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IMPORTANT NOTICE OF OFFICE RELOCATION**government
printing**Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICAPrivate Bag X85, PRETORIA, 0001 149 Bosman Street, PRETORIA
Tel: 012 748 6197, Website: www.gpwonline.co.za**URGENT NOTICE TO OUR VALUED CUSTOMERS: PUBLICATIONS
OFFICE'S RELOCATION HAS BEEN TEMPORARILY SUSPENDED.**

Please be advised that the GPW Publications office will no longer move to 88 Visagie Street as indicated in the previous notices.

The move has been suspended due to the fact that the new building in 88 Visagie Street is not ready for occupation yet.

We will later on issue another notice informing you of the new date of relocation.

We are doing everything possible to ensure that our service to you is not disrupted.

As things stand, we will continue providing you with our normal service from the current location at 196 Paul Kruger Street, Masada building.

Customers who seek further information and or have any questions or concerns are free to contact us through telephone 012 748 6066 or email Ms Maureen Toka at Maureen.Toka@gpw.gov.za or cell phone at 082 859 4910.

Please note that you will still be able to download gazettes free of charge from our website www.gpwonline.co.za.

We apologise for any inconvenience this might have caused.

Issued by GPW Communications

For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the gazette numbers in the righthand column:

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IMPORTANT NOTICE:

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

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

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government
printing

Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works (GPW)*.

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as @gpw.gov.za

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at www.gpwonline.co.za
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: Annamarie.DuToit@gpw.gov.za

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: Bonakele.Mbhele@gpw.gov.za

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: Daniel.Legoabe@gpw.gov.za

Closing times for **ORDINARY WEEKLY** **GOVERNMENT GAZETTE** **2020**

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

- **24 December 2019**, Tuesday for the issue of Friday **03 January 2020**
- **03 January**, Friday for the issue of Friday **10 January 2020**
- **10 January**, Friday for the issue of Friday **17 January 2020**
- **17 January**, Friday for the issue of Friday **24 January 2020**
- **24 January**, Friday for the issue of Friday **31 January 2020**
- **31 February**, Friday for the issue of Friday **07 February 2020**
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- **14 February**, Friday for the issue of Friday **21 February 2020**
- **21 February**, Friday for the issue of Friday **28 February 2020**
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- **06 March**, Friday for the issue of Friday **13 March 2020**
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- **02 April**, Thursday for the issue of Thursday **09 April 2020**
- **08 April**, Wednesday for the issue of Friday **17 April 2020**
- **17 April**, Friday for the issue of Friday **24 April 2020**
- **22 April**, Wednesday for the issue of Thursday **30 April 2020**
- **30 April**, Thursday for the issue of Friday **08 May 2020**
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- **14 August**, Friday for the issue of Friday **21 August 2020**
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- **04 September**, Friday for the issue of Friday **11 September 2020**
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- **10 December**, Thursday for the issue of Friday **18 December 2020**
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- **23 December**, Wednesday for the issue of Friday **31 December 2020**

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

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 after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** **GPW**'s annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must 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). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:
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
E-mail: info.egazette@gpw.gov.za
Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za
Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF CORRECTIONAL SERVICES

NO. 803

24 JULY 2020

**INVITATION FOR COMMENTS ON THE CORRECTIONAL MATTERS
AMENDMENT BILL, 2020**

The Department of Justice and Correctional Services call all stakeholders and interested parties to submit their comments on the Correctional Matters Amendment Bill within 30 days from the date of the publication of this notice in the *Government Gazette*. The Bill seeks to amend the Correctional Services Act, 1998 (Act No 111 of 1998) ("principal Act") in order to align the definition of 'Minister' with the amended portfolios as assigned by the President. The Bill further proposes amendments to the principle Act to align it with the Constitution and the Constitutional Court judgment in ***OC Phaahla v Minister of Justice and Correctional Services and Another*** CCT 44/18 [2019] ZACC 18 with regards to the placement of sentenced offenders under day parole, parole and correctional supervision and to provide for the minimum periods to be served before becoming eligible for consideration for such release and placement in terms of the parole regime applicable at the date of commissioning of an offence.

The Correctional Matters Amendment Bill can be downloaded from the Department of Correctional Services Website: www.dcs.gov.za. Written comments and inputs can be submitted to:

National Commissioner: Department of Correctional Services

Private Bag X136

PRETORIA

0001

Email: jacques.vanwyk@dcs.gov.za

For further enquiries: Mr. Jacques Van Wyk (012) 305 8480

REPUBLIC OF SOUTH AFRICA

CORRECTIONAL MATTERS AMENDMENT BILL

—————
*(As introduced in the National Assembly (proposed section 75); explanatory
summary of Bill published in Government Gazette
No. 43542 of 24 July 2020)
(The English text is the official text of the Bill)*
—————

(MINISTER OF JUSTICE AND CORRECTIONAL SERVICES)

[B —2020]

020319ce

GENERAL EXPLANATORY NOTE:

[] Words in bold type and in square brackets indicate omissions
 (proposed deletions) from existing enactments.
_____ Words underlined with a solid line indicate insertions in existing
 enactments.

BILL

To amend the Correctional Services Act, 1998, so as to amend certain definitions; to insert, delete and amend certain provisions related to parole of offenders; and to provide for matters connected therewith.

PARLIAMENT of the Republic of South Africa therefore enacts as follows:—

Amendment of section 1 of Act 111 of 1998, as amended by section 1 of Act 32 of 2001, section 1 of Act 25 of 2008, and section 1 of Act 5 of 2011

1. Section 1 of the Correctional Service Act, 1998 (Act No. 111 of 1998) (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "Minister" of the following definition:

" **'Minister'** means the **[Minister of Correctional Services]** Cabinet member responsible for justice and correctional services;"

Amendment of section 73 of Act 111 of 1998, as amended by section 27 of Act 32 of 2001 and substituted by section 12 of Act 5 of 2011

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

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

“(a) Subject to the provisions of paragraph (b), a sentenced offender serving a determinate sentence or cumulative sentences of more than 24 months for an offence committed after the commencement of Chapters IV, VI and this Chapter may not be placed on day parole or parole until such sentenced offender has served either the stipulated non-parole period, or if no non-parole period was stipulated, half of the sentence, but day parole or parole must be considered whenever a sentenced offender has served 25 years of a sentence or cumulative sentences.”.

(b) by the substitution in subsection (6)(b) for subparagraph (iv) of the following subparagraph:

“(iv) life incarceration for an offence committed after the commencement of Chapters IV, VI and this Chapter may not be placed on day parole or parole until he or she has served at least 25 years of the sentence; or”

Amendment of section 136 of Act 111 of 1998, as amended by section 42 of Act 32 of 2001

3. Section 136 of the principal Act, is hereby amended—

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

"(1) Any person serving a sentence of incarceration **[immediately]** for an offence committed before the commencement of Chapters IV, VI and VII is subject to the provisions of the Correctional Services Act, 1959 (Act 8 of 1959), relating to his or her placement under community corrections, and is to be considered for such release and placement by the Correctional Supervision and Parole Board in terms of the policy and guidelines applied by the former Parole Boards prior to the commencement of those Chapters."

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

"(a) Any sentenced offender serving a sentence of life incarceration **[immediately]** for an offence committed before the commencement of Chapters IV, VI and VII is entitled to be considered for day parole and parole after he or she has served 20 years of the sentence."

Short title and commencement

4. This Act is called the Correctional Matters Amendment Act, 2020, and comes into operation on a date determined by the President by Proclamation in the *Gazette*.

DEPARTMENT OF ENVIRONMENT, FORESTRY AND FISHERIES

NO. 804

24 JULY 2020

CONSULTATION ON THE DRAFT ANTARCTIC AND SOUTHERN OCEAN STRATEGY

I, Barbara Dallas Creecy, the Minister of Forestry, Fisheries and the Environment hereby publish the draft Antarctic and Southern Ocean Strategy for public comment.

The Department of Environment, Forestry and Fisheries has embarked on a process of developing the Antarctic and Southern Ocean Strategy (ASOS), a policy under the auspices of the Antarctic Treaties Act, 1996 (Act No. 60 of 1996). The process commenced in 2017/2018 where the draft ASOS was prepared in consultation with relevant stakeholders guided by the Project Steering Committee constituted by officials from the then Departments of Environmental Affairs; Agriculture, Forestry and Fisheries; Science and Technology; and International Relations and Cooperation.

The draft ASOS outlines South Africa's strategic national interests, articulates a national vision for our engagement in Antarctica and the Southern Oceans, and describes specific national strategic objectives. Some of these strategic objectives include:

- 1) Custodial responsibility to ensure the Treaty is functional;
- 2) Optimise use of our geographic positioning and proximity to Antarctica to serve as a vibrant Antarctic sector that serves economic interests, scientific endeavour and environmental management;
- 3) Antarctica and the Southern Ocean play a definitive role in the weather and climate patterns world-wide, and South Africa is well positioned to play a leading role in Southern Ocean and Antarctic science; and
- 4) Antarctica and the Southern Ocean are special outdoor laboratories that are used to study and understand natural processes and present opportunities to study / research a number of pressing questions in the field of health, agriculture (extremophiles), oceanographic, drought (i.e. glaciology) and geological sciences.

The draft ASOS is available online at

https://www.environment.gov.za/legislations/gazetted_notices/draftantarcticasouthern_oceanstrategy.

Copies of the draft strategy can also be obtained via email by sending an email request to mdopolo@environment.gov.za.

Any person who wishes to submit representations or comments in connection with the draft strategy is invited to do so within 60 calendar days of the publication of this notice. Comments received after this time may not be considered. All representations and comments must be submitted in writing to the Deputy Director-General of the national Department of Environment, Forestry and Fisheries, Branch: Oceans and Coasts:

By hand: The Deputy Director-General

Attention: Mr Mbulelo Dopolu

National Department of Environment, Forestry
and Fisheries

Branch: Oceans & Coasts

2 East Pier Building, East Pier Road

Victoria & Alfred Waterfront, Cape Town

By e-mail: mdopolu@environment.gov.za

By post to: The Deputy Director-General

Attention: Mr Mbulelo Dopolu

National Department of Environment, Forestry
and Fisheries

Branch: Oceans & Coasts

PO Box / Private Bag X4390

Cape Town, 8002



BARBARA DALLAS CREECY

MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DEPARTMENT OF TRADITIONAL AFFAIRS

NO. 805

24 JULY 2020

THE PRESIDENCY

RECOGNITION OF AMAMPONDOMISE KINGSHIP IN THE REPUBLIC OF SOUTH AFRICA

I, Cyril Matamela Ramaphosa, President of the Republic of South Africa, hereby, in terms of section 2A(3)(a) of the Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003) recognise the Kingship of AmaMpondomise.

Given under my Hand on this ^{05th} day of *July*, two thousand and twenty.



MR. MATAMELA CYRIL RAMAPHOSA
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 388 OF 2020



Block A | 4th Floor | Meintjiesplein Building | 536 Francis Baard Street | Arcadia | 0002
 Private Bag X935 | Pretoria | 0001
 Tel: 012 341 1115 | Fax: 012 341 1811/1911
<http://www.namc.co.za>

APPLICATION FOR THE CONTINUATION OF STATUTORY MEASURES: LEVIES IN TERMS OF THE MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996, (ACT NO 47 OF 1996), (MAP ACT) AS AMENDED

....

INVITATION TO DIRECTLY AFFECTED GROUPS IN THE OILSEEDS INDUSTRY TO FORWARD COMMENTS REGARDING THE REQUEST FROM THE SA CULTIVAR AND TECHNOLOGY AGENCY (SACTA), FOR THE CONTINUATION OF LEVIES ON SOYBEANS FOR BREEDING AND TECHNOLOGY PURPOSES

On 22 June 2018, the Minister approved the introduction and promulgation of the following statutory levies (VAT excluded) on soybeans, to fund seed breeding and technology, for a period of two years, to be collected and administered by the SA Cultivar and Technology Agency NPC (SACTA):

Commodity	Period	Amount (VAT Excl)
Locally produced soybeans	1/03/2019 to 28/02/2020	R65 per metric ton
	1/03/2020 to 28/02/2021	R80 per metric ton

The second season of the statutory levy on soybeans commenced on 1 March 2020 and will lapse on 28 February 2021.

The National Agricultural Marketing Council (NAMC) received a request from SACTA on behalf of specific role players in the oilseeds industry, that the Minister of Agriculture, Land Reform and Rural Development, in terms of section 15 of the Marketing of Agricultural Products Act, Act No 47 of 1996 (MAP Act), approve the continuation of the statutory levy on soybeans until February 2023, to stimulate and ensure new breeding technology in the industry. Furthermore, that the following period and levy rate (VAT excluded) be approved by the Minister:

Commodity	Period	Amount (VAT Excl)
Locally produced soybeans	1/03/2021 to 28/02/2022	R57 per metric ton
	1/03/2022 to 28/02/2023	R55 per metric ton

According to the applicant, the levy has proven to be very effective and payments to the appropriate seed breeding companies will soon be made in respect of the previous marketing season. Continuation of the model is important in order to maintain the required benefits for the development of new seed technology to improve yields and to sustain food security in the country.

A separate account is administered in respect of the levy collected on soybeans in each particular season.

In approved, the levy will be payable to SACTA by buyers, processors and persons issuing a silo receipt, and will be recovered from producers. Persons paying the levy may claim 2,5% commission on the amount of the levies recovered, in accordance with the conditions set by SACTA from time to time.

PARTICULARS OF STATUTORY MEASURE REQUIRED UNDER SECTION 10 OF THE MAP ACT

The relevant particulars, as required in terms of section 10(2) of the MAP Act, to be included in a request for the establishment of a statutory measure of this nature, are as follows:

1. The proposed statutory levy would relate to soybeans that are produced in the Republic of South Africa;
2. The manner in which the objectives referred to in section 2(2) of the MAP Act will be advanced (namely increased market access for all market participants, promotion of the efficiency of the marketing of agricultural products, optimisation of export earnings from agricultural products and the enhancement of the viability of the agricultural sector) is summarised below:

The purpose and aim of the statutory measure are to compensate breeders of soybean varieties for their proportionate involvement and contribution towards obtaining and utilising improved international intellectual property to the benefit of the soybean industry in the Republic of South Africa. SACTA will distribute the levies that are collected to the seed breeders in accordance with their proportionate market share, in terms of a formal Agency Agreement that is concluded with breeders.

Sustainable commercial farming of soybeans as well as food security in the country, are all dependent on the cultivation of high yielding soybean crops from seed varieties most suited to a particular production region.

The development of new cultivars, with improved quality and yield characteristics, constitutes an important part of breeding and technology research as undertaken by various organisations. The continuous development of new cultivars is indispensable to the sustained production of soybeans in South Africa.

Worldwide, the legislation concerning Plant Variety Protection ("PVP") and the protection of self-pollinated crops are insufficient to guarantee a return on investment on the intellectual property held by the holders of Plant Breeders' Rights. This is due to PVP exceptions such as "Farmer's Privilege" and the fact that the grain produced from self-pollinated crops has the same genetic content as the parent. This means that seed can be harvested and replanted by farmers, which creates a situation where farmers could, for example, only purchase one season's seed, then lawfully save seed of their harvests for the next and subsequent planting seasons. The consequence is that commercial seed sales are jeopardised by:

- low volumes (as it is cheaper for farmers to retain their own grain for seed); and
- low price levels (since any increase in seed prices triggers an increase in the use of farm saved seed).

The existence of international networks is critical in seed breeding, as most agriculture related intellectual property is owned by or falls under foreign control. Without an appropriate

mechanism to receive adequate compensation, and to account for the risk of exploitation, South Africa will remain an unattractive destination for agriculture related intellectual property associated with self-pollinated crops. This means that access to international nurseries, markers, techniques and technologies is being constrained. The result is that South African farmers do not have access to improved agriculture related intellectual property that is available worldwide, which the breeding and technology levy aims to address.

3. The Administration of SACTA will take responsibility for the collection of the levy and for the administration functions associated with the proposed levy. The Board of Directors of SACTA appointed specific persons to carry out these functions; and
4. Annual audits will be executed by the Auditor-General.

BUSINESS PLAN:

SACTA Estimated budget: soybean levy

Financial year	Estimated crop size (Tons)	Levy amount (R/Ton)	Budgeted levy income R	Seed breeders' distribution R	Transformation Expenditure R	Administration cost R
2021/22	1 345 838	57	68 811 350	52 979 826	13 762 270	2 069 254
2022/23	1 345 838	55	66 396 918	50 992 780	13 279 384	2 124 754

The NAMC noted that the expected income by means of the statutory levy is based on an expected success rate of 92% in the collection of the levy. The levy income for the proposed two years is estimated to be between R66 million to R69 million per year.

These statutory funds will be used to support breeding research functions, based on the following:

- The levy funds are earmarked for commercial breeding activities by seed companies based on their performance and utilisation in the seed market;
- These funds will be distributed according to the calculated market share of each seed company;
- At least 20% of the levy income will be used for transformation and development projects, of which the business plan will be considered by the NAMC;
- The budget for administration costs represents approximately 5% of the expected income by means of statutory levy on soybeans during the next years; and
- The levy is applicable on local production only and not on imported commodities.

As the proposed breeding and technology levy is consistent with the objectives of the MAP Act, the NAMC is investigating the possible implementation of the relevant statutory levy.

Directly affected groups in the oilseeds industry are kindly requested to submit comments or objections regarding the proposed breeding and technology levy on soybeans to the NAMC in writing (e-mail lizettem@namc.co.za) on or before 31 July 2020, to enable the Council to formulate its recommendation to the Minister in this regard.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 389 OF 2020



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NEWS STATEMENT BY THE NATIONAL AGRICULTURAL MARKETING COUNCIL

**THE SOUTH AFRICAN GRAIN FARMERS ASSOCIATION'S
 APPLICATION FOR THE CONTINUATION OF A STATUTORY MEASURE:**

**INDUSTRY LEVIES ON WHEAT, BARLEY AND OATS IN TERMS OF THE MARKETING OF
 AGRICULTURAL PRODUCTS ACT, 1996, (ACT NO 47 OF 1996), AS AMENDED**

INVITATION TO DIRECTLY AFFECTED GROUPS IN THE WINTER CEREAL INDUSTRY TO
 FORWARD COMMENTS REGARDING THE STATUTORY MEASURE APPLICATION

On 14 July 2020, the National Agricultural Marketing Council (NAMC) received a request from the South African Grain Farmers Association's (SAGRA), that the Minister of Agriculture, Land Reform and Rural Development, in terms of section 15 of the Marketing of Agricultural Products Act (MAP Act), establish the following statutory levies (VAT excluded) for the different winter cereal commodities, to be collected and administered by the Winter Cereal Trust, for a period of four years:

Commodity	Period	Amount (Excluding VAT)
Wheat	1/10/2020 to 30/09/2024	R 14.50 per metric ton
Barley	1/10/2020 to 30/09/2024	R 14.50 per metric ton
Oats	1/10/2020 to 30/09/2024	R 6,00 per metric ton

Separate accounts will be administered in respect of levies collected on the above-mentioned commodities.

The Wheat Forum was unanimous about the abovementioned proposed statutory levies on winter cereals. However, the Wheat Forum was divided about the Winter Cereal Trust as administrator of the proposed levies with the current composition and manner of operating.

SAGRA recommends that the Administrator of these levies continues to be Winter Cereal Trust. SAGRA still believes that the Winter Cereal Trust is the relevant authority to administer the levies. The Winter Cereal Trust has been and still is properly constituted because its board and committees are representing all relevant stakeholders. The Winter Cereal Trust has for the past 20 years successfully administered the statutory levies which has supported the winter cereal industry's research, market information and transformation of the sector. Furthermore, the Winter Cereal Trust has broadened the support to include the beneficiation of previously disadvantaged individuals. Therefore, SAGRA is of the opinion that the Winter Cereal Trust has the capacity to administer the proposed statutory levies.

Council Members: Mr. H. Prinsloo (Acting Chairperson), Ms. F. Mkile, Mr. H. Mohane, Mr. B. Mokgatle, Ms. N. Mokose, Prof. D. Rangaka and Mr. G. Schutte

The proposed levies will be utilised for the funding of information (as performed by the SA Grains Information Services (SAGIS)), quality and grading (as performed by the SA Grain Laboratory), transformation, administration, capacity building, research, the Supply & Demand Estimates Committee, and pre-breeding research (that provides building blocks for breeding).

Statutory levies have been imposed over the past years on wheat, barley and oats to provide financial support for research projects, generic market information and to assist with the development of emerging farmers of winter cereals in South Africa. The current statutory measure regarding levies on wheat and barley, as promulgated by Government Notice No. 40318 of 30 September 2016, that currently amounts to R12/ton (excl VAT) on wheat and R5/ton (excl VAT) on barley, will expire on 30 September 2020.

Industry consensus and certain conditions:

It should be noted that the recent application for the continuation of the above statutory levies, which was submitted by the Wheat Forum to the NAMC on 1 April 2020, was retracted on 10 July 2020. Industry had consensus to submit the request for the continuation of the levies and the administration thereof by the Winter Cereal Trust, on the explicit condition that certain amendments had to be made to the Trust Deed prior to the commencement of the next marketing season for winter cereals, which will take effect on 1 October 2020.

As it seemed unlikely for the Trustees to agree and implement the required amendments to the Trust Deed before 1 October 2020, without the active intervention of their nominating bodies, and resulting disruptions in the provision of critical industry functions, members of the Wheat Forum unanimously decided to retract the application. Furthermore, to urgently investigate alternative systems for the funding of vital industry services during the course of the next season, in order to have sufficient time to discuss and evaluate a proper long-term funding strategy for the industry going forward.

Business Plan:

The income by means of the proposed levies is based on an expected success rate of 95% in the collection of levies. It is budgeted that an average total income of R49.2 million, of which R44.3 million would be from the wheat levy, could be collected in the next four years, depending on the crop size.

The Wheat Forum agreed that the utilisation of statutory funds to support research functions, is based on the following:

- Projects that are to be supported must be demand-driven;
- All applications must be evaluated by a technical committee, which will make recommendations to the Board of Trustees;
- All funds collected during a financial year will be made available for utilisation during that financial year;
- Funds will be allocated to various fields of research on the basis of a model accepted by the winter cereal industry. Provision is made for the following categories:
 - non-breeding related projects;

- public good; and
- capacity building.

The guidelines of the NAMC regarding the utilisation of statutory levy funds, which currently stipulate that at least 20% of levies collected should be used for transformation projects, were taken into account.

Levy funds are required to partly compensate for the diminished funds for research and also to make provision for new research projects to be funded. The envisaged budget for the first year (2020/21) is as follows:

	R
Administration	3 734 108
Commission payable to levy collectors	1 230 201
Information	3 159 552
Transformation	12 302 008
Research (excluding breeding)	28 782 163
Total	49 208 032

Directly affected groups:

The categories of directly affected groups, which would probably be affected by the new proposed statutory levies, are those groups of persons who are party to the production, purchasing and processing of winter cereals, as well as to the consumption of winter cereal products in the Republic of South Africa.

The support for the proposed statutory measure on winter cereals by the different categories of directly affected groups in the winter cereal industry, as represented on the Wheat Forum, is evidenced by the unanimous resolution adopted in this regard by the Forum.

The proposed statutory levies will apply to the whole of the Republic of South Africa in order to have a uniform system of levies, without the discrimination that would exist on requiring levies in certain areas and not in others.

Invitation to comment:

As the proposed statutory levies are consistent with the objectives of the Marketing of Agricultural Products Act, the NAMC is investigating the level of support for this specific statutory measure application.

Directly affected groups in the winter cereal industry are kindly requested to submit any comments or objections regarding the proposed statutory levies, to the NAMC per e-mail to lizettem@namc.co.za on or before 7 August 2020, to enable the Council to formulate its recommendation to the Minister in this regard.

**ECONOMIC DEVELOPMENT DEPARTMENT
NOTICE 390 OF 2020**

**COMPETITION TRIBUNAL
NOTIFICATION OF DECISION TO APPROVE MERGER**

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

Case No.	Acquiring Firm	Target Firm	Date of Order	Decision
LM167Mar20	Government Employees Pension Fund SOC Ltd	ALZU Agri (Pty) Ltd	11/06/2020	Approved
LM031May20	Emasa Holdings (Pty) Ltd	Dewfresh (Pty) Ltd	24/06/2020	Approved
LM173Mar20	KLL Group (Pty) Ltd	The Starch, Glucose and Animal Feed Ingredients Business	06/07/2020	Approved
LM039Jun20	Investec Bank Ltd	Omwieco (Pty) Ltd	13/07/2020	Approved

**The Chairperson
Competition Tribunal**

**LEGAL PRACTICE COUNCIL
NOTICE 391 OF 2020**

NATIONAL OFFICE
Thornhill Office Park
Building 20
94 Bekker Street
Vorna Valley, Midrand
1686
Tel: 010 001 8500



Date: 24 July 2020

**THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL (“COUNCIL”)
NOTICE IN TERMS OF SECTION 95(5) OF THE LEGAL PRACTICE ACT, 28 OF 2014**

Notice is hereby given that the Council amends the Rules of the Council made under the authority of Sections 95(1), 95(3) and 109(2) of the Legal Practice Act, 28 of 2014 (as amended) by the deletion in its entirety of Rule 46 and the substitution thereof with a new Rule 46 as attached.

The amendment is to enable Council to run the elections for the Legal Practitioners Fidelity Fund Board online, due to the current lockdown regulations brought about by the Covid-19 pandemic.

Council amends this Rule in line with the provisions of section 95(5), which provides that a rule may be amended without prior publication of a draft as provided in section 95(4) of the Act.

The amendment to the rule without prior publication is necessitated by the fact that the election must take place but cannot under the lockdown regulations. The amendment will allow legal practitioners to **[nominate candidates and]** cast their votes online and through email thereby avoiding the need for them to travel for voting stations and minimizing the risk of contracting the Covid-19 virus.

SIGNED AT MIDRAND ON THE 24th DAY OF JULY 2020

Ms 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: Ms Charity Nzuza

THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL**NOTICE IN TERMS OF SECTION 95(5) OF THE LEGAL PRACTICE ACT, 28 OF 2014**

Notice is hereby given that the Council amends the Rules of the Council made under the authority of sections 95(1), 95(3) and 109(2) of the Legal Practice Act, 28 of 2014 (as amended) by the deletion in its entirety of Rule 46 and the substitution therefor of the following Rule:

"

**46. Procedure for election of legal practitioners to the Board
[section 95(1)(zJ) read with section 62(1)(a)]**

46.1 Four members shall be elected to the Board from among, and by, the practising legal practitioners who are in good standing and who have their principal place of business as such in the following geographical areas:

46.1.1 one member from the area corresponding with the area under the jurisdiction of the Gauteng division of the High Court of South Africa;

46.1.2 one member from the area corresponding with the areas under the jurisdiction of the Western Cape provincial division of the High Court of South Africa and the Northern Cape division of the High Court of South Africa;

46.1.3 one member from the area corresponding with the areas under the jurisdiction of the Free State division of the High Court of South Africa, the North West division of the High Court of South Africa, the Limpopo division of the High Court of South Africa and the Mpumalanga division of the High Court;

46.1.4 one member from the area corresponding with the areas under the jurisdiction of the KwaZulu-Natal division of the High Court of South Africa and the Eastern Cape division of the High Court of South Africa.

46.2 One member shall be elected to the Board from among the practising advocates referred to in section 34(2)(b) who are in good standing, by all the practising legal practitioners in the Republic who are in good standing.

46.3 An election for members of the Board shall be conducted -

46.3.1 by electronic voting (e-voting) in the manner prescribed by the Council; and/or

46.3.2 by paper ballot in accordance with the provisions of this rule.

46.4 The Council shall appoint an independent electoral service provider for the purpose of performing the duties assigned to an electoral independent service provider in these rules.

46.5 In relation to the initial election of members of the Board in respect of -

46.5.1 a member elected from among the legal practitioners having their principal place of business in the areas referred to in rule 46.1 respectively; or

46.5.2 the member elected to the Board from among the advocates referred to in section 34(2)(b) of the Act

and thereafter whenever a vacancy occurs in the Board the Council shall call for nominations from among the legal practitioners of the respective province or provinces and who are on the practising roll, or in the case of members of the Board referred to in rule 46.2, from among all legal practitioners in that category who are on the practising roll, as the case may be, by notice in the *Gazette* and on the Council's website, and in such other publication as may be appropriate, allowing 21 days from the date of the notice to the date on which nominations are to be submitted, and stating that nominations are to be made in writing in accordance with these rules.

46.6 A nomination may only be made –

46.6.1 in the case of a nomination in respect of a candidate referred to in rule 46.5.1, by a practising legal practitioner in good standing and having his or her principal place of business in the province concerned; and

46.6.2 in the case of a nomination in respect of a candidate referred to in rule 46.5.2, by a practising legal practitioner in good standing.

46.7 Every nomination shall be in writing, shall be signed by the person making it and shall –

46.7.1 in the case of a nomination by an attorney, state the name of that attorney, his or her date of admission as an attorney and the address of that attorney's principal place of business; and

46.7.2 in the case of an advocate, state the name of the advocate, his or her date of admission as an advocate and the address at which such advocate keeps chambers.

46.8 Every nomination shall be accompanied by –

46.8.1 written acceptance of the practising attorney or practising advocate being nominated, duly signed by the said attorney or advocate, and providing such details relating to the said attorney or advocate as is required from the attorney or advocate making the nomination in terms of rule 46.7; and

46.8.2 a comprehensive *curriculum vitae* of the person being nominated, in not more than 600 words and in such format as the Council may require, containing at least the following information:

46.8.2.1 his or her name;

46.8.2.2 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;

46.8.2.3 in the case of an advocate, whether or not he or she renders legal services in terms of section 34(2)(a)(ii) of the Act, and whether or not he or she has the status of a Senior Counsel;

46.8.2.4 his or her race, gender, date of admission and enrolment, and period in practice;

46.8.2.5 if he or she suffers from a disability and wishes to disclose that fact, a statement to that effect and the nature of the disability;

46.8.2.6 the address of his or her principal place of practice

and on which shall be endorsed, over the signature of each nominee named therein, his or her confirmation that the information given therein is correct and that he or she is not disqualified from membership of the Board;

46.8.3 a certificate, issued by the Council not earlier than one month prior to the date of acceptance of nomination by the person accepting nomination, that he or she is admitted and enrolled as a legal practitioner and is in good standing.

- 46.9 Nominations must be sent by email, or delivered by hand, to the Council by not later than the date stipulated in the notice referred to in rule 46.5.
- 46.10 Upon receipt of a nomination, the Council shall make every effort to verify the information provided in the *curriculum vitae* that accompanied such nomination.
- 46.11 If the number of eligible candidates who are nominated exceeds the number to be elected as members of the Board then within 30 days after the closing date for nominations, the Council shall publish a notice containing a list of all the persons duly nominated and who have duly accepted such nomination, by notice in the *Gazette*, on the Council's website and in such other publications as may be appropriate: provided that the Council may refuse to include the name of any person who has been nominated in respect of whom the Council has reason to believe that the information provided in the *curriculum vitae* submitted by or on behalf of such person contains material details that are untrue, and any person whose name is so omitted shall be ineligible for election to the Board.
- 46.12 The notice referred to in rule 46.11 -
- 46.12.1 shall draw the attention of legal practitioners to the fact that votes may be cast by ballot paper or by electronic means. Legal practitioners may vote only once in the election concerned, and either by ballot paper or by electronic means;
- 46.12.2 shall invite the submission of a written or electronic communication from every legal practitioner eligible to vote for the election of the member or members concerned, in such format as the Council may determine, by which such practitioner exercises his or her right to vote;
- 46.12.3 shall draw the attention of legal practitioners to the following considerations in relation to the constitution of the Board:
- 46.12.3.1 the racial and gender composition of South Africa;
- 46.12.3.2 representation of persons with disabilities;
- 46.12.3.3 provincial representation.
- 46.12.4 shall request the legal practitioner, if he or she wishes to record a vote by paper ballot, to follow the directions of the Council as to the completion of the form of communication referred to in rule 46.13.1;

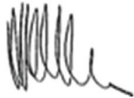
- 46.12.5 shall request the legal practitioner, if he or she wishes to record his or her vote by e-voting, to follow the guidelines issued by the Council for the purpose of e-voting.
- 46.13 Every communication referred to in rule 46.12.2 which is required to be submitted by a legal practitioner, shall -
- 46.13.1 where the communication is by paper ballot -
- 46.13.1.1 in the case of a communication from an attorney, state the name of his or her practice and the address of that attorney's principal place of business; and
- 46.13.1.2 in the case of a communication from an advocate, specify the date of admission of the advocate concerned and the address at which such advocate keeps chambers;
- 46.13.2 where the communication is by electronic means, provide such information as is provided in the guidelines as to the conduct of e-voting referred to in rule 46.12.5.
- 46.14 The guidelines for e-voting, referred to in rule 46.12.5 shall be in the form and manner determined by the Council, and among other things shall provide for the period within which to cast the votes, the platform to be utilised for e-voting, directions as to the completion of a declaration form, and the electronic ballot; provided that -
- 46.14.1 an electronic identification system shall be developed;
- 46.14.2 legal practitioners shall be required to authenticate themselves;
- 46.14.3 the electronic ballot must exactly resemble the ballot paper referred to in rule 14.12.2;
- 46.14.4 a legal practitioner must be given an overview of all his or her choices on the electronic ballot and must be asked to confirm his or her choice before submitting the electronic ballot.
- 46.15 Upon the expiry of 21 days from the date of the notice referred to in rule 46.11, the Council shall, at a formal special meeting, tally all the votes received in writing by hand delivery, or by electronic mail, and all votes received by e-voting, in respect of each person duly nominated, and shall determine the names of the persons in favour

of whom the most such votes have been cast in order to fill the number of vacancies on the Board which are required to be filled.

- 46.16 Having made such a determination, the Council shall at such meeting declare such person or persons duly elected.
- 46.17 The Council shall within 7 days of having made such a declaration, by notice in the *Gazette*, publish the name of the person or persons so elected".

Signed at Midrand on the 24th day July 2020

MS K MATOLO-DLEPU



Chairperson: Legal Practice Council

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION
NOTICE 392 OF 2020

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

NOTICE OF INITIATION OF THE INVESTIGATION INTO THE EXTENSION OF SAFEGUARD MEASURES ON IMPORTS OF CERTAIN FLAT-ROLLED PRODUCTS OF IRON, NON-ALLOY STEEL OR OTHER ALLOY STEEL (NOT INCLUDING STAINLESS STEEL), WHETHER OR NOT IN COILS (INCLUDING PRODUCTS CUT-TO-LENGTH AND 'NARROW STRIP'), NOT FURTHER WORKED THAN HOT-ROLLED (HOT-ROLLED FLAT), NOT CLAD, PLATED OR COATED, EXCLUDING GRAIN-ORIENTED SILICON ELECTRICAL STEEL

In accordance with the provisions in Section 21.7 of the Amended Safeguard Regulations (SGR), any definitive safeguard measure may be extended by a period of up to six years where the Commission finds that the lapse of the safeguard measure imposed in terms of Section 21.6 of the SGR is likely to lead to the recurrence of serious injury, and there is evidence that the Southern African Customs Union (SACU) industry is adjusting.

The SACU industry indicating that the expiry of the safeguard duties on imports of certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel), whether or not in coils (including products cut-to-length and 'narrow strip'), not further worked than hot-rolled (hot-rolled flat), not clad, plated or coated, excluding grain-oriented silicon electrical steel will likely lead to the recurrence of serious injury, submitted a properly documented application to the Commission on 06 July 2020.

The International Trade Administration Commission of South Africa (the Commission) decided to proceed with the process to the extension of safeguard measures on imports of certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel), whether or not in coils (including products cut-to-length and 'narrow strip'), not further worked than hot-rolled (hot-rolled flat), not clad, plated or coated, excluding grain-oriented silicon electrical steel in its meeting of 08 July 2020.

Based on the information submitted, the Commission decided that the applicant submitted prima facie information to indicate:

- SACU industry is suffering serious injury and the expiry of the current duties will likely lead to the recurrence of serious injury; and
- To keep the existing safeguard duties in place pending the finalisation of the investigation.

THE APPLICANT

The application was lodged by South African Iron & Steel Institute (SAISI) an industry body, on behalf of ArcelorMittal South Africa Limited (AMSA) the only producer of the subject product in the SACU.

DESCRIPTION OF THE SUBJECT PRODUCT UNDER INVESTIGATION

The subject product is described as certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel), whether or not in coils (including products cut-to-length and 'narrow strip'), not further worked than hot-rolled (hot-rolled flat), not clad, plated or coated, excluding grain-oriented silicon electrical steel, imported under tariff subheading 7208.10, 7208.25, 7208.26, 7208.27, 7208.36, 7208.37, 7208.38, 7208.39, 7208.40, 7208.51, 7208.52, 7208.53, 7208.54, 7208.90, 7211.14, 7211.19, 7225.30, 7225.40, 7225.99, 7226.91 and 7226.99.

DESCRIPTION OF THE LIKE OR DIRECTLY COMPETITIVE SACU PRODUCT

The SACU product is described as certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel), whether or not in coils (including products cut-to-length and 'narrow strip'), not further worked than hot-rolled (hot-rolled flat), not clad, plated or coated, excluding grain-oriented silicon electrical steel.

ALLEGATION OF SERIOUS INJURY AND THE LIKELY RECURRENCE OF SERIOUS INJURY

The period of investigation for data evaluation for the purposes of determining the allegation of serious injury is 01 September 2017 to 31 May 2020, plus estimates for 1 June 2020 to 31 August 202, should the safeguard duties be removed.

The injury analysis relates to information submitted by ArcelorMittal South Africa Limited (AMSA's), a member of SAISI with a collective output of the like or directly competitive products constituting a major proportion (100%) of the total domestic production of those products.

The Applicant alleged and submitted *prima facie* information indicating that it is experiencing serious injury in the form of a decline in sales volumes, output, profits, market share, utilisation of capacity, productivity and employment for the period 01 September 2017 to 31 May 2020. The applicant further provided estimates for the period 1 June 2020 to 31 August 2021, to show that should the duties expire, it is likely lead to the recurrence of serious injury in the form of a decline in sales volumes, productivity, profits, output, market share, employment and utilisation of capacity.

On this basis the Commission found that *prima facie* information was submitted to indicate that the SACU industry was suffering serious injury and the expiry of the current safeguard measures will likely lead to the recurrence of serious injury.

LEGAL FRAMEWORK

This investigation will be conducted in accordance with the International Trade Administration Act, 2002 (ITA Act) and the International Trade Administration Commission Safeguard Regulations (SGR) read with the World Trade Organization Agreement on Safeguards (the Safeguard Agreement).

Please note that if any information is considered to be confidential, a non-confidential version of the information must be submitted for the public file, simultaneously with the confidential version. In submitting a non-confidential version, the following rules are strictly applicable and parties must indicate:

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;

- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- in exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made, setting out reasons why it is impossible to comply with these requirements.

PROCEDURES AND TIME LIMITS

All information submitted, including non-confidential copies thereof, should be received by the Senior Manager: Trade Remedies II by no later than 20 days from the date

hereof. Late submissions will not be accepted.

Interested parties are invited to submit comments on the initiation of the investigation or any information regarding this matter to the following address:

Physical address

Senior Manager: Trade Remedies II
International Trade Administration Commission
Block E – The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

Senior Manager: Trade Remedies II
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

Any interested party may request an oral hearing provided that reasons are given for not relying on written submissions only. No request for an oral hearing will be considered more than 60 days from the date of this publication. The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of the investigation.

Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request.

Should you have any queries, please do not hesitate to contact the investigating officers, Mr Edwin Mkwanazi at +27 12 394 3742 or emkwanazi@itac.org.za

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