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20 October 2016

Dear Value Customers

The 27<sup>th</sup> of December 2016 has been declared as a public holiday by the State President Mr Jacob Zuma.

For this reason, the closing date of all gazettes during that week will be a day before scheduled dates as published in the gazette or on the website.

Sincerely,

Maureen Toka  
Acting Assistant Director: Publications  
(Tel): 012 748-6066

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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- **13 January**, Friday, for the issue of Friday **20 January 2017**
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- **15 September**, Friday, for the issue of Friday **22 September 2017**
- **21 September**, Thursday, for the issue of Friday **29 September 2017**
- **29 September**, Friday, for the issue of Friday **06 October 2017**
- **06 October**, Friday, for the issue of Friday **13 October 2017**
- **13 October**, Friday, for the issue of Friday **20 October 2017**
- **20 October**, Friday, for the issue of Friday **27 October 2017**
- **27 October**, Friday, for the issue of Friday **03 November 2017**
- **03 November**, Friday, for the issue of Friday **10 November 2017**
- **10 November**, Friday, for the issue of Friday **17 November 2017**
- **17 November**, Friday, for the issue of Friday **24 November 2017**
- **24 November**, Friday, for the issue of Friday **01 December 2017**
- **01 December**, Friday, for the issue of Friday **08 December 2017**
- **08 December**, Friday, for the issue of Friday **15 December 2017**
- **15 December**, Friday, for the issue of Friday **22 December 2017**
- **20 December**, Wednesday, for the issue of Friday **29 December 2017**

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### 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 R1000 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	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### 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 **R3000** 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.gpwnonline.co.za](http://www.gpwnonline.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, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 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 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****NOTICE SUBMISSION PROCESS**

3. 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).
4. 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.
5. 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.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
  - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
    - 6.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
    - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
  - 6.2. 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
  - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
  - 6.4. Any additional notice information if applicable.
7. 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.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. 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.
10. 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.

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

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
  - 11.1. 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).
  - 11.2. 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**

12. 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.
13. 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**

14. 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**

15. 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:
  - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
  - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
  - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
  - 15.4. 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**

16. 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.
17. 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**

18. The Government Printer will assume no liability in respect of—
  - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 18.2. 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;
  - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

19. 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.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
21. 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

22. 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.
23. 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.
24. 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.
25. 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.
26. 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**.
27. 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

28. 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.
29. 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

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

### AUDITOR-GENERAL OF SOUTH AFRICA

NO. 1580

23 DECEMBER 2016

#### **DIRECTIVE ISSUED IN TERMS OF THE PUBLIC AUDIT ACT, 2004**

Under the powers vested in me by section 13(3)(b) of the Public Audit Act, 2004 (Act No. 25 of 2004) (hereafter referred to as the PAA), I, Thembekile Kimi Makwetu, Auditor-General of the Republic of South Africa (hereafter referred to as the AGSA), hereby issue the following directive.

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## AUDIT FUNCTIONS PERFORMED IN TERMS OF THE PAA

### ANNUAL AUDIT

1. Financial and performance management and compliance with legislation are audited as part of the annual audit process. The auditor's report reflects an opinion or material findings on the following:
  - Financial information, through the auditor's opinion on the financial statements or similar financial reporting.
  - Reported information on performance against predetermined objectives, if applicable.
  - Compliance with applicable legislation relating to financial matters, financial management and other related matters.
  - Internal control deficiencies that resulted in:
    - qualifications of the opinion on the financial statements
    - findings on the reported information on performance against predetermined objectives
    - findings on compliance with legislation.

### AUDITING STANDARDS AS WELL AS THE NATURE AND SCOPE OF AUDITS – SECTION 13(1)(a) AND (b) OF THE PAA

#### Auditing standards

2. Collectively, the International Quality Control, Auditing, Review, Other Assurance, and Related Services Pronouncements issued by the International Auditing and Assurance Standards Board (IAASB)<sup>1</sup> of the International Federation of Accountants (IFAC), as well as the *Code of ethics for professional accountants* issued by IFAC's International Ethics Standards Board for Accountants (IESBA)<sup>2</sup> are applied in the audits.
3. In addition, relevant principles contained in the International Standards of Supreme Audit Institutions (ISSAIs) published by the International Organization of Supreme Audit Institutions (INTOSAI)<sup>3</sup> are applied.

#### Audit of financial statements or similar financial reporting – section 20(2)(a) of the PAA

4. In terms of section 20(2)(a) of the PAA, the auditor's report must reflect whether the annual financial statements fairly present, in all material respects, the financial position and results of operations and cash flow in accordance with the applicable financial reporting framework and legislation. This assurance is provided in the auditor's report.
5. The audit is performed in accordance with the International Standards on Auditing (ISAs).

<sup>1</sup> <http://www.ifac.org/IAASB>

<sup>2</sup> <https://www.ifac.org/ethics>

<sup>3</sup> <http://www.intosai.org> and <http://www.issai.org>

**Audit of compliance with applicable legislation relating to financial matters, financial management and other related matters – sections 20(2)(b) and 28(1)(b) of the PAA**

6. In terms of sections 20(2)(b) and 28(1)(b) of the PAA, the auditor's report must reflect an opinion or conclusion on the auditee's compliance with any applicable legislation relating to financial matters, financial management and other related matters. Currently, the auditor's report only reflects material findings on non-compliance identified.
7. The audit of compliance with legislation is performed in accordance with principles in the applicable ISSAIs and the International Standard on Assurance Engagements (ISAE) 3000, *Assurance engagements other than audits or reviews of historical financial information*.
8. The determination of compliance subject matters to be included in the scope of the compliance audit is undertaken on an annual basis as follows:
  - Predetermined at AGSA level for each category of auditee.
  - Further refinement at engagement level taking into account the specific circumstances of the auditee, including the nature and extent of its business and operations, and the impact of specific actions, transactions or events.
9. The AGSA applies the following scoping criteria in selecting the subject matters for the audit of compliance:
  - Specific areas of relevance to intended users; matters of significant national, community or public interest – as identified through consultation with internal and external parties.
  - Government priorities in all three spheres of government – as communicated in the state of the nation address, the national budget speech, the Medium Term Strategic Framework or other similar documents.
  - Results of previous assurance engagements (i.e. past experience) and how this may affect intended users' expectations about compliance, including improvement.
  - Enhancement of effective legislative oversight; enhancement of transparency, accountability and good governance; focus on continuous improvement and public confidence.
10. The auditor's report reflects material findings on compliance with relevant legislation in respect of the following subject matters, selected in accordance with the criteria in paragraph 9:
  - Strategic planning and performance management
  - Budgets
  - Financial statements, performance reports and annual reports
  - Procurement and contract management – including procurement and contract management functions performed on behalf of another organ of state (e.g. as procurement or implementing agents)
  - Human resource management and compensation
  - Expenditure management
  - Transfer of funds
  - Utilisation of conditional grants
  - Revenue management
  - Asset management
  - Liability management

- Consequence management
11. Annexure A contains details on the applicability of the subject matters to the different categories of auditees.
  12. The criteria used to evaluate the above subject matters are derived from the applicable legislation, with specific focus on the following:
    - Public Finance Management Act, 1999 (Act No. 1 of 1999) (PFMA) and regulations and instructions issued in terms of the act
    - Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) and regulations issued in terms of the act
    - Financial Management of Parliament and Provincial Legislatures Act, 2009 (Act No. 10 of 2009) (FMPPLA) and regulations issued in terms of the act
    - Division of Revenue Act (DoRA)
    - Appropriation Act
    - Municipal Structures Act, 1998 (Act No. 117 of 1998) and regulations and instructions issued in terms of the act
    - Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA) and regulations and instructions issued in terms of the act
    - Municipal Property Rates Act, 2004 (Act No. 6 of 2004) and regulations and instructions issued in terms of the act
    - Companies Act, 2008 (Act No. 71 of 2008) and regulations and instructions issued in terms of the act
    - Public Service Act, 1994 (Act No. 103 of 1994) and regulations issued in terms of the act
    - Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and regulations and instructions issued in terms of the act
    - Construction Industry Development Board Act, 2000 (Act No. 38 of 2000) and regulations issued in terms of the act
    - State Information Technology Agency Act, 1998 (Act No. 88 of 1998) and regulations issued in terms of the act
    - Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004)
    - Auditee-specific enabling legislation

**Audit of reported information on performance against predetermined objectives – sections 20(2)(c) and 28(1)(c) of the PAA**

13. In terms of sections 20(2)(c) and 28(1)(c) of the PAA, the auditor's report must reflect an opinion or conclusion on the auditee's reported information on performance against predetermined objectives. Assurance in the form of an audit conclusion on the usefulness and reliability of the reported information on performance against predetermined objectives is currently included in the report to management, with material findings being reported in the auditor's report.
14. Material findings on the usefulness of the information reported by universities will only be included in the management report and not in the auditor's report.
15. The level of assurance provided may be reasonable or limited as predetermined by the AGSA based on the following:

- The importance of the auditee
  - The size and nature of the auditee's business
16. The audit of reported information on performance against predetermined objectives is performed in accordance with ISAE 3000 and the criteria developed from the Performance Management and Reporting Framework (PMRF), consisting of the following:
- Legislation applicable to performance planning, management and reporting, which includes the following:
    - PFMA
    - Treasury Regulations (TR), 2005, issued in terms of the PFMA
    - National Treasury (NT) Practice Note 4 of 2009/10
    - Public Service Regulations, 2001, issued in terms of the Public Service Act, 1994 (Act No.103 of 1994)
    - MFMA
    - MSA
    - Regulations for Planning and Performance Management, 2001, issued in terms of the MSA
    - Municipal Performance Regulations for Municipal Managers and Managers Directly Accountable to Municipal Managers, 2006, issued in terms of the MSA
    - FMPPLA
  - Framework for the Managing of Programme Performance Information (FMPPI), issued by the NT. This framework is applicable to all spheres of government.
  - Framework for Strategic Plans and Annual Performance Plans (FSAPP), issued by the NT. This framework is applicable to all national and provincial departments, constitutional institutions and those public entities listed in parts A and C of schedule 3 of the PFMA.
  - Circulars and guidance issued by the NT and the Department of Planning, Monitoring and Evaluation regarding the planning, management, monitoring and reporting of performance against predetermined objectives.
17. The criteria applicable to the different categories of auditees, as derived from the PMRF, are detailed in annexure B.
18. The AGSA applies the following scoping criteria in selecting the subject matters (programmes / objectives / development priorities) for the audit:
- Qualitative and quantitative considerations such as the following considered individually and in combination:
    - Subject matters that are a requirement of a law, regulation or sector determination.
    - Subject matters that relate to the primary functions or purposes of the entity; i.e. its reason for being.
    - Subject matters that could be of significant national, community or public interest.
    - Subject matters that relate to outputs of significant importance to the public, such as those with an impact on public health, safety as well as social, economic or environmental well-being.



- Any individual subject matter with a budgeted or actual expenditure or revenue amount constituting 30% or more of the total budgeted or actual expenditure or revenue amount.

#### **Internal control deficiencies, as indicated by the reference to financial management in section 4(1) and (3) of the PAA**

19. In terms of section 4(1) and (3) of the PAA, financial management must be audited and reported on. Deficiencies in internal control that resulted in the qualification of the opinion on the financial statements and in material findings on the reported information on performance against predetermined objectives and compliance with legislation are included in the auditor's report.
20. The criteria used to evaluate internal control are set out in annexure C.

#### **Focus areas – section 13(1)(b) of the PAA**

21. Additional specific audit focus areas are identified based on an annual risk assessment and are included in the AGSA's *R3: Reporting guide*. Significant findings arising from the audits are included in the reports to management and in the AGSA's general reports.

#### **Discretionary engagements – section 5(1)(a) and (d) of the PAA**

22. The AGSA may, at its discretion, perform audit-related services and special audits, including performance audits, investigations and other defined types of engagements. In addition to the International Standard on Quality Control (ISQC) 1, *Quality control for firms that perform audits and reviews of financial statements, and other assurance and related services engagements*, the following standards guide these audits:
  - Performance audits  
These audits are conducted in accordance with ISSAI 300, *Fundamental principles of performance auditing* and the *Performance audit manual* developed by the AGSA.
  - Investigations  
Investigations are conducted in accordance with *Standards and guidelines: Investigations* developed by the AGSA.
  - Other defined engagements  
These audits are conducted in accordance with ISA 805, *Audits of single financial statements and specific elements, accounts or items of a financial statement*, ISAE 3000, *Assurance engagements other than audits or reviews of financial information* or International Standard on Related Services (ISRS) 4400, *Engagements to perform agreed-upon procedures regarding financial information*, as appropriate.

#### **Complaints against the AGSA - section 13(1)(c) of the PAA**

23. The AGSA's complaints mechanism in terms of section 13(1)(c) of the PAA accommodates complaints pertaining to the following:
  - The exercising of powers, the performance of duties and the administration of the AGSA pertaining to the performance of audits and any other functions in terms of section 11 of the PAA.

- Work performed during an audit by the AGSA, authorised auditors and other personnel where it is alleged that such work does not meet professional standards and regulatory and legal requirements.
  - Complaints of non-compliance by the AGSA, authorised auditors and other personnel with the AGSA's internal system of quality control.
  - Complaints pertaining to the auditor-general as a person.
24. Complaints against the AGSA should be addressed in writing to the:
- Complaints manager, Auditor-General of South Africa  
Physical address: 300 Middel Street, New Muckleneuk, Pretoria  
Postal address: PO Box 446, Pretoria, 0001  
Email: [ethics@agsa.co.za](mailto:ethics@agsa.co.za)

### **AUDITS OF PUBLIC ENTITIES AND OTHER INSTITUTIONS NOT PERFORMED BY THE AGSA – SECTION 4(3) OF THE PAA**

#### **Audits that the AGSA has opted not to perform – section 25(1)(a) of the PAA**

25. In terms of section 4(3)(a) and (b) of the PAA, the AGSA may audit and report on the accounts, financial statements and financial management of any public entity listed in the PFMA and any other institution not mentioned in section 4(1) of the PAA and which is:
- funded from the national revenue fund or a provincial revenue fund or by a municipality, or
  - authorised in terms of any legislation to receive money for a public purpose.
26. In terms of section 25(1)(a) of the PAA, the AGSA opts not to perform the audits of any auditees referred to in section 4(3) of the PAA, which are not already being audited by the AGSA for the 2016-17 and following financial years, unless the auditee is advised otherwise before the start of its financial year.

#### **Appointment of registered auditors – section 25(1)(b), (2), (3) and (4) of the PAA**

27. An auditee should proceed to appoint an audit firm registered with the Independent Regulatory Board for Auditors (IRBA) as stipulated by section 25(1)(b), read with section 25(4), of the PAA, if not advised before the start of the financial year that the AGSA will perform the audit.
28. Before appointing the auditor, the auditee must, in terms of section 25(2) of the PAA, notify the AGSA via email to [section4@agsa.co.za](mailto:section4@agsa.co.za) of the suggested appointment, including information on the extent of other services that will be provided during the period of the appointment. In this regard, the document entitled *Consultation with the Auditor-General of South Africa on the appointment or discharge of the registered auditor*, attached as annexure D, must be completed and the required supporting documentation supplied. The AGSA may consult with the responsible executive authority on the appointment of the audit firm.
29. If the AGSA, within 14 days of receiving a notice by the auditee of the suggested appointment of an auditor, or such longer period as may be agreed to, rejects the auditee's appointment, the auditee must in terms of section 25(3) of the PAA recommence the process to appoint another person as its auditor.

30. If an audit firm is contracted by the auditee for a period longer than one financial year, the appointment must be reaffirmed with the AGSA for each financial year in terms of section 25(4) of the PAA.
31. The auditee may not appoint alternative auditors if the AGSA has opted to perform the audit or if auditee-specific legislation prescribes that the audit should be conducted by the AGSA.

#### **Discharge of registered auditors – section 26 of the PAA**

32. In terms of section 26(1) of the PAA, an auditee may discharge an auditor before the term of appointment expires with the consent of the AGSA and the relevant executive authority, where applicable.
33. Before discharging the auditor, the auditee must provide the auditor with:
  - a written notice setting out the reasons for the discharge
  - an opportunity to make written representations to the AGSA within 20 days of receipt of the notice.
34. The auditee must at the same time notify the AGSA of its intention to discharge the appointed auditor by completing the document entitled *Consultation with the Auditor-General of South Africa on the appointment or discharge of the registered auditor*, attached as annexure E, and submit it via email to [section4@agsa.co.za](mailto:section4@agsa.co.za).
35. The AGSA will consider the document and communicate its consent or otherwise to the auditee. The AGSA may consult with the relevant executive authority on this matter.
36. The AGSA will report any discharge of an audit firm to the relevant legislature.

#### **Responsibilities of registered auditors – part 2 of chapter 3 of the PAA**

37. When auditing in the public sector, the auditor must do so in accordance with the requirements, duties and responsibilities as legislated and assigned to him/her in part 2 of chapter 3 of the PAA. The auditor must take cognisance of the content of the PAA and must adhere to the following requirements when auditing auditees where the AGSA has opted not to perform the audit:
  - Appointment of auditors – section 25 of the PAA
  - Discharge of auditors – section 26 of the PAA
  - Duties and powers of auditors – section 27 of the PAA
  - The format and content of the auditor's report, as set out in the AGSA's *R3: Reporting guide* and any other guidance that may be published by the AGSA from time to time to conduct audits in the public sector– section 28(1) and (2) of the PAA
  - Submission of the auditor's report to the AGSA – section 28(3)(c) of the PAA
  - The requirements of this notice, as applicable
38. To assist auditors in conducting audits in the public sector, they should consider the following documents made available by IRBA that provide a perspective on auditing in the public sector:
  - *A guide for registered auditors: Auditing in the public sector*
  - *A guide for registered auditors: Audit of predetermined objectives*
  - *Guide for registered auditors: Guidance on performing audits on behalf of the AGSA*

- *Guide for registered auditors: Guidance on performing audits where the AGSA has opted not to perform the audit*
- South African Auditing Practice Statement (SAAPS) 2, *Financial reporting frameworks and the auditor's report*
- SAAPS 3, *Illustrative reports*

Reference may also be made to the AGSA's website<sup>4</sup> for additional information.

39. The AGSA monitors compliance with the provisions of the PAA and this notice in conducting an audit in terms of section 25(1)(b) of the PAA. In this regard, the appointed auditor must complete the document entitled *Monitoring checklist for audits not conducted by the AGSA*, attached as annexure E.

#### **Request for information – sections 27(5) and 28(3)(c) of the PAA**

40. The AGSA interacts proactively with executive authorities and oversight bodies, such as the parliamentary portfolio and accounts committees. The aim of these engagements is to promote and encourage clean audit outcomes and enhance effective public governance.
41. The audit firm may be invited to such meetings. In terms of section 27(5) of the PAA, the AGSA may further request the audit firm to submit any information regarding the audit relevant to such meetings, including the auditor's communications with those charged with governance. The invitation to meetings and/or request for information will be communicated by the contact person at the AGSA business unit responsible for the audit of the controlling department to which the auditee reports.
42. Due to the role of the AGSA in establishing the duties and powers of appointed auditors in the public sector, the AGSA may, in addition to the above, request to attend meetings with those charged with governance of the auditee.
43. In terms of the requirements of section 28(3)(c) of the PAA, read with section 55(1)(d) of the PFMA, and in order to facilitate reporting on the full ministerial portfolio and reporting and analysis in the AGSA's general reports, the audit firm must furnish the responsible contact person, either in hard copy or electronically, with the following as soon as the annual report has been finalised but not later than five months after the financial year-end or as otherwise agreed with the responsible contact person:
- A copy of the auditor's report, together with a copy of the audited financial statements of the auditee
  - Three copies of the auditee's annual report
  - The completed monitoring checklist (annexure E)

#### **Complaints against registered auditors**

44. Should a registered auditor appointed in terms of section 25(1)(b) of the PAA be found to be in contravention of the requirements in this notice or any provision of the PAA, the Auditing Profession Act, 2005 (Act No. 26 of 2005) (APA) or any act with which it is his/her duty to comply in his/her capacity as a registered auditor, the AGSA may lodge a complaint of improper conduct against such auditor with IRBA.
45. In addition, a complaint of improper conduct may be lodged with IRBA against a registered auditor appointed in terms of section 25(1)(b) of the PAA if it comes to the attention of the AGSA that the auditor has conducted himself/herself in a manner that is

<sup>4</sup> <http://www.agsa.co.za>

improper, discreditable, unprofessional, dishonourable or unworthy or which brings the accounting profession into disrepute.

#### **AUDITEES FOR WHICH LEGISLATION IS NOT PRESCRIPTIVE IN RESPECT OF THE FINANCIAL STATEMENTS – SECTION 14(2)(b) OF THE PAA**

46. The financial statements of an auditee, as defined in section 1(1) of the PAA, that are not subject to the PFMA, the MFMA or any other legislation that is prescriptive in respect of the financial statements, must:
- be prepared in accordance with the Generally Recognised Accounting Practice (GRAP) reporting framework issued by the Accounting Standards Board (ASB)<sup>5</sup>
  - comply with the PFMA requirements applicable to entities as they pertain to the information to be contained in the financial statements, as well as the period within which the financial statements are to be submitted for auditing.
47. The above requirement regarding the application of the GRAP reporting framework is not applicable where the auditee is not required to prepare full financial statements comprising a statement of financial position, a statement of financial performance, a statement of changes in net assets, a cash flow statement and notes, including a summary of significant accounting policies and other explanatory notes.
48. Where an entity is not listed in the PFMA, even though they appear to comply with the criteria of a public entity, they should comply with the above paragraphs.

#### **TIMING AND SUBMISSION OF INFORMATION FOR AUDIT PURPOSES – SECTION 15(2)(b) OF THE PAA**

49. In compliance with applicable legislated submission, auditing and tabling deadlines in the PFMA and the MFMA, as well as to allow adequate time for conducting the audit in accordance with the relevant auditing standards, auditees must adhere to the following:
- The annual performance reports must be submitted not later than the legislated submission date for the financial statements.
  - The trial balance and general ledger that agree to the financial statements, together with the supporting asset register, inventory register and subsidiary ledgers for receivables and payables, must be submitted together with the financial statements. All information in support of disclosures in the financial statements not included in the general and subsidiary ledgers must also be submitted concurrently with the financial statements.
  - All documentation and information in support of the financial statements, reported performance against predetermined objectives and compliance with legislation must be available on request and be retrievable within a reasonable time, as agreed per the engagement letter. If this information is not provided in the time agreed, it will be regarded as a limitation on the audit, which could result in a modification of the audit opinion.
  - As agreed in the audit engagement letter, the other financial and non-financial information to be included in the annual report should be made available on or before the date contained therein. If this other information is not provided before the date of the auditor's report, management will be requested to provide written representation that the information will be provided as soon as possible and before the annual report is published. The fact that the other information is not provided before the date of the auditor's report does not prevent the auditor from issuing the

<sup>5</sup> <http://www.asb.co.za>

auditor's report, but the other information will be read and considered when it becomes available, which may require amendments to the auditor's report if inconsistencies are identified.

- The withdrawal and re-submission of financial statements and performance reports submitted for auditing are not permitted; the financial statements and performance reports may only be adjusted for matters identified during the audit.

#### **ASSESSMENT AND RECOGNITION OF THE FINANCIAL REPORTING FRAMEWORKS APPLICABLE IN THE PUBLIC SECTOR – SECTION 20(2)(a) OF THE PAA**

50. The applicable financial reporting framework provides the criteria against which the auditor audits the financial statements. As one of the preconditions for an audit, the auditor is required to determine whether the financial reporting framework applied in preparing the financial statements is acceptable. This is done by considering the requirements of the ISAs and the guidance set out in SAAPS 2, *Financial reporting frameworks and the auditor's report*. The following financial reporting frameworks are recognised in the public sector and are considered fair presentation frameworks:

- International Financial Reporting Standards (IFRS)
- South African Statements of Generally Accepted Accounting Practice (SA GAAP), until such time as they are withdrawn from application in the public sector by the ASB
- Standards of GRAP
- Modified Cash Standard (MCS) prescribed by the NT

51. Departures or exemptions from the applicable financial reporting framework are granted in terms of sections 79 and 92 of the PFMA, respectively, and sections 170 and 177 of the MFMA, respectively.

52. Should an auditee be granted a departure or exemption from the applicable financial reporting framework in accordance with the requirements of the PFMA or the MFMA, additional disclosure of the nature and reasons for, the period of, and the items affected by, the departure or exemption from the applicable financial reporting framework is required in the financial statements to mitigate any possible misunderstanding by the users of the financial statements.

53. The departure or exemption may affect the acceptability of the financial reporting framework and, as a consequence, the wording of the audit opinion. This is assessed on a case-by-case basis in terms of the ISAs.

#### **REPEAL OF PREVIOUS GOVERNMENT GAZETTES**

54. General Notice 574, issued in Government Gazette No. 40021 of 27 May 2016, is hereby withdrawn and replaced by the requirements as set out in this notice.

#### **EFFECTIVE DATE**

55. This notice is effective for financial periods beginning on or after 1 April 2016 and is applicable until further notice. A similar notice will not necessarily be issued annually.

**ENQUIRIES**

56. Any enquiry related to this notice should be addressed to the following office:

Business executive: Audit Research and Development, Auditor-General of South Africa

Telephone: 012 426 8000

Fax: 012 426 8333

Email: [ARDsupport@agsa.co.za](mailto:ARDsupport@agsa.co.za)

Signed and approved:

TK Makwetu  
Auditor-General



## ANNEXURE A: APPLICABILITY OF COMPLIANCE SUBJECT MATTERS TO DIFFERENT CATEGORIES OF AUDITEES

SUBJECT MATTER	OBJECTIVE	APPLICABLE TO							
		Departments	Constitutional institutions	Trading entities	Public entities	Parliament & legislatures	Municipalities	Municipal entities	Higher learning institutions
	(General applicability rule: compliance audits do not apply to dormant entities) (All references to materiality include both quantitative and qualitative aspects)								
Budgets	Budgets and budgetary processes that promote transparency, accountability and effective financial management of funds in the public sector.	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes
Annual financial statements, performance reports and annual reports	Transparency and accountability through reporting on an annual basis on the state of affairs of the institution, its business, its financial results, its performance against predetermined objectives and its financial positions for the year.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Expenditure management	Management of expenditure to ensure that resources are used in an effective, efficient, economical and transparent manner and that all expenditure is necessary, appropriate and paid promptly and is adequately recorded and reported. Effective / reasonable measures to prevent unauthorised, irregular as well as fruitless and wasteful expenditure.	Yes	Yes	Yes	Yes – except if total expenditure is not material	Yes	Yes – except if total expenditure is not material	Yes	Yes
Revenue management	Effective and efficient revenue management that provides for the identification, collection, recording and reconciliation of revenue.	Yes – only departments that generated material revenue other than voted and donor funds	N/A	Yes – only entities that generated material revenue other than voted and donor funds	Yes – only public entities that generated material revenue	N/A	Yes – only municipalities that generated any revenue from municipal services	Yes – only municipal entities that generated any revenue from municipal services	Yes
Asset	Effective asset management.	N/A	N/A	N/A	Yes –	N/A	Yes	Yes –	Yes



SUBJECT MATTER	OBJECTIVE	APPLICABLE TO							
		(General applicability rule: compliance audits do not apply to dormant entities) (All references to materiality include both quantitative and qualitative aspects)							
		Departments	Constitutional institutions	Trading entities	Public entities	Parliament & legislatures	Municipalities	Municipal entities	Higher learning institutions
management	including the safeguarding and maintenance of assets to eliminate theft, losses, wastage and misuse and a management and accounting information system that accounts for the assets. The disposal of significant assets is properly dealt with in terms of applicable legislation.				except if it is a small auditee			except if it is a small auditee	
Liability management	Effective liability management, including an accounting information system that accounts for liabilities. The focus is on borrowings (long term and short term), credit cards, guarantees, indemnities and securities.	N/A	N/A	N/A	Yes – except if the entity has no liabilities	N/A	Yes – except if the municipality has no liabilities	Yes – except if the entity has no liabilities	N/A
Strategic planning and performance management	Strategic planning that identifies strategically important outcome-orientated goals and objectives against which the institution's medium-term results can be measured and evaluated. Effective system for performance planning, monitoring, measurement, review, reporting and improvement.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Procurement and contract management	Procurement of goods and services in accordance with a system that is fair, equitable, transparent, competitive and cost effective.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Human resource management	Effective human resource management to ensure that adequate and sufficiently skilled resources are in place.	N/A	N/A	N/A	N/A	N/A	Yes	Yes – unless if it is a small auditee	Yes
Transfer of funds	Transfers are made after ensuring that the entity has the capacity to comply with the agreement and has effective, efficient and transparent systems to manage	Yes – only departments that transferred funds to other institutions	N/A	N/A	N/A	Yes	Yes – only municipalities that transferred funds to other institutions	N/A	N/A

SUBJECT MATTER	OBJECTIVE	APPLICABLE TO							
		(General applicability rule: compliance audits do not apply to dormant entities) (All references to materiality include both quantitative and qualitative aspects)							
		Departments	Constitutional institutions	Trading entities	Public entities	Parliament & legislatures	Municipalities	Municipal entities	Higher learning institutions
	those funds.	(DoRA or non-DoRA transfers)							
Utilisation of conditional grants (DoRA)	Utilisation of grants in accordance with the conditions of the allocation.	Yes – only departments that received / utilised DoRA conditional grants	N/A	N/A	N/A	N/A	Yes – only municipalities that received DoRA conditional grants	N/A	N/A
Consequence management	Allegations of financial misconduct (including possible fraud and improper conduct relating to supply chain management); unauthorised, irregular as well as fruitless and wasteful expenditure; and other transgressions are investigated and appropriate action is taken based on the outcome of the investigation.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

## ANNEXURE B: APPLICABILITY OF CRITERIA DEVELOPED FROM THE PERFORMANCE MANAGEMENT AND REPORTING FRAMEWORK TO DIFFERENT CATEGORIES OF AUDITEES

The criteria developed from the above framework are applicable to audits in all three spheres of government unless otherwise indicated.

CRITERIA	REFERENCES TO THE PMRF PER TYPE OF ENTITY					
	Departments / constitutional institutions / trading entities	Public entities	Municipalities	Municipal entities	Parliament / provincial legislatures	
<b>Consistency: Objectives, performance measures / indicators and targets are consistent between planning and reporting documents</b>						
1. Reported strategic or development objectives are consistent or complete when compared to planned objectives	Section 40(3)(a) of the PFMA TR 5.2.4	Section 55(2)(a) of the PFMA TR 28.2.2 TR 30.1.3(g)	Section 121(3)(f) of the MFMA Sections 41 (a) – (c) & 46 of the MSA	Section 121(4)(d) of the MFMA	Section 55(3)(d) of the FMPPLA	
2. Changes to strategic or development objectives are approved	TR 5.1.1 Chapter 4.1 of the FSAPP	Applicable to schedule 3A & 3C public entities: TR 30.1.1 Chapter 4.1 of the FSAPP Applicable to schedule 2, 3B & 3D public entities: TR 29.1.1 TR 29.2	Section 25(2) of the MSA	Section 54(1)(c) of the MFMA	Section 15(2)(b) of the FMPPLA	
3. Reported measures or indicators are consistent or complete when compared to planned measures or indicators	Section 40(3)(a) of the PFMA TR 5.2.4	Section 55(2)(a) of the PFMA TR 28.2.2 TR 30.1.3(g)	Section 121(3)(f) of the MFMA Sections 41 (a) – (c) & 46 of the MSA	Section 121(4)(d) of the MFMA	Section 55(3)(d) of the FMPPLA	
4. Changes to measures or indicators are approved	TR 5.1.1	TR 30.1.1	Section 25(2) of the MSA	Section 54(1)(c) of the MFMA	Section 15(2)(b) of the FMPPLA	
5. Reported targets are consistent or complete when compared to planned targets	Section 40(3)(a) of the PFMA TR 5.2.4	Section 55(2)(a) of the PFMA TR 28.2.2 TR 30.1.3(g)	Section 121(3)(f) of the MFMA Sections 41 (a) – (c) & 46 of the MSA	Section 121(4)(d) of the MFMA	Section 55(3) of the FMPPLA	
6. Changes to targets are approved	TR 5.1.1	TR 30.1.1	Section 25(2) of the MSA	Section 54(1)(c) of the MFMA	Section 15(2)(b) of the FMPPLA	

CRITERIA	REFERENCES TO THE PMRF PER TYPE OF ENTITY				
	Departments / constitutional institutions / trading entities	Public entities	Municipalities	Municipal entities	Parliament / provincial legislatures
<b>Measurability: Performance measures / indicators are well defined and verifiable, and targets are specific, measurable and time bound</b>					
1. A performance measure or indicator is well defined when it has a clear definition so that data will be collected consistently and is easy to understand and use	Chapter 3.2 of the FMPP I issued by the NT				
2. A performance measure / indicator is verifiable when it is possible to validate or verify the processes and systems that produce the indicator	Chapter 3.2 of the FMPP I issued by the NT				
3. A target is specific when the nature and the required level of performance of the target are clearly identifiable	Chapter 3.2 of the FMPP I issued by the NT				
4. A target is measurable when the required performance can be measured	Chapter 3.2 of the FMPP I issued by the NT				
5. A target is time bound when the time frames for the achievement of the target are indicated	Chapter 3.2 of the FMPP I issued by the NT				
<b>Relevance: Performance measures / indicators relate logically and directly to an aspect of the entity's mandate and the realisation of its strategic goals and objectives</b>					
1. The performance measure / indicator and target relate logically and directly to an aspect of the entity's mandate and the realisation of its strategic goals and objectives	Chapters 3.2 and 4 of the FMPP I issued by the NT				
<b>Presentation and disclosure: Performance information in the annual performance report is presented and disclosed in accordance with the requirements contained in legislation, frameworks, circulars and guidance</b>					
1. Reasons for variances between planned and actual performance are disclosed	The NT's annual report guide for the presentation of the annual report	Applicable to schedule 3A & 3C public entities: The NT's annual report guide for the presentation of the annual report	Criteria not applicable	Criteria not applicable	Criteria not applicable
2. Reasons for variances are supported by corroborating source	The NT's annual report guide for the	Applicable to schedule 3A & 3C public entities:	Criteria not applicable	Criteria not applicable	Criteria not applicable

CRITERIA	REFERENCES TO THE PMRF PER TYPE OF ENTITY				
	Departments / constitutional institutions / trading entities	Public entities	Municipalities	Municipal entities	Parliament / provincial legislatures
documentation	presentation of the annual report Chapter 5 of the FMPPI issued by the NT	The NT's annual report guide for the presentation of the annual report Chapter 5 of the FMPPI issued by the NT			
<b>Reliability: Recording, measuring, collating, preparing and presenting information on actual performance / target achievements that is valid, accurate and complete</b>					
1. Reported performance occurred and pertains to the reporting entity	Section 40(3)(a) of the PFMA Chapter 5 of the FMPPI issued by the NT	Section 55(2)(a) of the PFMA Chapter 5 of the FMPPI issued by the NT	Section 45 of the MSA Chapter 5 of the FMPPI issued by the NT	Section 45 of the MSA Chapter 5 of the FMPPI issued by the NT	Section 55 of the FMPPLA Chapter 5 of the FMPPI issued by the NT
2. Reported performance is recorded and reported accurately					
3. All actual performance is recorded and included in the reported performance information					

**ANNEXURE C: CRITERIA USED TO EVALUATE INTERNAL CONTROL****LEADERSHIP**

- Provide effective leadership based on a culture of honesty, ethical business practices and good governance, protecting and enhancing the best interests of the auditee.
- Exercise oversight responsibility regarding financial and performance reporting, compliance and related internal controls.
- Implement effective human resource management to ensure that adequate and sufficiently skilled resources are in place and that performance is monitored.
- Establish and communicate policies and procedures to enable and support the understanding and execution of internal control objectives, processes and responsibilities.
- Develop and monitor the implementation of action plans to address internal control deficiencies.
- Establish an information technology (IT) governance framework that supports and enables the business, delivers value and improves performance.

**FINANCIAL AND PERFORMANCE MANAGEMENT**

- Implement proper record keeping in a timely manner to ensure that complete, relevant and accurate information is accessible and available to support financial and performance reporting.
- Implement controls over daily and monthly processing and reconciling of transactions.
- Prepare regular, accurate and complete financial and performance reports that are supported and evidenced by reliable information.
- Review and monitor compliance with applicable legislation.
- Design and implement formal controls over IT systems to ensure the reliability of the systems and the availability, accuracy and protection of information.

**GOVERNANCE**

- Implement appropriate risk management activities to ensure that regular risk assessments, including the consideration of IT risks and fraud prevention, are conducted and that a risk strategy to address the risks is developed and monitored.
- Ensure that there is an adequately resourced and functioning internal audit unit that identifies internal control deficiencies and recommends corrective action effectively.
- Ensure that the audit committee promotes accountability and service delivery through evaluating and monitoring responses to risks and overseeing the effectiveness of the internal control environment, including financial and performance reporting and compliance with legislation.

**ANNEXURE D: CONSULTATION WITH THE AUDITOR-GENERAL OF SOUTH AFRICA  
ON THE APPOINTMENT OR DISCHARGE OF THE REGISTERED AUDITOR IN TERMS  
OF SECTIONS 25 AND 26 OF THE PUBLIC AUDIT ACT**

**INSTRUCTIONS FOR COMPLETION**

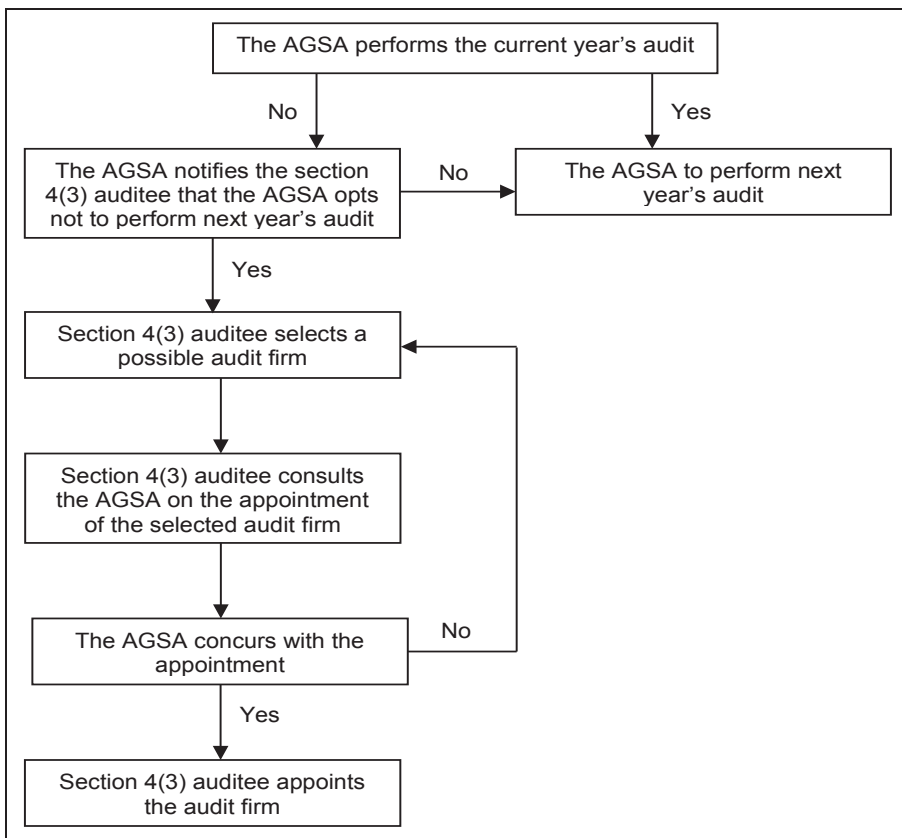
1. This checklist should be completed and submitted with supporting documentation to the AGSA business executive responsible for the audit of the controlling department to which the auditee reports.
2. The checklist should be accompanied by a copy of the auditee's policy on the appointment of auditors and the allocation of non-audit services to auditors.

**PARTICULARS OF AUDITEE**

<b>Name</b>		
<b>Postal address</b>		
<b>Physical address</b>		
<b>Fax number</b>		
<b>Telephone number</b>		
<b>Email address of chief financial officer</b>		
<b>Accounting authority chairperson</b>	<b>Name</b>	
	<b>Contact details</b>	
<b>Responsible minister (executive authority)</b>	<b>Name</b>	
	<b>Contact details</b>	
<b>Responsible department</b>		
<b>Contact person at department</b>		
<b>Financial year in question</b>		
<b>PFMA schedule (2, 3A, 3B, 3C or 3D)</b>		
<b>Name of holding entity (if applicable)</b>		



**SCHEMATIC ILLUSTRATION OF THE AUDITOR APPOINTMENT PROCESS**



**APPOINTMENT OF NEW AUDITORS**

3. Name of the new audit firm:

*Insert details*

4. Contact details of engagement partner responsible for audit:

*Insert details*

5. Anticipated date of appointment:

*Insert details*

6. Nature of other services to be performed:

*Insert details*

7. Details of any prior involvement with the auditee, including the costs:

*Insert details*

8. Details of how the quality of the audit firm's work has been assessed, e.g. results of IRBA reviews; as well as confirmation from IRBA that the appointed audit firm is in good standing at IRBA and is registered to practise:

*Insert details*

9. Matters that may influence a decision regarding the independence, objectivity or perceived independence of the audit firm:

*Insert details*

10. Confirmation from the accounting authority / board that a procurement process was followed and no exceptions were noted:

*Insert details*

11. Costs of audit and non-audit services provided by the audit firm during the last three years:

<b>Financial year</b>			
<b>Audit fees</b>			
<b>Fees for other services</b>			
<b>Total fees</b>			
<b>Non-audit fees as a percentage of total fees</b>			
<b>Nature of services performed</b>			

#### REAPPOINTMENT OF AUDITORS

12. Name of audit firm to be reappointed:

*Insert details*

13. Contact details of engagement partner responsible for the audit:

*Insert details*

14. Financial year(s) previously appointed:

*Insert details*

15. Provide details of the audit committee's assessment of the effectiveness and efficiency of the performance of the external auditors, including IRBA review results:

*Insert details*

16. Provide details of significant disagreements between the external auditors and the accounting authority during the preceding financial year, if any:

*Insert details*

17. Indicate any matter that may influence a decision regarding the independence, objectivity or perceived independence of the auditors:

*Insert details*

18. Name of partner in charge of the audit for the last five years:

Year	Name of partner
1	
2	
3	
4	
5	

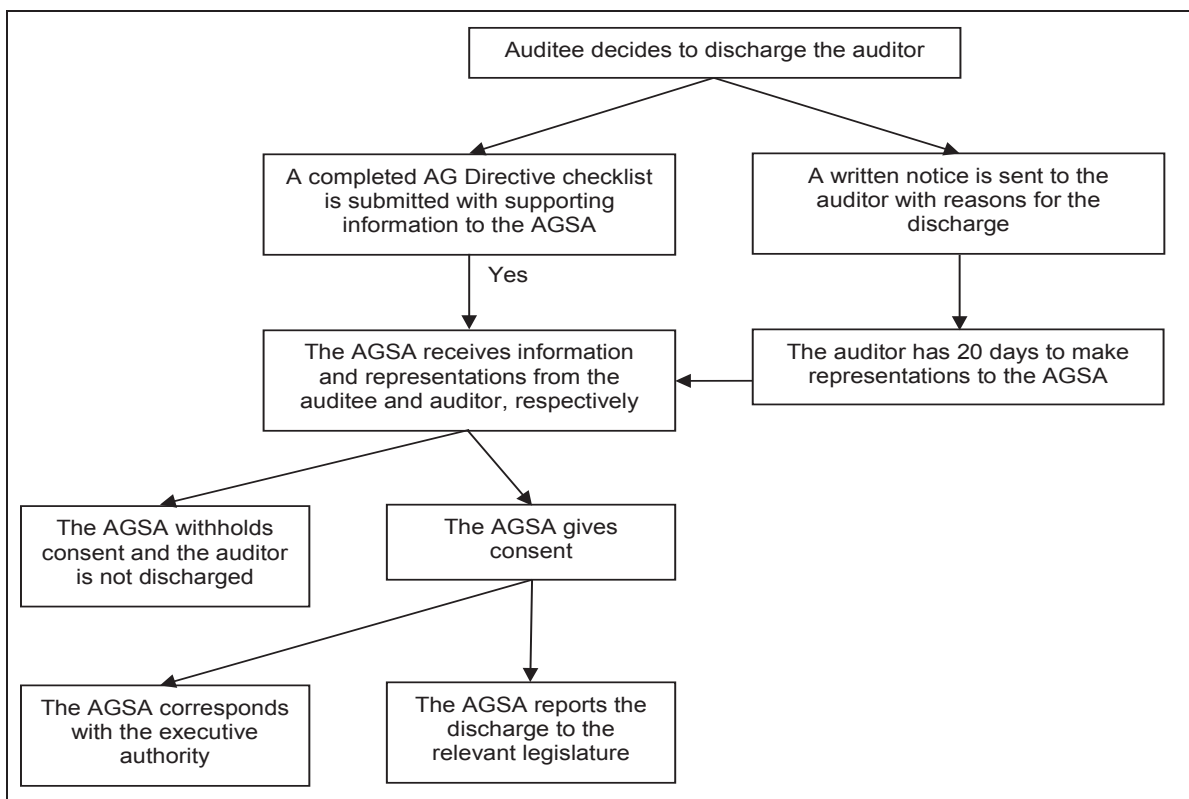
19. Name of senior audit manager in charge of the audit for the last five years:

Year	Name of senior audit manager
1	
2	
3	
4	
5	

20. Costs of audit and non-audit services provided by the audit firm during the last three years:

<b>Financial year</b>			
<b>Audit fees</b>			
<b>Fees for other services</b>			
<b>Total fees</b>			
<b>Non-audit fees as a percentage of total fees</b>			
<b>Nature of services performed</b>			

**SCHEMATIC ILLUSTRATION OF THE AUDITOR DISCHARGE PROCESS**



**DISCHARGE OF AUDITOR**

21. Name of the audit firm discharged:

*Insert details*

22. Number of years engaged on the audit to date:

*Insert details*

23. Costs of audit and non-audit services provided by the audit firm during the last three years:

<b>Financial year</b>			
<b>Audit fees</b>			
<b>Fees for other services</b>			
<b>Total fees</b>			
<b>Non-audit fees as a percentage of total fees</b>			
<b>Nature of services performed</b>			

24. Provide the notice to the auditor, giving the reasons for the impending discharge.

25. Provide written concurrence by the executive authority for the planned discharge.

Signature:

\_\_\_\_\_

**Completed by:**

Name:

\_\_\_\_\_

Designation:

\_\_\_\_\_

Date:

\_\_\_\_\_

## ANNEXURE E: MONITORING CHECKLIST FOR AUDITS NOT CONDUCTED BY THE AUDITOR-GENERAL OF SOUTH AFRICA

### INSTRUCTIONS

1. This checklist should be completed by the appointed audit firm for each audit it has conducted and should be submitted to the contact person at the AGSA business unit responsible for the audit of the controlling department to which the auditee reports within five months after the financial year-end, i.e. 31 August.

### INFORMATION REQUIRED

<b>Name of auditee</b>	
<b>Controlling department</b>	
<b>Type of auditee (schedule number)</b>	
<b>Holding company (if applicable)</b>	
<b>Subsidiaries (if applicable)</b>	
<b>Audit business unit</b>	
<b>Business executive</b>	
<b>Engagement firm</b>	
<b>Engagement firm's address</b>	
<b>Engagement firm's contact details</b>	
<b>Engagement partner</b>	
<b>Engagement partner's contact details</b>	

<b>No.</b>	<b>Requirements</b>	<b>Complied Yes / no* / not applicable</b>	<b>Remarks / comments</b>
<b>Public Audit Act, 2004 (Act No. 25 of 2004) (PAA)</b>			
1.	All the requirements of the PAA and this general notice were complied with		
2.	The auditor's report to the accounting authority was submitted within the time frame prescribed by the PFMA		
3.	A copy of the auditor's report, together with a copy of the financial statements, was submitted to the AGSA by 31 August		
4.	Three copies of the annual report were submitted to the AGSA by 31 August		

No.	Requirements	Complied Yes / no* / not applicable	Remarks / comments
<b>Auditor's report</b>			
5.	The auditor's report was addressed to the appropriate addressee as per the AGSA guidance		
6.	The auditor's report distinguished between the supplementary information that has not been audited and the financial statements that have been audited by indicating the page numbers relating to the financial statements		
7.	The auditor's report correctly referred to the accounting authority as the party responsible for the preparation of the financial statements or consolidated financial statements		
8.	The auditor's report made reference to the correct financial reporting framework for the type of auditee		
9.	<p>The auditor's report complied with the AG Directive and the <i>R3: Reporting guide</i> of the AGSA on the following matters to be included in the auditor's report:</p> <ul style="list-style-type: none"> <li>• Findings on performance against predetermined objectives</li> <li>• Findings on compliance with applicable legislation</li> <li>• A narrative discussion on the internal control deficiencies identified during the audit as they relate to the qualifications on the financial statements, as well as the findings on the reported information on performance against predetermined objectives and findings on compliance with applicable legislation</li> <li>• Information on other engagements conducted by various parties that have or could potentially have an impact on the matters reported on the [type of auditee]'s financial-, performance- and compliance-related matters</li> </ul>		



No.	Requirements	Complied Yes / no* / not applicable	Remarks / comments
10.	Separate financial statements were prepared and audited for all subsidiaries		
* Where a 'no' answer is provided, comments must be included below.			

11. General comments by the appointed auditor:

*Insert details*

Signature:

Completed by  
engagement partner:

Name:

Date:

**CONCLUSION** (to be completed by the audit business unit)

No.	Requirements	Complied Yes / no*	Remarks / comments
1.	Did the auditors and the auditee satisfy the requirements of sections 25 to 27 of the PAA, relating to the following:		
	• Appointment of auditors		
	• Discharge of auditors		
	• Duties and powers of auditors		
2.	Has the engagement firm satisfied the reporting requirements of the following:		
	• The PAA		
	• This general notice		
	• The AGSA's R3: Reporting guide		
* Where a 'no' answer is provided, comments must be included below.			

3. General comments:

*Insert details*

4. Recommended further action in terms of this notice:

<i>Insert details</i>
-----------------------

**Evaluated by  
business executive /  
senior manager:**

Signature:

\_\_\_\_\_

Name:

\_\_\_\_\_

Date:

\_\_\_\_\_

**ANNEXURE F: RELEVANT EXTRACTS FROM THE PUBLIC AUDIT ACT****2. Objects of this act**

The objects of this Act are -

- (b) to provide for the auditing of institutions and accounting entities in the public sector;

**4. Constitutional functions**

- (1) The Auditor-General must audit and report on the accounts, financial statements and financial management of -
  - (a) all national and provincial state departments and administrations;
  - (b) all constitutional institutions;
  - (c) the administration of Parliament and of each provincial legislature;
  - (d) all municipalities;
  - (e) all municipal entities; and
  - (f) any other institution or accounting entity required by other national or by provincial legislation to be audited by the Auditor-General.
- (2) The Auditor-General must audit and report on the consolidated financial statements of -
  - (a) the national government as required by section 8 of the PFMA;
  - (b) all provincial governments as required by section 19 of the PFMA; and
  - (c) a parent municipality and all municipal entities under its sole or effective control as required by section 122 (2) of the MFMA.
- (3) The Auditor-General may audit and report on the accounts, financial statements and financial management of -
  - (a) any public entity listed in the PFMA; and
  - (b) any other institution ... which is -
    - (i) funded from the National Revenue Fund or a Provincial Revenue Fund or by a municipality; or
    - (ii) authorised in terms of any legislation to receive money for a public purpose.

**5. Other functions**

- (1) The Auditor-General may, at a fee, and without compromising the role of the Auditor-General as an independent auditor, provide -
  - (a) audit-related services to an auditee ... or other body, which is commonly performed by a supreme audit institution on condition that -
    - (i) no services may be provided in respect of any matter that may subsequently have to be audited by the Auditor-General;
    - (ii) such service will not directly result in the formulation of policy; and

- (iii) there must be full and proper disclosure of (the categories of) such services (in the report annually submitted by the Auditor-General to the National Assembly).
  - (d) carry out an appropriate investigation or special audit of any institution ..., if the Auditor-General considers it to be in the public interest or upon the receipt of a complaint or request.
- (3) The Auditor-General may, in the public interest, report on any matter within the functions of the Auditor-General and submit such a report to the relevant legislature and to any other organ of state with a direct interest in the matter.

#### **11. Application of this part**

This part applies to all audits of auditees which the Auditor-General -

- (a) must perform in terms of section 4 (1) or (2); or
- (b) opts to perform in terms of section 4 (3).

#### **13. Standards for audits**

- (1) The Auditor-General, after consulting the oversight mechanism, must determine -
  - (a) the standards to be applied in performing audits ...
  - (b) the nature and scope of such audits; and
  - (c) procedures for the handling of complaints when performing such audits.
- (3) The Auditor-General may -
  - (a) make different determinations on the matters mentioned in subsection (1) for different categories of audits based on recognised best practice; or
  - (b) issue specific directives on those matters in any specific case.

#### **14. Submission of financial statements**

- (2) Financial statements submitted by an auditee which is not subject to the PFMA or the MFMA must be submitted within the period, be in a format, contain the information and otherwise comply with any requirements determined -
  - (a) by any legislation applicable to that auditee; or
  - (b) in the absence of such legislation, by the Auditor-General.

#### **15. General auditing powers**

- (2) The Auditor-General or an authorised auditor may for the purpose of an audit -
  - (b) direct a person to produce or to deliver at a specified place and time and in a specified format -
    - (i) any such document, book or written or electronic record or information ...

**20. Audit reports**

- (2) An audit report must reflect such opinions and statements as may be required by any legislation applicable to the auditee which is the subject of the audit, but must reflect at least an opinion or conclusion on -
  - (a) whether the annual financial statements of the auditee fairly present, in all material respects, the financial position at a specific date and results of its operations and cash flow for the period which ended on that date in accordance with the applicable financial framework and legislation;
  - (b) the auditee's compliance with any applicable legislation relating to financial matters, financial management and other related matters; and
  - (c) the reported information relating to the performance of the auditee against predetermined objectives.
- (3) In addition, the Auditor-General may report on whether the auditee's resources were procured economically and utilised efficiently and effectively.

**25. Appointment of auditors**

- (1) If the Auditor-General has opted not to perform the audit of an auditee ...
  - (a) the Auditor-General must give notice of his or her decision to that auditee before the start of the auditee's financial year for which the appointment is to be made; and
  - (b) the auditee must appoint as its auditor a person registered in terms of the Public Accountants' and Auditors' Act as an accountant and auditor and engaged in public practice as such.
- (2) Before appointing an auditor in terms of subsection (1), the auditee must give notice of the suggested appointment to the Auditor-General, including information on the extent to which the auditor would provide other services than audit services during the duration of the appointment, and any other information required by the Auditor-General.
- (3) If the Auditor-General, within 14 days of receiving a notice in terms of subsection (2) or such longer period as may be agreed to, rejects the auditee's appointment, the auditee must in terms of that subsection recommence the process to appoint another person as its auditor.
- (4) Appointments in terms of this section may not be for a longer period than one financial year of the auditee.

**26. Discharge of auditors**

- (1) An auditee ... may discharge an auditor ... before the expiry of that auditor's term of appointment, but only with the consent of the Auditor-General and, if that auditee has an executive authority within the meaning of the PFMA, also of the relevant executive authority.
- (2) If such an auditee intends discharging an auditor in terms of subsection (1), it must -
  - (a) give the auditor notice, in writing, setting out the reasons for the discharge; and
  - (b) give the auditor an opportunity to make representations, in writing, to the Auditor-General within 20 days of receipt of the notice.
- (3) The Auditor-General must report any discharge of an auditor in terms of subsection (1) to the relevant legislature.

**27. Duties and powers of auditors**

- (1) An auditor ... must perform the functions of office as auditor in terms of section 20 of the Public Accountants' and Auditors' Act.
- (2) In performing those functions as the auditor of an auditee, the auditor has the powers assigned to the Auditor-General in terms of section 15 (of the PAA).
- (3) An auditor may consult the Auditor-General or a person designated by the Auditor-General concerning any matter relating to the auditing of the auditee concerned.
- (4) An auditor -
  - (a) must be given notice of every meeting of the auditee's audit committee, if the auditee has such a committee; and
  - (b) may attend, and participate in, any meeting of such an audit committee at the expense of the auditee.
- (5) The Auditor-General or a person designated by the Auditor-General may request information regarding the audit from an auditor ...

**28. Audit reports and other reports**

- (1) The report of an auditor ... must reflect such opinions and statements as may be required by any legislation applicable to the auditee which is the subject of the audit, but must reflect at least an opinion or conclusion on -
  - (a) whether the financial statements of the auditee fairly present, in all material respects, the financial position at a specific date and results of its operations and cash flow for the period which ended on that date in accordance with the applicable financial framework and legislation;
  - (b) the auditee's compliance with any applicable legislation relating to financial matters, financial management and other related matters; and
  - (c) the reported information relating to the performance of the auditee against predetermined objectives.
- (3) The auditor must submit copies of the audit report referred to in subsection (1) -
  - (a) to the auditee;
  - (b) if the auditee has an executive authority within the meaning of the PFMA, to that executive authority for submission to the relevant legislature;
  - (c) to the Auditor-General; and
  - (d) to the National Treasury or the relevant provincial treasury, as may be appropriate.

## DEPARTMENT OF DEFENCE

NO. 1581

23 DECEMBER 2016

**DEFENCE ACT, 2002  
REGULATIONS FOR THE RESERVE FORCE COUNCIL**

I, Nosiviwe Noluthando Mapisa-Nqakula, Minister of Defence and Military Veterans, hereby under section 82(1)(zD) read with Section 48(7) of the Defence Act, 2002 (Act No. 42 of 2002), make the Regulations in the Schedule.

**N N MAPISA-NQAKULA**  
Minister of Defence and Military Veterans

**SCHEDULE****Arrangement of Regulations**

1. Definitions
2. Appointment of members of Council
3. Qualifications for members of Council
4. Vacation of office
5. Duties of Council
6. Powers of Council
7. Constitution of Council
8. Funding and financial control
9. Offences and penalties
10. Short title

**Definitions**

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

**"Association"** means the Reserve Force Council Association established as an integral part of the Council by the Council's constitution, as approved by the Minister on 9 November 2013, to represent Reserve Force organisations and individual serving or former Reserve Force members;

**"Constituents"** means the Reserve Force structural components as represented by their officers commanding and the individual serving and retired Reserve Force members, as represented by the Association;



**"constitution"** means the constitution of the Council approved by the Minister under section 48(3) of the Act;

**"the Act"** means the Defence Act, 2002 (Act No. 42 of 2002);

**"the Council"** means the Reserve Force Council established by the Minister under section 48(1) of the Act.

### **Appointment of members of Council**

2. (1) The Reserve Force Council established by the Minister on 23 May 2003 continues to exist, and persons serving at the commencement of these Regulations continue to hold office in accordance with subregulation (2)(a) until new members have been appointed in terms of this regulation, unless they must vacate office in terms of regulation 4(1).

(2) (a) These Regulations, with the exclusion of regulation 3, apply to all persons contemplated in subregulation (1) while they continue to hold office under that provision.

(b) The persons contemplated in subregulation (1) who meet the requirements of regulation 3 may be nominated and appointed as members of the Council in accordance with this regulation.

(3) Before the appointment of new members of the Council, the Minister must, in writing, instruct the chairperson of the Council to invite the Constituents to nominate candidates to be considered for—

(a) appointment to the Council; and

(b) if the chairperson's term of office has expired or is about to expire, designation as chairperson.

- (4) To give effect to the Minister's instruction contemplated in subregulation (3), the chairperson of the Council must—
- (a) within 90 days of receipt of the Minister's instruction, invite the Constituents through the Association and all the Officers Commanding of Reserve Force structural components to nominate candidates contemplated in subregulation (3) in accordance with the Council's constitution; and
  - (b) receive the nominations contemplated in paragraph (a), together with a motivation in respect of each nominated candidate.
- (5) The chairperson of the Council must—
- (a) determine which nominated candidates qualify for appointment in terms of regulation 3;
  - (b) list the qualified candidates to separately reflect the nominations made through the Association and the Officers Commanding; and
  - (c) submit the lists contemplated in paragraph (b) to the Minister, together with the motivation in respect of each qualified candidate.
- (6) Upon receipt of the lists submitted in terms of subregulation (5)(c), the Minister must—
- (a) appoint 54% of the members of the Council from the qualified candidates nominated through the Officers Commanding Reserve Force structural components;
  - (b) appoint 23% of the members of the Council from the qualified candidates nominated through the Association;
  - (c) appoint 23% of the members of the Council from qualified candidates who are persons with knowledge and experience in defence and military matters and were either directly identified by the Minister or, alternatively, nominated through the Officers Commanding or the Association; and
  - (d) when making the appointments, consider the needs for the Council to—
    - (i) reflect broadly the racial composition of South Africa;
    - (ii) have both male and female members;
    - (iii) have members representative of the Services and Divisions of the Defence Force; and
    - (iv) represent officers and non-commissioned officers.

- (7) The Minister must—
- (a) appoint the members of the Council to hold office for five years; and
  - (b) within 30 days after appointing the members, by notice in the *Gazette* publish the names of the members so appointed and the date of commencement of their terms of office.

### **Qualifications for members of Council**

3. To qualify for appointment by the Minister as a member of the Council, the candidate must—
- (a) be a fit and proper person;
  - (b) be a South African citizen and permanently resident in the Republic;
  - (c) have knowledge of defence and military matters relating to the Reserve Force;
  - (d) have experience in corporate governance, compliance assurance, management, finance, planning, policy development and international security affairs;
  - (e) be seen to be independent by—
    - (i) not being a member of the Regular Force;
    - (ii) not being a member of the Reserve Force serving in a command or staff post at the level of colonel, its equivalent, or higher rank;
    - (iii) not being an officer commanding a Reserve Force structural component;
    - (iv) not being involved with any other body or person who must consult the Council in terms of section 48(4) of the Act;
    - (v) not holding any office in a legislative body established by the Constitution of the Republic of South Africa, 1996; and
    - (vi) not holding any position other than that of an ordinary member in any political party or organisation;
  - (f) not be an unrehabilitated insolvent;
  - (g) not within the previous five years have served a sentence, after having been convicted of an offence and sentenced to imprisonment without the option of a fine for a period of more than 12 months; and
  - (h) have accepted the nomination in writing and signed an undertaking to comply with the Code of Conduct for the Council, contained in the Annexure.

**Vacation of office**

4. (1) A member of the Council must vacate his or her office when he or she—
- (a) no longer meets a qualification contemplated in regulation 3;
  - (b) has served the period of his or her appointment;
  - (c) is medically certified to be unable to perform his or her duties;
  - (d) resigns by giving 30 days' notice in writing to the Minister; or
  - (e) is removed from office by the Minister on account of his or her—
    - (i) misconduct;
    - (ii) non-compliance with these Regulations;
    - (iii) absence from three consecutive meetings of the Council without prior apology to the chairperson, or a valid reason for such absence; or
    - (iv) furthering or prejudicing the interests of any political party or organisation in his or her capacity as a member of the Council.
- (2) Any vacancy in the Council must be filled in accordance with regulations 2 and 3.

**Duties of Council**

5. The Council must—
- (a) give advice when consulted in terms of section 48(4) of the Act;
  - (b) in terms of section 48 (4) of the Act, represent the Reserve Force by acting for and on behalf of that Force to promote and maintain it as an integral part of the Defence Force; and
  - (c) execute any task or programme, and investigate any matter, commissioned under section 48(5) of the Act.

**Powers of Council**

6. Subject to regulation 8(2), the Council may do all that is necessary or expedient to perform its functions effectively, which includes the power to—
- (a) subject to the control and approval of the Secretary for Defence—
    - (i) determine its own staff establishment and appoint employees to posts on its staff establishment;
    - (ii) remunerate members of the Council in accordance with regulation 8(3); and
    - (iii) obtain the service of any person or entity to perform any specific act or function;
  - (b) confer with any person or entity; and
  - (c) do research and publish reports.

### Constitution of Council

7. The constitution must provide for the performance by the Council of its functions, and may provide for—

- (a) the status, objects, guiding principles and membership of the Council;
- (b) the national and regional operation of the Council;
- (c) committees of the Council;
- (d) meetings, decisions and elections by the Council, executives, boards and their committees;
- (e) national and regional secretariats and staff;
- (f) the rules of the Association;
- (g) the appointment of research teams;
- (h) co-operation by the Council with organisations representing reserve forces internationally, and with reserve force organisations of other countries;
- (i) honours and awards to be granted by the Council;
- (j) disciplinary action by the Council; and
- (k) any matter that may facilitate the Council's conducting of its business and the execution of its object, mission, aims and mandates.

### Funding and financial control

8. (1) The expenses relating to the administration of the affairs of the Council and its structures are paid from the budget of the Department of Defence.

(2) For the purpose of financial control, the Council must, when performing any of its functions, comply with the applicable—

- (a) provisions of the Public Finance Management Act, 1999. (Act No. 1 of 1999);
- (b) Treasury Regulations; and
- (c) financial policies and procedures of the Department.

(3) Any member of the Council not in the full-time employment of the State, may be remunerated, after obtaining the approval contemplated regulation 6(a)(ii), in the case of—

- (a) the chairperson of the Council, at a level equivalent to that of a Chief Director in the Public Service;
- (b) the members of the Council who serve on the national executive committee in accordance with the constitution, at a level equivalent to that of a Director in the Public Service; and
- (c) all members of the Council other than those referred to in paragraphs (a) and (b), at a level not exceeding that of a Deputy Director in the Public Service.

**Offences and penalties**

9. (1) No person may, without the approval of the Council, use any name or emblem which may indicate that such person has any connection with the Council, while in fact there is no such connection.

(2) No person may obstruct or interfere with the Council, its structures or staff in the performance of their functions.

(3) Any person who contravenes or fails to comply with a provision of subregulation (1) or (2) is guilty of an offence and liable, on conviction, to a fine or to imprisonment for a period not exceeding one year.

**Short title**

10. These Regulations are called the Regulations for the Reserve Force Council, 2016.

**ANNEXURE****CODE OF CONDUCT FOR THE RESERVE FORCE COUNCIL**  
**[regulation 3(h)]**

Every member of the Council and the Association, and every member of their staff must—

- (a) serve the Council in support of the constitutional objectives of the Defence Force;
- (b) perform his or her functions correctly, diligently, impartially and with integrity;
- (c) disclose any interest or matter which may disqualify him or her from serving in the Council or participating in the proceedings;
- (d) protect the property, money and resources of the Department and report corruption;
- (e) keep the administration and records of the Council accurately, up to date and confidential;
- (f) comply with all legal provisions and agreements applicable to the Council;
- (g) ensure fair and equitable treatment of every person, without unfair discrimination;
- (h) refrain from conduct that may be prejudicial to the good reputation of the Council, the Association or their structures; and
- (i) comply with the provisions of the constitution.



## DEPARTMENT OF FINANCE

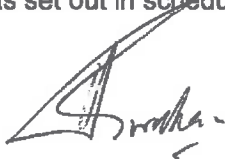
NO. 1582

23 DECEMBER 2016

## NATIONAL TREASURY

**SHORT-TERM INSURANCE ACT, 1998: AMENDMENT OF REGULATIONS MADE  
UNDER SECTION 70**

I, Pravin Jamnadas Gordhan, Minister of Finance, under section 70(1)(e) and 70(2A)(a) of the Short-term Insurance Act, 1998 (Act No. 53 of 1998), hereby amend the Regulations made under section 70 of the Short-term Insurance Act and published under Government Notice R.1493 in *Government Gazette* 19495 of 27 November 1998 (as amended from time to time) as set out in schedule A.



**PRAVIN JAMNADAS GORDHAN, MP  
MINISTER OF FINANCE**

14/12/2016

## GOVERNMENT GAZETTE

## SCHEDULE A

**1. Amendment of Part 5 in the Regulations under the Short-term Insurance Act, 1998 as published in GN R.1493 of 1998 and amended by GN R.462 of 2008 and GN R.1076 of 2011:**

Part 5 of the Regulations is hereby amended by:

- (a) The substitution of regulation 5.3 of the Regulations for the following regulation:

**"Maximum commission payable**

**5.3(1) No commission shall exceed, in respect of –**

- (a) a motor policy, 12,5 per cent of the premium payable under the policy;
- (b) a contract identified as an accident and health policy in category 1, 2 and 3 in the table under regulation 7.2(1) of the Regulations, the maximum commission specified in column two of the Scale below (in relation to the monthly premium band specified in column 1); and
- (c) any other short-term policy, 20 per cent of the premium payable under the policy.

**SCALE**

<b>Monthly premium band</b>	<b>Maximum Commission Level</b>
<b>Column 1</b>	<b>Column 2</b>
Above R1,200	5%
R601 to R1,200	10%
R 300 to R600	15%
Less than R300	20%

"

- (b) The substitution of regulation 5.5 of the Regulations for the following regulation:

**"5.5 Commission when short-term policy comprises combination of policies**

- (1) If a short-term policy is a contract comprising a combination of any two or more of the short-term policies defined in section 1, the maximum commission payable shall be determined by aggregating the maximum payable in terms of this Part in respect of each of the separate kinds of policies comprising the combination by reference to the premium payable for each such policy, and if the premium attributable to each component is not specified in or ascertainable from the policy, the

maximum shall not exceed that which would have been payable had the policy been the kind of policy to which the lowest maximum rate of commission applies.

- (2) Despite sub-regulation (1), if a short-term policy is a contract comprising a combination of any two or more of the short-term policies defined in section 1 and one of the policies is an accident and health policy referred to in category 1, 2 or 3 in the table under regulation 7.2(1), the maximum commission payable shall be determined by aggregating the maximum payable in terms of this Part in respect of each of the separate kinds of policies comprising the combination by reference to the premium payable for each such policy, and if the premium attributable to each component is not specified in or ascertainable from the policy, the maximum commission payable for the whole of the policy shall not exceed the maximum commission allowable under Scale in Regulation 5.3(1)."

**2. Substitution of Part 7 in the Regulations under the Short-term Insurance Act, 1998 as published in GN R.1493 of 1998 and amended by GN R.462 of 2008 and GN R.1076 of 2011:**

Part 7 of the Regulations is hereby substituted for the following Part:

**"PART 7**

**CONTRACTS IDENTIFIED AS ACCIDENT AND HEALTH POLICIES UNDER SECTION  
70(2A)(a) OF THE ACT**

**7.1 Definitions and interpretation**

In this Part 7, unless the context indicates otherwise-

**"condition-specific waiting period"** means a period in which a policyholder is not entitled to claim policy benefits under a policy in respect of a condition for which medical advice, diagnosis, care or treatment was recommended or received within a period of 12 months preceding the day on which the policy was entered into;

**"general waiting period"** means a period in which a policyholder is not entitled to claim any, or may only claim certain, policy benefits;

**"hospitalisation"** means any admission for a medical procedure or administration of a therapeutic or diagnostic medical intervention wherein a person is expected to stay overnight in a facility;

"insurer" means a short-term insurer or a Lloyd's underwriter;

"medical scheme" has the meaning assigned under section 1 of the Medical Schemes Act;

"member" has the meaning assigned under section 1 of the Medical Schemes Act;

"policy" means a short-term policy;

"product line" in relation to a category and type of contract referred to in Regulation 7.2(1), means accident and health policies that have the same or closely related contractual terms offered or entered into by an insurer;

"relevant health service" has the meaning assigned under section 1 of the Medical Schemes Act;

"this Part" means this Part 7;

"underwritten on a group basis" means where the risks relating to a policy forming part of a product line are rated based on the characteristics of a group of people (other than characteristics that relate to or may result in specific health conditions) together as opposed to that of the individual to whom the policy relates.

## 7.2 Categories and types of contracts identified as accident and health policies

(1) The categories and types of contracts set out in the table below are identified as accident and health policies. A contract will only be an accident and health policy for purposes of this Part if it meets the contract description and requirements relating to policy benefits of a specific category and type of contract set out in the table below.

TABLE

Category	Contract Type	Contract description	Requirements relating to policy benefits
1	Medical expense shortfall	A contract – (a) in terms of which a person, in return for a premium, undertakes to provide policy benefits if a health event contemplated in the contract as a risk event occurs; and (b) the purpose of which is to cover the difference or a part of the difference between the total costs or expenses of a relevant health service and the amount a person's medical scheme paid	Policy benefits – (a) are one or more sums of money; and (b) in aggregate, do not exceed R150 000,00 (one hundred and fifty thousand Rand) per insured person per annum.

		towards such costs.	
2	Non-medical expense cover as a result of hospitalisation	<p>A contract –</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits if a health event contemplated in the contract as a risk event resulting in hospitalisation occurs; and</p> <p>(b) the purpose of which is to cover non-medical expenses associated with hospitalisation.</p>	<p>Policy benefits –</p> <p>(a) are a fixed some sum of money per insured per day not exceeding R3 000,00 (three thousand Rand) or a maximum lump sum amount of R20 000.00 (twenty thousand Rand) per annum irrespective of the number of days in hospital;</p> <p>(b) does not require hospitalisation for a period of longer than 3 days before they become payable;</p> <p>(c) once it becomes payable, are calculated from day 1 of hospitalisation; and</p> <p>(d) may not be paid or ceded to the provider of a health service.</p>
3	HIV, Aids, tuberculosis and malaria testing and treatment	<p>A contract –</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits if a health event relating to HIV, Aids, tuberculosis or malaria (contemplated in the contract as a risk event) occurs; and</p> <p>(b) the purpose of which is to cover expenses for testing and treatment of HIV, Aids, tuberculosis or malaria.</p>	-
4	International travel insurance	<p>A contract –</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits if a health event contemplated in the contract as a risk occurs; and</p> <p>(b) the purpose of which is to cover costs associated with a relevant health service while travelling in a country in which the insured persons are not ordinarily resident.</p>	-
5	Medical emergency	<p>A contract –</p> <p>(a) in terms of which a person, in</p>	-

	evacuation or transport	<p>return for a premium, undertakes to provide policy benefits if a health event contemplated in the contract as a risk event occurs; and</p> <p>(b) the purpose of which is to -</p> <p>(i) cover the costs of or provide emergency evacuation or transport to a medical treatment facility; or</p> <p>(ii) cover the cost of emergency medical treatment.</p>	
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(2) All amounts referred to in sub-regulation (1) escalate annually, from the effective date of this Part, by the Consumer Price Index (CPI) annual inflation rate published by Statistics South Africa (as defined in section 1 of the Statistics Act, 1999 (Act No. 6 of 1999)).

### 7.3 Limitations applicable to category 1, 2 and 3 contracts

#### *Prohibition of policy benefits that fully or partially indemnifies against medical expenses under category 2*

(1) A contract referred to in category 2 in the table under regulation 7.2(1) may not provide policy benefits that are fully or partially related to indemnifying the policyholder against medical expenses incurred in respect of a relevant health service.

#### *Underwritten on a group basis and non-discrimination*

(2) A contract referred to in category 1, 2 and 3 in the table under Regulation 7.2(1) must –

- (a) be underwritten on a group basis; and
- (b) not discriminate against a policyholder or potential policyholder on the basis of race, age, gender, marital status, ethnic or social origin, sexual orientation, pregnancy, disability, state of health or any similar grounds.

(3) An insurer may not refuse to enter into a contract referred to in category 1, 2 and 3 with a potential policyholder unless where that potential policyholder has previously committed a fraudulent act related to insurance.

(4) Despite sub-regulation (2)(b), an insurer may in respect of contracts referred to in category 1, 2 and 3 in the table under Regulation 7.2(1) require a policyholder that enters into a contract after a specific age to pay a higher premium than a policyholder that entered

into the contract at a younger age, provided that the same higher premium is payable by all policyholders entering into a product line after a specific age.

#### *Waiting periods*

(5) Despite sub-regulation (2), a contract referred to in category 1, 2 and 3 in the table under Regulation 7.2(1) may provide for a –

- (a) general waiting period of up to 3 months; and
- (b) condition-specific waiting period of up to 12 months.

(6) An insurer may not impose a condition-specific waiting period on a policyholder's accident and health policy if that policyholder, for at least 90 days before entering into that accident and health policy with the insurer, had an accident and health policy with materially similar benefits and had completed the condition-specific waiting period in respect of that accident and health policy;

(7) Where the condition-specific waiting period of a policyholder under a previous accident and health policy referred to in sub-regulation (6) had not expired at the time that that policyholder enters into a new accident and health policy with materially similar benefits, the insurer may only impose a waiting period for a period equalling the unexpired part of the waiting period in respect of that previous policy.

#### *Variation of contracts*

(8) For the purposes of this Part, the variation of a contract includes premium adjustments under a contract.

(9) Despite sub-regulation (2), a contract referred to in category 1, 2 and 3 in the table under Regulation 7.2(1) may be varied as a result of the health or claims experience of all policies forming part of a product line but may not be varied as a result of the health or claims experience of an individual policyholder.

#### *Termination of contracts*

(10) A contract referred to in category 1, 2 and 3 in the table under Regulation 7.2(1) may be terminated by an insurer only if –

- (a) the policyholder –
  - (i) fails to pay (within the time allowed in the contract and subject to any legislative requirements) the premium under the contract;
  - (ii) submitted fraudulent claims; or

- (iii) committed any fraudulent act; or
  - (b) the insurer will no longer be offering a specific product line as part of its short-term insurance business and the insurer has given all of that product line policyholders 90-day notice before termination.
- (11) For the purposes of this Part, termination of a contract includes the non-renewal of a contract by an insurer.

#### **7.4 Requirements applicable to all contracts referred to in the Table under regulation 7.2(1)**

##### *Contracts may not require medical scheme membership*

- (1) A contract referred to in categories 2 to 5 in the table under Regulation 7.2(1) may not provide that the policyholder or insured person must be a member of a medical scheme.

##### *Information to be included in contract*

- (2) A contract referred to in the table under Regulation 7.2(1) must in clear and easily understood language –
- (a) state the premiums payable and the policy benefits to be provided under the policy;
  - (b) state the events in respect of which the policy benefits are to be provided and the circumstances (if any) in which those benefits are not to be provided; and
  - (c) identify those representations made by or on behalf of the policyholder to the insurer which were regarded by that insurer –
    - (i) in respect of a contract referred to in category 1 to 3 in the table under Regulation 7.2(1), as having any relation or bearing to exclusions that apply under a condition-specific waiting period and reasons for differentiating premiums based on age; or
    - (ii) in respect of a contract referred to in category 4 or 5 in the table under Regulation 7.2(1), as being material to its assessment of the risks under the policy.

#### **7.5 Marketing and disclosures requirements**

- (1) Any marketing activity or marketing material in respect of a contract referred to in category 1, 2 and 3 in the table under regulation 7.2(1) must –



- (a) not identify that contract by the term "medical", "hospital" or any derivative thereof, except –
  - (i) where using the term "medical" to describe a contract referred to in category 1 in the table under regulation 7.2(1), in which case the term must always be succeeded by the words "expense shortfall";
  - (ii) where using the term "hospitalisation" to describe a contract referred to in category 2 in the table under regulation 7.2(1), in which case the term must always be preceded by the words "non-medical expense cover as a result of", or
  - (iii) where such terms are used in the contract itself to describe policy benefits;
- (b) not in any manner create the perception that the contract –
  - (i) is a substitute for medical scheme membership; and
  - (ii) in the case of a contract referred to in category 2 in the table under regulation 7.2(1), indemnifies a policyholder against medical expenses incurred as a result of a relevant health service; and
- (c) display the following statement in clear legible print in a prominent position:

"This is not a medical scheme and the cover is not the same as that of a medical scheme. This policy is not a substitute for medical scheme membership."

## 7.6 Reporting requirements

- (1) An insurer must, at least 1 month prior to marketing or offering a new product line, submit to the Registrar and Registrar of Medical Schemes a summary of the benefits, terms and conditions and marketing material of the accident and health policy or policies forming part of the product line.
- (2) The Registrar may at any time request information on the benefits, terms, conditions and marketing material of a contract that, in the opinion of the Registrar or the Registrar of Medical Schemes, is or may be a contract referred to under regulation 7.2(1).
- (3) The Registrar of Medical Schemes may at any time advise the Registrar that the Registrar of Medical Schemes is of the opinion that the benefits, terms and conditions or marketing material relating to a contract under sub-regulation (1) or (2) is contrary to the objectives and purpose of the Medical Schemes Act and the principles referred to in sections 70(2A)(b)(i)(cc)(A) to (C) of the Act, and the reasons for this opinion.
- (4) The Registrar may at the Registrar's own accord or after due consideration of an opinion of the Registrar of Medical Schemes referred to under sub-regulation (3), by notice to an insurer, object to any of the benefits, terms and conditions and marketing material of an accident and health policy under sub-regulation (1) and (2), and instruct the insurer to –

- (a) stop marketing the accident and health policy or policies;
- (b) stop offering or renewing the accident and health policy or policies to the public and within 90-days of the date determined by the Registrar, terminate such accident and health policy or policies; or
- (c) by a date determined by the Registrar, amend any of the benefits, terms and conditions and marketing material of an accident and health policy or policies in accordance with the requirements of the Registrar.

### 7.7 Transitional arrangements

(1) Contracts entered into before this Part took effect must comply with this Part by 1 January 2018.

### 3. Insertion of Part 8 in the Regulations under the Short-term Insurance Act, 1998 as published in GN R.1493 of 1998 and amended by GN R.462 of 2008 and GN R.1076 of 2011:

Part 8 is hereby inserted after Part 7 of the Regulations:

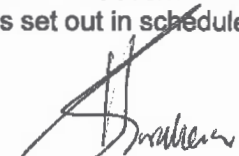
#### "PART 8

#### TITLE AND COMMENCEMENT

- 8.1 These regulations are called the Regulations under the Short-term Insurance Act, 1998.
- 8.2(1) Regulations 1 to 5, other than regulation 4.2, came into operation on commencement of the Act. Regulation 4.2 came into operation on 25 April 2008.
- (2) Regulation 6 came into operation on 1 January 2012.
  - (3) Regulation 7 and the amendments to regulation 5.3 and 5.5 comes into operation on 1 April 2017.
  - (4) Any amendments to regulations 1 to 7 come into operation on the date of publication thereof in the *Government Gazette* or on such other date specified by the Minister in the *Government Gazette* or specified in a regulation."

**NATIONAL TREASURY****LONG-TERM INSURANCE ACT, 1998: AMENDMENT OF REGULATIONS MADE UNDER SECTION 72**

I, Pravin Jamnadas Gordhan, Minister of Finance, under section 72(1)(d) and 72(2A)(a) of the Long-term Insurance Act, 1998 (Act No. 52 of 1998), hereby amend the Regulations made under section 72 of the Long-term Insurance Act and published under Government Notice R1492 in *Government Gazette* 19495 of 27 November 1998 (as amended from time to time) as set out in schedule A.



**PRAVIN JAMNADAS GORDHAN, MP**  
**MINISTER OF FINANCE**

14/12/2016

## GOVERNMENT GAZETTE

## SCHEDULE A

1. Amendment of Part 3A in the Regulations under the Long-term Insurance Act, 1998 as published in GN R.1492 of 1998 and amended by GN R.197 of 2000, GN R.164 of 2002, GN R.1209 of 2003, GN R.1218 of 2006, GN R.186 of 2007, GN R.952 of 2008 GN R.1077 of 2011 and GN R.170 of 2015:

Part 3A of the Regulations is hereby amended by:

- (a) The substitution of sub-regulation (2) in Regulation 3.2 of the Regulations for the following sub-regulation:

“(2) Subject to sub-regulation 3.4(1A), no commission shall be paid or accepted otherwise than in accordance with this Part generally, and specifically as specified in the Table.”;

- (b) The insertion after sub-regulation (1) in Regulation 3.4 of the Regulations of the following sub-regulation:

“(1A) No commission shall exceed, in respect of a contract identified as a health policy in category 1 and 3 in the table under regulation 7.2(1) of the Regulations, the maximum commission specified in column two of the Scale below:

## SCALE

Individual and group policy	
Column 1	Column 2
Monthly premium band	Maximum Commission Level
Above R1,200	5%
R601 to R1,200	10%
R300 to R 600	15%
Less than R300	20%

- (c) The insertion after the last note in the Notes to Annexure 1 to Part 3A of the following note:

“a health policy under item 5 refers to a health policy other than a contract identified as a health policy in category 1 and 3 in the table under regulation 7.2(1) of the Regulations”.

(d) The substitution of Regulation 3.7 for the following regulation:

**“3.7 Commission when policy has different benefit components**

(1) If, in respect of a policy which comprises more than one benefit component, it is not specified in or ascertainable from the written provisions of the policy what portion of the total premium payable is attributable to the different benefit components, the commission payable in terms of this Part shall not exceed that which would have been payable had the policy comprised, and had the total premium been attributable to, only that benefit component which most closely reflects the main purpose of the policy to the exclusion of other subordinate purposes of the policy.

(2) Despite sub-regulation (1), if, in respect of a policy which comprises more than one benefit component and one of the benefit components is a health policy referred to in category 1 or 3 in the table under regulation 7.2(1) of the Regulations, it is not specified in or ascertainable from the written provisions of the policy what portion of the total premium payable is attributable to the different benefit components, the commission payable in respect of that policy shall not exceed the maximum commission allowable under Scale in Regulation 3.4(1A).”

**2. Substitution of Part 7 in the Regulations under the Long-term Insurance Act, 1998 as published in GN R.1492 of 1998 and amended by GN R.197 of 2000, GN R.164 of 2002, GN R.1209 of 2003, GN R.1218 of 2006, GN R.186 of 2007, GN R.952 of 2008, GN R.1077 of 2011 and GN R.170 of 2015:**

Part 7 of the Regulations is hereby substituted for the following Part:

**“PART 7  
CONTRACTS IDENTIFIED AS HEALTH POLICIES UNDER SECTION 72(2A)(a) OF THE  
ACT**

**7.1 Definitions and interpretation**

In this Part 7, unless the context indicates otherwise-

**“condition-specific waiting period”** means a period in which a policyholder is not entitled to claim policy benefits in respect of a specific condition for which medical advice, diagnosis, care or treatment was recommended or received within a period of 12 months preceding the day on which the policy was entered into;

**“general waiting period”** means a period in which a policyholder is not entitled to claim any, or may only claim certain, policy benefits;

**“hospitalisation”** means any admission for a procedure or administration of a therapeutic or diagnostic medical intervention wherein a person is expected to stay overnight in a facility;

**“insurer”** means a long-term insurer;

**“medical scheme”** has the meaning assigned under section 1 of the Medical Schemes Act;

**“member”** has the meaning assigned under section 1 of the Medical Schemes Act;

**“policy”** means a long-term policy;

**“product line”** in relation to a category and type of contract referred to in Regulation 7.2(1), means health policies that have the same or closely related contractual terms offered or entered into by an insurer;

**“relevant health service”** has the meaning assigned under section 1 of the Medical Schemes Act;

**“rider benefit”** means an additional insurance obligation under a long-term policy which obligation is ancillary to the primary insurance obligations assumed under that policy;

**“this Part”** means this Part 7;

**“underwritten on a group basis”** means where the risks relating to a policy forming part of a product line are rated based on the characteristics of a group of people (other than characteristics that relate to or may result in specific health conditions) together as opposed to that of the individual to whom the policy relates.

## 7.2 Categories and types of contracts identified as health policies

(1) The categories and types of contracts set out in the table below are identified as health policies. A contract will only be a health policy for purposes of this Part if it meets the contract description and requirements relating to policy benefits of a specific category and type of contract set out in the table below.

TABLE

Category	Contract Type	Contract description	Requirements relating to policy benefits



1	Non-medical expense cover as a result of hospitalisation	A contract in terms of which a person, in return for a premium, undertakes to provide policy benefits on the happening of a health event that results in hospitalisation.	<p>Policy benefits –</p> <p>(a) Are a fixed sum of money which does not exceed R3 000.00 (three thousand Rand) per insured per day or a maximum lump sum amount of R20 000.00 (twenty thousand Rand) per annum irrespective of the number of days in hospital;</p> <p>(b) does not require hospitalisation for a period of longer than 3 days before they become payable;</p> <p>(c) once it becomes payable, are calculated from day 1 of hospitalisation; and</p> <p>(d) may not be paid or ceded to the provider of a relevant health service.</p>
2	Frail Care	<p>A contract -</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits upon a health event; and</p> <p>(b) the purpose of which is to cover the costs or expenses of assistance for activities of daily living.</p>	
3	HIV, Aids, tuberculosis or malaria testing and treatment	<p>A contract –</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits if a health event relating to HIV, Aids, tuberculosis or malaria occurs; and</p> <p>(b) the purpose of which is to cover the costs or expenses of testing and treatment of HIV, Aids, tuberculosis or malaria.</p>	Policy benefits are provided as a rider benefit.
4	Medical emergency evacuation or transport	<p>A contract –</p> <p>(a) in terms of which a person, in return for a premium, undertakes to provide policy benefits upon a health event; and</p> <p>(b) the purpose of which is to –</p> <p>(i) cover the costs of or provide emergency evacuation or transport to a medical treatment facility; or</p> <p>(ii) cover the cost of emergency medical treatment.</p>	Policy benefits are provided as a rider benefit.

(2) All amounts referred to in sub-regulation (1) escalate annually, from the effective date of this Part, by the Consumer Price Index (CPI) annual inflation rate published by Statistics South Africa (as defined in section 1 of the Statistics Act, 1999 (Act No. 6 of 1999)).

### 7.3 Limitations applicable to category 1 contracts

#### *Prohibition of policy benefits that fully or partially indemnifies against medical expenses under category 1*

(1) A contract referred to in category 1 in the table under regulation 7.2(1) may not provide policy benefits that are fully or partially related to indemnifying the policyholder against medical expenses incurred in respect of a relevant health service.

#### *Underwritten on a group basis and non-discrimination*

- (2) A contract referred to in category 1 and 3 in the table under Regulation 7.2(1) must –
- (a) be underwritten on a group basis; and
  - (b) not discriminate against a policyholder or potential policyholder on the basis of race, age, gender, marital status, ethnic or social origin, sexual orientation, pregnancy, disability, state of health or any similar grounds.
- (3) An insurer may not refuse to enter into a contract referred to in category 1 with a potential policyholder unless where that potential policyholder has previously committed a fraudulent act related to insurance.
- (4) Despite sub-regulation (2)(b), an insurer may in respect of contracts referred to in category 1 in the table under Regulation 7.2(1) require a policyholder that enters into a contract after a specific age to pay a higher premium than a policyholder that entered into the contract at a younger age, provided that the same higher premium is payable by all policyholders entering into a product line after a specific age.

#### *Waiting periods*

- (5) Despite sub-regulation (2), a contract referred to in category 1 and 3 in the table under Regulation 7.2(1) may provide for a –
- (a) general waiting period of up to 3 months; and
  - (b) condition-specific waiting period of up to 12 months.



(6) An insurer may not impose a condition-specific waiting period on a policyholder's health policy if that policyholder, for at least 90 days before entering into a health policy with the insurer, had a health policy with materially similar benefits and had completed the condition-specific waiting period in respect of that health policy;

(7) Where a waiting period of a policyholder under a previous health policy referred to in sub-regulation (6) had not expired at the time that that policyholder enters into a new health policy with materially similar benefits, the insurer may only impose a waiting period equalling the unexpired part of the waiting period in respect of that previous policy.

#### *Variation of contracts*

(8) For the purposes of this Part, the variation of a contract includes premium adjustments under a contract, unless agreed to at the commencement of the contract and such adjustments are not inconsistent with sub-regulation 7.3(2)(b).

(9) Despite sub-regulation (2), a contract referred to in category 1 and 3 in the table under Regulation 7.2(1) may be varied as a result of the health or claims experience of all policies forming part of a product line but may not be varied as a result of the health or claims experience of an individual policyholder.

#### *Termination of contracts*

(10) A contract referred to in category 1 in the table under Regulation 7.2(1) may be terminated by an insurer only if –

- (a) the policyholder –
  - (i) fails to pay (within the time allowed in the contract and subject to any legislative requirements) the premium under the contract;
  - (ii) submitted fraudulent claims; or
  - (iii) committed any fraudulent act; or
- (b) the insurer will no longer be offering a specific product line as part of its long-term insurance business and the insurer has given all of that product line policyholders 90-day notice before termination.

(11) For the purposes of this Part, termination of a contract includes the non-renewal of a contract by an insurer.

#### **7.4 Contracts may not require medical scheme membership**

A contract referred to in the table under Regulation 7.2(1) may not provide that the policyholder or insured person must be a member of a medical scheme.

#### **7.5 Marketing and disclosures requirements**

(1) Any marketing activity or marketing material in respect of a contract referred to in category 1 and 3 in the table under regulation 7.2(1) must –

- (a) not identify that contract by the term "medical", "hospital" or any derivative thereof, except –
  - (i) where using the term "hospitalisation" to describe a contract, in which case the term must always be preceded by the words "non-medical expense cover as a result of"; or
  - (ii) where such terms are used in the contract itself to describe policy benefits;
- (b) not in any manner create the perception that the contract –
  - (i) is a substitute for medical scheme membership; and
  - (ii) in the case of a contract referred to in category 1 in the table under regulation 7.2(1), indemnifies a policyholder against medical expenses incurred as a result of a relevant health service; and
- (c) display the following statement in clear legible print in a prominent position:  
"This is not a medical scheme and the cover is not the same as that of a medical scheme. This policy is not a substitute for medical scheme membership."

#### **7.6 Reporting requirements**

(1) An insurer must, at least 1 month prior to marketing or offering a new product line, submit to the Registrar and Registrar of Medical Schemes a summary of the benefits, terms and conditions and marketing material of the health policy or policies forming part of the product line.

(2) The Registrar may at any time request information on the benefits, terms, conditions and marketing material of a contract that, in the opinion of the Registrar or the Registrar of Medical Schemes, is or may be a contract referred to under regulation 7.2(1).

(3) The Registrar of Medical Schemes may at any time advise the Registrar that the Registrar of Medical Schemes is of the opinion that the benefits, terms and conditions or marketing material relating to a contract under sub-regulation (1) or (2) is contrary to the

objectives and purpose of the Medical Schemes Act and the principles referred to in sections 72(2A)(b)(i)(cc)(A) to (C) of the Act, and the reasons for this opinion.

(4) The Registrar may at the Registrar's own accord or after due consideration of an opinion of the Registrar of Medical Schemes referred to under sub-regulation (3), by notice to an insurer, object to any of the benefits, terms and conditions and marketing material of a health policy under sub-regulation (1) and (2), and instruct the insurer to –

- (a) stop marketing the health policy or policies;
- (b) stop offering or renewing the health policy or policies to the public and within 90-days of the date determined by the Registrar, terminate such health policy or policies; or
- (c) by a date determined by the Registrar, amend any of the benefits, terms and conditions and marketing material of a health policy or policies in accordance with the requirements of the Registrar.

## 7.7 Transitional arrangements

(1) Contracts entered into before this Part took effect must comply with this Part as and when such contracts are varied or renewed subsequent to this Part becoming effective.

**3. Insertion of Part 8 in the Regulations under the Long-term Insurance Act, 1998 as published in GN R.1492 of 1998 and amended by GN R.197 of 2000, GN R.164 of 2002, GN R.1209 of 2003, GN R.1218 of 2006, GN R.186 of 2007, GN R.952 of 2008, GN R.1077 of 2011 and GN R.170 of 2015:**

Part 8 is hereby inserted after Part 7 of the Regulations:

### "PART 8

#### TITLE AND COMMENCEMENT

8.1 These regulations are called the Regulations under the Long-term Insurance Act, 1998.

8.2(1) Regulations 1 to 4 came into operation on commencement of the Act.

(2) Regulation 3A and 5A came into operation on 1 December 2006.

(3) Regulation 3B and 5B came into operation on 1 January 2009.

(4) Regulation 6 came into operation on 1 January 2012.

(5) The amendments to Part 3A and Regulation 7 comes into operation on 1 April 2017.

(6) Any amendments to regulations 1 to 7 come into operation on the date of publication thereof in the Government Gazette or on such other date specified by the Minister in the Government Gazette or specified in a regulation."

**DEPARTMENT OF FINANCE**

NO. 1583

23 DECEMBER 2016

**SHORT-TERM INSURANCE ACT, 1998: PROPOSED AMENDMENT OF  
REGULATIONS MADE UNDER SECTION 70**

I, Pravin J Gordhan, Minister of Finance, hereby publish for comment the proposed amendment of the Regulations made under section 70 of the Short-term Insurance Act 1998 (Act No. 53 of 1998) and published under GN R. 1493 of 27 November 1998, and amended from time to time, as set out in the Schedule hereto.

The proposed amendment of the Regulations is necessary to give effect to a number of conduct of business reforms undertaken and consulted on over the last few years.

The proposed Regulations and a detailed supporting document that highlights and explains the proposed amendments to be made to the current Long-term and Short-term Regulations are available on the National Treasury's website at <http://www.treasury.gov.za> and the Financial Services Board's website at <https://www.fsb.co.za>.

Comments on the proposed Regulations may be submitted in writing on or before 22 February 2017 to the National Treasury, c/o Dr Reshma Sheoraj at [stregulations.insurance@treasury.gov.za](mailto:stregulations.insurance@treasury.gov.za) or faxed to (012) 315 5206.

**PRAVIN J GORDHAN**  
**MINISTER OF FINANCE**

**SCHEDULE****1. Interpretation**

In this Schedule "the Regulations" means the Regulations under the Short-term Insurance Act, 1998 as published in GN R. 1493 of 1998 and amended by GN R. 462 of 2008, GN R. 1076 of 2011.

**2. Part 1 of the Regulations is hereby amended by –**

- (a) the insertion in Regulation 1.1 before the definition "long-term policy" of the following definition:

**"independent intermediary"** means a person, other than a representative, who renders services as intermediary and includes a Lloyd's correspondent;"

- (b) the insertion in Regulation 1.1 after the definition "independent intermediary" of the following definition:

**"insurer"** means a short-term insurer;"

- (c) the insertion in Regulation 1.1 after the definition "Part" of the following definition:

**"policy"** means a short-term insurance policy and "insurance policy" has a corresponding meaning;"

- (d) the insertion in Regulation 1.1 after the definition "policy" of the following definition:

**"representative"** means a natural person employed or mandated by a short-term insurer to render services as intermediary only in relation to short-term policies entered into or to be entered into by the short-term insurer;"

- (e) the deletion in Regulation 1.1 of the definition "SAFEX"; and

- (f) the insertion in Regulation 1.1 after the definition "section" of the following definition:

**"services as intermediary"** means any act performed by a person on behalf of an insurer or policyholder –

- (a) directed towards entering into, varying or renewing an insurance policy; or

- (b) with a view to -

(i) maintaining, servicing or otherwise dealing with;

(ii) collecting or accounting for premiums payable under;

(iii) receiving, submitting or processing claims under; or

(iv) providing administrative services, other than policy data administration services as defined in sub-regulation 5.6 in Part 5B performed on behalf of an insurer, in relation to,

an insurance policy;"

3. **Part 2 of the Regulations is hereby amended by the deletion of that Part.**
4. **Part 3 of the Regulations is hereby amended by –**
- (a) the insertion in Regulation 3.1 after the definition “rules of SAFEX” of the following definition:

“**SAFEX**’ means the South-African Futures Exchange;”

5. **Part 5 of the Regulations is hereby amended by –**
- (a) the substitution below “PART 5” in Part 5 for the heading “LIMITATION ON REMUNERATION” of the following heading:

“**REMUNERATION**”;

- (b) the insertion below “(Section 48)” in the heading of Part 5 of the following heading:

“**PART 5A**  
**LIMITATION ON REMUNERATION FOR SERVICES AS INTERMEDIARY**”;

- (c) the substitution in Regulation 5.1 in Part 5A for subregulation (1) of the following subregulation:

“(1) No consideration shall directly or indirectly, be provided to, or accepted by or on behalf of, an independent intermediary for rendering services as intermediary, otherwise than by way of commission in monetary form.”;

- (d) the substitution in Part 5A for Regulation 5.3 of the following Regulation:

“**Maximum commission payable**

5.3 No commission shall exceed, in respect of –

- (a) a motor policy, 12,5 per cent of the premium payable by a policyholder under the policy; or
- (b) any other short-term policy, 20 per cent of the premium payable by a policyholder under the policy.”;

- (e) the insertion after Part 5A of the following Part:

“**PART 5B**  
**LIMITATION ON REMUNERATION FOR OUTSOURCING**

**Application of this Part 5B, and definitions**

5.6 (1) This Part 5B applies to any outsourcing by an insurer of a binder function or policy data administration services.

(2) In this Part 5B, unless defined differently in this Part 5B or unless the context indicates otherwise, any word or expression to which a meaning has been assigned in Part 6 has the meaning assigned to it in that Part, and -

**“cell structure”** means an arrangement under which a person (cell owner) -

- (a) holds an equity participation in a specific class or type of shares of an insurer, which equity participation is administered and accounted for separately from other classes or types of shares;
- (b) is entitled to a share of the profits and liable for a share of the losses as a result of the equity participation referred to in paragraph (a), linked to profits or losses generated by the insurance business referred to in paragraph (c); and
- (c) places or insures insurance business with the insurer referred to in paragraph (a), which business is contractually ring-fenced from the other insurance business of that insurer for as long as the insurer is not in winding-up;

**“outsourcing arrangement”** means any arrangement of any form between an insurer and another person, whether that person is regulated or supervised under any law or not, in terms of which that party performs a function that is integral to the nature of the insurance business that an insurer provides, which would otherwise be performed by the insurer itself in conducting short-term insurance business, and includes rendering services under a binder agreement and rendering policy data administration services, but excludes rendering services as intermediary;

**“policy data administration services”** means the managing, recording and updating of policy and policyholder data of an insurer on behalf of that insurer in a manner that -

- (a) ensures complete integration between the information technology system of the insurer and the person that provides the services; and
- (b) enables the insurer to have continuous access to accurate, up-to-date, complete and secure policy and policyholder data.

*Remuneration relating to outsourcing of policy data management services*

**Limitation on remuneration for policy data administration services**

5.7 (1) An insurer or any other person must only offer or pay a fee for policy data administration services to any person, and that person must only accept such a fee, if that person has the operational capability to provide such policy data administration services.

(2) The fee referred to in paragraph (a) must not exceed 2% of the total premium payable by policyholders in respect of the policies to which the policy data administration services relate.

(3) Despite subregulation (1) above, an insurer or any other person must not offer or pay a fee for policy data administration services to -

- (a) a representative that is a natural person, and that representative must not accept such a fee; or

- (b) a binder holder, and that binder holder must not accept such a fee, if that binder holder has a binder agreement with the insurer to perform the service or function contemplated in section 48A(1)(a) of the Act.

*Limitation on remuneration to binder holder*

**Remuneration that may be offered or provided to a binder holder**

5.8 (1) An insurer may pay a binder holder a fee for the services rendered under the binder agreement, which fee must be reasonably commensurate with the actual costs incurred by the binder holder associated with rendering the services under the binder agreement, with allowance for a reasonable rate of return for the binder holder.

(2) Despite subregulation (1), an insurer must not without the prior approval of the Registrar referred to in subregulation (3) pay a binder holder a fee for the services rendered under the binder agreement that exceeds the value listed in the Table below, reflected as a percentage of the aggregate of the total premiums payable by policyholders in respect of the policies to which the binder function relates, if that binder holder is –

- (a) a non-mandated intermediary that is authorised to render “advice” as defined in the FAIS Act in respect of short-term insurance policies;
- (b) a non-mandated intermediary that is an associate of another non-mandated intermediary that is authorised to render “advice” as defined in the FAIS Act in respect of short-term insurance policies.

**Table**

BINDER FUNCTION	MAXIMUM FEE PAYABLE
Enter into, vary or renew a policy – section 48A(1)(a)	2%
Determine the wording of a policy - section 48A(1)(b), determine premiums under a policy - section 48A(1)(c) or determine the value of policy benefits under a policy - section 48A(1)(d), or any combination of the above	2%
Settle claims under a policy – section 48A(1)(e)	2%

(3) The Registrar, subject to such conditions as the Registrar may impose, may on application from an insurer grant approval to the insurer to pay a binder holder a fee in excess of the fees referred to in regulation 3.21(2) if the Registrar is satisfied that:

- (a) such a fee is appropriate taking into account the nature, scale and complexity of the insurance business to which the relevant binder function relates; and
- (b) such a fee will not impede the fair treatment of policyholders;
- (c) no conflict of interest or potential conflict of interest exists; or
- (d) any conflict of interest or potential conflict of interest is effectively mitigated and will not impede the fair treatment of policyholders.



(4) Any fee referred to under subregulation (1) payable to a non-mandated intermediary that may perform the service or function contemplated in section 48A(1)(e) of the Act under a binder agreement, may not constitute or be based on a percentage of the difference between an amount claimed or the maximum value of policy benefits payable under a policy and the policy benefits actually provided to a policyholder in settlement of a claim.

(5) Any fee referred to under regulation 5.7 or this regulation 5.8, payable to a non-mandated intermediary that is a binder holder, must be disclosed to a policyholder, which disclosure must be included in the disclosures contemplated under regulation 6.2(1)(g).

**Participation by a binder holder in profits attributable to the policies referred to in a binder agreement**

5.9 (1) A non-mandated intermediary that is a binder holder, in respect of the services rendered under the binder agreement, may not directly or indirectly receive or be offered any share in the profits of the insurer attributable to the type or kind of policies referred to in the binder agreement.

(2) Subregulation (1) does not prohibit a non-mandated intermediary that is a binder holder and entered into a cell structure with an insurer from receiving dividends in respect of shares held in that insurer as part of that cell structure.”;

(f) the insertion after Part 5B of the following Part:

**“PART 5C  
REMUNERATION PAYABLE BY POLICYHOLDER TO INDEPENDENT  
INTERMEDIARY OR REPRESENTATIVE**

**Limitation on remuneration payable by policyholder to independent intermediary or representative**

5.10 An independent intermediary or representative may only charge a policyholder a fee in addition to any remuneration contemplated in Parts 5A and Part 5B if that fee -

- (a) relates to an actual service provided to a policyholder;
- (b) relates to a service other than services as intermediary;
- (c) does not relate to any other service for which the independent intermediary has been remunerated by another person;
- (d) is reasonable and commensurate with the service rendered; and
- (e) the amount and purpose thereof have been explicitly agreed to by the policyholder in writing.”; and

(g) the insertion after Part 5C of the following Part:

**“PART 5D  
GENERAL PRINCIPLES FOR DETERMINING REMUNERATION**

**Application of this Part 5D**

5.11 (1) In this Part 5D, any word or expression to which a meaning has been assigned in any other Part has the meaning assigned to it in that Part.

(2) This Part 5D, applies to any remuneration offered or provided, directly or indirectly, by or on behalf of a short-term insurer, a policyholder or any other person, or accepted by any other person, for –

- (a) rendering services as intermediary;
- (b) providing policy data administration services;
- (c) performing a binder function or incidental activity under a binder agreement;
- (d) rendering any other services under any other outsourcing arrangement; or
- (e) services to a policyholder for which a fee referred to in regulation 5.10 is charged.

**General principles for determining remuneration**

5.12 (1) Remuneration paid to any person for the rendering of any service, activity or function performed by that person, must –

- (a) be reasonably commensurate with the actual service, function or activity performed;
- (b) not result in any service, function or activity referred to in regulation 5.11(2) being remunerated again;
- (c) not be structured in a manner that may increase the risk of unfair outcomes for policyholders; and
- (d) not be linked to the monetary value of claims for policy benefits repudiated, paid, not paid or partially paid.

(2) Subregulation (1) applies in addition to any specific requirements relating to remuneration for specific services, activities or functions set out in these regulations.”.

**6. Part 6 of the Regulations is hereby amended by –**

- (a) the substitution in Regulation 6.1 for the definition “associate” of the following definition:

“**associate**” –

- (a) has the meaning assigned to it in the General Code of Conduct; and
- (b) in addition to paragraph (a), includes, in respect of a juristic person, –

- (i) another juristic person that has a significant owner or director that is also a significant owner or director of the first mentioned juristic person; and
  - (ii) another juristic person that has a person as a significant owner or director who is an associate (within the meaning of paragraph (a)) of a significant owner or director of the first mentioned juristic person;”;
- (b) the insertion in Regulation 6.1 after the definition “enter into” of the following definition:
- “**FAIS Act**’ means the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002);”;
- (c) the insertion in Regulation 6.1 after the definition “FAIS Act” of the following definition:
- “**General Code of Conduct**’ means the General Code of Conduct for Authorised Financial Services Providers and Representatives as published in Board Notice No. 80 of 2003, and amended from time to time, under section 15 of the FAIS Act;”;
- (d) the insertion in Regulation 6.1 after the definition “General Code of Conduct” of the following definition:
- “**incidental**’ means any activity that is necessary or expedient for the performance of a binder function;”;
- (e) the insertion in Regulation 6.1 after the definition “policy” of the following definition:
- “**qualifying stake**’ means in respect of a person that -
- (a) is a company, that another person, directly or indirectly, alone or together with a related or interrelated person -
    - (i) holds at least 15% of the issued shares of the first mentioned person;
    - (ii) has the ability to exercise or control the exercise of at least 15% of the voting rights attached to securities of the first mentioned person;
    - (iii) has the ability to dispose of or control the disposal of at least 15% of the first mentioned person’s securities; or
    - (iv) holds rights in relation to the first mentioned person that, if exercised, would result in that other person, directly or indirectly, alone or together with a related or interrelated person -
      - (aa) holding at least 15% of the securities of the first mentioned person;
      - (bb) having the ability to exercise or control at least 15% of the voting rights attached to shares or other securities of the first mentioned person; or
      - (cc) having the ability to dispose of or direct the disposal of at least 15% of the first mentioned person’s securities;

- (b) is a close corporation, that another person, directly or indirectly, alone or together with a related or interrelated person, holds at least 15% of the members' interests or controls, or has the right to control, at least 15% of members' votes in the close corporation;
- (c) is a trust, means that another person has, directly or indirectly, alone or together with a related or interrelated person -
- (i) the ability to exercise or control the exercise of at least 15% of the votes of the trustees;
  - (ii) the power to appoint at least 15% of the trustees; or
  - (iii) the power to appoint or change any beneficiaries of the trust;";
- (f) the insertion in Regulation 6.1 after the definition "settle a claim" of the following definition:
- "short-term insurer"** for purposes of this Part excludes SASRIA as defined in section 1 and referred to in the Conversion of SASRIA Act, 1998 (Act 134 of 1998);";
- (g) the insertion in Regulation 6.1 after the definition "short-term insurer" of the following definition:
- "significant owner"** means a person that, directly or indirectly, alone or together with a related or interrelated person, has the ability to control or influence materially the business or strategy of another person. A person has the ability referred to in that subsection if -
- (a) the person, directly or indirectly, alone or together with a related or interrelated person, has the power to appoint 15% of the members of the governing body of the other person;
  - (b) the consent of the person, alone or together with a related or interrelated person, is required for the appointment of 15% of the members of a governing body of the other person; or
  - (c) the person, directly or indirectly, alone or together with a related or interrelated person, holds a qualifying stake in the other person;";
- (h) the substitution in Regulation 6.1 for the definition "underwriting manager" of the following definition:
- "underwriting manager"** means a person that -
- (a) performs one or more of the binder functions referred to in section 48A(1)(a) to (e); and
  - (b) if that person renders services as an intermediary as defined in Part 1 of the Regulation, -

- (i) does not perform any act directed towards entering into, varying or renewing an insurance policy on behalf of an insurer, a potential policyholder or policyholder; and
- (ii) renders those services (other than the services referred to in paragraph (i) above) to or on behalf of an insurer only; and
- (c) does not have any relationship with an insurer (including the secondment of that person's employees to an insurer or an associate of an insurer, the outsourcing of that person's infrastructure to an insurer or an associate of an insurer, or any similar arrangement) which may result in that person or its employees *de facto*, directly or indirectly, performing any act directed towards entering into, varying or renewing an insurance policy on behalf of an insurer, a potential policyholder or policyholder; and";
- (i) the substitution for Regulation 6.2 of the following Regulation:

**"Requirements, limitations and prohibitions relating to binder holders**

6.2 (1) An insurer, subject to regulation 6.5, may have a binder agreement with only one or more of the following persons -

- (a) subject to subregulations (1A), (1B), (2) and (3), a non-mandated intermediary; or
- (b) subject to subregulations (3) and (4), an underwriting manager.

(1A) An insurer may not enter in respect of commercial lines business into a binder agreement with a non-mandated intermediary that is authorised to render "advice" as defined in the FAIS Act in respect of short-term insurance policies.

(1B) An insurer may not in respect of personal lines business have a binder agreement with a non-mandated intermediary that is authorised to render "advice" as defined in the FAIS Act in respect of short-term insurance policies in respect of the functions contemplated in section 48A(1)(b) to (d) of the Act.

(2) A non-mandated intermediary referred to under subregulation (1)(a) may not conduct any business with any mandated intermediary that is an associate of that non-mandated intermediary in relation to the same policy or policies of an insurer.

(3) An underwriting manager referred to under subregulation (1)(b) may not conduct any business with a mandated or non-mandated intermediary, or a representative of a mandated or non-mandated intermediary that is an associate of that underwriting manager in relation to the same policy or policies of an insurer.

(4)(a) An underwriting manager referred to under subregulation (1)(b) who is a binder holder of one insurer cannot also be a binder holder of other insurers in respect of the same class of policies defined in section 1 of the Act, unless all the relevant insurers have agreed thereto in writing.

- (b) Paragraph (a) does not apply if an underwriting manager enters into a binder agreement with an insurer during a termination period referred

to in regulation 6.3(1)(s) in respect of a binder agreement with another insurer and that underwriting manager may not perform any binder functions on behalf of that other insurer during that termination period.”;

- (j) the insertion after paragraph (c) in subregulation (1) in Regulation 6.3 of the following paragraph:

“(cA) specify the activities that are incidental to the performance of the binder function or functions, and the level and standard of service that must be rendered in respect of such activities.”;

- (k) the substitution in subregulation (1) in Regulation 6.3 for paragraph (d) of the following paragraph:

“(d) require that the binder holder at all times is fit and proper, and has appropriate governance, risk management, internal controls and information technology systems in place to render the services under the binder agreement.”;

- (l) the substitution in subregulation (1) in Regulation 6.3 for paragraph (p) of the following paragraph:

“(p) require the binder holder to provide the insurer at least every 24 hours with timely, comprehensive and reliable data to ensure that the insurer is able to comply with any regulatory data management requirements.”;

- (m) the insertion after Regulation 6.3 of the following Regulation:

**“Governance, oversight and record keeping requirements**

6.3A (1) An insurer must before concluding a binder agreement and thereafter, on an ongoing basis, identify, assess, measure and manage the risks associated with conducting insurance business through binder agreements to ensure the consistent delivery of fair customer outcomes.

(2) An insurer must regularly assess a binder holder’s adherence to the binder agreement, specifically also the binder holder’s –

- (a) governance, risk management and internal controls;
- (b) fitness and propriety;
- (c) ability to comply with applicable laws and the binder agreement; and
- (d) operational and financial capability, including but not limited to the binder holder’s capability to provide access to timely, comprehensive and reliable data to ensure that the insurer is able to comply with any regulatory data management requirements.

(3) An insurer must promptly take reasonable steps to rectify any non-adherence to a binder agreement.

(4) An insurer must retain a copy of a binder agreement for a period of at least 5 years from the date on which a binder agreement is terminated.”;

- (n) the deletion of Regulation 6.4;
- (o) by the substitution in paragraph (b) in subregulation (1) in Regulation 6.5 for the words preceding subparagraph (i) of the following words:
- “(b) subject to regulation 6.2(1A), an insurer may conclude a binder agreement with -”;
- (p) by the substitution in Regulation 6.5 of subregulation (2) for the following subregulation:
- “(2) Despite regulation 6.2(1A), (1B), (2) or (3), the Registrar may on application from an insurer referred to in regulation 6.2(1A), (1B), (2) or (3) or an insurer that is the holding company or associate of more than one person referred to in regulation 6.2(1A), (1B), (2) or (3) exempt, subject to such conditions as the Registrar may impose, the insurer or such person from regulation 6.2(1A), (1B), (2) or (3), if the Registrar is satisfied that -
- (a) no conflict of interest or potential conflict of interest exists; or
  - (b) any conflict of interest or potential conflict of interest is effectively mitigated and will not impede the fair treatment of policyholders; and
  - (c) the person has the operational and financial capability to perform the binder function or to conduct such business.”; and
- (q) by the deletion of Regulation 6.7.

**7. Part 7 of the Regulations is hereby amended by the substitution for that Part of the following Part:**

**“PART 7  
TITLE AND COMMENCEMENT**

7.1 These regulations are called the Regulations under the Short-term Insurance Act, 1998.

7.2 An insurer must, in respect of the amendment to these regulations that came into operation on 1 May 2017, ensure that -

- (a) any agreements or arrangements relating to matters addressed in Part 3 concluded -
  - (i) before the publication of the amendment to the regulations for public comment in the *Gazette* on [-], are aligned with the regulations as amended by no later than 31 December 2017;
  - (ii) between the publication of the amendment to the regulations for public comment in the *Gazette* on [-] and 1 May 2017, are aligned with the regulations as amended by no later than 31 July 2017;
- (b) any agreements relating to matters addressed in Part 6 concluded before or on 1 May 2017 are aligned with the regulations as amended by no later than 31 December 2017.

**Transitional arrangements**

8. The amendment to the Regulations takes effect on 1 May 2017.”



## DEPARTMENT OF FINANCE

NO. 1584

23 DECEMBER 2016

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**AMENDMENTS TO THE REGULATIONS ISSUED IN TERMS OF SECTION 36 OF THE PENSION FUNDS ACT, 1956 (ACT 24 OF 1956)****Definition**

In these regulations "the Regulations" means the Regulations published by Government Notice R.98 in *Government Gazette* 162 of 26 January 1962, as amended by:

<b>Notice</b>	<b>Government Gazette</b>	<b>Date</b>
R.99		26 January 1962
R.2144	9437	28 September 1984
R.1790	9892	16 August 1985
R.1037	10249	28 May 1986
R.232	10601	6 February 1987
R.1452	11992	7 July 1989
R.1920	12079	1 September 1989
R.2361	13536	27 September 1991
R.201	14572	12 February 1993
R.2324	15312	10 December 1993
R.141	15453	28 January 1994
R.1838	16833	24 November 1995
R.1677	17500	18 October 1996
R.801	18978	19 June 1998
R.1020	19131	14 August 1998
R.1154	19225	11 September 1998
R.1218	19269	25 September 1998
R.1644	19596	18 December 1998
R.853	20267	9 July 1999 w.e.f 1 July 1999
R.896	21545	8 September 2000 w.e.f 1 September 2000
R.337	22210	6 April 2001
R.100	23080	1 February 2002
R.1037	23689	1 August 2002
33	24264	24 January 2003
558	24780	22 April 2003
R.1739	25776	28 November 2003
R.1355	27012	19 November 2004
R.1105	28226	14 November 2005
R.491	28884	29 May 2006
R.843	29139	18 August 2006
R.1217	29446	1 December 2006
R.73	31837	4 February 2009
BN 10	33954	28 January 2011
BN 26	34024	14 February 2011
BN 61	34152	25 March 2011 w.e.f. 1 April 2011
R.183	34070	4 March 2011 w.e.f. 1 July 2011

**Amendment of definitions**

1. The definitions in the Regulations are hereby amended:

(a) by the insertion after the definition of "accounting person" of the following definitions:

**"collective investment scheme"** has the meaning assigned to it in section 1 of the Collective Investment Schemes Control Act, 2002 (Act No. 45 of 2002);

**"annuity strategy"** means a strategy, as determined by the board, setting out the manner in which a member's retirement savings may be applied, with the member's consent, to provide an annuity by the fund or to purchase a proposed annuity on behalf of the member from an external provider, which annuities comply with the requirements of regulation 39 and any conditions that may be prescribed from time to time;

**"default investment portfolio"** means an investment portfolio(s) in which the retirement funding contributions of a member of a fund must be invested unless the fund has been instructed by the member in writing to invest them in another investment portfolio; provided in terms of the

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investment policy statement of the fund or options available to members of the fund, and which portfolio:

- (a) complies with the requirements set out in regulation 37; and
- (b) the composition of the portfolio may differ from member to member in respect of:
  - (i) the age or likely retirement date of each member;
  - (ii) the value of the retirement savings of the member in that fund, and
  - (iii) the actual or expected retirement funding contributions of the member;
- (c) complies with any conditions that may be prescribed.

(b) by the insertion after the definition of "insurer" of the following definitions:

**"investment portfolio"** means an identifiable portfolio of assets whether those assets are

- (a) owned by the fund;
- (b) owned by an insurer which has issued to the fund a policy in terms of which policy benefits are directly or indirectly based on the returns on the investment of those assets;
- (c) assets held by a collective investment scheme or pooled fund of which the fund or an insurer contemplated in part (b) is a unit-holder,

in which the fund has invested retirement funding contributions of its members and/or has decided to include in the range of investment portfolios in which retirement funding contributions may be invested;

**"living annuity"** has the meaning assigned to it in section 1 of the Income Tax Act, 1962 (Act No 58 of 1962);

**"Long-term Insurance Act"** means the Long-term Insurance Act, 1998 (Act No. 52 of 1998);

**"long-term insurer"** means a person registered as a long-term insurer in terms of the Long-term Insurance Act;

**"paid-up member"** means a deferred pensioner;

**"paid-up membership certificate"** means a certificate issued by a fund in terms of regulation 38 in respect of a paid-up member which records, in a format which may be prescribed, at least the following:

- (a) the name, address, registration number and contact details of the retirement fund;
- (b) the name, address and contact details of the retirement fund administrator;
- (c) the name, address, ID number, tax number, fund membership number and contact details of the member in respect of whom the certificate is issued;
- (d) the date at which the member in respect of whom the certificate is issued became a paid-up member, and the date on which the certificate was issued;
- (e) the value of the member's individual account or member's individual reserve in respect of whom the certificate is issued, at the date on which such a member became paid-up;
- (f) the investment portfolios in which such retirement savings are invested; and
- (g) any other information which may be prescribed.

**"pooled fund"** means a collective investment undertaking, including investment compartments of a collective investment undertaking, constituted in any legal form, including in terms of a contract, by means of a trust, or in terms of statute, which—

- (a) raises capital from one or more investors, to facilitate the participation or interest in, subscription, contribution or commitment to a fund or portfolio, with a view to investing it in accordance with a defined investment policy for the benefit of the investors; and
  - (b) does not require approval as a collective investment scheme in terms of the Collective Investment Schemes Control Act, 2002 (Act No. 45 of 2002);
- (c) by the insertion after the definition of "privately administered fund" of the following definitions:

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**“retirement benefits counselling”** means the disclosure and explanation, in clear and understandable language, including risks, costs and charges, of:

- (a) the available investment portfolios;
- (b) the terms of the fund’s annuity strategy;
- (c) the terms and process by which a fund, including a member’s new fund, handles preserved benefits in terms of regulation 38; and
- (d) any other options available to members.

**“retirement funding contributions”** in a defined contribution category of a fund as defined in the Pension Funds Act (Act 24, 1956), means that part of the contributions or transfer values paid to the fund by or in respect of a member, which are applied towards retirement savings in terms of the rules of the fund.

**“retirement savings”** in a defined contribution category of a fund as defined in the Pension Funds Act, means the member’s individual account.

### Insertion of new regulations

The Regulations are hereby amended, by the insertion after regulation 36, of the following regulations:

#### 37. Default investment portfolio

1. The rules of funds with a defined contribution category must provide for the board to establish an investment policy statement, which provides for a default investment portfolio.
2. The board must ensure, and be able to demonstrate to the Registrar on request, that –
 

*Default investment portfolio(s) are appropriate for the members who will be automatically enrolled into them*

  - (a) the design of the default investment portfolio, including its
    - (i) high-level objective;
    - (ii) underlying asset allocation;
    - (iii) fees and charges; and
    - (iv) the expected risks and returns to which it exposes members whose retirement savings in that fund are or will be invested in the default investment portfolio of that fund;

takes account, as far as is reasonable, of the likely characteristics and needs of that category of fund members whose retirement funding contributions and retirement savings in that fund are or will be invested in the default investment portfolio of that fund;

*The composition and performance of the default investment portfolio are adequately communicated to members*

- (b) the underlying asset allocation, and fund return net of all fees and charges in respect of the default investment portfolio are communicated to fund members on a frequency and format which may be prescribed;
 

*Default investment portfolios are cost effective*
- (c) the fees and charges in respect of the default investment portfolio or the assets held in respect of the default investment portfolio are reasonable and competitive, taking account of market conditions, the size, asset allocation and other characteristics of the fund as a whole and the default investment portfolio in particular;
 

*All fees and charges are disclosed*
- (d) all fees and charges, whether borne directly by the fund or paid directly or indirectly out of assets, or implicit in trading assets or in trading or holding derivative securities or policies purchased in respect of the default investment portfolio and the management of the underlying assets, as well as the impact that such fees and charges will have on members’

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actual and prospective benefits, are disclosed on a regular basis to members, in a clear and understandable language, and in a format which may be prescribed;

*Both passive and active investment must be equally considered as investment options*

- (e) boards should consider both passive and active investment strategies as part of the default investment portfolio;

*No loyalty bonuses or other complex fee structures*

- (f) no fees or charges deducted from or amounts credited to members' retirement savings or retirement funding contributions or otherwise paid to members by any service provider in respect of the default investment portfolio may depend on the length of time that a member has been a member of the fund, the number of contributions made by the member or any similar measure;

*Members are not locked into the default investment portfolio*

- (g) members may instruct the fund to transfer their retirement savings from the default investment portfolio into any other investment portfolios offered in terms of the rules of the fund at intervals not exceeding one year, in respect of which transfer the fund may deduct reasonable administration costs from the account of members concerned;

*The default investment portfolio is reviewed*

- (h) the board must review the default investment portfolio on a regular basis to ensure that it continues to comply with this regulation.

**38. Default preservation and portability**

1. (a) If members are enrolled into a retirement fund as a condition of employment, the rules of that fund must provide for members to become paid-up in the fund.
  - (b) When members leave the service of a participating employer, such members –
    - (i) must be made paid-up members of the fund until the fund is instructed by the member, in writing, to pay out or transfer the benefits due to the member in terms of the rules, and
    - (ii) must be presented with a paid-up membership certificate within two (2) calendar months of becoming aware that the member has left the services of the participating employer,
  - (c) Investment fees and charges in respect of the portion of retirement savings that is invested in the default investment portfolio may not differ on the basis of whether members are paid-up members or are still in the service of the participating employer. The administration fees for paid-up members, if expressed in a similar way as active members, may not be more than the average of active members' administration fees.
  - (d) No charges may be levied on the retirement savings of a member as a direct consequence of that member becoming a paid-up member.
  - (e) The rules of funds must make provision to accept any amount or amounts paid or transferred, or which will be paid or transferred, to the fund from another fund for the benefit of a member or members, provided that such transfers may comprise a defined contribution benefit component, and such funds must –
    - (i) within four (4) months of a member joining the fund, obtain, in a manner which may be prescribed, a list of all paid-up membership certificates in respect of any retirement savings of that member;
    - (ii) request, for each paid-up membership certificate, in a manner which may be prescribed, whether members wish to allow the retirement savings held in respect of each paid-up membership certificate to be transferred into the new fund; and
    - (iii) if a member elects to transfer their retirement savings, arrange, on behalf of that member, in respect of each paid-up membership certificate, the transfer of all such retirement savings into the fund, without levying a charge on such amounts in respect of the transfer.
2. The fund rules should with respect to paid-up members specify that–

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- (a) no new contributions to the fund may be permitted in respect of this class of member;
- (b) no deductions may be made from the retirement savings of paid-up members in respect of risk benefits;
- (c) a defined benefit amount, on preservation, may be converted to a defined contribution component and have it preserved as such;
- (d) eligibility for retirement and early retirement for paid-up members is as per fund rules; and
- (e) members are given access to retirement benefits counselling before any withdrawal benefit is paid to them or any transfer is made on their behalf to another retirement fund.

**39. Annuity strategy**

1. The rules of all retirement funds must provide for the board to establish an annuity strategy.

2. Boards must ensure, and be able to demonstrate to the Registrar on request, that:

*The proposed annuity as per the annuity strategy is appropriate and suitable for the members who will be enrolled into it*

- (a) The proposed annuity should, as far as is reasonably ascertainable by the Board, consider: the level of income that will be payable to retiring members; the investment, inflation and other risks inherent in the income received by retiring members; and the level of income protection granted to beneficiaries in the event of the death of a member enrolled into the proposed annuity.

*The objective, composition and performance of the proposed annuity are communicated to members*

- (b) the high-level objective, average incomes and changes in the incomes in respect of the annuity option for fund members and former fund members whose retirement savings were used to provide a retirement income are communicated to fund members on a regular basis, in a clear and understandable language and in a format which may be prescribed;

*Proposed annuities have reasonable and competitive fees and charges*

- (c) the fees and charges in respect of the proposed annuity or the assets held in respect thereof are reasonable and competitive, considering the benefits provided to members or former-members of the fund, the size, composition and asset allocation of the fund and the annuity in particular;

*All fees and charges, and their impact on members' benefits are disclosed*

- (d) all fees and charges, whether borne directly by the fund or paid directly or indirectly out of assets, or implicit in trading assets or in trading or holding derivative securities or policies purchased in respect of the proposed annuity and the management of its underlying assets, as well as the impact that such fees and charges will have on members' actual and prospective benefits, are disclosed on a regular basis to members whose retirement benefits are provided in terms of this annuity, in a clear and understandable language, and in a format which may be prescribed;

*Members are given access to retirement benefits counselling*

- (e) members are given access to retirement benefits counselling not less than three (3) months before their retirement date as determined in the fund rules of the fund;

*The proposed annuity is reviewed annually*

- (f) boards must review the proposed annuity at least annually to ensure that the annuity continues to comply with this regulation.

*Living Annuities*

3. (a) Living annuities can be paid from the fund or through a fund owned policy or sourced from a contracted third-party external provider as part of the proposed annuity solutions; provided that in each case, the investment choice is limited to four (4) investment portfolios and drawdown levels are compliant with the accepted industry standard.

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- (b) Where the living annuity is paid from the fund or through a fund owned policy, funds must monitor the sustainability of income drawn by retirees in these living annuities and make such members aware if their incomes are deemed not to be sustainable.
- (c) Investment portfolios for a living annuity chosen should be consistent with regulation 37.

*In-fund pensions*

- 4. (a) A pension payable by the fund in terms of the rules of the fund may be chosen as part of the proposed annuity solutions.
- (b) Such a pension can be non-guaranteed, on condition that members are informed in clear and understandable language that the fund does not guarantee pension amounts, and that such pensions can fluctuate in line with the value of the underlying assets, longevity of fund members and any fund expenses.
- (c) The assets relevant for the purposes of paying pensions and determining pension increases must be maintained separately and must be reduced by any pension payments made to pensioners and any fund expenses and increased with the relative return of the underlying assets.

*Out of fund annuities*

- 5. Annuities other than living annuities provided by a long-term insurer may be provided as a proposed annuity subject to such conditions that the Registrar may prescribe.

**Short title and commencement**

These Regulations are called the Amendments to the Pension Fund Regulations, 2016, and shall come into operation on a date to be determined by the Minister in the *Government Gazette*.



**DEPARTMENT OF FINANCE**

NO. 1585

23 DECEMBER 2016

**NATIONAL TREASURY****LONG-TERM INSURANCE ACT, 1998: PROPOSED AMENDMENT OF REGULATIONS  
MADE UNDER SECTION 72**

I, Pravin J Gordhan, Minister of Finance, hereby publish for comment the proposed amendment of the Regulations made under section 72 of the Long-term Insurance Act and published under GN R. 1492 of 27 November 1998, and amended from time to time, as set out in the Schedule hereto.

The proposed amendment of the Regulations is necessary to give effect to a number of conduct of business reforms undertaken and consulted on over the last few years.

The proposed Regulations and a detailed supporting document that highlights and explains the proposed amendments to be made to the current Long-term and Short-term Regulations are available on the National Treasury's website at <http://www.treasury.gov.za> and the Financial Services Board's website at <https://www.fsb.co.za>.

Comments on the proposed Regulations may be submitted in writing on or before 22 February 2017 to the National Treasury, c/o Dr Reshma Sheoraj at [ltregulations.insurance@treasury.gov.za](mailto:ltregulations.insurance@treasury.gov.za) or faxed to (012) 315 5206.

**PRAVIN J GORDHAN**  
**MINISTER OF FINANCE**

## SCHEDULE

### 1. Interpretation

In this Schedule "the Regulations" means the Regulations under the Long-term Insurance Act, 1998 as published in GN R. 1492 of 1998 and amended by GN R. 197 of 2000, GN R. 164 of 2002, GN R. 1209 of 2003, GN R. 1218 of 2006, GN R. 186 of 2007, GN R. 952 of 2008, GN R. 1077 of 2011, GN R. 170 of 2015.

### 2. Part 1 of the Regulations is hereby amended by –

- (a) the insertion in Regulation 1.1 before the definition "Part" of the following definition:

**"insurer"** means a long-term insurer;"

- (b) the insertion in Regulation 1.1 after the definition "Part" of the following definition:

**"policy"** means a long-term insurance policy and "insurance policy" has a corresponding meaning;" and

- (c) the deletion in Regulation 1.1 of the definition "SAFEX".

### 3. Part 2 of the Regulations is hereby amended by –

- (a) the insertion in Regulation 2.1 after the definition "rules of SAFEX" of the following definition:

**"SAFEX"** means the South-African Futures Exchange;"

### 4. Part 3 of the Regulations is hereby amended by -

- (a) the substitution below "PART 3" in Part 3 for the heading "LIMITATION ON REMUNERATION" of the following heading:

**"REMUNERATION";**

- (b) the substitution below "PART 3A" in Part 3A for the heading "POLICIES OTHER THAN POLICIES TO WHICH PART 3B APPLIES" of the following heading:

**"LIMITATION ON REMUNERATION FOR SERVICES AS INTERMEDIARY -  
POLICIES OTHER THAN POLICIES TO WHICH PART 3B APPLIES";**

- (c) the deletion in Regulation 3.1 in Part 3A of the definition "administrative work";

- (d) the insertion in Regulation 3.1 in Part 3A after the definition "fund member policy" of the following definition:

**"group of companies"** has the meaning defined in section 1 of the Companies Act;"

- (e) the substitution in Regulation 3.1 in Part 3A for the definition "independent intermediary" of the following definition:



- “independent intermediary”** means a person, other than a representative, who renders services as intermediary;”;
- (f) the insertion in Regulation 3.1 in Part 3A after the definition “policy benefit” of the following definition:
- “Policyholder Protection Rules”** means the Policyholder Protection Rules, 2016, promulgated by GN R. [----] of [---] [----] 2016;”;
- (g) the substitution in Regulation 3.1 in Part 3A for the definition “premium” of the following definition:
- “premium”**, in relation to a premium period, means the premium which is payable by a policyholder and received under that policy in respect of every separately identifiable benefit component of that policy;”;
- (h) the substitution in Regulation 3.1 in Part 3A for the definition “rendering services as intermediary” of the following definition:
- “services as intermediary”** means any act performed by a person on behalf of an insurer or a policyholder –
- (a) directed towards entering into, varying or renewing an insurance policy; or
  - (b) with a view to -
    - (i) maintaining, servicing or otherwise dealing with;
    - (ii) collecting or accounting for premiums payable under;
    - (iii) receiving, submitting or processing claims under; or
    - (iv) providing administrative services, other than policy data administration services as defined in sub-regulation 3.19 in Part 3C rendered on behalf of an insurer, in relation to,
 

an insurance policy, and includes any such act in relation to a fund, a member of a fund and the agreement between the member and the fund;”;
- (i) the substitution in Regulation 3.1 in Part 3A for the definition “replacement event” of the following definition:
- “replacement investment event”** means a causal event resulting in the levying of a causal event charge in excess of 15% of the investment value or materially equivalent value of a policy, where ‘causal event’, ‘causal event charge’ and ‘investment value’ have the meanings assigned to them in Part 5A and ‘materially equivalent value’ means the value contemplated in sub-regulation 5.2(2)(b) of Part 5A;”;
- (j) the substitution in Regulation 3.1 in Part 3A for the definition “replacement policy” of the following definition:
- “replacement investment policy”** means a multiple premium policy which is an investment policy, where the policyholder is or was either the policyholder or the life

insured in respect of any other investment policy, and where a replacement event occurs in respect of that other investment policy within a period of 4 months before or after the replacement investment policy is entered into;”;

- (k) the insertion in Regulation 3.1 in Part 3A after the definition “replacement investment policy” of the following definition:

“**replacement risk policy**’ has the meaning assigned to it in the Policyholder Protection Rules;”;

- (l) the substitution in Regulation 3.1 in Part 3A for the definition “representative” of the following definition:

“**representative**’ means a person employed or mandated by a long-term insurer to render services as intermediary only in relation to policies –

- (a) entered into or to be entered into by that insurer;
- (b) entered into or to be entered into by another insurer which is also part of the same group of companies that the insurer is part of;
- (c) entered into or to be entered into on or after 1 May 2017 by another insurer which has a written agreement with that insurer in terms of which the person employed or mandated by that insurer may render services as intermediary in relation to a class of policies of that other insurer which none of the insurers referred to in paragraphs (i) and (ii) are registered to underwrite; or
- (d) entered into prior to 1 May 2017 by another insurer which concluded a written agreement with that insurer prior to 1 January 2017 in terms of which the person employed or mandated by that insurer may render services as intermediary in relation to that other insurer’s policies;”;

- (m) the substitution in subregulation (4) in Regulation 3.2 in Part 3A for paragraph (b) of the following paragraph:

“(b) except in the case of a policy and benefit component of a kind specified in items 1.1, 2.1, 3.1.1, 3.2.1, and 5.1.1 and 5.2.1 of the Table;”;

- (n) the insertion after subregulation (4) in Regulation 3.2 in Part 3A of the following subregulation:

“(4A) No remuneration or consideration shall, directly or indirectly, be provided to, or accepted by or on behalf of, a representative for rendering services as intermediary, otherwise than in accordance with the principle of “Equivalence of Reward” as determined by the Registrar under paragraph (5) below.”;

- (o) the substitution in Regulation 3.2 in Part 3A for subregulation 5 of the following subregulation:

“(5) The Registrar may by notice determine that particular forms of remuneration or consideration, whether in cash or in kind, comply or do not comply with the principle of “Equivalence of Reward”.”;

- (p) the substitution in paragraph (b) in subregulation (1) in Regulation 3.3 in Part 3A for subparagraph (i) of the following subparagraph:

- (i) in the case of a policy and benefit component of a kind specified in items 1.1, 2.1, 3.1.1, 3.2.1, 5.1.1 and 5.2.1 of the Table, primary commission may be paid and accepted in one or more amounts after the policy has been entered into;”;
- (q) the substitution in subregulation (1) in Regulation 3.4 in Part 3A for paragraph (b) of the following paragraph:
- “(b) a multiple premium policy, other than a fund policy and a group scheme, the percentage specified in column 4 of the Table to the total amount of the premium payable during the premium-paying term, calculated as if the premium payable during the first premium period were payable at that level throughout the premium-paying term of the policy, which commission may be paid and accepted in one or more amounts at the discretion of the long-term insurer: Provided that such commission shall not exceed, in the case of a policy and benefit component specified in items 1.1, 2.1, 3.1.1, 3.2.1, 5.1.1 and 5.2.1 of the Table, an amount equal to the percentage specified in column 5 of the Table of the premium payable during the first premium period of the policy; or”;
- (r) by the substitution in subregulation (1) in Regulation 3.5 in Part 3A for the words preceding paragraph (a) of the following words:
- “If the provisions of a multiple premium policy are varied so that the total amount of the premium which was payable during the premium-paying term of the policy and which was used for the purpose of the calculation of commission in terms of regulation 3.4, is, for any reason -”;
- (s) the substitution in subparagraph (i) in paragraph (a) in subregulation (2) in Regulation 3.5 for subparagraph (cc) of the following subparagraph:
- “(cc) a policy in respect of which commission has been paid only after each premium in respect of which it is payable has been received by the long-term insurer concerned (including but not limited to a replacement investment policy),”;
- (t) the substitution in subparagraph (i) in paragraph (a) in subregulation (2) in Regulation 3.5 in Part 3A for the words following subparagraph (cc) of the following words:
- “for any reason not paid on its due date, including that the policy has been made paid-up or surrendered, but excluding termination upon a health event, a disability event or the death of a life insured, during the first two premium periods in the case of a policy referred to in items 1.1, 2.1, 3.1.1, 3.2.1, 5.1.1 and 5.1.2 of the Table the commission payable in terms of this Part shall be recalculated by reference to the scale and shall not exceed the percentage of maximum commission in column A or B, respectively, and any amount of commission which has already been paid in excess of the commission as so recalculated, shall be reversed by the long-term insurer and refunded to it by the person to whom it was paid.”;
- (u) the substitution in Part 3A for Regulation 3.9 of the following Regulation:
- “Special provisions concerning replacement investment policies**

3.9 (1) Commission may only be paid in respect of a replacement investment policy as a level percentage of the premiums received, and may only be paid once the premium in respect of which it is payable has been received by the long-term insurer concerned, whether or not -

- (a) the replacement investment policy comprises more than one benefit component; or
- (b) the portion of the total premium attributable to the different benefit components of the replacement investment policy is specified in or ascertainable from the written provisions of the policy.

(2)(a) The total amount of commission paid on a replacement investment policy may not exceed the total of the primary and secondary commission that would have been payable in terms of this Part in respect of a policy other than a replacement investment policy; and

- (b) in determining such total amount, the long-term insurer concerned may include interest at 15 per cent per annum, or such other rate of interest as may be prescribed by the Registrar from time to time, compounded annually from the earliest date on which the full amount of primary or secondary commission could have been paid if the policy was not a replacement investment policy, until such full amount has been paid.

(3) In the event of commission on a replacement investment policy being paid or accepted otherwise than in accordance with subregulation (1) or (2), whether due to the fact that the long-term insurer was not aware at the time of payment that the policy in question was a replacement investment policy, or for any other reason, then any commission paid by the long-term insurer in excess of the commission payable in accordance with subregulation (2), or paid earlier than permitted in subregulation (1), shall upon identification of the excess or early payment, be reversed and refunded to the long-term insurer by the person to whom it was paid.”;

- (v) the insertion after Regulation 3.9 in Part 3A of the following Regulation:

**“Special provisions concerning replacement risk policies**

3.9A (1) Notwithstanding regulation 3.4, a long-term insurer must either –

- (a) not pay any commission to any person in respect of a replacement risk policy unless and until a managing executive of that long-term insurer has provided the confirmation referred to in rule [-] of the Policyholder Protection Rules; or
- (b) where the long-term insurer does pay commission to a person in respect of a replacement risk policy, reverse such payment and ensure that the payment is refunded to the long-term insurer if a managing executive of that long-term insurer is not able to provide the confirmation referred to in rule [-] of the Policyholder Protection Rules or fails to provide the confirmation within the time specified in that Rule.

(2) In the event of commission on a replacement risk policy being paid or accepted otherwise than in accordance with subregulation (1), whether due to

the fact that the long-term insurer was not aware at the time of payment that the policy in question was a replacement risk policy, or for any other reason, then any commission paid by the long-term insurer shall upon identification be reversed and refunded to the long-term insurer by the person to whom it was paid.”;

(w) the substitution in Annexure 1 in Part 3A for the Table of the following Table:

“Table

Item	Kind of policy or benefit component	Maximum percentage			Notes	
		Single premium policy	Multiple premium policy		Up-front payment reg 3.3(1)(b)(i) applicable	Secondary commission: reg 3.2(4)(b) applicable
			Basic percentage	Limit per proviso to reg 3.4(1)(b)		
	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
		%	%	%		
<b>1</b>	<b>Individual policy, not elsewhere specified</b>					
1.1	not immediate annuity	3.0	3.25	85.0	yes*	yes*
1.2	immediate annuity					
1.2.1	not compulsory	1.5	not applicable	not applicable	no	no
1.2.2	compulsory, not tied	1.5	not applicable	not applicable	no	no
1.2.3	compulsory, tied	Nil	not applicable	not applicable	no	no
<b>2</b>	<b>Fund member policy</b>					
2.1	funding a retirement annuity fund					
2.1.1	upon entry, not a transfer	2.5	3.0	75.0	yes*	yes*
2.1.2	upon entry, a transfer from a fund other than a retirement annuity fund to					
2.1.2.1	a fund chosen by the member	1.5	not applicable	not applicable	no	no
2.1.2.2	a fund not chosen by the member	Nil	not applicable	not applicable	no	no
2.1.3	upon entry, a transfer from another retirement annuity fund	Nil	not applicable	not applicable	no	no
2.2	not funding a retirement annuity fund					
2.2.1	upon entry, not a transfer	2.5	3.0	75.0	yes*	yes*
2.2.2	upon entry, a transfer from another fund	1.5	not applicable	not applicable	no	no
<b>3</b>	<b>Life policy</b>					
3.1	Other than term cover only					
3.1.1	individual	3.0	3.25	85.0	yes*	yes*
3.1.2	incorporated in a group scheme					
3.1.2.1	which is a credit scheme	7.5	7.5	85.0	yes*	yes*
3.1.2.2	which is not a credit scheme	Scale A	Scale A	not applicable	no	no
3.2	Term cover only					
3.2.1	individual	7.5	3.25	nil	no	no
3.2.2	incorporated in a group scheme					
3.2.2.1	which is a credit scheme	7.5	7.5	not applicable	no	no
3.2.2.2	which is not a credit scheme	Scale A	Scale A	not applicable	no	no
<b>4</b>	<b>Fund policy</b>	Scale A	Scale A	not applicable	no	no
<b>5</b>	<b>Health policy and disability policy</b>					
5.1	Other than term cover only					

5.1.1	individual	3.0	3.25	85.0	yes	yes
5.1.2	incorporated in a group scheme					
5.1.2.1	which is a credit scheme	7.5	7.5	not applicable	no	no
5.1.2.2	which is not a credit scheme	Scale A	Scale A	not applicable	no	no
5.2	Term cover only					
5.2.1	individual	7.5	3.25	nil	no	no
5.2.2	incorporated in a group scheme					
5.2.2.1	which is a credit scheme	7.5	7.5	not applicable	no	no
5.2.2.2	which is not a credit scheme	Scale A	Scale A	not applicable	no	no
6	Sinking fund policy	3.0	3.0	nil	no	no
7	Assistance policy	-	-	-	no	no

**Notes to Annexure 1:**

- An asterisk (\*) denotes "excluding a replacement investment policy".
- A dash (-) denotes that there is no limit.
- "nil" denotes that no commission may be paid.
- A policy, other than one that provides an immediate annuity, that is a fund member policy or a fund policy falls under item 2 or 4, as the case may be irrespective whether it can fall also under another item. A policy that provides an immediate annuity that is a fund member policy or a fund policy attracts the commission referred to in item 1.2.
- Item 2.1.2.1 applies with effect from 1 March 2007.

- (x) the substitution in Scale A in Annexure 2 in Part 3A for paragraph 1 of the following paragraph:

**"1. Normal commission**

MAXIMUM COMMISSION AS PERCENTAGE OF ANNUALISED PREMIUM UNDER A GROUP SCHEME OR FUND POLICY	ANNUALISED PREMIUM OF WHICH THE AMOUNT -	
	EXCEEDS	DOES NOT EXCEED
%	R	R
7,5%		200 000
5,0%	200 000	300 000
3,0%	300 000	600 000
2,0%	600 000	2 000 000
1,0%	2 000 000	UNLIMITED

- (y) the substitution in paragraph 2 in Scale A in Annexure 2 in Part 3A for subparagraph (b) of the following subparagraph:

"(b) R7 500.";

- (z) the substitution below "PART 3B" in Part 3B for the heading "INVESTMENT POLICIES THAT STARTED ON OR AFTER 1 JANUARY 2009" of the following heading:

**"LIMITATION ON REMUNERATION FOR SERVICES AS INTERMEDIARY - INVESTMENT POLICIES THAT STARTED ON OR AFTER 1 JANUARY 2009";**

- (aa) the substitution in Regulation 3.10 in Part 3B for subregulation (1) of the following subregulation:

"(1) This Part 3B applies to –



- (a) investment policies that started on or after 1 January 2009, but except only for purposes of regulation 3.15(4), does not apply to risk components of such investment policies; and
  - (b) any variable premium increase (as defined in Part 5A) in respect of a policy to which Part 5A applies.”;
- (bb) the substitution in Regulation 3.11 in Part 3B for subregulation (2) of the following subregulation:
- “(2)(a) No remuneration or consideration shall, directly or indirectly, be provided to, or accepted by or on behalf of, a representative for rendering services as intermediary, otherwise than in accordance with the principle of “Equivalence of Reward” as determined by the Registrar under paragraph (b) below.
- (b) The Registrar may by notice determine that particular forms of remuneration or consideration, whether in cash or in kind, comply or do not comply with the principle of “Equivalence of Reward”.”;
- (cc) the substitution in Part 3B for Regulation 3.18 of the following Regulation:

**“Replacement investment policies**

3.18 (1) Commission may not be discounted in respect of a replacement investment policy.

(2) In the event of commission in respect of a replacement investment policy having been paid otherwise than in accordance with this Part, whether because the insurer at the time of the payment was not aware that the policy in question was a replacement investment policy, or for any other reason, then any commission paid by the insurer in excess of the maximum that may be paid in accordance with this Part, or paid earlier than permitted in this Part, must, upon identification of the payment, be reversed and paid back to the insurer by the person to whom it was paid.”;

- (dd) the insertion after Part 3B of the following Part:

**“PART 3C  
LIMITATION ON REMUNERATION FOR OUTSOURCING**

**Application of this Part 3C, and definitions**

3.19 (1) This Part 3C applies to any outsourcing by an insurer of a binder function or policy data administration services.

(2) In this Part 3C, unless defined differently in this Part 3C or unless the context indicates otherwise, any word or expression to which a meaning has been assigned in Part 6 has the meaning assigned to it in that Part, and -

**“cell structure”** means an arrangement under which a person (cell owner) -

- (a) holds an equity participation in a specific class or type of shares of an insurer, which equity participation is administered and accounted for separately from other classes or types of shares;

- (b) is entitled to a share of the profits and liable for a share of the losses as a result of the equity participation referred to in paragraph (a), linked to profits or losses generated by the insurance business referred to in paragraph (c); and
- (c) places or insures insurance business with the insurer referred to in paragraph (a), which business is contractually ring-fenced from the other insurance business of that insurer for as long as the insurer is not in winding-up;

**“outsourcing”** means any arrangement of any form between an insurer and another person, whether that person is regulated or supervised under any law or not, in terms of which that party performs a function that is integral to the nature of the insurance business that an insurer provides, which would otherwise be performed by the insurer itself in conducting long-term insurance business, and includes rendering services under a binder agreement and rendering policy data administration services, but excludes rendering services as intermediary;

**“policy data administration services”** means the managing, recording and updating of policy and policyholder data of an insurer on behalf of that insurer in a manner that –

- (a) ensures complete integration between the information technology system of the insurer and the person that provides the services; and
- (b) enables the insurer to have continuous access to accurate, up-to-date, complete and secure policy and policyholder data.

*Remuneration relating to outsourcing of policy data management services*

**Limitation on remuneration for policy data administration services**

3.20 (1) An insurer or any other person must only offer or pay a fee for policy data administration services to any person, and that person must only accept such a fee, if that person has the operational capability to provide such policy data administration services.

(2) The fee referred to in paragraph (a) must not exceed 2% of the total premium payable by policyholders in respect of the policies to which the policy data administration services relate.

(3) Despite subregulation (1) above, an insurer or any other person must not offer or pay a fee for policy data administration services to –

- (a) a representative that is a natural person, and that representative must not accept such a fee; or
- (b) a binder holder, and that binder holder must not accept such a fee, if that binder holder has a binder agreement with the insurer to perform the service or function contemplated in section 49A(1)(a) of the Act.

*Limitation on remuneration to binder holder*

**Remuneration that may be offered or provided to a binder holder**



3.21 (1) An insurer may pay a binder holder a fee for the services rendered under the binder agreement, which fee must be reasonably commensurate with the actual costs incurred by the binder holder associated with rendering the services under the binder agreement, with allowance for a reasonable rate of return for the binder holder.

(2) Despite subregulation (1), an insurer must not without the prior approval of the Registrar referred to in subregulation (3) pay a binder holder a fee for the services rendered under the binder agreement that exceeds the value listed in the Table below, reflected as a percentage of the aggregate of the total premiums payable by policyholders in respect of the policies to which the binder function relates, if that binder holder is –

- (a) a non-mandated intermediary that is authorised to render “advice” as defined in the FAIS Act in respect of long-term insurance policies;
- (b) a non-mandated intermediary that is an associate of another non-mandated intermediary that is authorised to render “advice” as defined in the FAIS Act in respect of long-term insurance policies.

**Table**

BINDER FUNCTION	MAXIMUM FEE PAYABLE
Enter into, vary or renew a policy – section 49A(1)(a)	2%
Determine the wording of a policy - section 49A(1)(b), determine premiums under a policy - section 49A(1)(c) or determine the value of policy benefits under a policy - section 49A(1)(d), or any combination of the above	2%
Settle claims under a policy – section 49A(1)(e)	2%

(3) The Registrar, subject to such conditions as the Registrar may impose, may on application from an insurer grant approval to the insurer to pay a binder holder a fee in excess of the fees referred to in regulation 3.21(2) if the Registrar is satisfied that:

- (a) such a fee is appropriate taking into account the nature, scale and complexity of the insurance business to which the relevant binder function relates; and
- (b) such a fee will not impede the fair treatment of policyholders;
- (c) no conflict of interest or potential conflict of interest exists; or
- (d) any conflict of interest or potential conflict of interest is effectively mitigated and will not impede the fair treatment of policyholders.

(4) Any fee referred to under subregulation (1) payable to a non-mandated intermediary that may perform the service or function contemplated in section 49A(1)(e) of the Act under a binder agreement, may not constitute or be based on a percentage of the difference between an amount claimed or the maximum

value of policy benefits payable under a policy and the policy benefits actually provided to a policyholder in settlement of a claim.

(5) Any fee referred to under regulation 3.20 or this regulation 3.21, payable to a non-mandated intermediary that is a binder holder, must be disclosed to a policyholder, which disclosure must be included in the disclosures contemplated under regulation 6.2(1)(g).

#### **Participation by a binder holder in profits attributable to the policies referred to in a binder agreement**

3.22 (1) A non-mandated intermediary that is a binder holder, in respect of the services rendered under the binder agreement, may not directly or indirectly receive or be offered any share in the profits of the insurer attributable to the type or kind of policies referred to in the binder agreement.

(2) Subregulation (1) does not prohibit a non-mandated intermediary that is a binder holder and entered into a cell structure with an insurer from receiving dividends in respect of shares held in that insurer as part of that cell structure.

(3) An administrative FSP or underwriting manager, in respect of the services rendered under the binder agreement, may share in the profits of the insurer attributable to the type or kind of policies referred to in the binder agreement.”; and

(ee) the insertion after Part 3C of the following Part:

#### **“PART 3D GENERAL PRINCIPLES FOR DETERMINING REMUNERATION**

##### **Application of this Part 3D, and definitions**

3.23 (1) In this Part 3D, any word or expression to which a meaning has been assigned in any other Part has the meaning assigned to it in that Part.

(2) This Part 3D, applies to any remuneration offered or provided, directly or indirectly, by or on behalf of a long-term insurer, a policyholder or any other person, or accepted by any other person, for –

- (a) rendering services as intermediary;
- (b) providing policy data administration services;
- (c) performing a binder function or incidental activity under a binder agreement; or
- (d) rendering any other services under any other outsourcing arrangement.

##### **General principles for determining any remuneration**

3.24 (1) Remuneration paid to any person for the rendering of any service, activity or function performed by that person, must –

- (a) be reasonably commensurate with the actual service, function or activity performed;
- (b) not result in any service, function or activity referred to in regulation 3.23(2) being remunerated again;
- (c) not be structured in a manner that may increase the risk of unfair outcomes for policyholders; and
- (d) not be linked to the monetary value of claims for policy benefits repudiated, paid, not paid or partially paid.

(2) Subregulation (1) applies in addition to any specific requirements relating to remuneration for specific services, activities or functions set out in these regulations.”

**5. Part 4 of the Regulations is hereby amended by -**

- (a) the substitution in Regulation 4.1 for the definition “excess premium” of the following definition:

“**excess premium**’ means a premium which is received by, or which becomes due to, a long-term insurer during a premium period, and which -

- (a) by itself exceeds;
- (b) when aggregated with all premiums already received, and still to be received, during that premium period, exceeds; or
- (c) is the first of increased recurrent premiums which, if it had been received by the long-term insurer at that increased rate during that premium period, would have caused the total value of the premiums received by the long-term insurer during that premium period to exceed,

by a rate of more than 20 per cent, the higher of the total value of the premiums received by the long-term insurer during any one of the two premium periods immediately preceding that premium period: Provided that if a premium is increased during the second premium period, the percentage increase shall be determined in relation to the first premium period only;”;

- (b) the substitution in Regulation 4.1 for the definition “fund member policy” of the following definition:

“**fund member policy**’ means a long-term policy other than a fund policy -

- (a) of which a fund is the sole policyholder;
- (b) under which a specified member of the fund (or the surviving spouse, child, dependent or nominee of the member) is the life insured; and
- (c) which is entered into by the fund for the purpose of exclusively funding the funds’ liability to that member (or the surviving spouse, children, dependants or nominees of the member) in terms of the rules of the fund;”;

(c) the substitution in Regulation 4.1 for the definition “policy” of the following definition:

“**policy**” means a long-term policy, whether entered into before or after the commencement of this Act, excluding -

- (a) a reinsurance policy;
- (b) a fund policy;
- (c) a fund member policy, for as long as no right under the policy is transferred by the fund to a life insured under the policy, or is transferred to any person except another fund for the direct or indirect benefit of a life insured under the policy; or
- (d) a living annuity as defined in section 1 of the Income Tax Act, 1962 (Act No. 58 of 1962);”;

(d) the substitution in subregulation (1) in Regulation 4.2 for paragraph (b) of the following paragraph:

“(b) upon the full or partial surrender of a policy during an extended restriction period -

- (i) if the policy has previously been partially surrendered during the extended restriction period concerned, any further consideration; or
- (ii) if the policy has not been previously partially surrendered during the extended restriction period concerned, any consideration the value of which exceeds the restricted amount less the capital (excluding capitalised interest) of a loan already provided in respect of the policy during that extended restriction period:

Provided that where the policy is fully surrendered and the full value of the consideration to be provided thereupon exceeds the amount thus determined by not more than R10 000 the full consideration may be provided;”;

(e) the substitution in Regulation 4.2 for subregulation (2) of the following subregulation:

“(2) Subregulation (1)(a) shall not apply to a policy benefit which is to be provided and is provided under the policy upon -

- (a) the life of a life insured having ended;
- (b) the life of a life insured having begun;
- (c) a health event occurring;
- (d) a disability event occurring;
- (e) retrenchment occurring.”; and

(f) the insertion after Regulation 4.2 of the following Regulation:

“**Maximum fees, penalties or any other charges on loans**

4.2A (1) Where the terms of a loan on the security of a long-term policy provide for the charging of interest at a stated fixed rate, whether simple or compound interest, an insurer may only apply such interest to the capital amount of the loan and not to any other cost or loss in respect of the loan.

(2) Where the terms of a loan on security of a long-term policy do not provide for the charging of interest, an insurer may not impose any fees, penalties or other charges in respect of the loan in excess of an amount equal to the maximum causal event charge that the insurer would have been permitted to charge if the capital amount of the loan had been the amount surrendered in terms of a causal event referred to in paragraph (d) or (f) of the definition of causal event in Part 5A.”.

**6. Part 5 of the Regulations is hereby amended by -**

- (a) the insertion in Regulation 5.1 in Part 5A after the definition “this Part” of the following definition:

“**universal whole of life policy**’ means a policy other than a fund member policy that is a whole-life policy that is not an excluded policy and –

- (a) that provides risk benefits and has an investment value or a materially equivalent value referred to in regulation 5.2(2)(b); and
- (b) in respect of which the underlying actuarial basis of the policy, whether or not the actuarial basis has been expressly incorporated in the policy, provides that, at inception of the policy, not less than eighty five percent (85%) of the total premium payable by the policyholder is allocated towards the risk benefits;”;

- (b) the insertion in Regulation 5.1 in Part 5A after the definition “values” of the following definition:

“**variable premium increase**’ means an increase in an existing recurring premium payable by a policyholder under a policy, which increase is not a regular contractual premium increase provided for and specified in the policy at the start of that policy.”;

- (c) the substitution in Regulation 5.3 in Part 5A for subregulation (3) of the following subregulation:

“(3) Where a causal event occurs in respect of a fund member policy on or after the effective date but before 1 January 2018, the insurer may not on account of that causal event deduct causal event charges which in total exceed the maximum prescribed in subregulation (4).”;

- (d) the insertion after subregulation (4) in Regulation 5.3 in Part 5A of the following subregulations:

“(5) Where a causal event occurs in respect of a fund member policy during a period referred to in column 1 of Table A below, the insurer may not on account of that causal event deduct causal event charges which in total exceed the maximum percentage set out in the corresponding line in column 2 of Table A below.

Timing of causal event	Maximum if causal event is one contemplated in the following paragraph of the definition "causal event":		
	for purposes of paragraph (a), (c), (f) or (g), the maximum percentage below of the investment value immediately before the causal event:	for purposes of paragraph (b), the maximum percentage of the investment value immediately before the causal event equal to percentage below multiplied by the amount by which the basic premium has been reduced divided by the basic premium before it was reduced:	for purpose of paragraph (d) or (e), the maximum percentage below of the amount by which the investment value immediately before the causal event has been reduced:
On or after 1 January 2018 but before 1 January 2019	20%	20%	20%
On or after 1 January 2019 but before 1 January 2020	18%	18%	18%
On or after 1 January 2020 but before 1 January 2021	16%	16%	16%
On or after 1 January 2021 but before 1 January 2022	14%	14%	14%
On or after 1 January 2022 but before 1 January 2023	12%	12%	12%
On or after 1 January 2023 but before 1 January 2024	11%	11%	11%
On or after 1 January 2024 but before 1 January 2025	10%	10%	10%
On or after 1 January 2025 but before 1 January 2026	9%	9%	9%
On or after 1 January 2026 but before 1 January 2027	8%	8%	8%
On or after 1 January 2027 but before 1 January 2028	7%	7%	7%
On or after 1 January 2028 but before 1 January 2029	6%	6%	6%
On or after 1 January 2029	5%	5%	5%

- (e) the substitution in Regulation 5.4 in Part 5A for subregulation (3) of the following subregulation:

"(3) Where a causal event occurs in respect of a policy other than a fund member policy on or after the effective date but before 1 January 2018, the insurer may not on account of that causal event deduct causal event charges which in total exceed the maximum prescribed in subregulation (4).";

- (f) the insertion after subregulation (4) in Regulation 5.4 in Part 5A of the following subregulations:

"(5) Where a causal event occurs in respect of a policy other than a fund member policy, but that is not a universal life policy, during a period referred to in column 1 of Table A below, the insurer may not on account of that causal event deduct causal event charges which in total exceed the maximum percentage set out in the corresponding line in column 2 of Table A below.

Timing of causal event	Maximum in respect of a causal event contemplated in the following paragraph of the definition "causal event":		
	for purposes of paragraph (a), (c), (f)), the maximum percentage below of the investment value immediately before the causal event:	for purposes of paragraph (b), the maximum percentage of the investment value immediately before the causal event equal to percentage below multiplied by the amount by which the basic premium has been reduced divided by the basic premium before it was reduced:	for purpose of paragraph (d), the maximum percentage below of the amount by which the investment value immediately before the causal event has been reduced:
On or after 1 January 2018 but before 1 January 2019	20%	20%	20%
On or after 1 January 2019 but before 1 January 2020	18%	18%	18%
On or after 1 January 2020 but before 1 January 2021	16%	16%	16%
On or after 1 January 2021 but before 1 January 2022	14%	14%	14%
On or after 1 January 2022 but before 1 January 2023	12%	12%	12%
On or after 1 January 2023 but before 1 January 2024	11%	11%	11%
On or after 1 January 2024 but before 1 January 2025	10%	10%	10%
On or after 1 January 2025 but before 1 January 2026	9%	9%	9%
On or after 1 January 2026 but before 1 January 2027	8%	8%	8%
On or after 1 January 2027 but before 1 January 2028	7%	7%	7%
On or after 1 January 2028 but before 1 January 2029	6%	6%	6%
On or after 1 January 2029	5%	5%	5%

(6) Where a causal event occurs in respect of a universal whole of life policy during a period referred to in column 1 of Table A below, the insurer may not on account of that causal event deduct causal event charges which in total exceed the maximum percentage set out in the corresponding line in column 2 of Table A below.



Timing of causal event	Maximum in respect of a causal event contemplated in the following paragraph of the definition "causal event":		
	for purposes of paragraph (a), (c), (f), the maximum percentage below of the investment value immediately before the causal event:	for purposes of paragraph (b), the maximum percentage of the investment value immediately before the causal event equal to percentage below multiplied by the amount by which the basic premium has been reduced divided by the basic premium before it was reduced:	for purpose of paragraph (d), the maximum percentage below of the amount by which the investment value immediately before the causal event has been reduced:
On or after 1 January 2018 but before 1 January 2019	20%	20%	20%
On or after 1 January 2019 but before 1 January 2020	19%	19%	19%
On or after 1 January 2020 but before 1 January 2021	18%	18%	18%
On or after 1 January 2021 but before 1 January 2022	17%	17%	17%
On or after 1 January 2022 but before 1 January 2023	16%	16%	16%
On or after 1 January 2023	15%	15%	15%

- (g) the deletion in Part 5A of Regulation 5.7;
- (h) the substitution in Part 5A for Regulation 5.8 of the following Regulation:

**"Amendments to actuarial basis and values**

5.8 (1) An insurer must, before giving effect to an amendment made to the actuarial basis of a policy, where that amendment will have the effect of reducing the values or benefits of that policy, inform the Registrar of the amendment. The insurer must also provide the reasons for the amendment.

(2) The Registrar may, if he or she is of the opinion that an amendment contemplated in subregulation (1) was affected to directly or indirectly reduce the impact on the insurer of complying with this Part, direct the insurer to review that amendment.

(3) An insurer must keep a record of amendments contemplated in subregulation (1), which record must be made available to the Registrar on request.;

- (i) the insertion after Regulation 5.8 in Part 5A of the following Regulation:

**"Variable premium increases in respect of policies to which this Part applies**

5.9 Despite anything contained in this Part or the regulations, any variable premium increase on or after 1 May 2017 in respect of a policy to which this Part



applies is subject to Part 3B and Part 5B and must be regarded as constituting a separate policy for purposes of the application of those Parts.”; and

- (j) the insertion after Part 5B of the following Part:

**“PART 5C  
PRINCIPLES FOR CALCULATION OF CAUSAL EVENT CHARGES**

**General principles for the calculation of causal event charges**

5.1 (1) For purposes of compliance with Parts 5A and 5B, an insurer must consider all causal event charges that arose after 1 January 2001.

(2) When calculating causal event charges in respect of policies referred to in Part 5A and Part 5B, an insurer must –

- (a) take into account the cumulative effect on a policy’s investment value of charges that have already been deducted in respect of previous causal events;
- (b) on the occurrence of a second or subsequent causal event on a policy, determine the causal event charge for that second or subsequent event by taking into account the cumulative effect of that charge and all prior causal event charges on the policy’s investment value;
- (c) ensure that the cumulative effect of multiple causal event charges during the life of a policy does not result in the policy’s investment value at any time being reduced by a greater portion than would have been the case if, at the time of the first causal event, the maximum causal event charge has been deducted.

(3) For purposes of subregulation (2)(b), the calculation of the cumulative causal event charges and the impact on the policy’s investment value may take into account the time value of money, but any simplification applied in the calculation methodology may not result in a reduced policy investment value.

(4) For purposes of subregulation (2)(c), the maximum causal event charge means the lower of –

- (a) the highest charge the insurer applies to any one causal event for the type of policy concerned according to the insurer’s actuarial basis; and
- (b) the highest causal event charge, at the time of the first causal event, provided for in Part 5A, Part 5B or for the type of policy concerned.

(5) In applying the principles in subregulation (2), an insurer must apply the same method of calculation to all policies of the same type.

(6) An insurer must, where the actuarial basis provides for a charge percentage that is less than the maximum prescribed charges, apply the lesser percentage in calculating causal event charges and in determining their cumulative effect.

(7) An insurer must, prior to adjusting the actuarial basis for policies to ensure that these bases are not inconsistent with the minimum principles

contained in this Part, inform the Registrar of the proposed amendment and the reasons therefore.”.

**7. Part 6 of the Regulations is hereby amended by -**

- (a) the substitution in Regulation 6.1 for the definition “administrative FSP” of the following definition:

“**administrative FSP**’ has the meaning assigned to it in the Codes of Conduct for administrative and discretionary FSPs published in Board Notice No. 79 of 8 August 2003, and amended from time to time, under the FAIS Act;”;

- (b) the substitution in Regulation 6.1 for the definition “associate” of the following definition:

“**associate**’ -

- (a) has the meaning assigned to it in the General Code of Conduct; and
- (b) in addition to paragraph (a), includes, in respect of a juristic person, -
- (i) another juristic person that has a significant owner or member of the governing body of such other person that is also a significant owner or member of the governing body of such other person of the first mentioned juristic person; and
- (ii) another juristic person that has a person as a significant owner or member of the governing body who is an associate (within the meaning of paragraph (a)) of a significant owner or member of the governing body of the first mentioned juristic person;”;

- (c) the insertion in Regulation 6.1 after the definition “enter into” of the following definition:

“**FAIS Act**’ means the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002);”;

- (d) the insertion in Regulation 6.1 after the definition “FAIS Act” of the following definition:

“**General Code of Conduct**’ means the General Code of Conduct for Authorised Financial Services Providers and Representatives as published in Board Notice No. 80 of 2003, and amended from time to time, under section 15 of the FAIS Act;”;

- (e) the insertion in Regulation 6.1 after the definition “General Code of Conduct” of the following definition:

“**governing body**’ means; a person or body of persons, whether elected or not, that manages, controls, formulates the policy and strategy of the financial institution, directs its affairs or has the authority to exercise the powers and perform the functions of the financial institution, and includes—

- (a) the general partners of an *en commandite* partnership or the partners of any other partnership;
- (b) the members of a close corporation;

- (c) the trustees of a trust; and
  - (d) the board of directors of a company;”;
- (f) the insertion in Regulation 6.1 after the definition “governing body” of the following definition:

“**‘incidental’** means any activity that is necessary or expedient for the performance of a binder function;”;

- (g) the insertion in Regulation 6.1 after the definition “insurer” of the following definition:

“**‘juristic person’** includes—

- (a) a company, close corporation or co-operative incorporated or registered in terms of legislation whether in the Republic or elsewhere;
- (b) an association, partnership, club or other body of persons of whatever description, corporate or unincorporated; or
- (c) a trust or trust fund;”;

- (h) the insertion in Regulation 6.1 after the definition “policy” of the following definition:

“**‘qualifying stake’** means in respect of a person that -

- (a) is a company, that another person, directly or indirectly, alone or together with a related or interrelated person -
  - (i) holds at least 15% of the issued shares of the first mentioned person;
  - (ii) has the ability to exercise or control the exercise of at least 15% of the voting rights attached to securities of the first mentioned person;
  - (iii) has the ability to dispose of or control the disposal of at least 15% of the first mentioned person’s securities; or
  - (iv) holds rights in relation to the first mentioned person that, if exercised, would result in that other person, directly or indirectly, alone or together with a related or interrelated person -
    - (aa) holding at least 15% of the securities of the first mentioned person;
    - (bb) having the ability to exercise or control at least 15% of the voting rights attached to shares or other securities of the first mentioned person; or
    - (cc) having the ability to dispose of or direct the disposal of at least 15% of the first mentioned person’s securities;
- (b) is a close corporation, that another person, directly or indirectly, alone or together with a related or interrelated person, holds at least 15% of the members’ interests or controls, or has the right to control, at least 15% of members’ votes in the close corporation;

- (c) is a trust, means that another person has, directly or indirectly, alone or together with a related or interrelated person -
- (i) the ability to exercise or control the exercise of at least 15% of the votes of the trustees;
  - (ii) the power to appoint at least 15% of the trustees; or
  - (iii) the power to appoint or change any beneficiaries of the trust;”;
- (i) the substitution in Regulation 6.1 for the definition “representative” of the following definition:
- “**representative**’ has the meaning assigned to it in regulation 3.1, but excludes any natural person;”;
- (j) the insertion in Regulation 6.1 after the definition “settle a claim” of the following definition:
- “**significant owner**’ means a person that, directly or indirectly, alone or together with a related or interrelated person, has the ability to control or influence materially the business or strategy of another person. A person has the ability referred to in that subsection if -
- (a) the person, directly or indirectly, alone or together with a related or interrelated person, has the power to appoint 15% of the members of the governing body of the other person;
  - (b) the consent of the person, alone or together with a related or interrelated person, is required for the appointment of 15% of the members of a governing body of the other person; or
  - (c) the person, directly or indirectly, alone or together with a related or interrelated person, holds a qualifying stake in the other person;”;
- (k) the substitution in Regulation 6.1 for the definition “underwriting manager” of the following definition:
- “**underwriting manager**’ means a person that -
- (a) performs one or more of the binder functions referred to in (1)(a) to (e); and
  - (b) if that person renders services as an intermediary as defined in Part 3A of the Regulation,-
    - (i) does not perform any act directed towards entering into, varying or renewing an insurance policy on behalf of an insurer, a potential policyholder or policyholder (including the performance of such an act in relation to a fund, a member of a fund and the agreement between the member and the fund); and
    - (ii) renders those services (other than the services referred to in paragraph (i) above) to or on behalf of an insurer only; and

- (c) does not have any relationship with an insurer (including the secondment of that person's employees to an insurer or an associate of an insurer, the outsourcing of that person's infrastructure to an insurer or an associate of an insurer, or any similar arrangement) which may result in that person or its employees *de facto*, directly or indirectly, performing any act directed towards entering into, varying or renewing an insurance policy on behalf of an insurer, a potential policyholder or policyholder; and";

- (l) the substitution of Regulation 6.2 for the following Regulation:

**"Requirements, limitations and prohibitions relating to binder holders**

6.2 (1) An insurer, subject to regulation 6.5, may have a binder agreement with one or more of the following persons only -

- (a) subject to subregulations (1A), (2) and (3), a non-mandated intermediary;
- (b) subject to subregulations (3) and (4), an underwriting manager; or
- (c) an administrative FSP.

(1A) An insurer may not have a binder agreement with a non-mandated intermediary that is authorised to render "advice" as defined in the FAIS Act in respect of long-term insurance policies relating to the binder functions contemplated in section 49A(1)(b) to (d) of the Act.

(2) A non-mandated intermediary referred to under subregulation (1)(a) may not conduct any business with any mandated intermediary that is an associate of that non-mandated intermediary in relation to the same policy or policies of an insurer.

(3) An underwriting manager referred to under subregulation (1)(b) may not conduct any business with a mandated or non-mandated intermediary, or a representative of a mandated or non-mandated intermediary, or an administrative FSP that is an associate of that underwriting manager in relation to the same policy or policies of an insurer.

(4)(a) An underwriting manager referred to under subregulation (1)(b) who is a binder holder of one insurer cannot also be a binder holder of other insurers in respect of the same class of policies defined in section 1 of the Act, unless all the relevant insurers have agreed thereto in writing.

(b) Paragraph (a) does not apply if an underwriting manager enters into a binder agreement with an insurer during a termination period referred to in regulation 6.3(1)(s) in respect of a binder agreement with another insurer and that underwriting manager may not perform any binder functions on behalf of that other insurer during that termination period.";

- (m) the insertion after paragraph (c) in subregulation (1) in Regulation 6.3 of the following paragraph:

"(cA) specify the activities that are incidental to the performance of the binder function or functions, and the level and standard of service that must be rendered in respect of such activities;"

- (n) the substitution in subregulation (1) in Regulation 6.3 for paragraph (d) of the following paragraph:

"(d) require that the binder holder at all times is fit and proper, and has appropriate governance, risk management, internal controls and information technology systems in place to render the services under the binder agreement;"

- (o) the substitution in subregulation (1) in Regulation 6.3 for paragraph (p) of the following paragraph:

"(p) require the binder holder to provide the insurer at least every 24 hours with timely, comprehensive and reliable data to ensure that the insurer is able to comply with any regulatory data management requirements;"

- (p) the insertion after Regulation 6.3 of the following Regulation:

**"Governance, oversight and record keeping requirements**

6.3A (1) An insurer must before concluding a binder agreement and thereafter, on an ongoing basis, identify, assess, measure and manage the risks associated with conducting insurance business through binder agreements to ensure the consistent delivery of fair customer outcomes.

- (2) An insurer must regularly assess a binder holder's adherence to the binder agreement, specifically also the binder holder's –

- (a) governance, risk management and internal controls;
- (b) fitness and propriety;
- (c) ability to comply with applicable laws and the binder agreement; and
- (d) operational and financial capability, including but not limited to the binder holder's capability to provide access to timely, comprehensive and reliable data to ensure that the insurer is able to comply with any regulatory data management requirements.

- (3) An insurer must promptly take reasonable steps to rectify any non-adherence to a binder agreement.

- (4) An insurer must retain a copy of a binder agreement for a period of at least 5 years from the date on which a binder agreement is terminated.";

- (q) the deletion of Regulation 6.4;

- (r) by the substitution for Regulation 6.5 of the following Regulation:

**"Exemption**



6.5 Despite regulation 6.2(1A), (2) or (3), the Registrar may on application from an insurer referred to in regulation 6.2(1A), (2) or (3) or an insurer that is the holding company or associate of more than one person referred to in regulation 6.2(1A), (2) or (3), exempt, subject to such conditions as the Registrar may impose, the insurer or such person from regulation 6.2(1A), (2) or (3), if the Registrar is satisfied that –

- (a) no conflict of interest or potential conflict of interest exists; or
- (b) any conflict of interest or potential conflict of interest is effectively mitigated and will not impede the fair treatment of policyholders; and
- (c) the person has the operational and financial capability to perform the binder function or to conduct such business.”; and

(s) by the deletion of Regulation 6.7.

**8. Part 7 of the Regulations is hereby amended by the substitution for that Part of the following Part:**

**“PART 7  
TITLE AND COMMENCEMENT**

7.1 These regulations are called the Regulations under the Long-term Insurance Act, 1998.

7.2 An insurer must, in respect of the amendment to these regulations that came into operation on 1 May 2017, ensure that -

- (a) any agreements or arrangements relating to matters addressed in Part 3 concluded -
  - (i) before the publication of the amendment to the regulations for public comment in the *Gazette* on [-], are aligned with the regulations as amended by no later than 31 December 2017;
  - (ii) between the publication of the amendment to the regulations for public comment in the on [-] and 1 May 2017, are aligned with the regulations as amended by no later than 31 July 2017;
- (b) any agreements relating to matters addressed in Part 6 concluded before or on 1 May 2017 are aligned with the regulations as amended by no later than 31 December 2017.

**Transitional arrangements**

**9. The amendment to the Regulations takes effect on 1 May 2017.”**

**CONTINUES ON PAGE 130 - PART 2**





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## FINANCIAL SERVICES BOARD

NO. 1586

23 DECEMBER 2016

**FINANCIAL ADVISORY AND INTERMEDIARY SERVICES ACT, 2002 (ACT NO.  
37 OF 2002)****DETERMINATION OF FEES PAYABLE TO THE REGISTRAR OF FINANCIAL  
SERVICES PROVIDERS**

I, Pravin Jamnadas Gordhan, Minister of Finance hereby after consultation with the Registrar of Financial Services Providers (Registrar), under section 41(1) of the Financial Advisory and Intermediary Services Act, 2002 (Act No 37 of 2002), determine the fees set out in the Schedule as the fees payable to the Registrar.

**Repeal**

Government Notice No. R. 241, published in Government Gazette 38597 on 24 March 2015, is hereby repealed.

**Short title and Commencement**

This determination is entitled the Determination of Fees payable to the Registrar of Financial Services Providers, 2016, and comes into operation on a date one month after the date of publication in the Government Gazette.

**P J GORDHAN, MP****MINISTER OF FINANCE**

**SCHEDULE**

In this Schedule, unless the context indicates otherwise-

“Act” means the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002), including any measure referred to in the definition of ‘this Act’ in section 1(1) of the Act,

and any word or expression to which a meaning has been assigned in the Act, has the meaning so assigned to it.

**TABLE OF FEES**

Services required	Fees payable to the Registrar
<b>1. Recognised representative bodies</b>	
1.1 Application for recognition as a representative body under section 6(4) read with section 6(3)(a)(iii) of the Act.	R 29 907
1.2 Application for the delegation of a power to a recognised representative body under section 6(3) of the Act.	R 7 643
1.3 Application for the amendment of any condition imposed on a representative body under section 6(4)(e) of the Act or any other application for the rendering of a service by the Registrar relating to representative bodies.	R 775
<b>2. Licensing and matters incidental thereto</b>	
2.1 Application for authorisation as a Category I FSP.	R 2 414
2.2 Application for authorisation as a Category II FSP.	R 14 599
2.3 Application for authorisation as a Category IIA FSP.	R 14 599
2.4 Application for authorisation as a Category III FSP.	R 43 864
2.5 Application for authorisation as a Category IV FSP.	R 2 414
<p>A discount of 10% will apply to the fee applicable to an application referred to in paragraphs 2.1, 2.2, 2.3 or 2.5 and a 20% discount will apply to the fee applicable to an application referred to in paragraph 2.4 provided-</p> <p>(a) such application is in addition to any other application referred to in paragraphs 2.1 to 2.5; or</p> <p>(b) the applicant is currently authorised as an FSP in respect of any of the Categories referred to in paragraphs 2.1 to 2.5.</p>	
2.6 Application for approval of a key individual.	R 1 307

<b>Services required</b>		<b>Fees payable to the Registrar</b>
2.7	Application for approval of an auditor / accounting officer / independent reviewer.	R 360
2.8	Application for approval of an amendment to an approved mandate or an application for approval of an additional approved mandate.	R 4 033
2.9	Application for the amendment of the category/ies or subcategory/ies of financial product/s or financial service/s in respect which the applicant is authorised to render financial services.	R 1 428
2.10	Application for the amendment of a condition or restriction as contemplated in section 8(4) of the Act other than an application referred to in paragraph 2.9.	R 1 141
2.11	Application for change of the name of a financial services provider.	R 731
2.12	Application for an additional certified copy of a licence certificate.	R 221
2.13	Application for approval of a nominee company of a Category II, IIA and III FSP.	R 7 864
2.14	Application for approval of a clearing firm or foreign forex services provider.	R 1 384
2.15	Application for the reprinting of a licence certificate.	R 565
<b>3. Extension and exemption applications</b>		
3.1	Application for extension of submission of financial statements under section 19(2) of Act.	R 574
3.2	Application for exemption from any provision of the Act other than an application contemplated in paragraph 3.3 or 3.4.	R 6 956
3.3	Application for exemption by an individual from the qualification requirement or the regulatory examination requirements respectively as contemplated in the Determination of Fit and Proper Requirements for FSPs, 2008.	R 1 661
3.4	Application for exemption by a FSP on behalf of <b>10 or more</b> key individuals or representatives of that FSP from the qualification requirement or regulatory examination requirements respectively.	R 1 149 per person
<b>4. Application for approval as a compliance officer</b>		
4.1	Application for Phase I approval.	R 1 495
4.2	Application for Phase II approval by a compliance officer.	R 775
<b>5. Recognition of Qualifications and CPD programmes</b>		
5.1	Recognition of a generic qualification.	R 2 436
5.2	Recognition of a transitional specific qualification.	R 14 289
5.3	Recognition of a post-transitional specific qualification.	R 29 907

<b>Services required</b>		<b>Fees payable to the Registrar</b>
5.4	Application for approval as a CPD provider / Professional bodies	<b>R 2 359</b>
5.5	Application for recognition of a CPD programme.	<b>R 454</b>
5.6	Application for recognition of a CPD activity.	<b>R 365</b>
5.7	Application to record CPD hours other than through the prescribed electronic method.	<b>R 360</b>
<b>6. Regulatory Examinations</b>		
6.1	Examination fee per regulatory examination conducted in South Africa.	<b>R 1 163</b>
6.2	Examination fee per regulatory examination conducted in a country other than South Arica.	<b>£200</b>
6.3	Application for the remark of a regulatory examination.	<b>R 365</b>
6.4	Application for an appeal against a maximum of three questions per appeal.	<b>R 365</b>

## DEPARTMENT OF HEALTH

NO. 1587

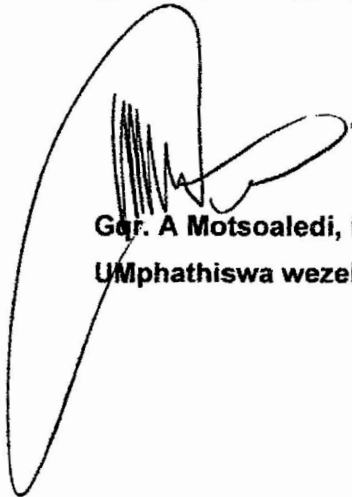
23 DECEMBER 2016

## ISEBE LEZEMPILO

## UMTHETHO OJONGENE NEZIGULO ZENGGONDO, WOWAMA-2002

## IMIMISELO NGOKUBANZI: UMTHETHO-SIHLOMELO

UMphathiswa wezeMpilo, phantsi kweCandelo lama-66 loMthetho Ojongene neziGulo zeNgqondo, wowama-2002 (uMthetho Nombolo 17 wowama-2002), kunye nasemva kokucebisana namalungu afanelekileyo eBhunga lesiGqeba esiLawulayo, wenze iMimiselo kwiSicwangciso.



**Gq. A Motsoaledi, iLungu lePalamente**  
**UMphathiswa wezeMpilo**

## ISICWANGCISO

### linkcazelo

1. Kule mimiselo “iMimiselo” ithetha iMimiselo epapashwe kwiSaziso sikaRhulumente esinguNombolo R.1467 somhla we-15 kweyoMnga kowama-2004, elungisweyatshintshwa kwiSaziso sikaRhulumente esingunombolo R.98 somhla we-11 kweyoMdumba kowama-2005.

### UMthetho-sihlomelo woMmiselo woku-1 kwiMimiselo

2.(1) UMmiselo woku-1 kwiMimiselo utshintshwa ngolu hlobo—

(a) phambi kwenkcazelo “yeziko lezempilo elilawulwa ngurhulumente” kufakelwe le nkcazelo ilandelayo:

“**Umgcini**’uthetha umntu othathe kwaye onikwe uxanduva lokuqinisekisa ukuba iimeko ezichazwe ngokwemiqathango yeCandelo lama-34(5)(a) kunye nelama-45 loMthetho zithotyelwe ngosebenzisa inkathalelo yezempilo yengqondo okanye isigulane sikarhulumente;

(b) emva kwenkcazelo “yokhuseleko oluqilima” kufakelwe ezi nkcazelo zilandelayo:

“**izithintelo ngomatshini**’oku kuthetha ukusetyenziswa kwaso nasiphi na isixhobo okanye umatshini apho iintshukumo zomzimba okanye zawo nawaphi na amalungu omzimbaosebenzisa inkathalelo yezempilo yengqondo abotshelelweyo okanye athintelweyo;

‘**imibutho engekho phantsi kolawulo lukarhulumente**’ ithetha amaqela oluntu angaqhutywanga nangenzi nzuzo kodwaesebenza eqhutywa ngabantu abanomdla ofanayo nabenza iinkonzo eziliqela kunye nemisebenzi yokunceda uluntu olungathathi ntweni;

‘**ilungu lombuso**’linentsingiselo enikwe “ilungu lombuso” kwiCandelo lama-239 loMgaqo-siseko;”

(c) emva kwenkcazelo “yoMthetho” kufakelwe le nkcazelo:

“**imibutho yamavolontiya**’ithetha iqela labantu abagqibakwelokuba ngamavolontiya baze baseke umbutho ukufezekisa injongo ethile.”

(2) IMimiselo itshintshweukuze indawo yebinzana elithi “iyure ezingama-72” ithathwe libinzana elithi “iyure ezingama-72” naphina apho libhalwe khona kule mimiselo ixeliweyo.

(3) IMimiselo itshintshwengokuthatha indawo yegama “center” (iziko) libhalwe “centre” (iziko) naphina apho libhalwe khona kule mimiselo.

(4) Le Mimiselo itshintshweukuze indawo yebinzana “iziko lezempilo elilawulwa nguRhulumente” ithathwe libinzana “iziko lezempilo” naphina apho libhalwe khona kule mimiselo.

#### **UMthetho-sihlomelo wommiselo we-2 kwiMimiselo**

3. UMmiselo we-2 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngumhlathi (a) wommiselo owoyamileyo we-(2) walo mhlathi ulandelayo:

“(a) unyangwa kwaye ukhathalelwa kwiziko lokukhathalela ezempilo esisiseko;”

#### **UMthetho-sihlomelo wommiselo we-3 kwiMimiselo**

4. UMmiselo we-3 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“(1) Xa intloko yeziko lezempilo ithatha isigqibo engafanelanga ukuba isithathe ngokwemiqathango yale Mimiselo nangenxa yesikhundla sayo sokusebenza njengengcali, kufuneka isithathe emva kokucebisana nogqirha oqeqeshelwe ukonga abagula ngengqondo eyayenze uvavanyo okanye naye nawuphi na omnye ugqirha oqeqeshelwe ukonga abagula ngengqondo.

(2) Imisebenzi eyenziwa yintloko yeziko lezempilo ngokwemiqathango yalo Mthetho okanye yale Mimiselo, xa ingekho intloko yeziko elo, ingenziwa ngumntu onyulwe ngokubhaliweyo yintloko yeziko lezempilo ukuba asebenze njengentloko yelo ziko xa engekho.”

#### **UMthetho-sihlomelo wommiselo we-6 kwiMimiselo**

5. UMmiselo we-6 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“Ngokwemithombo efumanekayo uRhulumente kufuneka abonelele ngenkxaso-mali imibutho engekho phantsi kolawulo lukarhulumente okanye imibutho



yamavolontiya ukuze ibonelele uluntu ngenkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo ukuze kuphunyezweinjongo zoMthetho.”

### **UMthetho-sihlomelo wommiselo we-7 kwiMimiselo**

**6.** UMmiselo we-7 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“(1) Ixhoba lokuphathwa gadalala okanye umntu olingqina lwako nakuphi na ukuphathwa gadalala, ukuxhatshazwa, okanye ukuhlaziswa kosebenzisa inkathalelo yezempilo yengqondoyakhe ngokweCandelo loku-1(1) loMthetho—

- (a) angakuxela oku kwiBhodi yokuHlola efanelekileyo esebenzisa uxwebhu olungunombolo MHCA 02 lweSihlomelo; okanye
- (b) angamangala kwiiNkonzo zamaPolisa zaseMzantsi Afrika eziza kuphanda eso sityholo zithathe amanyathelo afanelekileyo, zize emva koko zazise ngokubhaliweyo iBhodi yokuHlola efanelekileyo ngeso sityholo.

(2) Xa iBhodi yokuHlola ifumana ingxelo njengoko kuchaziwe kummiselo owoyamileyo (1)(a) iBhodi kufuneka iphande loo ngxelo kwaye ukuba kuyimfuneko, imangale kwabeeNkonzo zamaPolisa zaseMzantsi Afrika kwaye ingathatha isigqibo sokubamba ingxoxo malunga nesikhalazo.

(3) Ukuba iBhodi yokuHlola igqiba kwelokubamba ingxoxomalunga nesikhalazo, unobhala weBhodi yokuHlola kufuneka azise ngokubhaliweyo nangokuthumela ngeposi—

- (a) umntu olingqina lokuphathwa gadalala, ukuxhatshazwa, ukuhlaziswa kosebenzisa inkathalelo yezempilo yengqondo;
- (b) oogqirha abafanelekileyo nabaqeqeshelwe ukonga abagula ngengqondo;
- (c) intloko yeziko lezempilo elichaphazelekayo;
- (d) osebenzisa inkathalelo yezempilo yengqondo ophethwe gadalala; kunye
- (e) nawuphi na umntu iBhodi yokuHlola ecinga ukuba ufanelekile kule ngxoxo,

malunga nesikhalazo, umhla wengxoxo kunye nokuba inkcazelo ebhaliweyo okanye inkcazelo ngomlomo, njengokufanelekileyo, kufuneka yenziwe kusini na kwiBhodi yokuHlola kunye nokucetyiswa ngelungelo lokumelwa njengokuba kuyimfuneko.

(4) IBhodi yokuHlola kufuneka ikhuphe isaziso ngengxoxo ekuthethwa ngayo kummiselo owoyamileyo (3) ubuncinane iiveki ezimbini phambi komhla walo ngxoxo.

(5) IBhodi yokuHlola ingakhupha isamani eluxwebhu MHCA 18 lweSihlomelo kuye nawuphi na umntu ukuze avele phambi kwayo njengengqina anike ubungqina okanye aveze nayo nayiphi na incwadi, ingxelo, uxwebhu okanye enye into, efanelekileyo kule ngxoxo ngokoluvo lweBhodi yokuHlola,”

#### **UMthetho-sihlomelo wommiselo we-11 kwiMimiselo**

7. UMMiselo we-11 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngummiselo owoyamileyo (6) wommiselo owoyamileyo olandelayo:

“(6) Ugqirha kunye nomnye ugqirha oqeqeshelwe ukonga abagula ngengqondo abaqhuba uvavanyo lweeyure ezingama-72 kufuneka kwiiyure ezi-12 ziphelile eziya zingama-72 iiyure zovavanyo elowo afake ingxelo ebhaliweyo ngoXwebhu MHCA 06 lweSihlomelo kwintloko yeziko lezempilo elichaphazelekayo, elibonisa uvavanyo lwabo lomzimba nengqondo yosebenzisa inkathalelo yezempilo yengqondokunye nezindululo malunga nonyango olongezelekileyo.”

#### **UMthetho-sihlomelo wommiselo we-12 kwiMimiselo**

8. UMMiselo we-12 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“(1) Intloko yesebe lephondo kufuneka ifake kuwo onke amaziko ephondo achaphazelekayo, iiNkonzo zamaPolisa zaseMzantsi Afrika kunye nesebe likazwelonke uluhlu lwamaziko ezempilo kwisithili ngasinye kwelo phondo abonelela ngovavanyo lweeyure ezingama-72 ezichazwe kwiCandelo lama-34 loMthetho.

(2) Intloko yesebe lephondo kufuneka ihlaziye kwaye ipapashe *kwiPhephandaba loMbuso (Government Gazette)*qho ngonyaka uluhlu oluchazwe kummiselo owoyamileyo (1) olubonisa ukuba ngawaphi amaziko ezempilo akwesio sithili ize ifake olo luhlu luhlaziyiweyo kumaqumrhu akhankanywe kummiselo owoyamileyo (1).”

**UMthetho-sihlomelo wommiselo we-17 kwiMimiselo**

9. UMmiselo we-17 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“Intloko yeziko lezempilo kufuneka ngokwemiqathango yeCandelo le-16, elama-31(3)(a), elama-34(5)(a), elama-48(4)(a) kunye nelama-56(a) loMthetho ikhuphe ingxelo ngoXwebhu MHCA 03 lweSihlomelo.”

**UMthetho-sihlomelo wommiselo we-18 kwiMimiselo**

10. UMmiselo we-18 kwiMimiselo ulungiswe ngolu hlobo—

(a) ukutshintshwa koMmiselo owoyamileyo (2) ukuze indawo yawo ithathwe ngulo mmiselo woyamileyo olandelayo:

“(2) Isicwangciso seemeko ezichazwe kummiselo owoyamileyo (1) kufuneka sifundwe kwaye sicaciselwe osebenzisa inkathaleloyezempilo yengqondo kunye nomgcini wakhe okanye sifundwe kwaye siguqulelwe kolunye ulwimi kwiilwimi ezisemthethweni osebenzisa inkathalelo yezempilo yengqondo aluqondayo.”

(b) ukufakelwa kommiselo owoyamileyo (9) wenqaku (a) phambi kwegama elithi “isityholo/ityala/isehlo.”

**UMthetho-sihlomelo wommiselo we-19 kwiMimiselo**

11. UMmiselo we-19 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“Amalungiselelo okugqithiselwa achazwe kwiCandelo lama-34(4)(b) loMthetho kufuneka enziwe ngokungqinelana noXwebhu MHCA 11 lweSihlomelo phakathi kwentloko yesibhedlele sabagula ngengqondo, iziko lenkathalo nokubuyiselwa kwesimo sesiqhelo elichaphazelekayo kunye nentloko yeziko lezempilo apho osebenzisa inkathalelo yezempiloyengqondo alaliswe khona ngokungazikhetheliyo.”

**UMthetho-sihlomelo wommiselo wama-21 kwiMimiselo**

12. UMmiselo wama-21 kwiMimiselo utshintshwengolu hlobo—

(a) indawo yommiselo owoyamileyo (1) ithathwe ngulo mmiselo owoyamileyo olandelayo:

“(1) kufuneka kwenziwe uhlaziyo ngamaxesha athilekwaba balandelayo—

- (a) kosebenzisa inkathalelo yezempilo yengqondo oncedwayo ngokwemiqathango yeCandelo lama-30 loMthetho kusetyenziswa uXwebhu MHCA 13A;
  - (b) kosebenzisa inkathalelo yezempilo yengqondongokungazikhetheliyo ngokwemiqathango yeCandelo lama-37 loMthetho kusetyenziswa uXwebhu MHCA 13A;
  - (c) isigulane sikarhulumente ngokwemiqathango yeCandelo lama-46 loMthetho kusetyenziswa uXwebhu MHCA 13B;
  - (d) ibanjwa eligula ngengqondo ngokwemiqathango yeCandelo lama-55 loMthetho kusetyenziswa uXwebhu MHCA 13A.”
- (b) indawo yomhlathi (a) kunye nomhlathi (c) wommiselo owoyamileyo (2) ithathwe yile mihlathi ilandelayo:
- “(a) ukuhlolwa kokuqala kufuneka kwenziwe ngugqirha wezifo zengqondo okanye ngugqirhakwiinyanga ezintandathu emva kokuqaliswa kwenkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo;
  - (c) emva koko ukuhlolwa kufuneka kwenziwe qho kwiinyanga ezi-12, ukuba konke ukuhlolwa okukokunye kuza kwenziwa ngugqirha wezifo zengqondo okanye ugqirha.”
- (c) indawo yommiselo owoyamileyo (3) ithathwe ngulo mmiselo woyamileyo olandelayo:
- “(3) Ngokuphathelele kumntu ekubhekiswa kuye kummiselo owoyamileyo (1)(d) ukuhlolwa ngamaxesha athile kufuneka kwenziwe qho kwiinyanga ezintandathu ngugqirha wezifo zengqondo okanye ugqirha.”

### **UMthetho-sihlomelo wommiselo wama-23 kwiMimiselo**

**13.** Ummiselo wama-23 kwiMimiselo utshintshwengokongezwa kwalo mmiselo woyamileyo olandelayo:

- “(3) Amalungiselelo okugqithisela osebenzisa inkathalelo yezempilo yengqondo kwelinye iziko lezempilo kufuneka enziwe ziintloko zamaziko ezempilo amabini achaphazelakayo.”

**UMthetho-sihlomelo wommiselo wama-29 kwiMimiselo**

14. Ummiselo wama-29 kwiMimiselo utshintshwe ngokufakela kummiselo owoyamileyo (4) igama elithi “ukuba”(“that”) phambi kwegama elithi “unga” (“may”).

**UMthetho-sihlomelo wommiselo wama-30 kwiMimiselo**

15. Ummiselo wama-30kwiMimiselo utshintshwengolu hlobo—

(a) utshintshwe ukuze indawo yesihloko sawo ithathwe sesi sihloko silandelayo:

**“Isicelo sokukhutshwaesibhedlele kwesigulane sikaRhulumente”**

(b) kucinywe ummiselo owoyamileyo (3);

**UMthetho-sihlomelo wommiselo wama-32 kwiMimiselo**

16. Ummiselo wama-32kwiMimiselo utshintshwengokongeza lo mmiselowoyamileyo olandelayo:

“(4) Utyando-ngqondo kufuneka luvunyweyintloko yezempilo kwiphondo emva kokuqwalaselaiingxelo ekubhekiselelwe kuzo kummiselo owoyamileyo (2).”

**UMthetho-sihlomelo wommiselo wama-33 kwiMimiselo**

17. Ummiselo wama-33kwiMimiselo utshintshwengolu hlobo—

(a) indawo yommiselo owoyamileyo (1) ithathwe ngulo mmiselo woyamileyo olandelayo:

“(1) unyango lwe-Electro-convulsive kufuneka luqhutywe ngugqirha wezifo zengqondo okanye ugqirha oqeqeshwe ngokukhethekileyo kwezempilo yengqondo kwaye lungaqhutywa kuphela xa umzimba wonke ngokubanzi ulaliswe ngamayeza kunye neziphumzi-zihlunu.”

(b) indawo yommiselo owoyamileyo (4) ithathwe ngulo mmiselo woyamileyo olandelayo:

“(4) Iziko lezempilo elimiselweyo nelinqwenela ukwenza unyango lwe-electro-convulsive kufuneka lifake isicelo esibhaliweyo kwaye liya kunikwa igunya lokwenza olo nyango yintloko yesebe yephondo elichaphazelekayo.”

(c) indawo yommiselo owoyamileyo (5) ithathwe ngulo mmiselo woyamileyo olandelayo:

“(5) Nanini na kusenziwa unyango lwe-electro-convulsive incwadi egcinelwe loo njongo kufuneka ityikitywe kwaye izaliswe ngugqirha wezifo zengqondo ofanelekileyo okanye ugqirha kwaye kufuneka okukhutshelwe kuvela kule ncwadi

kufakwe liziko lezempilo elichaphazelekayo kwiBhodi yokuHlola qho ngekota ngoXwebhu MHCA 47 lweSihlomelo ukuzalisekisa iCandelo le-19(1)(b) loMthetho”

**UMthetho-sihlomelo wommiselo wama-35 kwiMimiselo**

**18.** UMmiselo wama-35kwiMimiselo utshintshwengolu hlobo—

- (a) kucinywe ummiselo owoyamileyo (1);
- (b) indawo yommiselo owoyamileyo (2) ithathwe ngummiselo owoyamileyo olandelayo:
 

“(1) Apho ugqirha oqeqeshelwe ukonga abagula ngengqondo ecinga ukuba osebenzisa inkathalelo yezempilo yengqondo akakwazi ukunikezela ngemvume yakhekunyango okanye kutyandooluthile ngenxa yokugula ngengqondo okanye ngenxa yengqondo ebuthathaka, imvume ekhatshwa ziinkcukacha kufuneka ifunyanwe ngokweCandelo le-7 loMthetho wezeMpilo kaZwelonke, wama-2003 (uMthetho Nombolo 61 wama-2003).”
- (c) ukunonjolwa kwakhona kommiselo owoyamileyo we-(3) nommiselo we-(4) njengommiselo owoyamileyo we-(2) nommiselo we-(3);
- (d) kummiselo owoyamileyo (4) indawo yala magama alandelayo “kummiselo owoyamileyo (1) kunye nakwimihlathi (a), (b) kunye no(c) wommiselo owoyamileyo (3)” ithathwe ngala magama alandelayo “kwimihlathi (a), (b) no-(c) wommiselo owoyamileyo (2)”.

**UMthetho-sihlomelo wommiselo wama-36 kwiMimiselo**

**19.** UMmiselo wama-36 kwiMimiselo utshintshwengolu hlobo—

- (a) UMmiselo owoyamileyo (3) utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo woyamileyo olandelayo:
 

“(3) Nangona osebenzisa inkathalelo yezempilo yengqondo ephantsi kwesithintelo, kufuneka aqwalaselwe njengoko kumiselwe ngugqirha wezifo zengqondo okanye ugqirha kwaye loo ngqwalasela kufuneka ibhalwe phantsi kumanqaku onyango.”
- (b) umhlathi (a) nomhlathi (b) wommiselo owoyamileyo (4) utshintshwe ukuze indawo yayo ithathwe yile mihlathi ilandelayo:
 

“(a) incwadi ekubhalwa kuyo iingxelo negcinelwe loo njongo kufuneka ityikitywekwaye izaliswe ngugqirha ofanelekileyo,”

- (b) uhlobo lomathshini wokuthintela, ixesha elisetyenzisiweyo, amaxesha okuqwalaselwa kosebenzisa inkathalelo yezempilo yengqondo kunye nesizathu sokusebenzisa olo hlobo lwesithintelo kufuneka zichazwe ngugqirha wezifo zengqondo okanye ugqirha kwincwadi ekubhalwa kuyo iingxelo nekhankanywe kumhlathi (a);”

#### **UMthetho-sihlomelo wommiselo wama-37 kwiMimiselo**

**20.** UMmiselo wama-37kwiMimiselo utshintshwengolu hlobo—

- (a) UMmiselo owoyamileyo (1) kunye nommiselo owoyamileyo (2) itshintshwe ukuze indawo yayo ithathwe yile mimiselo yoyamileyo ilandelayo:

“(1) Ukuhlaliswa bucala kosebenzisa inkathalelo yezempilo yengqondo kunga—

(a) setyenziswa kuphela ukulawula ukuziphatha okubonakalisa ukuphazamiseka okugqithisileyo, okulindeleke ukuba angazenzakalisa, enzakalise nabanye okanye iiprothathi; kwaye

(b) setyenziswa njengesohlwayo.

(2) Nangona osebenzisa inkathaleloyezempilo yengqondo ehlaliswe bucala, kufuneka aqwalaselwe njengoko kumiselwe ngugqirha wezifo zengqondo okanye ugqirha kwaye loo ngqwalasela kufuneka ibhalwe phantsi kumanqaku ezonyango.”

- (b) umhlathi (b) wommiselo owoyamileyo (3) utshintshwe ukuze indawo yawo ithathwe ngulo mhlathi olandelayo:

“(b) ubude bexesha ekwafuneka osebenzisa inkathalelo yezempilo yengqondo ochaphazelekayo ahlaliswe bucala kunyenesizathu sokuhlaliswa bucala kwakhe kufuneka zichazwe ize ukuhlaliswa bucalakwakhekubhalwe phantsi kwincwadi yeengxelo efanelekileyo ngugqirha, kwaye”

#### **Ukurhoxiswa kommiselo wama-38 kwiMimiselo**

**21.** UMmiselo wama-38 kwiMimiselo urhoxisiwe.

#### **UMthetho-sihlomelo wommiselo wama-39 kwiMimiselo**

**22.** UMmiselo wama-39 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“Ezi ngxelo zilandelayo kufuneka zigcinwe kwiziko lezempilo elimiselwe ngokwemiqathango yeCandelo lesi-5 loMthetho:

- (a) Incwadi ekubhalwa kuyo ingxelo yokulaliswa esibhedlele, ukukhutshwa esibhedlele, ukusweleka, ukugqithiselwa kwesinye isibhedlele kunye nokutshintsha kwewonga ngokwasemthethweni labo bonke abasebenzisa inkathalelo yezempilo yengqondo kweso sibhedlele kunye nekhefu okanye ukuqhwesha;
- (b) ingxelo yezonyango equlethe zonke iinkcukacha malunga nezempilo yomzimba kunye neyengqondo yosebenzisa inkathalelo yezempilo yengqondo kunye neengxelo zonyango olumiselweyo nolunikezelweyo kuquka umhla ekubhalwe ngawo loo ngxelo, utyikityo oluzeleyo, igama elibhaliweyo kunye neziqinisekiso zemfundo zikagqirha oqeqeshelwe ukonga abagula ngengqondo obhale loo ngxelo;
- (c) iingxelo zolawulo zamaxwebhu asemthethweni kunye neekopi zembalelwano ezimalunga nosebenzisa inkathalelo yezempilo yengqondo; kunye
- (d) nengxelo yawo nawuphi na umenzakalo ongephi okanye omandundu ofunyenwe ngosebenzisa inkathalelo yezempilo yengqondo kweso sibhedlele sabagula ngengqondo okanye kwelo ziko lenkathalo nokubuyiselwa kwesimo sesiqhelo.”

#### **UMthetho-sihlomelo wommiselo wama-42 kwiMimiselo**

**23.** UMMiselo wama-42 kwiMimiselo utshintshwe ngolu hlobo—

- (a) indawo yomhlathi (a) wommiselo owoyamileyo (3) ithathwe ngulo mhlathi olandelayo:

“(a) oogqirha abaqeqeshelwe ukonga abagula ngengqondo ababandakanyeka kwiinkqubo eziqwalaselwa kwiCandelo lama-27 kunye nelama-33 loMthetho bangangabaqeshwa bamaziko ezempilo achaphazelekayo kodwa bangangabinazo ezinye izinto okanye umdla kwizimali zelo ziko lezempilo;”

- (b) indawo yomhlathi (b) wommiselo owoyamileyo (4) ithathwe ngulo mhlathi olandelayo:

“(b) oogqirha abaqeqeshelwe ukonga abagula ngengqondo abafanelekileyo, kuquka ugqirha wezifo zengqondo, kwakunye nabanye abasebenzi



abaqeqeshiweyo ekucingwa ukuba babalulekile ukwenza wonke umsebenzi obalulekileyo ubuncinane ngokomgangatho ofanelekileyo kunye nezithethe zeSebe lezeMpilo;”

- (c) indawo yommiselo owoyamileyo (5) kunye nommiselo owoyamileyo (6) ithathwe yile mimiselo yoyamileyo ilandelayo:

“(5) Imiqathangoyephephamvume ekubhekiselelwe kulo kummiselo owoyamileyo (2) kufuneka ichazwe ngokucacileyo lisebe likazwelonke, kwaye kufuneka iquke—

- (a) inani labantu abaza kuhlala kulo;
- (b) ingaba elo ziko liza kusetyenziswa ngabantwana, abantu abadala okanye ukuxilonga nokunyangwa kwezifo ezihlasela abantu abasele bekhulile;
- (c) iimfuno zeenkondo;
- (d) ubude bexesha lephephamvume; kwaye
- (e) iphephamvume alinakugqithiselwa kwelinye iziko; kwaye
- (f) ukuhlaziywa kwephephamvume kufuneka kwenziwe liphondo, kusekwe ekuhlolweni.

(6) Ukuba umqathango wephephamvume elichazwe kummiselo owoyamileyo (5) awuthotyelwanga, isebe lephondo lingalirhoxisa elo phephamvume kwaye kufuneka lixelele iNtloko yeSebe lezeMpilo likaZwelonke.”

#### **UMthetho-sihlomelo wommiselo wama-43 kwiMimiselo**

**24.** Ummiselo wama-43kwiMimiselo utshintshweukuze indawo yommiselo owoyamileyo (1) kunye nommiselo owoyamileyo (2) ithathwe yile mimiselo yoyamileyo ilandelayo:

“(1) Nayiphi na inkonzo engesiso isibhedlele sabagula ngengqondo esimiselweyo okanye iziko lenkathalo nokubuyiselwa kwesimo sesiqhelo, kodwa ebonelela ngendawo yokuhlala okanye indawo yokukhathalela abantu aba-5 okanye ngaphezulu abagula ngengqondo ngexesha lasemini kufuneka ngokwemiqathango yoMthetho—

- (a) ifumane iphephamvume kwisebe lezempilo lephondoukuze isebenze; kwaye
- (b) kufuneka ubuncinane kanye ngonyaka kwenziwe uphicotho-zincwadi ngamagosa angabaphicothi-zincwadi besebe lephondo elichaphazelekayo.

- (2) imiqathango yephephamvume ekuthethwa ngalo kummiselo owoyamileyo  
 (1) kufuneka ichazwe ngokucacileyo lisebe lephondo elichaphazelekayo kwaye kufuneka iquke—
- (a) idilesi yesitalato yeziko elo linikezela iinkonzo;
  - (b) inani labantu abaza kuhlala kulo;
  - (c) nokuba ingaba elo ziko liza kusetyenziswa ngabantwana, abantu abadala okanye ukuxilonga nokunyangwa kwezifo ezihlasela abantu abasele bekhulile;
  - (d) iimfuno zeenkono;
  - (e) ubude bexesha lephephamvume; kunye
  - (f) nokuba iphephamvume alinakugqithiselwa kwelinye iziko.”

#### **UMthetho-sihlomelo wommiselo wama-44 kwiMimiselo**

**25.** Ummiselo wama-44 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe ngulo mmiselo olandelayo:

“ISebe lezeMfundo likaZwelonke neSebe lezeMfundo lePhondo aza kuba noxanduva lokuseka iinkqubo zezemfundo zabafundi abakwiqela labafundi abangenakuzikhethela nekusisinyanzelo kubo ukuya esikolweni okanye kwabo banelungelo leenkqubo zezemfundo ezisisiseko.”

#### **UMthetho-sihlomelo wommiselo wama-46 kwiMimiselo**

**26.** Ummiselo wama-46 kwiMimiselo utshintshwe ukuze indawo yawo ithathwe sesi sihloko silandelayo:

**“Ukuhlawulwa kwexabisolokulungisa izakhiwo kunye neendleko kumaziko ezempilo.”**

#### **UMthetho-sihlomelo wokutshintshwa kwezihlomelo zeMimiselo**

**27.** Amaxwebhu aphantsi kwesihloko Izihlomelo kwiMimiselo atshintshwe ukuze indawo yawo ithathwe ngamaxwebhu akwiSihlomelo.

#### **Ukusetyenziswa ngokwasemthethweni**

**28.** Le Mimiselo iza kusetyenziswa ngokusemthethweni ukususela ngomhla wokupapashwa kwayo.

**ISIHLOMELO****UXWEBHU MHCA 01****ISEBE LEZEMPILO**

**INGXELO EYA KWIBHODI YOKUHLOLA EZEMPILO YENGQONDO  
 ENGOKUKHATHALELWA, UKUNYANGWA KUNYE NOKUBUYISELWA  
 KWESIMO SESIQHELO NGAPHANDLE KWEMVUME OKANYE  
 UKULALISWA ESIBHEDLELE NGOKUNGXAMISEKILEYO  
 [Icandelole-9(2) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo  
 yengqondo.....  
 Igamalosebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
 yezempilo yengqondo .....  
 Umhla wokuzala ..... okanyeuqikelelo  
 lobudala .....

Isini: Indoda  Owasetyhini

Umsebenziwakhe:.....

Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....

.....  
 .....  
 .....  
 .....

Umhla wokulaliswa esibhedlele: .....

Ixesha lokulaliswa esibhedlele:.....

Igama leziko lezempilo: .....

**Isizathu zokulaliswa esibhedlele ngaphandle kwemvume:**

Ngokusekwe kuvavanyo lwam/loogqirha kweli ziko lezempilo, nakuphi na ukulibaziseka ekunikezeleni inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo/ ukulaliswa esibhedlele, ngenxa yokugula ngengqondo, kunganesiphumo:

(a) sokufa okanye ukwenzakala okungenakubuyiselwa umva kwimpiloyosebenzisa inkathalelo yezempilo yengqondo

Izizathu zolu vavanyo (kuquka isimo sengqondo kunye nezizathu zokuziphatha)

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 .....  
 .....

(b) sokuba osebenzisa inkathalelo yezempilo yengqondouzenzakalisile okanye wenzakalise abanye  
 Izizathu zolu vavanyo (kuquka isimo sengqondo kunye nezizathu zokuziphatha)

.....  
 .....  
 .....

(c) sokuba osebenzisa inkathalelo yezempilo yengqondo wonakalise ngokumandundu okanye ulahle iipropathi yakhe okanye eyabanye  
 Izizathu zolu vavanyo (kuquka isimo sengqondo kunye nezizathu zokuziphatha).....

.....  
 .....

Mna ..... (igama likagqirha oqeqeshelwe ukonga abagula ngengqondo)

ndazisa ukuba ndimvavanyile.....

..... (igama losebenzisa inkathalelo yezempilo yengqondo) e  
 .....

..... (igama leziko lezempilo) .....(ngomhla).  
 .....

Isikhundla:.....

Inombolo zoqhagamshelwano: .....

Utyikityo:

**Isiphumo sovavanyo kwiiyure ezingama-24-**

(a) Isicelo sokukhathalelwa kwezempilo yengqondongokungazikhetheli okanye sokuncediswa kwinkathalo yezempilo yengqondo, unyango kunye nokubuyiselwa kwesimo sesiqhelo senziwa—

Umhla wesicelo ..... Ixesha lesicelo.....

(b) Osebenzisa inkathalelo yezempilo yengqondo uvuma ukukhathalelwangokungazikhetheliyo, ukunyangwa kunye nokubuyiselwa kwesimo sesiqhelo.

(c) Osebenzisa inkathalelo yezempilo yengqondoukhululweekubeni ngosebenzisa inkathalelo yezempilo yengqondo.

Bhala oonobumba bokuqala bamagama kunye nefani.....

.....  
Utyikityo:

(Onikezela ngenkathalelo yezempilo  okanye iNtloko yeziko lezempilo )

Umhla: .....

(Yifake kwiBhodi yokuHlola efanelekileyo)

**UXWEBHU MHCA 02****ISEBE LEZEMPILO**

**INGXELO YOKUXHATSHAZWA, UKUPHATHWA GADALALA  
NGOKWASEMZIMBENI OKANYE OKUNYE UKUPHATHWA GADALALA,  
UKUNGAHOYWA OKANYE UKUHLAZISWA KOSEBENZISA  
INKATHALELO YEZEMPILO YENGQONDO**

[Icandelole-11(2) loMthetho]

(Zonke iinkcukacha eziqulethwe kolu xwebhu ziza kugcinwa ziyimfihlo ngokungqingqwa).

Mna.....  
(igama/amagama )

.....  
(idilesi)

ndazisa ukuba ndilingqina lokuxhatshazwa, ukuphathwa gadalala ngokwasemzimbeni okanye okunye ukuphathwa gadalala, ukungahoywa okanye ukuhlaziswa kwalo osebenzisa inkathalelo yezempilo yengqondo olandelayo:

ndazisa ukuba ndixhatshaziwe, ndaphathwa gadalala ngokwasemzimbeni okanye okunye ukuphathwa gadalala, andahoywa okanye ndahlaziswa

A. Iinkcukacha zosebenzisa inkathalelo yezempilo yengqondo(apho zaziwayo)

Igama kunye nefani yosebenzisa inkathalelo yezempilo yengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenziwakhe:.....Iwonga ngokomtshato:SMD W

Idilesi ahlala kuyo: .....  
.....  
.....

B. Igama leziko lezempilo okanye enye indawo apho isityholo senzeka khona.....

Idilesi: .....  
.....  
.....

C. Umhla wesehlo/wokwenzeka kwesityholo:

.....

D. Inkcazelo emfutshane ngosebenzisa inkathalelo yezempilo yengqondo:

E. Inkcazelo ngesehlo ekutyholwa ukuba senzeka:

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Bhala oonobumba bokuqala bamagama kunye nefani.....

Inombolo yoqhagamshelwano:.....

Utyikityophantsi kwesifungo:.....

(umntu olingqina lesehlo ekutyholwa ukuba senzeka)

Umhla: .....

**ISIFUNGO/ ISINGQINISEKISO**

Ndiyaqinisekisa ukuba:

- i. Ingqina liyavuma kum ukuba:
  - a. Liyakwazi kwaye likuqonda okuqulethwe sesi sibhengezo;
  - b. Alikwali ukwenza isifungo esimiselweyo;
- ii. Esi sifungo simiselweyo lisicingela njengesibophelelayo kwisazela salo;
- iii. Ingqina lisityikitye phambi kwam esi sibhengezo e.....ngalo mhla.....  
wale nyanga..... kowama-20.....

Utyikityo: UMkomishinala weziFungo: Ngegunya lesikhundla sakhe

Igama: .....

Iwonga / Isikhundla: .....

[Ikopi yokuqala nengakhutshelwanga ifakwe kwiBhodi yokuHlolaefanelekileyo]



## UXWEBHU MHCA 03

## ISEBE LEZEMPILO

**INGXELO YOKUPHUMA KWIZIKO LEZEMPILO YENGQONDO**  
**[Icandelole-16, lama-37(6)okanyelama-56 loMthetho]**

Igama elipheleleyo losebenzisa inkathalelo yezempilo  
 yengqondo.....

Inombolo yesazisi:

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Igama leziko lezempilo:.....

Umhla wokulaliswa kulo:.....

Umhla wokuphuma kulo:.....

Isiphumo sokuxilongwa mhla siphuma:.....

Inkathalelo eyongezelekileyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo  
 okucetywayo ukuya phambili:

.....  
 .....

Ihlanganiswe ngu:

Bhala oonobumba bokuqala bamagama kunye  
 nefani:.....

Isikhundla:.....

Utyikityo:.....

(iNtloko yeziko lezempilo)

Bhala oonobumba bokuqala bamagama kunye  
 nefani:.....

Utyikityo: .....

Umhla: .....

[Ikopi kufuneka ifakwe kwigunyabantu elifanelekileyo ngokwemiqathango  
 efanelekileyo:

IBhodi yokuHlola

UNobhala wenkundla ephakamileyo

UMantyi

INtloko yeNtolongo

INTloko yeSebe likaZwelonke

Igosa elingumgcini

## UXWEBHUMHCA 04

## ISEBE LEZEMPILO

**ISICELO SONCEDOLOKUKHATHALELWA KWEZEMPILO YENGQONDO,  
UKUNYANGWA KUNYE NOKUBUYISELWA KWESIMO SESIQHELO  
NGOKUNGAZIKHETHELIYO ESIYA KWINTLOKO YEZIKO LEZEMPILO  
ELICHAPHAZELEKAYO**

**[Icandelolama-27(1) nelama-27(2) okanye elama-33(1) kunye nelama-33(2)  
loMthetho]**

(Umsebenzi oncedisa lowo uFane iSicelo ukuzalisa olu xwebhu kufuneka abhale phantsi igama lakhe, ifani kunye nesikhundla sakhe)

Igama, ifani kunye nesikhundla somsebenzi-.....

**A. ULWAZI MALUNGA NOSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDO**

Ndenza isicelo—

sokuncediswaukukhathalela ezempilo yengqondo  okanye inkathalo

ngokungazikhetheliyo :

Ifani yosebenzisa inkathalelo yezempilo yengqondo.....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo.....

Umhla wokuzalwa: ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Iwonga ngokomtshato: S  M  D  W

Impangelo: Ewe  okanye Hayi

Ipropathi: Ewe  okanye Hayi

Umthombo weNgeniso: Umhlalaphantsi

Isibonelelo sikarhulumente

Omnye   
 (Wuchaze).....

Awukho

Ingaba kukho isizathu sokukholelwa ukuba umlawuli okanye igosa elingumgcini kufuneka lonyulwe ukulawula imiba ephathelele kwezemali yosebenzisa inkathalelo

yezempilo yengqondo? Ewe  Hayi

Idilesi ahlala kuyo kunye neenkukacha zoqhagamshelwano:

.....  
 .....  
 .....

#### B. IINKCUKACHA MALUNGA NOFAKE ISICELO

Ifani yofake isicelo: .....

Igama/Amagama (I)ofake isicelo:

.....  
 Umhla wokuzalwawofake isicelo:..... (kufuneka abe ngaphezulu kweminyaka eli-18 ubudala)

Idilesi ahlala kuyo kunye neenkukacha zoqhagamshelwano:

.....  
 .....  
 .....

#### C. Ubudlelwane phakathi kofake isicelo kunye nosebenzisa inkathalelo yempilo yengqondo: (phawula ngoX)

Umyeni/Inkosikazi  Umlingane  Iqabane ngokomsebenzi  Umzali

Onoxanduva nodlala indima yomzali  Onikezela ngenkathalo yezempilo

Obunye .....(buchaze)

(Ukuba osebenzisa inkathalelo yezempilo yengqondo ungaphantsi kweminyaka eli-18 ubudala esi sicelo kufuneka senziwe ngumzali, impelesi, onoxanduva nodlala indima yomzali okanye umntu onelungelo noxanduva lobuzali)

Ndagqibela ukusibona isigulane ..... e

.....

(umhla)

(ixesha)

(indawo)

(Ofake isicelo kufuneka abe ebesibonile isigulane kwiintsuku ezisixhenxe zokwenza esi sicelo)

**D. Kutheni ofake isicelo inguye obonelela ngenkathalo yezempilo?:**

Umyeni/Inkosikazi, ozalana ngokusondeleyo, umlingane, iqabane ngokomsebenzi, umzali okanye onoxanduva nodlala indima yomzali wosebenzisa inkathalelo yezempilo yengqondo:

(i) Akanantumekelelo (Chaza izizathu zokufikelela kwesi sigqibo):

.....  
 .....  
 .....

okanye

(ii) Akanawo amandla nezakhono zokumkhathalela (Chaza izizathu zokufikelela kwesi sigqibo):

.....  
 .....  
 .....

okanye

(iii) Akaziwa/Awufumaneki umkhondo wakhe (chaza iinzame zokufumana umkhondo)

.....  
 .....  
 .....

**E. Izizathu zesicelo:**

Mna, otyikitye ngezantsi, ngokoluvo lwam, lo mntu uchazwe ngasentla ugula ngengqondo/ukhubazekile ngokwasengqondweni ngezi zizathu (umzekelo, wenzeni okanye utheni?):

.....  
 .....  
 .....

**F. Kwimeko yesicelo sokukhathalelwa kwezempilo yengqondo ngokungazikhetheliyo:**

Ngokoluvo lwakho:

(i) Ingaba osebenzisa inkathalelo yezempilo yengqondouyingozi kuye nakwabanye ngenxa yokugula ngengqondo?

Ewe  Hayi

(ii) Ingaba osebenzisa inkathalelo yezempilo yengqondouyavuma ukufumana inkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo ukuba kuyimfuneko?

Ewe  Hayi

(iii) Ingaba osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo esisekelwe kulwazi nesifanelekileyo?

Ewe  Hayi

Ndiqhoboshela ezi nkukacha zilandelayo ndixhasa isicelo sam (ukuba zikhona)

Iziqinisekiso zokugula:

Imbali yokugula ngengqondo:  /ukukhubazeka ngokwasengqondweni:

Ezinye:

.....  
 .....  
 .....

Ndingwenela ukumelwa / Igqwetha/ Umcebisi ngezomthetho

oza kumela mna Ewe  Hayi

okanye egameni losebenzisa inkathalelo yezempilo yengqondo

Ewe  Hayi

Bhala oonobumba bokuqala bamagama kunye nefani (Ofake isicelo).....

Utyikityo (Ofake isicelo):.....

Umhla: .....

Indawo: .....

Qaphela: Ofake isicelo kufuneka atyikitye phantsi kwesifungo

## F. ISIFUNGO/ISINGQINISEKISO

Mna ndiyaqinisekisa ukuba:

- iv. Inggina livumile kum ukuba:
  - a. Liyakwazi kwaye likuqonda okuqulethwe sesi sibhengezo;
  - b. Alikwali ukwenza isifungo esimiselweyo
- v. Esi sifungo simiselweyo lisicingela njengesibophelelayo kwisazela salo;
- vi. Inggina lisityikitye phambi kwam esi sibhengezo e.....ngalo mhla..... wale nyanga..... kowama-20.....

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Utyikityo: UMkomishinala wezeFungo: Ngegunya lesikhundla sakhe

Igama: .....

Iwonga/Isikhundla: .....

**(Faka ikopi yokuqala nengakhutshelwanga kwiBhodi yokuHlola)**

## UXWEBHU MHCA 05

## ISEBE LEZEMPILO

**INGXELO YOKUXILONGWA KUNYE NOKUFUNYANISWE NGUGQIRHA  
OQEQESHELWE UKONGA ABAGULA NGENGQONDO KULANDELA  
ISICELO SOKUNCEDISWA UKUKHATHALELWA KWEZEMPILO  
YENGQONDONGOKUNGAZIKHETHELIYO, UNYANGO KUNYE  
NOKUBUYISELWA KWESIMO SESIQHELO  
[Icandelolama-27(5) okanyeelama-33(5) loMthetho]**

**Icandelo 1**

Ifani yosebenzisa inkathalelo yezempilo  
yengqondo.....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo:

Umhla wokuzalwa .....okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenziwakhe..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....

.....  
.....  
.....  
.....

**Icandelo 2**

Umhla wokuxilongwa: ..... Indawo awaxilongelwa kuyo:  
.....

Isimo sezempilo ngokwasemzimbeni (izaliswa kuphela ngugqirha oqeqeshelwe ukonga  
abagula ngengqondo ofanelekileyo ukuba axilonge ubume bomzimba):

(a) Impilo ngokwasemzimbeni ngokubanzi:

.....  
.....  
.....  
.....

(b) Ingaba kukho iimpawu zomenzakalo? Ewe  Hayi

Ukuba zikhona, nceda uxele ukuba ingaba ukholelwa ukuba okokusisiphumo  
sokuphathwa gadalala kusini na?



Ewe  Hayi  Andiqinisekanga

Ukuba kunjalo, ingaba oko kuphathwa gadalala kuxeliwe/kuphandiwe?

Ewe  Hayi

(c) Ingaba kukho iimpawu zezifo ezosulelayo? Ewe  Hayi

Ukuba impendulo ku-(b) okanye ku-(c) ngu-Ewe, nika iinkcukacha ezongezelelweyo:

.....

.....

.....

.....

**Icandelo 3**

Ulwazi olufunyenwe komnye umntu/kwabanye abantu okanye kusapho malunga nosebenzisa inkathalelo yezempilo yengqondo(chaza amagama kunye neenkukacha zoqhagamshelwano):

.....

.....

.....

.....

**Icandelo 4**

Imbali yezempilo yengqondo ukuba iyaziwa (chaza imihla kunye neendawo):

.....

.....

.....

.....

**Icandelo 5**

Isimo sezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo ngethuba exilongwa ngoku (chaza iimpawu okanye imigangatho yokuxilongwa):

.....

.....

.....

.....

.....

**Icandelo 6**

Uhlobo lwesigulo (isiphumo sokuxilongwa sethutyana nesinokutshintsha):

.....

.....  
 .....  
 .....

### Icandelo 7

Ngokolwam uluvo lo usebenzisa inkathalelo yezempilo yengqondo—

ubonisa iimpawu zokubulala ngenxa yokugula ngengqondo Ewe  Hayi

ubonisa iimpawu zokuzibulala ngenxa yokugula ngengqondo Ewe  Hayi   
 usemngciphekweni wokuzenzakalisa ngokumandundu okanye enzakalise nabanye  
 okanye enze umonakalo omkhulu kwiiiprothi yakheokanye kweyabanye ngenxa  
 yokugula ngengqondo Ewe  Hayi

### Icandelo 8

Izindululo eziya kwintloko yeziko lezempilo ngesicelo sokuncediswakwinkathalo,  
 unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo kuphela **(Musa  
 ukulizalisa iCandelo le-9 lolu xwebhu ukuba iCandelo le-8 liza kuzaliswa)**

Isicelo sokuncediswa kwinkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo  
 sesiqhelo safakwa  okanye inkathalo ngokungazikhetheliyo , unyango kunye  
 neenkonzo zokubuyiselwa kwesimo sesiqhelo

1. Ingaba osebenzisa inkathalelo yezempilo yengqondo ugulangengqondo kwaye  
 njengesiphumo sokoufuna inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo  
 sesiqhelo ngeenjongo zezempilo nokhuseleko lwakhe okanye impilo nokhuseleko

lwabanye? Ewe  Hayi

2. Ingaba osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo  
 esisekelwe kulwazi nesifanelekileyo ngemfuneko yokufumana inkathalo, unyango kunye

neenkonzo zokubuyiselwa kwesimo sesiqhelo? Ewe  Hayi

3. Ingaba osebenzisa inkathalelo yezempilo yengqondo uyavuma ukufumana inkathalo,

unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo? Ewe  Hayi

### Icandelo 9

Izindululo eziya kwintloko yeziko lezempilo ngesicelo sokukhathalelwakwezempilo  
 yengqondo ngokungazikhetheliyo, unyango kunye neenkonzo zokubuyiselwa kwesimo

sesiqhelo kuphela (**Musa ukulizalisa iCandelo le-8 lolu xwebhu ukuba iCandelo le-9 liza kuzaliswa**)

1. Ingaba osebenzisa inkathalelo yezempilo yengqondo ugulangengqondo kwaye njengesiphumo soko ufuna inkathalo, unyango kunye neenkonzo zokubuyiselwa

kwesimo sesiqhelo? Ewe  Hayi

2. Ingaba osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo esisekelwe kulwazi nesifanelekileyo ngemfuneko yokufumana inkathalo, unyango kunye

neenkonzo zokubuyiselwa kwesimo sesiqhelo? Ewe  Hayi

3. Ingaba osebenzisa inkathalelo yezempilo yengqondo uyala ukufumana inkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo?

Ewe  Hayi

4. Ingaba osebenzisa inkathalelo yezempilo yengqondongokoluvo lwakho, kulindeleke ukuba angazenzakalisa ngokumandundu okanye enzakalise abanye?

Ewe  Hayi

5. Ingaba inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo, ngokoluvo lwakho zibalulekile ukukhusela imali okanye igama elindilisekileyo

losebenzisa inkathalelo yezempilo yengqondo? Ewe  Hayi

**Icandelo 10**

Kusekwe kulwazi olungasentla isindululosam kwintloko yeziko lezempilo kukuba osebenzisa inkathalelo yezempilo yengqondokufuneka—

1. Afumane ukukhathalelwa kwezempilo yengqondo ngokungazikhetheliyo, unyango

kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo

2. Afumane uncedo lokukhathalelwa kwezempilo yengqondo yesigulane esilaliswe

kwiziko lezempilo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo

3. Abe phantsi kovavanyo lweeyure ezingama-72 kulandela isicelo sokukhathalelwa kwezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondongokungazikhetheliyo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqheloukuze kumiselwe imfuneko yokukhathalelwa ngokongezelekileyo, unyango

kunye neenkonzo zokubuyiselwakwesimo sesiqhelo

**Icandelo 11**

Ndazisa ukuba ndimxelele ngokwam osebenzisa inkathalelo yezempilo yengqondo ngamalungelo akhe kuquka nelungelo lakhe lokumelwa kuquka ilungelo lakhe lokumelwa ngokwasemthethweni kunye/okanye uNcedo lwaseMthethweni, kunye

nelungelo lokukhuselwa kwemali okanye igama lakhe elindilisekileyo kunye nelungelo lokuba nomlawuli okanye igosa elingumgcini ngokwasemthethweni onyuliweyo.

Amagqabantshintshi:

.....  
 .....

Mna ..... (igama likagqirha oqeqeshelwe ukonga abagula ngengqondo) ndibhengeza ukuba ndivavanye ngokwam

..... (igama losebenzisa inkathalelo yezempilo yengqondo) e

..... (igama leziko lezempilo) ngomhla ..... (umhla).

Utyikityo:.....

Uhlobo lukagqirha oqeqeshelwe ukonga abagula ngengqondo osesikhundleni:

Inombolo yobhaliso kwiBhunga elifanelekileyo:.....

Umhla: .....

Indawo:.....

**UXWEBHU MHCA 06**  
**ISEBE LEZEMPILO**

**UVAVANYO LWEYURE EZINGAMA-72 KUNYE NOKUFUNYANISWE  
NGUGQIRHA KUNYE NOMNYE UGQIRHA OQEQESHELWE UKONGA  
ABAGULA NGENGQONDO EMVA KOKUBA INTLOKO YEZIKO  
LEZEMPILO IVUME IINKONZO ZENKATHALO  
NGOKUNGAZIKHETHELIYO, UNYANGO KUNYE NEENKONZO  
ZOKUBUYISELWA KWESIMO SESIQHELO  
[Icandelolama-34(1) loMthetho]**

**Icandelo 1**

Ifani yosebenzisa inkathalelo yezempilo  
yengqondo.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo.....  
Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenziwakhe:..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo:.....  
.....  
.....  
.....  
.....

**Icandelo 2**

Umhla kunye nexesha lokuqaliswa kovavanyo lweeyure ezingama-72:  
.....  
Indawo yovavanyo .....

**Icandelo 3**

(a) Impilo yomzimba ngokubanzi (**Izaliswe ngoogqirha/iingcali zonyango kuphela**):

.....  
.....  
.....

(b) Ingaba kukho iimpawu zomenzakalo? Ewe  Hayi

Ukuba kunjalo, nceda usixelele ukuba ingaba ukholelwa ukuba okokusisiphumo sokuphathwa gadalala?

Ewe  Hayi

Ukuba impendulo ngu-Ewe, ingaba oko kuphathwa gadalala kuxeliwe/ kuphandiwe?

Ewe  Hayi  Akwaziwa

(c) Ingaba kukho iimpawu zezifo ezosulelayo? Ewe  Hayi

Ukuba impendulo ku-(b) okanye ku-(c) ngu-Ewe, nika iinkcukacha ezongezelelweyo:

.....

.....

.....

.....

#### Icandelo 4

Imbali yempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo (Chaza imihla kunye neendawo):

.....

.....

.....

#### Icandelo 5

Isimo sezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo ngethuba lovavanyo lweeyure ezingama-72:

.....

.....

.....

#### Icandelo 6

Uhlobo lwesigulo (isiphumo sokuxilongwa sethutyana nesinokutshintsha):

.....

.....

.....

Ngokoluvo lwam osebenzisa inkathalelo yezempilo yengqondoongentla—

ubonisa iimpawu zokubulala ngenxa yokugula ngengqondo Ewe  Hayi

ubonisa iimpawu zokuzibulala ngenxa yokugula ngengqondo Ewe  Hayi

usemngciphekweni ngenxa yokugula ngengqondo Ewe  Hayi

#### Icandelo 7

Isindululo esiya kwintloko yeziko lezempilo – isicelo sokukhathalelwakwezempilo yengqondo ngokungazikhetheliyo

Ingaba osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo esisekelwe kulwazi ngemfuneko yokufumana inkathalo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqhelo?: Ewe  Hayi

Ingaba osebenzisa inkathalelo yezempilo yengqondouyala ukufumana inkathalo, unyango

kunye nokubuyiselwa kwesimo sesiqhelo? Ewe  Hayi

Ingaba osebenzisa inkathalelo yezempilo yengqondongokoluvo lwakho angazenzakalisa ngokumandundu okanye enzakalise abanye?

Ewe  Hayi

Ingaba inkathalo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqhelo, kolwakho uluvo zibalulekile ukukhusela imali okanye igama elindilisekileyo losebenzisa inkathalelo yezempilo yengqondo? Ewe  Hayi

### **Icandelo 8**

Kusekelwe kulwazi olungasentla isindululo sam kwintloko yeziko lezempilo kukuba osebenzisa inkathalelo yezempilo yengqondo kufuneka:

1. Afumaneukukhathalelwa kwezempilo yengqondo ngokungazikhetheliyo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqhelo

okanye

2. Afumane ukuncediswa kwinkathalo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqhelo

okanye

3. Aqhubeke ukufumanaukukhathalelwa ngokungazikhetheliyo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqheloelaliswe esibhedlele

okanye

4. Afumaneukukhathalelwa ngokungazikhetheliyo, unyango kunye neenkonz

zokubuyiselwa kwesimo sesiqhelongaphandle kokulaliswa esibhedlele

okanye

5. Akhululwe kulawulo loMthetho oJongene neziGulo zeNgqondo

### **Icandelo 9**

Ndazisa ukuba ndimxelele ngokwam osebenzisa inkathalelo yezempilo yengqondongamalungelo akhe kuquka nelungelo lakhe lokumelwa kuquka ilungelo lakhe

lokumelwa ngokwasemthethweni kunye/okanye uNcedo lwaseMthethweni, kunye nelungelo lokukhuselwa kwemali okanye igama lakhe elindilisekileyo.

Amagqabantshintshi:.....  
 .....  
 .....  
 .....  
 .....

**Icandelo 10**

Bhala oonobumba bokuqala bamagama kunye nefani:

.....  
 Uhlobo lobhaliso: .....  
 Utyikityo:.....  
 Umhla:.....

Uhlobo lwengcali eqeqeshelwe ukonga abagula ngengqondo esesikhundleni, umzekelo 'umongikazi', ugqirha wengqondo' okanye 'ugqirha':

.....  
 Umhla: .....  
 Indawo: .....



## UXWEBHU MHCA 07

## ISEBE LEZEMPILO

**ISAZISO SENTLOKO YEZIKO LEZEMPILO NGESIGQIBO SAYO  
SOKUBONELELA NGOKUNCEDISWA KWINKATHALO YEZEMPILO  
YENGQONDO- OKANYE INKATHALO NGOKUNGAZIKHETHELIYO,  
UNYANGO KUNYE NEENKONZO ZOKUBUYISELWA KWESIMO  
SESIQHELOSESIGULANE ESILALISWE ESIBHEDLELE  
[ICandelolama-27(9), elama-28(1), elama-33(7) kunye nelama-33(8) loMthetho]**

Icandelo 1

Mna .....(igama lentloko yeziko lezempilo):

Ndiyasamkela isicelo

Andisamkeli isicelo

Sokuncediswa kwinkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo

Sokukhathalelwa ngokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo  
sesiqhelo

kuka .....(igama losebenzisa inkathalelo  
yezempilo yengqondo).

**Icandelo 2**

Njengokubaugqirha obhalisiweyo kunye nogqirha oqeqeshelwe ukonga abagula  
ngengqondo bevumelana ukuba osebenzisa inkathalelo yezempilo yengqondo-

(a) kufuneka  akufuneki  afumane ukuncediswa kwinkathalo, unyango kunye  
neenkonzozokubuyiselwa kwesimo sesiqhelo; okanye

(b) kunyanzelekile  akunyanzelekanga  afumane ukuncediswa kwinkathalo,  
unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo;

Ndonelisekile  andonelisekanga  ukuba ukunyunwa kunye nemiyalelo ngelungelo  
lentshukumo yosebenzisa inkathalelo yezempilo yengqondo nofumana inkathalo  
yezempilo yengqondo, ubumfihlo kunye nesidima ziyahambelana nenkathalo, unyango  
kunye neenkonzozokubuyiselwa kwesimo sesiqhelo ezicingwayo.

Ndivuma ngezi zizathu zilandelayo:

.....  
.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani: .....

Utyikityo:.....(intloko yeziko lezempilo)  
Umhla:.....Ixesha.....  
Indawo: .....

[Ikopi iya kofake isicelo ize eyokuqala nengakhutshelwanga iye kwiBhodi yokuHlola]

**UXWEBHU MHCA 08****ISEBE LEZEMPILO**

**ISAZISO SENTLOKO YEZIKO LEZEMPILO KWIBHODI YOKUHLOLA  
 ICELA IMVUME YOKUKHATHALELWA OKONGEZELEKILEYO  
 KWEZEMPILO YENGQONDO NGOKUNGAZIKHETHELIYO, UNYANGO  
 KUNYE NOKUBUYISELWA KWESIMO SESIQHELOSESIGULANE  
 ESILALISIWE ESIBHEDLELE  
 [Icandelolama-34(3)(c) loMthetho]**

Mna ..... ndicela  
 .....

(igama lentloko yeziko lezempilo)

kwiBhodi yokuHlolaimvume yokunikezelwa kwenkathalo  
 ngokungazikhetheliyo, unyango kunye neenkonzozokubuyiselwa kwesimo  
 sesiqhelo ngokulaliswa esibhedlele  
 kuka:.....

(igama losebenzisa inkathalelo  
 yezempilo yengqondo)

Okufunyaniswe ngugqirha oqeqeshelwe ukonga abagula ngengqondo kunye nomnye  
 ugqirha kukuba osebenzisa inkathalelo yezempilo yengqondoufuna  
 inkathalongokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo.

Ndonelisekile ukuba imiqobo nokuphazanyiswakwelungelo lokushukuma losebenzisa  
 inkathalelo yezempilo yengqondo, ubumfihlo kunye nesidima zifanele inkathalo,  
 unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo ezicingwayo.

Isiseko sesi sicelo sokukhathalelwa ngokongezelekileyo nangokungazikhetheliyo,  
 unyango kunye nokubuyiselwa kwesimo sesiqhelo sesigulane esisesibhedlele kukuba:

.....  
 .....  
 .....

Nceda fumana kuqhotyoshelwe ezi kopi zilandelayo—

- (a) isicelo sokufumana inkathalo ngokungazikhetheliyo, unyango kunye  
 nokubuyiselwa kwesimo sesiqhelo[MHCA 04];
- (b) okufunyanisiweyo nokubhaliweyo okunikezelwa phantsi kwemiqathango  
 yeCandelo lama-27(5) nelama-33(5) [MHCA 05]
- (c) isaziso esinikezelwa phantsi kwemiqathango yeCandelo lama-33(8) [MHCA 07];  
 kunye
- (d) nokufunyaniswe ngexesha lovavanyo [MHCA 06].

Utyikityo:.....  
 (iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

(Ikopi yokuqala nengakhutshelwanga iya kwiBhodi yokuHlola ize iKopi (ngaphandle kokuqhotyoshelweyo) iye kofake isicelo)

**UXWEBHU MHCA 09****ISEBE LEZEMPILO**

**ISAZISO SENTLOKO YEZIKO LEZEMPILO EMVA KOVAVANYO  
LWEEYURE EZINGAMA-72 ISAZISA IBHODIYOKUHLOLA UKUBA  
OSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDONGOKUQINISEKILEYO UFUNA UKUKHATHALELWA  
NGOKUNGAZIKHETHELIYO, UNYANGO KUNYE NOKUBUYISELWA  
KWESIMO SESIQHELO NJENGESIGULANE ESINGALALISWANGA  
ESIBHEDLELE**

**[Icandelolama-34(3)(b) loMthetho]**

Mna ..... ndazisa

(igama lentloko yeziko lezempilo)

iBhodi yokuHlola ukuba.....

(igama losebenzisa inkathalelo yezempilo yengqondo)

ufuna ukukhathalelwa okongezelekileyo ngokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelonjengesigulane esingalaliswanga esibhedlele.

Ndonelisekile ukuba imiqobo kunye nokuphazanyiswakwelungelo lentshukumo losebenzisa inkathalelo yezempilo yengqondo, ubumfihlo kunye nesidima zifanele inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo ecingwayo.

Isiseko sesi sicelo senkathalo eyongezelekileyo nangokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo sesigulane esingalaliswanga esibhedlele kukuba:

- (a) osebenzisa inkathalelo yezempilo yengqondougula ngengqondo okanye ukukhubazeke ngokugqithisileyo engqondweni kwaye ufuna ukukhathalelwa, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo kwempilo yakhe okanye ukhuseleko lwabanye abantu okanye ukhuseleko lwemali okanye lwegama elindilisekileyo losebenzisa inkathalelo yezempilo yengqondo;
- (b) osebenzisa inkathalelo yezempilo yengqondo akakwazi ukuthatha isigqibo esisekelwe kulwazi ngemfuneko yokukhathalela ezempilo yengqondo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo
- (c) osebenzisa inkathalelo yezempilo yengqondo uyayala inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo

Utyikityo: .....

(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

[Ikopi iya kosebenzisa inkathalelo yezempilo yengqondoize ikopi yokuqala  
nengakhutshelwanga iye kwiBhodi yokuHlola]

## UXWEBHU MHCA 10

## ISEBE LEZEMPILO

**UKUGQITHISELWA KOSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDONGOKUNGAZIKHETHELIYO – ISICWANGCISO  
SEMIQATHANGO EPHATHELELE KWINKATHALO  
NGOKUNGAZIKHETHELIYO, UNYANGO KUNYE NEENKONZO  
ZOKUBUYISELWA KWESIMO SESIQHELOKWISIGULANE  
ESINGALALISWANGA ESIBHEDLELE  
[Icandelolama-34(3)(b) okanye elama-(5) loMthetho]**

Ifani                      yosebenzisa                      inkathalelo                      yezempilo                      yengqondo

.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda                       Owasesyhini

Umsebenziwakhe..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....  
.....  
.....  
.....

Igama lomgcini anikezelwa kwinkathalo yakhelowo usebenzisa inkathalelo yezempilo yengqondo: .....

Idilesi yomgcini ngokwasemthethweni: .....  
.....  
.....  
.....

- i. Isimosezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo siza konganyelwa kwaye sihlolwe e  
..... (igama leziko lezempilo)
- ii. Osebenzisa inkathalelo yezempilo yengqondo kufuneka aye kweli ziko lezempilo qho kwiiveki/kwiinyanga ezi-..... ukuze kuhlolwe imeko yakhe yezempilo yengqondo.
- iii. Igama leziko lezempilo/Amagama amaziko ezempilo apho ukukhathalelwakwezempilo yengqondo ngokungazikhetheliyo kubonelelwa ngako kwizigulane ezingalaliswanga esibhedlele ukuba lohlukile kwiziko

lezempilo                      ebelisetyenziswa                      sisigulane                      ngaphambili.

iv. Imiqathangoyokuziphatha ekufuneka osebenzisa inkathalelo yezempilo yengqondo ayithobele: .....

.....  
 .....  
 .....  
 .....

Igama lesibhedlele sabagula ngengqondo kunye/okanye iziko lokukhathalela kunye nokubuyiselwa kwesimo sesiqhelo apho osebenzisa inkathalelo yezempilo yengqondoaza kulaliswa khona ukuba ubuyele umva ekuguleni kangangokuba uyingozi kuye okanye kwabanye ukuba uhlala esisigulane esingalaliswanga esibhedlele ngokungazikhetheliyo, okanye apho aza kulaliswa khona ukuba imiqathangoyokuba sisigulane esingaphandle ayithotyelwanga.

(igama leziko lezempilo)

Bhala                      oonobumba                      bokuqala                      bamagama                      kunye                      nefani:

.....  
 .....

Utyikityo(intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

.....  
 Utyikityolosebenzisa inkathalelo yezempilo yengqondo(qonda kwaye wamkele imiqathango echaziweyo)

.....  
 Utyikityolomgcini (qonda kwaye wamkele imiqathango echaziweyo)

[Ikopi yokuqala nengakhutshelwanga iya kwiBhodi yokuHlola ize ikopi iye kosebenzisa inkathalelo yezempilo yengqondo, umgcini kunye nentloko yeziko lezempilo apho osebenzisa inkathalelo yezempilo yengqondoebethunyelwe kulo njengesigulane esingalaliswanga esibhedlele]



## UXWEBHU MHCA 11

## ISEBE LEZEMPILO

**UKUGQITHISELWA KOSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDO ONCEDISWAYO UKUKHATHALELA EZEMPILO  
YENGQONDO NGOKUNGAZIKHETHELIYO NJENGESIGULANE  
ESILALISWE KWESINYE ISIBHEDLELE  
[Icandelolama-27(10) nelama-34(4), loMthetho]**

.....  
(igama nefani losebenzisa inkathalelo yezempilo yengqondo)

oncediswayo  okanye

osebenzisa inkathalelo yezempilo yengqondo ngokungazikhetheliyo

njengesigulane esilaliswe kwisibhedlele .....

..... (igama leziko lezempilo)

ngomhla..... (umhla) kufuneka sigqithiselwe e

..... (igama leziko lezempilo)

Bhala oonobumba bokuqala bamagama kunye nefani

.....  
(intloko yeziko lezempilo)

Utyikityo:.....

(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

**[IKopi iya kwiBhodi yokuHlola]**

## UXWEBHU MHCA 12

## ISEBE LEZEMPILO

**UKUKHUTSHWA ESIBHEDLELE KOSEBENZISA INKATHALELO  
YEZEMPILO YENQONDONGOKUNGAZIKHETHELIYO UKUZE  
ANYANGWE NJENGESIGULANE ESINGAPHANDLE OKANYE  
UKUTSHITSHISWA KOKUKHUTSHWA ESIBHEDLELE  
[Icandelolama-34(3) nelama-34(6) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo  
yengqondo.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo.....  
Umhla wokuzalwa ..... okanye uqikelelo  
lobudala.....

Isini: Indoda  Owasetyhini

Umsebenzi wakhe .....Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....  
.....  
.....  
.....

**A. Ukukhutshwa kwesigulane esisesibhedlele ukuze sifumane unyango  
njengesigulane esingaphandle**

Esi sigulane sisesibhedlele ngokungazikhetheliyo e

.....  
(igama leziko lezempilo) sichache kangangokuba kufuneka sibonelelwe ngenkathalo,  
unyango kunye neenkonzelo zokubuyiselwa kwesimo sesiqhelo njengesigulane esifumana  
unyango singaphandle njengoko umhla uchaziwe kwisicwangciso esichaza imiqathango  
eqhotyoshelwe kule ncwadi yokusiqhithisela njengokuba kuchazwe kuxwebhu MHCA 10  
oluqhotyoshelweyo.

**B. Ukutshitshiswa kokukhutshwa esibhedlele**

Esi sigulane sifumana unyango singalaliswanga esibhedlele nesakhutshwa phantsi  
kwemiqathango emiselweyo ngo.....kwaye songanyelwe kwaye  
sihlolwa e..... asiyithobelanga imiqathango neemeko zokukhutshwa  
kwaso/ sibuyele umva ekuguleni kangangokubasiyingozi kuso okanye kwabanye ukuba  
siqhubeka ngokufumana unyango njengesigulane esingalaliswanga esibhedlele  
ngokungazikhetheliyo, kwaye kufuneka silaliswe esibhedlele njengesigulane  
esingazikhetheliyo.....(igama leziko lezempilo)

Izizathu ezizodwa zokugqithisela isigulane sifumane unyango silalisiwe esibhedlele zezi zilandelayo:.....

.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani

Utyikityo:.....

(iNtloko yeziko lezeMpilo)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 13A

## ISEBE LEZEMPILO

**INGXELO EKHUTSHWA NGAMAXESHA ATHILE MALUNGA  
NOSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDOEKUKHATHALELWA EZEMPILO YENGQONDO YAKHE  
(OSEBENZISA INKATHALELO YEZEMPILO YENGQONDO  
ONCEDISWAYO/NGOKUNGAZIKHETHELIYO/IBANJWA ELIGULA  
NGENGQONDO)**

**[Icandelolama-30(2), ama-37(2) nelama-55(1) loMthetho]**

**Icandelo 1: linkcukacha zesigulane**

Ifani                      yosebenzisa                      inkathalelo                      yezempilo                      yengqondo

.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini    Indoda       Owasetyhini

Osebenzisa inkathalelo yezempilo yengqondo-: (phawula ngoX)

ungosebenzisa inkathalelo yezempilo yengqondo oncediswayo                       ungosebenzisa

inkathalelo yezempilo yengqondo ngokungazikhetheliyo  libanjwa eligula ngengqondo

Igama                                      leziko                                      lezempilo elichaphazelekayo:

.....

Inombolo                                      yobhaliso                                      (ukuba ikhona).....

Umhla wokulaliswa esibhedlele okokuqala kosebenzisa inkathalelo yezempilo yengqondo phantsi kweli candelo: .....

**Icandelo 2: Ukuhlolwa**

Isimo sezempilo yengqondo: (Inkcazelo emfutshane ngesimo sezempilo yengqondo phambi kokulaliswa esibhedlele, okoko walaliswa esibhedlele, emva kwengxelo yokugqibela, kunye nesimo sangoku, ngokubhekiselele ngokukhethekileyo kuzo naziphi na iimpawu ezibonisa iimpawu zokubulala, zokuzibulala okanye zobungozi)

Phambi kokulaliswa esibhedlele:

.....  
.....

.....  
 .....

Okokoko walaliswa esibhedlele/ ingxelo yangaphambili enikezelweyo nebikhutshwa ngamaxesha athile:

.....  
 .....

Isimo sengqondo ngoku:

.....  
 .....

Isimo sezempilo yomzimba wosebenzisa inkathalelo yezempilo yengqondo:

.....  
 .....

Isiphumo sokuxilongwa:

.....  
 .....

**Icandelo 3: Isicwangciso solawulo lokuqwalaselwa, unyango kunye nokubuyiselwa kwesimo sesiqhelo**

Inkqubo yonyango eza kulandelwa ngoku, kuquka ukusetyenziswa kwamayeza anyanga izifo zengqondo nefuthe lawo, i-ECT, ukusetyenziswa kwemisebenzi ethile ukuncedisa ekuchacheni emva kokugula ngengqondo okanyeunyangano lwezigulo zengqondo kungasetyenziswa mayeza, ukungenelela koonontlalontle kusapho, ikhefu lokuhlala nosapho, njalo njalo):

Eyonyango:

.....  
 .....

Eyengqondo:

.....  
 .....  
 .....  
 .....

Eyentlalo(kuquka ukukhuselwa kwemali yosebenzisa inkathalelo yezempilo yengqondo):

.....  
 .....  
 .....  
 .....

Eyomsebenzi:

.....  
 .....  
 .....  
 .....

Unyango lomzimba ngokwenza imithambo (ukuba siyafuneka):

.....  
 .....  
 .....  
 .....

**Uqhagamshelwano nosapho:**

Umntu othile  Luyabhala  Luhambela qho  Lunqabile  Nakanye   
 Ukuba impendulo ngunakanye, kwenziwe ntoni ukufumana umkhondo wosapho?

.....  
 .....  
 .....

**Icandelo 4: Isindululo ngokwemiqathango yeCandelo lama-30 okanye lama-37 okanye lama-55(1)**

(a) Osebenzisa inkathalelo yezempilo yengqondougula ngengqondo okanye ukhubazeke ngokugqithisileyo engqondweni kwaye ufuna ukukhathalelwa, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo kwimpilo yakhe okanye ukhuseleko okanye ukhuseleko lwabanye abantu okanye ukhuseleko lwemali okanye lwegama elindilisekileyo lakhe;

(b) Osebenzisa inkathalelo yezempilo yengqondo akakwazi ukuthatha isigqibo esisekelwe kwimfuneko yokukhathalela ezempilo yengqondo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo

kwaye

(c) osebenzisa inkathalelo yezempilo yengqondo uyayala  akayali  inkathalo, unyango kunye neenkonzozokubuyiselwakwesimo sesiqhelo

Ingaba isimo sosebenzisa inkathalelo yezempilo yengqondo kufuneka sihlale singaguqukanga? Ewe  Hayi

Nika izizathu ngokufutshane:

.....

Ukuba osebenzisa inkathalelo yezempilo yengqondo ulaliswe esibhedlele ngokungazikhetheliyo, ingaba kufuneka agqithiselwe kwinkathalo yesigulane esingalaliswanga esibhedlelengokungazikhetheliyo?

Ewe  Hayi

Nika izizathu ngokufutshane:

.....  
 .....  
 .....

Nceda wongeze amaphepha ukuba kuyimfuneko, kuba oku kubaluleke kakhulu:

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani kagqirha owenze uvavanyo:

.....

Utyikityo:.....

(ugqirha owenze uvavanyo)

Umhla: .....

Indawo: .....

**Icandelo 5: Imiyalelo kunye namagqabantshintshi**

.....  
 .....  
 .....

Utyikityo:.....

(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

'(Ikopi yokuqala nengakhutshelwanga iya kwiBhodi yokuHlola ize ikopi yengxelo ngebanjwa eligula ngengqondo iye kumantyi, kumlawuli, ukuba unyuliwe, kunye nentloko yentolongo efanelekileyo)'



**UXWEBHU MHCA 13B**

**ISEBE LEZEMPILO**

**INGXELO EKHUTSHWA NGAMAXESHA ATHILENGESIGULANE  
SIKARHULUMENTE  
[Icandelolama-46(2) loMthetho]**

Ifani yesigulane sikaRhulumente  
.....  
Igama lesigulane/Amagama esigulane  
sikaRhulumente.....  
Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Igama leziko lezempiloelichaphazelekayo:  
.....  
Inombolo yobhaliso (ukuba ikhona):  
.....

Umhla wokuqala wokulaliswa kwesigulane sikarhulumente esibhedlele phantsi kweli Candelo: .....

Isimo sezempilo yengqondo: (Inkcazelo emfutshane yesimo sezempilo yengqondo phambi kokulaliswa esibhedlele, okoko salaliswa esibhedlele, emva kwengxelo yokugqibela, kunye nesimo sangoku, ngokubhekiselele ngokukhethekileyo kuzo naziphi na iimpawu ezibonisa iimpawu zokubulala, zokuzibulala okanye zobungozi)

Phambi kokulaliswa esibhedlele:  
.....  
.....  
.....  
.....

Oko salaliswa esibhedlele/ ingxelo yangaphambili:  
.....  
.....  
.....  
.....

Isimo sengqondo ngoku:  
.....  
.....

.....  
.....  
.....

Unyango olunikezelwa ngoku umzekelounyango ngokusebenzisa amayeza anyanga izifo zengqondo nefuthe lawo, i-ECT, ukusetyenziswa kwemisebenzi ethile ukuncedisa ekuchacheni emva kokugula ngengqondo okanye unyango lwezigulo zengqondo kungasetyenziswa mayeza:.....

.....  
.....  
.....  
.....

Isimo sezempilo ngoku:

.....  
.....  
.....  
.....

Isiphumo sokuxilongwa ngalo mhla:

.....  
.....  
.....

**Uqhagamshelwano nosapho:**

Umntu othile  Luyabhala  Luhambela qho  Lunqabile  Nakanye   
Ukuba impendulo ngunakanye, kwenziwe ntoni ukufumana umkhondo wosapho?

.....  
.....  
.....

**Izigulane zikarhulumente (Icandelolama-46 loMthetho)**

Isityholo esibekwa sona:

.....  
.....

Ingaba kufuneka isigulane sikhutshwe esibhedlele phantsi kwemiqathango ethile?

Ewe  Hayi

Yenza amagqabantshintshi:

.....  
.....  
.....

Ingaba isigulane kufuneka sikhutshwe esibhedlele ngaphandle kwemiqathango ethile?

Ewe  Hayi

Yenza amagqabantshintshi:

.....  
 .....  
 .....

Nika izizathu ukuba ‘isimo sengqondo ngoku’ sibonisa imeko yesiqhelo kwaye kucetyiswa ukuba isigulane sihlaliswe bucala esibhedlele:

.....  
 .....  
 .....

Yenza amagqabantshintshi ngokufaneleka kokunikwa kwesigulane ikhefu:

.....  
 .....  
 .....

Isindululo ngesicwangciso senkathalo eyongezelelweyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo (kufuneka izaliswe zizigulane ezincediswayo nezingazikhetheliyo nangamabanjwa agula ngengqondo)

(Chaza inkqubo yonyango elandelwayo, nika iinkcukacha zodliwanondlebe olwabanjwa noogqirha wezifo zengqondo, uthethathethwano nokucebisa, iindibano zokuphiliswa useqeleni, njalo njalo, uchaza ngokucacileyo iinjongo zonyango, inkqubela eyenziweyo, iimvavanyo ezenziweyo, utshintsho kunye nendlela isigulane esibonakala ngayo emva kotshintsho):

Nceda wongeze amanye amaphepha kuba oku kubaluleke kakhulu!!

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani kagqirha owenze uvavanyo:.....

Utyikityo:.....

(ugqirha owenze uvavanyo)

Umhla: .....

Indawo: .....

Imiyalelo kunye namagqabantshintshi:

.....  
 .....  
 .....

Utyikityo: .....  
 (intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

### **IZIGULANE ZIKARHULUMENTE**

[Le nxalenye kufuneka izaliswe yintloko yesebe likazwelonke (okanye igosa elisesikhundleni)]

Izizathu eziqwalaselweyo kunye namagqabantshintshi:

.....  
 .....  
 .....  
 .....

Izindululo:

(a) Inkathalo kunye nonyango olulolunye:

.....  
 .....  
 .....

b) Ikhefu(Izigulane zikarhulumente):

.....  
 .....  
 .....

(c) Ukukhutshwa kwesigulane esibhedlele:

.....  
 .....  
 .....

Utyikityo:.....  
 (iNtloko yeSebe likaZwelonke):

Umhla: .....

Indawo: .....

[Ikopi ibuyiselwe kwiNtloko yeziko lezempilo]

## UXWEBHU MHCA 14

## ISEBE LEZEMPILO

## ISIGQIBO SEBHODI YOKUHLOLA MALUNGA—

- (a) nokuncediswa ukukhathalela ezempilo yengqondo, unyango kunye nokubuyiselwa kwesimo sesiqhelo[Icandelolama-28(3) loMthetho];
- (b) nesibheno kwisigqibo sentloko yeziko lezempilo malungu nokuncediswa ukukhathalela ezempilo yengqondo, unyango kunye nokubuyiselwa kwesimo sesiqhelo[Icandelolama-29(2) loMthetho];
- (c) nenkathalo eyongezelelweyongokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo sesigulane esisesibhedlele [Icandelo lama-34(7) loMthetho];okanye
- (d) nesibheno kwisigqibo sentloko yeziko lezempilo ngokukhathalelwa kwezempilo yengqondongokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelo [Icandelo lama-35(2) loMthetho]

Ifani yosebenzisa inkathalelo yezempilo yengqondo

Igamalosebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo

Umhla wokuzalwa ..... okanye uqikelelo lobudala

Isini: Indoda  Owasetyhini

Umsebenzi wakhe: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo:.....

IBhodi yokuHlola yase.....

(igama leBhodi yokuHlola)

iqwalasele amaxwebhu kunye nemiba efanelekileyo malunga:

**nesicelo sokuncediswa/sokukhathalela ezempilo yengqondo ngokungazikhetheliyo, unyango kunye nokubuyiselwa kwesimo sesiqhelosebenzisa inkathalelo yezempilo yengqondoongentla:**

IBhodi yokuHlola iqwalasele (phakathi kwezinye izinto) ukuba:

- (a) osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo esisekelwe kulwazi ngemfuneko yokufumana inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo.
- (b) osebenzisa inkathalelo yezempilo yengqondo ugula ngengqondo okanye ukhubazeke ngokugqithisileyo ngokwasengqondweni, kwaye njengesiphumo soko ufuna inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo ngeenjongo zezempilo nokhuseleko lwakhe okanye impilo nokhuseleko lwabanye
- (c) osebenzisa inkathalelo yezempilo yengqondo uyavuma  akavumi  ukufumana inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo.
- (d) osebenzisa inkathalelo yezempilo yengqondokulindeleke ukuba angazenzakalisa ngokumandundu okanye enzakalise abanye.
- (e) inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimosesiqhelo zibalulekile ukukhusela imali okanye igama elindilisekileyo losebenzisa inkathalelo yezempilo yengqondo.
- (f) ilungelo losebenzisa inkathalelo yezempilo yengqondolokuhamba/lentshukumo, ubumfihlo kunye nesidima liza kunyinwa ngokungafanelekanga.

**Isicelo sesibhenokwisigqibo sentloko yeziko lezempilo sokuncediswaukukhathalela ezempilo yengqondo /ngokungazikhetheliyo , unyango kunye nokubuyiselwa kwesimo sesiqhelo**

IBhodi yokuHlola icele/inikezele ithuba kwaba balandelayo ukuba benze inkcazelo ngomlomo okanye ngokubhaliweyo ngokufaneleka kwesi sicelo:

- (a) Ofake isicelo
- (b) Owenze isibhenok
- (c) I(i)ngcali eziqeqeshelwe ukonga abagula ngengqondo ezi(zi)meleyo
- (d) INTloko yeziko lezempilo
- (e) Abanye

IBhodi yokuHlola isiqwalasele isibhenok ngokwenkqubo emiselweyo kwaye igqibe ukuba—

- (a) osebenzisa inkathalelo yezempilo yengqondo kufuneka akhutshwe kwiziko lezempilo
- (b) osebenzisa inkathalelo yezempilo yengqondokufuneka afumane ukukhathalelwa kwezempilo yengqondo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo njengesigulane esincediswa ngokungazikhetheliyo

(c) osebenzisa inkathalelo yezempilo yengqondo kufuneka afumane ukukhathalelwa kwezempilo yengqondo, unyango kunye neenkonzozo zokubuyiselwa kwesimo sesiqhelo

njengesigulane esincediswayo

(d) osebenzisa inkathalelo yezempilo yengqondo kufuneka afumane ukukhathalelwa kwezempilo yengqondo, unyango kunye neenkonzozo zokubuyiselwa kwesimo sesiqhelo

elalisiwe esibhedlele  engalaliswanga esibhedlele .

Izizathu zesi sigqibo:

.....  
 .....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani

Utyikityo: .....

(uSihlalo weBhodi yokuHlola)

Umhla: .....

Indawo: .....

[Ikopi ithunyelwe (ukuba kuyimfuneko) kwaba balandelayo: ofake isicelo, owenza isibheni, intloko yeziko lezempilo elichaphazelekayo, intloko yesebe lephondo kunye neJaji yeNkundla ePhakamileyo]

## UXWEBHU MHCA 15

## ISEBE LEZEMPILO

**ISIBHENO KWIBHODI YOKUHLOLA MALUNGA NESIGQIBO SENTLOKO  
YEZIKO LEZEMPILO NGOKUNCEDISWA UKUKHATHALELA EZEMPILO  
YENGQONDO YESIGULANE- OKANYE UKUKHATHALELWA  
KWEZEMPILO YENGQONDO NGOKUNGAZIKHETHELIYO, UNYANGO  
KUNYE NOKUBUYISELWA KWESIMO SESIQHELO  
[Icandelo lama-29(1) nelama-35(1) loMthetho]**

Inkcukacha zosebenzisa inkathalelo yezempilo yengqondo  
Ifani yosebenzisa inkathalelo yezempilo  
yengqondo.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo .....  
Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi wakhe: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....  
.....  
.....  
.....

Ingaba osebenzisa inkathalelo yezempilo yengqondo wenza isibheno?

Ewe  Hayi

Ukuba impendulo ngu hayi kulo mbuzo ungentla:

Ifani yalowo wenza isibheno:

Igama lalowo/Amagama alowo wenza isibheno:

Inombolo yoqhagamshelwano yalowo wenza isibheno:

Idilesi ahlala kuyo: .....  
.....  
.....  
.....



**Ubudlelwane phakathi kwalowo wenza isibheno kunye nosebenzisa inkathalelo yezempilo yengqondo: (phawula ngoX)**

Umyeni/Inkosikazi  Umlingane  Iqabane  ngokomsebenzi  Isizalwana  
 esisondeleyo  Umzali  Onoxanduva nodlala indima yobuzali   
 Omnye  .....(chaza)

Izizathu zokwenza isibheno:

.....  
 .....  
 .....  
 .....  
 .....

Amanqaku ekuqanyelwe ngawo kwesi sibheno:

.....  
 .....  
 .....  
 .....

Mna, otyikitye ngezantsi ndinqwenela ukumelwa/ukuba nommeli ngokwasemthethweni/uNcedo ngokwasemthethweni okanye egameni lika .....(faka ebhokisini Ewe okanye Hayi).....

Utyikityo: .....  
 (owenze isibheno)

Umhla: .....

Indawo: .....

**UXWEBHU MHCA 16****ISEBE LEZEMPILO**

**UMYALELO WENKUNDLA EPHAKAMILEYO WOKUGCINWA  
ESIBHEDLELE/ WOKUKHUTSHWA NGOKUKHAWULEZA KOSEBENZISA  
INKATHALELO YEZEMPILO YENQONDONGOKUNGAZIKHETHELIYO  
[Icandelolama-36(c) loMthetho]**

KwiNkundla ePhakamileyo yaseMzantsi Afrika. ....

ICandelo

Kumba ka.....

(igama losebenzisa inkathalelo yezempilo yengqondo nofumana ukukhathalelwa  
kwezempilo yengqondongokungazikhetheliyo)

olaliswe ngoku kwisibhedlele .....

(igama leziko lezempilo)

njengosebenzisa inkathalelo yezempilo yengqondongokungazikhetheliyo kulandela  
isigqibo seBhodi yokuHlola somhla we-..... phantsi kweCandelo lama-  
34(7) okanye iCandelo lama-35(4) loMthetho.

**NGENXA YOKO KUYALELWA**

Ukuba lowo.....

(igama losebenzisa inkathalelo yezempilo yengqondo)

(a) (i) agcinwe ixesha elongozelekileyo/ abonelelwe ngenkathalo, unyango  
kunye neenkonzozo zokubuyiselwa kwesimo sesiqheloade abe uphilile okanye ukhutshwa  
esibhedlele ngokusemthethweni;

(ii) imiba yezimali ilawulwe ngokwemiqathangoyeSahluko VIII soMthetho;  
okanye

(b) akhutshwe esibhedlele ngokukhawuleza.

(c) Okunye ..... (chaza)

Ngomyalelo weJaji eHloniphekileyo.....

Umhla: .....

Indawo: .....

UNobhala: .....

[Ikopi ithunyelwe kofake isicelo, owenza isibheni, iBhodi yokuHlola kunye nentloko  
yeziko lezempilo]

## UXWEBHU MHCA 17

## ISEBE LEZEMPILO

**ISIGQIBO/ ISINDULULOSEBHODI YOKUHLOLA KULANDELA UHLAZIYO  
OLUKHUTSHWA NGAMAXESHA ATHILE/IINGXELO ZOKUNCEDISWA  
OKANYE UKUKHATHALELA EZEMPILO YENGQONDO YOSEBENZISA  
INKATHALELO YEZEMPILO YENGQONDONGOKUNGAZIKHETHELIYO  
OKANYE AMABANJWA AGULA NGENGQONDO  
[Icandelo lama-30(4), elama-37(4) okanye elama-55(4) loMthetho]**

Ifani                      yosebenzisa                      inkathalelo                      yezempilo                      yengqondo

.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo .....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda                       Owasetyhini

Umsebenzi wakhe: .....Iwonga ngokomtshato: S  M  D  W

Iziko lezempilo elichaphazelekayo .....  
(igama leziko lezempilo)

IBhodi yokuHlola yase ..... emva kokuqwalasela  
(igama leBhodi yokuHlola)

amaxwebhu kunye nemiba efanelekileyo yokuhlolwa akhutshwa ngamaxesha athile  
malunga nosebenzisa inkathalelo yezempilo yengqondoongentla.

IBhodi yokuHlola iqwalasele (phakathi kwezinye izinto) ukuba:

(a) osebenzisa inkathalelo yezempilo yengqondo uyakwazi ukuthatha isigqibo  
esisekelwe kulwazingemfuneko yokufumana inkathalo, unyango kunye neenkonz  
zokubuyiselwa kwesimo sesiqhelo.

(b) osebenzisa inkathalelo yezempilo yengqondo ugula ngengqondo okanye  
ukhubazeke ngokugqithisileyo ngokwasengqondweni, kwaye njengesiphumo soko ufuna  
inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo ngeenjongo  
zezempilo nokhuseleko lwakhe okanye impilo nokhuseleko lwabanye.

(c) osebenzisa inkathalelo yezempilo yengqondouyavuma ukufumana inkathalo,  
unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo.

(d) osebenzisa inkathalelo yezempilo yengqondo kulindeleke ukuba angazenzakalisa  
ngokumandundu okanye enzakalise abanye.

(e) inkathalo, unyango kunye neenkonzozokubuyiselwa kwesimo sesiqhelo,  
zibalulekile ukukhusela imali okanye igama elindilisekileyo losebenzisa inkathalelo  
yezempilo yengqondo.

(f) ilungelo losebenzisa inkathalelo yezempilo yengqondolokuhamba/lentshukumo, ubumfihlo kunye nesidima liza kunyinwa ngokungafanelekanga.

IBhodi yokuHlola icele aba bantu balandelayo ukuba benze inkcazelo ngomlomo okanye ngokubhaliweyo:

- (a) Ofake isicelo
- (b) I(i)ngcali eziqeqeshelwe ukonga abagula ngengqondo e(zi)zimeleyo
- (c) INTloko yeziko lezempilo
- (d) Abanye (Chaza)  .....

IBhodi yokuHlola igqibe ukuba/yenze isindululo sokuba:

(a) osebenzisa inkathalelo yezempilo yengqondo kufuneka akhutshwe kwiziko lezempilo

(b) osebenzisa inkathalelo yezempilo yengqondo kufuneka afumane inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimosesiqhelo njengesigulane

esincediswayo nesilaliswe esibhedlele ngokungazikhetheliyo

(c) osebenzisa inkathalelo yezempilo yengqondo kufuneka afumane inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo njengesigulane

esincediswayo esilaliswe esibhedlele

(d) osebenzisa inkathalelo yezempilo yengqondokufuneka afumane ukukhathalelwa kwezempilo yengqondo ngokungazikhetheliyo, unyango kunye neenkonzo zokubuyiselwa

kwesimo sesiqhelo elalisiwe esibhedlele  / engalaliswanga esibhedlele

Izizathu zesi sigqibo/ zesi sindululo:

.....  
 .....  
 .....

Bhala phantsi oonobumba bamagama bokuqala kunye nefani: .....

Utyikityo: .....

(uSihlalo weBhodi yokuHlola)

Umhla: .....

Indawo: .....

[Iikopi zithunyelwe ukuba:

Ngosebenzisa inkathalelo yezempilo yengqondoocediswayo okanye okhathalelwa ezempilo yengqondo ngokungazikhetheliyo: kosebenzisa inkathalelo yezempilo yengqondo, kofake isicelo, kwintloko yeziko lezempilo elichaphazelekayo kunye nentloko yesebe lephondo;

Libanjwa eligula ngengqondo: kwibanjwa eligula ngengqondo, kumlawuli/igosa elingumgcini (ukuba linyuliwe) intloko yeziko lezempilo elichaphazelekayo, umantyi ofanelekileyo, intloko yentolongo efanelekileyo kunye nentloko yesebe likazwelonke]

INgxelo yeThutyana ekhutshwa ngamaxesha athileenguNombolo  
.....ilindeleke ngomhla .....

**UXWEBHU MHCA 18****ISEBE LEZEMPILO****ISAMANI YOKUVELA PHAMBI KWEBHODI YOKUHLOLA  
[Icandelole-11(2), elama-29(2)(a) nelama-35(2)(c) loMthetho]**

.....  
(igama lomntu ophunyelwe yisamani nedilesi yakhe)

Ngenxa                      yoko                      ubizwa                      ukuba                      avele  
e.....(indawo)

Ngomhla ..... (umhla kunye nexesha) phambi  
kweBhodi yokuHlola yase

..... (igama leziko lezempilo)

Ukuze    anike    ubungqina  
ngokuphathelele.....

.....  
.....  
.....  
.....  
(ukuba lo mntu ubizwa ngesamani kufuneka aveze nayo nayiphi na incwadi, ingxelo,  
uxwebhu okanye nayo nayiphi na into eyenye kwaye uyalelwa ke ngoko ukuba aveze oku  
kulandelayo:

.....  
.....  
.....  
.....  
(chaza incwadi, ingxelo, uxwebhu okanye nayo nayiphi na into eyenye efunekayo)

Ikhutshwa phantsi kwemvume kaSihlalo weBhodi yokuHlola, ngolu suku  
lwango.....

Utyikityo: .....

(uSihlalo weBhodi yokuHlola)

**UXWEBHU MHCA 19**

**ISEBE LEZEMPILO**

**ISICELO SENTLOKO YEZIKO LEZEMPILO KWIBHODI YOKUHLOLA  
SOKUBA KUGQITHISELWE OSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDO/ISIGULANE SIKARHULUMENTE/IBANJWA ELIGULA  
NGENGQONDO KWESINYE ISIBHEDLELE**

- (a) osebenzisa inkathalelo yezempilo yengqondo oncediswayo okanye ekukhathalelwa ezempilo yengqondo ngokungazikhetheliyo ngokwemiqathango yeCandelo lama-39(1) loMthetho ugqithiselwe kumaziko okhuseleko oluqilima;
- (b) isigulane sikarhulumente esiphakathi kwamaziko ezempilo anyuliweyo ngokwemiqathango yeCandelo lama-43 loMthetho; okanye
- (c) ibanjwa eligula ngengqondo eliphakathi kwamaziko ezempilo anyuliweyo ngokwemiqathango yeCandelo lama-54(2) loMthetho.

Ifani yosebenzisa inkathalelo yezempilo yengqondo/yesigulane sikarhulumente/yebanjwa eligula ngengqondo .....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo/Igama esigulane sikarhulumente/Igama lebanjwa eligula ngengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenzi wakhe:..... Iwonga ngokomtshato: S  M  D  W

Iziko lezempilo apho isicelo senziwa khona: .....

Chaza ngokucacileyo isizathu/izizathu zesi sicelo: .....

.....  
 .....  
 .....  
 .....

Ingaba osebenzisa inkathalelo yezempilo yengqondo wakhe waqhwesha okanye wazama

ukuqhwesha? Ewe  Hayi

Cacisa iimeko zokuqhwesha:

.....  
 .....  
 .....  
 .....

.....

Ingaba osebenzisa inkathalelo yezempilo yengqondoukhe wenzakalisa abanye kwiziko

lezempilo?Ewe  Hayi

Cacisa iimeko:

.....  
.....  
.....  
.....

Ngokolwakho uluvu ingaba osebenzisa inkathalelo yezempilo yengqondo kulindeleke ukuba angenzakalisa abanye kwiziko lezempilo?

Ewe  Hayi

Cacisa:

.....  
.....  
.....  
.....

Es(z)inye is(z)izathu zokwenza esi sicelo:

.....  
.....  
.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani:.....

Utyikityo: .....  
(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....



**UXWEBHU MHCA 20****ISEBE LEZEMPILO****UMYALELO WEBHODI YOKUHLOLA WOKUGQITHISELA OSEBENZISA  
INKATHALELO YEZEMPILO YENGGONDO / ISIGULANE  
SIKARHULUMENTE/IBANJWA ELIGULA NGENGGONDO**

- (a) osebenzisa inkathalelo yezempilo yengqondo oncediswayo okanye ekukhathalelwa ezempilo yengqondo ngokungazikhetheliyo ngokwemiqathango yeCandelo lama-39(4) loMthetho ugqithiselwe kumaziko okhuseleko oluluqilima;
- (b) isigulane sikarhulumente esiphakathi kwamaziko ezempilo anyuliweyo ngokwemiqathango yeCandelo lama-43(3) lalo Mthetho; okanye
- (c) ibanjwa eligula ngengqondo eliphakathi kwamaziko ezempilo anyuliweyo ngokwemiqathango yeCandelo lama-54(2) loMthetho.

Ifani yosebenzisa inkathalelo yezempilo yengqondo/yesigulane sikarhulumente/yebanjwa eligula ngengqondo .....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo/Igama lesigulane sikarhulumente/Igama lebanjwa eligula ngengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenzi wakhe: ..... Iwonga ngokomtshato: S  M  D  W

Iziko lezempilo elenza isicelo: .....

IBhodi yokuHlola yase .....

(igama leBhodi yokuHlola)

Iwaqwalasele amaxwebhu kunye nokumelwa okufanelekileyo ukuba osebenzisa inkathalelo yezempilo yengqondo agqithiselwe kwiziko lokhuseleko oluluqilima.

IBhodi yokuHlola iqwalasele phakathi kwezinye izinto ukuba-

(a) ukugqithiselwa oku akwenziwa ngenjongo yokohlwaya osebenzisa inkathalelo yezempilo yengqondo.

(b) Ukugqithiselwa kugunyaziswa kuthathelwe ingqalelo isimo sezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo.

I(s)izathu (s)zokugqithiselwa:

.....  
 .....  
 .....

.....  
 .....  
 .....  
 .....

Osebenzisa inkathalelo yezempilo yengqondo ongentla/isigulane sikarhulumente/Eli banjwa ligula ngengqondo kufuneka ligqithiselwe kwiziko lezempilo elinokhuseleko oluluqilima.

Bhala oonobumba bokuqala bamagama kunye nefani

Utyikityo: .....

(uSihlalo weBhodi yokuHlola)

Umhla: .....

Indawo: .....

Xa isisigulane esincediswayo ukukhathalela ezempilo yengqondo ngokungazikhetheliyo: kwisigulane, kofake isicelo, kwintloko yeziko lezempilo elichaphazelekayo kunye nentloko yesebe lephondo;

Xa ilibanjwa eligula ngengqondo: kwibanjwa eligula ngengqondo, kumlawuli/umgcini (ukuba unyuliwe) intloko yeziko lezempilo elichaphazelekayo, umantyi ofanelekileyo, intloko yentolongo efanelekileyo kunye nentloko yesebe likazwelonke]

[Ikopi ithunyelwa:

Xa ingosebenzisa inkathalelo yezempilo yengqondo oncediswayo ukukhathalela ezempilo yengqondo ngokungazikhetheliyo, lo myalelo kufuneka uthunyelwe kwintloko yesebe lephondo kunye nentloko yeziko lezempilo.

Xa isisigulane sikarhulumente kunye namabanjwa agula ngengqondo lo myalelo kufuneka uthunyelwe kwintloko yesebe likazwelonke]

## UXWEBHU MHCA 21

## ISEBE LEZEMPILO

**ISAZISO SOKUGQITHISELWA KWESIGULANE SIKARHULUMENTE  
OKANYE IBANJWA ELIGULA NGENGQONDO  
[Icandelo lama-43(8) okanye lama-54(6) loMthetho]**

Ifani yesigulane sikarhulumente/yebanjwa eligula ngengqondo

.....

Igama lesigulane/Amagama esigulane sikarhulumente/Igama/Amagama ebanjwa eligula ngengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi waso/walo:..... Iwonga ngokomtshato: S  M  D  W

Esi sigulane sikarhulumente okanye ibanjwa eligula ngengqondo ligqithiselwe:

Levela:.....  
(igama leziko lezempilo)

Lisiya: .....  
(igama leziko lezempilo)

Izizathu zokugqithiselwa:

.....  
.....  
.....

Umhla wokugqithiselwa: .....

Bhala oonobumba bokuqala kunye nefani:

.....

Utyikityo: .....  
(umntu oququzelela ukugqithiselwa)

Umhla: .....

Indawo: .....

[Ikopi:

Ukubasisigulane sikarhulumente iza kuthunyelwa kwigosa elingumgcini ngokwasemthethweni kunye neSebe likaZwelonke.

Ukubalibanjwa eligula ngengqondo iza kuthunyelwa kwintloko yentolongo efanelekileyo, iBhodi yokuHlola kunye nesebe likazwelonke kwakunye nomlawuli ukuba wonyuliwe]

## UXWEBHU MHCA 22

## ISEBE LEZEMPILO

**UKUNIKEZELWA KOMNTU EKURHANELWA UKUBA UGULA  
NGENGQONDO KWAYE KULINDELEKE UKUBA ANGAZENZAKALISA  
NGOKUMANDUNDU OKANYE ENZAKALISE NABANYE NGABEENKONZO  
ZAMAPOLISA ZASEMZANTSI AFRIKA  
[Icandelolama-40(1) loMthetho]**

A.Mna.....  
(bhala isikhundla, oonobumba bokuqala bamagama kunye nefani yelungu  
le-SAPS)  
Ndinesizathu sokukholelwa xa ndiqwalasela

okanye kulwazi endilufumene kugqirha oqeqeshelwe ukonga abagula ngenqondo

ukuba .....

.....  
.....  
.....

(Igama losebenzisa inkathalelo yezempilo yengqondo okanye inkcazelo ukuba igama  
alaziwa)

ugula ngenqondo kwaye kulindeleke ukuba angazenzakalisa kakhulu okanye enzakalise  
abanye.

Ndimbambile lo mntu ndaze ndimzisa e.....

.....  
(igama leziko lezempilo)

Ukuze ahlolwe ngugqirha oqeqeshelwe ukonga abagula ngenqondo.

Igama nedilesi yesizalwana esisondeleyo (apho kunokwenzeka)

.....  
.....  
.....

Ngenxa yoko ndinikezela ngokugcinwa kwalo mntu kwintloko yeziko lezempilo okanye  
kosesikhundleni sayo.

Utyikityo: ..... Inombolo yobuPolisa:.....  
(Ilungu le-SAPS)

Umhla: .....

Ixesha: .....

Indawo: .....

B.Mna.....

..... (Igama lentloko yeziko lezempilo okanye umntu osesikhundleni)

ndamkela ukugcina u.....

(Igama losebenzisa inkathalelo yezempilo yengoqondokanye inkcazelo ukuba igama alaziwa)

e .....

(Igama leziko lezempilo)

Isimo somzimba silolu hlobo (chaza konke ukugruzuka, amaxeba njalo njalo):

.....  
 .....  
 .....  
 .....

Isimo sezempilo yengqondo yalo mntu siza kuvavanywa kwaye isicelo siza kwenziwa ngokwemiqathango yeCandelo lama-33 ukuba kufanelekile

Utyikityo: .....

(iNtloko yeziko lezempilo okanye umntu osesikhundleni)

Umhla: .....

Ixesha: .....

Indawo: .....

[Ikopi ithunyelwe kwi-SAPS ukungqina ngokubhaliweyo isimo somzimba echazwe ngasentla ngexesha kunikezelwa osebenzisa inkathalelo yezempilo yengqondo]

C. Abeenkonzelo zamapolisa i-SAPS bangqina ukuba ingxelo yesimo somzimba exeliweyo ngasentla yenziwa ngexesha lokugqithiselwa kosebenzisa inkathalelo yezempilo yengqondo ngokwemiqathango yeCandelo lama-40(1) loMthetho.

Bhala oonobumba bokuqala kunye nefani:

.....

Utyikityo: .....

(Ilungu le-SAPS elinikezela lowo limbambileyo)

Umhla: .....

Indawo: .....

[iKopi iya kwiBhodi yokuHlola]

## UXWEBHU MHCA 23

## ISEBE LEZEMPILO

**UKUGQITHISELWA KWEZIGULANE ZIKARHULUMENTE EZIVELA  
ENTOLONGWENI ZITHUNYELWA KWIZIKO LEZEMPILO  
ELINYULIWEYO**

**[Icandelolama-42(3) loMthetho]**

**OKANYE**

**UKUGQITHISELWA KWAMABANJWA AVELA ENTOLONGWENI  
ETHUNYELWA KWIZIKO LEZEMPILO ELINYULIWEYO**

**[Icandelolama-53(2) loMthetho]**

Ifani yesigulane sikarhulumente/ yebanjwa eligula ngengqondo

.....  
Igamalesigulane/Amagama esigulane sikarhulumente/Igama/Amagama ebanjwa eligula ngengqondo:.....

Umhla wokuzalwa..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi waso(lo):..... Iwonga ngokomtshato: S  M  D  W

Idilesi esi(li)hlala kuyo: .....

.....  
.....  
.....

Esi sigulane sikarhulumente, esivalelwengoku e ..... (igama  
lentolongo esivalelwe kuyo) kufuneka sigqithiselwe  
e.....

..... (igama leziko  
lezempilo) ukuze sifumane inkathalo, unyango kunye neenkonzelo zokubuyiselwa  
kwesimo sesiqhelo.

Utyikityo: .....

(INTloko yeSebe likazwelonke)

Umhla: .....

Indawo: .....

[Ikopi igqithiselwa kwintloko yentolongo kunye negosa elingumgcini  
ngokwasemthethweni]

[Kwakufunyanwa umyalelo wenkundla ngokwemiqathango yeCandelo lama-42(1)  
loMthetho, uXwebhu J105, isebe likazwelonke kufuneka lizalise uxwebhu MHCA 23 lize  
ligqithisele ikopi kwintolongo kunye nentloko yeziko lezempilo elichaphazelekayo]

## UXWEBHU MHCA 24

## ISEBE LEZEMPILO

**UKUGQITHISELWA KWEZIGULANE ZIKARHULUMENTE KUNYE  
NAMABANJWA AGULA NGENGQONDO PHAKATHI KWAMAZIKO  
EZEMPILO ANYULIWEYO  
[Icandelo lama-43(1) nelama-54(1) loMthetho]**

Ifani yesigulane sikarhulumente/yebanjwa eligula ngengqondo  
.....

Igama lesigulane/Amagama esigulane sikarhulumente/Igama/Amagama ebanjwa eligula  
ngengqondo.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi waso(lo):.....Iwonga ngokomtshato: S  M  D  W

Esi sigulane sikarhulumente singentla okanye eli banjwa ligula ngengqondo liza  
kugqithiselwa:

Ukusuka: ..... (igama leziko lezempilo)

Liye: ..... (igama leziko lezempilo)

Izizathu zokugqithiselwa:

.....  
.....  
.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(INtloko yeSebe lePhondo)

Umhla: .....

Indawo: .....

Imvume yeNtloko yePhondo eya apho isigulane sikarhulumente okanye ibanjwa eligula  
ngengqondo ligqithiselwa khona kufuneka ifunyanwe xa kuqwalaselwa ukugqithiselwa  
okuphakathi kwamaphondo

Utyikityo: .....

(INTloko yesebe lephondo)

Umhla: .....

Indawo: .....

(Ikopi ithunyelwakwigosa *elingumgcini ngokwasemthethweni*, intloko yesebe likazwelonke kunye nentloko yeziko lezempilo apho isigulane sikarhulumente okanye ibanjwa eligula ngengqondo ligqithiselwa kulo)



## UXWEBHU MHCA 25

## ISEBE LEZEMPILO

**ISAZISO SOKUQHWESHA KWIINKONZO ZAMAPOLISA ZASEMZANTSI  
AFRIKA (SAPS) KUNYE NESICELO SOKUNCEDISWA UKUFUMANA,  
UKUBANJWA KUNYE NOKUBUYISELWA KOSEBENZISA INKATHALELO  
YEZEMPILO YENGQONDO**

**[Icandelolama-40(4), elama-44(1) okanye elama-57(1) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo oncediswayo/yesigulane esingazikhetheliyo/yesigulane sikarhulumente/yebanjwa eligula ngengqondo:

.....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo oncediswayo/Igama lesigulane/Amagama esigulane esingazikhetheliyo/Igama lesigulane/Amagama esigulane sikarhulumente/Igama lebanjwa /Amagama ebanjwa eligula ngengqondo: .....

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Umhla wokulaliswa kwiziko lezempilo: .....

Lo usebenzisa inkathalelo yezempilo yengqondo oncediswayo ungentla/Esi sigulane singazikhetheliyo/sigulane sikarhulumente/eli banjwa ligula ngengqondo liqhweshe e: .....

(igama leziko lezempilo)  
idilesi:.....

.....

.....

.....

.....

Umhla wokuqhvesha: .....

Umqhveshi: (phawula ngoX)

ngosebenzisa inkathalelo yezempilo yengqondo oncediswayo  ngosebenzisa

inkathalelo yezempilo yengqondo ongazikhetheliyo  sisigulane sikarhulumente

libanjwa eligula ngengqondo

Iziphumo zokuxilongwa kwesimo sezonyango:

.....

.....  
 .....  
 .....  
 .....

Uqikelelo lwamathuba alindelekileyo okuzenzakalisa okanye ukwenzakalisa abanye:  
 (phawula ngoX)

Mancinane kakhulu  Akhona noko  Maninzi kakhulu

Maninzi ngokugqithisileyo

Iimeko zokuqhwecha:

.....  
 .....  
 .....  
 .....

Qhoboshela ingxelo epheleleyo (ukuba iyafumaneka)

Uncedo lwako ekufumaneni kunye nokubambalo usebenzisa inkathalelo yezempilo  
 yengqondo oncediswayo ungentla/esi sigulane singazikhethekileyo singentla/sigulane  
 sikarhulumente singentla /eli banjwa ligula ngengqondo lingentla siluxabise kakhulu

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

[Xa osebenzisa inkathalelo yezempilo yengqondo encediswa ukukhathalelwa okanye  
 ekhathalelwa ngokungazikhetheleliyo: ikopi yesi saziyo kufuneka ifakwe kwintloko yesebe  
 lephondo]

[Xa isisigulane sikarhulumente: ikopi yesi saziyo kufuneka ifakwe kuNobhala okanye  
 kuNobhala weNkundla efanelekileyo, kwigosa elingumgcini ngokuseMthethweni kunye  
 nentloko yesebe likazwelonke]

[Xa ilibanjwa eligula ngengqondo: ikopi yesi saziyo kufuneka ifakwe kwintloko  
 yentolongo apho ibanjwalaligqithiselwe khona kuqala kunye nentloko yesebe  
 likazwelonke]

## UXWEBHU MHCA 26

## ISEBE LEZEMPILO

**ISAZISO SOKUBUYELA KOSEBENZISA INKATHALELO YEZEMPILO  
YENGQONDOONCEDISWAYO/ISIGULANE ESIKHATHALELWA  
NGOKUNGAZIKHETHELIYO/ISIGULANE SIKARHULUMENTE/IBANJWA  
ELIGULA NGENGQONDO E(S)LIQHWESHILEYO  
[Icandelolama-40(4), elama-44(1) okanye elama-57(1) loMthetho]  
[kufuneka lizaliswe yintloko yeZiko lezeMpilo]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo oncediswayo/yesigulane esingazikhetheliyo/isigulane sikarhulumente/ibanjwa eligula ngengqondo:

Igama losebenzisa inkathalelo yezempilo yengqondo /Amagama osebenzisa inkathalelo yezempilo yengqondo oncediswayo/isigulane esingazikhetheliyo/lesigulane sikarhulumente/lebanjwa eligula ngengqondo:

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Umhla wokulaliswa kwiziko lezempilo: .....

Lo osebenzisa inkathalelo yezempilo yengqondo oncediswayo ungentla/Esisigulane singazikhetheliyo singentla/Esi sigulane sikarhulumente singentla/Eli banjwa ligula ngengqondo lingentla liqhweshe: .....(igama leziko lezempilo)

Idilesi:.....

.....

.....

.....

.....

Umhla wokuqhvesha: .....

Umhla wokubuya kwaso(lo): .....

Libuyiswe ngu(umzekelo ngabakwaSAPS, lizibuyele, sisizalwane):

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Inombolo yobuPolisa ukuba iyafuneka:.....

Umhla:.....

Chaza isimo somzimba/ sengqondo:

.....  
 .....  
 .....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

(intloko yeziko lezempilo)

Utyikityo: .....

Umhla: .....

Indawo: .....

[Xa ingosebenzisa inkathalelo yezempilo yengqondo oncediswayo ukukhathalelwa okanye okhathalelwa ngokungazikhetheliyo: ikopi yesi saziso kufuneka ifakwe kwiBhodi yokuHlola kunye nentloko yesebe lephondo]

[Xa isisigulane sikarhulumente: ikopi yesi saziso kufuneka ifakwe kuNobhala okanye kuNobhala weNkundla efanelekileyo, kwigosa *elingumgcini ngokwasemthethweni* kunye nentloko yesebe likazwelonke]

[Xa ilibanjwa eligula ngengqondo: ikopi yesi saziso kufuneka ifakwe kuMantyi, intloko yentolongo apho ibanjwalaligqithiselwe khona kuqala kunye nentloko yesebe likazwelonke]

## UXWEBHU MHCA 27

## ISEBE LEZEMPILO

**UKUNIKWA IKHEFU KWESIGULANE SIKARHULUMENTE,  
 ABASEBENZISA INKATHALELO YEZEMPILO YENGQONDO  
 ABANCEDISWAYO OKANYE ABANGAZIKHETHELIYO  
 [Icandelolama-45,nelama-66(1)(j) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo oncediswayo okanye ongazikhetheliyo.....

Igamalosebenzisa inkathalelo yezempilo yengqondo oncediswayo okanye ongazikhetheliyo /Amagama osebenzisa inkathalelo yezempilo yengqondo oncediswayo okanye ongazikhetheliyo: .....

Umhla wokuzalwa.....okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Indawo ahlala kuyo okanye igama lomgcini kunye nedilesi lo gama ekwikhefu:

.....  
 .....  
 .....  
 .....

Osebenzisa inkathalelo yezempilo yengqondo: (phawula ngoX)

Sisigulane sikarhulumente  Ngosebenzisa inkathalelo yezempilo yengqondo

oncediswayo  ngosebenzisa inkathalelo yezempilo yengqondo

ongazikhetheliyo

Umhla wokuqala kwekhefu: .....

Umhla esifanele ukubuya ngawo kwikhefu:

.....

Igama leziko lezempiloapho isimo sezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo iza konganyelwa kwaye ihlolwe khona:

.....

Osebenzisa inkathalelo yezempilo yengqondokufuneka aze kwiziko lezempilo qho ..... ngeveki/ngenyanga ukuze konganyelwe kwaye kuhlolwe isimo sezempilo yakhe.

Igama leziko lezempilo/ Amagama amaziko ezempilo apho inkathalo, unyango kunye neenkonzo zokubuyiselwa kwesimo sesiqhelo ziza kubonelelwa kuwo kunye nohlobo lwazo:.....

Imiqathango yokuziphatha ekufuneka osebenzisa inkathalelo yezempilo yengqondo ayithobele:

.....  
.....  
.....  
.....  
.....  
.....

Igama lesibhedlele sabagula ngengqondo apho osebenzisainkathalelo yezempilo yengqondo aza kulaliswa khona ukuba ubuyele umva/ okanye akayithobelanga imiqathango neemeko ezilawula ikhefu:

Bhala oonobumba bokuqala bamagama kunye nefani:.....

Utyikityo: .....

(iNtloko yeziko lezempilo)

Umhla: .....

Indawo: .....

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(umgcini)

Umhla: .....

Indawo: .....

**UXWEBHU MHCA 28****ISEBE LEZEMPILO**

**UKUTSHITSHISWA KWEKHEFU LESIGULANE SIKARHULUMENTE  
OKANYE LOSEBENZISA INKATHALELO YEZEMPILO YENGQONDO  
ONCEDISWAYO OKANYE ONGAZIKHETHELIYO  
[Icandelolama-45(3) nelama-66(1)(j) loMthetho]**

Mna nditshitshisa ikhefu lika .....  
(igama lesigulane sikarhulumente, losebenzisa inkathalelo yezempilo yengqondo  
oncediswayo okanye ongazikhetheliyo)

Inombolo ..... yefayile:

.....  
Akayithobeli imiqathango neemeko ezilawula ikhefu lakhe kwaye/okanye ubuyele umva  
kangangokuba kufuneka alaliswe esibhedlele.

Izizathu zokutshitshisa ikhefu:

.....  
.....  
.....  
.....  
.....

Kufuneka abuyele e.....

(igama lentolongo)

ngo..... (umhla) okanye uza kuxelwa  
kwiiNkonzo zamaPolisa zaseMzantsi Afrika njengomntu oqhwehileyo.

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

(Ikopi inikwa umgcini ngokwasemthethweni)

## UXWEBHU MHCA 29

## ISEBE LEZEMPILO

**ISICELO SOKUKHUTSHWA KWESIGULANE SIKARHULUMENTE ESIYA  
KWIJAJI ESEGUMBINI LOKUXOXA AMATYALA ANGAYI ENKUNDLENI  
(APHO OFAKE ISICELO INGELILO IGOSA ELINGUMGCINI  
NGOKWASEMTHETHWENI OKANYE UMLAWULI  
[Icandelolama-47(2)(e) loMthetho]**

Ifani ..... yesigulane  
sikarhulumente:.....

Igama ..... lesigulane/Amagama ..... esigulane  
sikarhulumente:.....

Inombolo ..... yefayile ..... (ukuba ..... iyaziwa):  
.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi esihlala kuyo: .....  
.....  
.....  
.....

Isityholo ..... esibekwa ..... isigulane ..... sikarhulumente:  
.....

Umntu ofake isicelo (phawula ngoX):

Isigulane sikarhulumente ngokwaso  Intloko yeziko lezempilo

Ugqirha esiluxanduva lwakhe  Umyeni/Inkosikazi  Iqabane ngokomsebenzi

Isizalwane esisondeleyo  Omnye

Izizathu zesicelo:



.....  
 .....  
 .....  
 .....

Ingaba isicelo sokukhutshwa kwesigulane sikarhulumente sike senziwa kwiinyanga ezili-12 ezidlulileyo nguye nabani na ngaphandle kwegosa elingumgcini ngokwasemthethweni?

Ewe  Hayi

Ukuba impendulo ngu-Ewenika iinkcukacha zokuba sihambe njani eso sicelo (kwaye akukho mfuneko yokuqhubeka uzalisa olu xwebhu):

.....  
 .....  
 .....

Ingxelo evela kwigosa lobugcisa nokuphonononga ingqondo (ukuba iyafumaneka):

Ewe  Hayi

Ngolwakho uluvo ingaba igosa elingumgcini ngokwasemthethweni linedolo ngokungenabulungisa ngokubhekiselele kwisigulane sikarhulumene?

Ewe  Hayi

Nika izizathu:

.....  
 .....  
 .....

Nikezela ubungqina bokuba ikopi yesicelo yanikezelwa kwigosa elingumgcini ngokwasemthethweni.

Apho ofaka isicelo 'iliqabane ngokomsebenzi' chaza uhlobo lomdla kubutyebi okanye kwizinto zesi sigulane sikarhulumente:

.....  
 .....  
 .....

Qhoboshela zonke iingxelo ezifumanekayo nezifanelekileyo kwesi sicelo.

Nika iinkcukacha zezicelo zangaphambili zokukhutshwa esibhedlele ozaziyo:

.....  
 .....

.....  
Bhala oonobumba bokuqala bamagama kunye nefani:

.....  
Utyikityo: .....

(Ofake isicelo)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 30

## ISEBE LEZEMPILO

**ISICELO SOKUKHUTSHWA KWESIGULANE SIKARHULUMENTE ESIYA  
KWIJAJI ESEGUMBINI LOKUXOXA AMATYALA ANGAYI ENKUNDLENI  
(APHO OFAKE ISICELO ILIGOSA ELINGUMGCINI  
NGOKWASEMTHETHWENI OKANYE UMLAWULI)  
[Icandelolama-47(2)(c) loMthetho]**

Ifani yesigulane sikarhulumente:

Igama lesigulane/Amagama esigulane sikarhulumente:

Inombolo yefayile (ukuba iyaziwa)

Umhla wokuzalwa ..... okanye uqikelelo lobudala

Isini: Indoda  Owasetyhini

Idilesi: .....

Umhla wokulaliswa esibhedlele: .....

Isityholo esibekwa isigulane:

Umhla esibhengezwe ngawo njengesigulane sikarhulumente:

Iziko lezempilo apho isigulane sinyangwa khona: .....

Isicelo sokukhutshwa esenziwe ligosa elingumgcini ngokwasemthethweni/ngomnye

Ukuba ngomnye, chaza ukuba

ngubani: .....

Ingaba isicelo sokukhutshwa kwesigulane sikarhulumente sikhe senziwa kwiinyanga ezili-12 ezidlulileyo nguye nabani na ngaphandle kwegosa elingumgcini ngokwasemthethweni?

Ewe  Hayi

Ukuba impendulo ngu-Ewe nika iinkcukacha zokuba sihambe njani eso sicelo (kwaye akukho mfuneko yokuqhubeka uzalisa olu xwebhu):

.....  
.....  
.....  
.....

Ingxelo evela kwigosa lobugcisa nokuphonononga ingqondo (yiqhoboshele ukuba iyafumaneka) Ewe  Hayi

Qhoboshela iingxelo ezinembali yesimo sezempilo yesigulane kunye nentelekelelo malunga nenkqubo nemeko yesifo sengqondo ezivela:

- (a) kwintloko yeziko lezempilo elifanelekileyo
- (b) oogqirha ababini abaqeqeshelwe ukonga abagula ngengqondo, omnye wabo ibe ngugqirha wezifo zengqondo

Izindululo namagqabantshintshi okuba isicelo samkelwe kusini na:

.....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(Igosa elingumgcini ngokwasemthethweni/ umlawuli)

Umhla: .....

Indawo: .....

Ingxelo kagqirha wezifo zengqondo ngokweCandelo lama-47(2) kunye nelama-47(3)(a) loMthetho

Ulwazi ngokubanzi ngokuphathelele:

- (a) kukuqhvesha /ukuzama ukuqhvesha
- (b) kukuziphatha ngobundlobongela
- (c) kukuhlaliswa bucala kunye nesizathu soko
- (d) kwiinzame zokufumana utywala kunye nentsangu
- (e) kuko nakuphi na ukuziphatha ngendlela engamkelekanga

Imbali eshwankathelweyo yesimo sengqondo yesigulane:

.....  
 .....  
 .....

Inkcazelo ngesimo sengqondo ngoku:

.....  
 .....  
 .....

Intelekelelo malunga nenkqubo nemeko yesifo:

.....

.....  
 .....  
 .....

Izindululo:

.....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani:

(intloko yeziko lezonyango)

Utyikityo: .....

Umhla: .....

Indawo: .....

**Ingxelo yonyango lwezifo zengqondo ngokwemiqathango yeCandelo lama-47(2) kunye nelama-47(3) loMthetho eyenziwa ngugqirha wezifo zengqondo/ngugqirha**

Iziqinisekiso zemfundo:.....

Umsebenziwesigulane sikarhulumente phambi kokulaliswa esibhedlele:.....

Uhlobo lwesityholo esibekwa sona

Uhlaziyo lwembali yezonyango kunye nonyango lwezifo zengqondo phambi kokulaliswa esibhedlele:

.....  
 .....  
 .....

Isimo sengqondo ngoku kunye nexesha isigulane sigula:

.....  
 .....  
 .....

Isiphumo sokuxilongwa:

.....  
 .....  
 .....

Unyango olufunyenwe esibhedlele:

.....  
 .....  
 .....

Intelekelelo malunga nenkqubo nemeko yesifo:

.....  
 .....  
 .....

Izindululo:

.....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....  
 (ugqirha wezifo zengqondo / ugqirha)

Umhla: .....

Indawo: .....

Ingxelo yonyango lwezifo zengqondo ngokwemiqathango yeCandelo lama-47(2) kunye nelama-47(3) loMthetho eyenziwa ngugqirha wezifo zengqondo/ngugqirha

Iziqinisekiso zemfundo: .....

.....

Umsebenziphambi kokulaliswa esibhedlele:

.....  
 Uhlobo lwesityholo esibekwa isigulane  
 .....

Uhlaziyo lwembali yezonyango kunye nonyango lwezifo zengqondo phambi kokulaliswa esibhedlele:

.....  
 .....

Isimo sengqondo ngoku kunye nexesha isigulane sigula:

.....  
 .....

Isiphumo sokuxilongwa:

.....  
 .....

Unyango olufunyenwe esibhedlele:

.....

.....  
.....

Intelekelelo malunga nenkqubo nemeko yesifo:

.....  
.....  
.....

Izindululo:

.....  
.....  
.....

Utyikityo: .....

(ugqirha wezifo zengqondo / ugqirha)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 32

## ISEBE LEZEMPILO

**INGXELO YEENYANGA EZINTANDATHU YOKUKHUTSHWA  
KWESIGULANE SIKARHULUMENTE PHANTSI KWEMIQATHANGO  
ETHILE  
[Icandelolama-48(3) loMthetho]**

Ifani yesigulane sikarhulumente:  
.....

Igama lesigulane/Amagama esigulane  
sikarhulumente:.....

Inombolo yefayile (ukuba iyaziwa)  
.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Idilesi: .....

Uhlobo lwesityholo esibekwa sona:  
.....

Umhla wokukhutshwa esibhedlele phantsi kwemiqathango ethile:  
.....

Umhla wengxelo yokugqibela:  
.....

Amagqabantshintshi malunga nokuba isigulane sikarhulumente siyithobelakangakanani imiqathango nolawulo lokukhutshwa esibhedlele:  
.....  
.....  
.....

Isimo sezempilo yengqondo yesigulane sikarhulumente ngoku:  
.....  
.....  
.....

Isindululo kwintloko yeziko lezempilo apho isigulane sikarhulumente sikhutshwe khona phantsi kwemiqathango ethile  
.....  
.....  
.....



Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(umntu owongamele isigulane sikarhulumente)

Umhla: .....

Indawo: .....

(Iikopi kufuneka zithunyelwe kwisigulane sikarhulumente, intloko yeziko lezempilo elifanelekileyo, unobhala wenkundla kunye nentloko yesebe likazwelonke)

## UXWEBHU MHCA 33

## ISEBE LEZEMPILO

**UKUKHUTSHWA KWESIGULANE SIKARHULUMENTE YINTLOKO  
YEZIKO LEZEMPILO SINGALAWULWA YIMIQATHANGO  
ESASIKHUTSHWE PHANTSI KWAYO NGAPHAMBILI  
[Icandelolama-48(4)(a)lomthetho]**

Ifani yesigulane sikarhulumente:

Igama lesigulane/Amagama esigulane sikarhulumente:

Inombolo yefayile (ukuba iyaziwa)

Umhla wokuzalwa ..... okanye uqikelelo lobudala

Isini: Indoda  Owasetyhini

Idilesi: .....

Umhla wokukhutshwa esibhedlele phantsi kwemiqathango ethile:

Umhla wokuphelelwa kokuba ngaphandle kwesibhedlele phantsi kwemiqathango ethile:

Mna ndichaza ukuba ixesha lokukhutshwa kwesi sigulane sikarhulumente phantsi kwemiqathango ethile liphelile, nokuba siyithobele imiqathango nolawulo olufanele isimo sezempilo yengqondo yaso kwaye imeko yezempilo yengqondo yaso ayibuyelanga umva yabamandundu.

Esi sigulane sikarhulumente singentla siyakhutshwa esibhedlele ngaphandle kwemiqathango.

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

(Ikopi ithunyelwe kwisigulane sikarhulumente, uNobhala wenkundla efanelekileyo, *igosa elingumgcini ngokwasemthethweni* kunye nesebe likazwelonke)

**UXWEBHU MHCA 34**

**ISEBE LEZEMPILO**

**ISICELO KUNOBHALA WENKUNDLA EPHAKAMILEYO SOMYALELO  
OTSHINTSHA IMIQATHANGO/ ORHOXISA UKUKHUTSHWA  
KWESIGULANE SIKARHULUMENTE PHANTSI KWEMIQATHANGO  
[Icandelolama-48(5) loMthetho]**

Ifani ..... yesigulane  
 sikarhulumente:.....  
 Igama ..... lesigulane/Amagama ..... esigulane  
 sikarhulumente:.....  
 Inombolo ..... yefayile ..... (ukuba ..... iyaziwa)  
 .....  
 Umhla wokuzalwa ..... okanye ..... uqikelelo  
 lobudala:.....  
 Isini: Indoda ..... Owasetyhini  
 Idilesi: .....  
 .....  
 Uhlobo ..... lwesityholo ..... esibekwa ..... sona:  
 .....  
 Idilesi esihlala kuyo: .....  
 .....  
 .....  
 .....

Ndenza isicelo sokuba ukukhutshwa kwesi sigulane sikarhulumente singentla ngaphandle kwemiqathango kulungiswe okanye kurhoxiswe.

Esi sigulane sikarhulumente singentla asiyithobelanga le miqathango nolawulo olulandelayo lokukhutshwa kwakhe (cacisa)

.....  
 .....

kwaye isimo sengqondo yaso sibuyele umva saba mandundu (cacisa)

.....  
 .....

(ukuba kuyenzeka) Ndicebisa ukuba imiqathango nolawulo lokukhutshwa kwaso ilungiswe kulandelwa ezi ngebisiso:

.....  
 .....

.....  
.....  
Bhala oonobumba bokuqala bamagama kunye nefani:

.....  
Utyikityo: .....  
(intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

(Iikopi zithunyelwe kwigosa elingumcini ngokwasemthethweni kunye nesebe  
likazwelonke)

**UXWEBHU MHCA 35**

**ISEBE LEZEMPILO**

**ISICELO SESIGULANE SIKARHULUMENTE KWIJAJI ESEGUMBINI  
LOKUXOXA AMATYALA ANGAYI ENKUNDLENI SOKUTSHINTSWA  
KWAYO NAYIPHI IMIQATHANGO EBHEKISELELE EKUKHUTSHWENI  
KWASO ESIBHEDLELE UKUZE SIKHUTSHWENGAPHANDLE  
KWEMIQATHANGO**

**[Icandelolama-48(6) kunye nelama-(7) loMthetho]**

Ifani yesigulane

sikarhulumente:.....

Igama lesigulane/Amagama esigulane

sikarhulumente:.....

Inombolo yefayile (ukuba iyaziwa)

.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala

.....

Isini: Indoda  Owasetyhini

Idilesi esihlala kuyo: .....

.....

.....

.....

Umhla wokukhutshwa esibhedlele phantsi kwemiqathango ethile:

.....

Umhla wesicelo sokugqibela sokutshintshwa/ sokurhoxiswa kokukhutshwa esibhedlele phantsi kwemiqathango ethile: ....

(akufuneki ube kwiinyanga ezintandathu zesicelo esenziwa ngoku)

Ndicela ukuba lo mqathango ulandelayo/ le miqathango ilandelayo yokukhutshwa kwam itshintshwe:

.....

.....

.....

.....

Izizathu zokutshintshaimiqathango/zokucela ukukhutshwa esibhedlele ngaphandle kwemiqathango ethile:

.....

.....  
.....  
.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(Isigulane sikarhulumente)

Umhla: .....

Indawo: .....

Isigqibo seJaji ekwigumbi lokuxoxa amatyala angayi enkundleni:

.....  
.....  
.....  
.....  
.....  
.....

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(iJaji ekwigumbi lokuxoxa amatyala angayi enkundleni)

Umhla: .....

Indawo: .....

(Ikopi iya kwisigulane sikarhulumente, intloko yeziko lezempilo, intloko yesebe likazwelonke, uNobhala kwiNkundla ePhakamileyo kunye *negosa elingumgcini ngokwasemthethweni*)

**UXWEBHU MHCA 36****ISEBE LEZEMPILO****UKUHLOLWA KWESIMO SENGQONDO YEBANJWA KULANDELA ISICELO  
ESIVELA KWINTLOKO YENTOLONGO KUNYE/OKANYE KUMANTYI**

[Icandelo lama-50(2) okanye lama-52 loMthetho]

Ifani yebanjwa:.....

Igama lebanjwa/Amagama

ebanjwa:.....

Inombolo yefayile (ukuba iyaziwa)

Umhla wokuzalwa ..... okanye uqikelelo lobudala

.....

Isini: Indoda  Owasetyhini Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W 

Idilesi elihlala kuyo: .....

.....

.....

.....

Uhlobo lwesityholo elibekwa sona:

.....

Inombolo yasentolongweni yebanjwa:

.....

Umhla wokuxilongwa: ..... Indawo yokuxilongwa:.....

Uhlobo lukagqirha oqeqeshelwe ukonga abagula ngengqondo osesikhundleni:

.....

Isimo sezempilo yomzimba (izaliswa kuphela ngugqirha/ingcali efanelekileyo ukuba ixilongwe umzimba)

(a) Impilo yomzimba ngokubanzi:

.....

.....

.....

(b) Ingaba kukho iimpawu zokwenzakala? Ewe  Hayi

(c) Ingaba kukho iimpawu zezifo ezosulelayo? Ewe  Hayi

Ukuba impendulo yombuzo (b) okanye (c) ngu-Ewe, nika iinkcukacha ezongezelekileyo:

.....  
 .....  
 .....

Iingxelo zokuqwalaselwa kwangaphambili kokugula ngengqondo (chaza ukuba ezi nkcukacha zanikezelwa ngubani):

.....  
 .....  
 .....

Amanqaku malunga nesimo sengqondo yebanjwa awaqwalaselwa ngaphambili (Chaza imihla kunye neendawo);

.....  
 .....  
 .....

Isimo sezempilo yengqondo yesigulane ngexesha sixilongwa ngoku:

.....  
 .....  
 .....

Uhlobo lwesigulo (okwethutyana kwaye lusenokutshintsha):

.....  
 .....  
 .....

Ngokoluvo lwam eli banjwa lingentla—

lineempawu zokubulala: Ewe  Hayi

lineempawu zokuzibulala: Ewe  Hayi

linobungozi: Ewe  Hayi

**Isindululo esiya kwintloko yentolongo**



Eli banjwa ligula ngengqondo kwaye lifuna inkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo; Ewe  Hayi

Ngokoluvo lwam eli banjwa linganikwa inkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelo entolongweni kwaye/okanye kwisibhedlele sasentolongweni;

Ewe  Hayi

Ngokoluvo lwam isigulo sengqondo singangokuba ibanjwa kufuneka lithunyelwe kwisibhedlele sabagula ngengqondo ukuze likhathalelwe, linyangwe kwaye libuyiselwe kwesimo sesiqhelo:

.....  
 .....

Isicwangcisosokukhathalelwa kwebanjwa, unyango kunye nokubuyiselwa kwesimo sesiqhelo:

.....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....  
 .....

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(ugqirha oqeqeshelwe ukonga abagula ngengqondo ohlole isimo sezempilo yengqondo yebanjwa)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 37

## ISEBE LEZEMPILO

**UMYALELO KAMANTYI KWINTLOKO YENTOLONGO WOKUBA-**  
**(a) KUGQITHISELE IBANJWA KWIZIKO LEZEMPILO; OKANYE**  
**(b) ITHATHE AMANYATHELO AFANELEKILEYO UKUQINISEKISA UKUBA**  
**IBANJWA ELICHAPHAZELEKAYO LIBONELELWA NGENKATHALO**  
**KUNYE NONYANGO OLUSEMGANGATHWENI OFUNEKAYO**  
**[Icandelo lama-52(3)(a) okanye (b) loMthetho]**

Ifani yebanjwa: .....  
 Igama ..... lebanjwa/Amagama  
 ebanjwa:.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
 .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi elihlala kuyo: .....

Inombolo ..... yasentolongweni  
 yebanjwa:.....

Isityholo esibekwa ibanjwa: .....

Ndiyalela ukuba ngenxa yokugula ngengqondo / yokukhubazeka ngokwasengqondweni kosebenzisainkathalelo yezempilo yengqondoongentla agqithiselwe kwiziko lezempilo elinyuliweyo ukuze afumane inkathalo, unyango kunye nokubuyiselwa kwesimo sesiqhelongokwenkqubo yeCandelo lama-54 loMthetho.

Qaphela: qhoboshela ikopi yoxwebhu MHCA 36 oluzaliswe ngumntu ohlole isimo sezempilo yengqondo yebanjwa elichaphazelekayo.

## OKANYE

Ndiyalela ukuba ibanjwa elingentla libonelelwe ngenkathalo efunekayo nesemgangathweni entolongweni / kwisibhedlele sentolongo \*

Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....

(umantyi)

Umhla: .....

Indawo: .....

[Ikopi ithunyelwa kwiBhodi yokuHlola, uMgcini/uMlawuli (ukuba unyuliwe) kunye nentloko yesebe likazwelonke]

## UXWEBHU MHCA 38

## ISEBE LEZEMPILO

**ISICELO ESIYA KUMANTYI SOKUGCINWA KWEBANJWA ELIGULA  
NGENQONDO  
[Icandelo lama-58(3) loMthetho]**

Ifani yebanjwa eligula ngengqondo:  
.....

Igama lebanjwa/Amagama ebanjwa eligula ngengqondo:  
.....

Umhla wokuzalwa ..... okanye uqikelelo lobudala  
.....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Iziko lezempilo elichaphazelekayo:  
.....

Inombolo yefayile:  
.....

Inombolo yasentolongweni yebanjwa:  
.....

Isityholo esibekwa ibanjwa:  
.....

Eli banjwa lingentla ligula ngengqondo lilaliswe e:  
.....(igama leziko lezempilo) njengebanjwa eligula  
ngengqondo ukususela:..... (umhla wokulaliswa esibhedlele)

Umhla wokuphelelwa kwesigwebo salo:.....(umhla  
wokuphelelwa kwesigwebo)

Isicelo sokuvalwa kweli banjwa ngokwemiqathango yeSahluko V salo Mthetho  
senziwa ngomhla.....sisenziwa ngu  
.....

Ngokwemiqathango yeCandelo lama-58(3) loMthetho, ndicela imvume yokugcina eli  
banjwa kweli ziko lezempilo ukuze lifumane inkathalo, unyango kunye nokubuyiselwa  
kwesimo sesiqhelo lo gama kusalindwe isiphumo sesicelo.

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(intloko yeziko lezempilo)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 39

## ISEBE LEZEMPILO

ISICELO KUMABI-MAFA WENKUNDLA EPHAKAMILEYO SOKUNYULWA  
KOMLAWULI

[Icandelolama-60(1) kunye nele-(2) loMthetho]

Ifani yosebenzisa inkathalelo yezempilo yengqondoowenzelwa isicelo:

.....

Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
yezempilo yengqondo .....

Umhla wokuzalwa ..... okanye uqikelelo lobudala

.....

Isini: Indoda  Owasetyhini Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W Igama ..... lofake ..... isicelo:  
.....(bhala oonobumba

bokuqala bamagama kunye nefani:)

Lo osebenzisa inkathalelo yezempilo yengqondo ulaliswe e:  
.....(igama leziko lezempilo)Ubudlelwane phakathi kwalowo ufake isicelo nosebenzisa inkathalelo yezempilo  
yengqondo:

.....

Ukuba lowo ufake isicelo akangomyeni/akayonkosikazi okanye isizalwana esisondeleyo:

Nika izizathu kutheni ingenguye umyeni/ingeyiyo inkosikazi okanye isizalwana  
esisondeleyo esifake isicelo:

.....

.....

.....

Ukuba umyeni/inkosikazi okanye isizalwana esisondeleyo asifumaneki:

Ngawaphi amanyathelo athathiweyo ukufumana umkhondo womyeni/wenkosikazi  
okanye isizalwana esisondeleyo?

.....

.....

.....  
 Zonke iziqinisekiso zokugula okanye iingxelo ezifanelekileyo ezinxulumene nesimo sezempilo yengqondo kunye nokukwazi kosebenzisa inkathalelo yezempilo yengqondo ukulawula ipropathi yakhe (faka emvulophini kwaye ubhale uluhlu lwazo)  
 .....

.....  
 Zeziphi izizathu ezenza ukholelwe ukuba osebenzisa inkathalelo yezempilo yengqondo akakwazi kulawula iipropathi yakhe?  
 .....

.....  
 Ingaba ukhe wambona osebenzisa inkathalelo yezempilo yengqondo kwiintsuku ezisixhenxe zesi sicelo?  
 .....

Ewe       Hayi

Nika iinkcukacha:  
 .....

.....  
 Nika iinkcukacha kunye nexabiso eqikelelwa kulo ipropathi yosebenzisa inkathalelo yezempilo yengqondo:  
 .....

.....  
 Ithini ingeniso yonyaka yosebenzisa inkathalelo yezempilo yengqondo?  
 .....

.....  
 Ngubani, ngokoluvo lwakho, oyena mntu ufanelekileyo ukuba ngumlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondo?  
 .....

.....  
 Nika iinkcukacha ezongezelelweyo ngalo mntu (umzekelo ubudlelwane phakathi kwakhe nosebenzisa inkathalelo yezempilo yengqondo, umsebenzi wakhe):  
 .....

Nika igama/amagama kunye neenkukacha zoqhagamshelwano zabantu abanakho ukunikezela ngolwazi olongezelekileyo nolunxulumene nesimo sezempilo yengqondo yosebenzisa inkathalelo yezempilo yengqondo:

.....  
.....  
.....

Qhoboshela ubungqina bokuba ikopi yesi sicelo yanikezelwa okanye yadluliselwa kumntu esenziwa egameni lakhe esi sicelo:

Utyikityo: .....

(ofake isicelo)

Umhla: .....

Indawo: .....

**Ingxelo efungelweyo kufuneka ityikitywe liGosa eliseMthethweni/nguMkomishinala weziFungo**

Mna, otyikitye ngezantsi nofake isicelo, ndiyafunga ukuba:

Ndineminyaka eli-18 ubudala okanye ngaphezulu:

.....  
Ndisisizalwana, kuba  
ndi.....

Andisiso isizalwana, kuba ndi .....

Utyikityo: .....

Ezi nkcazelo zingentla zibhengezwe ngondiliseko okanye zifungwe phambi kwam:

.....

Ophendulayo uyavuma ukuba uyakwazi kwaye uyakuqonda okuqulethwe sesi sifungo esifungwe / esingqinisiswe phambi kwam

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(IGosa elisemthethweni/UMkomishinala wezifungo)

Umhla: .....

Indawo: .....

**Isigqibo soMabi-mafa weNkundla ePhakamileyo ngokwemiqathango yeCandelo 60(13) loMthetho**



Emva kokuqwalasela izityholo kunye namanqaku ngokuphathelele kwesi sicelo, ngenxa yoko ndi-

- (a) nyula.....(igama lomntu)  
njengomlawuli wethutyana kuxhomekeke kwisiphumo sophando oluza kuqhutywa;
- (b) nyula..... (igama lomntu)  
njengomlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondo ongentla;
- (c) ndiyalela ukuba kuqhutywe uphando ngokwemiqathango yeCandelo 60(4) loMthetho;
- (d) ndigunyazisa ukuba kunganyulwa mlawuli.

Bhala oonobumba bokuqala bamagama kunye nefani:

.....  
Utyikityo: .....

(uMabi-mafa weNkundla ePhakamileyo)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 40

## ISEBE LEZEMPILO

**ISIGQIBO SOMABI-MAFA WENKUNDLA EPHAKAMILEYO SOKONYULWA  
KOMLAWULI  
[Icandelolama-60(8) loMthetho]**

Kulandela uphando ngokweCandelo lama-60(5) loMthetho, mna ndiyalela ukuba:

(a) .....(igama lomntu)  
anyulwe njengomlawuli wepropathi  
ka:..... (igama losebenzisa  
inkathalelo yezempilo yengqondo)

(b) kunganyulwa mlawuli ngokuphathelele kwiiiprothi ka:  
.....(igama  
losebenzisa inkathalelo yezempilo yengqondo)

(c) ndidlulisela lo mba ukuze uqwalaselwe yiJaji yeNkundla ePhakamileyo kwigumbi lokuxoxa amatyala angayi enkundleni.

Isizathu sesi sigqibo:

.....  
.....  
.....  
.....

Amagunya, imisebenzi kunye noxanduva lomlawuli, ukuba unyuliwe, aza kusetyenziswa ngokweCandelo lama-63 loMthetho.

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(uMabi-mafa)

Umhla: .....

Indawo: .....

(Ikopi igqithiselwa kofake isicelo, kumntu isicelo esenziwa egameni lakhe kunye nentloko yeziko lezempilo apho umntu ochaphazelekayo alaliswe khona)

**UXWEBHU MHCA 41**

**ISEBE LEZEMPILO**

**ISIBHENO KWIJAJI YENKUNDLA EPHAKAMILEYO ESEGUMBINI  
LOKUXOXA AMATYALA ANGAYI ENKUNDLENI MALUNGA NESIQIBO  
SOMABI-MAFA WENKUNDLA EPHAKAMILEYO SOKONYULA OKANYE  
ANGENYULI MLAWULI  
[Icandelolama-60(10) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo

.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo

.....  
Umhla wokuzalwa ..... okanye uqikelelo lobudala

.....  
Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo .....

.....  
Ifani yofake isicelo: .....

Igama/Amagama ofake isicelo: .....

Idilesi ahlala kuyo: .....

.....  
Ubudlelwane phakathi kofake isicelo kunye nosebenzisa inkathalelo yezempilo yengqondo: (phawula ngoX)

Umyeni/Inkosikazi  Isizalwana esisondeleyo  Omnye  (chaza ubudlelwane okanye isikhundla)

Izizathu zesibheni:

.....  
.....  
.....  
.....

Amanqaku ekuqanyelwe ngawo kwesi sibheni:

.....

.....  
.....  
.....  
Bhala oonobumba bokuqala bamagama kunye nefani:  
.....  
Utyikityo: .....  
(Ofake isicelo)  
Umhla: .....  
Indawo: .....

## UXWEBHU MHCA 42

## ISEBE LEZEMPILO

**ISIGQIBO SENKUNDLA EPHAKAMILEYO SOKONYULA UMLAWULI  
OKANYE UKUPHELISWA KOKONYULWA KOMLAWULI  
[Icandelo lama-61(3) kunye nelama-64(3) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo  
 .....  
 Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
 yezempilo yengqondo .....  
 Umhla wokuzalwa ..... okanye uqikelelo lobudala  
 .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Indawo ahlala kuyo:.....  
 .....  
 .....

**Ukonyulwa komlawuli**

Emva kokuqwalasela onke amanqaku afanelekileyo ngokuphathelele kukonyulwa komlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondo ongentla ngokwemiqathango yeCandelo lama-61(3) loMthetho, mna, ngenxa yoko, ndiyalela ukuba:

umlawuli anyulwe / kunganyulwa mlawuli (cima leyo ingafanelekanga)

Izizathu zesigqibo:  
 .....  
 .....

**Ukuqhubeka / ukupheliswa kokuba ngumlawuli:**

Emva kokuqwalasela onke amanqaku afanelekileyo ngokuphathelele ekunqunyanyisweni kokuba ngumlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondo ongentla ngokwemiqathango yeCandelo 64(3) loMthetho, mna, ngenxa yoko, ndiyalela ukuba:

Amagunya, imisebenzi kunye noxanduva lomlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondo ongentla ukususela ngoku apheliswe/ aza kuqhubeka (cima okungafanelekanga)

Bhala oonobumba bokuqala bamagama kunye nefani:  
 .....

Utyikityo: .....

(Ijaji kwiNkundla ePhakamileyo)

Umhla: .....

Indawo: .....

[Ikopi iya kulowo wenza isibheni, kofake isicelo, intloko yeziko lezempilo elichaphazelekayo, intloko yesebe lephondo kunye, kwimeko yesigqibo sokunqunyanyiswa kokuba ngumlawuli, kumlawuli]

**UXWEBHU MHCA 43****ISEBE LEZEMPILO****ISAZISO SOKONYULWA KOMLAWULI  
[Icandelolama-62 loMthetho]**

Mna ndinyula:

..... (igama lomlawuli) ukuba abe ngumlawuli  
wepropathi ka ..... (igama losebenzisa inkathalelo  
yezempilo yengqondo)

Idilesi yomlawuli: .....

.....  
.....  
.....  
.....

Ukususela: ..... (umhla)

Njengomlawuli uza kukhathalela kwaye ulawule ipropathi yomntu ongasentla kwaye  
wenze konke okuhambelana nayo kwaye phantsi kwawo nawuphi omnye umthetho uza  
kuqhuba ushishino okanye wenze neminye imisebenzi yomntu ochaphazelekayo.

Uza kuqhubeka ukusebenza njengomlawuli lude uxanduva lwakho lube lupheliswe  
ngokusemthethweni.

Bhala oonobumba bokuqala bamagama kunye nefani:

.....

Utyikityo: .....

(uMabi-mafa weNkundla ePhakamileyo)

Umhla: .....

Indawo: .....

## UXWEBHU MHCA 44

## ISEBE LEZEMPILO

**ISICELO SOKUPHELISWA KWEXESHA LOKUSEBENZA  
NJENGOMLAWULI KUNYE NESIGQIBO SOMABI-MAFA WENKUNDLA  
EPHAKAMILEYO  
[Icandelolama-64 loMthetho]**

Igama lomlawuli: .....  
Isicelo senziwe: ..... (oonobumba bokuqala bamagama kunye nefani:)

- (a) ngumntu lowo umlawuli wonyulwe egameni lakhe;
- (b) ngumlawuli;
- (c) ngumntu owenze isicelo sokunyulwa komlawuli.

Izizathu esenziwa phantsi kwazo esi sicelo:

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**QAPHELA:** Zonke iziqinisekiso zonyango okanye iingxelo ezifanelekileyo ezikhokelele kukonyulwa komlawuli kufuneka zifakwe.

Uqikelelo lwexabiso lwepropathi: .....

Utyikityo: .....

(Ofake isicelo)

Umhla: .....

Indawo: .....

ISigqibo soMabi-mafa weNkundla ePhakamileyo

Emva kokuqwalasela amanqaku afanelekileyo kwesi sicelo mna, ngenxa yoko:

- (a) ndiyakuphelisa ukonyulwa komlawuli;
- (b) ndiyala ukukuphelisa ukonyulwa komlawuli;
- (c) ndidlulisela lo mba ukuba uqwalaselwe yiJaji yeNkundla ePhakamileyo kwigumbi lokuxoxa amatyala angayi enkundleni.

Izizathu zesigqibo:

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Bhala oonobumba bokuqala bamagama kunye nefani:

Utyikityo: .....  
(uMabi-mafa weNkundla ePhakamileyo)

Umhla: .....

Indawo: .....

[Ikopi iya kofake isicelo kunye nentloko yeziko lezempilo]

**UXWEBHU MHCA 45**

**ISEBE LEZEMPILO**

**ISIBHENO KWIJAJI YENKUNDLA EPHAKAMILEYO ESEGUMBINI  
LOKUXOXA AMATYALA ANGAYI ENKUNDLENI MALUNGA NESICELO  
SOKUPHELISWA KWEXESHA LOKUBA NGUMLAWULI  
[Icandelolama-64(5) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo

.....  
Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo yezempilo yengqondo .....

Umhla wokuzalwa ..... okanye uqikelelo lobudala .....

Isini: Indoda  Owasetyhini

Igama ..... lofake ..... isicelo:

Isibheni ..... senziwe ..... ngu:

(bhala oonobumba bokuqala bamagama kunye nefani:)

ongu (cima apho kungafanelekanga)

- (a) mntu lowo umlawuli wonyulweegameni lakhe;
- (b) mlawuli;
- (c) mntu ofake isicelo sokunyulwa komlawuli.

Izizathu zesibheni:

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Amanqaku ekuqanyelwe ngawo kwesi sibheni:

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Utyikityo: .....

(Owenza isibheni)

Umhla: .....

Indawo: .....

[Iikopi zithunyelwe kuMabi-mafa weNkundla ePhakamileyo]

## UXWEBHU MHCA 46

## ISEBE LEZEMPILO

**ISAZISO SESIGQIBO SEJAJI YENKUNDLA EPHAKAMILEYO ESEGUMBINI  
LOKUXOXA AMATYALA ANGAYI ENKUNDLENI MALUNGA NESIBHENO  
KWISIGQIBO SOMABI-MAFA WENKUNDLA EPHAKAMILEYO  
[Icandelo lama-60(12) kunye nelama-64(7) loMthetho]**

Ifani yosebenzisa inkathalelo yezempilo yengqondo  
 .....  
 Igama losebenzisa inkathalelo yezempilo yengqondo/Amagama osebenzisa inkathalelo  
 yezempilo yengqondo .....  
 Umhla wokuzalwa ..... okanye uqikelelo lobudala  
 .....

Isini: Indoda  Owasetyhini

Umsebenzi: ..... Iwonga ngokomtshato: S  M  D  W

Idilesi ahlala kuyo: .....

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 .....  
 .....

**Ukonyulwa komlawuli**

Emva kokuqwalasela onke amanqaku afanelekileyo ngokubhekiselele kukonyulwa komlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondoongentla ngokwemiqathango yeCandelo lama-61(12) loMthetho, mna, ngenxa yoko, ndiyalela ukuba-

Umlawuli anyulwe / kunganyulwa mlawuli (cima oko kungafanelekanga)

Izizathu zesi sigqibo:

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**Ukupheliswa kwexesha lokusebenza njengomlawuli**

Emva kokuqwalasela onke amanqaku afanelekileyo ngokubhekiselele ekuphelisweni kokuba ngumlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondoongentla ngokwemiqathango yeCandelo lama-64(7) loMthetho, mna, ngenxa yoko, ndiyalela ukuba-

Amagunya, imisebenzi kunye noxanduva lomlawuli wepropathi yosebenzisa inkathalelo yezempilo yengqondoongentla ukususela ngoku apheliswe/ aza kuqhubeka (cima okungafanelekanga)

Izizathu zesi sigqibo:

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Bhala oonobumba bokuqala bamagama kunye nefani:

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Utyikityo: .....

(iJaji yeNkundla ePhakamileyo)

Umhla: .....

Indawo: .....

[Ikopi iya kowenza isibheno, kofake isicelo, intloko yeziko lezempilo elichaphazelekayo, intloko yesebe lephondo kunye, kwimeko yesigqibo malunga nokupheliswa kokuba ngumlawuli, nomlawuli]”

## DEPARTMENT OF HEALTH

NO. 1588

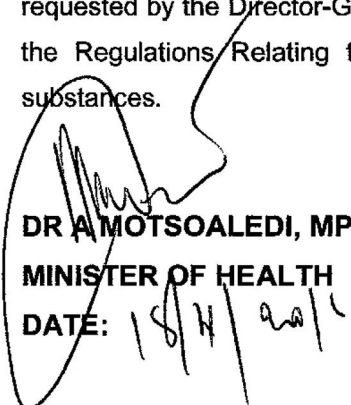
23 DECEMBER 2016

**MEDICINES AND RELATED SUBSTANCES ACT, (ACT NO. 101 OF 1965, AS AMENDED)****(ANNUAL ADJUSTMENT OF THE SINGLE EXIT PRICE OF MEDICINES AND SCHEDULED SUBSTANCES [SEPA] FOR THE YEAR 2017)**

I, DR A MOTSOLEDI, the Minister of Health, have determined on recommendation of the Pricing Committee, in terms of Regulation 8(1) of the Regulations relating to a Transparent Pricing System for Medicines and Scheduled Substances published in terms of the Medicines and Related Substances Act, (Act 101 of 1965), that the Single Exit Price (SEP) of Medicines and Scheduled Substances may only be submitted for the first time in 2017 from 06 January 2017 and by no later than 06 March 2017 to a maximum of **7.50 %** of the Single Exit Price that was available as at 21 December 2016; regardless of how that SEP was arrived at for the 2017 cycle. The final date for resubmissions will be 20 March 2017.

All medicines and their related pack sizes approved with an effective date after 21 December 2016 are not eligible for SEPA 2017. An applicant may only submit once in the 2017 cycle unless a resubmission is made for not approved medicines.

An adjustment in the Single Exit Price in terms of this Notice may only be implemented by the manufacturer or importer of the relevant medicine or scheduled substance, no later than 32 working days after the date that the manufacturer or importer has communicated the information requested by the Director-General in terms of the Notice published in terms of Regulation 21 of the Regulations Relating to a Transparent Pricing System for Medicines and Scheduled substances.



**DR A MOTSOLEDI, MP**

**MINISTER OF HEALTH**

**DATE:** 18/12/2016

**DEPARTMENT OF HEALTH**

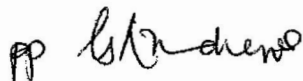
NO. R. ....

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**MEDICINES AND RELATED SUBSTANCES ACT, (ACT NO. 101 OF 1965)****INFORMATION TO BE PROVIDED BY MANUFACTURERS AND OR IMPORTERS  
OF MEDICINES AND SCHEDULED SUBSTANCES WHEN APPLYING FOR THE  
SINGLE EXIT PRICE ADJUSTMENT FOR 2017**

I, MS MP MATSOSO, Director General, have determined in accordance with Regulation 21 of the Regulations Relating to a Transparent Pricing System for Medicines and Scheduled Substances published in Government Gazette number 28214 of 11 November 2005, that the information required in the submissions for the 2017 SEP adjustment as determined by the Minister be submitted to the Directorate: Pharmaceutical Economic Evaluation (PEE) within the National Department of Health by a manufacturer or importer of the medicine or scheduled substance, who is the applicant of the medicine, in accordance to the information and instruction document appended to this Notice.

Such information should be presented as an electronic version (Excel with an xls filename extension on labelled compact disc) and hard copy. The submission should include information regarding the applicant's entire portfolio; including the products for which the applicant is not requesting an adjustment of the SEP.

**MS MP MATSOSO****ACTING DIRECTOR-GENERAL: HEALTH**

DATE: 11/11/16

**CONTINUES ON PAGE 258 - PART 3**





# Government Gazette Staatskoerant

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



health

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Department:  
Health  
**REPUBLIC OF SOUTH AFRICA**

**INFORMATION AND INSTRUCTIONS FOR THE  
SINGLE EXIT PRICE ADJUSTMENT (SEPA)  
SUBMISSIONS FOR 2017**

**PREAMBLE**

This document provides information and instructions on how to present the required information when communicating the SEP adjustment (SEPA) for medicines for 2017 in terms of Section 22G of Medicines and Related Substances Act (101 of 1965) as amended, and Regulation 8 of the Regulations Relating to a Transparent Pricing System for Medicines and Scheduled Substances. Failure to comply with any of the requirements and instructions in this document will result in the submission being considered incomplete. Incomplete submissions shall be regarded as ineligible for processing on the basis on non compliance.

**1. ACRONYMS**

CFO – Chief Financial Officer

DoH – Department of Health

DoP – Database of Single Exit Prices

MCC – Medicines Control Council

MPR – Medicine Pricing Registry

NAPPI – National Pharmaceutical Product Interface

PEE – Pharmaceutical Economic Evaluations

PI – Package Insert

SEP – Single Exit Price

SEPA – Single Exit Price Adjustment

VAT – Value Added Tax

WHO ATC – World Health Organisation Anatomical Therapeutic Chemical

## 2. APPLICANT INFORMATION

### 2.1 APPLICANT REQUIREMENTS

- (a) All registered applicants for medicines sold in SA, who are eligible in terms of the notice as signed by the Minister of Health, may forward submissions for the Single Exit Price Adjustment (SEPA) for 2017 for all scheduled medicines appearing on the Database of Medicines Prices (DoP) published on 21 December 2016. These submissions should also include;
- (i) Scheduled medicines for which no adjustment is required,
  - (ii) Scheduled medicines for which no adjustment is applicable and
  - (iii) Discontinued medicines
- i.e. all the medicines for the applicant as they appear on the DoP.
- (b) The information contained in the published gazette with respect to the SEPA for 2017 should be read carefully and contents thereof complied with as required.
- (c) Read carefully the information and instructions contained in this document before completing all the fields of both tabs (Tab 1 and Tab 2) of the latest 2017 excel SEPA template which is available on the website [www.mpr.gov.za](http://www.mpr.gov.za).
- (d) Provide the required information on the cover page (**Annexure A**).
- (e) Sign the declaration annexed to this document as an acknowledgement of the correctness of the contents of the submission (**Annexure B**).
- (f) Complete the checklist that is also annexed to this document to confirm completeness of the submission (**Annexure C**).
- (g) Complete **all** sections of all tabs of the latest 2017 SEPA template in the fields provided (**Annexure D**).
- (h) Include a signed covering letter on a company letterhead, stating the purpose of your submission, with every submission or re-submission where applicable.
- (i) A complete submission should include a fully completed latest SEPA template for 2017, annexure A, B, and C and a signed covering letter on the applicant's letterhead.
- (j) Ensure that all fields have been completed and SEP's used for adjustment purposes are as per DoP of 21 December 2016.
- (k) Wherever the date is required, it should be stated in full (e.g. 14 March 2001).
- (l) Applicants are required to submit both the hard copy and an electronic version of the entire submission for 2017 SEPA. This must include;

- (i) Signed cover letter on the official letter head of the applicant;
  - (ii) Completed latest 2017 SEPA template;
  - (iii) Completed annexure A;
  - (iv) Completed annexure B;
  - (v) Completed annexure C and
  - (vi) Supporting documents where applicable
- (m) Applicants are required to sign the declaration in Annexure B. The responsible officials, who are signing the declaration in Annexure B, certify that the information submitted is true, correct and error-free. The signed declaration in Annexure B, also confirms that the submission in its entirety has been checked by all the persons whose signatures are appended under Annexure B, in addition to the person responsible for compiling the submission.

## 2.2 SEPA SUBMISSION REQUIREMENTS

- (a) The submissions lodged in terms of these guidelines are solely for the purpose of 2017 SEPA. For other medicine details amendments, applicants must use Template G of the SEP updates as published on the website: [www.mpr.gov.za](http://www.mpr.gov.za)
- (b) For a submission to be considered complete, **ALL** sections of the 2017 SEPA template, inclusive of all excel spreadsheet fields, must be fully completed. A fully completed template must have all tabs or worksheets and all the fields completed. Within each tab, all required fields must be completed for every medicine in the applicant's schedule and Single Exit Prices reflected shall be as published on DoP of 21 December 2016.
- (c) **ALL** scheduled medicines that make up the applicant's portfolio on the date of the submission, **MUST** be presented in the latest SEPA template.
- (d) **ALL** official SEP update submissions communicated and effected in 2017 by the department, before the date of the applicant's SEPA submission, including those communicated after 21 December 2016, must be included in the submission (this includes both the letter and the excel schedule from the Directorate: PEE to the applicant). Failure to provide these supporting documents will render the 2017 SEPA submission incomplete. This requirement is also applicable to any resubmission made.
- (e) Only the rightful applicant as recorded on the DoP of 21 December 2016 for the medicine as per the MCC manufacturing license and MCC medicines registration certificate must lodge the submission for the medicine(s) concerned. Submissions will not be accepted from persons other than these applicants whose manufacturing licences have not expired. In cases where an applicant name change occurred after 21 December 2016 but before

lodging the 2017 SEPA submission, only the applicant name reflected on the DoP of 21 December 2016 shall be considered for purposes of this submission.

### 2.3 NOTES FOR APPLICANTS

- (a) The 2017 SEPA is not obligatory. Applicants must note that they are not compelled to compile and lodge 2017 SEPA submissions.
- (b) The 2017 SEPA concerns SEPs that are applicable as on 21 December 2016, regardless of how these SEPs were arrived at. This includes authorized SEP's following a submission of a Non-Permanent SEP reduction. These non-permanent SEP's shall be regarded as permanent at the point of lodging the 2017 SEPA submission. In terms of the medicines pricing regulations, there shall only be one SEP at any given time. The schedule of 21 December 2016 is found on [www.mpr.gov.za](http://www.mpr.gov.za) under "Published Documents", click database of medicine prices. Click on the excel spreadsheet titled *database of medicine prices 21 December 2016*.
- (c) There can only be one SEP submission launched at any given point in time. The applicant must not request for an update on the SEP or lodge a Regulation 9 application, whilst the submission for SEPA is still in process. Similarly, the applicant cannot submit a SEPA or Regulation 9 application whilst the submission for an SEP update is still in process. In an event where the applicant has made a SEPA submission and any other SEP submissions and/or a Regulation 9 application the SEPA will not be considered. Should the applicant wish to re-submit, a new submission may be made once the other outstanding SEP submissions and/or Regulation 9 applications have been concluded.
- (d) Each submission should include all the applicant's scheduled medicines, including discontinued medicines. Discontinued medicines should be indicated as such, as per the DoP under the status column. SEPA will not be allowed on officially declared discontinued medicines. **The row order of all the applicant's medicines, as they appear on the DoP of 21 December 2016 must be maintained.** Any medicines not appearing on the 21 December 2016 list should appear at the bottom of the 2017 SEPA template in an alphabetical order.
- (e) All medicines presented on the template for SEPA must be unit priced. When computing the unit prices, the resulting SEPs should not exceed the maximum allowable SEP after the adjustment on the SEP that existed on 21 December 2016 (i.e. SEP applicable as of 21 December 2016 + maximum allowable SEPA % as per the notice).



- (f) All medicines including those with multiple pack sizes are required by law to be unit priced i.e. all same ingredient and dosage form medicines with related pack sizes must have the same unit price. Non-compliance with unit pricing will result in the entire submission not being considered.
- (g) Where a new pack size is introduced after 21 December 2016, it is expected that this will result in a unit price that is no greater than the unit price that existed on pack sizes on 21 December 2016. (Note that the newly launched medicines and/or pack sizes should be included in the portfolio of medicines in the submission for SEPA and should also be unit priced with their related pack sizes).
- (h) All submissions for SEPA will be processed within 32 working days (excluding weekends and holidays) upon receipt of the submission by the PEE Directorate of the Department.
- (i) The outcome of each processed submission will be communicated to the applicant within 32 working days of the date of your submission. Applicants are required to take note of this time frame prior to following up on a submission status.
- (j) All authorized SEPs will be communicated to price file managers and published on the website ([www.mpr.gov.za](http://www.mpr.gov.za)) by the PEE Directorate.
- (k) All correspondence(s) concerning a submission will only be communicated to the applicant of the medicines applied for.
- (l) The electronic version of the submitted 2017 SEPA template should be saved with a file name extension "xls". Submissions containing password-protected documents and files in a version that the PEE Directorate is unable to access such as those with the file extensions xlsx, docx and PDF will not be considered.
- (m) SEPA can only be submitted on the published latest SEPA template for 2017 including both Tab 1 and 2. **ANY** modification to the template will result in the entire submission not being considered. This also applies to resubmissions.
- (n) The final date for all 2017 SEPA submissions will be the date determined as per the Minister's notice.
- (o) An applicant may only submit once in the 2016 SEPA cycle. This does not apply to resubmissions (see point (p) below)
  - (i) Where no adjustment is requested, the existing SEP will be applicable for the 2017 SEPA cycle. The SEPA cycle is the period between two consecutive SEPA announcements by the Minister of Health. The applicant may not at a later stage resubmit a different SEPA request for the same medicine. The submission of a SEPA and the approval thereof for the 2017 cycle implies any non permanent reduction is concluded.



- (ii) An applicant's portfolio may not be divided into multiple submissions.
- (iii) The maximum allowable adjustment may not be divided into multiple submissions. Should an applicant request less than the maximum published adjustment, the balance will be forfeited for the 2016 cycle.
- (p) Resubmissions;
  - (i) Will only be reviewed for medicines who's SEPs were previously not adjusted in terms of the 2017 SEPA quantum, as a result of discrepancies identified in the first submission
  - (ii) All the requirements for the SEP submissions as stated in this document shall be applicable to resubmissions.
  - (iii) Resubmissions must contain only medicines listed in the Not-Approved sheet of Annexure E communicated to the applicant in response to the initial submission.
  - (iv) The resubmissions process shall not be used to accommodate errors made by the applicants in their first 2017 SEPA submission.
  - (v) Must only be on the 2017 SEPA template, by the close off date as specified by the Minister of Health and reflected in the SEPA notice.

## 2.4 LODGING OF SUBMISSIONS

- (a) Submissions must be lodged electronically on a compact disc and hard copy.
- (b) Each submission **MUST** be lodged on the latest 2017 SEPA template and must be accompanied by annexure A, B and C included in this document as well as the applicant's covering letter on the official letterhead of the applicant.
- (c) Where an applicant is uncertain on a submission being made clarity must be sought from PEE.
- (d) No e-mail submissions will be accepted.
- (e) Electronic copies and hardcopies of the submissions **MUST** be addressed to:

### **2016 SEP Adjustment**

**The Director: Pharmaceutical Economic Evaluations (PEE)**

**ATT: Ms Ntobeko Mpanza**

**The National Department of Health**

**Room S0419 Civitas Building**

**Corner of Thabo Sehume Street and Struben Street**

**0001**

And hand-delivered between 09:00 and 11:59 Monday to Friday excluding public holidays. For any enquiries regarding SEPA for 2017, you may contact Ms Oumakie Mabusela between 13:00 and 15:00 at (012) 395 8181 or by e-mail at [sepupdates@health.gov.za](mailto:sepupdates@health.gov.za) Monday to Friday excluding public holidays.

All queries must include the acknowledgement of receipt provided when the submission was made as well as any/all responses received by the applicant from DoH.

Note that the Department of Health will not be held responsible for submissions that were not received and signed for by the designated official of the PEE Directorate. A reference number reflected on the acknowledgement notice should be quoted in every communication.

## **2.5 DOCUMENTS TO BE SUBMITTED**

Applicants are required to submit **all** the following documents to ensure completeness of the submissions:

- (a) Signed cover letter on the official letter head of the applicant;
- (b) Completed latest 2017 SEPA template
- (c) Completed annexure A
- (d) Completed annexure B
- (e) Completed annexure C and
- (f) Compact disc containing all of the above in the prescribed format

## **2.6 ACKNOWLEDGMENT OF RECEIPT**

- 2.6.1 Upon receipt of a submission, an acknowledgement notice will be provided to the representative of the applicant by the PEE Directorate official. All applicants should retain their acknowledgement notice, for reference purposes.

## **3. HOW TO COMPLETE TEMPLATE COLUMNS**

The details must be copied from the 21 December 2016 DoP for all the medicines for the applicant. All details and formatting must remain as it appears on DoP of 21 December 2016.

Failure to comply with the prescribed requirements under this section 3 below will result in the entire submission not being considered.

### **3.1 SEPA 2017 TEMPLATE TAB 1**

3.1.1 For the information required under the following listed columns labels (headings) in the Template, applicants are required to copy such information from the DoP published on 21 December 2016 for all medicines that sought SEPA for 2017. All the information and the formats must remain as it appears on the DoP of 21 December 2016.

- APPLICANT MCC LICENCE NUMBER
- APPLICANT NAME AS REGISTERED WITH MCC
- MCC MEDICINE REGISTRATION NUMBER
- NAPPI CODE (9-digit)
- ATC 4 CODE (WHO)
- SCHEDULE
- MEDICINE PROPRIETARY NAME
- ACTIVE INGREDIENT
- STRENGTH
- UNIT
- DOSAGE FORM
- PACK SIZE
- QUANTITY
- MANUFACTURER PRICE AS AT 21 DECEMBER 2016
- LOGISTICS FEES AS AT 21 DECEMBER 2016
- VAT
- SEP AS AT 21 DECEMBER 2016
- UNIT PRICE AS AT 21 DECEMBER 2016
- EFFECTIVE DATE
- STATUS
- ORIGINATOR OR GENERIC

### 3.1.2 VOLUME OF SALES

This must be the total quantity of sales of each medicine for the period 01 January 2016 to 31 December 2016. Where the medicine is not being sold this should be indicated in the column. A blank will result in submission not being considered.

### 3.1.3 REQUESTED MANUFACTURER PRICE

This is the requested VAT exclusive manufacturer price of the medicine in South African Rands. This is a numerical field displayed at 2 decimal places, with no currency symbols. This column should be indented to the right.

### 3.1.4 REQUESTED LOGISTICS FEE

This is the requested VAT exclusive logistics fee for the medicine in South African Rands. This is a numerical field displayed at 2 decimal places, with no currency symbols. This column should be indented to the right.

### 3.1.5 VAT ON REQUESTED COMPONENTS

This column is the VAT component of the SEP, calculated at 14% to the sum of the requested manufacturer price and the requested logistics fee. This is a numerical field displayed at 2 decimal places with no currency symbols. This column should be indented to the right.

### 3.1.6 REQUESTED SEP

This is the requested Single Exit Price for the medicine in South African Rands. It is the sum of the requested ex-manufacturer price, the requested logistics fee and VAT. This is a numerical field displayed at 2 decimal places with no currency symbols. This column should be indented to the right.

### 3.1.7 REQUESTED UNIT PRICE

This is the resulting unit SEP of the medicine, considering its pack size and quantity of presentation as per the MCC approved package insert (PI). The unit price should be obtained by; dividing the requested SEP by the pack size and then further divided by the quantity.

- (a) This is the price of a unit of the medicine, e.g. one tablet, capsule, millilitre, gram, etc. The unit price as described in the Regulations Relating to a Transparent Pricing System for Medicines and Scheduled substances (section 22G of the Medicines and Related Substances Act) is the SEP divided by the number of units of the product. Note that unit pricing applies to all medicines with the same proprietary name, strength and dosage form.
- (b) For injections the unit price shall be calculated per ml of reconstituted volume, even where the total volume of the medicine administered to a single patient is less than 1 ml.
- (c) For inhalers, where the pack size is described in the MCC approved PI as doses or puffs the unit price will be for 1 dose or puff.
- (d) The unit price is the SEP divided by the pack size and then further divided by the quantity [the "quantity" represents the multiples in which the medicine is packed/the number of pack sizes e.g. for injections, the "quantity" for 50 vials containing 500mg powder for injection packed in 20ml vial to be reconstituted with 10ml of diluents is 50].

This is a numerical field displayed at decimal places with no currency symbols. This column should be indented to the right.

### 3.2 SEPA 2017 TAB 2

Any blanks on Tab 2 will result in the submission not being considered. Where the medicine is a generic the applicant must comment. Where there is no price available the applicant must indicate this as well as measures taken to obtain the price. Proof of this communication must be supplied.

#### 3.2.1 For the following columns:

- APPLICANT MCC LICENCE NUMBER
- APPLICANT NAME AS REGISTERED WITH MCC
- MCC MEDICINE REGISTRATION NUMBER
- NAPPI CODE (9-digit)
- ATC 4 CODE (WHO)
- SCHEDULE
- MEDICINE PROPRIETARY NAME
- ACTIVE INGREDIENT
- STRENGTH



- UNIT
- DOSAGE FORM
- PACK SIZE
- QUANTITY
- MANUFACTURER PRICE AS AT 21 DECEMBER 2016
- LOGISTICS FEES AS AT 21 DECEMBER 2016
- VAT
- SEP AS AT 21 DECEMBER 2016
- UNIT PRICE AS AT 21 DECEMBER 2016
- EFFECTIVE DATE
- STATUS
- ORIGINATOR OR GENERIC

The details must be copied from the 21 December 2016 DoP for all the medicines for the applicant. All details and formatting must remain as it appears on DoP of 21 December 2016.

3.2.2 For all medicines that are labelled originator, the following columns must be completed; Closest Australian Pack Size, Related Australia Quantity, Australian Manufacturer Price in AU\$Dollars, AU\$Dollar Exchange Rates, Australian Price in Rands, Australian matching pack size in Rands, Comment on Australian Price Provided, Closest Canada Pack Size, Related Canada Quantity, Canada Manufacturer Price in CAN\$Dollars, CAN\$Dollar Exchange Rates, CAN Price in Rands, Canadian matching pack size in Rands, Comment on Canadian Price Provided, Closest New-Zealand Pack Size, Related NZ Quantity, New-Zealand Manufacturer Price in NZ\$Dollars, NZ\$Dollar Exchange Rates, New-Zealand Price in Rands, New Zealand matching pack size in Rands, Comment on New Zealand Price Provided, Closest Spain Pack Size, Related Spain Quantity, Spain Manufacturer Price in EURO, EURO Exchange Rates, Spain Price in Rands, Spanish matching pack size in Rands, Comment on Spanish Price Provided, Closest Alternate Country Pack Size, Related Alternate Country Quantity, Manufacturer Price alternate currency , Alternate Currency Exchange Rates, Alternate Country Price in Rand, Alternate Country matching pack size in Rands, Comment on Alternate Country Price Provided. Where a medicine does not have a comparator product from Australia, Canada, New Zealand & Spain all other countries where the medicine is being sold must be listed and provided as alternate countries.

3.2.3 Where the exact pack size does not exist in the international market, the closest pack size will be used e.g. if there is 30 pack size in South Africa and only 28's and 100's in Spain the 28 pack

Page 13 of 18

size will be used as the closest pack to 30's. The related quantity refers to the quantity in which the pack size of the medicine is being sold in that country and allows for a like comparison of the South African medicine.

- 3.2.4 The exchange rate will be the average over the 12 month period (i.e. 01 October 2015 to 30 September 2016). These values will be published in the template for consistency. The following are the for the conversion to Rands:

AUS\$ 10.838399889457

CAN\$ 11.1161795772309

NZD\$ 10.0940767957363

EUR€ 16.40403187251

***NOTE: The template with Tab 1 and 2 must always be maintained in the font and format as it appears on DoP. Applicants should only make use of space, dashes or any other characters if these are represented as such in official documentation.***

**4. ANNEXURES****4.1 ANNEXURE A: COVER PAGE**

<b>TO BE COMPLETED BY THE APPLICANT</b>	
<b>APPLICANT NAME</b>  <i>As it appears on the MCC license</i>	
<b>CONTACT PERSON</b>  Name:  E-mail:  Fax No:  <i>(Person responsible for this submission)</i>	
<b>NUMBER OF MEDICINES IN THE SUBMISSION</b> <i>(Also include medicines for which SEP adjustment is not requested, rows which contain multiple active ingredients should not be counted.)</i>	
<b>NUMBER OF ROWS BEING SUBMITTED</b> <i>(Rows which contain only active ingredients should also be counted.)</i>	

<b>FOR OFFICE USE ONLY (as per acknowledgement notice)</b>	
<b>Date received: (dd/month/yyyy)</b>	
<b>Received by</b>  <b>(Name and Surname):</b>	
<b>Signature:</b>	



**4.2 ANNEXURE B: DECLARATION**  
**SEPA DECLARATION**

I ....., (full name and surname) in my capacity as.....and having the authority to sign and enter into legally binding agreements on behalf of.....

(Name of applicant) hereby certify that:

1. I have read and understood the information and instructions contained in the 2017 SEPA information and instruction document.
2. I have followed the instructions contained in the 2017 information and instruction document in completing the SEPA template.
3. I have correctly calculated unit pricing for all medicines in the applicant's portfolio.
4. I have requested only the SEPA and not any other medicine details amendments for the scheduled medicines in the applicant's portfolio.
5. I have enclosed a signed covering letter on the company letterhead, stating the purpose of this submission.
6. The information supplied in this submission is true and correct. (NB: please provide proof of authorization to sign on behalf of the company)
7. The submission compiled and lodged does not contain any errors.

\_\_\_\_\_  
**SIGNATURE (DEPONENT)**

1. ....( CFO name and signature)
2. ....(Responsible Pharmacist name and signature)

The Deponent has acknowledged that he/she knows and understands the contents of this affidavit, which was signed and sworn to before me at .....on this the.....day of..... 2017 and that the regulations contained in Government Gazette Notice No. R 1258 of 21 July 1972 (as amended) has been complied with.

\_\_\_\_\_  
**COMMISSIONER OF OATHS**

**4.3 ANNEXURE C: CHECKLIST****SEPA CHECKLIST**

Tick the appropriate box (✓)

HAVE YOU:	YES	NO
a) Read and understood the entire instruction document for 2017 SEPA?		
b) Read, understood, and followed all the instructions in Section 2 and Section 3?		
c) Provided a signed covering letter on a company letterhead stating the purpose of the submission?		
d) Correctly completed the SEPA 2017 template?		
e) Completed the required fields of the covering page (Annexure A)?		
f) Signed the declaration as required, indicating that the information supplied with this application is true and correct (Annexure B)?		
g) Answered yes to all questions in this checklist (Annexure C)?		
h) There are no blanks on Tab 1 and Tab 2		

**NOTE:** If any of the answer(s) to the question(s) above is **NO**, the submission will not be considered.

**4.4 ANNEXURE D: SEPA 2017 TEMPLATE**

See Excel Template attached

**2017 SINGLE EXIT PRICE ADJUSTMENT TEMPLATE**

**TAB 1**

*Name of Applicant (as it appears on MCC License)*  
*Date of Name of Applicant (i.e. trading act)*  
*Address of Applicant (i.e. trading act)*  
*Telephone number, cellphone number and fax number of the contact person above*

Applicant License MCC No.	MCC Medicine Registration No.	Schedule Proprietary Name	Active Ingredients	Strength Unit	Dosage Pack Form Size	Quantity	SEE ON 21 DECEMBER 2016				REQUESTED INTERIM SEP ADJUSTMENT				THIS COLUMN IS FOR OFFICE USE ONLY											
							Manufacturer Price	VAT Fee	Logistical Fee	VAT on Request	Manufacturer Price	Logistical Fee	VAT on Request	VAT on Request		Requested Effective Date	Requested Effective Date	Requested Effective Date	Requested Effective Date							
							Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	Price	





## DEPARTMENT OF HEALTH

NO. 1589

23 DECEMBER 2016

**MEDICINES AND RELATED SUBSTANCES ACT, (ACT NO. 101 OF 1965)****REGULATIONS RELATING TO A TRANSPARENT PRICING SYSTEM FOR  
MEDICINES AND SCHEDULED SUBSTANCES: AMENDMENT****(DISPENSING FEE TO BE CHARGED BY PERSONS LICENSED IN TERMS OF  
SECTION 22C (1) (a))**

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

**SCHEDULE****Definitions**

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

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



**Substitution of Regulation 12**

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

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

- (a) Where the single exit price of a medicine or scheduled substance is less than one hundred and seventeen rand (R117.00), the dispensing fee must not exceed 30% of the single exit price in respect of that medicine or scheduled substance;
  - (b) Where the single exit price of a medicine or scheduled substance is equal to or greater than one hundred and seventeen rand (R117.00), the dispensing fee must not exceed thirty five rand and ten cents (R35.10) in respect of that medicine or scheduled substance;
3. The provisions of sub-regulation (2) must be reviewed annually by the Minister after taking into account-
- (a) the need to ensure the availability and affordability of quality medicines and scheduled substances in the Republic;
  - (b) annual inflation rates published periodically by Statistics South Africa;
  - (c) information supplied by persons licensed to dispense in terms of section 22C (1)(a) in accordance with guidelines determined by the Minister from time to time by Notice in the Gazette; and
  - (d) any other information the Minister may deem necessary to consider.



4. Persons Licensed to dispense in terms of section 22C (1) (a) must-
- (a) by means of a clearly displayed notice in the dispensing practice, inform members of the public using the dispensing practice of the maximum fee structure used by such dispensing practice to determine the dispensing fee; and
  - (b) provide an invoice that in respect of each medicine clearly indicates the-
    - (i) dispensing fee charged; and
    - (ii) the single exit price;



**DR A MOTSOLEDI, MP**  
**MINISTER OF HEALTH**

**DATE:** 17/11/2016

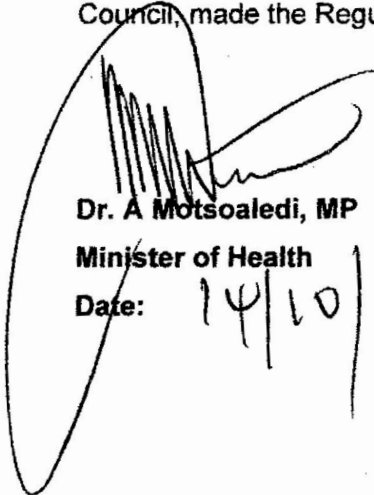
## DEPARTMENT OF HEALTH

NO. 1590

23 DECEMBER 2016

**MENTAL HEALTH CARE ACT, 2002****GENERAL REGULATIONS: AMENDMENT**

The Minister of Health, has under section 66 of the Mental Health Care Act, 2002 (Act No.17 of 2002), and after consultation with the relevant members of the Executive Council, made the Regulations in the Schedule.



Dr. A Motsoaledi, MP

Minister of Health

Date:

14/10/2016

## SCHEDULE

### Definitions

1. In these regulations “the Regulations” means the Regulations published by Government Notice No. R. 1467 of 15 December 2004, as amended by Government Notice No. R. 98 of 11 February 2005.

### Amendment of regulation 1 of the Regulations

2.(1) Regulation 1 of the Regulations is hereby amended by—

(a) the insertion before the definition of “health establishment administered under the auspices of the state”, of the following definition:

“**custodian**’ means a person who undertakes and is entrusted with the responsibility of ensuring that the conditions prescribed in terms of sections 34(5)(a) and 45 of the Act are adhered to by the user or state patient;

(b) the insertion after the definition of “maximum security” of the following definitions:

“**mechanical restraint**’ means the use of any instrument or appliance whereby the movements of the body or any of the limbs of a user are restrained or impeded;

“**non-governmental organizations**’ means non-profit, voluntary citizens’ groups which are task-orientated and driven by people with common interests and who perform a variety of services and humanitarian functions;

“**organ of the state**’ has the meaning assigned to “organ of state” in Section 239 of the Constitution;”

(c) the insertion after the definition of “the Act” of the following definition:

“**volunteer organizations**’ means a group of individuals who enter into an agreement as volunteers to form an organization to accomplish a purpose.”

(2) The Regulations are hereby amended by the substitution for the expression “72-hours” of the expression “72-hour” wherever it appears in the said regulations.

(3) The Regulations are hereby amended by the substitution for the word “center” of the word “centre” wherever it appears in the said regulations.

(4) The Regulations are hereby amended by the substitution for the phrase “health establishment administered under the auspices of the State” of the phrase “health establishment” wherever it appears in the said regulations.

#### **Amendment of regulation 2 of the Regulations**

3. Regulation 2 of the Regulations is hereby amended by the substitution for paragraph (a) of subregulation (2) of the following paragraph:

“(a) treated and cared for at such primary health care health establishment;”

#### **Amendment of regulation 3 of the Regulations**

4. Regulation 3 of the Regulations is hereby substituted for the following regulation:

“(1) When a head of a health establishment makes a decision in terms of these Regulations that falls outside his or her scope of professional practice, he or she must act after consultation with the mental health care practitioner that conducted the assessment or any other mental health care practitioner.

(2) The duties and functions to be performed by the head of a health establishment in terms of the Act or these Regulations may in the absence of such head, be performed by the person appointed in writing by the head of the health establishment to act as head of such health establishment in his or her absence.”

#### **Amendment of regulation 6 of the Regulations**

5. Regulation 6 of the Regulations is hereby substituted for the following regulation:

“Within available resources the State must provide subsidies to appropriate non-government organizations or volunteer organizations for the provision of community care, treatment and rehabilitation to meet the objectives of the Act.”

## Amendment of regulation 7 of the Regulations

6. Regulation 7 of the Regulations is hereby substituted for the following regulation:

“(1) A victim to abuse or a person witnessing any form of abuse, exploitation or degrading treatment against a mental health care user as contemplated in section 1(1) of the Act—

(a) may report this fact to the Review Board concerned in the form of Form MHCA 02 of the Annexure; or

(b) may lay a charge with the South African Police Service who shall investigate the matter and take appropriate action, and thereafter in writing notify the Review Board concerned of that charge.

(2) When a Review Board receives a report contemplated in subregulation (1)(a) that Board must investigate that report and if necessary, lay a charge with the South African Police Service and may decide to hold a complaint hearing.

(3) Should the Review Board decide to hold a complaint hearing, the secretariat of the Review Board must in writing and by registered post inform—

(a) the person who witnessed the abuse, exploitation or degrading treatment of a mental health care user;

(b) the relevant mental health care practitioners;

(c) the head of the health establishment concerned;

(d) the mental health care user concerned; and

(e) any other person whom the Review Board considers to be relevant to the hearing,

of the complaint, the date of hearing and whether written or oral representation, as appropriate, must be made to the Review Board and advise of the right of representation as required.

(4) The Review Board must give notice of the hearing contemplated in subregulation (3) at least two weeks before the date of such hearing.

(5) The Review Board may issue a summons in the form of Form MHCA 18 of the Annexure to any person to appear before it as a witness to give evidence or to produce any book, record, document or other item, which in the opinion of the Review Board is relevant to the hearing.”

**Amendment of regulation 11 of the Regulations**

7. Regulation 11 of the Regulations is hereby amended by the substitution for subregulation (6) of the following subregulation:

“(6) The medical practitioner and another mental health care practitioner who conducted the 72-hour assessment must within 12 hours after the expiry of the 72-hour assessment period each submit a written report in the form of Form MHCA 06 of the Annexure to the head of the health establishment concerned, indicating his or her assessment on the physical and mental health status of the mental health care user and his or her recommendations concerning further treatment.”

**Amendment of regulation 12 of the Regulations**

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

“(1) The head of a provincial department must submit to all health establishments within the province concerned, the South African Police Service and the national department a list of the health establishments in each district in that province that provide the 72-hour assessment contemplated in section 34 of the Act.

(2) The head of such provincial department must update and publish in the Government Gazette the list contemplated in subregulation (1) on an annual basis indicating which health establishment falls in which district and submit that updated list to the bodies referred to in subregulation (1).”

**Amendment of regulation 17 of the Regulations**

9. Regulation 17 of the Regulations is hereby substituted for the following regulation:

“The head of a health establishment must in terms of sections 16, 31(3)(a), 34(5)(a), 48(4)(a) and 56(a) of the Act issue a discharge report by way of Form MHCA 03 of the Annexure.”

**Amendment of regulation 18 of the Regulations**

10. Regulation 18 of the Regulations is hereby amended by—
- (a) the substitution for subregulation (2) of the following subregulation:  
“(2) The schedule of conditions contemplated in subregulation (1) must be read and explained to the mental health care user and to his or her custodian or read and translated into one of the official languages that such user can understand.”
  - (b) the insertion in subregulation (9) of the article "a" before the word "case".

**Amendment of regulation 19 of the Regulations**

11. Regulation 19 of the Regulations is hereby substituted for the following regulation:

“Arrangement for a transfer contemplated in section 34(4)(b) of the Act must be made in accordance with Form MHCA 11 of the Annexure between the head of the psychiatric hospital, care and rehabilitation centre concerned and the head of the health establishment where the involuntary mental health care user is currently admitted.”

**Amendment of regulation 21 of the Regulations**

12. Regulation 21 of the Regulations is hereby amended by—
- (a) the substitution for subregulation (1) of the following subregulation:  
“(1) A periodic review must be done on—
    - (a) an assisted mental health care user in terms of section 30 of the Act using Form MHCA 13A;
    - (b) an involuntary mental health care user in terms of section 37 of the Act using Form MHCA 13A;
    - (c) a state patient in terms of section 46 of the Act using Form MHCA 13B;
    - (d) a mentally ill prisoner in terms of section 55 of the Act using Form MHCA 13A.”
  - (b) the substitution for paragraphs(a) and (c) of subregulation (2) of the following paragraphs:

- “(a) the first review must be done by a psychiatrist or medical practitioner six months after the commencement of care, treatment and rehabilitation services;
- (c) the reviews thereafter must be done every 12 months, provided that every alternate review shall be done by a psychiatrist or medical practitioner.”
- (c) the substitution for subregulation (3) of the following subregulation:
  - “(3) With regard to a person referred to in subregulation (1)(d) periodic reviews must be done every six months by a psychiatrist or a medical practitioner.”

#### **Amendment of regulation 23 of the Regulations**

13. Regulation 23 of the Regulations is hereby amended by the addition of the following subregulation:

- “(3) Arrangements for the transfer of a mental health care user to another health establishment must be made between the heads of the two health establishments concerned.”

#### **Amendment of regulation 29 of the Regulations**

14. Regulation 29 of the Regulations is hereby amended by the insertion in subregulation (4) before the word "may" of the word "that".

#### **Amendment of regulation 30 of the Regulations**

15. Regulation 30 of the Regulations is hereby amended by-

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

**“Application for discharge of State patient”**

- (b) the deletion of subregulation (3)

#### **Amendment of regulation 32 of the Regulations**

16. Regulation 32 of the Regulations is hereby amended by the addition of the following subregulation:



“(4) Psycho-surgery shall be approved by the provincial head of health after duly considering the reports referred to in subregulation (2).”

### **Amendment of regulation 33 of the Regulations**

**17.** Regulation 33 of the Regulations is hereby amended by—

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

“(1) Electro-convulsive treatment must be conducted by a psychiatrist or a medical practitioner with special training in mental health and may only be carried out under a general anaesthetic together with a muscle relaxant.”

(b) the substitution for subregulation (4) of the following subregulation:

“(4) A health establishment that wishes to perform electro-convulsive treatment must apply in writing and shall be authorized by the provincial head of department concerned.”

(c) the substitution for subregulation (5) of the following subregulation:

“(5) Whenever electro-convulsive treatment is performed a register kept for that purpose must be signed and completed by the relevant psychiatrist or medical practitioner and a transcript of the register must be submitted by the health establishment concerned to the Review Board on a quarterly basis in the form of Form MHCA 47 of the Annexure to give effect to section 19(1)(b) of the Act.”

### **Amendment of regulation 35 of the Regulations**

**18.** Regulation 35 of the Regulations is hereby amended by—

(a) the deletion of subregulation (1);

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

“(1) Where a mental health care practitioner deems a user to be incapable of consenting to treatment or an operation due to mental illness or intellectual disability, informed consent must be obtained in accordance with section 7 of the National Health Act, 2003 (Act No. 61 of 2003).“

(c) the re-numbering of subregulations (3) and (4) as subregulations (2) and (3);

- (d) the substitution in subregulation (4) for the words "in sub-regulation (1) and in paragraphs (a), (b) and (c) of sub-regulation (3)" of the words "in paragraphs (a), (b) and (c) of sub-regulation (2)".

### **Amendment of regulation 36 of the Regulations**

**19.** Regulation 36 of the Regulations is hereby amended by—

- (a) the substitution for subregulation (3) of the following subregulation:

“(3) While the mental health care user is under restraint, he or she must be subject to observation as prescribed by the psychiatrist or medical practitioner and such observations should be recorded in the clinical notes.”

- (b) the substitution for paragraphs (a) and (b) of subregulation (4) of the following paragraphs:

“(a) a register kept for that purpose must be signed and completed by the relevant medical practitioner;”

“(b) the form of mechanical means of restraint, the time period used, the times when the mental health care user was observed and the reason for administering such means of restraint must be outlined by the psychiatrist or medical practitioner in the register contemplated in paragraph (a);”

### **Amendment of regulation 37 of the Regulations**

**20.** Regulation 37 of the Regulations is hereby amended by—

- (a) the substitution for subregulations (1) and (2) of the following subregulations:

“(1) Seclusion of a mental health care user may—

(a) only be used to contain severely disturbed behaviour, which is likely to cause harm to self, others or property; and

(b) not be used as a punishment.

“(2) While a mental health care user is secluded, he or she must be subject to observations prescribed by the psychiatrist or a medical practitioner and that observation should be recorded in the clinical notes.”

- (b) the substitution for paragraph (b) of subregulation (3) of the following paragraph:

“(b) the time period that the mental health care user concerned needed to be secluded and the reason for secluding that mental health care user must

be outlined and the seclusion must be recorded in the relevant register by the medical practitioner; and”

### **Repeal of regulation 38 of the Regulations**

**21.** Regulation 38 of the Regulations is hereby repealed.

### **Amendment of regulation 39 of the Regulations**

**22.** Regulation 39 of the Regulations is hereby substituted for the following regulation:

“The following records must be kept in a health establishment that is designated in terms of section 5 of the Act:

- (a) A register recording the admission, discharge, death, transfer and change in legal status of every mental health care user in that facility and leaves of absence or abscondments;
- (b) a medical record of all information concerning the physical and mental health of a mental health care user and records of treatments which have been prescribed and administered including the date on which an entry into such records has been made, the full signature, name in print and all the qualifications of the mental health care practitioner who made that entry;
- (c) administrative records of legal documents and copies of correspondence concerning the mental health care user; and
- (d) a record of any minor or major injury sustained by a mental health care user in that psychiatric hospital or care and rehabilitation centre.”

### **Amendment of regulation 42 of the Regulations**

**23.** Regulation 42 of the Regulations is hereby amended by—

- (a) the substitution for paragraph (a) of subregulation (3) of the following paragraph:
  - “(a) the mental health care practitioners who are involved in the procedures contemplated in sections 27 and 33 of the Act may be employees of the

- health establishments concerned, but may not have any other material or financial interest in that health establishment;”
- (b) the substitution for paragraph (b) of subregulation (4) of the following paragraph:  
“(b) suitable mental health care practitioners, including a psychiatrist, as well as other trained staff deemed necessary to carry out all necessary duties in accordance with the minimum norms and standards of the Department of Health;”
- (c) the substitution for subregulations (5) and (6) of the following subregulations:  
“(5) The conditions of a licence contemplated in subregulation (2) must be clearly stipulated by the national department, and must include—  
(a) the number of people to be accommodated;  
(b) whether such service is to be used for children, adults or geriatrics;  
(c) service requirements;  
(d) duration of the licence;  
(e) that the licence is not transferable; and  
(f) that the renewal of a licence must be done by the province, based on an inspection.  
(6) If a condition of a licence contemplated in subregulation (5) is not complied with, the provincial department may withdraw that licence and must inform the Head of the National Department of Health.”

#### **Amendment of regulation 43 of the Regulations**

**24.** Regulation 43 of the Regulations is hereby amended by the substitution for subregulations (1) and (2) of the following subregulations:

- “(1) Any service which is not a designated psychiatric hospital or care and rehabilitation centre, but which provides residential or day-care facilities for 5 people or more with mental disorders must in terms of the Act—  
(a) obtain a licence from the provincial department concerned to operate; and  
(b) be subjected to at least an annual audit by designated officials of the provincial department concerned.  
(2) The conditions of a licence contemplated in subregulation (1) must be clearly stipulated by the provincial department concerned and must include—  
(a) the physical address of the relevant service;

- (b) the number of people to be accommodated;
- (c) whether such service is to be used for children, adults or geriatrics;
- (d) service requirements;
- (e) the duration of the licence; and
- (f) that the licence is not transferable."

#### **Amendment of regulation 44 of the Regulations**

25. Regulation 44 of the Regulations is hereby substituted for the following regulation:

"The National and Provincial Departments of Education shall be responsible for the establishment of educational programmes of learners in the compulsory age group or those entitled to basic education programmes."

#### **Amendment of regulation 46 of the Regulations**

26. Regulation 46 of the Regulations is hereby amended by the substitution for the heading of the following heading:

**"Payment of maintenance costs and expenses in health establishments."**

#### **Amendment of the annexures to the Regulations**

27. The forms under the heading Annexures in the Regulations are hereby substituted for the forms in the Annexure.

#### **Entry in force**

28. These Regulations shall enter into force on the date of publication thereof.

ANNEXURE

FORM MHCA 01

DEPARTMENT OF HEALTH

REPORT TO MENTAL HEALTH REVIEW BOARD ON PROVISION OF CARE, TREATMENT AND REHABILITATION WITHOUT CONSENT OR EMERGENCY ADMISSION [Section 9(2) of the Act]

Surname of User .....
First name(s) of User .....
Date of birth .....or estimated age .....

Gender: Male [ ] Female [ ]

Occupation .....

Marital status: S [ ] M [ ] D [ ] W [ ]

Residential address: .....
.....
.....
.....

Date of admission: .....
Time of admission:.....
Name of health establishment: .....

Reason for admission without consent:

Based on my/practitioners at this health establishment's assessment, any delay in providing care, treatment and rehabilitation services / admission may, due to mental illness, result in:

(a) the death or irreversible harm to the User
Reasons for this assessment (including mental health status and behavioural reasons) .....

(b) the User inflicting serious harm to him/herself or others
Reasons for this assessment (including mental health status and behavioural reasons) .....

.....  
 .....  
 (c) theUser causing serious damage to or loss of property belonging to  
 him/herself or to others  
 Reasons for this assessment (including mental health status and  
 behavioural reasons) .....

I ..... (name of mental health care practitioner)  
 hereby declare that I have personally assessed .....  
 ..... (name of mental health care user) at .....  
 ..... (name of health establishment) on .....(date).

.....  
 Designation:.....  
 Contact Numbers: .....

.....  
 Signature:

**Outcome of assessment within 24 hours-**

- (a) An application for involuntary or assisted care, treatment and rehabilitation was made—  
 Date of application ..... Time of application.....
- (b) The User agreed to voluntary care, treatment and rehabilitation.
- (c) Patient discharged as a mental health care user .

Print initials and surname.....

.....  
 Signature:

(Health care provider  or Head of health establishment )

Date: .....

(Submit to relevant Review Board)

**FORM MHCA 02**

DEPARTMENT OF HEALTH

REPORT ON EXPLOITATION, PHYSICAL OR OTHER ABUSE, NEGLECT OR DEGRADING TREATMENT OF A MENTAL HEALTH CARE USER [Section 11(2) of the Act]

(All the information contained in this Form will be held strictly confidential).

I..... (name/s)

..... (address)

I hereby declare that I have witnessed exploitation, physical or other abuse, neglect or degrading treatment of the following mental health care user:

I hereby declare that I have been through exploitation, physical or other abuse, neglect or degrading treatment

A. Details of User (where known)

First Name and Surname of User.....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation ..... Marital status: S [ ] M [ ] D [ ] W [ ]

Residential address: .....  
.....  
.....  
.....

B. Name of health establishment or other place where the alleged incident occurred

Address: .....  
.....  
.....  
.....

C. Date of incident .....

D. Brief description of the User:

E. Description of the alleged incident:

.....





DEPARTMENT OF HEALTH

DISCHARGEREPORTRFROM THE MENTAL HEALTH ESTABLISHMENT [Section 16, 37(6)or 56 of the Act]

Full name of User.....

ID Number: .....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Name of health establishment:.....

Date of admission:

Date of discharge:.....

Diagnosis on discharge:.....

Planned further care, treatment and rehabilitation:

.....

Compiled by:

Print initials and surname:.....

Designation:.....

Signature:.....

(Head of health establishment)

Print initials and surname.....

Signature: .....

Date : .....

[Copy to be submitted to the relevant authority in terms of the applicable provision:

Review Board [ ]

Registrar High Court [ ]

Magistrate [ ]

Head of Prison [ ]

Head of National Department [ ]

Curator [ ]

## FORM MHCA 04

## DEPARTMENT OF HEALTH

**APPLICATION TO THE HEAD OF HEALTH ESTABLISHMENT CONCERNED  
FOR ASSISTED OR INVOLUNTARY CARE, TREATMENT AND  
REHABILITATION**

**[Section 27(1) and 27(2) or 33(1) and 33(2) of the Act]**

(A staff member assisting the Applicant in completing this form must record his/her name, surname and designation)

Name, surname and designation of staff member-.....

**A. INFORMATION REGARDING THE USER**

I hereby apply for—.

assisted care  or involuntary care :

Surname of User: .....

First name(s) of User: .....

Date of birth: ..... or estimated age .....

Gender:                      Male       Female

Marital status: S     M     D     W

Employment:              Yes               or              No

Property:                  Yes  or              No

Income source:            Pension

Grant

Other  (Specify).....

None

Is there a reason to believe that an administrator or curator needs to be appointed to manage the financial affairs of the User Yes  No

Residential address and contact details: .....  
.....  
.....

**B. INFORMATION REGARDING APPLICANT**

Surname of applicant: .....  
First name(s) of applicant:.....  
Date of birth of applicant: ..... (must be over 18 years of age)  
Residential address and contact details: .....  
.....  
.....

**C. Relationship between applicant and mental health care user: (mark with a cross)**

Spouse  Partner  Associate  Parent

Guardian  Health care provider  Other .....(specify)

(If User is under 18 this application must be made by the parent, caregiver, guardian or person with parental right and responsibilities)

I last saw the User on..... at .....  
(date) (time) (place)

(The applicant must have seen the User within seven days of making this application)

**D. Why is the applicant the health care provider?:**

The spouse, next of kin, partner, associate, parent or guardian of the User is:

(i) Unwilling (State reasons for this conclusion):

.....  
.....  
.....

or

(ii) Incapable (State Reasons for this conclusions for this conclusion):

.....  
.....  
.....

or

(iii) Unknown/Untraceable (state efforts made to trace)

.....

.....  
.....

**E. Reasons for the Application:**

I, the undersigned, am of the opinion that the above-mentioned person is suffering from a mental illness / intellectual disability for the following reasons(e.g, what did he/she do or say?):

.....  
.....  
.....  
.....

**F. In the case of an application for involuntary care:**

In your opinion:

(i) Is the User a danger to self and others due to his/her mental illness?

Yes  No

(ii) Is the User willing to receive care, treatment and rehabilitation if needed?

Yes  No

(iii) Is the User able to make an informed decision?

Yes  No

I also attach the following information in support of my application (if available)

Medical certificates:..

History of past mental illness:  / intellectual disability:

Other:

.....  
.....  
.....

I wish to have representation/Legal Representation/Legal Aid

for myself Yes  No

on behalf of the User      Yes  No

Print initials and surname (Applicant).....

Signature (Applicant):.....

Date: .....

Place: .....

Note: Applicant must sign under oath

**F. OATH/AFFIRMATION**

I certify that:

- iii. The deponent acknowledged to me that:
  - a. He/she knows and understands the contents of this declaration;
  - b. He/she has no objection to taking the prescribed oath;
  - c. He/she considers the prescribed oath to be binding on his/her conscience;
- iv. The deponent signed this declaration in my presence at ..... on this ..... day of ..... 20.....

\_\_\_\_\_

Signature: Commissioner of Oath: Ex-Officio

Name: .....

Rank / Designation: .....

**(Submit original to Review Board)**

**FORM MHCA 05**

**DEPARTMENT OF HEALTH**

**REPORT ON COMPLETION OF EXAMINATION AND FINDINGS BY  
MENTAL HEALTH CARE PRACTITIONER FOLLOWING AN APPLICATION  
FOR ASSISTED OR INVOLUNTARY CARE TREATMENT AND  
REHABILITATION  
[Section 27(5) or 33(5) of the Act]**

**Section 1**

Surname of User .....  
 First name(s) of User .....  
 Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation ..... Marital status: S  M  D  W

Residential address: .....  
 .....  
 .....  
 .....

**Section 2**

Date of examination: ..... Place of examination: .....  
 Physical health status (filled in only by mental health care practitioner qualified to  
 conduct physical examination):

(a) General physical health:  
 .....  
 .....  
 .....

(b) Are there signs of injuries? Yes  No   
 If yes, please indicated whether you believe this is as a result of abuse?  
 Yes  No  Unsure

If yes, was this abuse reported/investigated? Yes  No

(c) Are there signs of communicable diseases? Yes  No

If the answer to (b) or (c) is Yes, give further particulars:

.....  
.....  
.....  
.....  
.....

**Section 3**

Information on User received from other person(s) or family (state names and contact details):

.....  
.....  
.....  
.....

**Section 4**

Previous mental health history if known (State dates and places):

.....  
.....  
.....  
.....  
.....

**Section 5**

Mental health status of the User at the time of the present examination (describe symptoms or diagnostic criteria):

.....  
.....  
.....  
.....  
.....  
.....

**Section 6**

Type of illness (provisional diagnosis):

.....  
.....  
.....  
.....

**Section 7**

In my opinion the above-mentioned User—

has homicidal tendencies due to mental illness      Yes  No



has suicidal tendencies due to mental illness Yes  No   
 is a risk to inflicting serious harm to him/herself or others or causing serious damage to  
 property belong to him/her or other due to mental illness Yes  No

### Section 8

Recommendation to head of health establishment on an application for assisted care, treatment and rehabilitation services only **(do not complete section 9 of this form if section 8 is applicable)**—

An application was made for assisted care, treatment and rehabilitation services  or  
 involuntary care , treatment and rehabilitation services

1. Is the User suffering from a mental illness and as a consequence of this requires care, treatment and rehabilitation services for their own health and safety or the health and

safety of others? Yes  No

2. Is the User capable of making an informed decision on the need to receive care, treatment and rehabilitation services? Yes  No

3. Is the User willing to receive care, treatment and rehabilitation services? Yes

No

### Section 9

Recommendation to head of health establishment on an application for Involuntary care, treatment and rehabilitation services only **(Do not complete section 8 of this form if section 9 is applicable)**

1. Is the User suffering from a mental illness and as a consequence of this requires care, treatment and rehabilitation services? Yes  No

2. Is the User capable of making an informed decision on the need to receive care, treatment and rehabilitation services? Yes  No

3. Does the User refuse to receive care, treatment and rehabilitation services?

Yes  No

4. Is the User in your view, likely to inflict serious harm on him/herself or others?

Yes  No

5. Is care, treatment and rehabilitation services, in your view necessary for the protection of the User's financial interests or reputation? Yes  No

**Section 10**

Based on the abovementioned information my recommendation to the head of health establishment is that the User should—

- 1. Receive voluntary care, treatment and rehabilitation services
- 2. Receive assisted in-patient care, treatment and rehabilitation services
- 3. Undergo 72 hour assessment following the application for involuntary care, treatment and rehabilitation services to determine the need for further care, treatment and rehabilitation services

**Section 11**

I declare that I have personally informed the mental health care User of his/her rights, including his/her right to representation including the right to legal representation and/or Legal Aid, and the right to have his/her financial interests or reputation safeguarded and his/her right to have an administrator or curator appointed.

Comment:

.....  
.....

I ..... (name of mental health care practitioner) hereby declare that I have personally assessed ..... (name of mental health care user) at ..... (name of health establishment) on ..... (date).

Signature: .....  
Category of designated mental health care practitioner: .....  
Registration number with relevant Council: .....  
Date: .....  
Place: .....

**FORM MHCA 06**

**DEPARTMENT OF HEALTH**

**72-HOUR ASSESSMENT AND FINDINGS OF MEDICAL PRACTITIONER  
AND ANOTHER MENTAL HEALTH CARE PRACTITIONER AFTER HEAD OF  
HEALTH ESTABLISHMENT HAS APPROVED INVOLUNTARY CARE,  
TREATMENT AND REHABILITATION SERVICES  
[Section 34(1) of the Act]**

**Section 1**

Surname of User .....  
 First name(s) of User .....  
 Date of birth ..... or estimated age .....

Gender:      Male       Female

Occupation ..... Marital status: S     M     D     W

Residential address:.....  
 .....  
 .....  
 .....  
 .....

**Section 2**

Date and time of the beginning of 72-hour assessment: .....  
 Place of assessment: .....

**Section 3**

(a) General physical health (To be completed by medical practitioners only):  
 .....  
 .....  
 .....

(b) Are there signs of injuries?    Yes  No   
 If yes, please indicated whether you believe this is as a result of abuse?  
 Yes  No

If yes, was this abuse reported/investigated?      Yes  No  Not known

(c) Are there signs of communicable diseases? Yes  No

If the answer to (b) or (c) is Yes, give further particulars:

.....  
.....  
.....  
.....  
.....

**Section 4**

Past mental health history of the User(State dates and places):

.....  
.....  
.....

**Section 5**

Mental health status of the User during the 72 hours assessment period:

.....  
.....  
.....

**Section 6**

Type of illness (provisional diagnosis):

.....  
.....  
.....

In my opinion the above-mentioned User—

has homicidal tendencies due to mental illness Yes  No

has suicidal tendencies due to mental illness Yes  No

is at risk due to mental illness Yes  No

**Section 7**

Recommendation to head of health establishment - application for involuntary care:

Is the User capable of making an informed decision on the need to receive care, treatment and rehabilitation services?: Yes  No

Does the User refuse to receive care, treatment and rehabilitation services? Yes  No

Is the User in your view, likely to inflict serious harm on him /herself or others?

Yes  No

Is the care, treatment and rehabilitation, in your view necessary for the User's financial interests and reputation? Yes  No

**Section 8**

Based on the abovementioned information my recommendation to the head of health establishment is that the User should either:

1. Receive voluntary care, treatment and rehabilitation service

or

2. Receive assisted care, treatment and rehabilitation services

or

3. Continue to receive involuntary in-patient care, treatment and rehabilitation services

or

4. Receive involuntary out-patient care, treatment and rehabilitation services

or

5. Be discharged from the Mental Health Care Act

**Section 9**

I declare that I have personally informed the mental health care User of his/her rights, including his/her right to representation including the right to legal representation and/or Legal Aid, and the right to have his/her financial interests and/or reputation safeguarded.

Comment:.....  
 .....  
 .....  
 .....  
 .....

**Section 10**

Print initials and surname:.....

Registration Category: .....

Signature:.....

Date:.....

Category of designated mental health care practitioner for example 'nurse', psychologist' or 'medical practitioner': .....

Date: .....

Place: .....

FORM MHCA 07

DEPARTMENT OF HEALTH

NOTICE BY HEAD OF HEALTH ESTABLISHMENT ON HIS/HER DECISION WHETHER TO PROVIDE ASSISTED- OR INVOLUNTARY INPATIENT CARE, TREATMENT AND REHABILITATION SERVICES [Sections 27(9), 28(1), 33(7) and 33(8) of the Act]

Section 1

I .....(name of head of health establishment) hereby:

Approve the application

Do not approve the application

to the assisted care, treatment and rehabilitation

to the in-patient involuntary care, treatment and rehabilitation

of .....(name of User).

Section 2

Whereas the findings of the medical practitioner and another mental health care practitioner concur that the User--

(a) should  should not  receive assisted care, treatment and rehabilitation services ; or

(b) must  must not  receive involuntary care, treatment and rehabilitation services

I am satisfied  not satisfied  that the restrictions and instructions on the mental health care User's right to movement, privacy and dignity are proportionate to the care, treatment and rehabilitative services contemplated.

The reasons for consenting are as follows:

.....

Print initials and surname: .....

Signature: .....(head of health establishment)

Date: ..... Time: .....

Place: .....

[Copy to Applicant and original to the Review Board]

**FORM MHCA 08**

**DEPARTMENT OF HEALTH**

**NOTICE BY HEAD OF HEALTH ESTABLISHMENT TO REVIEW BOARD  
REQUESTING APPROVAL FOR FURTHER INVOLUNTARY CARE,  
TREATMENT AND REHABILITATION ON AN INPATIENT BASIS  
[Section 34(3)(c) of the Act]**

I .....hereby request the  
.....  
(name of head of health establishment)  
approval from the Review Board for further involuntary care, treatment and  
rehabilitation on an inpatient basis of:.....  
.....(name of User)

The findings of the mental health care practitioner and medical practitioner are that the User requires further involuntary care, treatment and rehabilitation.

I am satisfied that the restrictions and intrusions on the mental health care user's right to movement, privacy and dignity are proportionate to the care, treatment and rehabilitative services contemplated.

The basis of this request for further involuntary care, treatment and rehabilitation on an inpatient basis is that:

.....  
.....  
.....  
.....

Attached hereto please find the copies of the following—

- (a) the application to obtain involuntary care, treatment and rehabilitation [MHCA 04];
- (b) the written findings given in terms of sections 27(5) and 33(5) [MHCA 05]
- (c) the notice given in terms of section 33(8) [MHCA 07]; and
- (d) the assessment findings [MHCA 06].

Signature:.....  
(Head of health establishment)

Date: .....

Place: .....

(Original to Review Board & Copy (excluding attachments) to applicant)

## FORM MHCA 09

## DEPARTMENT OF HEALTH

**NOTICE BY HEAD OF HEALTH ESTABLISHMENT AFTER 72-HOUR  
ASSESSMENT PERIOD INFORMING REVIEW BOARD THAT MENTAL  
HEALTH CARE USER WARRANTS FURTHER INVOLUNTARY CARE,  
TREATMENT AND REHABILITATION ON AN OUTPATIENT BASIS  
[Section 34(3)(b) of the Act]**

I .....hereby inform

(name of head of health establishment)

the Review Board that .....

(name of mental health care user)

requires further involuntary care, treatment and rehabilitation on an outpatient basis.

I am satisfied that the restrictions and intrusions on the mental health care user's right to movement, privacy and dignity are proportionate to the care, treatment and rehabilitative services contemplated.

The basis of this request for further involuntary care, treatment and rehabilitation on an outpatient basis is that:

- (a) The User is suffering from a mental illness or severe/profound mental disability and requires care, treatment and rehabilitation services for his/her health or safety or the health or safety of other people or for the protection of the financial interests or reputation of the User;
- (b) The User is currently incapable of making an informed decision on the need for the care, treatment and rehabilitation services
- (c) The User is refusing care, treatment and rehabilitation services

Signature: .....

(Head of health establishment)

Date: .....

Place: .....

[Copy to mental health care user and original to Review Board]



**FORM MHCA 10**

**DEPARTMENT OF HEALTH**

**TRANSFER OF INVOLUNTARY MENTAL HEALTH CARE USER -  
SCHEDULE OF CONDITIONS RELATING TO HIS OR HER INVOLUNTARY  
OUTPATIENT CARE, TREATMENT AND REHABILITATION SERVICES  
[Section 34(3)(b) or (5) of the Act]**

Surname of User .....  
First name(s) of User

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation ..... Marital status: S  M  D  W

Residential address: .....  
.....  
.....  
.....

Name of custodian into whose charge the User is discharged:  
.....  
.....

Address of custodian: .....  
.....  
.....  
.....

- i. The User's mental health status will be monitored and reviewed at ..... (name of health establishment)
- ii. The User is to present him / herself to this health establishment every .....weeks / months to have his or her mental health status reviewed.
- iii. Name of health establishment(s) where involuntary mental health care, treatment and rehabilitation will be provided on an outpatient basis if different from preceding health establishment:  
.....
- iv. Conditions of behaviour which must be adhered to by the User:.....  
.....  
.....  
.....  
.....

Name of psychiatric hospital and/or care and rehabilitation centre where the User is to be admitted if he / she relapses to the extent of being a danger to him / herself or others if he / she remains an involuntary outpatient, or to which he / she is to be admitted if the conditions of outpatient care are violated .....

(name of health establishment)

Print initials and surname .....

.....

Signature(head of health establishment)

Date: .....

Place: .....

.....  
Signature of User (understands and accepts the stipulated conditions)

.....  
Signature of custodian (understands and accepts the stipulated conditions)

[Original to Review Board and copy to User, custodian and head of health establishment to whom User was referred on outpatient basis]

**FORM MHCA 11****DEPARTMENT OF HEALTH**

**TRANSFER OF ASSISTED / INVOLUNTARY MENTAL HEALTH CARE USER  
ON INPATIENT BASIS TO ANOTHER HEALTH ESTABLISHMENT  
[Section 27(10) and 34(4), of the Act]**

.....  
(name and surname of mental health care user)

an assisted  or

Involuntary mental health care user

on an inpatient basis who was admitted to .....

..... (name of health establishment)

on ..... (date) must be

transferred to ..... (name of health establishment)

Print initials and surname .....

(head of health establishment)

Signature: .....

(Head of health establishment)

Date: .....

Place: .....

**[Copy to Review Board]**

**FORM MHCA 12**

**DEPARTMENT OF HEALTH**

**DISCHARGE OF INVOLUNTARY MENTAL HEALTH CARE USER FROM INPATIENT TO OUTPATIENT CARE OR CANCELLATION OF THE DISCHARGE**

**[Section 34(3) and 34(6) of the Act]**

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation ..... Marital status: S  M  D  W

Residential address: .....  
 .....  
 .....  
 .....

**A. Discharge from inpatient to outpatient care**

This involuntary inpatient at .....  
 (name of health establishment) has improved to such an extent that he/she should be provided with care, treatment and rehabilitation services as an outpatient as dated on the schedule of conditions attached to this transfer as outlined in the attached MHCA 10.

**B. Cancellation of the discharge**

This involuntary outpatient previously discharged with prescribed conditions on ..... and being monitored and reviewed at ..... has not complied with the terms and conditions applicable to his / her discharge / relapsed to the extent of being a danger to him / herself or others if he / she remains an involuntary outpatient, and must be admitted as an involuntary inpatient to ..... (name of health establishment)

Specific reasons for transfer to inpatient care are: .....  
 .....  
 .....

Print initials and surname .....

Signature: .....  
 (Head of health establishment)

Date: .....

Place: .....

FORM MHCA 13A

DEPARTMENT OF HEALTH

PERIODICAL REPORT ON MENTAL HEALTH CARE USER
(ASSISTED/INVOLUNTARY USER/MENTALLY ILL PRISONER)
[Sections 30(2), 37(2) and 55(1) of the Act]

Section 1: Biographical information

Surname of User .....
First name(s) of User .....
Date of birth ..... or estimated age .....

Gender Male [ ] Female [ ]

The User is an: (mark with a cross)

Assisted User [ ] Involuntary User [ ] Mentally ill prisoner [ ]

Name of health establishment concerned: .....
Registration number (if any): .....
Date of first admission of mental health care user under this section: .....

Section 2: Assessment

Mental health status: (Short statement of the mental health status before and since admission, since the last report, and the present condition, with special reference to any symptom indicating homicidal, suicidal or dangerous tendencies)

Before admission:

.....
.....
.....
.....

Since admission / previous periodical report:

.....
.....
.....
.....

Present mental status:

.....
.....
.....
.....

Physical condition of User:

.....  
.....  
.....  
.....  
.....

Diagnosis:

.....  
.....  
.....  
.....

**Section 3: Clinical management, treatment and rehabilitation plan**

Present treatment programme to be followed, including psycho-pharmacological, ECT, occupational therapy or psychotherapy social work intervention with family, leave of absence to family, etc):

Medical:

.....  
.....  
.....  
.....  
.....

Psychological:

.....  
.....  
.....  
.....

Social (including the safeguarding of the User’s financial interests):.

.....  
.....  
.....  
.....

Occupational:

.....  
.....  
.....  
.....

Physiotherapy (if required):

.....  
.....  
.....  
.....  
.....

**Family contacts:**

Personal  Correspondence  Regular  Seldom  Never

In the case of never, what has been done to trace the family?

.....  
.....  
.....

**Section 4: Recommendation in terms of Section 30 or 37 or 55(1)**

(a) The User is suffering from a mental illness or severe/profound mental disability and requires care, treatment and rehabilitation services for his/her health or safety or the health or safety of other people or for the protection of the financial interests or reputation of the User;

(b) The User is currently incapable of making an informed decision on the need for the care, treatment and rehabilitation services

and

(c) The User is refusing  / not refusing  care, treatment and rehabilitation services

Should the User status remain unchanged? Yes  No

Briefly motivate:

.....  
.....

If the User is an involuntary inpatient, should he / she be transferred to involuntary outpatient care?

Yes  No

Briefly motivate:

.....  
.....  
.....

Please add additional paper if required, as this is extremely important:

.....  
.....  
.....  
.....

.....  
.....  
.....  
.....  
.....

Print initials and surname of assessing practitioner: .....

Signature:.....  
(assessing practitioner)

Date: .....

Place: .....

**Section 5: Instructions and remarks**

.....  
.....  
.....

Signature:.....  
(Head of health establishment)

Date: .....

Place: .....

'(Original to Review Board and copy of report in case of mentally ill prisoner to relevant magistrate, administrator, if appointed, and head of relevant prison'



**FORM MHCA 13B**

**DEPARTMENT OF HEALTH**

**PERIODICAL REPORT ON STATE PATIENT  
[Section 46(2) of the Act]**

Surname of State patient .....

First name(s) of State patient .....

Date of birth .....or estimated age .....

Gender:      Male                       Female

Name of health establishment concerned: .....

Registration number (if any): .....

Date of first admission of the state patient under this section: .....

Mental health status: (Short statement of the mental health status before and since admission, since the last report, and the present condition, with special reference to any symptom indicating homicidal, suicidal or dangerous tendencies)

Before admission:

.....  
.....  
.....  
.....

Since admission / previous report:

.....  
.....  
.....  
.....

Present mental status:

.....  
.....  
.....  
.....

Present treatment for example psycho-pharmacological treatment, ECT, occupational therapy or psychotherapy:.....

.....  
.....  
.....

.....

Present physical condition:

.....  
.....  
.....  
.....  
.....

Diagnosis at present date:

.....  
.....  
.....  
.....

**Family contacts:**

Personal  Correspondence  Regular  Seldom  Never

In the case of never, what has been done to trace the family?

.....  
.....  
.....

**State patients (section 46 of the Act)**

Charge faced:

.....  
.....

Should the User be discharged conditionally? Yes  No

Comment:

.....  
.....  
.....

Should the User be discharged unconditionally? Yes  No

Comment:

.....  
.....  
.....

Give reasons if the 'present mental status' reflects a normal picture and further confinement is recommended:

.....  
.....

.....  
.....

Comment on the merit of granting the User leave of absence:

.....  
.....  
.....

Recommendation on a plan for further care, treatment and rehabilitation (to be completed for any of assisted and involuntary Users and mentally ill prisoners)  
(Specify treatment programme followed, give details of psychiatric interviews, counselling, group therapy sessions etc., stating clearly the aims of treatment, progress made, assessments done, changes made an patient's reactions to changes):  
Please add additional paper as this is extremely important!!

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Print initials and surname of assessing practitioner: .....

Signature:.....  
(assessing practitioner)

Date: .....

Place: .....

Instructions and remarks:

.....  
.....  
.....

Signature:.....  
(head of health establishment)

Date: .....

Place: .....

**STATE PATIENTS**

[This part must be completed by head of national department (or designated official)]  
Considerations and remarks:

.....  
.....  
.....  
.....

Recommendations:

(a) Further care and treatment:

.....  
.....  
.....

b) Leave of absence (State patients):

.....  
.....  
.....

(c) Discharge of User:

.....  
.....  
.....

Signature:.....

(Head of National Department):

Date: .....

Place: .....

[Copy to be sent back to the Head of health establishment]

## FORM MHCA 14

## DEPARTMENT OF HEALTH

## DECISION BY REVIEW BOARD CONCERNING—

- (a) assisted mental care, treatment and rehabilitation [section 28(3) of the Act];  
 (b) appeal against decision of head of health establishment concerning assisted care, treatment and rehabilitation [section 29(2) of the Act];  
 (c) further involuntary care, treatment and rehabilitation on an inpatient basis [section 34(7) of the Act]; or  
 (d) appeal against decision of head of health establishment on involuntary care, treatment and rehabilitation [section 35(2) of the Act]

Surname of User .....  
 First name(s) of User

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation: ..... Marital status: S  M  D  W

Residential address:.....

.....  
 .....  
 .....

The Review Board of .....  
 (name of review Board)

have considered documentation and issues relevant to:

**Application for assisted/involuntary care, treatment and rehabilitation of the above User:**

The Review Board have considered (inter alia) whether:

- (a) the User is capable of making an informed decision on the need to receive care, treatment and rehabilitation services.  
 (b) the User is suffering from a mental illness or severe or profound intellectual disability, and as a consequence of this requires care, treatment and rehabilitation for his / her health and safety or the health and safety of others.  
 (c) the User is willing  unwilling  to receive care, treatment and rehabilitation services.  
 (d) the User is likely to inflict serious harm on him / herself or others.

- (e) care, treatment and rehabilitation is necessary for the User's financial interest and reputation.
- (f) the User's right to movement, privacy and dignity will be unnecessarily restricted.

**Application to appeal against decision of head of health establishment on assisted□/ involuntary□ care, treatment and rehabilitation**

The Review Board has requested / provided the opportunity for the following to make oral or written representations on the merits of the request:

- (a) Applicant
- (b) Appellant
- (c) Independent mental health care practitioner(s)
- (d) Head of health establishment
- (e) Others

The Review Board has considered the appeal in the prescribed procedure and has decided that—

- (a) the User should be discharged from the health establishment
- (b) the User should receive care, treatment and rehabilitation services as a voluntary User
- (c) the User should receive assisted care, treatment and rehabilitation services as an assisted inpatient
- (d) the User should receive involuntary care, treatment and rehabilitation services as an inpatient  outpatient .

Reasons for this decision:

.....  
 .....  
 .....  
 .....  
 .....

Print initials and surname .....

Signature: .....

(Chairperson of Review Board)

Date: .....

Place: .....

[Copy to be sent (as applicable) to: applicant, appellant, head of health establishment concerned, head of provincial department and High Court Judge]

:

FORM MHCA 15

DEPARTMENT OF HEALTH

APPEAL TO REVIEW BOARD AGAINST DECISION OF HEAD OF HEALTH ESTABLISHMENT ON ASSISTED- OR INVOLUNTARY MENTAL HEALTH CARE, TREATMENT AND REHABILITATION [Sections 29(1) and 35(1) of the Act]

Details of User

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation: ..... Marital status: S [ ] M [ ] D [ ] W [ ]

Residential address: .....  
.....  
.....  
.....

Is the User the appellant? Yes [ ] No [ ]

If No to the above:

Surname of appellant: .....

First name(s) of appellant: .....

Contact number of appellant: .....

Residential address: .....  
.....  
.....  
.....

Relationship between appellant and mental health care user: (mark with a cross)

Spouse [ ] Partner [ ] Associate [ ] Next of kin [ ] Parent [ ] Guardian [ ]

Other [ ] .....(specify)

Grounds for the appeal:

.....  
.....  
.....  
.....  
.....



.....

Facts on which the appeal is based:

.....  
.....  
.....  
.....  
.....  
.....

I, the undersigned wish to have representation/Legal Representation / Legal Aid for myself or on behalf of .....(put in a tick box for yes or no).....

Signature: .....  
(appellant)

Date: .....

Place: .....

**FORM MHCA 16**

**DEPARTMENT OF HEALTH**

**ORDER BY THE HIGH COURT FOR FURTHER  
HOSPITALISATION/IMMEDIATE DISCHARGE OF AN INVOLUNTARY  
MENTAL HEALTH CARE USER  
[Section 36(c) of the Act]**

In the High Court of South Africa. .... Division  
In the matter of .....  
(involuntary mental health care user's name)

at present being confined at.....  
(name and health establishment)

as an involuntary mental health care User following the decision of the Review Board  
dated .....under sections 34(7) or 35(4) of the Act.

**IT IS HEREBY ORDERED**

That the said ...../('s)  
(name of User)

- (a) (i) be further kept / provided with care, treatment and rehabilitation services until the said User has recovered or is otherwise legally discharged;
- (ii) financial affairs be managed and administered according to the provisions of Chapter VIII of the Act; or
- (b) be discharged immediately.
- (c) Other ..... (specify)

By order of the Honourable Justice .....

Date: .....

Place: .....

Registrar: .....

[Copy to be sent applicant, appellant, Review Board and head of health establishment]

## FORM MHCA 17

## DEPARTMENT OF HEALTH

**DECISION/RECOMMENDATION BY REVIEW BOARD FOLLOWING  
PERIODIC REVIEWS/ REPORTS ON ASSISTED OR INVOLUNTARY  
MENTAL HEALTH CARE USERS OR MENTALLY ILL PRISONERS  
[Sections 30(4), 37(4) or 55(4) of the Act]**

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender: Male  Female Occupation: ..... Marital status: S  M  D  W Health establishment concerned .....  
(name of health establishment)The Review Board of ..... have considered  
(name of Review Board)

documentation and issues relevant to the periodic review of the above User.

The Review Board has considered (inter alia) whether:

- (a) The User is capable of making an informed decision on the need to receive care, treatment and rehabilitation services.
- (b) The User is suffering from a mental illness or severe or profound intellectual disability, and as a consequence of this requires care, treatment and rehabilitation for his / her health and safety or the health and safety of others.
- (c) The User is willing to receive care, treatment and rehabilitation services.
- (d) The User is likely to inflict serious harm on him / herself or others.
- (e) care, treatment and rehabilitation is necessary for the User's financial interest and reputation.
- (f) The User's right to movement, privacy and dignity will be unnecessarily restricted.

The Review Board have requested the following people to make oral or written representations:

- (a) Applicant
- (b) Independent mental health care practitioner(s)
- (c) Head of health establishment
- (d) Others (Specify)  .....

The Review Board has decided/recommended that:

- (a) The User should be discharged
- (b) The User should receive care, treatment and rehabilitation services as a voluntary User
- (c) The User should receive care, treatment and rehabilitation services as an assisted inpatient
- (d) The User should receive involuntary care, treatment and rehabilitation services as an inpatient  / outpatient .

Reasons for this decision/recommendation:

.....

.....

.....

.....

Print initials and surname .....

Signature: .....

(Chairperson of Review Board)

Date: .....

Place: .....

[Copies to be sent in the case of:

Assisted or involuntary User: to the mental health care user, applicant, head of health establishment concerned and head of provincial department;

Mental ill prisoners: mentally ill prisoner, administrator/curator (if appointed) head of health establishment concerned, relevant magistrate, head of relevant prison and head national department.]

Periodic Report No..... is due on .....

**FORM MHCA 18**

**DEPARTMENT OF HEALTH**

**SUMMONS TO APPEAR BEFORE A REVIEW BOARD  
[Section 11(2), 29(2)(a) and 35(2)(c) of the Act]**

.....  
(name of person summoned and his or her address)

is hereby summoned to appear at .....(place)

on ..... (date and time) before the Review Board of

..... (name of health establishment)

to give evidence in respect of .....

.....  
.....  
.....

(if the person summonsed is to produce any book, record, document or any other item(s))and you are hereby directed to produce:

.....  
.....  
.....  
.....

(specify the book, record, document or any other item(s) concerned)

Given under the hand of the Chairperson of the Review Board, this .....day  
of .....

Signature: .....

(Chairperson of Review Board)

**FORM MHCA 19**

**DEPARTMENT OF HEALTH**

**REQUEST BY HEAD OF HEALTH ESTABLISHMENT TO REVIEW BOARD TO TRANSFER MENTAL HEALTH CARE USER/STATE/MENTALLY ILL PRISONER**

- (a) an assisted or involuntary mental health care user in terms of section 39(1) of the Act to maximum security facilities;
- (b) a State patient between designated health establishments in terms of section 43 of the Act; or
- (c) a mentally ill prisoner between designated health establishments in terms of section 54(2) of the Act. /

Surname of mental health care user/state patient/mentally ill prisoner .....

First name(s) of mental health care user/state patient/mentally ill prisoner .....

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation: ..... Marital status: S  M  D  W

Health establishment from where the request is made: .....

State clearly the reason(s) for the request: .....  
.....  
.....  
.....  
.....

Has the User previously absconded or attempted to abscond? Yes  No

Explain circumstances: .....  
.....  
.....  
.....  
.....

Has the User inflicted harm on others at the health establishment? Yes  No

Explain circumstances: .....

.....  
.....  
.....  
.....  
.....

In your opinion is the User likely to inflict harm on others in the health establishment?

Yes  No

Explain:

.....  
.....  
.....  
.....  
.....

Other reason(s) for making the request:

.....  
.....  
.....  
.....  
.....

Print initials and surname .....

Signature: .....

(Head of health establishment)

Date: .....

Place: .....

**FORM MHCA 20**

**DEPARTMENT OF HEALTH**

**ORDER BY REVIEW BOARD TO TRANSFER MENTAL HEALTH CARE USER/STATEPATIENT/MENTALLY ILL PRISONER**

- (a) an assisted- or involuntary mental health care user in terms of section 39(4) of the Act to maximum security facilities;
- (b) a State patient between designated health establishments in terms of section 43(3) of this Act; or
- (c) a mentally ill prisoner between designated health establishments in terms of section 54(2) of the Act.

Surname of mental health care user/state patient/mentally ill prisoner .....

First name(s) of mental health care user/state patient/mentally ill prisoner.....

Date of birth ..... or estimated age .....

Gender:        Male                       Female

Occupation: ..... Marital status:     S     M     D     W

Health establishment making the request: .....

The Review Board of .....  
(name of Review Board)

has considered documentation and representation relevant to the transfer of the above User to a maximum security facility.

The Review Board has considered inter alia whether-

- (a) the transfer is not being done in order to punish the User.
- (b) The transfer is warranted taking cognizance of the mental health status of the User.

Reason(s) for transfer:

.....

.....

.....

.....

.....

.....

.....

.....

The above mental health care user/state patient/mentally ill prisoner must be transferred to a health establishment with maximum security facilities.

Print initials and surname .....

Signature: .....

(Chairperson of Review Board)



Date: .....

Place: .....

[Copy to:

With respect to assisted- and involuntary mental health care Users, this order must be sent to the head of the provincial department and the Head of health establishment.

With respect to state patients and mentally ill prisoners the order must be sent to the head of the national department]

FORM MHCA 21

DEPARTMENT OF HEALTH

NOTICE OF TRANSFER OF STATE PATIENT OR MENTALLY ILL PRISONER

[sections 43(8) or 54(6) of the Act]

Surname of state patient/mentally ill prisoner .....
First name(s) of state patient/mentally ill prisoner.....
Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation: ..... Marital status: S [ ] M [ ] D [ ] W [ ]

The above state patient or mentally ill prisoner has been transferred:
From: .....
(name of health establishment)

To: .....
(name of health establishment)

Reasons for transfer:
.....
.....
.....

Date of transfer: .....
Print initials and surname .....
Signature: .....
(person effecting the transfer)

Date: .....
Place: .....

[Copy:
In respect of state patient to be sent to official curator ad litem and National Department.
In respect of mentally ill prisoner to be sent to the head of the relevant prison, Review Board and national department as well as to the administrator where appointed]

**FORM MHCA 22**

**DEPARTMENT OF HEALTH**

**HANDING OVER CUSTODY BY THE SOUTH AFRICAN POLICE SERVICES (SAPS) OF A PERSON SUSPECTED OF BEING MENTALLY ILL AND LIKELY TO INFLICT SERIOUS HARM TO HIM/HERSELF OR OTHERS  
[Section 40(1) of the Act]**

A.I.....

(print rank, initials and surname of member of SAPS)

have reason to believe from personal observation

or from information obtained from a mental health care practitioner

that .....

.....  
.....  
.....

(User's name or description if no name is available)

is suffering from a mental illness and is likely to inflict serious harm to him/herself or others.

I have apprehended the person and have brought him / her to .....

.....  
(name of health establishment)

for assessment by a mental health care practitioner.

Name and address of next of kin (where possible)

.....  
.....  
.....

I hereby hand over custody of the said person to the head of the health establishment or his / her designate.

Signature: .....Force No.....

(Member of SAPS)

Date: .....

Time: .....

Place: .....

B.I.....

... (Name of head of health establishment or designated person)

accept custody of .....

(Name of User or description if no name is available)

at the .....  
(Name of health establishment)

The User's physical condition is as follows (describe any bruises, lacerations etc):  
.....  
.....  
.....  
.....

The mental status of the person will be assessed and an application will be made in terms of section 33 if applicable

Signature: .....  
(Head of health establishment or designated person)

Date: .....  
Time: .....  
Place: .....

[Copy to be sent to SAPS to confirm in writing the physical condition as stated above during handing over of custody]

C. The SAPS hereby confirms that the physical condition as stated above was present during the handing over the User in terms of section 40(1) of the Act.

Print initials and surname: .....  
Signature: .....  
(Member of SAPS who handed over custody)

Date: .....  
Place: .....

[Copy to Review Board]

**FORM MHCA 23**

**DEPARTMENT OF HEALTH**

**TRANSFER OF STATE PATIENTS FROM DETENTION CENTRE TO A DESIGNATED HEALTH ESTABLISHMENT**

**[Sections 42(3) of the Act]**

**OR**

**TRANSFER OF MENTALLY ILL PRISONERS FROM PRISON TO DESIGNATED HEALTH ESTABLISHMENT**

**[Section 53(2) of the Act]**

Surname of state patient/mentally ill prisoner .....

First name(s) of state patient/mentally ill prisoner.....

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation: ..... Marital status: S  M  D  W

Residential address: .....

.....

.....

.....

The above state patient, currently held in detention at ..... (name of detention centre) must be transferred to.....

.....(name of health establishment) for care, treatment and rehabilitation services.

Signature: .....

(Head of national department)

Date: .....

Place: .....

[Copy to be forwarded to head of detention centre and the official curator ad litem]

[On receipt of a court order in terms of section 42(1) of the Act, Form J105, the national department must complete MHCA 23 and forward a copy to the detention centre and head of health establishment concerned]

## FORM MHCA 24

## DEPARTMENT OF HEALTH

**TRANSFER OF STATE PATIENTS AND MENTALLY ILL PRISONERS  
BETWEEN DESIGNATED HEALTH ESTABLISHMENTS  
[Sections 43(1) and 54(1) of the Act]**

Surname of state patient/mentally ill prisoner .....

First name(s) of state patient/mentally ill prisoner.....

Date of birth ..... or estimated age .....

Gender:      Male                       Female Occupation: ..... Marital status: S     M     D     W 

The above state patient or mentally ill prisoner shall be transferred:

From: ..... (name of health establishment)

To: ..... (name of health establishment)

Reasons to transfer:

.....

.....

.....

.....

Print Initials and Surname: .....

Signature: .....

(Head of provincial department)

Date: .....

Place: .....

Concurrence of Head of Province to where the state patient or mentally ill prisoner is to be transferred must be obtained where inter-provincial transfers are contemplated.

Signature: .....

(Head of provincial department)

Date: .....

Place: .....

(Copy to be forwarded to official *curator ad litem*, head of national department and head of health establishment to where state patient or mentally ill prisoner is transferred)

FORM MHCA 25

DEPARTMENT OF HEALTH

NOTICE OF ABSCONDMENT TO SOUTH AFRICAN POLICE SERVICE (SAPS) AND REQUEST FOR ASSISTANCE TO LOCATE, APPREHEND AND RETURN USER

[Sections 40(4), 44(1) or 57(1) of the Act]

Surname of assisted user/involuntary user/state patient/mentally ill prisoner: .....

First name(s) of assisted user/involuntary user/state patient/mentally ill prisoner: .....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation: ..... Marital status: S [ ] M [ ] D [ ] W [ ]

Date of admission to health establishment: .....

The above assisted user/involuntary user/state patient/mentally ill prisoner absconded from: .....(name of health establishment)

Address:.....  
.....  
.....  
.....

Date of abscondment: .....

Absconder is: (mark with a cross)

Assisted User [ ] Involuntary User [ ] State patient [ ] Mentallyill  
prisoner [ ]

Diagnosis on medical condition:  
.....  
.....  
.....  
.....

Estimation of likelihood of doing harm to self or others: (mark with a cross)

Little chance [ ] Reasonable chance [ ] High likely [ ] Extremely likely [ ]

Circumstances of abscondment:

.....  
.....  
.....  
.....

Attach full report (if available)

Your assistance in locating and apprehending the above assisted/involuntary user/state patient/mentally ill prisoner is appreciated

Print initials and surname: .....

Signature: .....

(Head of health establishment)

Date: .....

Place: .....

[In case of an assisted- or involuntary User: copy of this notice to be submitted to head of provincial department]

[In case of a state patient: copy of this notice to be submitted to Registrar or Clerk of the relevant Court official *curator ad litem* and head of national department]

[In the case of a mentally ill prisoner: copy of this notice to be submitted to head of the prison from where the User was initially transferred and to head of national department]



FORM MHCA 26

DEPARTMENT OF HEALTH

NOTICE OF THE RETURN OF AN ABSCONDED ASSISTED USER/INVOLUNTARY USER/STATE PATIENT/MENTALLY ILL PRISONER [Section 40(4), 44(1) or 57(1) of the Act] [to be completed by the head of Health Establishment]

Surname of assisted user/involuntary user/state patient/mentally ill prisoner: .....

First name(s) of assisted user/involuntary user/state patient/mentally ill prisoner: .....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation: ..... Marital status: S [ ] M [ ] D [ ] W [ ]

Date of admission to health establishment: .....

The above assisted user/involuntary user/state patient/mentally ill prisoner absconded from: .....(name of health establishment)

Address:.....  
.....  
.....  
.....

Date of abscondment: .....

Date of return: .....

Returned by (e.g. SAPS, self, relative):

Print Initials and Surname:.....

Force Number if applicable:.....

Date:.....

State physical / mental condition:  
.....  
.....  
.....  
.....  
.....

Print initials and surname: .....  
(head of health establishment)

Signature: .....

Date: .....

Place: .....

[In case of an assisted or involuntary mental health care user: copy of this notice to be submitted to the Review Board and head of provincial department]

[In case of state patient: copy of this notice to be submitted to Registrar or Clerk of the relevant Court, official *curator ad litem* and head of national department]

[In case of a mentally ill prisoner: copy of this notice to be submitted to the Magistrate, head of the prison from where the User was initially transferred and to head of national department]

**FORM MHCA 27**

**DEPARTMENT OF HEALTH**

**GRANTING OF LEAVE OF ABSENCE TO A STATE PATIENT,  
ASSISTED OR INVOLUNTARY MENTAL HEALTH CARE USERS  
[Section 45, 66(1)(j) of the Act]**

Surname of assisted or involuntary mental health care user.....  
 First name(s) of assisted or involuntary mental health care user .....

Date of birth ..... or estimated age .....

Gender:        Male                       Female

Occupation: ..... Marital status: S     M     D     W

Residential address or custodian's name and address whilst on leave of absence:  
 .....  
 .....  
 .....  
 .....

The User is: (mark with a cross)

State patient                       Assisted User                       Involuntary User

Date of commencement of leave: .....  
 Due date of return from leave: .....

Name of health establishment where the User's mental health status will be monitored and reviewed: .....

The User is to present him- / herself to this health establishment every ..... weeks / months to be monitored and his / her health status reviewed.

Name of health establishment(s) where care, treatment and rehabilitation will be provided and the nature of this: .....

Conditions of behaviour which must be adhered to by the User:  
 .....  
 .....  
 .....  
 .....  
 .....

Name of psychiatric hospital where the User is to be admitted if he / she relapses and / or is not complying with the terms and conditions applicable to the leave:

.....  
Print initials and surname: .....

Signature: .....

(Head of health establishment)

Date: .....

Place: .....

Print initials and surname: .....

Signature: .....

(custodian)

Date: .....

Place: .....

**FORM MHCA 28**

**DEPARTMENT OF HEALTH**

**CANCELLATION OF LEAVE OF ABSENCE OF A STATE PATIENT OR AN ASSISTED OR INVOLUNTARY MENTAL HEALTH CARE USER**

**[Section 45(3), 66(1)(j) of the Act]**

I hereby cancel the leave of absence of .....

(name of state patient, assisted or involuntary mental health care user)

File No. ....

You are not complying with the terms and conditions applicable to the leave of absence and/or have/has relapsed to the extent of requiring hospitalization.

Reasons for cancellation of leave of absence:

.....  
.....  
.....  
.....  
.....

You must return to .....

(name of detention centre)

by ..... (date) or you will be reported to the South African Police Services as absconded.

Print initials and surname: .....

Signature: .....

(head of health establishment)

Date: .....

Place: .....

(Copy to custodian)

**FORM MHCA 29**

**DEPARTMENT OF HEALTH**

**APPLICATION FOR DISCHARGE OF STATE PATIENT TO JUDGE IN CHAMBERS (WHERE APPLICANT IS NOT AN OFFICIAL CURATOR AD LITEM OR ADMINISTRATOR)**

**[Section 47(2)(e) of the Act]**

Surname of state patient .....

First name(s) of state patient.....

File No. (if known) .....

Date of birth ..... or estimated age .....

Gender:      Male                       Female

Occupation: ..... Marital status: S  M  D  W

Residential address: .....  
.....  
.....  
.....

Charge against state patient: .....

Person making application (mark with a cross):

State patient him/herself  Head of health establishment

Responsible medical practitioner  Spouse  Associate  Next of kin

Other

Reasons for application:

.....  
.....  
.....  
.....

Has an application been made for discharge of state patient within the preceding 12 months by any application other than an official curator ad litem? Yes  No

If Yes provide details of the status of that application (and no need to proceed further with this form):

.....  
.....  
.....

Report from psychologist (if available): Yes  No

In your opinion does the official curator ad litem have a conflict of interest with the state patient? Yes  No

Give reasons:

.....  
.....  
.....

Supply proof that a copy of the application has been given to the official curator ad litem concerned.

Where the applicant is an 'associate' state the nature of the substantial or material interest in the state patient:

.....  
.....  
.....

Attach all reports you have available relevant to this application.

Provide details of any prior application for discharge that you are aware of:

.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(Applicant)

Date: .....

Place: .....

FORM MHCA 30

DEPARTMENT OF HEALTH

APPLICATION FOR DISCHARGE OF STATE PATIENT TO JUDGE IN CHAMBERS (WHERE APPLICANT IS AN OFFICIAL CURATOR AD LITEM OR ADMINISTRATOR) [Section 47(2)(c) of the Act]

Surname of state patient .....
First name(s) of state patient .....
File No. (if known) .....
Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Address: .....

Date of admission: .....

Charge against User: .....

Date declared a state patient: .....

Health establishment where User is being treated: .....

Application for discharge made by official curator ad litem / other

If other, state whom: .....

Has an application been made for discharge of the state patient within the preceding 12 months by any applicant other than official curator ad litem?

Yes [ ] No [ ]

If yes, provide details of the status of that application (and no need to further with this form)

.....
.....
.....
.....

Report from psychologist (attach if available) Yes [ ] No [ ]

Attach reports containing the history of the User's mental health status and a prognosis concerning their mental health status from:

- (a) Head of the relevant health establishment
(b) Two mental health care practitioners at least one of whom should be a psychiatrist

Recommendations and comments on whether the application should be granted:

.....
.....
.....



.....  
Print initials and surname: .....

Signature: .....  
(Official *curator ad litem*/administrator)

Date: .....

Place: .....

Psychiatric report in terms of section 47(2) and 47(3)(a) of the Act

General information regarding:

- (a) escapes / attempted escapes
- (b) violent behaviour
- (c) seclusions and reason for this
- (d) attempts at obtaining alcohol and dagga
- (e) any other unacceptable behaviour

Summarized history of User's mental health status:

.....  
.....  
.....  
.....

Description of present mental condition:

.....  
.....  
.....  
.....

Prognosis:

.....  
.....  
.....  
.....

Recommendation(s):

.....  
.....  
.....  
.....

Print initials and surname: .....

(head of health establishment)

Signature: .....

Date: .....

Place: .....

**Psychiatric report in terms of section 47(2) and 47(3)(a) of the Act by a psychiatrist /  
medical practitioner**

Educational qualifications:.....

Occupation of state patient before admission:.....

Nature of charge .....

Review of medical and psychiatric history before admission:

.....  
.....

Present mental state and duration:

.....  
.....

Diagnosis:

.....  
.....

Treatment received in hospital:

.....  
.....

Prognosis:

.....  
.....

Recommendations:

.....  
.....

Print initials and surname: .....

Signature: .....

(psychiatrist / medical practitioner)

Date: .....

Place: .....

Psychiatric report in terms of section 47(2) and 47(3)(a) of the Act by a psychiatrist / medical practitioner

Educational qualifications .....

.....

Occupation before admission .....

Nature of charge .....

Review of medical and psychiatric history before admission:

.....  
.....  
.....

Present mental state and duration:

.....  
.....  
.....

Diagnosis:

.....  
.....  
.....

Treatment received in hospital:

.....  
.....  
.....

Prognosis:

.....  
.....  
.....

Recommendations:

.....  
.....  
.....

Signature: .....  
(psychiatrist / medical practitioner)

Date: .....

Place: .....

FORM MHCA 32

DEPARTMENT OF HEALTH

SIX-MONTHLY REPORT ON CONDITIONALLY DISCHARGED STATE PATIENT

[Section 48(3) of the Act]

Surname of state patient:.....

First name(s) of state patient:.....

File No. (if known) .....

Date of birth ..... or estimated age .....

Gender: Male  Female

Address: .....

Nature of charge: .....

Date of conditional discharge: .....

Date of last report: .....

Comment on the extent to which the state patient is adhering to the terms and conditions of the discharge:

.....  
.....  
.....

Current mental health status of state patient:

.....  
.....  
.....

Recommendation to head of health establishment from where the state patient was conditionally discharged

.....  
.....  
.....

Print initials and surname: .....

Signature: .....  
(person monitoring the state patient)

Date: .....

Place: .....

(Copies to be forwarded to the state patient, head of relevant health establishment, clerk of the court and head of national department)

## FORM MHCA 33

## DEPARTMENT OF HEALTH

**UNCONDITIONAL DISCHARGE BY HEAD OF HEALTH ESTABLISHMENT  
OF STATE PATIENT PREVIOUSLY DISCHARGED CONDITIONALLY  
[Section 48(4)(a) of the Act]**

Surname of state patient: .....

First name(s) of state patient: .....

File No. (if known) .....

Date of birth ..... or estimated age .....

Gender:      Male                   Female 

Address: .....

Date of conditional discharge: .....

Date of expiry of conditional discharge: .....

I hereby state that the period of the above state patient's conditional discharge has expired, that he / she has complied with the terms and conditions applicable to his / her mental health status and that his / her mental health status and that his / her mental health status has not deteriorated.

The above state patient is hereby unconditionally discharged.

Print initials and surname: .....

Signature: .....

(head of health establishment)

Date: .....

Place: .....

(Copy to be forwarded to the state patient, registrar of the court concerned, the official *curator ad litem* and national department)

**FORM MHCA 34**

**DEPARTMENT OF HEALTH**

**APPLICATION TO REGISTRAR OF THE HIGH COURT FOR AN ORDER  
AMENDING THE CONDITIONS/REVOKING THE CONDITIONAL  
DISCHARGE OF A STATE PATIENT  
[Section 48(5) of the Act]**

Surname of state patient:.....  
First name(s) of state patient:.....  
File No. (if known) .....  
Date of birth ..... or estimated age .....  
Gender: Male            Female  
Address: .....  
.....  
Nature of charge: .....  
Residential address: .....  
.....  
.....  
.....

I hereby request that the conditional discharge of the above state patient be amended or revoked.

The above state patient has not complied with the following terms and conditions of his/her conditional discharge (explain)

.....  
.....  
.....

and his/her mental health status has deteriorated (explain)

.....  
.....  
.....

(if applicable) I recommend that the terms and conditions of the discharge be amended along the following lines:

.....  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(head of health establishment)

Date: .....

Place: .....

(Copies to be forwarded to the official curator ad litem and national department)

**FORM MHCA 35**

**DEPARTMENT OF HEALTH**

**APPLICATION BY STATE PATIENT TO JUDGE IN CHAMBERS FOR  
AMENDMENT TO ANY CONDITION APPLICABLE TO DISCHARGE  
REQUESTING UNCONDITIONAL DISCHARGE  
[Section 48(6) and (7) of the Act]**

Surname of state Patient: .....

First name(s) of state patient: .....

File No. (if known) .....

Date of birth ..... or estimated age .....

Gender:      Male       Female

Residential address: .....  
.....  
.....  
.....

Date of conditional discharge: .....

Date of last request for amendment / revocation of conditional discharge: ....  
(may not be within six months of current application)

I hereby request that the following terms(s), condition(s) of my discharge be amended:

.....  
.....  
.....  
.....

Reasons for amending condition / requesting unconditional discharge:

.....  
.....  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(State patient)

Date: .....

Place: .....

Decision by Judge in Chambers:

.....  
.....  
.....  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(Judge in Chambers)

Date: .....

Place: .....

(Copy to state patient, head of health established, head of the national department, registrar of the High Court and *curator ad litem*)



**FORM MHCA 36**

**DEPARTMENT OF HEALTH**

**ASSESSMENT OF MENTAL HEALTH STATUS OF PRISONER FOLLOWING  
REQUEST FROM HEAD OF A PRISON AND/OR MAGISTRATE**

[Sections 50(2) or 52 of the Act]

Surname of the prisoner:.....

First name(s) of the prisoner:.....

File No. (if known) .....

Date of birth ..... or estimated age .....

Gender:      Male                       Female

Occupation: ..... Marital status: S     M     D     W

Residential address: .....

.....

.....

.....

Nature of charge: .....

Prison number: .....

Date of examination: ..... Place of examination: .....

Category of designated mental health care practitioner: .....

Physical health status (filled in only by practitioner qualified to conduct physical examination)

(a)    General physical health:

.....

.....

.....

(b)    Are there signs of injuries?    Yes                       No

(c)    Are there signs of communicable disease?    Yes                       No

If the answer to (b) or (c) if Yes, give further particulars:

.....

.....

.....

Reports facts on previous observations of mental illness (state who provided this information):

.....  
.....  
.....

Facts concerning the mental condition of the prisoner which were observed on previous occasions (State dates and places);

.....  
.....  
.....

Mental health status of the User at the time of the present examination:

.....  
.....  
.....

Type of illness (provisional):

.....  
.....  
.....

In my opinion the above-mentioned prisoner—

has homicidal tendencies: Yes  No

has suicidal tendencies: Yes  No

is dangerous: Yes  No

**Recommendation to head of prison**

The prisoner is mentally ill and requires care, treatment and rehabilitation; Yes  No

In my opinion the prisoner can be given care, treatment and rehabilitation within the prison and/or in a prison hospital; Yes  No

In my opinion the mental illness is of such a nature that the prisoner should be sent to a psychiatric hospital for care, treatment and rehabilitation:

.....  
.....

Plan for care, treatment and rehabilitation for prisoner:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(mental health care practitioner who assessed mental health status of prisoner)

Date: .....

Place: .....

FORM MHCA 37

DEPARTMENT OF HEALTH

MAGISTERIAL ORDER TO HEAD OF PRISON TO -
(a) TRANSFER PRISONER TO HEALTH ESTABLISHMENT; OR
(b) TAKE NECESSARY STEPS TO ENSURE THAT THE REQUIRED LEVELS OF CARE AND TREATMENT ARE PROVIDED TO THE PRISONER CONCERNED[Sections 52(3)(a) or (b) of the Act]

Surname of the prisoner:
First name(s) of the prisoner:
Date of birth or estimated age
Gender: Male Female
Occupation: Marital status: S M D W
Residential address:
Prison number:
Charge against prisoner:

I hereby order that due to mental illness / intellectual disability the above User be transferred to a designated health establishment for care, treatment and rehabilitation in accordance with the procedure in section 54 of the Act.

Note: attach copy of MHCA 36 as completed by person who assessed the mental health care status of the prisoner concerned.

OR

I hereby order that the above User be provided with the required levels of care within the prison / prison hospital\*

Print initials and surname:
Signature:
(magistrate)

Date:
Place:

[Copy to be forwarded to the Review Board Curator/Administrator (if appointed) and the head of the national department]

**FORM MHCA 38**

**DEPARTMENT OF HEALTH**

**APPLICATION TO MAGISTRATE FOR CONTINUED DETENTION OF A  
MENTALLY ILL PRISONER  
[Sections 58(3) of the Act]**

Surname of mentally ill prisoner:.....

First name(s) of mentally ill prisoner:.....

Date of birth ..... or estimated age .....

Gender:        Male         Female

Occupation: ..... Marital status: S     M     D     W

Health establishment concerned: .....

File No: .....

Prison number: .....

Charge against person: .....

The above mentally ill prisoner has been admitted at:  
.....(name of health establishment)as a mentally ill  
prisoner since: ..... (date of admission) .

The date of expiry of his / her prison sentence is : .....(date of  
expiry of sentence)

Application for further confinement of the User in terms of Chapter V of this Act was  
made on .....by .....

In terms of section 58(3) of the Act, I hereby request permission to keep this User at this  
health establishment and provided care, treatment and rehabilitation pending the outcome  
of the application.

Print initials and surname: .....

Signature: .....

(head of health establishment)

Date: .....

Place: .....

**FORM MHCA 39**

**DEPARTMENT OF HEALTH**

**APPLICATION TO MASTER OF HIGH COURT  
FOR THE APPOINTMENT OF ADMINISTRATOR  
[Sections 60(1) and (2) of the Act]**

Surname of User in respect of whom application is made .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender: Male  Female

Occupation: ..... Marital status: S  M  D  W

Name of applicant: .....(print initials and surname)

The above User has been admitted at: .....(name of health establishment)

Relationship of applicant to the User:  
.....

If the applicant is not the spouse or next of kin:

Give reasons why the spouse or next of kin are not making the application:  
.....  
.....  
.....

If the spouse or next of kin are not available:  
What steps have been made to trace the whereabouts of the spouse or next of kin?  
.....  
.....  
.....

All medical certificates or relevant reports related to mental health status and the ability of the User to manage his / her own property (enclose and list)  
.....  
.....  
.....

On what grounds do you believe that the User is incapable of managing his / her property?

.....  
.....  
.....

Have you seen the User within seven days of this application?    Yes  No

Give details:

.....  
.....  
.....

Give the particulars and estimated value of the property of the User:

.....  
.....  
.....

What is the annual income of the User?

.....

Who, in your opinion, would be most suited to be an administrator for the property of the User?

.....

Provide further particulars of the person (e.g. relationship with User, occupation):

.....  
.....  
.....

Give the name(s) and contact details of people who may be able to provide further information relating to the mental health status of the User:

.....  
.....  
.....

Attach proof that a copy of this application has been given to or served on the person in respect of whom this application is made:

.....

Signature: .....

(applicant)

Date: .....

Place: .....

**Affidavit to be signed by a Justice of the Peace / Commissioner of Oaths**

I, the undersigned and applicant, hereby affirm that:

I am 18 years of age or older: .....

I am a relative, being .....

I am not a relative, being .....

Signature: .....

The above statements was solemnly declared or sworn before me at: .....

The respondent has acknowledged that he / she knows and understands the content of the affidavit which was sworn to / affirmed before me

Print initials and surname: .....

Signature: .....

(Justice of the Peace / Commissioner of Oaths)

Date: .....

Place: .....

**Decision of Master of the High Court in terms of section 60(13) of the Act**

Having considered the allegations and facts related to this application, I hereby-

- (a) appoint.....(name of person) as an interim administrator pending the outcome of an investigation to be conducted;
- (b) appoint .....(name of person) as the administrator of the above User's property;
- (c) order that an investigation be conducted in terms of section 60(4) of the Act;
- (d) assert that no administrator should be appointed.

Print initials and surname: .....

Signature: .....

(Master of the High Court)

Date: .....

Place: .....



**FORM MHCA 40**

**DEPARTMENT OF HEALTH**

**DECISION BY MASTER OF THE HIGH COURT ON APPOINTMENT OF AN ADMINISTRATOR**

**[Section 60(8) of the Act]**

Following an investigation as set out in section 60(5) of the Act, I hereby order that:

(a) .....(name of person)  
be appointed as the administrator of the property of:  
..... (User's name)

(b) no administrator be appointed with respect to the property of:  
.....(User's name)

(c) refer the matter for the consideration of a High Court Judge in chambers.

Reason for this decision:

.....  
.....  
.....  
.....

The powers, functions and duties of the administrator, if appointed, will be carried out in accordance with section 63 of the Act.

Print initials and surname: .....

Signature: .....

(Master of High Court)

Date: .....

Place: .....

(Copy to be forwarded to the applicant, person in respect of whom the application was made and to the head of the health establishment where the person concerned has been admitted)

FORM MHCA 41

DEPARTMENT OF HEALTH

NOTICE OF APPEAL TO HIGH COURT JUDGE IN CHAMBERS REGARDING THE DECISION OF THE MASTER OF THE HIGH COURT TO APPOINT OR NOT TO APPOINT AN ADMINISTRATOR [Sections 60(10) of the Act]

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender: Male [ ] Female [ ]

Occupation: ..... Marital status: S [ ] M [ ] D [ ] W [ ]

Residential address: .....  
.....  
.....

Surname of applicant: .....

First name(s) of applicant: .....

Residential address: .....  
.....  
.....

Relationship between applicant and mental health care User: (mark with a cross)

Spouse [ ] Next of kin [ ] Other [ ] (state relationship or capacity)

Grounds of the appeal:  
.....  
.....  
.....

Facts on which the appeal is based:  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....  
(Applicant)

Date: .....

Place: .....

## FORM MHCA 42

## DEPARTMENT OF HEALTH

**NOTICE OF DECISION OF HIGH COURT TO APPOINT AN  
ADMINISTRATOR OR TO TERMINATE THE APPOINTMENT OF AN  
ADMINISTRATOR**

**[Sections 61(3) and 64(3) of the Act]**

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender:      Male       Female Occupation: ..... Marital status: S     M     D     W 

Residential address: .....

.....

.....

## Appointment of administrator

Having considered all the relevant facts relating to the appointment of an administrator for the property of the above User in terms of section 61(3) of the Act, I hereby order that:

an administrator be appointed / no administrator be appointed (delete which is not applicable)

Reasons for decision:

.....

.....

## Continuance / termination of administratorship:

Having considered all the relevant facts relating to the termination of the administratorship of the property of the above User in terms of section 64(3) of the Act, I hereby order that:

The powers, functions and duties of the administrator of the above User's property shall henceforth be terminated / shall continue (delete which is not applicable)

Print initials and surname: .....

Signature: .....

(Judge in the High Court)

Date: .....

Place: .....

[Copy to appellant, applicant, head of relevant health establishment, head of provincial department and, in the case of a decision regarding termination of administratorship, the administrator]

**FORM MHCA 43**

**DEPARTMENT OF HEALTH**

**NOTICE OF APPOINTMENT OF ADMINISTRATOR  
[Section 62 of the Act]**

I hereby appoint:

..... (name of administrator) to be the administrator of the property of ..... (name of User)

Address of administrator: .....  
.....  
.....  
.....

With the effect from: ..... (date)

As the administrator you will take care of, and administer the property of the above person and perform all acts incidental thereto and subject to any other law you will carry on the business or other undertakings of the person concerned.

You will continue to act as the administrator until your duties have been legally terminated.

Print initials and surname: .....

Signature: .....

(Master of High Court)

Date: .....

Place: .....

**FORM MHCA 44**

**DEPARTMENT OF HEALTH**

**APPLICATION FOR TERMINATION OF TERM OF OFFICE OF AN ADMINISTRATOR AND THE DECISION OF THE MASTER OF THE HIGH COURT**

**[Section 64 of the Act]**

Name of administrator: .....

Application made by: ..... (initials and surname)

- (a) person in respect of whom an administrator was appointed;
- (b) the administrator;
- (c) person who made the application for the appointment of an administrator.

Grounds on which the application is made:

.....

.....

.....

.....

.....

.....

N.B. All medical certificates or relevant reports subsequent to appointment of an administrator are to be enclosed.

Estimated property value: .....

Signature: .....

(Applicant)

Date: .....

Place: .....

Decision of Master of High Court

Having considered the facts relevant to this application I hereby:

- (a) terminate the appointment of the administrator;
- (b) decline to terminate the appointment of the administrator;
- (c) refer the matter for the consideration of a High Court Judge in chambers.

Reasons for decision:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

Print initials and surname: .....

Signature: .....

(Master of High Court)

Date: .....

Place: .....

[Copy to applicant and head of health establishment]

**FORM MHCA 45**

**DEPARTMENT OF HEALTH**

**NOTICE OF APPEAL TO HIGH COURT JUDGE IN CHAMBERS REGARDING  
THE APPLICATION FOR THE TERMINATION OF THE TERM OF OFFICE  
OF AN ADMINISTRATOR  
[Section 64(5) of the Act]**

Surname of User .....  
First name(s) of User .....  
Date of birth ..... or estimated age .....

Gender: Male  Female

Name of applicant: .....

Appeal made by: .....

(print initials and surname)

who is a (delete where not applicable)

- (a) person in respect of whom an administrator was appointed;
- (b) the administrator;
- (c) person who made the application for the appointment of an administrator.

Grounds for appeal:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Facts on which the appeal is based:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Signature: .....

(Appellant)

Date: .....

Place: .....

[Copies to Master of High Court]

**FORM MHCA 46**

**DEPARTMENT OF HEALTH**

**NOTICE OF DECISION OF HIGH COURT JUDGE IN CHAMBERS  
REGARDING APPEAL AGAINST DECISION OF MASTER OF HIGH COURT  
[Sections 60(12) and 64(7) of the Act]**

Surname of User .....

First name(s) of User .....

Date of birth ..... or estimated age .....

Gender:      Male                   Female

Occupation: ..... Marital status: S     M     D     W

Residential address: .....  
.....  
.....  
.....

**Appointment of administrator**

Having considered all relevant facts relating to the appointment of an administrator of the property of the above User in terms of section 61(12) of the Act, I hereby order that-  
An administrator be appointed / no administrator be appointed (delete which is not applicable)

Reasons for this decision:  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....



**Termination of term of office of administrator**

Having considered all the relevant facts relating to the termination of the administrator of the property of the above User in terms of section 64(7) of the Act, I hereby order that The powers, functions and duties of the administrator of the above User's property shall henceforth be terminated / shall continue (delete which is not applicable)

Reasons for this decision:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

Print initials and surname: .....

Signature: .....

(Judge of the High Court)

Date: .....

Place: .....

[Copy to appellant, applicant, head of relevant health establishment, head of provincial department and, in the case of a decision regarding termination of administratorship, the administrator]"

## DEPARTMENT OF HOME AFFAIRS

NO. 1591

23 DECEMBER 2016

**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 Forenames printed in *italics*:

1. Nonzukiso Baleni - 970617 0802 089 - Fortmalan Area, WILLOWVALE, 5040 - *Phelokazi Pearl*
2. Daniela Vieira - 770729 0213 084 - 36 Dean Street, BEDFORDVIEW, 2008 - *Daniela Mastrogiuseppe*
3. Nolulamo Ncanywa - 961011 1019 086 - Zidindi Area, MQANDULI, 5080 - *Athule Nolulamo*
4. Sehlabane Tebogo Mokone Makaleng - 981004 5568 089 - P O Box 52, GROOTHOEK, 0628 - *Sehlabane Tebogo*
5. Bontle Maleka - 950130 5912 089 - Mashite , MPHAHLELE, 0736 - *Mashego Bontle*
6. Aimy Nkhaphane Nkobo - 970223 0647 085 - P O Box 1334, MASEMOLA, 1060 - *Madimetše Aimy*
7. Iscae Simama - 980303 5919 081 - 295 Woodlands Location, TSITSIKAMMA, 6303 - *Isaac Siyabonga*
8. Nokuzola Gedze - 980614 0368 086 - Erf 444 Military Road, Peddie Town, PEDDIE, 5640 - *Ziyanda Nokuzola*
9. Nwadi Teti - 940128 6040 085 - Qokolweni Area, UMTHATHA, 5099 - *Ntando Ncwadi*
10. Mogamat Manuel - 891216 5058 080 - 80 Chester Road, Walmer Estate, CAPE TOWN, 7925 - *Muhammad*
11. Jacob Vuyani Mpongose - 830401 6399 089 - 4248 Matamong, Monyakeng Location, WESSELSBRON, 9680 - *Doctor Mathesele*
12. Moses Mashisa Mtshweni - 870804 5779 089 - Stand No 764, Zwelisha Trust, KABOKWENI, 1245 - *Xolane Moses*
13. Robert Lequerals Mdluli - 761104 5323 083 - Stand No 5323, Mshadza Trust, WHITE RIVER, 1240 - *Robert Liquoriece Mancoba*
14. Lindiwe Kibi - 980718 0123 084 - Didi Location, BIZANA, 4800 - *Ludwe*
15. Besley Mohlabane - 781122 5803 082 - 10 Mimosa Section, RUSTENBURG NOORD, 0299 - *Besley Vivily*
16. Funenjani Phillemon Mkhwanazi - 720627 5570 089 - No 1426 Ibhubesi Street, Ward 7, ENSELENI, 3882 - *Frederick Phillemon*
17. Ivy Xolilizwe - 970904 0748 086 - Zandukwana Area, MTHATHA, 5099 - *Ivy Noluthando*
18. Athabile Makata - 960812 6139 089 - City Deep Hostel 306, Heiderburg, JOHANNESBURG, 2049 - *Samkelisiwe*
19. Mmalake Sophy Dolamo - 670514 0487 081 - 975 Unit 5, LEBOWAKGOMO, 0737 - *Mamotebo Moshipsadi*
20. Akhona Matota - 960528 0996 080 - 16599 Lamani Street, Govan Mbeki Location, EZINYOKA, 6201 - *Nolubabalo Patricia*
21. Joseph Nkosi - 510723 5598 081 - 622a Lefoka Street, Mofolo Village, SOWETO, 1852 - *Jabulani Joseph*

22. Polutja Vilakazi - 630830 5684 087 - 4587 Extension 4, EVATON, 1984 - *Isaiah Isibhuluja*
23. Mdelwa Petrus Mazibuko - 690729 5346 084 - 11465 Sopotela Street, Zone 7 B, SEBOKENG, 1983 - *Pat*
24. Sanah Morneng Sehlapelo - 960426 0608 088 - Stand 1355, Unit F, MANKWENG, 0727 - *Lina Mamochabo*
25. Qalephi Dli Shange - 730201 0436 080 - Inkanyezi Lp School, UMBUMBULU, 4105 - *Qalephi Phumzile*
26. Thembinkosi Pig Mjweni - 720506 5585 083 - Dumezulu Location, IZINGOLWENI, 4260 - *Thembinkosi Gig*
27. Thotja Johannes Makgoale - 780618 5350 082 - 41 Lagios Street, Burgershoop, KRUGERSDORP WEST, 1739 - *Thotja Sello Johannes*
28. Mbalenhle Christophora Buthelezi - 770714 0302 087 - P O Box 7001, NEWCASTLE, 2940 - *Mbalenhle Success Christophora*
29. Sthembiso Siphesihle Gumbi - 940830 5229 086 - P O Box 307, INGWAVUMA, 3968 - *Siphosethu Antony*
30. Bongani Shezi - 911106 5405 082 - Hopewell Location, IXOPO, 3276 - *Bongani Edward*
31. Nomusa Shaneliwe Zulu - 620226 0543 083 - W 714 9 Caluza Grove Zulu, UMLAZI, 4031 - *Nomusa*
32. Eluigo William Pontac - 841117 5176 081 - 9 Thomas Street, BREDASDORP, 7282 - *Elvigo William*
33. Thabiso Mashakgomo - 910509 5246 086 - 462 Klipfontein, Nancy Damazi Street, MIDRAND, 1685 - *Maropeng Samson*
34. Sahib Lakey Lakey - 890705 5358 087 - 23 Sackville Close, BELHAR, 7493 - *Sahib*
35. Lesego Tabea Serame - 860118 0990 084 - 6221 Extension 6, Boitekong, RUSTENBURG, 0308 - *Lesego Benita*
36. Kgotatso Mashiane - 860811 5684 088 - P O Box 208, SKILPADFONTEIN, 0431 - *Kgothatso*
37. Mogoshadi Fikile Matlakala - 950504 0764 085 - B2 217 Siyahlala, ATTERIDGEVILLE, 0008 - *Mogoshadi Evidence*
38. Mongwe Lydia Lebeso - 700802 0692 089 - 29 Wit Vale Street, Phillip Nel, PRETORIA, 0183 - *Lydia*
39. Nompndulo Chaso - 691228 1019 083 - Swazini Area , PORT ST JOHNS, 5120 - *Lindelwa Nompndulo*
40. Belinda Juliat Mangera - 700523 0159 081 - 50 Brandhof Street, WESTBURY, 2093 - *Badrunisha*
41. Lusindiso Nhlumayo - 930610 6329 081 - Celebane Location, Ward 35, NQABENI, 4682 - *Thembinkosi Lusindiso*
42. Danielle Liesl Maree - 940408 0052 082 - 24 B Bedford Street, PAROW, 7500 - *Sydney Danielle*
43. Temosho Thamaga Mosoane - 950610 5660 085 - 299 Dedder, POMONA, 1620 - *Temosho Matshwane*
44. George Leberegeane - 670522 5266 087 - 13786 Mohlala Street, DAVEYTON, 1520 - *Percyval George*
45. Sekete Andriano Ramolula - 920228 5343 086 - 2788 U Section, BOTSHABELO, 9781 - *Thabiso Andriano*
46. Jordan Phumlani Mnyambo - 901117 5370 087 - Stand No 5076, Losana Trust, STRAND, 5076 - *Jordan Phumlani Skroef*
47. Litha Batyi - 851201 5769 082 - 29 Gasela Village, STUTTERHEIM, 4930 - *Lithalethu*
48. Chinah Vhumbani - 821121 0596 081 - 26 Tonga Court , Cnr Sonop & Betty Street, HORISON VIEW, 1724 - *Faith Thendo*
49. Edmund Meselane - 821119 5680 082 - 1305 Mokoena Street, ORLANDO EAST, 1804 - *Raserei Moseki*

50. Mxhego Mxhego - 730213 5849 084 - Tshonya Area, LUSIKISIKI, 4820 - *Zolani*
51. Tshepo Khoase - 970914 6437 089 - 21 A Edward Avenue, Scottsville, PIETERMARITZBURG, 3201 - *Tshepo Emmanuel*
52. Ndumiso Ngcobo - 951206 1356 080 - 22 Plymouth Road, ALLANDALE, 3201 - *Nondumiso*
53. Linganani Livhuwani France Tshisaulu - 750608 5996 089 - 10 Mashao Street, SAULSVILLE, 0128 - *Langanani Livhuwani France*
54. Thabiso Avion Maloka - 921106 5576 088 - 178-7th Avenue, ALEXANDRA, 2090 - *Morwa Mocha Herry*
55. Nothobela Sylvia Fana - 901126 1149 080 - 30415 Sweetgum Street, DELFT SOUTH, 7160 - *Andiswa Sylvia*
56. Tshepo Lirbet Moloantoa - 920620 5312 089 - Stand 10036, BOTSHABELO, 0555 - *Tshepo Titus*
57. Neliswa Ntshisela - 530221 0149 089 - Sigidini Area, MOUNT AYLIFF, 4735 - *Neliswa Nonkonzo*
58. Ndileka Nako - 540524 0351 086 - Ncalukeni Area, LADY FRERE, 5410 - *Ndileka Nobongile*
59. Wilfred Letlogonolo Zengele - 940906 5648 085 - 68 Plot 52, Extension 10, ROODEPOORT, 1724 - *Bongani Frans*
60. Loli Tunzi - 830616 6733 082 - 379 Kwenkwezi Street, HERMANUS, 7200 - *Vuyile*
61. Simangele Navinia Mofokeng - 910524 0491 082 - 2856 Mamafubedu Location, PETRUSSTYN, 9640 - *Simangele Nomthandazo*
62. Motholo Joel Jokozela - 940630 5664 088 - 1024 Selosessa, THABA NCHU, 9780 - *Motholo Joel*
63. Shadrack Khensani Kabini - 701030 5433 080 - 7 Louis Raymond Street, Unitaspark, VEREENIGING, 1973 - *Hananiah Khensani*
64. Maremane France Mello - 971123 5022 087 - 3640 Ga – Machikiri, MAPELA, 0610 - *Ketetshi Lesly*
65. Emelia Seboifeng Kamoto - 800316 0695 082 - 952 Sepeding Section, , SANDFONTEIN, 0300 - *Patricia Amelia*
66. Mzilabantu Mondli - 851128 5980 080 - Lower Ngqungqu Area, MQANDULI, 5080 – *Mzwabantu*
67. Bennard Vuma - 731214 5617 082 - Po Box 273, SANDTON, 2052 - *Simon Resimati*
68. Yonela Ncikana - 931207 6101 088 - Maqubini Area, QUMBU, 5180 - *Lunga*
69. Msowa Mugejo Muggedzhe - 830913 5490 081 - 580 Eclalen Section, TEMBISA, 1632 - *Ringeta Jeremiah*
70. Erick S`Bonakaliso Ngubane - 940429 5258 086 - E 496 Umlazi, Mdakane Road, UMLAZI, 4031 - *Nqobani S`Bonakaliso*
71. Julia Nobesuthu Letsoso - 800521 0332 087 - South African Consulate – Dubai, Bur Dubai 3rd Floor, New Sharaf Building, DUBAI, - *Julia Maya*
72. Latisha Leigh Duarte - 830922 0170 085 - 174 Jackson Street, Adt3A, BROOKLYN, 11211 - *Latisha Leigh Duarte*
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251. Thabiso Tsheko Matlala - 920415 5541 088 - General Beyers Street, South Place C26, PRETORIA NORTH, 0182 - *Favour*
252. Margo Chanté Julisen - 931102 0252 088 - 1 Mustang Circle, The Hague, DELFT, 7100 - *Layla*
253. Wilson Morwe - 790212 6068 089 - 3430 Chobe Street, Tshepisoong Phase 2, TSHEPISOONG, 1754 - *Tshepo Wilson*
254. Ntshiye Malan Selowa - 760306 5837 084 - House No 371, Extension Six, Mopane Street, DIEPSLOOT, 2189 - *Ntshiye*
255. Lucas Mammushi - 710729 5412 080 - 17333 Mahlaba Street, Extension 12, KRUGERSDORP, 1740 - *Moleijane Lucas*
256. Gugu Sigamla - 931224 0634 089 - B101a Forest Hill Residence, MOWBRAY, 3201 - *Gugulethu*
257. Mafaladi Seotto - 910307 5523 087 - 6262 Umthombo Street, Extension 26, Olievenhoutbosch, CENTURION, 0187 - *Mafaladi Kell*
258. Buti Sereo - 660901 5593 082 - 1894 Extension 3, Blydeville, LICHTENBURG, 2740 - *Buti Hendrick*
259. Clementinah Nokuhlupheka Qwabe - 740112 0404 085 - 3782 Zone 2, ZONKIZIWE, 1432 - *Clementine*
260. Nosizwe Mphaheni - 811230 0603 086 - Tshepisoong Phase 1117, ROODEPOORT, 5099 - *Ntombi Nosizwe*
261. Pfunekani Malumane - 940408 6126 088 - P O Box 70, XIMHUNGWE, 1281 - *Khulekani*
262. Mbongwa Vincent Mhlanga - 831113 5952 086 - Stand No 69, GUTJWA TRUST, 1214 - *Imran*
263. Kgabo Hector Kgomo - 700423 5388 084 - P O Box 453, HAZYVIEW, 1242 - *Ngomane Hector*
264. Tobhota Elizabeth Masilela - 500215 0652 080 - P O Box 81, HECTORSPRUIT, 1330 - *Tututu Elizabeth*
265. Thandazile Mzotho - 930216 1119 087 - Mkholombe Location, PORT SHEPSTONE, 4240 - *Thandazile Nomthandazo*
266. Ntombembini Matikinca - 940214 1202 084 - 282 King Street, PABALELLO, 8801 - *Nomthandazo Mbini*
267. Lazarus Moroma Mmopane - 660409 5554 088 - No 1239a Newtown, MHLUZI, 1053 - *Lazarus Kabelo*
268. Helen Carol Mahlangu - 800408 0745 080 - 1261 Mathabathe Street, Lynville, EMALAHLENI, 1039 - *Kwekwezi Carol*
269. Saluleko Helligan Lindukuthula Mbelu - 970708 5472 083 - 470199 Harewood Location, Edendale, PIETERMARITZBURG, 3201 - *Seluleko*
270. Soeallan Anna Ngcobo - 980220 0210 086 - 7 Weaver Road, EASTWOOD, 3201 - *Sue-Ellen Anna*
271. Nkululeko Phillip Mthalane - 840806 5431 089 - 14 Singisi Village, Ledara, HOWICK, 3290 - *Nkululeko Freedom*
272. Adonite Mohlala - 960126 0861 089 - 19 Flamink Street, Pirrowillie, GERMOSTON, 1400 - *Adonate Keletso*
273. Matlaupe Cassam Mashabela - 790503 5099 087 - 20158 Umhlaba Street, Extension 30, VOSLOORUS, 1475 - *Marisane Cassam*
274. Sabelo Sulo - 790902 6219 084 - 3520 Danny Pule, Extension 4, Munsieville, KRUGERSDORP, 1739 - *Sabelo Patrick*
275. Zobaphi Khumalo - 760306 5794 087 - Room 630 Zone 11, MEADOWLANDS, 1852 - *Skeqe Zobaphi*
276. Mojalefa Koos Leaba - 760427 5893 081 - 308 Servaas Street, Marathon Court, Unit 7, PRETORIA WEST, 0001 - *Mojalefa*
277. Balanganani Lufhugu - 720602 1103 086 - 746 Corlett Avenue, Witpoortjie, ROODEPOORT, 1725 - *Bangi Balanganani*
278. Bunini Rethabile Tsolo - 980825 0227 086 - 790 G Section, BOTSHABELO, 0781 - *Bonolo Rethabile*
279. Raesibe Constance Mofomme - 770715 0615 089 - 10 Wynand Marais, Norkem Park, Extension 1, KEMPTON PARK, 1619 - *Boitshoko Relebogile*
280. Florence Sekwale - 771122 0565 084 - Mantsheng Village, TAUNG, 8580 - *Florence Moitsemang*
281. Kgomotso Moichele - 970221 5659 089 - Indermark Location, BOCHUM, 0790 - *Kgomotso John*

282. Layla Nosarka Nosarka - 800921 0032 085 - 19 Southpansburg Avenue, ROODEPOORT, 1725 - *Lenice Martina*
283. Mhlali Ntonga - 951102 5598 084 - 4 Taylor Scottville, PIETERMARITZBURG, 3201 - *Mhlali Lawrence*
284. Samkelo Clemency Mbangula - 850702 5835 089 - 12 Hoofdmansion, 26 Siement Road, NEW DOORNFONTEIN, 2094 - *Samkelo*
285. Khabo Simelane - 870110 1401 086 - Stand No 67b, Enkanjaneni, PIET RETIEF, 2300 - *Thuli*
286. Charlotte Mavis Nkosi - 820907 1530 082 - 523 Lumphondo Street, KWAZAMOKUHLE, 1098 - *Smarty Charlotte*
287. Katlego Makou - 901008 5774 081 - 8832 Extension M, MABOPANE, 0190 - *Katlego Zacharia Moshalagae*
288. Theran Julius Phillips - 970826 5039 080 - 12 Wemmeng Hoek, Tafelsig, MITCHELLS PLAIN, 7789 - *Terence Julius*
289. Kgokedi Ashley Makgatho - 961211 5153 085 - 274 Tintinyane Street, Sunvalley, MAMELODI WEST, 0122 - *Ashley Kgokedi*
290. Ngwanamantsane Elsina Mahlase - 880609 0760 085 - 17 Jones Street, NELSPRUIT, 1200 - *Ngwanamantsane Elsina Tetelo*
291. Arenda Mpelegeng Bapela - 920628 0814 082 - Vergelegen C, JANE FURSE, 1085 - *Arenda Mmofo*
292. Official Malumane - 951202 0748 088 - Stand No 106, Phumlani Village, WHITE RIVER, 1240 - *Official Nonhle*
293. Pheega Frans Masokoameng - 740917 5451 085 - Unit 1ouskraak Estate, Ridge Street, HAZEL MEADOW, 0002 - *Francis Scotts*
294. Bukelani Juta - 961007 5451 085 - Godloza Location, Ward 35, IZINGOLWENI, 4260 - *Thabiso Bukelani*
295. Maloka Margaret Maria Sekgothe - 830116 0629 085 - 2069 Block B, MABOPANE, 0190 - *Kgomotso Motlogele Maria*
296. Zanyoyise Qoboshiyani - 810601 6126 085 - Sigodlweni Location, FLAGSTAFF, 4810 - *Manco Zanyoyise*
297. Jesaya Maupa - 921121 5537 089 - 47 Kgobokwane, DENNILTON, 1030 - *Jesaya Kalaba*
298. Vangile Ndlovu - 980614 0044 083 - 8825 Mapada Street, Extension 3, DOBSONVILLE, 1863 - *Vangile Hloniphile*
299. Klass Maimela - 851120 5795 089 - P O Box 218, ATOK, 0749 - *Maremanyane Klass*
300. Qulolethu Sitwayi - 940517 6143 081 - Ngcizela Area, CENTANE, 4980 - *Baxolele*
301. Auanda Ntwanazalekhe - 720502 6079 085 - Gcina Area, CENTANE, 4980 - *Ayanda*
302. Maliyekwe Nqiyama - 860606 7227 088 - Eluhewini Area, NGCOBO, 5050 - *Maliyekwe Bonginkosi Ronald*
303. Nokuthula Bhedi - 880601 0651 087 - Xama Area, ELLIOTDALE, 5010 - *Nokuthula Nosive*
304. Kenneth Madimabe Masote - 840217 5821 081 - 4916 Extension 2, Kanana, HAMMANSKRAAL, 0400 - *Kenneth Atlegang*
305. Marubini Ben Sereto - 870826 5590 083 - 323 Jeff Masemola Street, Holland Place, PRETORIA, 0001 - *Marubini Benedict*
306. Mulalo Natty Mawela - 940708 5474 086 - 1595/83 Malahloe Street, Orlando East, SOWETO, 1804 - *Solomon Nathaniel*
307. Lindubuhle Siggoza - 970703 0413 083 - Ntlanza Area, MTHATHA, 5099 - *Lindukuhle*
308. Mampatla Leputu - 920421 5850 081 - R532 Extension 2, DIEPSLOOT, 2189 - *Mampapatla Leroy*
309. Pontsho Mokolo - 980410 5529 081 - 313 Mmotwaneng, GA-RAKGOADI, 1068 - *Mokwalo Pontsho Phogole*
310. Tsebiso Lisbeth Mello - 890606 0912 086 - Block B 152e Siyahla, ATTERIDGEVILLE, 0008 - *Tsebiso Lisbeth Ramathabathe*
311. Phuti Stanley Moeti - 870113 5567 084 - Stand No 314, Moletjie, GA-MOETI, 0809 - *Stanley*
312. Ashley Mashabela - 890602 5799 081 - Stand No 396, Extension 2, , EMBALENHLE, 2285 - *Ashley Nku*
313. Sello Mashaba - 900618 0513 085 - 631 Stanza Bopape Street, ARCADIA, 0001 - *Kwena Sello*
314. Matseliso Elizabeth Tshabalala - 561010 0760 082 - 678 Naledi Street, WITSIESHOEK, 9870 - *Matseliso Elizabeth*
315. Papi Bernard Maqekoane - 850601 5552 084 - 53533 Bobo Street, Rocklands Location, BLOEMFONTEIN, 9300 - *Khopiso Bernard*

316. Maureen Tjeketsi - 810706 1148 081 - 4489 Phase 6, BLOEMFONTEIN, 9301 - *Nomthandazo Maureen*
317. Nonkululeko Daphney Hukhwe - 961213 0477 089 - 27740 Namibia Square, Rockland Location, BLOEMFONTEIN, 9301 - *Neliswa*
318. Lusizo Mzaca - 980911 5844 081 - Nyosan Area, LUSIKISIKI, 4820 - *Msizi Lusizo*
319. Tshokolo Joseph Gaoraelwe - 830131 5539 084 - 13767/65 Albertina Luthuli Street , Extension 8, KAGISO, 1754 - *Tokollo Joseph*
320. Sahluleka Mpalala - 940305 1231 089 - Mantusini Area, PORT ST JOHNS, 5120 - *Sahluleka Ayanela*
321. Mosadiapetshe Katrina Mooki - 720316 0512 086 - House No 2932, DANIELSKUIL, 8405 - *Sadi Katrina*
322. Mneedisi Sityebi Figlan - 730210 5495 082 - 2498 Nu 7, MDANTSANE, 5219 - *Mncedisi Sityebi*
323. Thuleleni Esther Zondo - 700216 0272 083 - 1761 Natal Robin Lane, Norwood Park, ESHOWE, 3815 - *Thuleleni Esther Nombulelo*
324. Mmamonyaka Rebecca Makgatho - 880521 0731 083 - 1736 Ragos Street, Phase 5, TSHEPISONG, 1754 - *Nthabiseng Mmamonyaka*
325. Joseph Moyo - 831112 6030 082 - 1837 Glasgow Road, EVATON, 1981 - *Nkosinathi Joseph*
326. Thatho Theola Moriri - 970629 0737 082 - Stand No 34, BUSHBUCKRIDGE, 1280 - *Thato Theola*
327. Cebeswa Marie Wesi - 930707 0445 085 - 1799 Extension 5, PETRUSBERG, 9932 - *Cebeswa Magnificent*
328. Nothembele Mdubeki - 800115 1208 089 - Upper Hlabathi, LUSIKISIKI, 4810 - *Sinethemba Linah*
329. Dumisa Khethula - 921229 1245 084 - Coza Area, LIBODE, 5160 - *Dumisa Thandokazi*
330. Esihle Lucia Sompá - 940627 1228 082 - Nqanda Area, NGQELENI, 5140 - *Aphinda*
331. Mamotabudi Elizabeth Mampuru - 930601 0933 085 - 45 Legolaneng, BOLEU, 0474 - *Kgopotso Mashego*
332. Sepeke Sherley Mokabane - 970505 1091 085 - Stand No 335, Section B, Leckau, GROBLERSDAL, 0470 - *Mamaseka Sherley*
333. Twarisani Nazreen Hobyane - 940327 0129 080 - 54 Ridgeway Gardens, John Masefield Drive, MONDEOR, 2091 - *Twarisani Nazareth*
334. Vongani Pinky Masonto - 860705 0821 085 - 2183 Lilongwe Crescent, Cosmo City, RANDBURG, 2188 - *Bongani*
335. Benjamin Lefale Kgosi - 850407 5417 082 - 68 First Avenue, Extension 9, GEELHOUTPARK, 0299 - *Sean Benjamin Lefale Bakang*
336. Susanna Maria Rowland - 791217 0140 080 - 38 Jama Street, Sharanlea, RANDBURG, 2194 - *Sue-Marie*
337. Thabo Enock Nkosi - 690828 5369 086 - 7969 Tshivase Street, VOSLOORUS, 1460 - *Taahir*
338. Bonakele Mkhathswa - 870616 1203 082 - 1485 Mokhele Street, VOSLOORUS, 1460 - *Bathabile Hope*
339. Theery Nkoeng - 960927 5880 085 - House No 19, GA-MANAMELA, 0746 - *Terry*
340. Johannes Mngelwa Msiza - 980516 6064 082 - Stand No 50136, Masemule Park, NEBO, 1059 - *Johannes Given*
341. Nomdumelelo Dluđu - 970317 1231 087 - 108 Hlongwane Section, KATLEHONG, 1431 - *Nompumelelo*
342. Manchadi Bessinah Mothapo - 320923 0209 086 - Stand No 10058, Matome Section, ZEBEDIELA, 0632 - *Morongwa Bessinah*
343. Johannes Sibangani Mathibela - 631216 5835 086 - 127 Dindela , MONSTERKUS, 1057 - *Johannes Tornado*
344. Tiny Kgole - 970419 0620 086 - 2186 Maganagobuswa, SIYABUSWA, 0472 - *Tiny Thakgudi*
345. Kate Mmabyala Moselane - 850502 0699 088 - 29 Langevelt Road, MIDRAND, 1686 - *Kate*
346. Lesetja Caswel Dikgale - 601119 5496 089 - Zone 1143, SESHEGO, 0742 - *Caswel Lesetja*
347. Phuthepi Dubazana - 880428 0715 084 - Mbabane Area, TUGELA FERRY, 3010 - *Simphiwe Phuthepi Phiwokuhle*
348. Louis Wayne Prins - 960819 5229 084 - 39 Dagama Street, BROOKLYN, 7405 - *Laeq*



349. Manuel Tovhowani Magalachenche - 870518 5644 081 - Stand No 289, Masakona, MAKHADO, 0920 - *Manuel Khathutshelo*
350. Manoko Sophia Bodiba - 930802 0235 089 - 761 Mokone Street, BELA-BELA, 0480 - *Manoko Sophia Oratile*
351. Moleboheng Stellinah Makhudu - 821113 0463 081 - 637/20 Jacaranda Street, Extension 2, ALVEDA PARK, 1818 - *Moleboheng*
352. Tshotleho Francis Rabohlale - 800202 6188 084 - 56067 Dark City, Phahameng, BLOEMFONTEIN, 9323 - *Thato Francis*
353. Thanduyolo Mpendulo Ngema - 921201 5259 080 - Lot 246, INANDA GLEBE, 4309 - *Thanduxolo Mpendulo*
354. Prudence Marion Khan - 830316 0173 084 - 35 Fredericks Road, Highbury, KUILSRIVIER, 7580 - *Alia*
355. Motsoagole William Makgwale - 840807 5977 089 - 1333 Sevenstad, MARBLE HALL, 0450 - *Motsoagole Wisper*
356. Mittah Precious Godola - 951207 0416 081 - 4 Valsrivier Street, VREDEFORT, 9595 - *Mittah Precious*
357. Malekwete Jemina Mafereka - 870224 0361 082 - 8829 Mandela Section, Tumahole, PARYS, 9585 - *Jemina*
358. Maria Refiloe Angel Motlhoki - 920412 0526 081 - 452 Adam Street, TLHABANE, 0309 - *Refiloe Angel*
359. Bodila Patricia Rapudi - 971122 0274 081 - 2082e2 Botshabelo, BOTSHABELO, 9781 - *Bokamoso Patricia*
360. Tokozani Sikhotshi - 911108 6030 083 - Nkanga Location, LIBODE, 5160 - *Tokozani Emmanuel*
361. Niklaas Jacobs - 680224 5218 089 - 5 Springbok Street, Michalsdal, CRADOCK, 5886 - *Nicholus Theo Keith*
362. Caronn Daniels - 961014 0277 085 - 2593 Geel Bek Street, ST FRANCISBAY, 6312 - *Carol-Anne*
363. Akhona Christabell Diniso - 840622 0577 085 - 3 Barnard Street, Denedord, GEORGE, 6529 - *Akhona*
364. Hluvukani Remember Ngoveni - 941108 0960 081 - 35 Gaver Street, JOHANNESBURG, 2000 - *Hluvukani Hope*
365. Wade Christopher Baartman - 801102 5251 082 - 24 Comation Street, Floraditte, ROODEPOORT, 1709 - *Wahid*
366. Khathuchelo Rassy Tharaga - 860812 5449 084 - Stand No 2623, Zone B, NAMAAGALE, 1391 - *Khathutshelo Rassy*
367. Chicken Mohale Malatji - 900807 5742 084 - Ga-Sekwane, NYAKELANG, 1394 - *Mohale*
368. Eunice Ali - 770827 0505 085 - 21 Plettenberg, RYLANDS ESTATE, 7764 - *Ghouwa*
369. Precious Mmaletjane Mehlaphe - 941004 0628 085 - P O Box 33, SOVENGA, 0727 - *Mokgadi Sarah*
370. Cedric Michael Haupt - 900417 5156 085 - 119 Prunus Street, BONTEHEUWEL, 7764 - *Ameer*
371. Lassie Mpenyane - 850103 5411 080 - P O Box 481, NWAMITWA, 0871 - *Thomas Lassie*
372. Vuyokazi Ntendele - 720320 1044 081 - Dadamba Area, WILLOWVALE, 5040 - *Nofinish Vuyokazi*
373. Knowledge Mfuneko Lili - 950118 5621 081 - 191 Kope Street, KWA-THEMA, 1573 - *Mfuneko*
374. Entie Hanabe - 980425 0187 081 - 1198 Hospital View, TEMBISA, 1632 - *Mbalenhle*
375. Mitchell Bloomberg - 721029 0808 086 - 5 Skoenofsig, Tafelsig, MITCHELLS PLAIN, 7455 - *Akefaah*
376. Hashim Mfeka - 811130 5251 081 - 38 Palana Valley, New Germany, PINETOWN, 3600 - *Hashim Sihlesenkosi*
377. Victoria Amber Cutts - 950217 0065 086 - 11 Delft Street, Die Huewel, WITBANK, 1035 - *Victoria Amber Robson*
378. Johnathon George Furno - 941015 5016 084 - 4 Ee Van Rooyen Street, VANDERBIJLPARK, 1901 - *Jonathan George*
379. Eldette Pienaar - 960511 0186 084 - Roodepoort Farm, TROMPSBURG, 9913 - *Eldette Annah Sophia*
380. Mmatlou Maria Leopeng - 880228 0246 084 - No 103 Watersburg, ONVERWAGHT, 0557 - *Mmatlou Marie*
381. Thembeni Precious Mbhele - 841025 0346 080 - Limehill Area, WESBANK, 2920 - *Silindokuhle Precious*
382. Ndivhuwo Peter Nethononda - 831017 5677 082 - Po Box 896, NZHELELE, 0993 - *Ndivhuwo*

383. Sanele Lorraine Luthuli - 760219 0406 088 - 1407 Kwamakhutha Township, AMAZIMTOTI, 4126 - *Sanele*
384. Pethathula Ignacia Dlomo - 881107 0696 085 - Mvutshini Area, ESHOWE, 3815 - *Khethiwe Ignacia*
385. Matiba Irene Ralebipi - 711207 0413 089 - 424 West Avenue, Ferndale, RANDBURG, 2194 - *Matiba Irene Ramasela*
386. Ntatuoa Thandeka Molefe - 900928 1413 080 - Emazizini Location, BELLVILLE, 3350 - *Ntatuoa Thandeka Moratuwa*
387. Masondo Isaac Hadebe - 441028 5439 086 - 14 Lukspar Avenue, Acaciaville, LADYSMITH, 3370 - *Isaac Masongo*
388. Paulina Mc Cloen - 911119 0404 083 - 231 5de Street, Schonkenville, PARYS, 9585 - *Paulina Shaldia*
389. Zwelinzima Jacob Tyongo - 800101 7007 089 - 77 Block F, ALIWAL NORTH, 9750 - *Sonwabo*
390. Anda Mpithi - 940412 6164 081 - Tsekong Location, MOUNT FLETCHER, 4770 - *Anda Andile*
391. Debogo Joseph Setoaba - 920605 5287 084 - 138b Letsatsi Street , Extension 2, Naledi, SOWETO, 1868 - *Tebogo Joseph*
392. Itai Muzvuzvu Ndlovu - 730603 6502 080 - 670N- 7th Unit 181, EDENVALE, 1609 - *Walter*
393. Mothule Sicelinkosi Khoza - 700807 5807 087 - 51 Mazibuko Street, THOKOZA, 1426 - *Mzothule Sicelenkosini*
394. Leveshni Moodley - 960730 0596 080 - 87 Roslyn Avenue, DURBAN, 4023 - *Raeesa*
395. Botshelo Elizabeth Lethoko - 580902 0610 084 - 19 Farrow Drive, Extension 13, RANPARK RIDGE, 2156 - *Maureen Botshelo*
396. Mafolo Meisie Maduane - 800910 1343 088 - Dihlabaneng Location, SEKHUKHUNE , 1124 - *Phatane Meisie*
397. Mbongeni Mgcibelo Shungube - 910928 5598 082 - Stand No 290, Imbuzini Area, NELSPRUIT, 1343 - *Mbongeni*
398. Lu Marlo Merico Heyns - 820710 5025 087 - Postdene Area, POSTMASBURG, 8420 - *Lu – Marlo Merico*
399. Mantho Virginia Mbonzana - 810518 0961 087 - 5334 Kanana, GRASMERE, 1833 - *Nontando Virginia*
400. Aphelele Nzuzo - 980305 0781 085 - Lujizweni Area, NGQELENI, 5140 - *Aphelele Sanelisiwe*
401. Hanna Amanda Gentles - 920418 0061 086 - 39 Sardan Crescent, Bloemside, BLOEMFONTEIN, 9501 - *Amanda*
402. Cathrine Anita Creighton - 840415 0164 081 - 10 Listerlane, Woodlands, MITCHELLS PLAIN, 7789 - *Wharda*
403. Sibonge Zanele Shange - 860921 1308 085 - P O Box 6010 , HLUHLUWE, 3960 - *Sibonge Thulisile*
404. Sharon Rowena Scheepers - 860515 0049 086 - 15 D Disa Street, Klein Nederburg, PAARL EAST, 7620 - *Saliema*
405. Maji Geoff Mashilo - 511113 5331 080 - Po Box 1650, DENNILTON, 1030 - *Thebo*
406. Yulan Shange - 790728 0601 088 - 916a Jacklipen Street , Zone 1, DIEPKLOOF, 1864 - *Khanyisile Yulan*
407. Moshibudi Lizzy Phasha - 970512 0501 080 - Po Box 2369, DRIEKOP, 1129 - *Mante Lizzy*
408. Pumla Nomtandazo Sirenya - 660424 1045 080 - Tabase Area, MTHATHA, 5099 - *Pumza Nomtandazo*
409. Thatego Pleasure Malete - 970922 5465 084 - 50177 Maserumule Park, NEBO, 1059 - *Korea Pleasure*
410. Dineo Yolande Pheladi Maima - 860222 0560 085 - Po Box 58, SELOTA, 0754 - *Matjie Dineo Yolande*
411. Nelson Mpopotoane Kabelo Mamaregane - 931129 5057 089 - 5 Tangelo Street, Bendor, POLOKWANE, 0699 - *Kabelo Nelson*
412. Zolani Beyers - 841205 5564 081 - 124 Mears Street, Sunnyside, PRETORIA, 0001 - *Daluxolo*
413. Agnitius Phalane - 970112 0556 083 - 2793 Block B, MABOPANE, 0190 - *Nthabiseng*
414. Ramokone Cecilia Khitsane - 810801 0512 088 - 0010 Phuthaview, KLIPGAT, 0202 - *Myjoy*
415. Martha Nonqwazi Mtsweni - 840820 0512 082 - Stand No 141, Section A, KWAMHLANGA, 1022 - *Martha Nothando*
416. Setshaba Gwenny Taukobong - 960330 0225 085 - 3 Richelieu Street, LOMBAROY WEST, 2090 - *Setshaba*



417. Zukiswa Agrineth Kutwana - 790419 0463 089 - 80 Cordere Estate, Bergivier Drive, Terenure, KEMPTON PARK, 1619 - *Zukiswa*
418. Shamiam Adams - 700605 0185 081 - 104 Eleven Avenue, KENSINGTON, 7425 - *Shameemah*
419. Molefe Ireen Phasha - 960717 0575 081 - Magalanoto Village, GA PHASHA, 1154 - *Manape Ireen*
420. Tinille Naidoo - 870310 0329 086 - 100 Leo Avenue, Woodhust, CHARTSWORTH, 4092 - *Lee – Ann Tinille*
421. Bronny Matlou - 940412 5815 089 - Po Box 407, TRICHARDTSDAL, 0890 - *Bronny Amogelang*
422. Alfred Levy Sibanyoni - 750814 5821 083 - 10790 Morula View, Phase 7, MABOPANE, 0190 - *Ali Levy*
423. Sphokuhle Ndwandwe - 950801 1429 084 - Po Box 746, NONGOMA, 3950 - *Siphesihle Ntombiyenhlanhla*
424. Sakhe Zuzani - 960207 6089 089 - Dangwana Area, PORT ST JOHNS, 5120 - *Buhle Sakhe*
425. Ntage George Kgapola - 960301 5614 086 - Mphanama Area, Mpilo, JANE FURSE, 1085 - *Maphake George*
426. Yongama Makata - 971118 5966 085 - City Deep Hostel 306, Heidnerberg, JOHANNESBURG, 2049 - *Lihle*
427. Sikhumbuzo Mathambeka - 960217 1155 082 - 3721 B Zone 10, MEADOWLANDS, 1852 - *Nelisiwe*
428. Boniswa Vanessa Mayekiso - 751204 0896 083 - 4337 Gautamala Street, Extension 4, Cosmo City, RANDBURG, 2188 - *Vanessa*
429. Makebella Molefe - 861018 0702 084 - 1493 Capital Lane, WYEBANK KLOOF, 3601 - *Makabelo*
430. Magane Sarel Maake - 870311 1306 081 - Po Box 16, SOVENGA, 0727 - *Sarah Kedibone*
431. Chumile Christian Loliwe - 870925 6555 085 - 20 Coert Steyburg, WITBANK, 1035 - *Chumile*
432. Khophozile Zamakhize Mkhize - 960208 0284 080 - 2348 Welbedacht East, CHARTSWORTH, 4022 - *Zamakhize Khophozile*
433. Sarina Levi - 610116 0035 085 - Care Of Blue Mountainlodge, Long Street, CAPE TOWN, 8000 - *Sakina*
434. Avril Christopher Folding - 630617 5232 086 - 25 Honey Lane, MAMRE, 7347 - *Anwar*
435. Livy Mahamba - 550909 5762 089 - 7 Ruena Court, Graham Road, SEA POINT, 8005 - *Levy*
436. Johannes Fortuin - 691217 5116 086 - 81 Pieters Westenburg, POLOKWANE, 0700 - *Tillie Johan*
437. Angeleen Jean Garson - 640329 0092 089 - 53 Derwent Court, HANOVER PARK, 7782 - *Jamielah*
438. Deon Petersen - 721027 5088 084 - 9 Botterblom Street, KALKSTEENFONTEIN, 7490 - *Deon Mark*
439. Qiniso Dlamini - 970323 5710 084 - Main Road, Edenvale, PIETERMARITZBURG, 3200 - *Athandwa Qiniso*
440. Ntimane Gobetse Moetanaloo - 590919 5838 088 - 5591 Kgomo Street, Lynnville, WITBANK, 1035 - *Simon Ntimane*
441. Dyondzo Lewis Baloyi - 960227 5889 081 - Bevhula Village, MALAMULELE, 0982 - *Dyondzo Levis*
442. Yagamaram Naidoo - 640722 5236 083 - 26 Rockstead Road, Malvern, DURBAN, 4093 - *Lance Yagamaram*
443. Aneesa Festus - 860126 0096 083 - 14 Noupoot Court, Clarke Estate, Melton Road, ELSIES RIVER, 7490 - *Aneesah*
444. Lesiba Phineas Mentoor - 880817 5612 082 - Sesalong Area, BOCHUM, 0790 - *Bushy Abraham Edward*
445. Mathopa Joseph Mongalo - 831120 6009 089 - 68 Plein Street, Mokoduba Flats, POLOKWANE, 0699 - *Malesela Samuel Jr*
446. Ramabane Solomon Madisa - 850923 5576 081 - 32843 Inkwe Street, Extension 12, MAMELODI EAST, 0122 - *Ramabane Tshepo*
447. Ntshwane Oprie Rasomane - 800802 5167 086 - D 1111 Magolaneng, MAMMON, 1063 - *Mahlagaume Oprie*
448. Queen Lynette Mothupi - 960926 6738 086 - Block 21, Moloto, KWA – MHLANGA, 1022 - *Leonard Quenton*
449. Tshegofatso Prudence Mphahlele - 941103 0797 088 - 1514 Mofifi Street, Extension 13, OLIEVENHOUTBOSCH, 0115 - *Raesetje Tshegofatso*

450. Amos Motshepe Ditsepu - 931123 5355 080 - Stand No A 134, Mogaladi, NEBO, 1057 - *Oupa Motshepe*
451. Kutlbothoko Hendrick Seikanelo - 891210 5590 085 - 333 Mazista, SWARTRUGGENS, 2835 - *Paul Hendrick*
452. Noni Zamantungwa Mabaso - 940608 0493 083 - 63008 Sheleni Road, ADAMS MISSION, 4100 - *Zamantungwa Noni*
453. Shaku Veron Kodibona - 940225 0680 088 - 7562 Shabangu Street, MAMELODI WEST, 0122 - *Mamaripe Veron*
454. Vuya Sapepa - 970126 0670 082 - Zimbane Area, MTHATHA, 5099 - *Vuya Elihle*
455. Brian William Rainers - 570304 5163 080 - 109 Bayern Munich, FREEDOM PARK, 7785 - *Ebrahim*
456. Gregory Cecil Williams - 570915 5257 083 - 12 Digte By Crescent, DELFT, 7400 - *Rashied*
457. Charlotte Botha - 640507 0051 086 - 320 Flower Street, Capital Park, PRETORIA, 1759 - *Bianca*
458. Colleen Williams - 660412 0258 085 - 13 Phoenix Road, MANENBERG, 7764 - *Kashiefa*
459. Munien Munsamy - 650403 5148 084 - 27 Caneside Drive, PHOENIX, 4068 - *Munien Lingamaha*
460. Leonie Mary Magdalene Diedericks - 630423 0216 087 - No 68 Camdeboo Crescent, Leiden, DELFT, 7100 - *Lameez*
461. Daniël Bechtold Prinsloo - 690801 5033 085 - Fraser St 7, BENONI, 1509 - *Daniël*
462. Linda Joyce Adams - 450908 0119 080 - 19 A Epsten Road, LAVENDER HILL, 7945 - *Shaheeda*
463. Sydney Simon Appolis - 471105 5563 082 - 13 Salvia Street, Lenteguur, MITCHELLS PLAIN, 7789 - *Mogammad Shafief*
464. Maria Magdalena Van Heerden - 570326 0147 081 - 116 Roux Street, Danville, PRETORIA, 0183 - *Maria Magdalena Catharina*
465. Pretty Bontle Lion - 970428 0858 083 - 2238 Section D, MABOLOKA, 0197 - *Mmatshukudu Elisa*
466. Sithate Mohoto - 970531 0306 084 - 6172 Rooidakke, GRABOUW, 7160 - *Ntshpeng*
467. Lekgala Jenny Peta - 951106 0409 080 - Mogabane Village, ATOK, 0749 - *Ngwanamalekana Jenny*
468. Kanyane Promise Maditsi - 950913 0606 081 - Po Box 457, APEL, 0739 - *Kanyane Constance*
469. Senzo Mchunu - 971227 6068 088 - Caba Area, NTABANKULU, 5130 - *Okuhle Senzo*
470. Neo Maletsatsi Thaele - 970925 0084 081 - 3891 Block A, LETLHABILE, 0264 - *Maletsatsi Neo*
471. Victor Kostinah Mkhombo - 720910 5590 087 - 4 Willowvale, 12 Adams, AMANZIMTOTI, 4126 - *Victor Dzunisani*
472. Micheal Jason Stuart - 911011 5127 084 - 4 Garron Avenue, HOUT BAY, 7806 - *Michael Jason*
473. Maleka Maleka - 601216 0266 085 - Po Box 22, MASHAMBA, 0942 - *Makgauta Annah*
474. Boniswa Cleopatra Nakedi - 970806 0245 080 - 3233 Makgasane Street, Kagisanong, BLOEMFONTEIN, 9323 - *Tsalaemang Cleopatra*
475. Bulelani Bukuva - 960507 6402 087 - R 7 Block C, Hostel 2, SEBOKENG, 1983 - *Mawande*
476. Koketso Mahlodi Kgomo - 960323 0453 088 - 453 Luthuli Phase 1, SESHEGO, 0942 - *Mamma Enneth*
477. Andile Ivan Mnguni - 860421 5399 081 - 6 Die Heuwel Estate 2 B, 26 Francois Street, Die Heuwel X 15, EMALAHLENI, 1035 - *Andile*
478. Jacobus Petrus Kleynhans - 681015 5065 085 - 4313 Hoog Street, Vills Monzi Town, House No 3, POLOKWANE, 0700 - *Appel Jacobus Petrus*
479. Manogran Moodley - 700319 5169 088 - 718 Hs 86 Montford, CHATSWORTH, 4092 - *Ridwaan*
480. Gugulethu Ntomb'Emnyama Ntombela - 951217 0202 084 - 19 Arum Road, Bloubers, STRAND, 7441 - *Gugulethu*
481. Martinas Mutavhatsindi - 950205 5324 087 - 2371 Sports Street, Extension 1, DORINKOP, 1723 - *Lutendo*
482. Bonang Rangoato Mphahlele - 950202 0665 085 - Lekurung Village, MPHAHLELE, 0736 - *Elizabeth Ramathabathe*

483. Gregory Lendis - 641203 5224 089 - 35 Garnet Road, LANSDOWNE, 7764 - *Azan Greg*
484. Lionel Patrick Williams - 600529 5208 089 - 44 Peta Court, MANENBERG, 7764 - *Ebrahiem*
485. Denis Kenny - 580912 5193 085 - 105 D Austerville Drive, Wentworth, DURBAN, 4052 - *Leonard Denis*
486. Moyrah Mathibela - 950921 0779 089 - Stand No 0016, Goed Gedacht, SEHLAKWANE, 1047 - *Lindiwe Muntuza Evidence*
487. Mfanukhona Cyril Nkosi - 970416 5655 083 - Stand No 349, JEPPIES REEF, 1331 - *Bongani Cyril*
488. S'Bongiseni Mnguni - 840311 5948 083 - 676 Thembalihle, EASTWOOD, 3201 - *S'Bongiseni Mandla Innocent*
489. Sampie Zithulele Mahlangu - 680825 5514 085 - 8285 Moleleki Extension 2, Katlehong, EKURHULENI, 1431 - *Sindeni Zithulele*
490. Aubrey Mazibuko - 830612 6401 085 - 718/9 Hout Kapper Street, Daleside, MIDVAAL, 1961 - *Mavela Aubrey*
491. Bongiswa Phetheni - 791007 5753 080 - Cundini Area, NTABANKULU, 4816 - *Bongisisa*
492. Phethile Nomonde Thandavhathu - 800601 0528 080 - 2139 Nkabinde Street, PHOLA, 2230 - *Nomvula Sai*
493. Doctor Makhubu - 790425 5405 082 - 3056 Nkosi Street, Extension 5, GA – GUQA, 1039 - *Doctor Moses*
494. Kholofelo Matau - 921211 5368 088 - 565 Vaalkraal B, DENNILTON, 1030 - *Marunthu Kholofelo*
495. Tumiso Jairus Marima - 950109 5601 082 - Stand No 26, GA MOKGOKOTLA, 0751 - *Dzuhisani Praise*
496. Mokgifa Simon Mokhothu - 820515 5302 083 - 5444 Tshepong Location, THEUNISSEN, 9410 - *Katleho Simon*
497. Phemelo Mojabeng Mogorosi - 900227 0240 085 - 5279 Chief Moroka Street, Rocklands, BLOEMFONTEIN, 9323 - *Phemelo Mojabeng Thulisile*
498. Jan Frans Makwela - 750423 5481 086 - Po Box 186, THOLONGWE, 0734 - *Mogowe*
499. Magdelina Maponya - 720413 0362 081 - 502 Zone 5 B, SESHEGO, 0742 - *Celebration*
500. Nomnqweno Tyelbooi - 930622 0366 084 - 62 Ndebele Street, Soweto On Sea, PORT ELIZABETH, 6000 - *Akhona*

## DEPARTMENT OF LABOUR

NO. 1592

23 DECEMBER 2016

## LABOUR RELATIONS ACT, 1995

## INTENTION TO CANCEL THE REGISTRATION OF TRADE UNION

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **South African Democratic Nurses Union (SADNU) (LR2/6/2/2029)** for the following reasons:

- The union failed to comply with the provisions of section 98, 99 and 100 of the Act
- The union ceased to function in terms of its constitution

The trade union and all interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2016/170.**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, PRETORIA. [Postal address: Private Bag X117, PRETORIA, 0001 – Fax No. (012) 309 4156 / 4595], within 60 days of the date of this notice.



ACTING REGISTRAR OF LABOUR RELATIONS

08/12/2016

**DEPARTMENT OF TRADE AND INDUSTRY****NO. 1593****23 DECEMBER 2016**

1. By virtue of the powers vested in me in terms of the Special Economic Zones Act No. 16 of 2014 ("SEZ Act"), I, Dr Rob Davies, Minister of Trade and Industry, hereby give notice that –

(a) the Dube TradePort (DTP) was designated as an Industrial Development Zone (IDZ) (Notice No. 525 of 2014) by virtue of Regulation 3 of the Regulations (Government Gazette No. 21803 of 1 December 2000) made in terms of the Manufacturing Development Act No. 187 of 1993;

(b) section 39(2) of the Special Economic Zones Act No. 16 of 2014, provides as follows:

"(2) Any designation of an industrial development zone under the IDZ Regulations which is in force immediately before this Act comes into operation, remains in force and must be regarded as a designation of a Special Economic Zone under this Act."; and

(c) by virtue of the automatic legal effect of section 39(2) of the SEZ Act, the Dube TradePort must, as from the date of commencement of the SEZ Act, be regarded as a Special Economic Zone under the SEZ Act.

**2. LOCATION OF THE DUBE TRADEPORT**

2.1 A total land area of 302.9607 hectares (ha) is hereby designated as the Dube TradePort Special Economic Zone. The area consists of Dube AgriZone 1 and Dube TradeZone. The SEZ land area is bounded by the R102 to the west, M65 to the south, N2 to the east and M43 to the north.

- 2.2 Dube TradeZone, situated on the remainder of Portion 9 of the farm La Mercy Airport 15124 as well as on Erf 616, La Mercy further subdivided and/ or consolidated into erven 617 – 708, and bounded by the Hlawe River to the west, Portion 7 of the farm La Mercy Airport 15124 (the airport precinct) to the south and east and Dube TradeZone 3 to the north.
- 2.3 Dube AgriZone 1, situated on Portion 5 of farm La Mercy Airport 15124, is bounded by the R102 road to the west, Portion 7 of the farm La Mercy Airport 15124 (the airport precinct) to the east, Portion 4 of farm La Mercy Airport no. 15124 to the north and the M65 road to the south.

A table listing the erf numbers the extent of the properties and a map showing the boundaries of the Special Economic Zone is attached hereto as Annexure A.

Please send comments to:

Mr Maoto Molefane  
Department of Trade and Industry (**the dti**)  
**the dti** Campus  
77 Meintjies Street  
Sunnyside, Pretoria, 0002  
Tel: (012) 394 5026  
Email: [MMolefane@thedti.gov.za](mailto:MMolefane@thedti.gov.za)



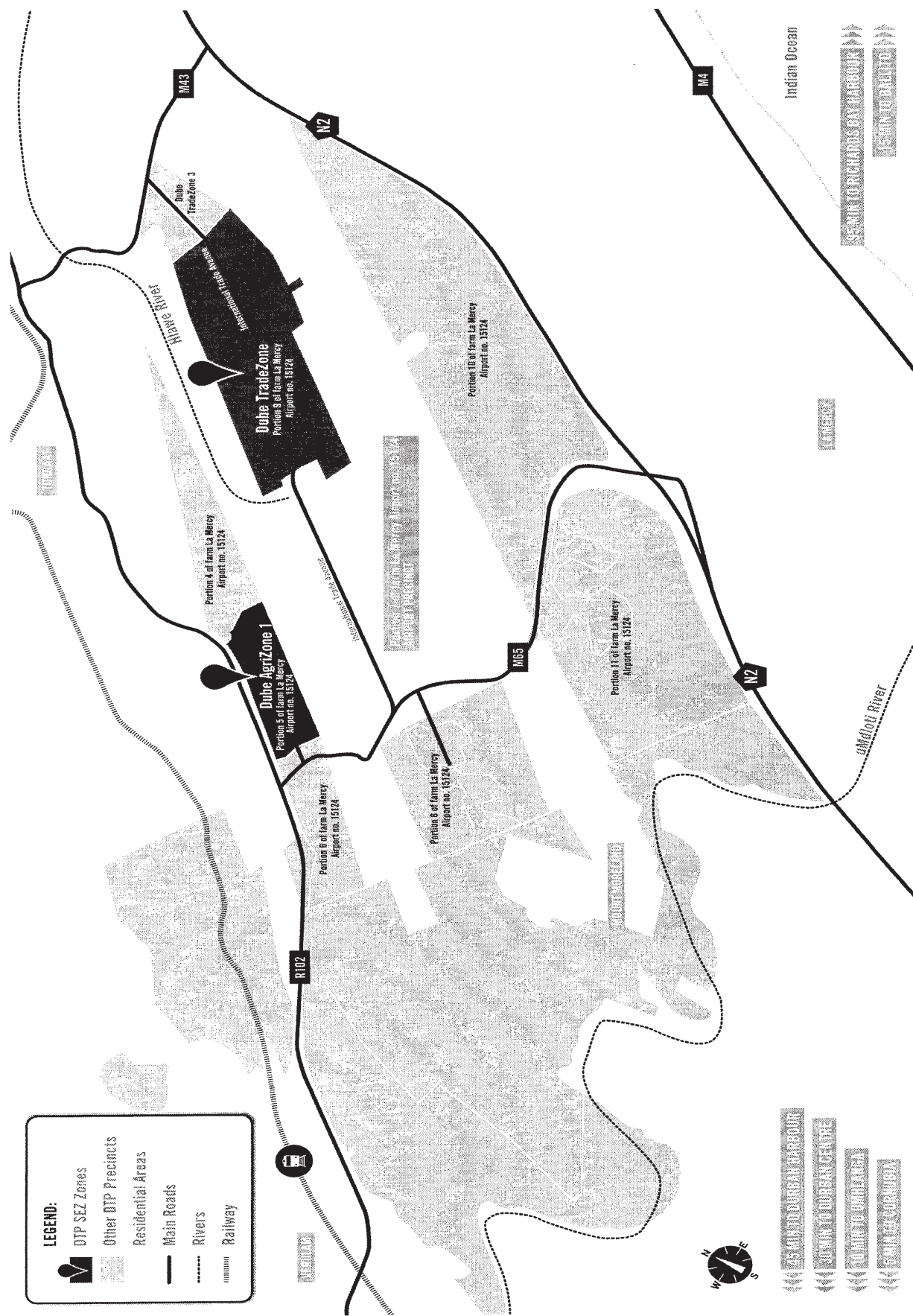
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**Dr Rob Davies, MP**  
**Minister of Trade and Industry**  
Date: 15/11/2016



## ANNEXURE A

<b>DUBE TRADEZONE</b>			
<b>Situate on the Remainder of Portion 9 of the farm La Mercy Airport no. 15124, and on Erf 616, La Mercy furthermore subdivided and / or consolidated into the following erven.</b>			
<b>ERF No.</b>	<b>Use</b>	<b>Extent (m<sup>2</sup>)</b>	<b>Extent in (ha)</b>
617	TradeHouse - developed	26033.00	2.6033
618	TradeZone 1 - developed	5661.00	0.5661
619	TradeZone 1 - developed	4250.00	0.4250
705	TradeZone 1 - developed	17000.00	1.7000
704	TradeZone 1 - developed	25401.00	2.5401
701	TradeZone 1 - developed	84121.00	8.4121
648	TradeZone 1 - developed	4250.00	0.4250
649	TradeZone 1 - developed	5661.00	0.5661
650	TradeZone 1 - developed	15228.00	1.5228
651	TradeZone 1 - developed	6460.00	0.6460
652	TradeZone 1 - developed	8307.00	0.8307
653	TradeZone 1 - developed	7032.00	0.7032
654	TradeZone 1 - developed	7274.00	0.7274
655	TradeZone 1 - developed	6384.00	0.6384
656	TradeZone 1 - developed	7272.00	0.7272
657	TradeZone 1 - developed	7371.00	0.7371
703	TradeZone 1 - developed	30796.00	3.0796
662	Radar Tower	2470.00	0.2470
664	Cargo Terminal with current and future phases	114557.00	11.4557
Portion 1 of 665	DTP Airside - undeveloped	47619.00	4.7619
Portion 2 of Erf 665	Valuable Cargo Facility - developed	6384.00	0.6384
666	Road	68894.00	6.8894
667	Road	30789.00	3.0789
668	Road	30833.00	3.0833
669	Open Space	18817.00	1.8817
687	Road	13963.00	1.3963
688	Road	18154.00	1.8154
Rem. of Erf 700, Erf 706, Erf 707 and Ptn 1 and 2 of Erf 708	Road portion and TradeZone 1 b - developed	61020.00	6.1020
702	MRO - unserviced and undeveloped	201661.00	20.1661
Rem. of Portion 9 of the farm La Mercy Airport no.15124	TradeZone 2 and including balance of DTP Airside - unserviced and undeveloped	1514976.00	151.4976
<b>DUBE AGRIZONE 1</b>			
<b>Farm</b>	<b>Use</b>	<b>Extent (m<sup>2</sup>)</b>	<b>Extent in (ha)</b>
Portion 5 of the farm La Mercy Airport no.15124	AgriZone 1 - developed	630969.00	63.0969
<b>Total Extent across all designated zones</b>		<b>3029607.00</b>	<b>302.9607</b>





## DEPARTMENT OF WATER AND SANITATION

NO. 1594

23 DECEMBER 2016

**VENTERSDORP EYE SUBTERRANEAN GOVERNMENT WATER CONTROL AREA—  
LIMITING THE USE OF GROUNDWATER IN TERMS OF ITEM 6 OF SCHEDULE 3 OF  
THE NATIONAL WATER ACT OF 1998 FOR IRRIGATION PURPOSES FROM THE  
VENTERSDORP EYE SUBTERRANEAN GOVERNMENT WATER CONTROL AREA**

I, **Sifiso Mkhize**, in my capacity as Acting Director-General of the Department of Water and Sanitation, on reasonable grounds, believe that a potential water shortage exists in the Ventersdorp Eye Subterranean Government Water Control Area. This is due to insufficient rains.

In terms of Item 6(1) of Schedule 3 to the Act, the Minister of Water and Sanitation may limit the use of water if on reasonable grounds the Minister 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, in my capacity as the Acting Director-General of the Department of Water and Sanitation, I hereby under delegated authority in terms of item 6 (1) of Schedule 3 to the Act limit the taking of groundwater from the Ventersdorp Eye Subterranean Government Water Control Area by all users as follows:

- a) 30% restriction on groundwater used for Irrigation purposes from the Ventersdorp Eye Subterranean Government Water Control Area.

The limitations apply from the date of this notice until further notice.

In exercising the 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 this limitation without allowing the water users affected and other role players to comment on the matter before I institute the limitation.

This notice overrides any other previous authorization on water restrictions issued by the Department relating to this area.



**ACTING DIRECTOR-GENERAL: WATER AND SANITATION**

DATE: 24/12/2016

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF CO-OPERATIVE GOVERNANCE  
NOTICE 946 OF 2016****NOTICE CALLING FOR PUBLIC COMMENT: DRAFT WHITE PAPER ON FIRE SERVICES**

I, David Douglas Des Van Rooyen, Minister for Cooperative Governance and Traditional Affairs, hereby in accordance with Section 85 of the Constitution read with the Fire Brigade Services Act, 1987 (Act 99 of 1987), invite interested parties to comment on the draft White Paper on Fire Services set out in the schedule hereto as approved by Cabinet on 01 November 2016. Written comments must reach the department on or before 28 February 2017 to the following address:

*By post:* The Acting Director-General  
Department of Cooperative Governance  
Attention: Mr Musiwalo Moses Khangale  
Private Bag X804  
Pretoria  
0001

*By email:* [Mosesk@ndmc.gov.za](mailto:Mosesk@ndmc.gov.za)

Due to the large volume, copies of the draft White Paper on Fire Services will only be made available electronically. The electronic copy of the draft White Paper is obtainable from the website of the National Disaster Management Centre at [www.ndmc.gov.za](http://www.ndmc.gov.za) and may also be obtained from the Government Printers.

**DES VAN ROOYEN, MP  
MINISTER FOR COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS  
DATE:**

**ELECTORAL COMMISSION  
NOTICE 947 OF 2016**

**NOTICE OF PROPORTIONAL REPRESENTATIONAL (PR) COUNCILLOR  
REPLACEMENTS EFFECTED**

The Electoral Commission hereby gives notice that the Proportional Representational (PR) replacements set out in the Schedule have been made for the months of July – September 2016. There were no Ward By-Election replacements recorded for this period.

MS Moepya

Chief Electoral Officer

Electoral Commission

P/Bag X112

Centurion

0046

## SCHEDULE

PR Councillors Replaced in July - September 2016						
Province: Eastern Cape						
Party	Province	Municipality	Removed Name	Replacement Name	Date	
PAN AFRICANIST CONGRESS OF AZANIA	Eastern Cape	BUF - Buffalo City	KHWEZI SIVIWE DALASILE	AYANDA GCOBO	15/09/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	DC10 - Sarah Baartman	BRYAN DHLUDHLU	MARTHINA LYNETTE VAN NIEKERK	08/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	DC10 - Sarah Baartman	HORATIO MARIO HENDRICKS	JOSEPH HENDRIK PIETER BRITZ	08/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	DC10 - Sarah Baartman	KAREN SMITH	THANDAZWA WENDY KATOO	08/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	DC12 - Amathole	BEVERLEY-ANNE FRIEDA WOOD	No replacement	23/08/2016	
ECONOMIC FREEDOM FIGHTERS	Eastern Cape	DC12 - Amathole	SIYABONGA MDIKINDA	ASANDA MATSHOBENI	09/08/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	DC13 - Chris Hani	MADODA LAWRENCE PAPIYANA	NOZIBELE MAKANDA	05/09/2016	
STERKSPRUIT CIVIC ASSOCIATION	Eastern Cape	DC14 - Joe Gqabi	MCEBISI INTSIKILELO MGOJO	MTHETHUNJANI YILIWE	08/08/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	DC15 - O R Tambo	NONCEBA CYNTHIA BONGISWA MNGQINELWA	No replacement	05/09/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	DC15 - O R Tambo	ZOLILE MAQINA	No replacement	23/08/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	DC44 - Alfred Nzo	MOMELEZI MTHETHELELI MBEDLA	SANDILE AUGUSTINUS SELLO	23/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	EC106 - Sundays River Valley	ANELE MATTHEWS NDAWO	LAETTITA ERASMUS	07/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	EC108 - Kouga	HORATIO MARIO HENDRICKS	FRANCOIS JOHANNES LOUW	07/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	EC123 - Great Kei	BEVERLEY-ANNE FRIEDA WOOD	SHARNE MURIEL JACOBS	07/08/2016	
AFRICAN INDEPENDENT CONGRESS	Eastern Cape	EC137 - Engcobo	SABELO BENJAMIN NXAWE	MAHLUBANDILE SOBANTU	08/08/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC139 - Tsolwana/Inkwanca/Lukanji	NOZIBELE MAKANDA	MADODA LAWRENCE PAPIYANA	29/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	EC139 - Tsolwana/Inkwanca/Lukanji	JOHANNES CHRISTOFFEL DE WET	PRINCE-PHILLIP ZUKO MANDILE	07/08/2016	
DEMOCRATIC ALLIANCE	Eastern Cape	EC139 - Tsolwana/Inkwanca/Lukanji	PRINCE-PHILLIP ZUKO MANDILE	DAVID MARTIN KABANIE	07/08/2016	
AFRICAN INDEPENDENT CONGRESS	Eastern Cape	EC153 - Ngquza Hill	ONESIMO HONEST MVANGO	NOMAZWE MAPOLOBA	08/08/2016	
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC153 - Ngquza Hill	NONTYATYAMBO DANISO	NICHOLSON PAZAMILE	08/08/2016	

				NGXAMILE		
ECONOMIC FREEDOM FIGHTERS	Eastern Cape	EC154 - Port St Johns	UNATI KETWA			08/08/2016
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC156 - Mhiontlo	ZOLILE LENNOX MALANGENI			23/08/2016
CIVIC INDEPENDENT	Eastern Cape	EC156 - Mhiontlo	PHATISWA LUFUNDO			08/09/2016
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC441 - Matatielle	SANDILE AUGUSTINUS SELLO			23/08/2016
ECONOMIC FREEDOM FIGHTERS	Eastern Cape	EC441 - Matatielle	NOKULINDA THELMA LANGA			08/08/2016
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC443 - Mbizana	FIKISWA MBUYELWA			08/08/2016
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC443 - Mbizana	FIKISWA MBUYELWA			08/08/2016
AFRICAN NATIONAL CONGRESS	Eastern Cape	EC443 - Mbizana	MAKHOSANDILE CYPRIAN ZIBANKUNZI			17/08/2016
DEMOCRATIC ALLIANCE	Eastern Cape	NMA - Nelson Mandela Bay	SANDILE RWEXWANA			07/08/2016
DEMOCRATIC ALLIANCE	Eastern Cape	NMA - Nelson Mandela Bay [Port Elizabeth]	BRIAN DESMOND KIVEDO			12/07/2016
DEMOCRATIC ALLIANCE	Eastern Cape	NMA - Nelson Mandela Bay [Port Elizabeth]	JAN STEPHANUS LINDOOR			12/07/2016
<b>Province: Free State</b>						
Party	Province	Municipality	Removed Name	Replacement Name	Date	
AFRICAN NATIONAL CONGRESS	Free State	DC18 - Lejweleputswa	KUNATU STEPHEN KOALANE	KENALEMANG ROSY PHUKUNTSI	19/08/2016	
AFRICAN NATIONAL CONGRESS	Free State	DC18 - Lejweleputswa	DIPUO MARGARET MAFA	No replacement	18/08/2016	
AFRICAN NATIONAL CONGRESS	Free State	DC18 - Lejweleputswa	THABO ANDRIES MOHLOARE	No replacement	18/08/2016	
DEMOCRATIC ALLIANCE	Free State	DC18 - Lejweleputswa	CHAREL JOHANNES SCHLEBUSCH	ANDREAS JOHANNES JACOBUS KRUGER	08/08/2016	
DEMOCRATIC ALLIANCE	Free State	DC18 - Lejweleputswa	SEKWAEMANG ACHIRCHURAS MERAFE	CHAREL JOHANNES SCHLEBUSCH	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Free State	DC18 - Lejweleputswa	LEBOHANG ELLEN KHETSI	No replacement	18/08/2016	
ECONOMIC FREEDOM FIGHTERS	Free State	DC18 - Lejweleputswa	MANDLENKOSI EZEKIEL SENXEZI	No replacement	18/08/2016	
ECONOMIC FREEDOM FIGHTERS	Free State	DC18 - Lejweleputswa	MZELANKATA THOMAS MACINGWANE	No replacement	18/08/2016	
ECONOMIC FREEDOM FIGHTERS	Free State	DC18 - Lejweleputswa	NTSOAKI AGNES MTHEBERE	No replacement	18/08/2016	
AFRICAN NATIONAL CONGRESS	Free State	DC19 - Thabo Mofutsanyane	MONYANE ISAAC MOKOENA	SEIPATI JUSTINA MBIWE	12/09/2016	

DEMOCRATIC ALLIANCE	Free State	DC19 - Thabo Mofutsanyane	ALISON MARY OATES	RAYMOND HENRY BATH	08/08/2016
DEMOCRATIC ALLIANCE	Free State	DC19 - Thabo Mofutsanyane	DUMAZILE LUCAS XABA	DIKELEDI LUCY TAETSANG	08/08/2016
DEMOCRATIC ALLIANCE	Free State	DC19 - Thabo Mofutsanyane	ISAK VRIES	DUMAZILE LUCAS XABA	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Free State	DC19 - Thabo Mofutsanyane	MAKOSINI MISHACK CHABANGU	No replacement	22/09/2016
DEMOCRATIC ALLIANCE	Free State	FS182 - Tokologo	SEKWAEMANG ACHIRCHURAS MIERAFE	GERTRUIDA PETRONELLA DENIACOS	23/08/2016
PATRIOTIC ALLIANCE	Free State	FS182 - Tokologo	ANDRE FRANCOIS BARTLEMAN	MAKOLE MICHAEL LENTSA	21/09/2016
ECONOMIC FREEDOM FIGHTERS	Free State	FS184 - Matjhabeng	EVEN ZOLILE MASHIQA	MOHANELOA SAREL TSOAELI	05/09/2016
UNITED FRONT OF CIVICS	Free State	FS184 - Matjhabeng	MMAMMISI SYLVIA MTHUNZI	BABY MAGDALINA RAMABODU	14/09/2016
DEMOCRATIC ALLIANCE	Free State	FS191 - Setsoto	RAYMOND HENRY BATH	PIETER WOUTER DE WET	09/08/2016
ECONOMIC FREEDOM FIGHTERS	Free State	FS191 - Setsoto	LEBOHANG GILBERT MOKOAKOE	ANDRONIKA MODIEHI MOHOSHO	07/09/2016
UNITED FRONT OF CIVICS	Free State	FS191 - Setsoto	MALEFANE PATRICK MATSAU	TIEHO GEORGE MAKHALANYANE	19/08/2016
UNITED FRONT OF CIVICS	Free State	FS191 - Setsoto	MATLAKALA JOSEPHINE TAU	CHERE DANIEL MOIPATLI	19/08/2016
UNITED FRONT OF CIVICS	Free State	FS191 - Setsoto	NKOBO WALTER MOTSOANE	MALEFANE PATRICK MATSAU	19/08/2016
AFRICAN NATIONAL CONGRESS	Free State	FS192 - Dihlabeng	MOTSAMAI JOB TSHABALALA	JACOB JOHANNES HENDRIK PIENAAR	12/09/2016
AFRICAN NATIONAL CONGRESS	Free State	FS192 - Dihlabeng	NOMQIBELO EMELY MABIZELA	HANI ELLEN MOKOENA	08/08/2016
DEMOCRATIC ALLIANCE	Free State	FS192 - Dihlabeng	CATHERINA JOHANNA VAN NIEKERK	DUMAZILE LUCAS XABA	07/08/2016
DEMOCRATIC ALLIANCE	Free State	FS193 - Nketoana	MARTHINUS BLIGNAUT	MICHIEL CHRISTIAAN BOTHA	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Free State	FS194 - Maluti a Phofung	MAKOSINI MISHACK CHABANGU	ISHMAEL MAHLOMOLA MAJAKE	22/09/2016
DEMOCRATIC ALLIANCE	Free State	FS196 - Mantsope	TANIA HALSE	DEWALD JACOBUS HATTINGH	07/08/2016
AFRICAN NATIONAL CONGRESS	Free State	FS201 - Mqohaka	ABIGAIL CLAIRE WITNESS DISEBO NAKEDI	PULE JACOB PHOOKO	29/08/2016
AFRICAN NATIONAL CONGRESS	Free State	FS201 - Mqohaka	DINEO MAUREEN MAKALE	KHAMPEPE LYSANDER KOKAMI	01/09/2016
AFRICAN NATIONAL CONGRESS	Free State	FS201 - Mqohaka	MANTEBU ALINA MOKGOSI	ZACHARIA JOHANNA CORNELIA MANEFELDT	01/09/2016
DEMOCRATIC ALLIANCE	Free State	FS201 - Mqohaka	JOHAN GELDENHUIS	JOHANNES RAMASIMONG MAHLATSI	07/08/2016
DEMOCRATIC ALLIANCE	Free State	FS203 - Ngwathe	SALOMON HERCULES FRANCOIS DE JAGER	SHIRLEY MERILYN VERMAAK	11/08/2016
DEMOCRATIC ALLIANCE	Free State	FS205 - Mafube	MARCHAND CASPER DU PLESSIS	SHOESHOE ADEL MAZIBUKO	07/08/2016

DEMOCRATIC ALLIANCE	Free State	MAN - Mangaung	LEHLOHONOLO JAMES LETUKA	RAYNIE SARAH KLAASEN	29/08/2016
VRYHEIDSFRONT PLUS	Free State	MAN - Mangaung	ELIZABETH SNYMAN-VAN DEVENTER	DEVAR SMIT	02/09/2016
VRYHEIDSFRONT PLUS	Free State	MAN - Mangaung	MARIA MAGDALENA STEYN	ELIZABETH SNYMAN-VAN DEVENTER	01/09/2016
<b>Province: Gauteng</b>					
			<b>Removed</b>	<b>Replacement</b>	
<b>Party</b>	<b>Province</b>	<b>Municipality</b>	<b>Name</b>	<b>Name</b>	<b>Date</b>
ECONOMIC FREEDOM FIGHTERS	Gauteng	DC42 - Sedibeng	JULIA MAZIBUKO	RELEBOGILE PERSEVERANCE PHADIME	09/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	DC42 - Sedibeng	PRECIOUS MPHO MOTAUNG	JULIA MAZIBUKO	08/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	DC42 - Sedibeng	RELEBOGILE PERSEVERANCE PHADIME	HLONGOLWANA HENDSWELL BALOVI	31/08/2016
AFRICAN NATIONAL CONGRESS	Gauteng	DC48 - West Rand	NOMAMPONDO MAMABOLO	DITEKO DIRK MOREOTSENVE	15/08/2016
AFRICAN NATIONAL CONGRESS	Gauteng	DC48 - West Rand	OLIVIA LUCIA CALDEIRA	MILDRED NOSAMKELO NDZILANE	15/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	DC48 - West Rand	CHRISTINA WINNIE MABALA	KHOLEKA MANDYU	08/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	DC48 - West Rand	ADVOCAATE GENERAL THEKISO	No replacement	23/08/2016
AFRICAN NATIONAL CONGRESS	Gauteng	EKU - Ekurhuleni	EUGENE VEDELIAH SMITH	LESIBA CASSIUS MPYA	22/08/2016
AFRICAN NATIONAL CONGRESS	Gauteng	EKU - Ekurhuleni	MONDLI GUNGUBELE	MAKHOSAZANE MINAH MABASO	22/08/2016
AFRICAN NATIONAL CONGRESS	Gauteng	EKU - Ekurhuleni	RODGERS BALOVI	ALLETTA MATHOBOBO MASHIGO	22/08/2016
DEMOCRATIC ALLIANCE	Gauteng	EKU - Ekurhuleni	HASEENABANU ISMAIL	VICTOR KHOSI LUKHELE	07/08/2016
DEMOCRATIC ALLIANCE	Gauteng	EKU - Ekurhuleni	JACQUELINE REILLY	MASERISHANE ABRAM DEBEILA	07/08/2016
DEMOCRATIC ALLIANCE	Gauteng	EKU - Ekurhuleni	RAMESHLAL SHEODIN	VUSUMZI MAKHASI	07/08/2016
DEMOCRATIC ALLIANCE	Gauteng	EKU - Ekurhuleni	SINETHEMBA RODNEY MATIWANE	EULBRI MAGESI KUBAYI	07/08/2016
AFRICAN INDEPENDENT CONGRESS	Gauteng	GT421 - Emfuleni	JOHANNES THAPELO MAIKO	GLADYS NOMVUSO MADISHA	30/08/2016
AFRICAN INDEPENDENT CONGRESS	Gauteng	GT421 - Emfuleni	TEFO ADAM FRENK	PATRICK SEBENZILE ZWEDALA	30/08/2016
DEMOCRATIC ALLIANCE	Gauteng	GT421 - Emfuleni	EDWARD KHULULEKILE VON BODENSTEIN	HLALELE COHEN MOSUOANE	07/08/2016
DEMOCRATIC ALLIANCE	Gauteng	GT421 - Emfuleni	MOKHAUGELO SOLOMON CHABALALA	MAMOHAPE LYDIA MATSIE -	06/09/2016

						SKOSANA	
DEMOCRATIC ALLIANCE	Gauteng	GT422 - Midvaal	CHABELI SALMON NKHI	THETHIWE CHRISTINA SIKHOSANA	15/08/2016		
ECONOMIC FREEDOM FIGHTERS	Gauteng	GT423 - Lesedi	LEROTHI MOTSHOANE MACHITJE	SESI ELLEN MOLOI	08/08/2016		
ECONOMIC FREEDOM FIGHTERS	Gauteng	GT423 - Lesedi	SESI ELLEN MOLOI	MOLEBOGEN VIRGINIA MARTHA MALEFELA	25/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	GT481 - Mogale City	BERTHA PEACE MABE	SELEBALO DAVID LETSIE	29/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	GT481 - Mogale City	SELEBALO DAVID LETSIE	BERTHA PEACE MABE	16/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	GT481 - Mogale City	SUZEN MINOSI THUPANE	FAROUK OMAR BHAYAT	18/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT481 - Mogale City	ZILLAH WEHINGER-MAGUIRE	MTOMBIKAISE TRACY LEBE	07/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	GT484 - Merafong City	MILDRED NOSAMKELO NDZILANE	THULANI ELVIS MPHITHIKEZI	15/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT484 - Merafong City	ANNETT VENTER	MATSHIDISO WILHEMINAH RAMODUPI	07/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT484 - Merafong City	CARLOS MANUEL DIAS REBELO	CHRISTINA CAPKEY	07/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT484 - Merafong City	JOHAN DAVID WILLEM ZWART	NOMATAMSANQA CYNTHIA MNGXEZA-MASELA	07/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT484 - Merafong City	LAURALEE ISHERWOOD	JOHAN DAVID WILLEM ZWART	07/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	GT485 - Randfontein/Westonaria	NOMVUYISEKO SIDLOVA	MARTHA CHRISTINA GROBLER	23/08/2016		
AZANIAN PEOPLE'S ORGANISATION	Gauteng	GT485 - Randfontein/Westonaria	JOHANNES MUTU LAZARO	SIMON MOLATLHEGI SETHOPO	16/08/2016		
DEMOCRATIC ALLIANCE	Gauteng	GT485 - Randfontein/Westonaria	ALWYN JACOBUS VAN TONDER	FORTIA JOHANNA BERGMAN	07/08/2016		
ECONOMIC FREEDOM FIGHTERS	Gauteng	GT485 - Randfontein/Westonaria	CHRISTINA WINNIE MABALA	BOITUMELO LETLHAKE	08/08/2016		
ECONOMIC FREEDOM FIGHTERS	Gauteng	GT485 - Randfontein/Westonaria	RICHARD TUMELO MOLUSI	JUSTICE MBUYISELO LETSHOLO	08/08/2016		
RANDFONTEIN PEOPLES PARTY	Gauteng	GT485 - Randfontein/Westonaria	TERENCE JOEL MOGALOB	MICHAEL NKOE	16/08/2016		
VRYHEIDSFONT PLUS	Gauteng	GT485 - Randfontein/Westonaria	JAN DIRK HEYNS DU BRUYN	CHARLES ALEXANDER BROUGH	08/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	TSH - Tshwane Metro	KGOSIENTSO DAVID RAMOKGOPA	RASELLO TERENCE MASHEGO	19/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	TSH - Tshwane Metro	MAIDI DOROTHY MABILETSA	MINKY MAGDELINE SEIPATI MATSHIYANE	19/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	TSH - Tshwane Metro	MINKY MAGDELINE SEIPATI MATSHIYANE	TITOS KHALO	19/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	TSH - Tshwane Metro	MOSIMA MARIA MABITSELA	MAIDI DOROTHY MABILETSA	19/08/2016		
AFRICAN NATIONAL CONGRESS	Gauteng	TSH - Tshwane Metro	TITOS KHALO	MOSIMA MARIA MABITSELA	19/08/2016		
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	CAROLINE MATLAKALA MOKHABELA	MAMOTHIBEDI FRIDDAH	18/08/2016		



						MAREDI	
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	DINEO RANKOTSANE SEBAPU			OBAKENG SAMMUEL RAMABODU	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	ELVIS KGABO MOTHATA			GOITSIMANG AGNES MOKALANYANE	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	GOITSIMANG AGNES MOKALANYANE			LINDIWE MASILELA	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	MAMOTHIBEDI FRIDDAH MAREDI			TSHLIDZI TUWANI	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	OMPHELE MANKOBA CONFIDENCE MAOTWE			SIBONGILE MARJORIE MAMABOLO	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	SERIALONG PAULINA MALETE			DINEO RANKOTSANE SEBAPU	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Gauteng	TSH - Tshwane Metro	SIBONGILE MARJORIE MAMABOLO			NKHUMELENI EMMANUEL MACHABA	18/08/2016
<b>Province: KwaZulu-Natal</b>							
Party	Province	Municipality	Removed Name	Replacement Name	Date		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC21 - Ugu	NKAZIMULO CROMMHWELL MAVUNDLA	IAN MFANUKHONA MAVUNDLA	20/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC21 - Ugu	THEMBENI DORICA MTHULI	SITHEMBISO BHEKIZENZO CELE	08/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC21 - Ugu	WITNESS THABANI DUBE	THEMBENI DORICA MTHULI	08/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	DORCAS SIBONGILE MKHIZE	MICHAEL VUSUMUZI NTSHANGASE	08/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	GUGU MARY-JANE NGUBE	HLALANI ZONDI	08/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	HLALANI ZONDI	NOMABELU VALENCIA DUZE	24/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	NONTOKOZO KIMBERLILY NGCOBO	S'THEMBISO DENNIENI MHLONGO	24/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	PHILILE CYNTHIA MBELE	DENNIS ALFRED NDLELA	24/08/2016		
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC22 - UMgungundlovu	THANDIWE ROSE MARRY ZUNGU	PHILILE CYNTHIA MBELE	08/08/2016		
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	BONGUMUSA CYRIL NHLABATHI	JEROME SIBONGISENI MAJOLA	09/08/2016		
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	CLIVE OTIS LOTZ	ROOKSANA AHMED	09/08/2016		
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	GLENN ROBERT MC ARTHUR	CLIVE OTIS LOTZ	09/08/2016		
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	JEROME SIBONGISENI MAJOLA	GLENN ROBERT MC ARTHUR	09/08/2016		

DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	ROOKSANA AHMED	THEMBA ABRAM HLATSHWAKO	09/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	SANDRA PATRICIA LYNE	MICHAEL STEVEN BOND	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC22 - UMgungundlovu	ROOKSANA AHMED	No replacement	05/09/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC23 - Uthukela	MTHAMBISI ELLIAS KHUMALO	SOLOMON ZAMLANDELA KHUMALO	25/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC23 - Uthukela	THABILE OLGAH VILAKAZI	No replacement	05/09/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC23 - Uthukela	ALFRED SANDILE NDLOVU	RUDOLPH PETRUS GERICKE	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC23 - Uthukela	RUDOLPH PETRUS GERICKE	GIFT SIBUSISO MDLULI	09/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC25 - Amajuba	DUDUZILE PATRICIA SIBIYA	PHUMZILE SINCLATIA MGCINA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC25 - Amajuba	JABULILE CYNTHIA NIGHTINGALE KHUMALO	MUSA GRIFFITHS NGUBANE	19/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC25 - Amajuba	PHUMZILE HARRIET CELE	MUZIWENDODA NKOSINATHI NTSHANGASE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC25 - Amajuba	PHUMZILE SINCLATIA MGCINA	AFZUL FAROUK REHMAN	19/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC25 - Amajuba	REUBEN MOSES MOLELEKO	NTUNTU CANISIUS KHABANYANE	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC25 - Amajuba	ELIZABETH JOHANNA CECELIA CRONJÉ	RICHARD NKOSINATHI NGCOBO	07/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	DC25 - Amajuba	VUSUMUZI REUBEN HLATSHWAYO	No replacement	24/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC26 - Zululand	NOMPUMELELO SIKHAKHANE	ZANDILE NOKUTHULA BUTHELEZI	20/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	DC26 - Zululand	PHUMZILE AUDREY THANDEKILE NOKUPHIWA BUTHELEZI	ELPHAS MFAKAZELENI BUTHELEZI	25/08/2016
AFRICAN INDEPENDENT CONGRESS	KwaZulu-Natal	DC27 - Umkhanyakude	LINDIWE MASISI MKWANAZI	No replacement	20/09/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC27 - Umkhanyakude	BUSI THOBHI TEMBE	SICELO WELCOME MZINYANE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC27 - Umkhanyakude	MILLICENT ZANELE NYAWO	BUSI THOBHI TEMBE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC27 - Umkhanyakude	THULANI SOLOMON MKHOMBO	ZODWA MAYVIS MHLONGO	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC27 - Umkhanyakude	ZODWA MAYVIS MHLONGO	THULANI SOLOMON MKHOMBO	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC28 - Uthungulu	BONGINKOSI LAURENCE MKHWANAZI	CELIWE PHUMELELE GUGU CELE	19/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC28 - Uthungulu	KHONZELENI DUDUZILE SIBIYA	S'PHAMANDLA NKOSIKHONA NGUBANE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC28 - Uthungulu	SIMANGELE REJOYCE THABETHE	BONGINKOSI LAURENCE MKHWANAZI	08/08/2016

AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC28 - Uthungulu	S'PHAMANDLA NKOSIKHONA NGUBANE	NOMFUNDO NTOMBENHLE PENELOPE MKHULUSI	19/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC28 - Uthungulu	PURRIETY THENJIWE MBATHA	No replacement	25/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC28 - Uthungulu	MAVIS FIKILE MDLULI	OCKERT JOHANNES HENDRIK MULDER	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC28 - Uthungulu	OCKERT JOHANNES HENDRIK MULDER	MZIWAKHIWE MINTSHALI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC29 - iLembe	MAKHOSAZANE PROMISE PATIENCE ZUNGU	ZOLA MAUREEN MHLONGO	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC29 - iLembe	SIBONGILE FLORENCE NTULI	VELILE CHARLINE NZAMA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC29 - iLembe	VELILE CHARLINE NZAMA	MAKHOSINI DESMOND MPOFU	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	DC29 - iLembe	MADHUN SOBRAM SING	ANDREW GOPAUL	07/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC43 - Harry Gwala	WITNESS BONGEKILE DLAMINI	ZOLISWA SWEETNESS NYIDE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC43 - Harry Gwala	ZAMOKWAKHE DAVID NXUMALO	MGANU SIBONGISENI DEVILLIERS MDUNGE	23/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC43 - Harry Gwala	ZOLISWA SWEETNESS NYIDE	LINEO PRIMROSE PRISCILLA TUTA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	DC43 - Harry Gwala	ZOLISWA SWEETNESS NYIDE	MGANU SIBONGISENI DEVILLIERS MDUNGE	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	AUBREY DESMOND SNYMAN	MARCELLE DAVID	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	BRADLEY SINGH	RIONA GOKOOL	10/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	BRUCE ANTHONY SUTCLIFFE	KANNAGAMBA RANI PILLAY	06/09/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	CHRISTOPHER JOHN PAPPAS	SHAMENDRI SEWSHANKER	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	DANOVAN PILLAY	ZAMANI WISEMAN KHUZWAYO	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	EURIKA LYNDAL SINGH	KUTHULA NOMFUNDO NOMTHANDAZO KHUBONE	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	GEOFFREY DOUGLAS AYRTON PULLAN	NAGAMMAH MUNIEN	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	MANAGI JOHNSON	SAMIER SINGH	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	MOHAMMED HANIFF HOUSEN	PERFECT BHEKA NTULI	18/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	NAGAMMAH MUNIEN	BRUCE ANTHONY SUTCLIFFE	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	PETER JOHN CUNNINGHAM GRAHAM	SAGAR SINGH	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	PETER JOHN CUNNINGHAM GRAHAM	SHAMENDRI SEWSHANKER	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekwini	SHARON CHETTY	CAELEEE JANE LAING	07/08/2016

DEMOCRATIC ALLIANCE	KwaZulu-Natal	ETH - eThekweni	WARREN JEROME DE MARIGNY BURNE	DANOVAN PILLAY	07/08/2016
MINORITIES OF SOUTH AFRICA	KwaZulu-Natal	ETH - eThekweni	SHUNMUGAM RAMSAMY MOODLEY	NARENDH GANESH	18/08/2016
TRULY ALLIANCE	KwaZulu-Natal	ETH - eThekweni	MAHOMED FARUK ADAM	MOHAMMED HOUSEN KHAN	23/08/2016
TRULY ALLIANCE	KwaZulu-Natal	ETH - eThekweni	MOHAMMED HOUSEN KHAN	MAHOMED FARUK ADAM	27/09/2016
MINORITY FRONT	KwaZulu-Natal	ETH - eThekweni [Durban Metro]	PRAGASAN PADAYACHEE	ADHIR PANDAY	20/07/2016
NATIONAL FREEDOM PARTY	KwaZulu-Natal	ETH - eThekweni [Durban Metro]	THABANI MBONGISENI MTHETHWA	SIKHUMBUZO BONIFACE ZULU	06/07/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN212 - Umdoni	EDWIN VICTOR BAPTIE	SHAMILA SOOKHRAJ	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN212 - Umdoni	SHARA SINGH	WILLIAM PETER PIENAAR	07/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN213 - Umzumbe	HOWARD MBONWA SIZWE MSOMI	RICHARD MANDLENKOSI MKHIZE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN213 - Umzumbe	INNOCENT MFANAFUTHI NGWABE	BUSISIWE MARGARET MADWE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN213 - Umzumbe	MAMA PRETTY GIRL LAUNDRY ZUNGU	HOWARD MBONWA SIZWE MSOMI	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN213 - Umzumbe	LEONARD MLUNGISI RECTOR NGCOBO	THEMBI JANET RADEBE	08/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN214 - UMuziwabantu	COMFORT MBENI MACHI	THOBELENI ANNATORIA DISANE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN216 - Hibiscus Coast	NCEDANI NYULEKA	VERONICA LINDIWE NTANZA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN216 - Hibiscus Coast	NOXOLO DANCA	SIPHO ALPHEUS DLAMALALA	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN216 - Hibiscus Coast	PHUMLILE HAPPINESS MTHIYANE	YAGABARAM NAIR	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	AJITH RAJARAM	YVONNE LESLEY BOOYSEN	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	DAVID IAN WATSON	NTOKOZO JOSEPH MNGOMA	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	DOUGLAS RAWLINS	LEON ARMIN GARBADE	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	GEORGE DIEDERIK HENDERSON	TJAAART ANDRIES PETRUS KRUGER	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	LEON ARMIN GARBADE	STEPHANIE MARY BREEDT	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN216 - Hibiscus Coast	TJAAART ANDRIES PETRUS KRUGER	NOKUZOLA PRETTY-GIRL CEBISA	07/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN221 - uMshwathi	LETHUMUSA GLADMAN CHAMANE	NONHLANHLA THOBILE NGUBANE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN221 - uMshwathi	MAYVIS SONGELENI GABELA	THEMBELIHE CHARITY DLAME	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN221 - uMshwathi	MDUDUZI GOBA	SIPHINDILE SIBONGILE MBHELE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN221 - uMshwathi	NONTOKOZO KIMBERLY NGCOBO	LETHUMUSA GLADMAN CHAMANE	08/08/2016

AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN221 - uMshwathi	RAMESH MUNGROO	SIYABONGA GOODMAN JILA	20/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN221 - uMshwathi	THEMBA ABRAM HLATSHWAKO	MYBURGH MARAIS DE VRIES	09/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN222 - uMngeni	FAVOURITE GUGU MTHEMBU	RICHARD SIZWE SOKHELA	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN224 - Impendle	PHENDUKILE PROTASIA MTOLO	NONHLANHLA GLADIS MVELASE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	CYNTHIA PHILISIWE MNYANDU	VUSUMUZI TRUMAN MAGUBANE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	HLENGIWE GLORIA HADEBE	MDUDUZI JEROME NIJLO	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	JABULISILE JOYCE NGUBO	SINDISIWE HAPPINESS NZAMIA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	NELISWE ZANELE NDLOVU	NINGI JOSTINAH ZUNGU	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	NONHLANHLA KHUMALO	NOMAGUGU EUNICE MAJOLA	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN225 - Msunduzi	SINDISIWE HAPPINESS NZAMIA	MARY SCHALKWYK	20/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN225 - Msunduzi	CLIVE OTIS LOTZ	REGINA ZINHLE NGUBO	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN225 - Msunduzi	MERGAN CHETTY	WILLIAM FRANCIS LAMBERT	18/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN225 - Msunduzi	MICHAEL STEVEN BOND	CLIVE OTIS LOTZ	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN225 - Msunduzi	SANDRA PATRICIA LYNE	GLENN ROBERT MC ARTHUR	07/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN226 - Mkhambathini	NOMUSA THANDIWE RADEBE	LINDIWE ZIPORA LEMBETHE	17/08/2016
ECONOMIC FREEDOM FIGHTERS	KwaZulu-Natal	KZN226 - Mkhambathini	PHUMZILE LUCIA DLADLA	ZWELETHU FREEDOM MBAMBO	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN227 - Richmond	BADUMILE THANDIWE MBANJWA	SIBUSISO JOSEPH MCHUNU	22/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN237 - Estcourt/Loskop	THABILE OLGAH VILAKAZI	SIHLANGU MILTON MBHELE	05/09/2016
AL JAMA-AH	KwaZulu-Natal	KZN237 - Estcourt/Loskop	BILAL CHOHAN	PATRONELLA THOBILE SHELEMBE	17/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	KHANYISILE MAJORITY NGOBESE	SINDISWA ROSE MFUSI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	THULILE HADEBE	LINDIWE BONGIWE MARRILYN KUBHEKA	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	SHARON ANN BUYS	KHULEKANI LUCAS MSIBI	07/08/2016
ECONOMIC FREEDOM FIGHTERS	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	NTOKOZA LORRAINE MAKOFANE	MBUYISENI MESHACH NKOSI	25/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	SYDNEY BONGANI SIBISI	FAVOURITE PHILISWA SITHOLE	18/08/2016
NATIONAL PEOPLES AMBASSADORS	KwaZulu-Natal	KZN238 - Ladysmith/Waaihoek	MABUTHO SIBONISO MINGADI	EMMANUEL NKOSINATHI MANDLENKOSI IMTHETHWA	17/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN241 - Endumeni	ISRI BEDASSI	ANTHON MICHAEL RAUBENHEIMER	07/08/2016

AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN242 - Nqutu	LYDIA HAPPINESS MINGUNI	LEHLONONO CYPRIAN MOLOI	18/08/2016
ECONOMIC FREEDOM FIGHTERS	KwaZulu-Natal	KZN242 - Nqutu	SINENHLANHLA PETROS NTSHANGASE	MALIBONGWE FREDERICK MDLETSHI	18/08/2016
NATIONAL FREEDOM PARTY	KwaZulu-Natal	KZN242 - Nqutu	SICELO ABEDNIGO MKHIZE	EVELYN THULISILE NHLEBELA	22/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN244 - Msinga	LUNGILE GUGU MABASO	SAMKELUSIWE SITHOLE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN245 - Umvoti	NCOMEKILE JOYCE NZAME	PAMELA THANDAZILE ZUMA	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN245 - Umvoti	PAUL RICHARD BUSS	PRITHIVERAJ DHEBEDEEN ROOPAI	23/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN245 - Umvoti	PRITHIVERAJ DHEBEDEEN ROOPAI	RAJAN SEWPERSADH MAHARAJ	27/09/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN245 - Umvoti	VUSUMUZI DOUGLAS KHANYILE	CATHERINE NINGI MKHIZE	23/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN252 - Newcastle	AFZUL FAROUK REHMAN	JABULILE CYNTHIA NIGHTINGALE KHUMALO	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN252 - Newcastle	PHUMZILE HARRIET CELE	ERIC MAKHOSINI NKOSI	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN252 - Newcastle	SIPHO ENOCK NKOSI	ZANELE CHRISTINA MSIBI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN252 - Newcastle	ZANELE CHRISTINA MSIBI	NOMPUMELELO YVONNE MBATHA	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN252 - Newcastle	ALBERTUS PIETER MEIRING	MUZIWENSIZWA STANLEY NDLOVU	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN252 - Newcastle	ELIZABETH JOHANNA CECELIA CRONJÉ	ALBERT MFANA MBULI	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN252 - Newcastle	RICHARD NKOSINATHI NGCOBO	JACOB BONGANI NKWANAZI	08/08/2016
ECONOMIC FREEDOM FIGHTERS	KwaZulu-Natal	KZN252 - Newcastle	JABULANI PHILEMON NGWENYA	PERTUNIA FUNDISWA NDLOVU	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN261 - eDumbe	SIYABONGA JOHANNES KUNENE	BETTY SHABALALA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN263 - Abaqulusi	BHEKA AARON MTSHALI	NKOSIKHONA NTOMBIYEPHAHLA MDLALOSE	18/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN263 - Abaqulusi	ISSABEL ALTA DE KOCK	MFANAFUTHI MAXWELL MHLUNGU	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN263 - Abaqulusi	SIBUSISO RAYMOND NKOSI	ISSABEL ALTA DE KOCK	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN271 - Umhlabyalingana	NOMASUKU ROSE MTHETHWA	SIPHO PIETER MTHETHWA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN271 - Umhlabyalingana	THULANI SOLOMON MKHOMBO	ZODWA MAYVIS MHLONGO	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN271 - Umhlabyalingana	ZODWA MAYVIS MHLONGO	SIMANGELE MIRRIAM NDLOVU	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN275 - Mtubatuba	MANIZA SHANTAL NGCOBO	THULLY PRETTY ZIKHALI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN276 - Hluhluwe/Somkele	FIKILE CONSTANCE HLABISA	THULILE SIBUSISIWE MAHLABA	08/08/2016

DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN276 - Hluhluwe/Somkele	MBUSO ELLIAS MTSHALI	DENNIS MBEKISENI MNGOMEZULU	17/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN282 - uMhlatuze	KHULUMANO BANI PRISCA VILAKAZI	MEERA SOOKROO	19/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN284 - uMlalazi	STANLEY BASIL LARKAN	SIPHO FUNOKWAKHE NGONYAMA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN291 - Mandeni	ZOLA MAUREEN MHLONGO	MAKHOSAZANE PROMISE PATIENCE ZUNGU	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN292 - KwaDukuza	GOVINDAMMAL GOVENDER	CICI DOLLY MTHEMBU	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN292 - KwaDukuza	GOVINDAMMAL GOVENDER	ELIZABETH BONISILE MAJOLA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN292 - KwaDukuza	JENNIFER ASTERLANE VALLAN	ELIZABETH BONISILE MAJOLA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN292 - KwaDukuza	LOMAYE SINDISIWE MTHEMBU	NKULULEKO QWABE	18/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN292 - KwaDukuza	NTOMBIKAYISE PROMISE DUBE	LOMAYE SINDISIWE MTHEMBU	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	ANDREW GOPAUL	THOKOZANI KHAYELIHLE GUMEDE	08/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	MADHUN SOBRAM SING	THOMAS PRICE DU TOIT	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	MALCOLM WILLIAM HUBNER	TAMSYN COLLEY	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	TAMSYN COLLEY	SAHAJANA NAIDOO	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	THOMAS PRICE DU TOIT	MOONSAMY NAIDOO	07/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN292 - KwaDukuza	TREVON GOPAL	ANGEL LINDIWE NZAMA	15/09/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN292 - KwaDukuza	JABULANI LOBI TIMOTHY SIBIYA	MOOSA SULEMAN CASSIM MOOSA MOTALA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN294 - Maphumulo	DINGENI BETTY LUTHULI	SIBONGILE FLORENCE NTULI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN294 - Maphumulo	SIBONGILE FLORENCE NTULI	VELILE CHARLINE NZAMA	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN294 - Maphumulo	VELILE CHARLINE NZAMA	ZIBUYISILE FORTUNATE DLAMINI	17/08/2016
INKATHA FREEDOM PARTY	KwaZulu-Natal	KZN294 - Maphumulo	NTANDOYENKOSI PRUDENCE NXUMALO	JOSEPH MISHACK KHATHI	08/08/2016
ECONOMIC FREEDOM FIGHTERS	KwaZulu-Natal	KZN433 - Greater Kokstad	APHIWE MTAKATYE	VINCENT LUVUYO NDYEBE	20/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN434 - Ubuhlebezwe	ZAMOKWAKHE DAVID NXUMALO	GUGU PRIMROSE NZIMANDE	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN435 - Umzimkhulu	ZOLISWA SWEETNESS NYIDE	VUYISWA MHATU	25/08/2016
DEMOCRATIC ALLIANCE	KwaZulu-Natal	KZN435 - Umzimkhulu	VUYANI WILLIAM ZAZA	HLANGANANI ARON LUKHOZI	08/08/2016
AFRICAN NATIONAL CONGRESS	KwaZulu-Natal	KZN436 - Creighton/Underberg	WITNESS BONGEKILE DLAMINI	SIHLE BERNARD MQWAMBI	23/08/2016

Province: Limpopo						
Party	Province	Municipality	Removed Name	Replacement Name	Date	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC33 - Mopani	AGREEMENT NTWANANO MMOLA	MOKWAPE FLORAH MADIKE	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC33 - Mopani	MOKWAPE FLORAH MADIKE	MBITSIMUNI RAYMOND CHAUKE	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC33 - Mopani	NAKEDI MARVIN LEWELA	CLEMENT MATOME RAMATHOKA	08/08/2016	
DEMOCRATIC ALLIANCE	Limpopo	DC34 - Vhembe	MIKATEKO GLANDA FURUMELE	THEMBANI NANCY MABOYA	09/08/2016	
DEMOCRATIC ALLIANCE	Limpopo	DC34 - Vhembe	MIRINGO PATRICK MAZIBUKO	MIKATEKO GLANDA FURUMELE	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	ANTHONY MATUMBA	TSHILIDZI ANNIE MARAGA	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	DUNISANI LYBORN BALOYI	THANDEKA EUNICE DZIVHANI	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	PATRICK MASHAU	DUNISANI LYBORN BALOYI	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	RENDANI MUNYAI	PATRICK MASHAU	29/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	THANDEKA EUNICE DZIVHANI	ABEL CHAUKE	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	TINYIKO FLORENCE MANGANYE	PATRICK MASHAU	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	TSHILIDZI ANNIE MARAGA	ARINAO JOYCE MASITHI	29/09/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	DUNISANI LYBORN BALOYI	No replacement	29/09/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC34 - Vhembe	PATRICK MASHAU	No replacement	07/09/2016	
DEMOCRATIC ALLIANCE	Limpopo	DC35 - Capricorn	MASHINGWANA MIETJIE TIJUMANA	DUMISANI OUPA KUBHEKA	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	LESIBA SAMUEL MOTHATA	KHAUKI VIOLET HLANGWANE	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MAKGABO ALEX KOBO	MOKGAPA FRANS MAENETJA	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MAMORAKA DORCAS MESO	MARION MATLASE MAPAKELA	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MMATLOU THABITHA MODIBA	MAKGABO ALEX KOBO	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MOKGAPA FRANS MAENETJA	SONTI ELIZABETH RAMALOKO	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MOLOKO PHANUEL MAILA	KHOMOTJO LINAH MABENA	09/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	MOTLAOHLE JACQUELINE LEFERELA	THANDI ENGELINA HOPANE	08/08/2016	
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	PHETOLA THOMAS RAKIMANE	MATSHEDISHO SEKGOBELA	08/08/2016	



ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	RONNY RAMOTSA MALEMA	MOLOKO PHANUEL MAILA	08/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC35 - Capricorn	THANDI ENGELINA HOPANE	LESIBA SAMUEL MOTHATA	09/08/2016
AFRICAN NATIONAL CONGRESS	Limpopo	DC36 - Waterberg	NTIE ROSINA MOGOTLANE	KUNJ SARAH LAMOLA	22/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC36 - Waterberg	LEBOGANG JOSEPH MONAHENG	SELAELO REGINA MPHAPHELE	08/08/2016
VRYHEIDSFREONT PLUS	Limpopo	DC36 - Waterberg	DANIËL ELARDUS DE BEER	KAREL HENDRIK NIEWENHUIS	09/09/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	DC47 - Sekhukhune	MOGALEADI KGOHATSO MOGOANE	BUTI WILLIAM MTSWENI	08/08/2016
CONGRESS OF THE PEOPLE	Limpopo	LIM332 - Greater Letaba	THOMAS JEFFREY SENYOLO	SELAELO BERNARD RAMPYAPEDI	09/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM332 - Greater Letaba	LEBOGANG DEBORAH RAMATABANA	PHINEAS PHETOLE RALEPATANA	20/09/2016
AFRICAN PEOPLE'S CONVENTION	Limpopo	LIM333 - Greater Tzaneen	THANDY RHULANI MATHONSI	NICCO NKHWASHU	22/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM333 - Greater Tzaneen	PIERRE WILHELM CRONJE	FAITH THANDI MOHLABA	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM333 - Greater Tzaneen	CLEMENT MATOME RAMATHOKA	JOHANNA MMAPHUTHI RATOPOLA	09/08/2016
CONGRESS OF THE PEOPLE	Limpopo	LIM334 - Ba-Phalaborwa	SELLO GIDEON MOKOELE	SIMON KGAREGI SHAI	05/09/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM334 - Ba-Phalaborwa	SYBRANDT RYNARDT DE BEER	BELIAS RAMOTHWALA	07/08/2016
CIVIC WARRIORS OF MARULENG	Limpopo	LIM335 - Maruleng	JEFFRY TSATSI MOREMA	TAOLA IMAS SHAI	08/08/2016
CIVIC WARRIORS OF MARULENG	Limpopo	LIM335 - Maruleng	TAOLA IMAS SHAI	MODUATSELA PERSEVERANCE MATLHO	15/09/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM335 - Maruleng	EVA CHRISTINA DU PREEZ	SHANSEKA LAWRENCE MKANSI	07/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM344 - Makhado	ABRAHAM DU PLOOY	JONAS LUKHELI	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM344 - Makhado	PATRICK MASHAU	TSHILIDZI ANNIE MARAGA	07/09/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM344 - Makhado	TSHILIDZI ANNIE MARAGA	MPHO CYNETH NEMATANDANI	09/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM345 - New Municipality	TINYIKO FLORENCE MANGANYE	THEMBANI LUCIA HLABANGWANI	08/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM353 - Molemole	MATOME OSCAR MOTOLLA	MAREMA ISAAC MOHAFE	08/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM354 - Polokwane	FRANK ANDREAS HAAS	MARIETTE PRETORIUS	07/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM354 - Polokwane	HERMANUS FRANS MARX	MPHO ENGELINAH MALATJI	07/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM354 - Polokwane	MARIETTE PRETORIUS	FRANCOIS JACQUES JOUBERT	07/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM361 - Thabazimbi	LAMBERT HENDRIK JOUBERT	THANE HEARNE	11/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM361 - Thabazimbi	THANE HEARNE	HLOPHEKA GRACE NTSABELE	11/08/2016

ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM361 - Thabazimbi	LEBOGANG JOSEPH MONAHENG	MOTHUSIEMANG DANIEL COMAKAE	22/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM361 - Thabazimbi	STEVE KENEILOE MOHUTSIWA	RONNY MANYAMA	22/08/2016
AFRICAN NATIONAL CONGRESS	Limpopo	LIM362 - Lephalele	MAPHOTHOMA CHRISTINAH MATSHABA	KOLOBE REGINA MOLOKOMME	16/08/2016
BUSHBUCKRIDGE RESIDENTS ASSOCIATION	Limpopo	LIM366 - Bela-Bela	THATO SOLOMON THUBELA	MAREETA JOSEPH MAKHUBELA	17/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM366 - Bela-Bela	JACOBUS FRANCOIS VAN DER MERWE	MARK GREGORY RAINIER	07/08/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM366 - Bela-Bela	JACOBUS FRANCOIS VAN DER MERWE	MATOME DAVID SENOSHA	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM366 - Bela-Bela	CLIESTA CATHERINE SHOANA MOTSEPE	SINAH DINAH SEALE	08/08/2016
AZANIAN PEOPLE'S ORGANISATION	Limpopo	LIM367 - Mogalakwena	MADIMETJA ABEL SEKOALA	TSHEPO JOSEPH MAKGETA	05/09/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM367 - Mogalakwena	KORNY QUINTIN DEKKER	MMAKGOMO LINAH MASHAO	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM367 - Mogalakwena	SELAELO REGINA MPHAPHALELE	LESIBA PHINEAS MOLEKOA	09/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM367 - Mogalakwena	SHELA CAROLINE MAJOKO	KEKULU JOHANNAH MALULEKE	08/08/2016
VRYHEIDSFRONT PLUS	Limpopo	LIM368 - Modimolle/Mookgopong	KAREL HENDRIK NIEWENHUIS	JOHANNES PIETER PRINSLOO	29/09/2016
DEMOCRATIC ALLIANCE	Limpopo	LIM471 - Ephraim Mogale	PHILIPPUS RUDOLPH JACOBS	MAGALANE GLADYS PHEFADI	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM471 - Ephraim Mogale	MATHABATHE THANDI MOIMANA	RHOUDA RAMATSOBANE SINDANA	08/08/2016
ECONOMIC FREEDOM FIGHTERS	Limpopo	LIM472 - Elias Motsaledi	PATSI SHANE PHALA	SARAH ZODWA NGWENYA	05/09/2016
<b>Province: Mpumalanga</b>					
<b>Party</b>	<b>Province</b>	<b>Municipality</b>	<b>Removed Name</b>	<b>Replacement Name</b>	<b>Date</b>
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC30 - Gert Sibande	CYNTHIA BUSISIWE MKHWANAZI	BHEKABANTU HAMILTON MTSHALI	19/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC30 - Gert Sibande	DINEO JANE LITAU	LINDI LETTIE MASINA	19/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC30 - Gert Sibande	TUNU AGNES MNISI	DUMISILE GOODNESS NHNENGETHWA	19/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC31 - Nkangala	PHUMLA EULENDA MALEBE	LINDA MODIEGI MBOWENI	23/08/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	DC31 - Nkangala	JAFTA SEPORO MASHILO	LUCKY MOLOI MAKOLA	31/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC32 - Ehlanzeni	GRANNY PRIMROSE RAPHIRI	JESTA SIDELL	11/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	DC32 - Ehlanzeni	LETTA NTOMBI SHONGWE	MAKHOSAZANE CHRISTINE MASILELA	11/08/2016

DEMOCRATIC ALLIANCE	Mpumalanga	DC32 - Ehlanzeni	KHUNJULWA PEARL PILANE	LEONARD PATSON MBAMBO	09/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	DC32 - Ehlanzeni	MARIA ELISABETH JACOBS	STEPHEN RUDOLF SCHORMANN	08/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	DC32 - Ehlanzeni	STEPHEN RUDOLF SCHORMANN	KHUNJULWA PEARL PILANE	09/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP301 - Chief Albert Luthuli	BUSISIWE PAULINA SHIBA	SIMON ZAKHELE NKOSI	17/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP302 - Msukaligwa	BHEKIWE AGNES MAHLALELA	TUNU AGNES MNISI	20/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP303 - Mkhondo	BHEKABANTU HAMILTON MTSHALI	CYNTHIA BUSISIWE MKHWANAZI	19/08/2016
AFRICAN PEOPLE'S CONVENTION	Mpumalanga	MP303 - Mkhondo	LUCKY NHLANHLA MAVIMBELA	BHEKI ISAIHAH NKOSI	19/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP303 - Mkhondo	JOHANNA LULEY IRENE BRUSSOW	ROBERT JAMES ALEXANDER WILSON	07/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP304 - Dr Pixley Ka Isaka Seme	ESTHER MAPASEKA THWALA	PHALABORWA VINCENT MALATSI	16/08/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP305 - Lekwa	ISHMAEL KGOTLELELO SEDIBE	PHINDILE CYNTHIA MAHLABA	24/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP307 - Govan Mbeki	LINDI LETTIE MASINA	YVONNE THANDIWE NGXONONO	16/08/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP307 - Govan Mbeki	NTOMBIFUTHI LIZZY NKOSI	KUDUMELA JOHANNES SHAI	23/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP311 - Victor Khanye	DIANE JEAN BATH	JABULILE DAIZY MAKOBOLO	07/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP312 - Emalahleni	DIRK HENDRIK GROBLER	AARON BHEKUYISE KHUMALO	07/08/2016
AFRICAN INDEPENDENT CONGRESS	Mpumalanga	MP315 - Thembisile Hani	ISAAC THEMINKOSI PALARE	JAN MASAKA MAKHUBELA	23/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP315 - Thembisile Hani	HELLEN MAGDELINAH TSHOLOFELO MAHOLE	NOMSA SANNY MTSWENI	16/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP315 - Thembisile Hani	LINDA MODIEGI MBOWENI	THOMAS LEBANDLA MABENA	16/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP315 - Thembisile Hani	YVONNE NONKULULEKO KLEINBOOI	THELETJI JAMES MAKHWITING	16/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP315 - Thembisile Hani	JOSEPH MTHELEKWA SIBANYONI	THABO JOHN TIBANE	08/08/2016
SINDAWONYE PROGRESSIVE PARTY	Mpumalanga	MP315 - Thembisile Hani	MAPUSE CHRISTINA MOSENA	RUBBER QALIWE MTSWENI	12/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP321 - Thaba Chweu	MAKHOSAZANE CHRISTINE MASILELA	GRANNY PRIMROSE RAPHIRI	23/08/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP321 - Thaba Chweu	SANDRA ELSIE VAN DOUWE	DUMISANI ROBERT NKABINDE	07/08/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP321 - Thaba Chweu	JAN POLOKWANE SEKGOBELA	VERINAH DIMAKATSO MABILU	18/08/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP321 - Thaba Chweu	MARIA MONICA GUMEDE	EXODUS KGOLOFELO MABANNE	29/09/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP324 - Nkomazi	SONTO ANNA LUHLANGA	NOMSA FELICIAH LUBISI	21/09/2016
DEMOCRATIC ALLIANCE	Mpumalanga	MP324 - Nkomazi	MARTHA MARIA SOPHIA PREDDY	SANKIE OCTAVIA MNDAWE	08/08/2016

ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP324 - Nkomazi	MANIKI HENRY DIBAKOANE	DOCTOR MACSORN KHOZA	20/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP325 - Bushbuckridge	RODGERS DOUGLAS TSHOBETE	MOBU PRUDENCE MOKOME	11/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP325 - Bushbuckridge	ZODWA GODI	MARTINAH SEPHELELE PHELEPE	11/08/2016
BUSHBUCKRIDGE RESIDENTS ASSOCIATION	Mpumalanga	MP325 - Bushbuckridge	BAUMELE LINAH CONFIDENCE MAPAILE	SOFRY SIBUSISO NKUNA	16/08/2016
BUSHBUCKRIDGE RESIDENTS ASSOCIATION	Mpumalanga	MP325 - Bushbuckridge	SEISO MOHLALA	LESIBA BILLY CHILOANE	16/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP326 - Mbombela/Umjindi	JESTA SIDELL	LETTA NTOMBI SHONGWE	11/08/2016
AFRICAN NATIONAL CONGRESS	Mpumalanga	MP326 - Mbombela/Umjindi	NTOMBAZANE SINDISIWE NYALUNGA	THEMBI PRECIOUS MANAVE	29/09/2016
ECONOMIC FREEDOM FIGHTERS	Mpumalanga	MP326 - Mbombela/Umjindi	SIPHO RONNY MONARENG	EGGY NCENEKILE SIBAMBO	18/08/2016
<b>Province: North West</b>					
			<b>Removed</b>	<b>Replacement</b>	
<b>Party</b>	<b>Province</b>	<b>Municipality</b>	<b>Name</b>	<b>Name</b>	<b>Date</b>
AFRICAN INDEPENDENT CONGRESS	North West	DC37 - Bojanala	NONBULELO SHIRLEY XATASI	NONTLANGANISO EDITH GWEGWE	23/08/2016
AFRICAN INDEPENDENT CONGRESS	North West	DC37 - Bojanala	RANKO PHILLIP MOTLHAGA	NONBULELO SHIRLEY XATASI	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC37 - Bojanala	FRED LETLHABULA SETSHOANE	WILHEMINA MATLAKALA LEFYNE	08/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC37 - Bojanala	ELIZABETH DISEKO MONTSHO	No replacement	19/08/2016
FORUM 4 SERVICE DELIVERY	North West	DC37 - Bojanala	BOSA DAISY KABELO	MASEGO DORCAS KODISANG	16/08/2016
DEMOCRATIC ALLIANCE	North West	DC39 - Dr Ruth Segomotsi Mompati	LESEGO EDITH MAILA	No replacement	17/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC39 - Dr Ruth Segomotsi Mompati	MPE ELLEN LEBONA	No replacement	23/08/2016
AFRICAN NATIONAL CONGRESS	North West	DC40 - Dr Kenneth Kaunda	ANDRIES OLEBOGENG PHUTHYAGAE	HAZEL HTOMBENHLE MBELE	08/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	BAKISI JOHANNES WILLIAMS	KEDIBONE ROSINA KEGONTSE	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	CHESTER LEKWAPA MOELETSI	TSHIRELETSO SOLOMON MALEBATSANE	08/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	KEDIBONE ROSINA KEGONTSE	LUCKY KHOZA	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	LENTEKILE KOOS SHUPING	PETER MORULANE	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	LUCKY KHOZA	SADI VICTORIA LETSHWITI	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	MADIKGAPA ELISA MOSWEU	LINAH NOKHUTHAZO DAYIYA	08/08/2016

ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	MMAMOLAUDI MARTHA MOEPI	BAKISI JOHANNES WILLIAMS	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	PETER MORULANE	MMAMOLAUDI MARTHA MOEPI	09/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	DC40 - Dr Kenneth Kaunda	TSHIRELETSO SOLOMON MALEBATSANE	LENTEKILE KOOS SHUPING	09/08/2016
AGENDA TO CITIZENRY GOVERNORS	North West	NW371 - Moretele	MABODILA ANDRIES MOGALE	DAVID BANGANOVHA SHANGY MBEKWA	13/09/2016
DEMOCRATIC ALLIANCE	North West	NW371 - Moretele	DITRAGALO MMAKGAMELO RAKGATLIHA	ESTHER TATARE MAHLANGU	08/08/2016
AFRICAN INDEPENDENT CONGRESS	North West	NW373 - Rustenburg	NONTLANGANISO EDITH GWEGWE	NONBULELO SHIRLEY XATASI	14/09/2016
AFRICAN NATIONAL CONGRESS	North West	NW373 - Rustenburg	GALEBEKWE VIRGINIA TLHAPI	JOYCE ITUMELENG MASHISHI- NTSIME	16/08/2016
BOTHO COMMUNITY MOVEMENT	North West	NW373 - Rustenburg	BOITUMELO PERSEVERANCE MAXHETSEBA	OFENTSE JERREMIA KOMBE	12/08/2016
DEMOCRATIC ALLIANCE	North West	NW373 - Rustenburg	CHERYL PHILLIPS	CHRISTIAAN FREDERICH MÖRSNER MINY	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW373 - Rustenburg	CHRISTIAAN FREDERICH MÖRSNER MINY	JOHANNES MARTHINUS VOSLOO	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW373 - Rustenburg	GERT JACOBUS DU PLESSIS	AGNES TSAMAI	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW373 - Rustenburg	JOHANNES MARTHINUS VOSLOO	PIETER ANDRIES MALAN	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW373 - Rustenburg	MARTIN COETZEE	CLAUDINA NMANAGIRL MMOLOTSI	07/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW373 - Rustenburg	STEPHEN ELLIOT MOKGOTLHWE	BOSA DAISY KABELO	17/08/2016
DEMOCRATIC ALLIANCE	North West	NW374 - Kgetlengrivier	JACOBUS PHILIPPUS SNYMAN	ALFRED MOLEFE	11/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW381 - Ratiou	NOMBULELO SYLVIA KONCO	GODSOND GAOLATLHE MOKGOPE	23/08/2016
AFRICAN NATIONAL CONGRESS	North West	NW383 - Mafikeng	TSHEPO JUSTICE MAKOLOMAKWA	MARIA MOTETEKWANE TSOLO- MULASI	08/08/2016
DEMOCRATIC ALLIANCE	North West	NW383 - Mafikeng	DAVID THEMBEKILE MTUNZI	NTHOKGO JOHANNES MOTAU	17/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW383 - Mafikeng	DIKELEDI DEBRAH FULELA	KGOMOTSO IRENE MBANA	17/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW383 - Mafikeng	EMMANUEL KGOTLANTWA LEEPILE	ORAPELENG JOHN MOTSEPE	17/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW383 - Mafikeng	MBAHARE JOHANNES KEKANA	DIKELEDI DEBRAH FULELA	08/08/2016
DEMOCRATIC ALLIANCE	North West	NW384 - Ditsobotla	AGUST RUDOLPH SCHNEPEL	SAMENG ELLEN MOEKETSANE	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW384 - Ditsobotla	RENÁ ENGELBRECHT	KEORAPETSE MOTLHAKO	07/08/2016
DEMOCRATIC ALLIANCE	North West	NW392 - Naledi	DANIÉL DIEDERICKS	SUMAYA MUSTAFA	23/08/2016
DEMOCRATIC ALLIANCE	North West	NW392 - Naledi	JAN GABRIEL BRAND	JOHN ABRAHAM ADONIS	07/08/2016

DEMOCRATIC ALLIANCE	North West	NW396 - Lekwa-Teemane	THEO GERBER	SAM FORTUIN									07/08/2016
FORUM 4 SERVICE DELIVERY	North West	NW397 - Ganyesa/Pomfret	KEDISALETSE GLORIA MOSWEU	BAYA EMMANUEL GENDER									24/08/2016
DEMOCRATIC ALLIANCE	North West	NW403 - Matlosana	CHRISTIAAN JOHANNES BESTER	PASEKA MOEKETSI MOUTSI									07/08/2016
DEMOCRATIC ALLIANCE	North West	NW403 - Matlosana	JOHANNES JACOBUS LE GRANGE	GERT LOURENS JACOBUS CROMHOUT									07/08/2016
DEMOCRATIC ALLIANCE	North West	NW403 - Matlosana	SUSARA MARIA STEYN	JOHANNES JACOBUS LE GRANGE									07/08/2016
INDEPENDENT RATEPAYERS ASSOCIATION OF SA	North West	NW403 - Matlosana	ANTHONIE MEIRING	DIRK FREDERICK ROODT									15/08/2016
DEMOCRATIC ALLIANCE	North West	NW405 - Ventersdorp/Tlokwe	GAVIN GEORGE EDWARDS	GLENVILLE MARVIN LEVERT FRANSMAN									07/08/2016
ECONOMIC FREEDOM FIGHTERS	North West	NW405 - Ventersdorp/Tlokwe	LINAH NOKHUTHAZO DAVIYA	KEDIBONE ROSINA KEGONTSE									09/08/2016
INDEPENDENT COUNCILLORS	North West	NW405 - Ventersdorp/Tlokwe	PASELA AARON MOHLOPE	LUCKY DANIEL MOKOENA									16/08/2016
<b>Province: Northern Cape</b>													
Party	Province	Municipality	Removed Name	Replacement Name	Date								
AFRICAN NATIONAL CONGRESS	Northern Cape	DC45 - John Taolo Gaetsewe	MHLOPHEKI FRIKKIE NQUME	SOFIA MOSIKATSI	31/08/2016								
AFRICAN NATIONAL CONGRESS	Northern Cape	DC8 - SIYANDA	VICTOR WALTER WESTLIAN SACCO	No replacement	23/08/2016								
CONGRESS OF THE PEOPLE	Northern Cape	DC8 - SIYANDA	KOOS ESAU	ANNA DE BRUIN	08/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC062 - NAMA KHOI	JOHN EDWARD VAN DEN HEEVER	LEANDRA LETICIA VRIES	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC062 - NAMA KHOI	RODNEY KRITZINGER	STEPHANUS HERMANUS RUITER	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC065 - HANTAM	GIZELLA OPPERMAN	JEANNETTE-ANNE EVELYN STEENKAMP	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC065 - HANTAM	JEANNETTE-ANNE EVELYN STEENKAMP	HERMIENA CLARINA STEENKAMP	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC066 - KAROO HOOGLAND	JOHANNES JACOBUS VAN DER COLFF	JAN JOHANNES JACOBS	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC075 - RENOSTERBERG	ELFREDINE GERALDINE BEKKERS	HENDRIK BOOYSEN	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC087 - //Khara Hais/Mier	FLORENCE LEE-ANNE WITBOOI	DENISE VISAGIE	08/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC087 - //Khara Hais/Mier	JAN HENDRIK OPPERMAN	FLORENCE LEE-ANNE WITBOOI	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC087 - //Khara Hais/Mier	PHILIPPUS THEODORUS VAN DER STEEN	SAMUEL SANDLANA	07/08/2016								
DEMOCRATIC ALLIANCE	Northern Cape	NC093 - Magareng	WILLEM JOHANNES POTGIETER	JAN LOUW	07/08/2016								

DEMOCRATIC ALLIANCE	Northern Cape	NC094 - Phokwane	STANLEY JAMES RUDMAN	DESMOND SILLANDS	07/08/2016
AFRICAN NATIONAL CONGRESS	Northern Cape	NC452 - GA-SEGONYANA	KGACOLOLO BLES	TUELO ERNEST MEYERS	24/08/2016
AFRICAN NATIONAL CONGRESS	Northern Cape	NC452 - GA-SEGONYANA	TEBOGO TOM TLHOLONYANE	LEBOGANG COLLINS MOSEKI	24/08/2016
AFRICAN NATIONAL CONGRESS	Northern Cape	NC453 - GAMAGARA	MATILDA MERCIA MALGAS	MHLOPHEKI FRIKKIE NQUME	02/09/2016
DEMOCRATIC ALLIANCE	Northern Cape	NC453 - GAMAGARA	HENRIETTE DU PLESSIS	ANNA JOYCE MORWE	07/08/2016
DEMOCRATIC ALLIANCE	Northern Cape	NC453 - GAMAGARA	SHADRACK GAOHENNGWE MOREENG	GOKAILWE JOSEPH ESAU	07/08/2016
<b>Province: Western Cape</b>					
			<b>Removed</b>	<b>Replacement</b>	
<b>Party</b>	<b>Province</b>	<b>Municipality</b>	<b>Name</b>	<b>Name</b>	<b>Date</b>
AFRICAN CHRISTIAN DEMOCRATIC PARTY	Western Cape	CPT - City of Cape Town	FERLON CHARLES CHRISTIANS	DEMETRIUS KENNETH DUDLEY	18/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	CPT - City of Cape Town	RHODA-ANN BAZIER	ZOLEKA LUCIA QOBA	08/08/2016
DEMOCRATIC ALLIANCE	Western Cape	CPT - City of Cape Town	BARBARA RASS	XOLA NOFEMELE	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	CPT - City of Cape Town	FELICITY ANNE PURCHASE	RHYNHARDT BRESLER	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	CPT - City of Cape Town	ROBERTO MIGUEL QUINTAS	GARIN VICTOR CAVANAGH	07/08/2016
VRYHEIDSPONT PLUS	Western Cape	CPT - City of Cape Town	ANDREW FOURIE	FREDERIKA ROETS BOTHA-ROSSOUW	23/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC1 - West Coast	MARIO VERNON CLOETE	No replacement	22/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC1 - West Coast	RHODA GLADYS WITBOOI	No replacement	19/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	MARGARET NOBANTU BUSHWANA	No replacement	17/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	NTOMBEZANELE GLADYS BAKUBAKU-VOS	No replacement	17/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	PATRICK MARRAN	No replacement	17/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	PHELISA SITSHOTI	No replacement	17/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	PHILIP TYIRA	No replacement	17/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC2 - Cape Winelands	RONALDA SCHIVONNE NALUMANGO	No replacement	17/08/2016
BREEDEVALLEI ONAFHANKLIK	Western Cape	DC2 - Cape Winelands	CERAJ ISMAIL	No replacement	17/08/2016
BREEDEVALLEI ONAFHANKLIK	Western Cape	DC2 - Cape Winelands	COLIN FREDERICK WILSKUT	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	ACHMAT FLORENCE	No replacement	17/08/2016

DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	ANSAAF CROMBIE	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	EVELYN SOPHIA CHRISTINE MATJIAN	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	JAN KAREL HENDRIKS	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	MALCOLM CLAUDE JOHNSON	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	NICOLAAS STEPHANUS LOUW	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	PALESA CLEOPATRA RAMOKHABI	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	PATRICIA ROSE CRAWLEY	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	ROZETTE DU TOIT	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	TORIQUE MOEGAMMAD WEHR	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC2 - Cape Winelands	WILFRED VROLICK	No replacement	17/08/2016
DEMOCRATIC NEW CIVIC ASSOCIATION	Western Cape	DC2 - Cape Winelands	FRANKLIN ADAMS	No replacement	17/08/2016
ECONOMIC FREEDOM FIGHTERS	Western Cape	DC2 - Cape Winelands	DERRICK ATHUR HENDRICKSE	No replacement	17/08/2016
ECONOMIC FREEDOM FIGHTERS	Western Cape	DC2 - Cape Winelands	DERRICK ATHUR HENDRICKSE	No replacement	23/08/2016
ECONOMIC FREEDOM FIGHTERS	Western Cape	DC2 - Cape Winelands	LISENDA KATINKA HORSBAND	No replacement	17/08/2016
ECONOMIC FREEDOM FIGHTERS	Western Cape	DC2 - Cape Winelands	VANESSA IDA MNGCELE	No replacement	17/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC3 - Overberg	KAREL ISAK JOHANNES PAPIER	CHRISTINE ANN MAY	09/08/2016
DEMOCRATIC ALLIANCE	Western Cape	DC3 - Overberg	ANTON COETSEE	No replacement	24/08/2016
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	Western Cape	DC4 - Eden	BRADLEY ROBIN BENADES	THERESA FORTUIN	23/08/2016
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	Western Cape	DC4 - Eden	JEFFREY DONSON	VLANCIO MARDEOK DONSON	08/08/2016
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	Western Cape	DC4 - Eden	VLANCIO MARDEOK DONSON	BRADLEY ROBIN BENADES	08/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC5 - Central Karoo	BENJAMIN ANDILE KLEINBOOI	No replacement	22/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC5 - Central Karoo	MCEBISI ANTHONY KILANI	No replacement	22/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	DC5 - Central Karoo	ZUKILE JEROME DORIAN LAMBERT	No replacement	22/08/2016
KAROO GEMEENSKAP PARTY	Western Cape	DC5 - Central Karoo	GOLIAT LOTTERING	ISAK JAKOBUS WINDVOGEL	08/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC024 - Stellenbosch	WILHELMINA CHRISTINA PETERSEN	ACHMAT FLORENCE	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC025 - Breede Valley	JOLANDE SCHNEIDER	NEIL PETER MERCUUR	12/08/2016



DEMOCRATIC ALLIANCE	Western Cape	WC031 - Theewaterskloof	JANE ISABEL ARENDSE	NICOLAAS PIETERSE	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC031 - Theewaterskloof	KIRO JACOBIE TIEMIE	SAMUEL FREDERICKS	08/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC031 - Theewaterskloof	NICOLAAS PIETERSE	MZIWANELE BRIAN TSHABE	07/08/2016
UNITED FRONT OF THE EASTERN CAPE	Western Cape	WC031 - Theewaterskloof	MHLAWAKHE GANA	THOBINCEBA FREEZIL TSHUNGWANA	23/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC033 - Cape Agulhas	MARJORIE OCTOBER	GERT DIEDERIK BURGER	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC033 - Cape Agulhas	PAUL JOHN SWART	MARJORIE OCTOBER	07/08/2016
AFRICAN NATIONAL CONGRESS	Western Cape	WC041 - Kannaland	MAGDALENA BARRY	PHILIPPUS JOSEPH ANTONIE	08/08/2016
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	Western Cape	WC041 - Kannaland	JEFFREY DONSON	HYRIN DAVID RUITERS	08/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC041 - Kannaland [Ladismith]	LEONA WILLEMSE	HENDRIK BARRY	04/07/2016
AFRICAN NATIONAL CONGRESS	Western Cape	WC042 - Hessequa	MSINDO ELIAS DAYIMANI	MARIA FIELIES	08/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC042 - Hessequa	BENJAMIN DANIEL SMITH	JENNIFER LORRAINE HARTNICK	07/08/2016
AFRICAN CHRISTIAN DEMOCRATIC PARTY	Western Cape	WC043 - Mossel Bay	CHARNIÉL CLAUDE WILLIAMS	JEANETTE ELIZABETH GOUWS	16/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC044 - George	CHARLES STANDERS	DIRK JOHANNES WESSELS	17/08/2016
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	Western Cape	WC044 - George	ROSINA LOMBAARD	WILBERT TERENCE HARRIS	18/08/2016
PLAASLIKE BESORGDE INWONERS	Western Cape	WC044 - George	MARIO GEORGE MASHER	JOHN PATRICK BUYS	17/08/2016
VRYHEIDSFRONT PLUS	Western Cape	WC044 - George	GISELA WEINMANN	GERT JOHANNES VAN NIEKERK	18/08/2016
SOUTH AFRICAN RELIGIOUS CIVIC ORGANISATION	Western Cape	WC045 - Oudtshoorn	STEPHEN ADAMS	GEVAN HILTON JUTHE	16/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC048 - Knysna	ELEANORE ROCHELLE JACQUELENE SPIES	LEVAEL VINCENT DAVIS	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC048 - Knysna	LEVAEL VINCENT DAVIS	SIBUSISO IVAN KWINANA	07/08/2016
DEMOCRATIC ALLIANCE	Western Cape	WC053 - Beaufort West	KOOS MALOOI	ANNA MAGDALENA SLABBERT	07/08/2016
KAROO DEMOCRATIC FORCE	Western Cape	WC053 - Beaufort West	JACOB PHILIP DE BRUYN		17/08/2016

**DEPARTMENT OF ENERGY  
NOTICE 948 OF 2016**

**DRAFT POST-2015 NATIONAL ENERGY EFFICIENCY STRATEGY**

I, Tina Joemat-Pettersson, Minister of Energy, hereby publish the draft post-2015 National Energy Efficiency Strategy for public comments.

Interested persons and organisations are invited to submit, within 30 days, written comments on the draft post-2015 National Energy Efficiency Strategy on any of the following:

**Post:** Director-General  
Department of Energy  
Private Bag X 96  
Pretoria, 0001

**For Attention: Xolile Mabusela**

**Or deliver to:** 192 Matimba House 192  
Corner Visagie and Paul Kruger Streets  
Pretoria, 0001

**Or email to:** lebogang.nkhwashu@energy.gov.za

**Contact details:** +27 (0) 12 406 7648

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

Please note that comments received after the closing date may be disregarded.



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TINA JOEMAT-PETTERSSON, MP  
Minister of Energy



energy

Department:  
Energy  
REPUBLIC OF SOUTH AFRICA

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## Post-2015 National Energy Efficiency Strategy

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**1<sup>st</sup> DRAFT**

September 2016

Draft Version 1.2

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**ABBREVIATIONS**

AFASA	African Farmers' Association of South Africa
CSIR	Council for Scientific and Industrial Research
DEA	Department of Environmental Affairs
DoE	Department of Energy
DoHS	Department of Human Settlements
DoT	Department of Transport
DPW	Department of Public Works
DST	Department of Science and Technology
DTI	Department of Trade and Industry
EEDSM	Energy Efficiency Demand Side Management
EnMS	Energy Management Systems
EPC	Energy Performance Certificate
ESCO	Energy Service Company
GHG	Greenhouse Gas
GJ	Gigajoule
HVAC	Heating, ventilation and air conditioning
IEA	International Energy Agency
IEE	Industrial Energy Efficiency
IEP	Integrated Energy Plan
IFI	International Financing Institution
IGCC	Integrated Gasification Combined Cycle
INDC	Intended Nationally Determined Contribution
IPP	Independent Power Producers
IRP	Integrated Resource Plan
M&V	Monitoring and Verification
MEPS	Minimum Energy Performance Standard(s)
Mt	Megatonne
MW	Megawatt
NCPC	National Cleaner Production Centre
NDP	National Development Plan
NEES	National Energy Efficiency Strategy
PJ	Petajoule
PSEE	Private Sector Energy Efficiency
REIPPP	Renewable Energy Independent Power Producer Procurement

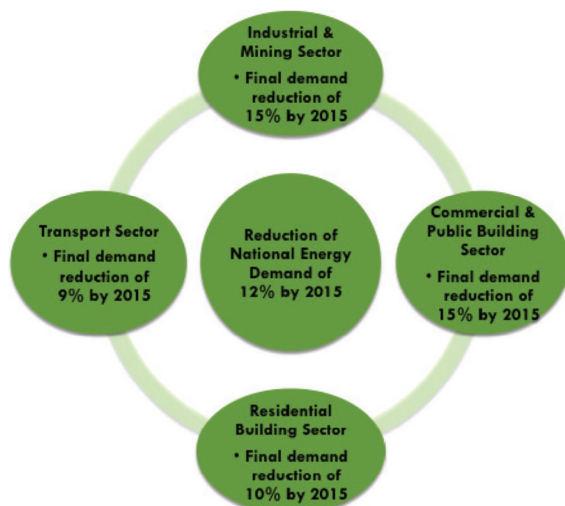
	Programme
REITs	Real Estate Investment Trusts
SANS 204:2011	SANS 204 (2011) (English): Energy efficiency in buildings <sup>1</sup>
SANS 10400- XA	SANS 10400-XA (2011) (English): The application of the National Building Regulations Part X: Environmental sustainability Part XA: Energy usage in buildings <sup>2</sup>
SANAS	South African National Accreditation System
SAQA	South African Qualifications Authority
TJ	Terajoule
TWh	Terawatt hour
WESSA	Wildlife and Environment Society of South Africa

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<sup>1</sup> <https://law.resource.org/pub/za/ibr/za.sans.204.2011.pdf>

<sup>2</sup> <https://law.resource.org/pub/za/ibr/za.sans.10400.xa.2011.pdf>

## 1. Energy efficiency policy in South Africa



The Government of South Africa through the Department of Energy (DoE) released the first National Energy Efficiency Strategy (NEES) in 2005. This strategy aimed to respond to the increasing demand for energy alongside a growing commitment to improving resource use and reducing South Africa's national environmental footprint. The NEES set an overall reduction target in energy intensity of 12% by 2015, and sectoral energy intensity improvements as follows: industry and mining (15%), power generation (10%), transport (9%), commercial and public building

sector (15%), and residential (15%). The NEES derived its mandate from the White Paper on Energy Policy (1998) and it was subsequently revised in 2011. A National Energy Efficiency Action Plan was developed in 2012 describing the implementation of the strategy.

The Energy Efficiency Target Monitoring System was established in 2014 to monitor the progress made towards meeting the original targets (based on a year 2000 baseline). The results of the analysis, which relied to a large extent on existing data<sup>3</sup>, confirmed that significant progress has been made between 2000 and 2012 in improving energy intensity, exceeding expectations for most sectors. The improvements in energy intensity reflect a combination of autonomous change, technological advancements, and deliberate interventions to improve energy efficiencies.

**Table 1: Improvements in energy intensity (2000-2012) compared to the 2005 targets (DoE, 2015)**

Sector	2015 target (based on 2000 baseline)	Performance to 2012
Economy-wide	12%	23.7%
Industry	15%	34.3%
Residential	10%	28.2%
Commercial & public	15%	0.3% (electricity only, 2003-13)
Transport	9%	14.1% (reduction in sector-wide energy intensity)
Power sector	15%	26% (estimated by Eskom)

<sup>3</sup> It should be noted that there are some limitations to the quality and coverage of data that is available for the public, commercial, transport, and power sectors. The DoE was able to undertake primary data collection to support the analysis for the residential and industrial sectors.

This post-2015 NEES aims to build on these achievements, stimulating further energy efficiency improvements through a combination of fiscal and financial incentives, a robust legal and regulatory framework, and enabling measures. The strategy has been framed to complement the policies and strategies of the Department of Environment Affairs (DEA), the Department of Public Works (DPW), the Department of Science and Technology (DST), Department of Trade and Industry (DTI), Department of Transport (DoT) and the National Treasury.

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## 2. Vision and mission

### The Department of Energy's Vision

Our vision is to promote energy efficiency as the 'first fuel'<sup>4</sup> in driving balanced, socially inclusive and environmentally sustainable economic growth, boosting job creation and leading technological innovation across the region.

### The Department of Energy's Mission

Improving energy efficiency is a strategic priority in both the National Development Plan 2030 and South Africa's Intended Nationally Determined Contribution (INDC) under the UN Framework on Climate Change. This post-2015 strategy considers the current economic and development context in South Africa, and aims to encourage continued growth by **reducing energy inefficiency as a barrier** to future progress. The South African Government is committed to seizing the possibilities that energy efficiency represents in:

- improving **energy security**, reducing dependence on energy imports<sup>5</sup> and improving reliability by freeing generation capacity to support future growth;
- optimising resource to **safeguard environmental sustainability**;
- improving **competitiveness** by supporting users to reduce their energy intensity but also to support South African industry and commerce in exploiting the energy efficiency market opportunities within the region;
- stimulating **inclusive economic growth** by releasing generation capacity to all citizens of South Africa and developing the regulatory framework and incentive measures to make affordable, energy efficient technology widely available.

The Department of Energy undertakes to support businesses, households and government departments to take advantage of the energy efficiency opportunities by:

- facilitating the increased availability of affordable, good quality, energy efficient **technologies** on the local market;
- supporting **job creation**, in the implementation of energy efficiency measures and through the redeployment of wealth to other economic activities;
- supporting energy efficiency **investments** through the provision of fiscal and financial incentives that improve the business case and encouraging increased **confidence** in energy efficiency in the financial sector;
- promoting the **sharing of knowledge and best practice** across sectors, technologies, processes, and behaviours;
- fostering a **vibrant and professional energy services sector** that is self-

<sup>4</sup> The "first fuel" concept is gaining increased credence worldwide. Energy efficiency is considered to be a *hidden energy resource* that should be fully exploited before considering other sources as it takes less time to implement, lasts longer and keeps producing without the negative effects of generation. (IEA. (2014), Capturing the Multiple Benefits of Energy Efficiency: A Guide to Quantifying the Value Added, IEA, Paris.) Energy efficiency measures are not only the fastest way to ensure the path towards a low-carbon transition, but also improve the economic output, productivity and energy security of South Africa.

<sup>5</sup> Although South Africa is a net exporter of energy, as of 2012 it depended on imports for about 85% of its total supply of oil and gas.

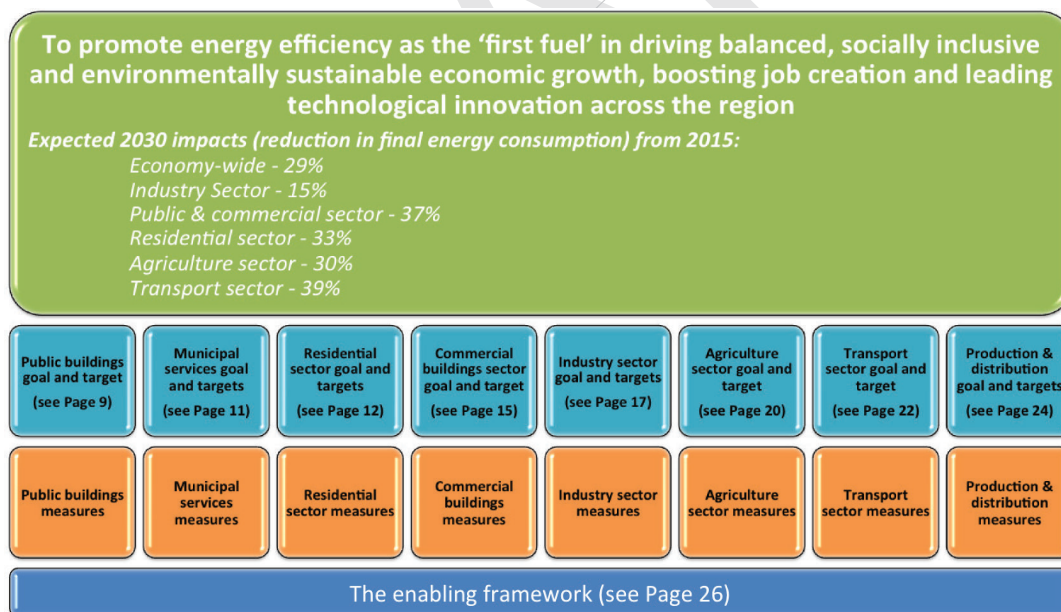
sustaining and can both drive and meet demand for the implementation of energy efficiency measures.

### 3. The results framework

The results framework (Figure 1) establishes a coherent logic between the policy measures, the sectoral impact, and the anticipated overall impact. This is important not only to facilitate the definition of a package of appropriate, relevant measures for each sector that will yield significant impact, but also to make simpler the measurement of the impact of the policy measures put in place. As illustrated below, the package of measures for each sector combined with the supporting measures are expected to realise sectoral goals and targets, which are linked to the projected overall impact of the specific measures. Improvements at a macro-economic level are subject to a significant number of factors external to the policy measures relating to energy efficiency and therefore, the sectoral targets will provide the performance assessment that will inform how effective the policy measures put in place affect implementation.

Annex 1 contains a detailed description of the results framework, including the actual measures and the targets associated with each sector and level.<sup>6</sup>

Figure 1: The post-2015 NEES results framework



<sup>6</sup> At the highest level (impacts), the reduction in final energy consumption is targeted in terms of end use. This explains why there is no target for production and distribution of energy at this level. The targets for each sector are explained in more detail in sector-specific chapters and the results framework is described in Annex A.

## 4. Energy efficiency and savings potentials

To promote a common understanding of energy efficiency in the South African context, the definition of energy efficiency, the benefits of and barriers to improvements, and potential energy savings opportunities that exist in South Africa are described below.

### 4.1. South Africa's energy consumption profile

#### 4.1.1. Energy consumption by energy carrier

Between 2000 and 2012, a significant shift occurred in the relative roles played by different energy carriers in South Africa's total final energy consumption. In 2000, coal and electricity accounted for similar shares of total final consumption, with the share of petroleum products somewhat higher. By 2012, the consumption of electricity and especially petroleum products had increased significantly, while that of coal had declined. These trends are shown in

Table 2 and Figure 2 below.

It is worth emphasising here that these figures represent total final energy consumption, rather than primary energy demand. They do not therefore include energy that is consumed or transformed in the energy conversion processes (for example, power generation and the synthesis of liquid fuels from coal). Although the final consumption of coal has fallen over the time period covered in this analysis, the large increases in the final consumption of electricity and petroleum products have largely been met through coal-based energy conversion processes. Hence the reduction in total final consumption of coal does not imply an overall reduction in the South African economy's dependence on coal.

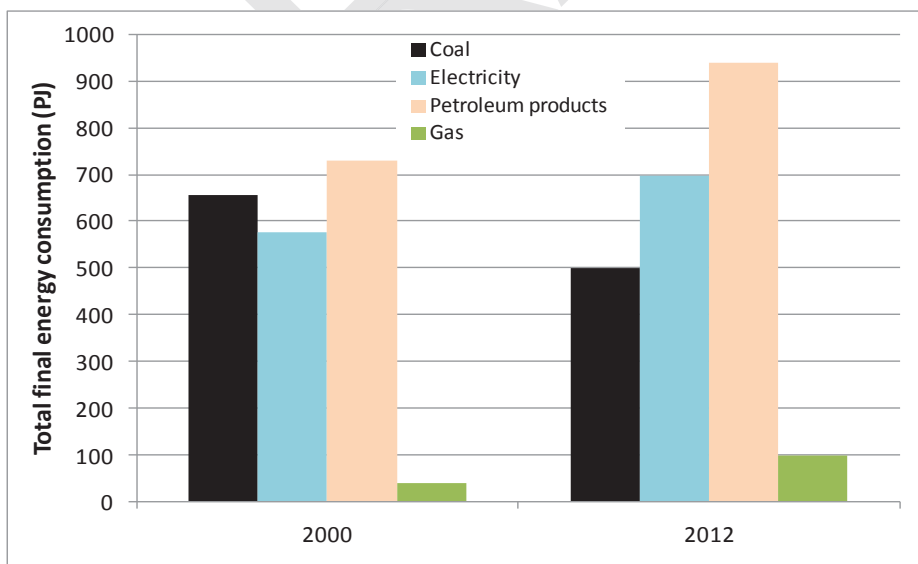


Figure 2 Fuel mix of final energy consumption for the South African economy – 2000 versus 2012

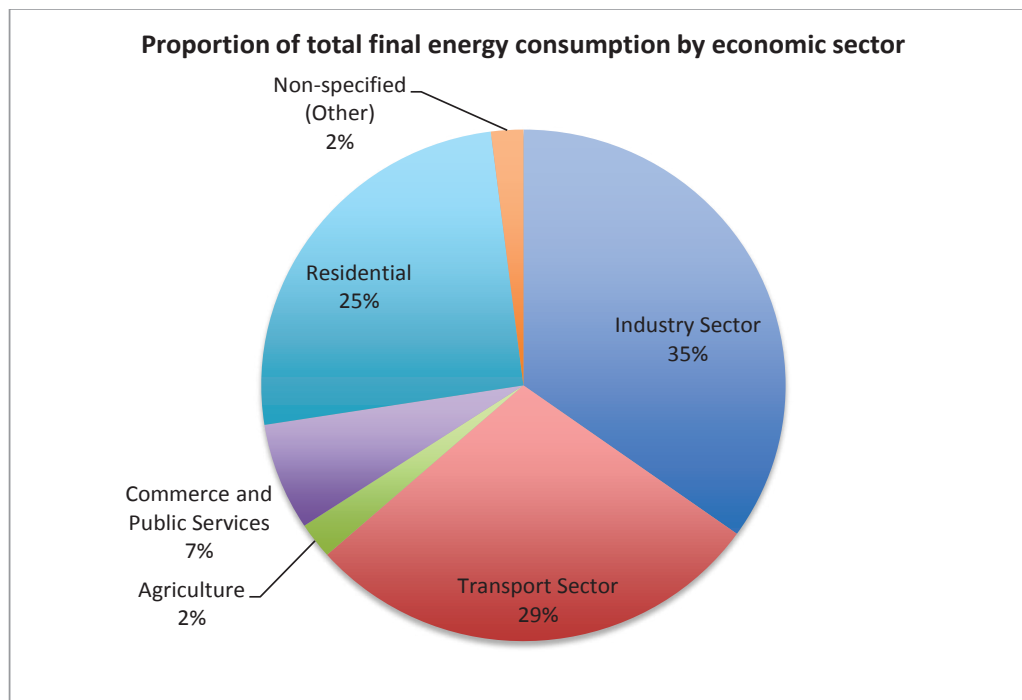
**Table 2 Composition of total final energy consumption (PJ) by energy carrier, 2000 and 2012**

	2000	2012	% change in consumption
Coal	655 (33%)	401 (22%)	-24%
Petroleum products	731 (36%)	938 (42%)	+28%
Gas	40 (2%)	99 (4%)	+148%
Electricity	577 (29%)	698 (31%)	+21%
<b>TOTAL</b>	<b>2,003</b>	<b>2,236</b>	<b>+12%</b>

Note that these figures include the portion of total final energy consumption that is not attributable to any sector (referred to in the Energy Balance Table as 'Non-specified'), whereas this component has been excluded from the detailed analyses described below. Overall total figures may therefore not agree.

#### 4.1.2. Energy consumption by sector

Three sectors denominate the total final energy consumption in South Africa: Industry & Mining, accounting for 35%; Transport, accounting for 29%; and Residential, accounting for 25%. The full sectoral breakdown of total final energy consumption, according to the 2012 Energy Balance Table, is shown in Figure 3 below. Note that the share of the residential sector is very strongly influenced by estimates of the total consumption of biomass in households. Although the sector shares in Figure 3 include the DoE's best estimate of biomass energy consumption, this quantity has been omitted from the detailed analyses described below. Overall total figures may therefore not agree.

**Figure 3: Proportion of total final consumption per sector based on Energy Balance Tables (2012)**

#### 4.1.3. Energy intensity trends

As of 2012 (the most recent year for which aggregate data is currently available), the total final energy consumption of the South African economy stood at about 2,108 PJ, an overall increase of 4.8% from its 2000 baseline of 2,011 PJ. Over the same period, the total GVA<sup>7</sup> of South Africa's productive sectors increased by about 44%, from about R1,798 billion up to R2,588 billion, while the number of households increased by about 42% from an estimated 10.3 million in 2000 up to 14.6 million in 2012. Considering the productive sectors alone, energy intensity decreased from 1.02 MJ/R in 2000 to 0.73 MJ/R in 2012, equivalent to an annual compounded reduction in energy intensity of about 2.7%.

Figure 4 below shows how energy intensity has changed in each of the main sectors. In order to make these trends easier to observe, this graph shows five-year rolling average to smooth out the wide fluctuations sometimes seen between consecutive years. In addition, the figures have been indexed to the base year of 2004. The graph indicates that the commercial & public sector saw a substantial increase in energy intensity to 2009, after which it has fallen back to close to its 2000 level. The energy intensity of the transport sector has changed relatively little over the 12-year analysis period, while that of the other three sectors has fallen by significant and similar amounts, with their average energy intensity over the five years to 2012 being approximately 20% lower than for the five years to 2004.

<sup>7</sup> At constant 2010 prices

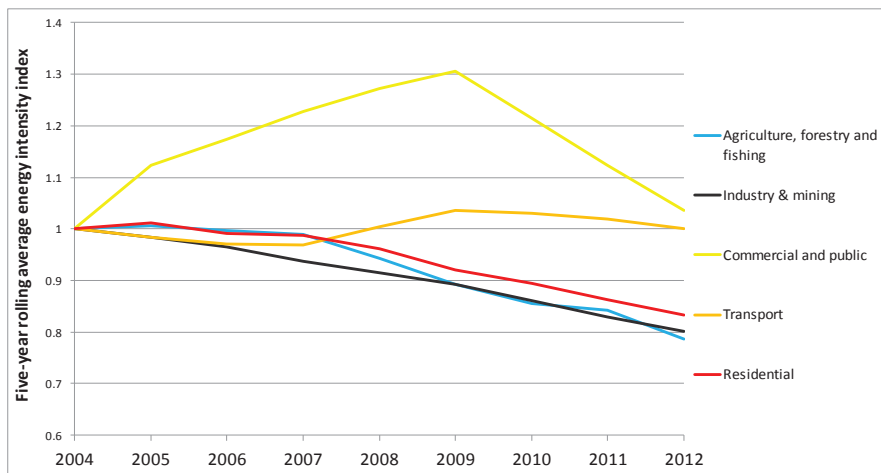


Figure 4 Trends in sector energy intensity. For clarity, five-year rolling average figures are shown in order to smooth out sharp fluctuations. Figures are expressed as an index relative to the value for 2004

#### 4.2. Defining energy efficiency

The most strictly 'correct' definition of energy efficiency would be the ratio between the theoretical minimum energy requirement for performing task and the amount of energy actually used. However, this definition would be virtually impossible to apply on a large scale. Instead, energy efficiency is usually defined as the amount of useful output obtained divided by the energy used to produce that output. This is the reciprocal of a quantity that is generally referred to as 'energy intensity' – the energy used per unit of output obtained.

However, this apparently straightforward definition begs the question of how output is to be quantified. Output can be measured either in physical units (tonnes of steel produced, square metres of office space heated, etc.) or in monetary terms (value-added produced). For the purposes of this strategy, the use of the term 'energy intensity' generally implies the use of monetary units for measuring output. Where output is quantified in physical units, the term 'specific energy consumption' will be used. While a fall in energy intensity *may* signify an improvement in energy efficiency, it must be remembered that energy intensity can be affected by many factors other than changes in efficiency. Energy intensity is therefore only an imperfect proxy for 'real' changes in energy efficiency.

#### 4.3. The energy efficiency opportunities

Considering energy efficiency as the 'first fuel' has direct effects on demand reduction, decreasing the costs of energy infrastructure expansion, and diminishing greenhouse gas (GHG) emissions. However, the benefits of energy efficiency are far-reaching. The improved trade balances and employment creation that can be achieved through energy efficiencies boost macro-economic development. As illustrated in the figure below, the benefits also extend to social, environmental, and financial gains at an individual, community or society level.



The introduction of energy efficiency measures in the industrial and commercial sectors has a direct impact on company competitiveness, productivity and profitability. According to the IEA, the value of the improvements in productivity and product quality can be as much as 2.5 times the value of the energy savings (IEA, 2011).

South Africa's standing as a regional centre for technology innovation, manufacturing and the supply of goods presents a unique and exciting opportunity. As energy efficiency becomes increasingly important for surrounding countries some of which have or are developing their energy efficiency strategies, such as Botswana and Malawi, there may be opportunities to export goods and expertise, boosting regional trade and fundamentally the South African economy.



Figure 5: IEA multiple benefits of energy efficiency (IEA, 2014)

Energy security is extremely important for the continued development and growth. The improvement of energy efficiency in power generation reduces the need for additional, costly investments in expanding the infrastructure. If this results in improved affordability of services, it frees up disposable income within households, improving quality of life.

Non-electricity related energy efficiency measures, such as the use of improved biomass cook stoves, improve the indoor climate and reduce smoke inhalation-related illnesses.

As described in **Section 1**, significant progress has been made in improving energy efficiency since the 2005 NEES. However, despite the benefits, there are still significant barriers to further improving energy efficiency, including the economic downturn and decreases in commodity prices, which is reportedly encouraging industry and mining to focus on increasing throughput. Market failures, such as energy service companies that do not have the capacity to adopt innovative financing and technology solutions, the high costs of energy efficient appliances, and the negative incentive of high borrowing rates, reduce the uptake of energy efficient solutions. The work to address some of these failures has begun through the introduction of labelling of appliances and vehicles, and the introduction of energy efficiency standards for appliances and in buildings. However, more needs to be done.

Within the private sector, particularly in the energy intensive sub-sectors, the feedback from consultations indicates that many of the most easily achieved savings have been implemented. Without additional incentives, the payback period on investments to implement the more challenging savings is considered to be too long

for investors.<sup>8</sup> There are often operations and transaction costs of implementing energy efficiency measures, such as energy audit costs and time spent researching and discussing options, that are an added disincentive. The emphasis is mostly placed on expanding operations where possible, as increasing throughput is the highest priority for many businesses.

The 12L tax rebate mechanism for energy efficiency projects aims to trigger investments that are currently considered to have a weak business case. It is already apparent that this has been successful in sparking new interest in implementing projects, particularly following the recent increase in the level of rebate offered. However, the mechanism does preclude some key players that could make use of the incentive, such as real estate investment trusts (REITs) as they are not the final tax payer.

The planned introduction of a carbon tax during 2017 will put pressure on industry in particular to reduce their energy consumption and the indications are that the tax combined with increased electricity prices are placing a significant strain on the sector. The 12L and other suggested incentives will support industry in implementing energy efficiency projects that result in significant savings but are more challenging.

#### 4.4. Energy efficiency potential in the South Africa

The efficiency savings made since 2000 illustrate that significant achievements have been made across particularly the industrial and residential sectors, primarily due to the reaction to increased energy prices and technology improvements.<sup>9</sup> Based on international comparisons and historical trends, there is potential to continue making improvements, some of which are happening autonomously.

The energy intensity of South Africa is higher than the other BRIC countries. In comparison to similar<sup>10</sup> economies, South Africa's industry sector is far from being amongst the worst performing, but is somewhat more energy intensive than Macedonia, Serbia and Australia, for example (Table 3 below).

**Table 3: Industrial energy intensity – a comparison of South Africa with similar economies (World Bank, 2016)**

	Industry sector energy intensity (MJ/\$)	Relative to South Africa
Australia	2.8	0.67
Serbia	3.3	0.79
Macedonia	3.7	0.88
<b>South Africa</b>	<b>4.2</b>	
Brazil	6.1	1.45

<sup>8</sup> Based on stakeholder feedback during preliminary consultations, the significant measures that make business sense to invest in have largely been implemented. There are some less significant savings to be made (e.g. lighting).

<sup>9</sup> Energy Efficiency Target Monitoring System Report, 2015

<sup>10</sup> Similar economies in terms of economic activities and proportion of GDP from the industrial and mining sub-sectors.



China	6.3	1.50
Kazakhstan	12.0	2.86

Based on the current data that is currently available<sup>11</sup>, the following energy savings potentials were identified, taking into account the historical trends and comparing this against international best practice. *The secondary data that was used as the foundation for the analysis were questioned on the basis that they are not reflective of the local context.* The potentials reflected below do not translate into targets, so a bottom-up approach has been used for the estimation of targets for each sector.

### Industrial and mining sectors

In order to achieve the world average performance levels within the iron and steel industry, a reduction in specific energy consumption of 38% (from 24.3 GJ/tonne to 15GJ/tonne) would be required, based on South Africa's current technology mix in iron and steel production. Based on a comparison with international best practice, a 46% reduction in energy intensity (from 24.3 GJ/tonne to 13.2GJ/tonne) may appear to be possible for the industrial sectors if the improvements in specific energy consumption are also combined with the shift in the iron and steel production technology mix. However, the consultations with sub-sector representatives indicate that there are significant factors that affect the feasibility for the iron and steel sector to achieve these potentials, specifically due to the quality of coal available to the processes.

For the various mining sub-sectors that includes coal, gold, platinum and other non-ferrous metals an overall energy savings of 8.7% (6.4PJ or 1.43TWh) could be achieved by conforming to best practice methods. However, if further research and development (R&D) activities are undertaken, particularly in grinding techniques, an overall energy saving of 24.5% (18PJ or 5TWh) could be achieved. Consultations with the Chamber of Mines and some of its members highlighted the challenges for underground mining in achieving energy efficiencies. As excavation goes deeper, specific energy consumption increases.

### Transport sector

Due to the lack of data for the transport sector, a number of assumptions were made to establish the savings potentials that could be realized by 2030. As described below, the range of savings potentials is wide. The passenger vehicle parc average fuel economy (taking into account the mix of vehicle vintages; their corresponding fuel economies and annual mileage) ranges from an improvement of 16% to 31% (gasoline cars). The CO<sub>2</sub> intensity for transport sector improves by between 3% and 27% for passenger vehicles. The potential for improvements in freight are between 18 % and 37%.

<sup>11</sup> The following analysis made use of existing data, including the Green House Gas mitigation studies produced by the Department of Environmental Affairs, and analysis of municipal energy savings potentials by Surya Power. Refer to the Energy Savings Potential report (September 2015) for further information.

### **Residential sector**

Three energy savings opportunities were identified as having sizeable potential, appliances, lighting and buildings. Significant energy savings are possible if the Solar Water Heating (SWH) and Mass Roll Out (MRO) programmes are continued within the residential sector. From the period of 2010-14, 600 GWh of electricity has been saved through the SWH programme resulting in an abatement of 630 kt of CO<sub>2</sub> emissions. Through the MRO initiative a saving of 729 GWh of electricity and an abatement of 765.45 kt of CO<sub>2</sub> has been achieved.

The electricity savings (12.1 TWh) proposed within the cost effective scenario would contribute to roughly 20% of revised 2030 baselines. These savings would then translate to roughly 12.75 Mt of CO<sub>2</sub> emissions. The proposed savings would mean a 6.8% decrease in household electricity intensity between 2010 and 2030.

Energy efficiency possibilities using passive thermal design could bring about additional energy efficiency of around 5% within the residential sector. The costs associated with refurbishment are cited as the low applicability and uptake of this measure. Improving the energy efficiency of new buildings is much more cost-effective than the refurbishing existing building stock. Therefore, improving the existing building codes are a priority and should be emphasised as part of the National Energy Efficiency Action Plan (NEEAP).

In the case of the residential sector, within the lower income households, the use of biomass for cooking is significant. Within LSM1 (the lowest bracket of the 'Living Standards Measure' stratification system developed by SAARF<sup>12</sup>), biomass fuels are used for both cooking and water heating by 60% of households (EETMS, 2015). Supporting the propagation of energy efficient cooking technologies has the potential to reduce the consumption on wood by between 40-60%<sup>13</sup>, equivalent to a saving of about 10PJ for the residential sector if these savings were achieved in all households using woodfuel. The contribution to overall efficiency is not significant, because only about 7% of households in total depend on wood for cooking. However, the impact of these savings on the individual households affected is potentially huge, not only in terms of money, time and effort, but also the added health and environmental benefits from the reduction of indoor pollution. Note that the potential for savings from more efficient biomass stoves will continue only while the low LSM households do not have access to modern energy sources such as electricity and / or liquefied petroleum gas (LPG).

### **Public and commercial sector**

End-use energy consumption within the public building sector is expected to increase to 125.13PJ in 2030 from 62.4PJ in 2012 levels. These increases can be curtailed by 19.7PJ, which is a decrease of roughly 16%, by conducting refurbishments and interventions in space heating, lighting and improved building practices based on the current version of the SANS10400-XA. Future tightening of the standards and enforcement would achieve greater savings, provided they are

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<sup>12</sup> South African Audience Research Foundation – see for example <http://www.saarf.co.za/lsm/lsms.asp>

<sup>13</sup> [http://cleancookstoves.org/resources\\_files/household-cookstoves-1.pdf](http://cleancookstoves.org/resources_files/household-cookstoves-1.pdf)

enforced. A reduction of 4.21 Mt of emissions can be achieved via interventions, mainly through solar water heating and roof top photovoltaic systems. The largest potential of saving is from the new stock of office building category and renovations to existing stock, although the most cost-effective is in addressing the new stock.

Within municipal services, based on interventions in a sample of major municipalities, energy savings of 47% for bulk-water supply and water treatment, 32% for the municipal vehicle fleet, 25% for street lighting and 16% for buildings and facilities could be achieved.

### Utilities sector

Considerable reductions in coal usage (22.9%), CO<sub>2</sub> emissions (15.5%) and overall electricity usage (15.7%) can be achieved by the year 2030 within the electricity (utilities) sector, if the savings scenario that constitutes a greater share of renewable technologies and advanced coal technologies, is considered.

The overall thermal efficiencies of the power plant can be improved from the current average of 33% to roughly 38% by the year 2030 with the inclusion of super critical boiler higher efficiency coal power plants and integrated gasification combined cycle (IGCC) type power plants. Retirement of older power plants, particularly return-to-service plants, will improve overall power efficiency.

It is estimated that 18% of electricity that is bought from Eskom by municipalities is lost. Based on data provided by Eskom, 22,351 GWh were lost in 2013 in distribution and transmission. The City of Johannesburg has distribution losses of 22%, which comprise both technical and non-technical losses (i.e. illegal connections, inaccurate billing, defective meters, etc). Some municipalities report distribution losses of between 30-40%. Converting long distance transmission lines to a higher voltage or underground cables, which are capital-intensive measures, can reduce transmission losses. Distribution losses can be reduced by minimising theft and tampering via the means of social awareness and programmes.

### Agricultural sector

Though the agricultural sector accounts for only 3% of total energy consumption, energy savings measures can bring relief to farmers from rising electricity prices and volatile fuel prices. Major energy consuming activities in the agricultural sector include traction and irrigation. Activities related to traction are mostly petroleum product based whereas irrigation relies on electricity.

Case studies from South American onion cultivation have shown possible fuel savings of 44% by optimising ploughing and raking activities. Fuel savings of roughly 15% can be achieved by regularly maintaining traction equipment. The potential of savings by the means of fuel switching to various blends of biodiesel needs to be investigated.

Case studies in South African farms, where variable speed drives were fitted to pumps used for irrigation and water transfer, were seen to achieve roughly 40% savings in electricity consumption.

## 5. Pathway to realising South Africa's energy efficient future

By combining fiscal, legal and regulatory, institutional and financial initiatives the Strategy outlines a sectoral approach that will deliver results. A package of measures is described for each sector to address the identified barriers to realising the untapped savings potentials. Each package is framed by a goal(s) and target(s), which link them to the Results Framework in Annex A. This Results Framework presents a 'chain of causality' that outlines the expected outcomes of the measures and the impacts likely to result at the sectoral and economy-wide level.

In order for the DoE to assess its performance, it is necessary to specify targets in a way that is useful and relevant. Where policy measures are operating in synergy as part of an integrated package, it makes little sense to define targets relating to each measure, since it may be impossible or at least impractical to disentangle the effects of the individual measures. However, it is equally unhelpful to set targets at too aggregated a level, because the causal link between the actions taken and the effects observed is then insufficiently direct. This would make it difficult to determine whether the actions have been successful, or whether the observed effects are actually due to some exogenous influences. The targets have therefore been specified in a way that makes them both relevant and feasible to monitor.

The following sections describe the packages of measures for each sector, and an explanation of the basis for the setting of each of the sector targets. In general, the levels at which the targets have been set derive from a combination of the expected effects of the policy measures proposed, plus the estimated effects of the continuation of existing policy measures and an assumed level of autonomous change. Details of the assumptions and approximations underlying these figures are given in Annex D.

Estimates have also been made of the likely sectoral and economy-wide impacts of achieving the targets, in terms of the percentage changes in total final energy consumption that would be revealed by a decomposition analysis conducted in 2030.

The indirect measures that support the successful implementation of the Strategy, ensuring that the institutional framework is in place, are described in Section 6.

## 5.1. The public sector

### PUBLIC BUILDINGS

<b>Goal</b>	Accelerate the current rate of improvement in the energy consumption per square metre in buildings occupied by the public sector at the national, provincial and municipal levels
<b>Target</b>	A 50% reduction in the specific energy consumption (measured as GJ annual energy consumption per m <sup>2</sup> of occupied floor area) by 2030 relative to a 2015 baseline.

#### The Measures

The public sector in South Africa has begun the process of institutionalising the principle of “Leading by Example”, which aims to address energy efficiency across national and provincial buildings owned or occupied by government. Although the contribution of the public sector to final energy consumption is only 2-3% of the total, the government recognises the importance of leading by example, demonstrating a commitment to improving efficiency across the public sector. The significant civil service workforce (over 2 million civil servants in 2014<sup>14</sup>) presents an opportunity not only to improve the performance of buildings used by government but also to raise awareness among the civil service.

The two main themes of the package of policy measures for the public sector are therefore to build institutional energy efficiency culture, both within the sector but also in the interface with its clients, and to substantially reduce the average specific energy consumption of the stock of buildings owned or rented by the government.

The “Leading by Example” brand is being developed within the Department of Public Works and supports the programmes of building retrofits, raising awareness and greening of procurement. The Department of Energy intends to take the opportunity to **develop the brand** across all government departments, raising the awareness of all government employees of their role in improving energy efficiency and tasking them to make those improvements. This will require that energy efficiency becomes a component of the organisational culture. There is also significant potential to improve public understanding of energy efficiency and influence user behaviour through the mainstreaming of energy efficiency across the public-facing services provided by the sector. For example, the introduction of energy awareness in the national school curriculum, the display of notices in hospitals and clinics, and for municipalities to be a conduit to share energy saving advice with their residents (described further in Section 5.2). A strong element of this culture will be the identification of energy champions in each government department at national, provincial and municipal levels, who will be tasked to drive the initiative forward.

For public buildings, the current initiatives to improve energy efficiency within buildings will be continuously improved and increase in the level of ambition. The energy efficiency of new buildings will be driven by means of **successive tightening of building standards** throughout the Strategy period. The intended trajectory for the tightening of standards is being formulated and will be announced well in

<sup>14</sup> Quarterly Employment Statistics, Statistics South Africa, June 2014



advance, to provide sufficient time for both the construction industry and government officials responsible for ensuring compliance to adapt. This will improve energy performance of the new stock of buildings that are either built or bought by the public sector.

The mandatory display of **energy performance certificates** (EPCs) in government owned properties is currently being implemented. This will be extended to buildings being rented by government on signing of a new lease. To support this, **green leases** will become a standard requirement for all properties rented by the public sector on the uptake of new leases, specifically requiring the provision of information on resource consumption to the building occupiers in managed properties. The nomination of trained energy managers for each publicly owned building will ensure that energy use is being proactively addressed and improve the availability of data for monitoring purposes.

The introduction of **green procurement** has been initiated within the DPW and will include life-cycle assessments. The intention is to roll this out across government, reflecting our commitment to reducing the adverse environmental impacts of the goods and services that are purchased.

Mandatory labelling is already in place, and minimum energy performance standards (MEPS) have been introduced or are proposed for most of the major categories of household appliance. **Broadening the scope of mandatory labelling and MEPS** to cover appliances that are commonly used in the public sector (such as large-scale cooking and heating appliances) will facilitate the implementation of green procurement. In order to ensure that appliance manufacturers and suppliers are able to respond positively to tightening standards, the intended additional categories of equipment and the trajectory for tightening the MEPS will be announced well in advance.

The feasibility will be explored of introducing an **energy endorsement label** to run alongside the existing system of comparison labels for appliances. Endorsement labels are designed to provide purchasers with a simple yes/no indication that an endorsed product is among the most energy efficient in its class and could be used as a procurement criterion for the public sector. Experiences in several other countries suggest that a strongly branded endorsement label (of which the 'Energy Star' brand is the most famous) may be a valuable complement to the system of comparison labels already in place.

The renovation of existing building stock in the public sector will require considerable investment. With this in mind, **innovative financing models** will be explored for the public sector, such as encouraging partnerships between local and international energy service companies (ESCOs) to secure the financing for large-scale renovations. The feasibility of establishing an **'ESCO Incubator'** will be assessed. This would be a public sector body, the main function of which is to implement large public-sector projects through energy performance contracting, using local private sector ESCOs as sub-contractors. Other key functions of an ESCO Incubator may include: providing loans or equity finance for smaller energy performance contract projects, development of standardised energy performance contracts, technical assistance for project development, training and accreditation of ESCOs (see Section 6), developing databases of approved equipment and materials. Although

government would provide the core funding for establishing an ESCO Incubator, this would leverage additional funds from the private sector and from international financing institutions (IFIs) and international donors. This model therefore provides a more cost-effective use of public funds for achieving energy savings in public buildings compared with the provision of direct grants.

### **Basis for the Target**

The target proposed for public buildings is for a 50% reduction in the specific energy consumption (annual energy consumption per m<sup>2</sup>) of lettable / habitable floor area across the sector.<sup>15</sup> This target is based on an assumption that successive tightenings of building standards will result in reductions in specific energy consumption of 49% for half of the new buildings added between now and 2030, and 67% for the other half. A concerted programme of eco-refurbishment for buildings that were constructed before 2015 is assumed to result in improvements in specific energy consumption averaging 35%. The weighted mean of these improvements across the whole 2030 building stock gives an overall reduction in specific energy consumption of 50%.

## **MUNICIPAL SERVICES**

<b>Goal</b>	Accelerate the reduction in the specific energy consumption per resident in delivering municipal services
<b>Targets</b>	A 20% reduction in the energy intensity (measured as energy consumption per head of population served) of municipal service provision. The specific services included are streetlighting, traffic lights, water supply and wastewater treatment.
	A 30% reduction in the fossil fuel intensity of municipality vehicle fleets (measured as total fossil fuel consumption by municipal vehicles per head of population served)

### **The Measures**

The Energy Efficiency Demand-Side Management (EEDSM) programme established by the Department of Energy has been delivering grants to 68 municipalities in South Africa since 2009. The cumulative energy saved as a result of the programme based on projected targets is approximately 1.8 PJ, mainly through street lighting retrofits. The potential for energy saving is considered to be significant based on the measures identified under the EEDSM programme. The Local Government Energy Efficiency and Renewable Energy Strategy developed in 2013 defines a framework under which local government develop their individual energy efficiency approaches. The strategy covers the governance framework, energy efficiency in the provision of services, improving household energy access, improving energy efficiency at end use level, and energy efficiency in spatial planning, amongst other things. Several municipalities have taken the initiative to develop strategies but there is potential to

<sup>15</sup> Although the target for buildings would ideally separate the anticipated improvements from new and existing buildings, this is not possible based on the data that is available and the complexity of the data collection required for monitoring purposes. However, the strategy recognises that the stakeholders involved and the process of addressing the types of measures that relate to new and existing buildings differ.

do much more. Municipalities have up to now identified isolated measures and do not have adequate data to understand their energy use profile.

The measures for municipal services address the need for a holistic approach to energy efficiency as a municipality, and the provision of support to implement the identified energy saving opportunities. The basis of the approach is to empower municipalities to identify the measures that are feasible and bring about the greatest return, both in terms of energy savings and on investment, and to source funding through a variety of mechanisms, rather than relying on the grant mechanism.

Municipalities will be required to submit **energy efficiency strategies**, which will be informed by a comprehensive energy audit of their services and activities, and aligned with the provincial strategies.

On the basis of the energy audit and municipal strategy, the DoE will assist municipalities in developing energy management plans, associated business plans and financing proposals to source financing for the measures that are prioritised. By demonstrating clearly the current consumption patterns and potential for savings, **alternative financing mechanisms** could be exploited, such as energy performance contracts with private sector ESCOs, reducing the investment burden on the government and the municipality.

To contribute to the development of the “Leading by Example” brand, municipalities will participate in an **energy-rating scheme**. This could be incorporated into existing schemes that are recognised in South Africa, such as the green star rating. The emphasis will be on establishing a system that reflects the diversity of municipalities (in terms of population density, standard of living, population, etc.) and the energy efficiency of the services they offer.

### **Basis for the Targets**

Two targets are proposed for the municipal services sector:

- 20% reduction in the energy intensity (measures as energy consumption per head of population served) in the provision of electricity-intensive municipal services (namely, street lighting, traffic lights, water supply and wastewater treatment)
- 30% reduction in the fossil fuel intensity of municipal vehicle fleets (measures as total fossil fuel consumption per head of population served).

The municipal services target is based on results of a simple spreadsheet model for estimating the potential savings from retrofitting streetlights and optimising pumping systems between now and 2030. The estimates were adjusted to take account of the savings that have already been achieved to date through the EEDSM programme.

The vehicle fleet target is based on the assumption that a 20% improvement in the technical efficiency the fleet (as per the Transport Sector target) is complemented by additional savings of 10% from a combination of driving training, optimising vehicle usage and substitution of alternative fuels.



## 5.2. The residential sector

<b>Goals</b>	Transform the market for household appliances in favour of more energy efficient models
	Substantially reduce the average specific energy consumption of the stock of residential buildings
<b>Targets</b>	A 33% reduction in the average specific energy consumption of new household appliances purchased in South Africa by 2030 relative to a 2015 baseline
	A 20% improvement in the average energy performance of the residential building stock by 2030 relative to a 2015 baseline, as measured by the energy consumption (excluding plug loads) per square meter of habitable space.

### The Measures

South Africa's residential sector currently consists of about 16 million households, a number that is expected to increase to 19-20 million by 2030. The National Development Plan (NDP) emphasises the need to ensure that this growth in household numbers is accompanied by improved living standards and reductions in energy poverty and income inequality. As a consequence, the next 15 years will see a huge increase in the rate of ownership of household appliances, with many households acquiring a range of appliances for the first time. The NDP also commits to the provision of adequate housing for all, while the Department of Human Settlements (DoHS) has committed to ensuring that the goal of delivering affordable housing in sufficiently large volumes to meet the needs of the poor does not lead to compromises with regard to the energy efficiency of homes.

The two main themes of the package of policy measures for the residential sector are therefore to transform the market for household appliances in favour of more energy efficient models, and to substantially reduce the average specific energy consumption of the stock of residential buildings.

For household appliances, mandatory labelling is already in place, and minimum energy performance standards (MEPS) have been introduced or are proposed for most of the major categories of appliance. **Successive tightening of appliance MEPS** will ensure that the market is continually pushed in the direction of improved energy efficiency for the duration of the Strategy period. In order to ensure that appliance manufacturers and suppliers are able to respond positively to tightening standards, the intended trajectory that MEPS will follow will be announced well in advance.

While MEPS provide a "market push", appliance labelling aims to pull the market towards improved energy efficiency by providing consumers with the information they need to choose more energy efficient models. The feasibility will be explored of introducing an **energy endorsement label** to run alongside the existing system of comparison labels for appliances. Endorsement labels are designed to provide appliance purchasers with a simple yes/no indication that an endorsed appliance is among the most energy efficient in its class. Experiences in several other countries suggest that a strongly branded endorsement label (of which the 'Energy Star' brand is the most famous) may be a valuable complement to the system of comparison labels already in place.

While appliance MEPS and labelling are expected to have a strong influence on the energy efficiency of new appliances, their effect may be significantly weakened if older, less efficient appliances are not removed from the stock of equipment in use. In particular, many lower-income households acquiring appliances for the first time may be tempted to purchase second-hand items which, although costing less up-front, will lock the owners into several years of higher energy bills. The feasibility of a **scrappage scheme for appliances** will therefore be investigated, whereby householders are incentivised to ensure that old appliances are disposed of (for example, by offering a trade-in against the purchase price of a new appliance).

For residential buildings, continuous improvement in the energy efficiency of new dwellings will be pushed by means of **successive tightening of building standards** throughout the Strategy period. As with appliance MEPS, the intended trajectory for the tightening of standards will be announced well in advance, to provide sufficient time for both the construction industry and the municipal officials responsible for ensuring compliance to adapt. For smaller municipalities in particular, this measure will probably require some degree of capacity building to be provided for building control officers. Efficient enforcement will also be a crucial element of strengthening compliance, which implies the need for effective sanctions for builders and authorities that fail to comply.

The issuing of mandatory **energy performance certificates** (EPCs) for new construction provides a simple means of checking compliance with building standards. The cost-effectiveness and feasibility of introducing EPCs for existing dwellings will also be assessed (possibly on a voluntary basis initially), which would serve to provide a market pull in favour of more efficient buildings. A range of options may be explored, including incentivising the obtaining of an EPC through a small rebate on Transfer Duty to partially cover the cost, or making EPCs mandatory upon the transfer of a property. Mandatory EPCs will be considered for the rental sector, where the issue of split incentives is likely to limit the extent to which energy efficiency interventions take place. This would be consistent with the NDP, which acknowledges that insufficient attention has been paid in the past to the importance of the rental and social housing.

The aim of EPCs for residential buildings is to influence the property market through a price premium on more energy efficient homes, which would give householders an additional incentive (as well as the direct energy cost savings) to invest in energy efficiency measures with a longer payback period. However, experience from some countries suggests that this internalisation of energy performance into the property market is slow and uncertain. Consideration will therefore be given in the medium-term to the provision of **financial incentives to undertake thermal improvements** of existing residential buildings. These may take the form of direct grants for lower income groups, partial grants, low-interest loans, or rebates against Transfer Duty when the property is next sold.

To ensure that households are able to respond positively to market signals, programmes of **awareness-raising and the provision of information** will continue to be implemented, building on the Department of Energy's recently initiated energy efficiency campaign as well as other successful initiatives such as Eskom's 49M campaign, the energy education material developed by Eskom in partnership with the Department of Education, the Department for Environmental Affairs 'MY2050'

calculator and the Eskom / WESSA (Wildlife and Environment Society of South Africa) resources on sustainable energy for use in schools the community.

A possible future direction for awareness-raising efforts is to **engage municipalities in developing and disseminating materials** that are specifically targeted at local populations. This is likely to be particularly important for lower income groups for whom energy consumption patterns have a disproportionately strong influence on the quality of life of the lowest income households. Firstly, energy costs constitute a much larger fraction of total household expenditure in low-income groups<sup>16</sup>; hence the inefficient use of energy represents a heavier financial burden for poorer households. Secondly, the types of energy carrier that are prevalent in low income households lead to a wide range of adverse effects (e.g. indoor air pollution, fire risks). Because the technologies used for cooking, water heating and space heating by the lowest income groups are not amenable to regulation or efficiency standards, the provision of targeted information and awareness-raising is likely to be the most effective means for bringing about improvements in efficiency and accelerating a shift towards more modern energy technologies such as SWHs and LPG.

Given the success of the Department of Energy's Energy Efficiency Demand Side Management programme in mobilising municipalities to deliver energy savings in municipal services, opportunities will also be explored for municipalities to play a direct role in achieving energy efficiency improvements in the residential sector. Areas where the involvement of municipalities may enhance the delivery of household energy efficiency programmes include:

- using their purchasing power when implementing retrofits on their own buildings to bulk-procure equipment and materials that is then made available for use in local residential sector projects
- facilitating the formation of residents' action groups as vehicles for the bundling of individual household energy efficiency project into packages that may be more attractive to local contractors

As described in the section 'Generation and distribution' below, consideration will also be given to placing an **energy savings obligation on distributors** of energy. Such obligations would require municipalities, in their role as suppliers of electricity, to implement measures to bring about energy savings among the customers they serve – in particular, household customers. Since the sale of electricity to residential consumers is an important source of municipal income, the design of an obligation scheme would need to ensure that successful implementation does not reduce the income stream of municipalities to the extent that the delivery of other key services is compromised.

### **Basis for the Targets**

Two targets are proposed for the residential sector:

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<sup>16</sup> According to the StatsSA report "Income and Expenditure of Households 2010/11", households in the lowest expenditure decile spend 6.4% of their total household expenditure on energy, versus 1.7% for those in the highest expenditure decile.

- 33% reduction in the average specific energy consumption of new household appliances purchased
- 20% improvement in the average energy performance of the residential building stock

The appliances target is based on an assumption that there will be two successive tightenings of minimum energy performance standards (MEPS) between now and 2030, as described in Annex D. The overall targeted reduction in average specific energy consumption is derived from a weighted mean of the individual reductions by appliance type, weighted according to expected sales.

The buildings target is based on a combination of a 38% average improvement in the energy performance of new buildings by 2030 through tightening of building standards<sup>17</sup>, and a 15% improvement in the thermal performance of dwellings built before 2015, achieved through thermal retrofits. Since new dwellings built after 2015 are expected to account for 20% of all homes by 2030, the weighted mean of the two factors described above leads to an overall average improvement of approximately 20% across the whole 2030 stock of buildings.

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<sup>17</sup> Based on a low turnover of residential building stock than in the commercial and public sectors.

### 5.3. The commercial sector

<b>Goal</b>	Accelerate the current rate of improvement in the energy consumption per square metre of lettable/ inhabited floor space in the commercial sector
<b>Target</b>	A 37% reduction in the specific energy consumption (measured as GJ annual energy consumption per m <sup>2</sup> of lettable / habitable floor area) by 2030 relative to a 2015 baseline

#### The Measures

The commercial sector in South Africa includes a very broad range of activities, including wholesale and retail trade, the motor trade, the hospitality industry, and a range of business services. The commercial sector accounts about 4-5% of total final energy consumption, primarily in the form of electricity. Due to the varied nature and scale of the activities, measures for the commercial sectors have generally focused on improving the energy efficiency of the building envelope. SANS 204:2011 and SANS 10400-XA address the efficiency standards to be reached by new buildings (notwithstanding the need for a significant tightening of SANS 10400-XA at the earliest opportunity). However, as with other buildings sectors, the energy efficiency in the existing building stock is challenging to address. The commercial property sector has been specifically active in improving energy efficiency, specifically of managed buildings for which the landlord is responsible for energy bills.

The two main themes of the package of policy measures for the commercial sector are therefore to continue the significant progress made by tightening regulation, and providing financial incentives to improve the business case for deeper improvements.

For commercial buildings, the current initiatives to improve energy efficiency within buildings will be continuously improved and the level of ambition increased. The energy efficiency of new buildings will be driven by means of **successive tightening of building standards** throughout the Strategy period. The intended trajectory for the tightening of standards is being formulated and will be announced well in advance, to provide sufficient time for both the construction industry and government officials responsible for ensuring compliance to adapt.

The mandatory display of **energy performance certificates** (EPCs) in buildings will be extended to all rented commercial properties. The introduction of **green leases** in buildings occupied by public sector institutions is likely to make these leases more commonplace (see Section 5.1). These measures need to be accompanied by awareness raising in the sector to stimulate demand for greater efficiency in buildings, thereby affecting market prices.

Mandatory labelling is already in place, and minimum energy performance standards (MEPS) have been introduced or are proposed for most of the major categories of *household* appliance, some of which may also be used in the commercial sector. **Broadening the scope of mandatory labelling and MEPS** to cover appliances that are commonly used in the commercial sector (such as large-scale cooking appliances, refrigeration, space heating, ventilation and air conditioning) will gradually improve overall appliance efficiency as they are replaced. In order to ensure that appliance manufacturers and suppliers are able to respond positively to



tightening standards, the intended additional categories of equipment and the trajectory for tightening the MEPS will be announced well in advance. Where the use of specific types of appliances is considered to having a significant effect on energy consumption in the commercial sector, a **scrappage scheme** could be considered to encourage the replacement of old appliances however sector-specific research would need to be performed by the innovation hub (see Section 6) to identify the significance of the potentials and understand the implications of this.

The feasibility will be explored of introducing an **energy endorsement label** to run alongside the existing system of comparison labels for appliances. Endorsement labels are designed to provide purchasers with a simple yes/no indication that an endorsed product is among the most energy efficient in its class. Experiences in several other countries suggest that a strongly branded endorsement label (of which the 'Energy Star' brand is the most famous) may be a valuable complement to the system of comparison labels already in place.

The renovation of existing building stock in the commercial sector is challenging as, for the most part, tenants are responsible for the energy bills, removing the incentive for landlords to take action as they do not see a return on the investment. Therefore, until the display of EPCs has an affect on demand for greater energy efficiency in the commercial sector, **alternative financing solutions** need to be exploited. The 12L, which currently cannot be accessed by property trusts, will be reviewed to establish how it can become relevant for the commercial sector. However, the business case for deeper energy efficiency retrofits may require a specific incentive mechanism, targeting large impact initiatives, where the incentive is provided to ESCOs to achieve high levels of savings, while levels of activity are maintained.

### **Basis for the Targets**

The target proposed for the commercial buildings sector is a 37% reduction in the specific energy consumption (annual energy consumption per m<sup>2</sup>) of lettable / habitable floor area across the sector. This target is based on an assumption that successive tightening of building standards will yield an average improvement in specific energy consumption across all new buildings of 54% by 2030. Retrofits of existing buildings are assumed to result in an average improvement in specific energy consumption of 20%. Since new buildings are assumed to account for half of the 2030 building stock, the weighted mean of these improvements in a 37% reduction in specific energy consumption across the whole sector.

#### 5.4. The industry and mining sector

<b>Goal</b>	Create an enabling environment for the full exploitation of energy efficiency opportunities across the manufacturing and mining sectors
<b>Targets</b>	A 16% reduction in weighted mean specific energy consumption in manufacturing by 2030 relative to a 2015 baseline
	A cumulative total annual energy saving of 40 PJ arising from specific energy saving interventions undertaken by mining companies

#### The Measures

South Africa's industry and mining sector accounted for about 23% of total GDP in 2014, and employed around 2.2 million people. As of 2012, the sector was responsible for about 34% of the country's total final energy consumption. The iron & steel industry and the mining industry each accounted for about one-fifth of the sector's total energy consumption, while non-ferrous metals, non-metallic minerals and chemicals were together responsible for a further 27% of consumption.

At about 12 MJ per US\$ of value-added in 2012, the energy intensity of manufacturing in South Africa was over twice the average level in the European Union. However, international comparisons of this kind must be approached with caution because of the widely differing circumstances in different countries. In fact, a study by the International Energy Agency suggests the scope for energy savings beyond business as usual is a relatively modest 10% by 2030. Most of this potential exists outside of the main energy intensive processes (blast furnaces, smelters, cement kilns etc.), in areas such as heating, ventilation and air conditioning (HVAC), lighting, generic motor-driven systems and energy management.

The focus of the industry and mining sector policy measures is to build on the significant progress already being made by the front-runners, while creating an enabling environment for all players within the sector to fully exploit all available cost-effective energy efficiency opportunities. Shorter-term actions are particularly important, to ensure that the whole sector is equipped to respond effectively to the current challenges of the current global economic climate and rapidly increasing electricity prices.

Current efforts to ***promote the widespread adoption of energy management systems*** (EnMS) will be continued. The mandatory preparation and submission of energy management plans will be introduced for enterprises whose annual energy consumption exceeds 180 TJ. Alongside this, a second phase of the previously successful UNIDO Industrial Energy Efficiency programme will continue to mainstream the introduction of EnMS through capacity building, policy development and demonstration projects. To support and complement these efforts, consideration will be given to the development of appropriate schemes to incentivise the introduction of EnMS and ISO 50001 certification, particularly among enterprises that are not directly reached by the Industrial Energy Efficiency (IEE) programme and are not covered by the regulation for mandatory energy management plans.

The approach of providing a comprehensive service of ***targeted advice, information, assistance and subsidised energy audits*** has proved successful in

South Africa. The Private Sector Energy Efficiency (PSEE) programme run by the National Business Initiative provided such a service, but it ended at the end of 2015. Potential sources of funding, effective delivery mechanisms and an appropriate hosting body will therefore be identified to allow the development of a permanent successor scheme to PSEE, particularly focussing on the needs of small and medium-sized enterprises (SMEs). Recognising that improved energy efficiency impacts positively on the financial strength of SMEs, the potential role of the banking sector as delivery agents will be explored. Consideration will also be given to integrating the provision of these services into the broader functions offered by the proposed sectoral innovation hubs (See Section 6).

While the provision of advice and audits and the wider adoption of EnMS are important in increasing awareness of the opportunities for improved energy efficiency, significant energy savings will result only if these initiatives are coupled with programmes and measures to enhance the flow of investment into energy efficiency. At present, this role is being fulfilled mainly by the Green Energy Efficiency Fund (GEEF) operated by the Industrial Development Corporation, since both the Manufacturing Competitiveness Enhancement Programme and much of Eskom's Integrated Demand Management are currently on hold. The Department of Energy will therefore continue to collaborate with the National Treasury, the Department of Trade and Industry and other government departments, with international financial institutions and donor organisations, with the local banking sector and with industry sector stakeholders to ensure that appropriate and effective **financing schemes for energy efficiency** continue to be developed and sustained.

The 12L tax incentive scheme will remain a key component of the Department of Energy's approach to encouraging energy efficiency improvement in the industry and mining sector. The uptake of 12L is likely to improve following the recent increase in incentive levels and the extension of eligibility to include cogeneration projects. However, it is recognised that a number of outstanding issues limit the attractiveness of the scheme to some of its intended target group. Efforts are currently in progress to address these constraints, and in particular to streamline and simplify the monitoring and verification (M&V) procedures. Moving forward, a process will be put in place for the **continued review and improvement to the 12L scheme**, to ensure that it remains effective and relevant. Associated with this, work will continue with the Measurement and Verification Council of South Africa, South African National Accreditation System (SANAS) and other key stakeholders to facilitate the continued development of a dynamic and competitive monitoring and verification (M&V) sector.

**Minimum energy performance standards (MEPS) for industrial electric motors** and motor-driven systems have been shown to be effective in many parts of the world. However, the impact of MEPS may be constrained if they are introduced in isolation, so they will be introduced as part of a wider coordinated approach to transforming the market for industrial electric motors. This will also include: awareness-raising and support relating to the importance of overall system optimisation; tighter regulation of the motor rewinding industry; the use of differential import duties to reduce / eliminate the price differential between standard and premium efficiency motors. MEPS may also be extended to include packaged motor-driven systems (pumps, compressors, fans etc.).



For industrial boilers, MEPS are impractical because of the wide range of different operating conditions under which boilers are used. Instead, a more effective means of ensuring satisfactory levels of performance are achieved is to specify mandatory minimum design standards. These would generally require the inclusion of design features such as combustion controls, an economiser and a variable speed drive on the combustion air blower. The feasibility will therefore be explored of introducing **mandatory minimum design standards for industrial boilers** in South Africa.

While MEPS / mandatory design standards will ensure that the worst-performing devices are removed from the market, the process of energy efficient procurement would be greatly simplified with the use of a simple, well-recognised **endorsement label for high energy performance** to run alongside MEPS. The most well known example of this is the Energy Star brand in the US, which provides an independent and trustworthy indication that the device in question is among the best-performing in its class. The feasibility of developing a clearly branded endorsement label specific to South Africa will therefore be evaluated.

### Basis for the Targets

Two targets are proposed for the industry & mining sector:

- 16% reduction in the weighted mean specific energy consumption of manufacturing
- 40 PJ cumulative annual saving from energy efficiency interventions in mining

The manufacturing target is based on an assumption of an average 5% energy saving in the energy-intensive process-specific activities (e.g. blast-furnaces, smelters, cement kilns etc.) along with an average 35% saving in generic energy-using activities (HVAC, lighting, pumps, conveyers etc.) including the effects of behavioural change.

The mining sector target is based on an estimate of the typical savings achieved by the major mining companies over recent years combined with a synthesis of their stated energy saving targets expressed for the near future. Note that the mining target is expressed as a bottom-up summation of the effects of individual energy savings initiatives, because neither specific energy consumption (energy per unit of product mined) nor energy intensity (energy per unit of economic output) is a satisfactory proxy for energy efficiency in mining.

## 5.5. The agriculture sector

<b>Goal</b>	Contribute to the modernisation of the sector and the rebuilding of an inclusive rural economy by addressing the inefficient use of energy in agriculture
<b>Target</b>	A total electricity saving of 1 PJ through officially supported projects by 2030

### The Measures

The agriculture sector (including forestry and fishing) accounts for only about 2% of South Africa's total final energy consumption, and a similar fraction of total GDP. However, it is a key sector from a social perspective, as it has been estimated by Statistics South Africa that as many as 20% of all South African households are directly connected with agriculture. Addressing the inefficient use of energy in agriculture therefore has the potential to contribute to the modernisation of the sector as part of the process of rebuilding an inclusive rural economy.

Relatively little research has been conducted in opportunities for energy savings in the agricultural sector. A few case studies have highlighted the considerable savings potential in motor-driven systems (irrigation pumps, fans, dryers etc.), but given the large fraction of energy consumption that is accounted for by petroleum products, it is likely that significant energy savings are possible in agricultural vehicles. Despite the opportunities for energy savings in agriculture, and the potential for multiple benefits in terms of building a modern, thriving rural economy, there have been no energy efficiency programmes specifically targeting the sector to date. Exploratory consultation is required with stakeholders from the agricultural sector to gain a better understanding of energy use patterns and the opportunities for energy savings, particularly among the smaller farms and smallholders.

Large percentage savings in electricity consumption have been shown to be possible through the optimisation of motor-driven systems. The **provision of training and high-quality targeted awareness-raising material** may therefore be expected to yield significant impacts. Partnerships will be developed with the Agricultural Research Council (ARC), the Council for Scientific and Industrial Research (CSIR) and with sector associations such as the African Farmers' Association (AFASA) and Agri South Africa for the design, development and dissemination of such materials. In particular, the possibility will be explored for including modules on energy efficiency in the training courses run by ARC and by SABI (the South African Irrigation Institute).

Since two-thirds of the energy consumed in agriculture is in the form of petroleum products, this suggests a significant savings potential in vehicles. More research is required to derive a full understanding of the patterns of fuel use, and to identify specific areas where fuel savings may be realised. Based on the findings of this research, the DoE will work in partnership with the relevant sector stakeholders to develop **awareness-raising campaigns around vehicle use** in the agricultural sector.

Avenues for mobilising funding for energy efficiency improvements will be assessed and developed. For small farmers, it is likely that the use of **direct grants to support capital expenditure on energy efficiency improvements** would be the most effective route. Efforts will therefore be made in partnership with DAFF to

secure a National Treasury budget allocation for this purpose. For larger projects, mobilising funding will involve working with SANEDI and the National Treasury to ensure that the **12L tax incentive scheme** meets the needs of the sector. The agricultural sector is also likely to prove an attractive source of **carbon-offset projects**, since the sector will fall outside of the scope of the proposed carbon tax. A further potential source of finance is through energy performance contracts with ESCOs, financed through normal bank financing, or through Eskom's ESCO programme. The scope will be explored for providing targeted training to support the development of **specialist agricultural ESCOs**.

### Basis for the Targets

The target proposed for the agriculture sector is a total electricity saving of 1 PJ from officially supported energy saving projects. This target is based on an assumption that sector-wide savings from the optimisation of motor-driven systems (mainly irrigation, but also drying, cooling and ventilation) amount to about 2-4 PJ annually, with a significant fraction of that potential being realised through official support. Note that no target has been set for fuel savings in agricultural vehicles, because it is not certain that the data would be available to allow such a target to be monitored. However, it is recommended that the situation is periodically reviewed and a target set if future data availability permits.

## 5.6. The transport sector

<b>Goal</b>	To bring about significant improvements to the average fuel efficiency of the fleet of road transport vehicles in South Africa.
<b>Targets</b>	A 20% reduction in the average vehicle energy intensity (measured in MJ/km) of the South African road vehicle fleet relative to a 2015 baseline.

### The Measures

The transport sector in South Africa accounts for 27% of total final energy consumption (Energy Balance Tables, 2012), 90% of which is attributable to road transport. Between 2004 and 2012, the energy intensity of the transport sector has been relatively constant as compared to other sectors, although there are structural changes (such as modal shifts) that have occurred during this period that cannot be identified due to the current lack of data (EETMS, 2015). When it comes to improving energy efficiency in the transport sector, the most effective measures are complex and the largely fall outside the mandate of the Department of Energy, for example improving public infrastructure, town planning, and incentivising modal shifts. The Department of Transport has developed a Fuel Reduction Strategy (2015) and a GHG Emissions Reduction Strategy (2015) that aim to address these measures.

Because of the dominance of road transport in terms of energy consumption, and the limited remit of the DoE in the transport sphere, the package of policy measures for the transport sector in this Strategy focuses on two main themes: to encourage the increase in supply of affordable and efficient vehicles, and to improve user behaviour, both of private drivers and commercial drivers. Inter-departmental collaboration is vital in this sector and therefore the Department of Energy will work closely with the Department of Transport and the Department of Environmental Affairs, as well as the South African National Roads Agency (SANRAL).

For all vehicles, the display of labels has been obligatory since 2008. These labels include average fuel consumption and CO<sub>2</sub> emissions. **Vehicle efficiency standards** will be introduced to avoid new, inefficient vehicles being sold on the market. This naturally has implications for local vehicle manufacturers and therefore adequate notice will be provided to ensure that the industry can adapt. This will provide the push factor to filter out bad performing new vehicles.

However, in order to raise the average fuel efficiency of the vehicle parc, **voluntary agreements** will be established with manufacturers in the automotive industry to improve the average fuel efficiency of the vehicles they manufacture over and above the regulated minimum. The introduction of an **incentive scheme** will be considered that will levy an importation tax on vehicles on low efficiency vehicles that could be used to subsidise the purchase of efficient vehicles. To incentivise vehicle replacement, the feasibility of introducing a **scrappage scheme** will be assessed, with the aim of encouraging vehicle owners to replace old vehicles, effectively subsidising the individual to purchase a more efficient vehicle.

To improve the performance of vehicles on the road, the feasibility of incorporating fuel efficiency tests on vehicles during the **roadworthiness test** on change of ownership will be investigated. In the long term, the Department of Energy will work

with the Department of Transport and the Department of Environmental Affairs and municipalities to establish an annual environmental fitness test for vehicles, contributing to both fuel efficiency and a reduction in CO<sub>2</sub> emissions.

Improving driver behaviour is an effective mechanism through which to improve energy efficiency. The introduction of **eco-driving** will be incorporated into the curriculum for driving schools in order to raise the awareness of new drivers to the impact they have on how much fuel they consume. **Voluntary agreements** will be established with owners of large vehicle fleets, both freight and passenger companies, to define actions that can be taken to improve the performance of the vehicle fleet. This will include eco-driving education but also address the condition of their vehicles, specifically tyre condition and pressure.

Across the transport sector and for all modes of transport, **knowledge sharing** on best practice and improved technologies will be facilitated by the innovation hubs. The provision of specialised technical expertise for the transport sector will be promoted through the **professionalization of ESCOs** with transport-specific experience (see Section 6).

### **Basis for the Targets**

The target proposed for the transport sector is a 20% reduction in the average energy intensity of the road vehicle fleet (determined from the vehicle energy consumption per km as specified on the fuel economy label). This target is based on an assumption that the average fuel efficiency of new vehicles will be about 50% lower than today (based on IEA estimates), combined with conservative assumptions about the rate of turnover of the stock of vehicles.



## 5.7. Production and distribution

<b>Goal</b>	Accelerate the improvement of energy efficiency in the generation, transmission and distribution of energy
<b>Target</b>	A total of 10 PJ of electricity derived from grid-connected cogeneration plant by 2030
	Average total electricity distribution losses below 8% by 2030, and average non-technical losses below 0.5%
<b>Goal</b>	Accelerate the improvement of energy efficiency in the generation, transmission and distribution of energy
<b>Target</b>	A total of 10 PJ of electricity derived from grid-connected cogeneration plant by 2030
	Average total electricity distribution losses below 8% by 2030, and average non-technical losses below 0.5%

### The Measures

The Department of Energy Integrated Energy Plan (IEP) and Integrated Resource Plan (IRP) jointly define the anticipated energy mix with a view to informing policy to address future energy service needs efficiently and in the most socially beneficial manner. While the dominant role of coal-fired power is expected to continue through to 2030, solar PV, wind and other renewable energy sources are anticipated to increase in importance in the energy mix. The main mechanism for the promotion of renewable generation is the Renewable Energy Independent Power Producer Procurement Programme (REIPPPP), which was launched in 2011 after earlier moves to introduce a feed-in tariff were unsuccessful.

Recent shortages of generation capacity have highlighted the necessity to improve energy efficiency at all points in the supply chain from generation through to end use. The National Development Plan specifically refers to energy generation and distribution as a pressing constraint on growth, investment and job creation. Although receiving little attention in the IEP / IRP, considerable potential exists in South Africa for the production of electricity from industrial cogeneration plant as well as from waste heat recovery. Eskom launched a procurement process for independent power producers (IPPs) using cogeneration in the mid-2000s but this was unsuccessful. High investment costs and the lack of incentives provided by the current regulatory framework present barriers to the exploitation of the available potential.

Although bids for up to 800 MW of cogeneration capacity have recently been invited under the CogenIPPP programme, the level of response appears to be well below the capacity available. To expedite the full exploitation of the available resource, there is a need to review and address any remaining regulatory and financial barriers, and ensure that the terms of future procurement rounds (including the price cap) are attractive to prospective investors. At the same time, appropriate efficiency thresholds should be defined for plant to qualify, and steps taken to ensure that power produced qualifies for credits against any future carbon tax, to reflect the average carbon intensity of the grid power displaced. Further tenders may then be launched for the **procurement of power from high-efficiency cogeneration and waste heat recovery**.

An internationally proven approach to stimulate significant end-use efficiency savings is to place **energy efficiency obligations** on various players in the energy sector. Such obligation schemes require obligated parties to achieve quantified savings among particular end-user groups (usually households, and sometimes also SMEs). Schemes are generally designed such that obligations must be at least partly met by achieving energy savings in certain specific target groups (e.g. low income households). The most common model places an obligation on distributors / suppliers of electricity, but in some cases the obligation also extends to suppliers of other energy carriers and / or the operator of the high-voltage transmission network.

Assessments will be conducted to identify the optimum model for an energy efficiency obligation scheme in South Africa. One possible model would be to place the obligation on Eskom and on those municipalities that are involved in the supply of electricity. Setting a size threshold for such an obligation would ensure that only the largest municipalities would be obligated at the outset. Since schemes do not usually restrict obligated entities to achieve energy savings among their own customers, the potential may therefore be created for larger municipalities to achieve savings by forming partnerships with smaller non-obligated municipalities.

An alternative model is to place an obligation only on Eskom in its capacity as operator of the transmission grid. One route to meet its obligation would then be for Eskom to “buy” the savings that municipal suppliers of electricity were able to achieve among their customers.

A further measure to be considered is to set **mandatory targets on all generators for the achievement of efficiency savings** within their ‘internal’ operations (i.e. any operations not directly involved in the generation of power, such as buildings and vehicle fleets). Eskom has already made significant progress in this respect, through its Internal Energy Efficiency programme, but as more IPPs begin to emerge it is essential that all meet the same high standards of internal energy efficiency. This will ensure that the power generation sector is seen to be leading by example.

### **Basis for the Targets**

Two targets are proposed for the power generation and distribution sector:

- 10 PJ of electricity derived from grid-connected cogeneration and waste heat recovery plant
- Electricity distribution losses below 8%

The first target derives from a relatively conservative assumption regarding the extent to which the identified potential may be exploited (equivalent to a capacity of about 500 MW<sub>e</sub> operating at 60% load factor). The second target is based on an assumption that internationally acceptable levels of distribution loss (technical plus non-technical) can be reached and sustained.

## **5.8. Sector-level and economy-wide impacts**

In most cases, the impact seen at the sectoral level includes not only the effects of the targeted savings but also a range of other factors such as autonomous change,

and the continuing effects of policy measures that were already in place before the current strategy period commenced. The relationship between the sectoral targets and the sector-level impacts is explained in more detail in Annex A.

**Industry & mining sector:** Available data in 2030 is likely to be sufficiently disaggregated to allow a detailed decomposition analysis to be conducted on the industry & mining sector. The combined effect of the 16% improvement in weighted mean specific energy consumption in manufacturing, and the 40 PJ energy saving in mining are expected to result in a sector-wide saving of about 15% after the effects of structural change between industrial sub-sectors have been allowed for.

**Commercial & public sector:** It is assumed that the availability of aggregated data in 2030 will be similar to that of today, which would preclude anything other than a very approximate decomposition analysis to be conducted of the combined commercial and public sectors. Assuming the individual targets are met, the overall result of a decomposition analysis conducted in 2030 would show a 37% reduction in energy consumption attributable to efficiency improvements. This is the weighted mean of the separate targets (37% from commercial buildings, 50% from public buildings, 20% from municipal services and 30% from municipal vehicle fleets).

**Residential sector:** A decomposition analysis conducted in 2030 (using shifts in the relative size of LSM bands as an analogy for structural changes) would show a 33% reduction in sector-wide energy consumption attributable to efficiency improvements.

**Transport sector:** The detailed data necessary for a decomposition analysis of the transport sector is unlikely to be available, so the overall impact of the expected energy savings is expressed as a simple reduction in sector-wide energy intensity of 39%.

**Agriculture sector:** The detailed data necessary for a decomposition analysis of the agricultural sector is unlikely to be available, so the overall impact of the expected energy savings is expressed as a simple reduction in sector-wide energy intensity of 30%.

**Economy-wide impact:** This is a weighted mean of the individual sector-level impacts described in the preceding sections, which indicates that a decomposition analysis conducted in 2030 would show an economy-wide reduction in energy consumption of 29% attributable to efficiency improvements.



## 6. The enabling framework

The enabling framework covers measures and activities that will support the achievement of objectives, building a strong institutional basis on which to promote, support and monitor energy efficiency. These initiatives are designed to improve the professionalization of the sector, grow the knowledge base around energy efficiency, as well as gather the information necessary for evidence-based decision-making.

### 6.1. On-going strategic planning

The initial formulation of the strategic plan is the first step in a 15-year, continuous process from 2015 to 2030. The plan will be reviewed every five years to assess the progress made towards the targets, the outcomes of the measures, and to make adjustments as necessary. The first comprehensive review will take place in 2020 however annual brief reviews will be undertaken based on an annual progress report. The resources to support the strategic plan will need to be secured and therefore it may be necessary to review the strategy in light of this. The review process will be collaborative and will engage stakeholders across the sectors.

New opportunities and technologies are likely to arise during the 15-year time span of this strategy, necessitating flexibility to take advantage of these opportunities. As government policy develops, specifically in relation to climate change, the harmonisation of policies will also be considered at each five-year review.

### 6.2. Overcoming market barriers

There are a number of market barriers, including the availability of investment financing, misplaced incentives to purchase inefficient appliances, equipment and vehicles, and a lack of information. Within each sector, measures have been put forward in this Strategy to address the majority of barriers however the professionalization of the energy efficiency sector is a measure that cuts across sectors and is an enabler to facilitate the uptake of energy efficiency opportunities.

The role of ESCOs in promoting and facilitating energy efficiency projects has primarily been limited to functioning as implementing agents for Eskom's Integrated Demand Management (IDM) programme. However, the potential that ESCOs have to support the implementation of energy efficiency extends to undertaking energy audits of all processes and activities, delivering on renovation work, bringing in capital investment, taking on the investment risk by guaranteeing minimum savings, monitoring and verification, facility management, and supply of energy. However, current capacity to provide these services is limited, specifically in the industrial, transport and agricultural sectors. The ESCO incubator described in Section 5.1 is intended to nurture smaller ESCOs to eventually provide comprehensive services.

A cornerstone of achieving this level of service is the **professionalization of services**. This not only means having the technical skills to understand complex processes, but also specialised sectoral experience to know the limitations of the theory and how to overcome them to deliver effective solutions in practice.

Accreditation of ESCOs will be developed and promoted in collaboration with the South African National Accreditation System (SANAS) and the South African Qualifications Authority (SAQA). The accreditation system will allow for progressive

levels of attainment, allowing for ESCOs to gradually build towards full accreditation, based on similar models adopted internationally, such as Singapore and the United Arab Emirates. It is expected that by increasing the availability of qualified and reliable ESCOs, the services offered will stabilise.

### 6.3. Knowledge sharing, data collection and performance monitoring

Data required for policy-making and monitoring needs to be reliable and timely, covering markets, technologies, and efficiency opportunities<sup>18</sup>, as well as strategy performance monitoring data. With respect to the first three information needs, innovation hubs will primarily be responsible for producing and sharing this information.

#### Innovation hubs

There are a number of activities being implemented to develop a knowledge base in the energy efficiency field, such as the Energy Resource Centre and the National Cleaner Production Centre. The DoE and DST have established an Energy Efficiency Demand-Side Management Hub at the University of Pretoria. This concept will be taken further and revised to broaden the scope to include sector-specific divisions that can engage in activities that are relevant to the specific sectors and sub-sectors, thereby increasing the relevance of the innovation hubs across all sectors.

The emphasis of the hubs is to develop **knowledge partnerships** and test technologies and processes in the South African context. The modality of implementing the hubs will be defined in collaboration with relevant government departments, academia and with relevant sectoral stakeholders, although it is recommended that the hosts of the hubs are diverse to test different approaches. Issues of confidentiality and anti-competitive information sharing would need to be addressed carefully.

The main functions of the hubs are envisaged to be:

- To encourage knowledge transfer by partnering experts and academia with sectoral organisations;
- Under the partnerships, undertake research on technologies and processes to understand how international best practices could be applied in the South African context;
- Collaborate with sectoral stakeholders to identify specific barriers and challenges in achieving optimum energy efficiency that warrant research;
- Identify areas of innovation and to share this information (within the confines of confidentiality) across the sector and more broadly;
- Establish a community of practice constituted of sectoral energy stakeholders bringing together the creators of knowledge on energy efficiency and the users of that knowledge, including local manufacturers of energy efficient technologies;

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<sup>18</sup> IEA 25 Recommended Policy Interventions, 2011

- Where possible, develop demonstration sites and showcases of successful technology innovation;
- Collating international and national research on energy efficiency and producing synthesis papers to summarise findings on specific themes.

### **Data collection for performance monitoring**

Building on the establishment of the Energy Efficiency Target Monitoring System in 2014, the importance of data for evidence-based policy making is underlined by the current lack of reliable data. Developing data collection and performance monitoring systems is an area that will require significant investment of time, expertise and infrastructure. The results-based framework detailed in Annex A should form the basis for developing the data collection and on-going monitoring systems. Annex D (Basis for the development of the targets) provides details of the targets, how they were derived and defined, and how they will be measured.

The data collection needs should be considered across departments, taking into consideration the reporting required for the purposes of the carbon tax, 12L, and energy management plans. The DoE will deepen its collaboration with Statistics South Africa to incorporate energy consumption patterns and levels as a core element in routine data collection exercises. A household energy survey will be designed and administered every 3 years to inform the strategy review process.

#### **6.4. Monitoring compliance, enforcement and evaluating the policy measures**

The authorities and organisations responsible for implementing the measures within this strategy will need to take into consideration the monitoring, enforcement and evaluation framework when designing the specific policy measure. One of the main challenges of enforcement is ensuring that objectives, processes, and procedures are well defined and consistently followed where measures are obligatory.

The points at which the verification of compliance with or enforcement of requirements in accordance with defined regulations will be identified. For example, the enforcement of regulations on the importing of equipment of certain standards would take place at the port of entry and through routine spot checks of equipment suppliers. In the case of building regulations, verification of compliance is currently undertaken during the planning phase, without any further inspection of the actual construction. As with other standards and regulations, spot checks by an independent body may prove effective to ensure that the expected savings are realised.

## 7. The way forward

The following section provides an overview of the implementation plan for the first five years, the details of which are provided in Annex E.

Reference no.	Measure	Timelines				
		Year 1 2016-2017	Year 2 2017-2018	Year 3 2018-2019	Year 4 2019-2020	Year 5 2020-2021
<b>PUBLIC SECTOR</b>						
P1.1	The introduction of mandatory EPC certificates in all rented properties and publicly accessible buildings					
P1.2	Develop the public sector awareness raising campaign to facilitate the "leading by example" approach					
P1.3	Introduce standards and labelling relevant for public sector appliances and equipment					
P1.4	Announce a 15-year trajectory for the successive tightening of the energy performance component of building standards and successively tighten standards					
P1.5	Roll-out of the provision of energy and activity data to the public sector					
<b>MUNICIPAL SECTOR</b>						
P2.1	Develop municipal energy efficiency strategies					
P2.2	Support the implementation of energy savings measures					
<b>RESIDENTIAL SECTOR</b>						
R1	Announce a 15-year trajectory for the successive tightening of minimum energy performance standards for household appliances and successively tighten standards					
R2	Develop a strongly branded energy performance certification mark for household appliances (modelled on the 'Energy Star' brand), in addition to the planned EE labels.					
R3	Announce a 15-year trajectory for the successive tightening of the energy performance component of building standards for residential buildings and successively tighten standards					

Ref no.	Measure	Timelines				
		Year 1 2016-2017	Year 2 2017-2018	Year 3 2018-2019	Year 4 2019-2020	Year 5 2020-2021
R4	Build on the existing awareness-raising activities targeting households and the school curriculum					
R5	Roll-out of the provision of energy and activity data from the residential sector					
R6	Support technology innovation and dissemination of energy efficient cookstove technologies					
<b>COMMERCIAL SECTOR</b>						
C1	The introduction of mandatory EPC certificates in all rented properties and publicly accessible buildings.					
C2	Revision of 12L to ensure it provides an incentive to commercial property owners					
C3	Introduce standards and labelling relevant for commercial sector appliances and equipment					
C4	Roll-out of the provision of energy and activity data from the commercial sector					
<b>INDUSTRIAL SECTOR</b>						
I1	Adjustment of the 12L tax incentive scheme					
I2	Minimum energy performance standards for motors and motor-driven systems					
I3	Provision of targeted support and advice on energy efficiency to enterprises					
I4	Incentivise enterprises to introduce EnMS and achieve ISO50001 certification standards					
I5	Roll-out of the provision of energy and production data from the manufacturing sub-sector					
I6	Develop standardised tools for voluntary reporting of energy savings from initiatives in the mining sector					
I7	Creation of technology/ learning hubs for energy efficiency					

Ref no.	Measure	Timelines				
		Year 1 2016-2017	Year 2 2017-2018	Year 3 2018-2019	Year 4 2019-2020	Year 5 2020-2021
<b>AGRICULTURE SECTOR</b>						
A1	Explore the potential for savings in agricultural vehicle use, and develop appropriate awareness-raising material					
A2	Development of targeted awareness-raising and training material on potential savings in motor-driven systems					
A3	Provide direct grants to small farmers / smallholders for all or part of the cost of interventions					
<b>TRANSPORT SECTOR</b>						
T1	Develop fuel efficiency standards for light and heavy vehicles to improve the overall efficiency of the vehicle stock					
T2	Improve systems for ensuring road worthiness					
T3	Roll-out of the provision of energy and activity data from the transport sector					
<b>PRODUCTION AND DISTRIBUTION SECTOR</b>						
G1	Developing the enabling framework for cogeneration and trigeneration					
G2	Expansion of internal efficiency programmes for producers					
<b>ENABLING FRAMEWORK</b>						
E1	Ongoing strategic planning					
E2	Overcoming market barriers					
E3	Knowledge sharing, data collection and performance monitoring					
E4	Monitoring compliance, enforcement and evaluating policy measures					

*Draft v1*

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*Post-2015 National Energy Efficiency Strategy*

DRAFT

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
NOTICE 949 OF 2016**



**ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)**

**APPLICATIONS FOR TRANSFER OF AN INDIVIDUAL ELECTRONIC COMMUNICATIONS NETWORK SERVICE AND INDIVIDUAL ELECTRONIC COMMUNICATIONS SERVICE LICENCES FROM SEACOM SOUTH AFRICA (PTY) LTD TO SEACOM BUSINESS (PTY) LTD**

1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice that it has received applications from Seacom South Africa (Pty) Ltd ("the Applicant") for the transfer of its Individual Electronic Communications Network Service ("I-ECNS") and Individual Electronic Communications Service ("I-ECS") licences. The applications were lodged in terms of regulation 11 of the Processes and Procedures Regulations for Individual Licences and Special Temporary Authorisations of 2016, as amended, read with sections 13(1), (2) and (6) of the Electronic Communications Act 2005, as amended.
2. The transfer applications seek the approval of the Authority to transfer the I-ECNS and I-ECS licences held by the Applicant to Seacom Business (Pty) Ltd ("transferee").
3. The transferee submits that it is 36.80% owned by historically disadvantaged persons.
4. The applications, relevant schedule and any representations received pursuant thereto will be made available and open for inspection by any interested party in the Authority's library, during the Authority's office hours.



5. Any interested party is invited to lodge written representations to the applications within fourteen (14) working days from the date of publication of this notice in the Government Gazette.
6. Any person who would like make representations must indicate whether they require an opportunity to make oral representations in the event the Authority decides to hold public hearings.
7. All written representations, responses and other correspondence in terms hereof must be directed to Mr Peter Mailula at ECNS, ECS and Postal Licensing Unit, Licensing Division, at Block A, Pinmill Farm, 164 Katherine Street, Sandton, Johannesburg **OR** Private Bag X10002 Sandton, 2146 **OR** by fax no. (011) 566 3658 **OR** by e-mail: [PMailula@icasa.org.za](mailto:PMailula@icasa.org.za)
8. Any person who may lodge representations in terms hereof, must also furnish proof to the satisfaction of the Authority that a copy of the representation has been delivered by hand to Dorothy Kangoro at Seacom South Africa (Pty) Ltd located at 2<sup>nd</sup> Floor, Imola Building, The Campus, 57 Sloane Street, Bryanston, 2191 **OR** sent by registered post to Postnet 232, Private Bag X11, Craighall, 2024 **OR** by e-mail to [kangaro@seacom.mu](mailto:kangaro@seacom.mu)
9. Seacom South Africa (Pty) Ltd has the right to respond in writing to written representations made by any interested person on the transfer applications. The written responses must be lodged with the Authority within twenty-one (21) working days from the date of publication of this notice in the Government Gazette.
10. Seacom South Africa (Pty) Ltd must, at the time of lodging the written response, furnish proof to the Authority's satisfaction that it has delivered a copy of the response by hand, **OR** has sent a copy thereof by registered mail **OR** by facsimile **OR** by e-mail to the relevant person having made the written representations.



**RUBBEN MOHLALOGA**  
**ACTING CHAIRPERSON**

**DEPARTMENT OF LABOUR  
NOTICE 950 OF 2016**

**LABOUR RELATIONS ACT, 1995**

**APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING COUNCIL**

I, Malixole Ntleki, Acting Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, give notice that an application for the variation of its registered scope has been received from the **Bargaining Council for the Furniture Manufacturing Industry of the South Western Districts**.

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) the application has not complied with the provisions of section 29 of the Act, read with the changes required by the context ;
- (b) the sector and area in respect of which the application is made is not appropriate; and
- (c) the application is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who object must lodge his/her written objection with me, c/o the Department of Labour , Laboria House, 215 Francis Baard Street, Pretoria (postal address: Private Bag X 117, Pretoria,001) within 30 days of the date of this notice. A copy of the objective must be served on the applicant within the said period and I must be satisfied that a copy of the objection has been served on the application

The applicant may respond to the objection within 14 days of the expiry of the 30 day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

### TABLE

**Name of the bargaining council:** Bargaining\_Council for the Furniture  
Manufacturing Industry of the South Western Districts

**Address of the bargaining council:**

**Bargaining\_Council for the Furniture Manufacturing Industry of the South  
Western Districts:**

7 Maritz Street, Kempenville, Bellville

P O Box 102, KNYSNA; 6570

Tel: 021 948 5775

Fax: 021 447 0376

**Date on which application was lodged:** 18 November 2016

**Intention of the application**

The intention of the application is to vary the scope of the council to insert detailed wording of the scope and area and the definition of the Furniture, Bedding and Upholstery Manufacturing Industry.



**Interest in respect of which the application is made:**

Furniture Manufacturing Industry as defined hereunder in the Magisterial Districts of George, Knysna, Mossel Bay and Oudtshoorn.

**“Furniture Manufacturing Industry” or “Industry”** means, without in any way limiting the ordinary meaning of the expression, the industry in which employers and their employees are associated for the manufacture, either in whole or in part, of all types of furniture, components of furniture, bedding, curtains, blinds, upholstery and/or re-upholstery and will, inter alia, include but not be limited to the following:

(a) Furniture

Manufacturing, assembling, repairing, staining, spraying, polishing, re-polishing, wood machining, veneering, woodturning, carving, assembling, painting, spraying, cutting, edging, drilling, wood bending, laminating and/or papering/foiling, of board.

“Board” means any type of wood or wooden or related product or any other substitute material, amongst others being: laminated board, fibre board, chip board, block board, veneer board, pressed board.

Furniture manufacturing will also include the manufacturing, repairing, polishing, assembling, cutting, drilling, edging, re-polishing, staining, spraying either in whole or in part of: pianos, organs, kitchen cupboards, attached wall cupboards, built-in cupboards, free standing cupboards, bars or built-in bar counters, cane, wicker or grass furniture, cabinets including cabinets for musical instruments and radios, wireless or television cabinets, coffins, educational novelties, draw and draw fronts, doors and cupboard doors irrespective of size, bathroom cupboards, cupboard tops, and furniture for tea-rooms, restaurants, offices, churches, schools, libraries, hotels, other educational institutions, conference centres and theatres.

(b) Bedding

The manufacturing, assembling, repairing, covering, re-covering of: mattress bases, mattresses, box-spring mattresses, foam mattresses, spring mattresses, overlays, bolsters, pillows, cushions for studio couches, spring units, sleeper couches and studio couches.

“Studio Couch” means an article of furniture, which is designed for seating and for conversion into a double bed or two or more beds and of which the frames may also be constructed mainly of metal and the seating and/or sleeping surfaces consist of mattresses and/or cushions.

- (c) Upholstery  
The upholstering or re-upholstering of any furniture, or item of furniture, bedding, seating, pelmets, mattress bases, foam mattresses and/or cushions and the making of loose covers and/or cushions.
- (d) Curtain making  
The making, altering, repairing and hanging of curtains and/or blinds made mainly of fabric, wood, cane, wicker, reed or grass. Curtain making includes window treatment, cutting of rails and rods, fitting of pelmets, curtains, blinds and associated products.

**Sector and area(s) in respect of which registration is held:**

Furniture Manufacturing Industry as defined hereunder in the Magisterial Districts of George, Knysna, Oudshoorn and Mossel Bay.

Furniture Manufacturing Industry which means-without limiting in any way the ordinary meaning of the expression-the manufacture either in whole or in part of all types of furniture irrespective of materials used, and shall include, inter alia, the following operations:-

Repairing, upholstering, re-upholstering, staining, spraying or polishing and/or repolishing, making of loose covers and/or cushions and/or curtains, and/or the making and/or repairing of box-spring mattresses and/or frames for upholstering and/or frames for upholstering, wood-machining, veneering, wood-turning, carving in connection with the manufacture and/or repair of furniture, polishing and/or repolishing of pianos, or the manufacture and/or staining, spraying and polishing and/or repolishing of tea-room, office, church, school, bar or theatre furniture, and cabinets for musical instruments and radio or wireless cabinets and shall include the manufacture or processes in the manufacture of bedding, the definition and interpretation of which include all manner or types of mattresses, spring-mattresses overlays, pillows, bolsters and cushions, and include the activities carried on in any premises where wood-machining, woodturning and/or carving in connection with the production of furniture is carried on; and includes further, the repairing, re-upholstering of furniture in or in connection with establishments in which the production of furniture or any operation associated with the final preparation of any article of furniture for sale, either in whole or in part is carried on, and the veneering of laminated blockboard or plywood doors used for furniture, and all parts of materials used in the construction of furniture but excludes the manufacture of articles made principally of wicker, grass and/or cane, and the manufacture of metal furniture including manufacture of metal bedsteads.

That section of the Furniture Manufacturing Industry concerned with the turning and/or carving out of wood of ornaments and/or novelties in the Magisterial District of Knysna.



**Representativeness of the Council:**

Total number of employees falling within the new scope of the Council and who belong to the trade unions which are party to the Council:

**414**

Total number of employers falling within the new scope of the council and who belong to the employers' organization which is a party to the council:

**37**

Total number of the employers within the new scope of the Council:

**76**

Total number of employees employed within the new scope of the Council by the employers who belong to the employers' organization which is a party to the Council:

**491**

Total number of the employees employed within the new scope of the council

**695**



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**ACTING REGISTRAR OF LABOUR RELATIONS**

**DATE:** 29/11/2016.....

**STATISTICS SOUTH AFRICA**

**NOTICE 951 OF 2016**

**NOTICE FOR 2016**

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, Rate (**Base Dec 2012=100**)

**2016:**

Rate: **November – 6,6**

## DEPARTMENT OF TRADE AND INDUSTRY

## NOTICE 952 OF 2016

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.

## SCHEDULE 1: ISSUE OF 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 1725-1:2016	<i>End user related Quality of Service parameter definitions and measurements – Part 1: GSM voice.</i> Specifies requirements, definitions and measurement methods for a range of user perceivable Quality of Service parameters specific to GSM networks.
SANS 1743:2016/ ISO 1716:2010	<i>Reaction to fire tests for products – Determination of the gross heat of combustion (calorific value).</i> Specifies a method for the determination of the gross heat of combustion of products at constant volume in a bomb calorimeter.
SANS 22514-8:2016/ ISO 22514-8:2014	<i>Statistical methods in process management – Capability and performance – Part 8: Machine performance of a multi-state production process.</i> Aims to define the evaluation method to quantify the short-term capability of a production process (capacity of the production tool, widely termed capability), i.e. the machine performance index, to ensure compliance to a toleranced measurable product characteristic, when said process does not feature any kind of sorting system.
SANS 30302:2016/ ISO 30302:2015	<i>Information and documentation – Management systems for records – Guidelines for implementation.</i> Gives guidance for the implementation of a (management systems for records) MSR in accordance with ISO 30301 (published in South Africa as an identical adoption under designation (SANS 30301).
SANS 50071-13:2016/ EN 71-13:2014	<i>Safety of toys – Part 13: Olfactory board games, cosmetic kits and gustative games.</i> Applies to olfactory board games, cosmetic kits, gustative games and supplementary sets. Specifies requirements on the use of substances and mixtures and in some cases on their amount and concentration in olfactory board games, cosmetic kits, gustative games and supplementary sets to such games or kits.
SANS 50071-14:2016/ EN 71-14:2015	<i>Safety of toys – Part 14: Trampolines for domestic use.</i> Specifies requirements and test methods for trampolines for domestic use, their access devices and their enclosures, intended for outdoor or indoor (or both) use above ground level by one person at a time.
SANS 50958:2016/ EN 958:2010	<i>Mountaineering equipment – Energy absorbing systems for use in klettersteig (via ferrata) climbing – Safety requirements and test methods.</i> Specifies safety requirements and test methods for energy absorbing systems for use in climbing on a klettersteig (via ferrata).
SANS 51497:2016/ EN 1497:2007	<i>Personal fall protection equipment – Rescue harnesses.</i> Specifies requirements, test methods, marking and information supplied by the manufacturer for rescue harnesses.
SANS 53823:2016/ EN 13823:2010	<i>Reaction to fire tests for building products – Building products excluding floorings exposed to the thermal attack by a single burning item.</i> Specifies a method of test for determining the reaction to fire performance of construction products (excluding floorings), when exposed to thermal attack by a single burning item (SBI).
SANS 60831-1:2016/ IEC 60831-1:2014	<i>Shunt power capacitors of the self-healing type for a.c. systems having a rated voltage up to and including 1 000 V – Part 1: General – Performance, testing and rating – Safety requirements – Guide for installation and operation.</i> Applies to both capacitor units and capacitor banks intended to be used, particularly, for power-factor correction of a.c. power systems having a rated voltage up to and including 1 000 V and frequencies 15 Hz to 60 Hz.
SANS 61010-2-030:2016/ IEC 61010-2-030:2010	<i>Safety requirements for electrical equipment for measurement, control, and laboratory use – Part 2-030: Particular requirements for testing and measuring circuits.</i> Specifies safety requirements for testing and measuring circuits which are connected for test or measurement purposes to devices or circuits outside the measurement equipment itself.
SANS 61869-9:2016/ IEC 61869-9:2016	<i>Instrument transformers – Part 9: Digital interface for instrument transformers.</i> Defines requirements for digital communications of instrument transformer measurements.
SANS 61921:2016/ IEC 61921:2003	<i>Power capacitors – Low-voltage power factor correction banks.</i> Applicable to low-voltage a.c. capacitor banks intended to be used for power factor correction purposes, equipped with a built-in switchgear and controlgear apparatus capable of connecting to or disconnecting from the mains part(s) of the bank with the aim to correct its power factor.
SATR 21102:2016/ ISO/TR 21102:2013	<i>Adventure tourism – Leaders – Personnel competence.</i> Specifies what the market normally considers as desirable competencies and the related expected results of competencies for adventure tourism activity leaders common to any adventure tourism activity.
SATR 24774:2016/ ISO/IEC TR 24774:2010	<i>Systems and software engineering – Life cycle management – Guidelines for process description.</i> Provides guidelines for the description of processes by identifying descriptive elements and rules for their formulation.
SATR 61850-90-2:2016/ IEC TR 61850-90-2:2016	<i>Communication networks and systems for power utility automation – Part 90-2: Using IEC 61850 for communication between substations and control centres.</i> Provides a comprehensive overview of the different aspects that need to be considered while using IEC 61850 for information exchange between substations and control or maintenance centres or other system level applications.



**SCHEDULE 2: AMENDMENT OF EXISTING 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 54:2016/ ISO 188:2011 (E.d 3)	<i>Rubber, vulcanized or thermoplastic – Accelerated ageing and heat resistance tests.</i> Specifies accelerated ageing or heat resistance tests on vulcanized or thermoplastic rubbers.
SANS 171:2016/ (E.d 2.2)	<i>Glassware and equipment for microbiological tests. Consolidated edition incorporating amendment No. 2.</i> Amended to update referenced standards.
SANS 226:2016/ (E.d 5.3)	<i>Water taps (metallic bodies). Consolidated edition incorporating amendment No. 3.</i> Amended to update the required subclause on easy-clean cover.
SANS 320:2016/ (E.d 4.2)	<i>Men's heavy boots, service type (Goodyear welted). Consolidated edition incorporating amendment No. 2.</i> Amended to update normative references.
SANS 321:2016/ (E.d 4.2)	The production of men's boots (Goodyear welted, with stitched or stuck-on outer soles). <i>Consolidated edition incorporating amendment No. 1.</i> Amended to update normative references.
SANS 714:2016/ (E.d 1.1)	<i>Lining leather (chrome-tanned syntan-retanned side). Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards.
SANS 959-1:2016/ (E.d 1.2)	<i>Photovoltaic systems for use in individual homes, schools and clinics – Part 1: Standardized requirements applicable to off-grid individual homes, schools and clinics. Consolidated edition incorporating amendment No. 2</i> Amended to change the designation "SANS 959-1/NRS 052-1" to read "SANS 959-1", to update table on descriptions of systems, applicable standards and comments, to update referenced standards, to update terms and definitions, to delete the footnote on the preservation of wooden planks and to renumber a footnote accordingly, and to update the annex on system descriptions.
SANS 959-2-2:2016/ E.d 1.1)	<i>Photovoltaic systems for use in individual homes, schools and clinics – Part 2-2: Test procedures for main components – Batteries. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 959-2-2/NRS 052-2-2" to read "SANS 959-2-2", and to update referenced standards.
SANS 959-2-3:2016/ (E.d 1.1)	<i>Photovoltaic systems for use in individual homes, schools and clinics – Part 2-3: Test procedures for main components – Regulators, charge controllers and maximum power point trackers (MPPTs). Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 959-2-3/NRS 052-2-3" to read "SANS 959-2-3", and to update referenced standards.
SANS 105-B02:2016/ ISO 105-B02:2014 (E.d 2)	<i>Textiles - Tests for colour fastness – Part B02: Colour fastness to artificial light: Xenon arc fading lamp test.</i> Specifies a method intended for determining the effect on the colour of textiles of all kinds and in all forms to the action of an artificial light source representative of natural daylight (D65). Applicable to white (bleached or optically brightened) textiles.
SANS 1029:2016/ (E.d 3.1)	<i>Miniature substations for rated a.c. voltages up to and including 24 kV. Consolidated edition incorporating amendment No. 1.</i> Amended to change the designation "SANS 1029/NRS 004" to read "SANS 1029", to modify the introduction, to update referenced standards, to delete the footnote in the note on plinths, and to delete a note on gaskets.
SANS 1253:2016/ (E.d 3.1)	<i>Fire-doors and fire-shutters. Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards.
SANS 1437:2016/ (E.d 2.1)	<i>Footwear soling material and footwear sole and heel component. Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards.
SANS 1662:2016/ (E.d 1.1)	<i>Self-ballasted LED tubular lamps for general lighting services &gt; 50 V – Safety requirements. Consolidated edition incorporating amendment No. 1.</i> Amended to update referenced standards, and to correct the figure on LED tubular lamp, electrical wiring of the new installation.
SANS 1695:2016/ EN 60456:2011 (E.d 1)	<i>Clothes washing machines for household use – Methods for measuring the performance.</i> Specifies methods for measuring the performance of clothes washing machines for household use, with or without heating devices utilising cold or hot water supply (or both).
SANS 1638:2016/ (E.d 3)	<i>Pneumatically powered chain hoists.</i> Specifies the characteristics of pneumatically powered chain hoists for vertical lifting involving freely suspended (unguided) loads, and non-vertical lifting and pulling applications.
SANS 5667-13:2016/ ISO 5667-13:2011 (E.d 2)	<i>Water quality – Sampling Part 13: Guidance on sampling of sludges.</i> Gives guidance on the sampling of sludges from wastewater treatment works, water treatment works and industrial processes. Is applicable to all types of sludge arising from these works and also to sludges of similar characteristics, for example septic tank sludges.
SANS 5667-14:2016/ ISO 5667-14:2014 (E.d 2)	<i>Water quality – Sampling Part 14: Guidance on quality assurance and quality control of environmental water sampling and handling.</i> Provides guidance on the selection and use of various quality assurance and quality control techniques relating to the manual sampling of surface, potable, waste, marine and ground waters.
SANS 5667-15:2016/ ISO 5667-15:2009 (E.d 2)	<i>Water quality – Sampling Part 15: Guidance on the preservation and handling of sludge and sediment samples.</i> Provides guidance on procedures for the preservation, handling and storage of samples of sewage and waterworks sludge, suspended matter, saltwater sediments and freshwater sediments, until chemical, physical, radiochemical or biological examination can be undertaken in the laboratory.

Standard No. and year	Title, scope and purport
SANS 7218:2008/ ISO 7218:2007 (E.d. 2)	<i>Microbiology of food and animal feeding stuffs – General requirements and guidance for microbiological examinations.</i> Gives general requirements and guidance for three main uses - implementation of standards for detection or enumeration of microorganisms, good laboratory practice for food microbiological laboratories, and guidance for accreditation of food microbiological laboratories.
SANS 7404-3:2016/ ISO 7404-3:2016 (E.d. 2)	<i>Methods for the petrographic analysis of coals – Part 3: Method of determining maceral group composition.</i> Specifies a method for determining the proportions of the maceral groups (and the minerals, if desired) in coals. Concerned only with determinations made on polished particulate blocks using incident white light.
SANS 7404-5:2016/ ISO 7404-5:2009 (E.d. 2)	<i>Methods for the petrographic analysis of coals – Part 5: Method of determining microscopically the reflectance of vitrinite.</i> Specifies the methods for determining the reflectance of vitrinite of coals microscopically on the polished surfaces, immersed in oil. Applicable to coals from single seams or coal blends covering the whole range of low-, medium-, and high-rank coal.
SANS 10198-8:2016 (E.d. 2.2)	<i>The selection, handling and installation of electric power cables of rating not exceeding 33 kV – Part 8: Cable laying and installation. Consolidated edition incorporating amendment No. 2.</i> Amended to delete the acknowledgement and the reference to legislation, to update referenced standards, and to renumber the figures.
SANS 10400-D:2016 (E.d. 3.1)	<i>The application of the National Building Regulations – Part D: Public safety. Consolidated edition incorporating amendment No. 1.</i> Amended to delete the note to the scope, and to remove the annex on National Building Regulations Part D: Public Safety.
SANS 12353:2016/ EN 12353:2013 (E.d. 3)	<i>Chemical disinfectants and antiseptics – Preservation of test organisms used for the determination of bactericidal (including Legionella), mycobactericidal, sporicidal, fungicidal and virucidal (including bacteriophages) activity.</i> Specifies methods for keeping test organisms used and defined for the determination of bactericidal (incl. Legionella pneumophila), mycobactericidal, sporicidal, fungicidal and virucidal (incl. bacteriophages) activity of chemical disinfectants and antiseptics.
SANS 53138-1:2016/ EN 13138-1:2014 (E.d. 3)	<i>Buoyant aids for swimming instruction – Part 1: Safety requirements and test methods for buoyant aids to be worn.</i> Specifies safety requirements for construction, performance, sizing, marking and information supplied by the manufacturer for swimming aids intended to assist beginners with movement through the water while learning to swim or while learning part of a swimming stroke.
SANS 53138-2:2016/ EN 13138-2:2014 (E.d. 3)	<i>Buoyant aids for swimming instruction – Part 2: Safety requirements and test methods for buoyant aids to be held.</i> Specifies safety requirements for construction, performance, sizing and marking for swimming devices intended to assist users with movement through the water in the early stages of water awareness, while learning to swim or while learning stroke.
SANS 53138-3:2016/ EN 13138-3:2014 (E.d. 3)	<i>Buoyant aids for swimming instruction – Part 3: Safety requirements and test methods for swim seats to be worn.</i> Specifies safety requirements for design, sizing, materials, strength and in-water performance as well as provisions for marking and the information supplied by the manufacturer for swim seats.
SANS 60079-10-1:2016/ IEC 60079-10-1:2015 (E.d. 2)	<i>Explosive atmospheres – Part 10-1: Classification of areas – Explosive gas atmospheres.</i> Classifies areas where flammable gas or vapour or mist hazards may arise and may then be used as a basis to support the proper selection and installation of equipment for use in a hazardous area.
SANS 60909-0:2016/ IEC 60909-0:2016 (E.d. 2)	<i>Short-circuit currents in three-phase a.c. systems – Part 0: Calculation of currents.</i> Applies to the calculation of short circuit currents in low-voltage three-phase AC systems and in high-voltage three phase systems operating at a nominal frequency of 50 Hz or 60 Hz.
SANS 60269-2:2016/ IEC 60269-2:2010 (E.d. 4.1)	<i>Low-voltage fuses – Part 2: Supplementary requirements for fuses for use by authorized persons (fuses mainly for industrial application) - Examples of standardized systems of fuses A to K. Consolidated edition incorporating IEC amendment No. 1.</i> Amended to update the requirements on fuse system A - Fuses with fuse-links with blade contacts (NH fuse system), fuse system F - Fuses with fuse-links having cylindrical contact caps (NF cylindrical fuse system), fuse system H - Fuses with fuse-links having "gD" and "gN" characteristics (class J class T and class L time delay and non time delay fuse types), fuse system J-Fuses with fuse-links having "gD class CC" and "gN class CC" characteristics (class CC time delay and non-time delay fuse types ) and fuse system K - gK fuse-links with blade contacts for bolted connections - high current fuse-link ratings from 1 250 A up to 4 800A (Master fuse-links).
SANS 60269-4:2016/ IEC 60269-4:2016 (E.d. 3.2)	Low-voltage fuses – Part 4: Supplementary requirements for fuse-links for the protection of semiconductor devices. <i>Consolidated edition incorporating IEC amendment No. 1.</i> Amended to update the scope and reference standards, to update the requirements on conditions for operation in service, characteristics of fuses, standard conditions for constructions, tests and annex on examples of standardized fuse-links for the protection of semiconductor devices.
SANS 60865-2:2016/ IEC/TR 60865-2:2015 (E.d. 2)	<i>Short-circuit currents - Calculation of effects – Part 2: Examples of calculations.</i> Covers the application of procedures for the calculation of mechanical and thermal effects due to short circuits as presented in IEC 60865-1 (published in South Africa as an identical adoption under the designation SANS 60865-1) and is an addition to IEC 60865-1.
SANS 61850-7-410:2016/ IEC 61850-7-410:2015 (E.d. 1.1)	<i>Communication networks and systems for power utility automation – Part 7-410: Basic communication structure - Hydroelectric power plants - Communication for monitoring and control: Consolidated edition incorporating IEC amendment No. 1.</i> Amended to change the title, to update abbreviated terms, requirements on logical node classes and data attribute semantics
SANS 61914:2016/ IEC 61914:2015 (E.d. 2)	<i>Cable cleats for electrical installations.</i> Specifies requirements and tests for cable cleats and intermediate restraints used for securing cable in electrical installations.

Standard No. and year	Title, scope and purport
SANS 62282-3-200:2016/ IEC 62282-3:2015 (E.d 2)	<i>Fuel cell technologies – Part 3-200: Stationary fuel cell power systems - Performance test methods.</i> Specifies operational and environmental aspects of the stationary fuel cell power systems performance.
SANS 62560:2016/ IEC 62560:2015 (E.d 1.1)	<i>Self-ballasted LED-lamps for general lighting services by voltage &gt; 50 V – Safety specification. Consolidated edition incorporating IEC amendment No. 1.</i> Amended to add photo biological safety, to update clauses on interchangeability, insulation resistance and electric strength, mechanical strength fault condition, abnormal operation, test conditions for dimmable lamps and information on the luminaire design.

### SCHEDULE 3: WITHDRAWAL OF STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title
SANS 9048:1987	<i>Building construction - Jointing products - Determination of extrudability of sealants using standardized apparatus.</i>

### SCHEDULE 4: ESTABLISHMENT OR DISBANDMENT OF TECHNICAL COMMITTEES

In terms of section 4(2) (1) the SABS has established 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 [rose.masha@sabs.co.za](mailto:rose.masha@sabs.co.za) for more information.

### SCHEDULE 5: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents have being considered withdrawn.

NONE

### SCHEDULE 6: ADDRESSES OF SABS OFFICES

The addresses of offices of the South African Bureau of Standards where copies of 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 953 OF 2016

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA**

**CHANGES TO SCHEDULES 1, 2, 3, 4 AND 5 TO THE CUSTOMS AND EXCISE ACT, 1964, TO IMPLEMENT HS 2017 AND THE EFFECT OF THESE CHANGES ON PERMITS ISSUED BY THE INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA**

On 2 December 2016, the Deputy Minister of Finance published notices in Government Gazette No. 40460 to amend Schedules 1, 2, 3, 4 and 5 of the Customs and Excise Act, 1964 (Act No. 91 of 1964) to implement the 2017 version of the Harmonised System (HS) nomenclature. These changes to the Schedules will be in effect from 1 January 2017. In light of the implementation of HS2017 with effect from 1 January 2017, a permit issued by the International Trade Administration Commission of South Africa shall be regarded as having been issued for the amended item or tariff heading or subheading shown in the column for "Version2017 (HS2017)" if such permit has been, immediately prior to 1 January 2017, issued for the corresponding item or tariff heading or subheading for "Version 2016 (HS2012)" listed in the correlation table on the SARS website.

Enquiries in regard to this notice may be directed to the Senior Manager: Import and Export Control, Mr. Marius Collins at telephone number +27 12 394 3617 or the Senior Manager: Tariff Investigations 1, Ms Rika Theart at telephone number +27 12 394 3674.





# **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:

Renny Chetty (012) 748-6375 ([Renny.Chetty@gpw.gov.za](mailto:Renny.Chetty@gpw.gov.za)),

Anna-Marie du Toit (012) 748-6292 ([Anna-Marie.DuToit@gpw.gov.za](mailto:Anna-Marie.DuToit@gpw.gov.za)) and

Siraj Rizvi (012) 748-6380 ([Siraj.Rizvi@gpw.gov.za](mailto:Siraj.Rizvi@gpw.gov.za))

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