence of the instructing attorney or other representative of the instructing attorney (where an instructing attorney has been appointed).

59.2 In certain circumstances, a legal practitioner who is an advocate as contemplated in section 34(2)(a)(i) of the Act may interview a witness in the absence of the instructing attorney or other representative of the instructing attorney in instances ;

59.2.1 when the matter is undertaken on brief from Legal Aid South Africa or a law clinic;

59.2.2 when there is a need to interview a witness and the instructing attorney cannot reasonably attend;

59.2.3 when the legal practitioner is at court or before the tribunal with the client and the instructing attorney is absent.

59.2.4 when the instructing attorney gives permission

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- 59.3 A legal practitioner shall ordinarily interview witnesses whose credibility might be in issue separately from other witnesses whose credibility might not be in issue.
- 59.4 Unless a legal practitioner intends to present evidence by way of affidavit to a court or a tribunal, the written statements made by witnesses in an interview with the legal practitioner or written statements made by witnesses that are given to the legal practitioner by the instructing attorney (where applicable) may not be obtained on affidavit.
- 59.5 Once a legal practitioner has called a witness to testify, the legal practitioner shall not again interview that witness until after cross examination and re-examination, if any, have been completed, unless circumstances arise that make such an interview necessary. When a proper case for such a necessary interview exists, the legal practitioner shall prior to any interview inform the opposing legal practitioner of such need and unless the opposing legal practitioner consents, no such interview shall be held unless the court or tribunal grants permission to do so.

#### **Interviewing of witnesses of the opposing party in civil proceedings**

- 59.6 A legal practitioner shall not be prevented from interviewing any person, at any time before or during any trial, from whom it is believed useful information may be obtained, and in particular, it shall not be a reason to prevent such an interview that the opposing party has -
- 59.6.1 subpoenaed or contemplates subpoenaing that person;
- 59.6.2 already interviewed or has arranged to interview that person.
- 59.7 Whenever, after the commencement of a case, a legal practitioner has reason to suspect that a person with whom an interview is then sought may have been in touch with the opposing party with a view to testifying, the legal practitioner shall, either before or at the outset of an interview, or if the suspicion arises only during the interview, once the suspicion arises, ascertain if that person has been in touch with the opposing party and whether such person has been subpoenaed or is likely to be subpoenaed by the opposing party or has already been interviewed or an interview has been arranged with the opposing party, and if informed that any of these steps have been taken by the opposing party, the legal practitioner shall at once notify the opposing party of the intention to

interview that person, and shall not commence or continue with an interview until such notification has been received by the opposing party, and thereafter the interview may take place in the absence of any representative of the opposing party.

- 59.8 Whenever a legal practitioner arranges to interview a person who has already testified for the opposing party, before such interview may be conducted, the legal practitioner must invite the opposing party to attend the interview, on reasonable notice. However, regardless of the presence or absence of the opposing party, the interview may be conducted as arranged in the notification.

#### **Interviewing of prosecution witnesses by defence legal practitioner**

- 59.9 A legal practitioner shall, except as provided hereafter, when conducting criminal defences, take reasonable steps to prevent inadvertent contact with any person who is, or is likely to be, a state witness, for as long as that person is or is likely to be a state witness, and whenever the legal practitioner proposes to interview any person he or she shall ascertain whether such person is a state witness before conducting the interview.

- 59.10 A legal practitioner may interview a state witness if the prosecution consents, or, failing such consent, if a court grants permission to do so, and if permission is subject to conditions, in strict accordance with those conditions.

- 59.11 For the purposes of these rules of conduct, a state witness in relation to a particular charge includes anyone from whom a statement has been taken by the South African Police Service about a crime or alleged crime, regardless of whether the prosecution is committed to calling such person or not, and anyone who has already testified for the state.

#### **60. The scope and limits of legitimate cross-examination**

- 60.1 A legal practitioner shall cross-examine a witness with due regard to the right to dignity of the witness.

- 60.2 A legal practitioner shall guard against being influenced by any person to become a channel for the infliction of gratuitous embarrassment, insult or annoyance of a witness, and shall retain personal control over what is asked or put in cross-examination by exercising personal judgment about the propriety of all and any imputations.

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- 60.3 A legal practitioner shall not put to a witness an allegation of fact if the legal practitioner has no reasonable expectation that admissible evidence, whether oral or otherwise, is available to be adduced to substantiate the allegation of fact.
- 60.4 A legal practitioner shall not impugn the character of a witness unless he or she has good grounds to do so. In this regard, good grounds are deemed to be present if -
- 60.4.1 the instructing attorney (if one is appointed) informs the legal practitioner that the attorney is satisfied that the imputation is well founded and true. However, a mere instruction to put an imputation shall be inadequate;
- 60.4.2 if the source of the imputation is the statement of any person other than the instructing attorney, and the legal practitioner ascertains from that person, or any other source, reliable information or reasons to believe that the statement is well-founded or true.
- 60.5 Regardless of whether the imputations about the witness are well-founded or true, the legal practitioner shall not put such imputations to a witness unless the answers that might be given could reasonably be believed to be material to the credibility of that witness or to be material to any issue in the case.
- 60.6 A legal practitioner shall not, in the conduct of a criminal defence, recklessly attribute to, or accuse, a witness or other person of the crime with which the client is being tried. Such an attribution or accusation may be made only if the facts adduced, or to be adduced, in evidence, and the circumstances which the evidence suggest, afford a reasonable basis from which rational inferences may be drawn to justify at least a reasonable suspicion that the crime might have been committed by that witness or other person.

#### **61. Disclosures and non-disclosures by legal practitioner**

- 61.1 A legal practitioner shall take all reasonable steps to avoid, directly or indirectly, misleading a court or a tribunal on any matter of fact or question of law. In particular, a legal practitioner shall not mislead a court or a tribunal in respect of what is in papers before the court or tribunal, including any transcript of evidence.

- 61.2 A legal practitioner shall scrupulously preserve the personal and confidential information of a client communicated to him or her, unless the information is not privileged and disclosure is required by law.
- 61.3 A legal practitioner shall not waive or purport to waive privilege in respect of privileged information; the decision to waive professional privilege is that of the client, not of the legal practitioner.
- 61.4 A legal practitioner shall, in any ex parte proceedings, disclose to a court every fact (save those covered by professional privilege or client confidentiality) known to the legal practitioner that might reasonably have a material bearing on the decision the court is required to make.
- 61.5 A legal practitioner shall, in all proceedings, disclose to a court or a tribunal all relevant authorities of which the legal practitioner is aware that might reasonably have a material bearing on the decision the court or tribunal is required to make.
- 61.6 A legal practitioner shall, if the interests of justice require the disclosure to a court or tribunal of information covered by professional privilege, seek from the instructing attorney (where one is appointed) and the client permission to make the disclosure, and if permission is withheld, the legal practitioner shall scrupulously avoid any insinuation in any remarks made to a court or tribunal that all information that would serve the interests of justice has been disclosed.
- 61.7 A legal practitioner shall not, in the event of being obliged to withdraw from representing a client in any proceedings, offer an explanation that would disclose the client's confidential or privileged information.
- 61.8 A legal practitioner shall, if a draft order is presented to a court that deviates in any respect from standard form orders routinely made in that court, expressly draw such deviations to the attention of the court and offer a justification for such deviations.
- 61.9 A legal practitioner shall not rely on any statement made in evidence which he or she knows to be incorrect or false.
- 61.10 A legal practitioner shall not make use of any privileged information of the opposing party that has accidentally or unlawfully come into the possession of the legal practitioner, and shall at once he or she has knowledge of such circumstances, notify the legal representatives for the opposing party.

However, if such information subsequently becomes available to the legal practitioner through lawful means, he or she shall not be inhibited from making use thereof.

## 62. Conflicts of interests involving legal practitioners

62.1 A legal practitioner shall guard against becoming personally, as distinct from professionally, associated with the interests of the client.

62.2 A legal practitioner shall not stand bail for the client.

62.3 A legal practitioner shall not accept a brief to appear before any court, council, board or other adjudicative tribunal, and whether statutory or voluntary in nature, if the legal practitioner is contemporaneously a member of that court, council, board or adjudicative tribunal, whether by election or appointment, and whether such membership is permanent, temporary or in an acting capacity.

62.4 A legal practitioner shall not be obliged to accept a brief if he or she has previously accepted a brief to advise another interested party about the matter. The legal practitioner must refuse such a brief if any confidential information having any bearing on the matter had been received by him or her with the earlier brief or a reasonable belief might exist that the client in the earlier brief might be prejudiced by such acceptance.

62.5 A legal practitioner may accept a brief to argue a case for a party despite having earlier given an opinion on the issues to the opposing party, provided that -

62.5.1 no information had been received by the legal practitioner for the purpose of giving the opinion about which a reasonable belief might exist that the client in the earlier brief might be prejudiced by acceptance of the later brief; and

62.5.2 the attorneys for both parties (where appointed) agree to the offer of the later brief before an acceptance.

62.6 A legal practitioner may not accept a brief on appeal if the legal practitioner has accepted a brief for the opposing party at any stage of the proceedings.

62.7 A legal practitioner who has presided at an enquiry in terms of the company laws shall not at any time accept a brief to act in any capacity for any interested

party in any subsequent proceedings related in any way to the subject matter of the enquiry.

62.8 A legal practitioner who has accepted a brief for a liquidator shall not at any time accept a brief to act in any capacity for any interested party in subsequent proceedings.

62.9 A legal practitioner shall not accept a brief if he or she has any form of relationship, including a family relationship, with the client or an opposing party which compromises, or which might reasonably be expected to compromise, the legal practitioner's independence.

62.10 A legal practitioner shall not accept a brief where a position or office previously occupied by him or her with a client or with an opposing party compromises, or might reasonably be expected to compromise, his or her independence.

62.11 A legal practitioner shall not accept a brief on behalf of a provincial or municipal council of which he or she is a member.

62.12 An advocate who was previously an attorney acting for the client in a matter should not accept a brief as a legal practitioner in the same matter where the advocate's former capacity, the extent of control and direction exercised by him or her as an attorney, or his or her established relationship as attorney with the client is likely to compromise the expectation that the advocate's advice about the conduct of the matter will be independent.

### 63. Conflicts of interest among clients of legal practitioners

63.1 A legal practitioner shall, when acting for two or more clients, be aware of the risk of a conflict of interests existing or arising in the course of the proceedings, whether criminal or civil, and once the legal practitioner is alerted to the existence of a conflict he or she shall withdraw from acting for one or all clients in those proceedings as soon as possible, and in particular -

63.1.1 if the legal practitioner has become aware of privileged or confidential information of any one client relevant to the proceedings that could be used to the prejudice of any other client, the legal practitioner may not act in any proceedings in which the prejudiced client is a party;

63.1.2 if the legal practitioner learns of a conflict of interest among clients at a time and under circumstances where the legal practitioner is not made

aware of any privileged information, the legal practitioner may continue to act for one or other client as nominated by the instructing attorney (where one is appointed).

- 63.2 A legal practitioner may act for two or more adversaries in drawing a settlement agreement to capture their agreement, but must advise the parties of their rights to independent legal advice. Moreover, in any matter involving a settlement of a matrimonial dispute or a matter involving the regulation of care and residence of children, the legal practitioner shall take active steps to ensure that all aspects of any contemplated settlement is equitable to all parties and in the best interests of the children.

#### 64. **Commitment of legal practitioner to an effective court process**

- 64.1 A legal practitioner shall not abuse or permit abuse of the process of court or tribunal and shall act in a manner that shall promote and advance efficacy of the legal process.
- 64.2 A legal practitioner shall not deliberately protract the duration of a case before a court or tribunal.
- 64.3 A legal practitioner shall take all reasonable steps to arrive promptly in a court or tribunal where the legal practitioner is expected to appear, and shall in this regard take reasonable steps to allow for habitual events that might inhibit prompt arrival.
- 64.4 A legal practitioner who is expected to appear in a court or before a tribunal at a given time shall honour that commitment and shall organise other commitments to prevent interference with the scheduled court hearings. In particular, the legal practitioner shall not endeavour to seek or arrange a postponement of the matter or a change to a different time to suit his or her convenience, except when the instructing attorney (where appointed) and the client, having been fully and accurately informed of the reasons relied upon by the legal practitioner, have agreed, and
- 64.4.1 when an opposing party is affected, the opposition legal representatives, if any, having been fully and accurately informed, have agreed, and
- 64.4.2 the business of the court or tribunal is not materially compromised.

**65. Public comment by legal practitioner**

- 65.1 A legal practitioner shall not comment publicly nor publish any opinions about matters which are before a court or other tribunal in which the litigation process is incomplete, except for the purposes of guiding public understanding of the issues that have arisen or may arise in the course of such proceedings.
- 65.2 A legal practitioner may publicly express opinions about any question of law or prospective law provided that the opinion is not likely to be construed as pre-judging an actual case before the courts or any tribunal at that time.

**66. Professional etiquette**

- 66.1 Legal practitioners shall, upon a first appearance before a judicial officer, approach the registrar of the judicial officer (if the judicial officer is a judge), or the equivalent official in any other court, before the hearing in order to present themselves to the judicial officer; the rule is applicable to acting judges as well, and any prior professional or personal acquaintance with the acting judge is irrelevant.
- 66.2 At the trial court roll call, in the motion courts and in the divorce courts, legal practitioners shall seat themselves from the front row with regard to seniority.
- 66.3 Legal practitioners shall deal with the judicial officer, court staff and all other persons in court with civility and respect.
- 66.4 A legal practitioner shall, on the completion of his or her matter, remain in the courtroom until the legal practitioner in the next matter has risen, or if the legal practitioner is the last legal practitioner in court, until the court has risen.
- 66.5 A legal practitioner shall not, when briefed in an opposed matter, approach a judicial officer in the absence of the opposing legal practitioner, unless the opposing legal practitioner has expressly agreed thereto.
- 66.6 Legal practitioners shall not allow any ill-feeling between litigants or legal practitioners to interfere with the civil and professional conduct of the matter.
- 66.7 Legal practitioners shall not indulge in personal remarks about opposing legal practitioners or witnesses, whether in court or out of court, and shall not allow any antipathy that might exist between the legal practitioner and the opposing legal practitioners personally to intrude upon the conduct of the matter.

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- 66.8 After a hearing when judgment is awaited, a legal practitioner shall not place before, or try to send to, a judicial officer any further material of whatever nature, except by agreement among representatives of all parties; provided that, if consent is unreasonably withheld, the placing of such further material may, in an appropriate case, be the subject matter of an application to re-open the hearing to receive it or, if the further material consists only of references to authorities which might offer assistance to deciding a question, a legal practitioner may address a request in writing to the judge's registrar or equivalent court official to approach the judicial officer with an invitation to receive the references.
- 66.9 A legal practitioner shall not deliberately seek to catch an opposing legal practitioner off-guard. Accordingly -
- 66.9.1 whenever a legal practitioner has prepared heads of argument, other than when compelled to do so in terms of the rules of conduct of court, he or she shall not later than the time when the heads are presented to a court also give the opposing legal practitioner an identical set of such heads;
- 66.9.2 whenever a legal practitioner gives a bundle of authorities to the court, he or she shall also give at least a list containing the authorities to the opposing legal practitioner;
- 66.9.3 whenever a legal practitioner makes use of a transcript of proceedings, he or she shall give the opposing legal practitioner a copy no later than the first time reference is made to the transcript;
- 66.9.4 whenever a legal practitioner is intent on taking a point of law not evident from the papers, independently of any rule of court that might apply, he or she shall notify the opposing legal practitioner in good time to avoid that opposing legal practitioner being taken unawares;
- 66.9.5 whenever a legal practitioner intends presenting the court with an unreported judgment, he or she shall, in advance of the hearing, notify and give a copy of the judgment to the opposing legal practitioner in good time to avoid the latter being taken unawares.
- 66.10 Legal practitioners who have cause to lodge formal complaints about the conduct of other legal practitioners shall compose a full account of the

circumstances giving rise to the complaint and shall submit the complaint to the authorised sub-structure of the Council.

66.11 Complaints shall be dealt with in accordance with prescribed procedures for the regulation of professional conduct.

**67. Additional provisions relating to legal practitioners**

The provisions of paragraphs 18.6 to 18.10 and 22 shall apply to legal practitioners, with the necessary changes required in the context, as if they were included specifically in this Part.

**PART VII**

**Conduct of legal practitioners not in private practice**

68.1 Unless otherwise stated or unless the context indicates otherwise, Part VII of this code applies only to legal practitioners who are not in private practice and who are employed by an employer for the purpose of providing that employer with a dedicated source of legal services and advice in exchange for a salary or remuneration (all of whom, for purposes of Part VII, and unless the context otherwise requires, being referred to as "corporate counsel"). If Part VII of this code conflicts with the provisions of Part II then the provisions of Part II will prevail and take precedence over the provisions of Part VII.

68.2 Corporate counsel must at all times act in an ethical manner and should, without limiting the general nature of this duty, adhere to the following standards of conduct:

68.2.1 act in a fair, honest and transparent manner, and with dignity and integrity;

68.2.2 remain impartial and objective, and avoid subordination or undue influence of their judgment by others;

68.2.3 give effect to legal and ethical values and requirements, and treat any gap or deficiency in a law, regulation, standard or code in an ethical and responsible manner;

68.2.4 not engage in any act of dishonesty, corruption or bribery;

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- 68.2.5 make disclosure to any relevant party any personal, business or financial interest in his or her employer or its business or in any stakeholder so as to avoid any perceived, real or potential conflict of interest;
- 68.2.6 not knowingly misrepresent or permit misrepresentation of any fact;
- 68.2.7 provide opinions, decisions, advice, legal services or recommendations that are honest and objective.
- 68.3 Corporate counsel must, when providing legal services or advice to his or her employer, be free from any conflict of interest, financial interest or self interest in discharging his or her duty to the employer. Without limiting the generality of this duty, a corporate counsel must -
- 68.3.1 be and appear to be free of any undue influence or self-interest, direct or indirect, which may be regarded as being incompatible with his or her integrity or objectivity;
- 68.3.2 assess every situation for possible conflict of interest or financial interest, and be alert to the possibility of conflicts of interest;
- 68.3.3 immediately declare any conflict of interest or financial interest in a matter, and must recuse himself or herself from any involvement in the matter;
- 68.3.4 be aware of and discourage potential relationships which could give rise to the possibility or appearance of a conflict of interest;
- 68.3.5 not accept any gift, benefit, consideration or compensation that may compromise or may be perceived as compromising his or her independence or judgment.
- 68.4 Corporate counsel must at all times act in a professional manner. Without limiting the generality of this duty corporate counsel must -
- 68.4.1 act with such a degree of skill, care, attention and diligence as may reasonably be expected from a corporate counsel;
- 68.4.2 communicate in an open and transparent manner with his or her employer and with third parties, and not intentionally mislead his or her employer or any third party;

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- 68.4.3 make objective and impartial decisions based on thorough research and on an assessment of the facts and the context of the matter;
- 68.4.4 exercise independent and professional judgment in all dealings with his or her employer and with third parties;
- 68.4.5 remain reasonably abreast of legal developments, applicable laws, regulations, legal theory and the common law, particularly where they apply to his or her employer and the industry within which he or she operates;
- 68.4.6 comply with and observe the letter and the spirit of the law, and in particular those relevant to his or her employer or to the industry in which he or she operates, including internal binding and non-binding codes, principles and standards of conduct;
- 68.4.7 observe and protect confidentiality and privacy of all information made available to him or her and received during the course of performing his or her duties, unless there is a legal obligation to disclose that information;
- 68.4.8 generally act in a manner consistent with the good reputation of legal practitioners and of the legal profession, and refrain from conduct which may harm the public, the legal profession or legal practitioners or which may bring the legal profession or legal practitioners into disrepute.

**STATISTICS SOUTH AFRICA**

**NOTICE 814 OF 2018**

**NOTICE FOR 2018**

**STATISTICS SOUTH AFRICA**

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, Rate (**Base Dec 2017=100**)

**2018:**

Rate: **November 2018 – 5.2**

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 815 OF 2018

STANDARDS ACT, 2008  
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

**SECTION A: DRAFTS FOR COMMENTS**

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SANS 22000 Ed 2	<i>Food safety management systems - Requirements for any organization in the food chain.</i> Specifies requirements for a food safety management system (FSMS).	2019-02-15
SANS 11737-1 Ed 1	<i>Sterilization of health care products. Microbiological methods. Determination of a population of microorganisms on products.</i> Specifies requirements and provides guidance on the enumeration and microbiological characterization of the population of viable microorganisms on or in a healthcare product, component, raw material or device packaging.	2019-02-15

**SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS**

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 449 Ed 4.4	<i>The manufacture of soft drinks and soft drink concentrates.</i>	Amended to update referenced standards, and to update the subclause on microbiological requirements	2019-02-15
SANS 10167 Ed 1.2	<i>The quality evaluation of fusion welded joints in steel structures.</i>	Amended to update the sub-clause on weld metal defects, and the referenced standards.	2019-02-14
SANS 60320-1 Ed 4.1	<i>Appliance couplers for household and similar general purposes - Part 1: General requirements.</i>	Amended to update reference standards, requirements to dimensions and compatibility, temperature rise, cord and anchorage, mechanical strength, resistance to heat and ageing, resistance of insulating material to heat, fire and tracking and an annex on test schedule.	2019-02-18
SANS 1396 Ed 2.2	<i>Wooden scaffold boards.</i>	Amended to move requirements for grading from the introduction to the body of text	2019-02-15
SANS 10061-2 Ed 1.1	<i>The installation of communal and single antennas systems for the reception of television and sound broadcast transmission Part 2: Satellite antenna systems.</i>	Amended to update referenced standards	2019-02-18

**SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS**

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdraw them.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date

**SCHEDULE A.3: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS**

In terms of section 24(5) of the Standards Act, the following documents are being considered for withdrawal.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date

**SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS****SCHEDULE B.1: NEW STANDARDS**

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 60436:2018 Ed 1	<i>Electric dishwashers for household use - Methods for measuring the performance.</i> Applies to electric dishwashers for household use that are supplied with hot and/or cold water.
SANS 61131-2:2018 Ed 2	<i>Programmable controllers Part 2: Equipment requirements and tests.</i> Applies to programmable controllers (PLCs), their associated peripherals, and human machine interfaces (HMIs) which has as their intended use the control and command of machines and industrial processes.
SANS 80079-37:2018 Ed 1	<i>Explosive atmospheres - Part 37: Non-electrical equipment for explosive atmospheres - Non electrical type of protection constructional safety "c", control of ignition source "b", liquid immersion "k".</i> Specifies the requirements for the design and construction of non-electrical equipment, intended for use in explosive atmospheres, protected by the types of protection constructional safety "c", control of ignition source "b" and liquid immersion "k".
SANS 1794-1:2018 Ed 1	<i>Personal protective clothing for hazardous industrial environment (Heat and flame).</i> Specifies requirements for personal protective clothing for hazardous industrial environments where heat or flame (or both) is predominant.
SANS 60099-5:2018 Ed 3	<i>Surge arresters Part 5: Selection and application recommendations.</i> Provides information, guidance and recommendations for the selection and application of surge arresters to be used in three-phase systems with nominal voltages above 1 kV.
SANS 60601-2-10:2018 Ed 2	<i>Medical electrical equipment -Part 2-10: Particular requirements for the basic safety and essential performance of nerve and muscle stimulators.</i> Specifies the requirements for the safety of nerve and muscle stimulators for use in the practice of physical medicine.
SANS 61010-2-101:2018 Ed 2	<i>Safety requirements for electrical equipment for measurement, control and laboratory use Part 2-101: Particular requirements for in vitro diagnostic (IVD) medical equipment.</i> Applies to equipment intended for in vitro diagnostic (IVD) medical purposes, including self-test IVD medical purposes.
SANS 61184:2018 Ed 4	<i>Bayonet lampholders.</i> Applies to bayonet lampholders B15d and B22d for connection of lamps and semi-luminaires to a supply voltage of 250 V.
SANS 61851-1:2018 Ed 2	<i>Electric vehicle conductive charging system Part 1: General requirements.</i> Applies to on-board and off-board equipment for charging electric road vehicles at standard a.c. supply voltages (in accordance with IEC 60038) up to 1 000 V and at d.c. voltages up to 1 500 V.
SANS 62561-2:2018 Ed 2	<i>Lightning protection system components (LPSC) Part 2: Requirements for conductors and earth electrodes.</i> Specifies the requirements and tests for: metallic conductors (other than "natural" conductors) that form part of the air-termination and down-conductor systems, metallic earth electrodes that form part of the earth-termination system.

**SCHEDULE B.2: AMENDED STANDARDS**

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1790-1:2018 Ed 1.2	<i>Low power radio broadcast transmissions Part 1: AM transmissions. Consolidated edition incorporating amendment No. 2.</i> Amended to move reference to a national authority to the foreword.
SANS 1790-2:2018 Ed 1.2	<i>Low power radio broadcast transmissions Part 2: FM transmissions. Consolidated edition incorporating amendment No. 2.</i> Amended to move reference to a national authority to the foreword.

**SCHEDULE B.3: WITHDRAWN STANDARDS**

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title

**SCHEDULE B.4: ESTABLISHMENT OF TECHNICAL COMMITTEES**

In terms of section 4(2) (l) the South African Bureau of Standards has established the following technical committees:

Technical Committee No.:	Title	Scope

**SCHEDULE B.4: DISBANDMENT OF TECHNICAL COMMITTEES**

In terms of section 4(2) (l) the South African Bureau of Standards has disbanded the following technical committees:

Technical Committee No.:	Title	Scope

If your organization is interested in participating in these committees, please send an e-mail to [Dsscomments@sabs.co.za](mailto:Dsscomments@sabs.co.za) for more information.

**SCHEDULE 5: ADDRESSES OF THE SOUTH AFRICAN BUREAU OF STANDARDS OFFICES**

The addresses of offices of the South African Bureau of Standards where copies of the standards mentioned in this notice can be obtained, are as follows:

1. Gauteng Head Office, 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.
2. Western Cape Regional Office, SABS, Liesbeek Park Way, Rosebank, PO Box 615, Rondebosch 7701.
3. Eastern Cape Regional Office, SABS, 30 Kipling Road, cor. Diaz and Kipling Roads, Port Elizabeth, PO Box 3013, North End 6056.
4. KwaZulu-Natal Regional Office, SABS, 15 Garth Road, Waterfall Park, Durban, PO Box 30087, Mayville 4058.

DEPARTMENT OF TRADE AND INDUSTRY  
NOTICE 816 OF 2018

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA**

**SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON UNFRAMED GLASS MIRRORS OF A THICKNESS OF BETWEEN 2MM OR MORE BUT NOT EXCEEDING 6MM ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA (CHINA): FINAL DETERMINATION**

In accordance with the provisions in the Anti-Dumping Regulations (ADR), any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would likely lead to the continuation and/or recurrence of dumping and injury.

On 21 July 2017, the International Trade Administration Commission of South Africa (the Commission) notified interested parties through Notice No. 546 of 2017 in *Government Gazette* No. 40998, that unless a substantiated request is made indicating that the expiry of the anti-dumping duty against imports of unframed glass mirrors originating in or imported China would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duty on unframed glass mirrors originating in or imported from China would expire on 25 July 2018.

A response to the Commission's sunset review questionnaire was received from PFG Building Glass, a division of PG Group (Pty) (the Applicant), being the only producer of the subject product in the SACU.

The investigation was initiated after the Commission considered that *prima facie* information was submitted to indicate that the expiry of the anti-dumping duty on unframed glass mirrors originating in or imported from China would likely lead to the continuation or recurrence of dumping and the recurrence of material injury.

No properly documented responses were received from any interested party.

Using the best information available, the Commission made a final determination that the expiry of the anti-dumping duty on unframed glass mirrors originating in or imported from China would likely lead to the continuation or recurrence of dumping and the recurrence of injury.

The Commission, therefore, recommended to the Minister of Trade and Industry that the anti-dumping duty on unframed glass mirrors originating in or imported from China be maintained.

The Minister approved the Commission's recommendation. The Commission's detailed reasons for its decision are set out in Commission's Report No. 593 (Final determination report).

Enquiries may be directed to the investigating officers, **Ms Regina Peta** at +27 12 394 3737 or **Mr Emmanuel Manamela** at telephone number +27 12 394 3632 or at fax number +27 12 394 0518.





# **WARNING!!!**

## **To all suppliers and potential suppliers of goods to the Government Printing Works**

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

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