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PROCLAMATION

by the

President of the Republic of South Africa

No. R. 81, 1998

OFFICIAL SEAL OF THE LAND CLAIMS COURT

Under section 28A of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), I hereby prescribe the design in Schedule A as the official seal of the Land Claims Court.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Third day of August, One thousand Nine hundred and Ninety-eight.

N. R. MANDELA

President

By Order of the President-in-Cabinet:

A. M. OMAR

Minister of the Cabinet

PROKLAMASIE
van die
President van die Republiek van Suid-Afrika

No. R. 81, 1998

AMPTELIKE SEËL VAN DIE GRONDEISEHOF

Kragtens artikel 28A van die Wet op Herstel van Grondregte, 1994 (Wet No. 22 van 1994), skryf ek hierby die ontwerp in Bylae A as die amptelike seël van die Grondeishof voor.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, hierdie Derde dag van Augustus Eenduisend Negehonderd Agt-en-negentig.

N. R. MANDELA

President

Op las van die President-in-Kabinet:

A. M. OMAR

Minister van die Kabinet.

SCHEDULE • BYLAE A



The Land Claims Court

GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 1078

28 August 1998

LIQUOR PRODUCTS ACT, 1989 (ACT No. 60 OF 1989)

REGULATIONS: AMENDMENT

The Minister of Agriculture has under section 27 of the Liquor Products Act, 1989 (Act No. 60 of 1989), made the regulations set out in the Schedule hereto.

D. A. HANEKOM

Minister of Agriculture

SCHEDULE**Definition**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1433 of 29 June 1990, as amended by Government Notices Nos. R. 838 of 19 April 1991, R. 2841 of 29 November 1991, R. 2079 of 24 July 1992, R. 2593 of 11 September 1992, R. 2791 of 2 October 1992, R. 3152 of 20 November 1992, R. 1376 of 30 July 1993, R. 2350 of 10 December 1993, R. 356 of 25 February 1994, R. 636 of 8 April 1994, R. 1022 of 27 May 1994, R. 2242 of 23 December 1994, R. 394 of 17 March 1995, R. 1695 of 3 November 1995, R. 1876 of 8 December 1995, R. 501 of 29 March 1996, R. 1038 of 8 August 1997 and R. 1141 of 29 August 1997.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of "fortified wine" of the following definition:

"**fortified wine**" means wine to which a spirit derived from the fermented juice of the product of the grape vine has been added to such an extent that the alcohol content thereof is at least 15,0 per cent but does not exceed 22,0 per cent."

Amendment of Table 1 of the Regulations

3. Table 1 of the Regulations is hereby amended by—

- (a) the deletion of the expression "Malvasia Rey (Tinta Amarella)"; and
- (b) the insertion in the correct alphabetical position of the expression "Tinta Amarella".

Amendment of Table 6 of the Regulations

4. Table 6 of the Regulations is hereby amended by the insertion in the correct alphabetical position of the following item:

"Spirit derived from any harmless vegetable article	Vermouth; aperitif	The substances concerned shall be rectified spirit."
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Amendment of Table 8 of the Regulations

5. Table 8 of the Regulations is hereby amended by the substitution for the paragraph in column 2 opposite the expression "Lead" in column 1 of the following paragraph:

"0,3 but 0,25 in the case of wine produced after 31 December 1994 and 0,2 in the case of wine produced after 31 December 1997."

No. R. 1078

28 Augustus 1998

WET OP DRANKPRODUKTE, 1989 (WET No. 60 VAN 1989)

REGULASIES: WYSIGING

Die Minister van Landbou het kragtens artikel 27 van die Wet op Drankprodukte, 1989 (Wet No. 60 van 1989), die regulasies in die Bylae hierby uiteengesit, uitgevaardig.

D. A. HANEKOM

Minister van Landbou

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing No. R. 1433 van 29 Junie 1990, soos gewysig deur Goewermenskennisgewings Nos. R. 838 van 19 April 1991, R. 2841 van 29 November 1991, R. 2079 van 24 Julie 1992, R. 2593 van 11 September 1992, R. 2791 van 2 Oktober 1992, R. 3152 van 20 November 1992, R. 1376 van 30 Julie 1993, R. 2350 van 10 Desember 1993, R. 356 van 25 Februarie 1994, R. 636 van 8 April 1994, R. 1022 van 27 Mei 1994, R. 2242 van 23 Desember 1994, R. 394 van 17 Maart 1995, R. 1695 van 3 November 1995, R. 1876 van 8 Desember 1995, R. 501 van 29 Maart 1996, R. 1038 van 8 Augustus 1997 en R. 1141 van 29 Augustus 1997.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig deur die omskrywing van "gefortifiseerde wyn" deur die volgende omskrywing te vervang:

"'gefortifiseerde wyn' wyn waarby 'n spiritus wat van die gegiste sap van die produk van die wingerdstok verkry is, tot so 'n mate toegevoeg is dat die alkoholinhoud daarvan minstens 15,0 persent is maar nie 22,0 persent oorskry nie."

Wysiging van Tabel 1 van die Regulasies

3. Tabel 1 van die Regulasies word hierby gewysig deur—

- (a) die uitdrukking "Malvasia Rey (Tinta Amarella)" te skrap; en
- (b) die uitdrukking "Tinta Amarella" in die alfabetiese korrekte plek te voeg.

Wysiging van Tabel 6 van die Regulasies

4. Tabel 6 van die Regulasies word hierby gewysig deur die volgende item in die alfabetiese korrekte plek te voeg:

"Spiritus wat van enige skadelose plant-aardige artikel verkry is	Vermoet; mengeldrank	Die betrokke stof moet 'n gerektifiseerde spiritus wees."
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Wysiging van Tabel 8 van die Regulasies

5. Tabel 8 van die Regulasies word hierby gewysig deur die paragraaf in kolom 2 teenoor die uitdrukking "Lood" in kolom 1 deur die volgende paragraaf te vervang:

"0,3 maar 0,25 in die geval van wyn wat na 31 Desember 1994 geproduseer is en 0,2 in die geval van wyn wat na 31 Desember 1997 geproduseer is."

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID****No. R. 1081****28 August 1998**

HEALTH PROFESSIONS ACT, 1974 (ACT No. 56 OF 1974)

NOTICE OF THE EXTENSION OF THE TERM OF OFFICE OF MEMBERS OF CERTAIN PROFESSIONAL BOARDS

I, Nkosazana Clarice Zuma, the Minister of Health, hereby give notice in terms of section 63A (1) (b) of the Health Professions Act, 1974 (Act No. 56 of 1974), that the terms of office of the members of the professional boards as set out in the Schedule hereto, have been extended until the day prior to the first meeting of the professional board established by Government Notice No. R. 75 of 16 January 1998.

SCHEDULE

Professional Board for Emergency Care Personnel.

Professional Board for Medical Technology.

N. C. DLAMINI ZUMA

Minister of Health

No. R. 1081**28 Augustus 1998**

WET OP GESONDHEIDSBEROEPE, 1974 (WET No. 56 VAN 1974)

KENNISGEWING VAN DIE VERLENGING VAN DIE AMPSTERMYN VAN LEDE VAN SEKERE BEROEPSRADE

Ek, Nkosazana Clarice Dlamini Zuma, die Minister van Gesondheid, gee hiermee kennis kragtens artikel 63A (1) (b) van die Wet op Gesondheidsberoep, 1974 (Wet No. 56 van 1974), dat die ampstermyn van die lede van die beroepsrade in die Bylae hierna uiteengesit verleng is tot die dag voor die eerste vergadering van die beroepsraad wat gevestig is by Goewermentskennisgewing No. R. 75 van 16 Januarie 1998.

BYLAE

Beroepsraad vir Noodsorgpersoneel.

Beroepsraad vir Mediese Tegnologie.

N. C. DLAMINI ZUMA

Minister van Gesondheid

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1072

28 August 1998

MANPOWER TRAINING ACT, 1981

TRAINING SCHEME FOR THE ELECTRICAL CONTRACTING INDUSTRY

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, acting in terms of section 39 (3) of the Manpower Training Act, 1981, hereby amend with effect from the date of publication of this notice, Government Notice No. R. 1712 of 26 June 1992, as amended, by Government Notice No. R. 492 of 31 March 1995 by the substitution of clause 8 with the following:

(a) "Clause 8: RETURNS AND CONTRIBUTIONS TO THE FUND

1. Every employer in the industry shall submit to the Fund at the Association's Head Office, P.O. Box 9694, EDENGLLEN, 1613, or any other address as may be notified to the employer from time to time, by the 21st day of each month, a return showing the total number of employees employed by him/her during the same month, and the employers shall attest such returns.
2. Every employer in the Industry shall pay to the Fund, by the 21st day of each month in respect of the proceeding month, a Levy—
 - (a) based on R5,00 plus R0,40 VAT, total R5,40 per employee per week for the period ending 30 September 1998 inclusive;
 - (b) based on R6,00 plus R0,84 VAT, total R6,84 per employee per week, for the period 1 October 1998 to 30 June 1999;
 - (c) based on R7,50 plus R1,05 VAT, total R8,55 per employee per week, for the period 1 July 1999 to 1 April 2000;
 - (d) the total of the training levies referred to in subclauses 2 (a), 2 (b) and 2 (c) shall be subject to any changes that may occur in the VAT rate.

Note: (i) In any instance where the total amount under subclauses 2 (a), 2 (b) and 2 (c) or 2 (d) is less than R40,00 plus R5,60 VAT, the total amount referred to in subclauses 2 (a), 2 (b), 2 (c) and 2 (d) shall be supplemented by the employer by such sum as to make a total of R40,00 plus R5,60 VAT in each month with effect from 1 October 1998.

(ii) Notwithstanding the provisions of subclauses 2 (a), 2 (b), 2 (c) and 2 (d), every employer shall pay the contributions as set out in subclauses 2 (a), 2 (b), 2 (c) and 2 (d) in an amount determined by the Council from time to time.

(iii) Further it must be noted that every employer operating within the area of jurisdiction of a Bargaining Council for the Electrical Contracting Industry, shall pay the relevant amount prescribed in clause 8 (2) (a), (b), (c) or (d) to the Bargaining Council concerned, but not later than the 15th day of each month following the month in respect of which the payments are due.

Such contributions shall, however, not exceed the amount as set out in subclauses 2 (a), 2 (b), 2 (c) and 2 (d), subject to the provisions in (i) above.

3. From the date of coming into operation of this notice, every employer shall, in respect of every employee, keep record which contain—
 - (a) the name of the employee;
 - (b) the residential and postal addresses of the employee;
 - (c) the national registration number of the employee;
 - (d) the date of appointment;
 - (e) the designation of the position for which appointed;
 - (f) the training received by the employee while employed by the employer; and
 - (g) any educational courses completed by the employee whilst in the employee of the employer, and any examinations passed together with the grade or standard of pass.
4. From the date of coming into operation of the Scheme, the employer shall furnish the fund, by the 15th day of the second month following the end of each quarter, with a notice of any change in the name, address, position, training and educational qualifications of each employee, together with any appointments, transfers, resignations or dismissals of such employees.
5. From the date of coming into operation of this notice, where such employees are employed partly in any other industry, the amount paid by the employer shall, in any event, not be less than R40,00 plus R5,60 VAT, as referred to in subclause 2 (a).

6. Cost invested in collecting late levies or contributions shall be charged to and be paid by the employer concerned.

Note: Attention is drawn to the provisions of section 50, read with section 52, of the Manpower Training Act, 1981.

M. M. S. MDLADLANA
Minister of Labour

MINISTRY FOR SAFETY AND SECURITY MINISTERIE VIR VEILIGHEID EN SEKURITEIT

No. R. 1079

28 August 1998

SECURITY OFFICERS ACT, 1987

AMENDMENT OF THE IMPROPER CONDUCT ENQUIRIES REGULATIONS, 1992

The Security Officers' Board has, with the concurrence of the Deputy Minister for Safety and Security, acting on behalf of and on assignment by the Minister for Safety and Security, under section 32 of the Security Officers Act, 1987 (Act No. 92 of 1987), made the regulations set out in the Schedule hereto.

P. RONAN

Registrar: Security Officers' Board

SCHEDULE

AMENDMENT OF REGULATIONS MADE UNDER THE SECURITY OFFICERS ACT, 1987 (ACT No. 92 OF 1987)

Definition

1. In this Schedule "the Regulations" means the Improper Conduct Enquiries Regulations, 1992, promulgated under Government Notice No. R. 576 in *Government Gazette* No. 13777 dated 21 February 1992, and amended by Government Notice No. R. 1241 in *Government Gazette* No. 18298 dated 26 September 1997, and amended by Government Notice No. R. 605 in *Government Gazette* No. 18837 dated 24 April 1998.

Amendment of regulation 7 of the Regulations

2. Regulation 7 of the Regulations is hereby amended by the addition of the following subregulation:

- "(3) Notwithstanding the provisions of subregulation (1) the respondent may be found guilty of improper conduct if the presiding officer is of the opinion that on all the evidence tendered the *pro forma* prosecutor has proved its case on a balance of probabilities."

No. R. 1079

28 Augustus 1998

WET OP SEKURITEITSBEAMPTES, 1987

WYSIGING VAN DIE REGULASIES OP ONDERSOEKE NA ONBEHOORLIKE GEDRAG, 1992

Die Raad vir Sekuriteitsbeamptes het, met die instemming van die Adjunkminister vir Veiligheid en Sekuriteit, handelende namens en in opdrag van die Minister vir Veiligheid en Sekuriteit, kragtens artikel 32 van die Wet op Sekuriteitsbeamptes, 1987 (Wet No. 92 van 1987), die regulasies in die Bylae uitgevaardig.

P. RONAN

Registrateur: Raad vir Sekuriteitsbeamptes

BYLAE

WYSIGING VAN REGULASIES UITGEVAARDIG Kragtens DIE WET OP SEKURITEITSBEAMPTES, 1987 (WET No. 92 VAN 1987)

Omskrywing

1. In hierdie Bylae beteken "die Regulasies" die Regulasies op Ondersoek na Onbehoorlike gedrag, 1992, afgekondig by Goewermenskennisgewing No. R. 576 in *Staatskoerant* No. 13777 van 21 Februarie 1992, en gewysig deur Goewermenskennisgewing No. 1241 in *Staatskoerant* No. 18298 van 26 September 1997, en gewysig deur Goewermenskennisgewing No. R. 605 in *Staatskoerant* No. 18837 van 24 April 1998.

Wysiging van regulasie 7 van die Regulasies

2. Regulasie 7 van die Regulasies word hierby gewysig deur die byvoeging van die volgende subregulasie:

"(3) Ondanks die bepalings van subregulasie (1) kan die respondent aan onbehoorlike gedrag skuldig bevind word indien die voorsittende beamppte van mening is dat in die lig van al die getuienis die *pro forma*-aanklaer sy saak op 'n oorwig van waarskynlikheid bewys het."

**DEPARTMENT OF TRADE AND INDUSTRY
DEPARTEMENT VAN HANDEL EN NYWERHEID**

No. R. 1067

28 August 1998

INCOME TAX ACT, 1962 (ACT No. 58 OF 1962)

AMENDMENT OF REGULATIONS

The Minister of Trade and Industry has under section 37H (14) of the Income Tax Act, 1962 (Act No. 58 of 1962), and in consultation with the Minister of Finance, made the regulations in the Schedule.

SCHEDULE**Definition**

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R. 1989 of 29 November 1996.

Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the addition to subregulation (3) of the following Transitional Local Council (TLC):

(e) Ekangala.

Amendment of regulation 6 of the Regulations

3. Regulation 6 of the Regulations is substituted by the following regulation:

"6. A project to be carried on by a company is regarded as not substantially the same manufacturing concern as was carried on by any other person within the Republic, if—

- (a) such company takes over the whole of such manufacturing concern from such other person with the purpose of expanding such manufacturing concern to such an extent that it will be operated on such a scale which will make it internationally competitive; and—

- (i) with regard to the scale and scope of such project—

- (aa) the total investment by such company in machinery and plant of such project, exceeds the cost price—

(A) of the machinery and plant to be so taken over from such other person by such company, by at least two times; and

(B) at which such machinery and plant to be so taken over was originally acquired by such other person by at least three times; and

- (bb) the realistically estimated annual turnover as substantiated by a clearly defined marketing report of such project exceeds the total annual turnover of the manufacturing concern to be so taken over by at least two times;

- (ii) with regard to the extent of the utilisation of—

- (aa) machinery and plant, not more than 40 per cent of the intended production, as substantiated by a clearly defined production plan of such project, will be derived from the machinery and plant of the manufacturing concern that is to be so taken over; and

- (bb) human resources, the employees of the manufacturing concern that is to be taken over are retrained in that project to apply the technology of the project as substantiated in a training plan for such project; and

- (iii) the approval and envisaged implementation of the project will not, as evaluated on the date it is considered by the Board, lead to the eroding of the existing national normal tax base; or

- (b) machinery and plant [including such assets held under a financial lease, but excluding machinery and plant referred to in paragraph (a)] are taken over by such company from the manufacturing concern of such other person, and—

- (i) an investment at cost equivalent to two times the cost of the machinery and plant, or capitalised value of such assets held under financial lease, taken over from the manufacturing concern of such other person is made by such company in additional machinery and plant; and

- (ii) the machinery and plant is not acquired or leased directly or indirectly from a connected person in relation to such company."

No. R. 1067

28 Augustus 1998

INKOMSTEBELASTINGWET, 1962 (WET No. 58 VAN 1962)

WYSIGING VAN REGULASIES

Die Minister van Handel en Nywerheid het kragtens artikel 37H (14) van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1989 van 29 November 1996.

Wysiging van regulasie 3 van die Regulasies

2. Regulasie 3 van die Regulasies word hierby gewysig deur by subregulasie (3) die volgende Plaaslike Oorgangsraad (POR) in te voeg:

(e) Ekangala.

Wysiging van regulasie 6 van die Regulasies

3. Regulasie 6 van die Regulasies word hierby deur die volgende regulasie vervang:

"6. 'n Projek wat deur 'n maatskappy bedryf staan te word, word geag nie wesentlik dieselfde vervaardigingsonderneming te wees nie as wat deur 'n ander persoon binne die Republiek bedryf is of word nie, indien—

(a) sodanige vervaardigingsonderneming in sy geheel deur sodanige maatskappy van sodanige ander persoon oorgeneem word, met die doel om sodanige vervaardigingsonderneming sodanig uit te brei dat dit op sodanige skaal beoefen sal word wat dit internasionaal mededingend maak; en—

(i) ten opsigte van die skaal en omvang van die projek—

(aa) die totale belegging deur sodanige maatskappy in masjinerie en installasie van sodanige projek, die kosprys van die masjinerie en installasie—

(A) wat vanaf sodanige ander persoon oorgeneem staan te word deur sodanige maatskappy ten minste twee maal oorskry; en

(B) waarteen sodanige ander persoon sodanige masjinerie en installasie wat aldus oorgeneem staan te word aanvanklik verkry het, ten minste drie maal oorskry; en

(bb) die realistiese beraamde jaarlikse omset van sodanige projek gestaaf deur 'n duidelik omskryfde bemarkingsverslag die totale jaarlikse omset van sodanige vervaardigingsonderneming wat aldus oorgeneem staan te word ten minste twee maal oorskry;

(ii) ten opsigte van die mate van benutting van—

(aa) masjinerie en installasie, nie meer as 40 persent van die beoogde produksie, soos gestaaf deur 'n duidelik omskryfde produksieplan van sodanige projek, deur die masjinerie en installasie van die vervaardigingsonderneming wat aldus oorgeneem staan te word, sal uitmaak nie; en

(bb) menslike hulpbronne, die werknemers van die vervaardigingsonderneming wat aldus oorgeneem staan te word in daardie projek heropgelei moet word om die tegnologie van die projek toe te pas soos gestaaf deur 'n opleidingsprogram vir sodanige projek; en

(iii) die goedkeuring en voorgenome implementering van die projek nie tot die erodering van die bestaande nasionale normale belastingbasis, bepaal op die datum waarop die projek deur die raad oorweeg word, sal aanleiding gee nie; of

(b) masjinerie en installasie [insluitende sodanige bates onder 'n finansiële bruikhuur gehou, maar uitsluitend masjinerie en installasie in paragraaf (a) bedoel] deur sodanige maatskappy van 'n bestaande vervaardigingsonderneming van sodanige ander persoon oorgeneem word; en—

(i) 'n belegging teen kosprys gelyk aan twee maal die koste van die masjinerie en installasie, of die gekapitaliseerde waarde van sodanige bates onder finansiële bruikhuur gehou, van die vervaardigingsonderneming van sodanige ander persoon oorgeneem deur sodanige maatskappy in addisionele masjinerie en installasie gemaak word; en

(ii) die masjinerie en installasie nie direk of indirek verkry of gehuur is van 'n verbonde persoon met betrekking tot sodanige maatskappy nie."

**DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES**

No. R. 1065

28 August 1998

**AMENDMENT OF THE REGULATIONS MADE UNDER
THE STOCK EXCHANGES CONTROL ACT, 1985**

The Minister of Finance has under section 51 of the Stock Exchanges Control Act, 1985 (Act No. 1 of 1985), made the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these regulations "the Regulations" means the Regulations published by Government Notice No. R.594 in *Government Gazette* No.17093 of 12 April 1996 as amended by Government Notice No. R1269 published in *Government Gazette* 18308 of 26 September 1997.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended -

- (a) by the insertion after the definition of "Conditions" of the following definition:

"discretionary LISP" means a linked investment services provider (LISP) who exercises a discretion on behalf of a client;";

- (b) by the substitution for the definition of "investment manager" of the following definition:

"investment manager" means a person approved in terms of section 4(1)(a) of the Act to manage investments or a person who falls within a category of persons approved by the Registrar in terms of that section to manage investments and includes, unless otherwise indicated, a LISP;

- (c) by the insertion of the following definitions after the definition of "investment manager":

"investment provider" means a person from whom investments are purchased on behalf of clients by a LISP;

'LISP' means a linked investment services provider being a category of investment manager whose business consists wholly or partly of investing on behalf of clients in units in a collective investment scheme on the basis that such units are bought and held in bulk;

'non-discretionary LISP' means a linked investments services provider who does not exercise a discretion on behalf of a client;";

(d) by the insertion of the following definition after the definition of "the Appeal Board:

"unit in a collective investment scheme' means -

- (a) a unit in a unit portfolio as defined in section 1 of the Unit Trusts Control Act, 1981 (Act No.54 of 1981);
- (b) units or any other kind of participation in a collective investment scheme approved by the Registrar of Unit Trust Companies in terms of that Act; or
- (c) units or any other form of participation in a collective investment scheme licenced or registered in a foreign country;" .

Amendment of regulation 2A(2)

3. Regulation 2A(2) is hereby amended -

3.1 by the substitution for paragraph (c) of the following paragraph:

"(c) in the case of investment managers, excluding non-discretionary LISPs, a specimen mandate which the investment manager intends to use to manage investments on behalf of another person and which complies with the minimum requirements set out in the Conditions;"

3.2 by the addition of the following paragraphs after paragraph (c):

"(d) in the case of a non-discretionary LISP, the specimen written instruction or application form to be signed by a client;

(e) in respect of all LISPs, a copy of the latest audited financial statements of the independent custodian."

Substitution of Form EB 3 and Form EB 4 of the Regulations

5. The following forms are hereby substituted for Forms EB 3 and EB4 of the Regulations, respectively:

"FORM EB 3

Application for approval in terms of section 4(1)(a) of the Stock Exchanges Control Act, 1985

SECTION I (To be completed by all applicants)

1. Full name of applicant
2. Details of corporate status, registered number and registered address
3. Address where business is being conducted
4. Postal Address
5. Telephone Number Facsimile
6. Address of Internet website, if any
7. Electronic mail address, if any
8. Date of financial year end
9. Name and address of auditor

10. Names and addresses (postal and physical) of authorised representatives
11. Names and addresses (postal and physical) of the members of the audit committee, if any
12. Name and branch of bank where accounts of the applicant are kept
Current account: Trust account (if any):
13. The names, identity numbers and addresses of the applicant's owners, partners, members (if the case of a close corporation) or its shareholders and directors (in the case of a private company or unlisted public company), the shareholders and directors of the holding company (if a private company or unlisted public company) are as follows:

Name	Identity Number	Address

14. The names (A), identity numbers (B), business telephone numbers (C), home telephone numbers (D), four business references (E), current employers (F), and qualifications and experience (G) of the applicant's members, directors, partners, owners and employees materially involved in the management of investments are as follows.

A	B	C	D	E	F	G

15. Have any of the persons referred to in paragraph 14 ever been convicted of an offence resulting from dishonesty, fraud or embezzlement? (H); were any of the persons referred to in paragraph 14 a controlling shareholder or director of a company or close corporation at the time it was placed under judicial management or in liquidation? (I); has the estate of any such person ever been sequestered? (J); has any such person been subjected to disciplinary proceedings by an employer or regulatory body due to dishonest activities? (K); and has any such person been barred from entry into any profession or occupation? (L) (Also indicate in respect of each of the above if proceedings are pending):

H	I	J	K	L

16. Give full particulars of any fact or facts which may have an impact on the evaluation by the Registrar of the good character and integrity of the above persons
17. (Only to be completed by LISPs)

Give a full description of your ability to maintain records recording the investments owned by each client, clearly maintaining the linkage between a client and the investment

SECTION II (Only to be completed by an applicant requiring exemption)

1. Please indicate exemptions required from the Conditions
2. Please furnish reasons for requiring the exemption

SECTION III (Only to be completed by an independent custodian with regard to a LISP)

Particulars of independent custodian

1. Full name of independent custodian
2. Details of corporate status, registered number and registered address
3. Address where business is being conducted
4. Postal Address
5. Telephone Number Facsimile
6. Address of Internet website, if any
7. Electronic mail address, if any
8. Date of financial year end
9. Name and address of auditor
10. Names and addresses (postal and physical) of the members of the audit committee, if any
11. Name and branch of bank where accounts of the independent custodian are kept

Current account:
 Trust account (if any):

12. The names, identity numbers and addresses of the independent custodian's owners, or its shareholders and directors (if a private company or unlisted public company), the shareholders and directors of the holding company (if a private company or unlisted public company) or trustees, if a trust, are as follows:

Name	Identity Number	Address

13. The names (A), identity numbers (B), business telephone numbers (C), home telephone numbers (D), four business references (E), current employers (F), and qualifications and experience (G) of the independent custodian's directors, partners, owners and/or employees materially involved in the management and control of the independent custodian.

A	B	C	D	E	F	G

14. Have any of the persons referred to in paragraph 12 and 13 ever been convicted of an offence resulting from dishonesty, fraud or embezzlement? (H); were any of the persons referred to in paragraphs 12 and 13 a controlling shareholder or director of a company or close corporation at the time it was placed under judicial management or in liquidation? (I); has the estate of any such person ever been sequestered? (J); has any such person been found guilty in disciplinary proceedings by an employer or regulatory body due to dishonest activities? (K); and has any such person been barred from entry into any profession or occupation? (L) (Also indicate in respect of each of the above if proceedings are pending):

H	I	J	K	L

15. Give a full description of how the independent custodian intends to satisfy itself that-

- (a) the LISP has adequate procedures in place for ensuring that proper reconciliation of the number of investments held on behalf of clients as per the client records held by the LISP and the number of investments invested in as per the records of the investment provider, takes place on an ongoing basis; and
 (b) such procedures operate on a continuous basis

.....
 On behalf of the investment manager

.....
 On behalf of the independent custodian

Signed at on

As witnesses:

1. 2.

FORM EB 4

**Report of the independent auditors of (NAME OF THE INVESTMENT MANAGER)
 to the Registrar of Stock Exchanges in compliance with regulation 2A of the Regulations made in terms of
 the Stock Exchanges Control Act, 1989**

We have reviewed the design of the proposed system of internal financial control that.....(NAME OF THE
 INVESTMENT MANAGER) intends to implement from.....

The design and maintenance of an adequate system of internal financial control are the responsibility of the

directors/partners/sole proprietor. Our responsibility is to report on whether or not, based on our review, anything has come to our attention that would indicate that:

- the proposed system of internal financial control is not adequate for the size and complexity of the proposed investment management business;
- adequate measures would not be in operation to ensure:
 - the continued safety of documents of title relating to assets which may be held in safe custody (*delete if not applicable*).
 - proper reconciliation of the number of investments held on behalf of clients per the client records held by the linked investment services provider (LISP) and the number of investments invested in per the records of the investment provider takes place on a continuous basis (*delete if investment manager is not a linked investment services provider (LISP)*);

Scope

Our review has been conducted in accordance with the statement of South African Auditing Standards applicable to review engagements. Our review procedures was limited primarily to inquiries of personnel of the investment manager about the proposed operation of the system of internal financial control and inspection of related evidence.

Inherent Limitations

Because of the inherent limitations of a system of internal financial control, it is possible that errors or irregularities may occur and not be detected. Furthermore, a review is not designed to detect all weaknesses in the design of the proposed system of internal financial control.

As the proposed system of internal financial control has not yet been implemented, we do not provide any assurance as to whether or not the system will operate adequately.

Also a review does not provide all the evidence that would be required in an audit, thus the level of assurance provided is less than given in an audit. We have not performed an audit and, accordingly, we do not express an audit opinion.

Review opinion

Based on our review, nothing of significance has come to our attention that causes us to believe that-

- the proposed system of internal financial control are not adequate for the size and complexity of the proposed investment management business; and
- adequate measures would not be in operation to ensure:
 - the continued safety of documents of title relating to assets which may be held in safe custody (*delete if not applicable*).
 - proper reconciliation of the number of investments held on behalf of clients per the client records held by the linked investment services provider (LISP) and the number of investments invested in per the records of the investment provider takes place on an ongoing basis (*delete if investment manager is not a linked investment services provider (LISP)*);

Our report is solely for your information and is not to be used for any other purpose, nor to be distributed to any other parties

Name

Registered Accountants and Auditors

Chartered Accountants SA

Address

Date

No. R. 1065

28 Augustus 1998

**WYSIGING VAN DIE REGULASIES UITGEVAARDIG KRAGTENS
DIE WET OP BEHEER VAN AANDELEBEURSE, 1985**

Die Minister van Finansies het kragtens artikel 51 van die Wet op Beheer van Aandelebeurse, 1985 (Wet No 1 van 1985), die regulasies uiteengesit in die Bylae uitgevaardig.

BYLAE

Omskrywings

1. In hierdie regulasies beteken "die Regulasies" die Regulasies gepubliseer by Goewermentskennisgewing No 594 in *Staatskoerant* No 17093 van 12 April 1996, soos gewysig by Goewermentskennisgewing No R1269 gepubliseer in *Staatskoerant* 18308 van 26 September 1997.

Wysiging van regulasie 1 van Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig-

- (a) deur die omskrywing van "beleggingsbestuurder" deur die volgende omskrywing te vervang:

"**beleggingsbestuurder**" 'n persoon goedgekeur ingevolge artikel 4(1)(a) van die Wet om beleggings te bestuur of 'n persoon wat binne 'n kategorie van persone goedgekeur deur die Registrateur ingevolge daardie artikel val om beleggings te bestuur en omvat, tensy andersins aangedui, 'n GBDV;;

- (b) deur na die omskrywing van "beleggingsbestuurder" die volgende omskrywing in te voeg:

"**beleggingsvoorsiener**" 'n persoon van wie beleggings namens kliënte deur 'n GDBV gekoop word;;

- (c) deur na die omskrywing van "die appèlraad" die volgende omskrywings in te voeg -

"**diskresionêre GBDV**" 'n gekoppeldebelegging-diensverskaffer (GBDV) wat 'n diskresie namens 'n kliënt uitoefen;

'eenheid in 'n kollektiewe beleggingskema' -

- (a) 'n onderaandeel in 'n effektegroep soos omskryf in artikel 1 van die Wet op Beheer van Effekte-trustskemas, 1981 (Wet No 54 van 1981);

- (b) eenhede of enige ander vorm van deelname in 'n kollektiewe beleggingskema

goedgekeur deur die Registrateur van Effekte-trustmaatskappye ingevolge daardie Wet; of

- (c) eenhede of enige ander vorm van deelname in 'n kollektiewe beleggingskema gelisensieer of geregistreer in 'n vreemde land;".

'GBDV' 'n gekoppeldebelegging-diensverskaffer (GBDV) synde 'n kategorie beleggingsbestuurder wie se besigheid in die geheel of gedeeltelik bestaan uit die belegging namens kliente in eenhede in 'n kollektiewe beleggingskema op die grondslag dat sodanige eenhede by groot maat gekoop en gehou word;"; en

- (d) deur na die omskrywing van "kliënt" die volgende omskrywing in te voeg:

"nie-diskresionêre GBDV" 'n gekoppeldebelegging-diensverskaffer (GBDV) wat nie 'n diskresie namens 'n kliënt uitoefen nie;".

Wysiging van regulasie 2A(2) van die Regulasies

3. Regulasie 2A(2) van die Regulasies word hierby gewysig -

- 3.1 deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) in die geval van beleggingsbestuurders, uitgesonderd nie-diskresionêre GBDVs, 'n modelmandaat wat die beleggingsbestuurder beplan om te gebruik om beleggings namens 'n ander persoon te bestuur en wat voldoen aan die minimum vereistes wat in die Voorwaardes uiteengesit is;"; en

- 3.2 deur die byvoeging van die volgende paragrawe:

"(d) in die geval van 'n nie-diskresionêre GBDV, 'n skriftelike modelopdrag of -aansoekvorm te onderteken deur 'n klient;

(e) in die geval van alle GBDVs, 'n afskrif van die jongste geouditeerde finansiële state van die onafhanklike bewaarder."

Vervanging van Vorm EB3 en Vorm EB4 van die Regulasies

4. Vorms EB3 en EB4 van die Regulasies word hierby onderskeidelik deur die volgende vorms vervang:

"VORM EB3

Aansoek om goedkeuring ingevolge artikel 4(1)(a) van die Wet op Beheer van Aandelebeurse, 1985

AFDELING 1 (Moet deur alle applikante ingevul word)

1. Volle name van applikant
2. Besonderhede van korporatiewe status, geregistreeerde nommer en geregistreeerde adres
3. Adres waar besigheid bedryf sal word
4. Posadres
5. Telefoonnommer Faksimilee

6. Adres van Internet-webruimte, indien enige
7. Elektroniese posadres, indien enige
8. Datum van finansiële jaareinde
9. Name en adres van ouditeure
10. Name en adresse (pos- en straatadres) van gemagtigde verteenwoordigers
11. Name en adresse (pos- en straatadres) van die lede van die ouditkomitee, indien enige
12. Naam en tak van bank waar rekening van applikant gehou word
Lopende rekening Trustrekening (indien enige)
13. Die name, identiteitsnommers en adresse van die applikant se eienaars, vennote, lede (in die geval van 'n beslote korporasie) of sy aandeelhouders en direkteure (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy), die aandeelhouders en direkteure van die beheerende maatskappy (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy) is soos volg:

Naam	Identiteitsnommer	Adres

14. Die name (A), identiteitsnommers (B), besigheidstelefoonnommers (C), huistelefoonnommers (D), vier besigheidsverwysings (E), huidige werkgewers (F), en die kwalifikasies en ondervinding (G) van die applikant se lede, direkteure, vennote, eienaars en werknemers wat aktief betrokke is by die bestuur van beleggings:

A	B	C	D	E	F	G

15. Is enige van die persone bedoel in paragraaf 14 ooit skuldig bevind aan 'n oortreding weens oneerlikheid, bedrog of verduistering? (H); was enige van die persone bedoel in paragraaf 14 'n beheerende aandeelhouer of direkteur van 'n maatskappy of beslote korporasie toe dit onder geregtelike bestuur geplaas of gelikwadeer is? (I); is die boedel van enige sodanige persoon ooit gesekwestreer? (J); is enige sodanige persoon aan dissiplinêre verrigtinge deur 'n werkgewer of regulerende liggaam onderwerp? (K); en is enige sodanige persoon toelating tot enige professie of beroep geweier? (L) (Dui ook ten opsigte van elke vraag hierbo aan of verrigtinge hangende is):

H	I	J	K	L

16. Verskaf volle besonderhede van enige feit of feite wat 'n uitwerking mag hê op die evaluering deur die Registrateur van die goeie karakter en integriteit van die bovermelde persone.
17. (Moet slegs deur GBDVs voltooi word)
Beskryf volledig u vermoë om rekords te hou wat die beleggings besit deur elke kliënt weergee, en duidelik die verband tussen 'n kliënt en die belegging handhaaf

AFDELING II (Moet slegs deur 'n applikant wat vrystelling verlang, ingevul word)

1. Dui asseblief verlangde vrystellings van die Voorwaardes aan
2. Verskaf asseblief redes waarom vrystelling verlang word

AFDELING III (Moet slegs deur onafhanklike bewaarder met betrekking tot 'n GBDV ingevul word)

Besonderhede van onafhanklike bewaarder

1. Volle name van onafhanklike bewaarde
2. Besonderhede van korporatiewe status, geregistreerde nommer en geregistreerde adres
3. Adres waar besigheid gedryf word
4. Posadres.
5. Telefoonnommer.....Faksimilee
6. Adres van Internet-webruimte, indien enige
7. Elektroniese posadres, indien enige

8. Datum van finansiële jaareinde
9. Naam en adres van ouditeur.
10. Name en adresse (pos- en huis-) van die lede van die ouditkomitee, indien enige
11. Naam en tak van bank waar rekeninge van onafhanklike bewaarder gehou word
- Lopende rekening
- Trustrekening (indien enige)
12. Die name, identiteitsnommers en adresse van die eienaars van die onafhanklike bewaarder, of sy aandeelhouers en direkteure (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy), die aandeelhouers en direkteure van die beherende maatskappy (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy) of trustees, in die geval van 'n trust, is soos volg:

Naam	Identiteitsnommer	Adres
------	-------------------	-------

13. Die name (A), identiteitsnommers (B), besigheidstelefoonnommers (C), huistelefoonnommers (D), vier besigheidsverwysings (E), huidige werkgewers (F), en die kwalifikasies en ondervinding (G) van die onafhanklike bewaarder se direkteure, vennote, eienaars en/of werknemers wat wesenlik betrokke is by die bestuur en beheer van die onafhanklike bewaarder, is soos volg

A	B	C	D	E	F	G
---	---	---	---	---	---	---

14. Is enige van die persone bedoel in paragrafe 12 en 13 ooit skuldig behind aan 'n oortreding weens oneerlikheid, bedrog of verduistering? (H); was enige van die persone bedoel in paragrafe 12 en 13 'n beherende aandeelhouer of direkteur van 'n maatskappy of beslote korporasie toe dit onder geregtelike bestuur geplaas of gelikwedeer is? (I); is die boedel van enige sodanige persoon ooit gesekwestreer? (J); is enige sodanige persoon gedurende dissiplinêre verrigtinge deur 'n werkgewer of regulerende liggaam skuldig bevind aan oneerlike aktiwiteite? (K); en is enige sodanige persoon toelating tot enige professie of beroep geweier? (L) (Dui ook ten opsigte van elke vraag hierbo aan of verrigtinge hangende is):

H	I	J	K	L
---	---	---	---	---

15. Beskryf volledig hoe die onafhanklike bewaarder beoog om sigself tevrede te stel dat -

- (a) die GBDV toereikende prosedures in plek het om te verseker dat behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte ooreenkomstig die kliëntrekords gehou deur die GBDV en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener, op 'n lopende grondslag sal plaasvind; en
- (b) sodanige prosedures op 'n deurlopende grondslag plaasvind

.....
Namens die beleggingsbestuurder

.....
Namens die onafhanklike bewaarder (indien van toepassing)

Onderteken teop.....

As getuies:

1.2.....

VORM EB 4

Verslag van die onafhanklike ouditeurs van (NAAM VAN DIE BELEGGINGSBESTUURDER) aan die Registrateur van Aandelebeurse ter nakoming van regulasie 2A van die Regulasies uitgevaardig kragtens die Wet op Beheer van Aandelebeurse, 1985

Ons het 'n oorsig van die ontwerp van die voorgestelde stelsel van interne finansiële beheer wat.....(NAAM VAN BELEGGINGSBESTUURDER) beoog om vanafte implementeer, gedoen.

Die ontwerp en onderhoud van 'n toereikende stelsel van interne finansiële beheer is die verantwoordelikheid van die direkteur/vennote/alleen-eienaar. Dit is ons verantwoordelikheid om op grond van ons oorsig verslag te doen of enigiets tot ons aandag gekom het, al dan nie, wat ons laat glo dat -

- die voorgestelde stelsel van interne finansiële beheer nie toereikend is vir die omvang en ingewikkeldheid van die voorgestelde beleggingsbestuur-besigheid nie; en
- toereikende maatreëls nie in werking sal wees nie om die volgende te verseker :
 - die voortgesette veiligheid van titeldokumente met betrekking tot bates wat in veilige bewaring gehou mag word (*skrap indien nie van toepassing nie*)
 - behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte ooreenkomstig die kliëntrekords gehou deur die diensverskaffer vir gekoppelde beleggings (GBDV) en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener op 'n lopende grondslag plaasvind (*skrap indien die beleggingsbestuurder nie ook 'n gekoppelde belegging-diensverskaffer (GBDV) is nie*)

Omvang

Ons oorsig is uitgevoer in ooreenstemming met die standpunt van Suid-Afrikaanse Ouditstandaarde van toepassing op oorsigaanstellings. Ons oorsigprosedures was primêr beperk tot navrae gerig aan personeel oor die voorgestelde werking van die stelsel van interne finansiële beheer en ondersoek van verbandhoudende bewyse.

Inherente beperkings

Weens die inherente beperkings van 'n stelsel van interne finansiële beheer, is dit moontlik dat foute of onreëlmatighede mag voorkom en nie opgespoor word nie. Voorts is 'n oorsig nie ontwerp om alle swakhede in die ontwerp van die voorgestelde stelsel van interne finansiële beheer op te spoor nie.

Omdat die voorgestelde stelsel nog nie geïmplementeer is nie, verskaf ons nie enige gerusstelling dat die stelsel toereikend sal funksioneer nie.

Ook voorsien 'n oorsig nie al die bewyse wat in 'n oudit vereis sou word nie, sodat die vlak van gerusstelling wat verskaf word minder is as daardie verskaf in 'n oudit. Ons het nie 'n oudit uitgevoer nie en gevolglik spreek ons ook nie 'n ouditmening uit nie.

Gegrand op ons oorsig het niks beduidend tot ons aandag gekom wat ons laat glo dat -

- die voorgestelde stelsel van interne finansiële kontrole nie toereikend is vir die omvang en kompleksiteit van die voorgestelde beleggingsbestuur-besigheid nie; en
- toereikende maatreëls nie in werking sal wees nie om die volgende te verseker :
 - die voortgesette veiligheid van titeldokumente met betrekking tot bates wat in veilige bewaring gehou mag word (*skrap indien nie van toepassing*);
 - behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte in ooreenstemming met die kliëntrekords gehou deur die diensverskaffer vir gekoppelde beleggings (GBDV) en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener op 'n lopende grondslag plaasvind (*skrap indien die beleggingsbestuurder nie ook 'n gekoppeldebelegging-diensverskaffer (GBDV) is nie*)

Ons verslag is uitsluitlik vir u inligting en mag nie vir enige ander doel gebruik word of aan enige ander partye versprei word nie.

Naam

Geregistreerde Rekenmeesters en Ouditeurs

Geoktrooieerde Rekenmeesters SA

Adres

Datum

No. R. 1066

28 August 1998

**AMENDMENT OF THE REGULATIONS MADE UNDER
THE FINANCIAL MARKETS CONTROL ACT, 1989**

The Minister of Finance has under section 37 of the Financial Markets Control Act, 1989 (Act No. 55 of 1989), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations "the Regulations" means the Regulations published by Government Notice No. R.619 in *Gazette* No. 17939 of 25 April 1997 as amended by Government Notice No. R1270 published in *Gazette* No 18308 of 26 September 1997.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended -

- (a) by the insertion after the definition of "Conditions" of the following definition:

"discretionary LISP" means a linked investment services provider (LISP) who exercises a discretion on behalf of a client;"

- (b) by the substitution for the definition of "investment manager" of the following definition:

"investment manager" means a person approved in terms of section 5(1)(a) of the Act to manage investments or a person who falls within a category of persons approved by the Registrar in terms of that section to manage investments and includes, unless otherwise indicated, a LISP;

- (c) by the insertion of the following definitions after the definition of "investment manager":

"investment provider" means a person from whom investments are purchased on behalf of clients by a LISP;

'LISP' means a linked investment services provider being a category of investment manager whose business consists wholly or partly of investing on behalf of clients in units in a collective investment scheme on the basis that such units are bought and held in bulk;

'non-discretionary LISP' means a linked investments services provider who does not exercise a discretion on behalf of a client;"

(d) by the insertion of the following definition after the definition of "the Appeal Board":

"unit in a collective investment scheme" means -

- (a) a unit in a unit portfolio as defined in section 1 of the Unit Trusts Control Act, 1981 (Act No.54 of 1981);
- (b) units or any other kind of participation in a collective investment scheme approved by the Registrar of Unit Trust Companies in terms of that Act; or
- (c) units or any other form of participation in a collective investment scheme licenced or registered in a foreign country;".

Amendment of regulation 2A(2)

3. Regulation 2A(2) is hereby amended -

3.1 by the substitution for paragraph (c) of the following paragraph:

"(c) in the case of investment managers, excluding non-discretionary LISPs, a specimen mandate which the investment manager intends to use to manage investments on behalf of another person and which complies with the minimum requirements set out in the Conditions;";

3.2 by the addition of the following paragraphs after paragraph (c):

"(d) in the case of a non-discretionary LISP, the specimen written instruction or application form to be signed by a client;

(e) in the case of all LISPs, a copy of the latest audited financial statements of the independent custodian.".

Substitution of Form FM 3 and Form FM 4 of the Regulations

5. The following forms are hereby substituted for Forms FM3 and FM4 of the Regulations respectively:

"FORM FM3

Application for approval in terms of section 5(1)(a) of the Financial Markets Control Act, 1989

SECTION I (To be completed by all applicants)

1. Full name of applicant
2. Details of corporate status, registered number and registered address
3. Address where business is being conducted
4. Postal Address
5. Telephone Number Facsimile
6. Address of Internet website, if any
7. Electronic mail address, if any
8. Date of financial year end
9. Name and address of auditor
10. Names and addresses (postal and physical) of authorised representatives

11. Names and addresses (postal and physical) of the members of the audit committee, if any
12. Name and branch of bank where accounts of the applicant are kept
Current account: Trust account (if any):
13. The names, identity numbers and addresses of the applicant's owners, partners, members (if the case of a close corporation) or its shareholders and directors (in the case of a private company or unlisted public company), the shareholders and directors of the holding company (if a private company or unlisted public company) are as follows:

Name	Identity Number	Address

14. The names (A), identity numbers (B), business telephone numbers (C), home telephone numbers (D), four business references (E), current employers (F), and qualifications and experience (G) of the applicant's members, directors, partners, owners and employees materially involved in the management of investments are as follows.

A	B	C	D	E	F	G

15. Have any of the persons referred to in paragraph 14 ever been convicted of an offence resulting from dishonesty, fraud or embezzlement? (H); were any of the persons referred to in paragraph 14 a controlling shareholder or director of a company or close corporation at the time it was placed under judicial management or in liquidation? (I); has the estate of any such person ever been sequestered? (J); has any such person been subjected to disciplinary proceedings by an employer or regulatory body? (K); and has any such person or company in which such person was involved been barred from entry into any profession or occupation? (L) (Also indicate in respect of each of the above if proceedings are pending):

H	I	J	K	L

16. Give full particulars of any fact or facts which may have an impact on the evaluation by Registrar of the good character and integrity of the above persons
17. (Only to be completed by LISPs)

Give a full description of your ability to maintain records recording the investments owned by each client, clearly maintaining the linkage between a client and the investment

SECTION II (Only to be completed by an applicant requiring exemption)

1. Please indicate exemptions required from the Conditions
2. Please furnish reasons for requiring the exemption

SECTION III (Only to be completed by an independent custodian with regard to a LISP)

Particulars of independent custodian

1. Full name of independent custodian
2. Details of corporate status, registered number and registered address
3. Address where business is being conducted
4. Postal Address
5. Telephone Number Facsimile
6. Address of Internet website, if any
7. Electronic mail address, if any
8. Date of financial year end
9. Name and address of auditor
10. Names and addresses (postal and physical) of the members of the audit committee, if any
11. Name and branch of bank where accounts of the independent custodian are kept
Current account:

Trust account (if any):

12. The names, identity numbers and addresses of the independent custodian's owners, or its shareholders and directors (if a private company or unlisted public company), the shareholders and directors of the holding company (if a private company or unlisted public company) or trustees, if a trust, are as follows:

Name	Identity Number	Address

13. The names (A), identity numbers (B), business telephone numbers (C), home telephone numbers (D), four business references (E), current employers (F), and qualifications and experience (G) of the independent custodian's directors, partners, owners and/or employees materially involved in the management and control of the independent custodian.

A	B	C	D	E	F	G

14. Have any of the persons referred to in paragraph 12 and 13 ever been convicted of an offence resulting from dishonesty, fraud or embezzlement? (H); were any of the persons referred to in paragraphs 13 and 14 a controlling shareholder or director of a company or close corporation at the time it was placed under judicial management or in liquidation? (I); has the estate of any such person ever been sequestered? (J); has any such person been found guilty in disciplinary proceedings by an employer or regulatory body due to dishonest activities? (K); and has any such person been barred from entry into any profession or occupation? (L) (Also indicate in respect of each of the above if proceedings are pending):

H	I	J	K	L

15. Give a full description of how the independent custodian intends to satisfy itself that-

- (a) the LISP has adequate procedures in place for ensuring that proper reconciliation of the number of investments held on behalf of clients as per the client records held by the LISP and the number of investments invested in as per the records of the investment provider, takes place on an ongoing basis; and
- (b) such procedures operate on a continuous basis

.....
On behalf of the investment manager

.....
On behalf of the independent custodian

Signed at on

As witnesses:

1. 2.

FORM FM 4

Report of the independent auditors of (NAME OF THE INVESTMENT MANAGER) to the Registrar of Financial Markets in compliance with regulation 2A of the Regulations made in terms of the Financial Markets Control Act, 1989

We have reviewed the design of the proposed system of internal financial control that (NAME OF THE INVESTMENT MANAGER) intends to implement from

The design and maintenance of an adequate system of internal financial control are the responsibility of the directors/partners/sole proprietor. Our responsibility is to report on whether or not, based on our review, anything has

come to our attention that would indicate that:

- the proposed system of internal financial control is not adequate for the size and complexity of the proposed investment management business;
- adequate measures would not be in operation to ensure:
 - the continued safety of documents of title relating to assets which may be held in safe custody (*delete if not applicable*).
 - proper reconciliation of the number of investments held on behalf of clients per the client records held by the linked investment services provider (LISP) and the number of investments invested in per the records of the investment provider takes place on a continuous basis (*delete if investment manager is not a linked investment services provider (LISP)*);

Scope

Our review has been conducted in accordance with the statement of South African Auditing Standards applicable to review engagements. Our review procedures was limited primarily to inquiries of personnel of the investment manager about the proposed operation of the system of internal financial control and inspection of related evidence.

Inherent Limitations

Because of the inherent limitations of a system of internal financial control, it is possible that errors or irregularities may occur and not be detected. Furthermore, a review is not designed to detect all weaknesses in the design of the proposed system of internal financial control.

As the proposed system of internal financial control has not yet been implemented, we do not provide any assurance as to whether or not the system will operate adequately.

Also a review does not provide all the evidence that would be required in an audit, thus the level of assurance provided is less than given in an audit. We have not performed an audit and, accordingly, we do not express an audit opinion.

Review opinion

Based on our review, nothing of significance has come to our attention that causes us to believe that-

- the proposed system of internal financial control is not adequate for the size and complexity of the proposed investment management business; and
- adequate measures would not be in operation to ensure:
 - the continued safety of documents of title relating to assets which may be held in safe custody (*delete if not applicable*).
 - proper reconciliation of the number of investments held on behalf of clients per the client records held by the linked investment services provider (LISP) and the number of investments invested in per the records of the investment provider takes place on an ongoing basis (*delete if investment manager is not a linked investment services provider (LISP)*);

Our report is solely for your information and is not to be used for any other purpose, nor to be distributed to any other parties

Name

Registered Accountants and Auditors

Chartered Accountants SA

Address

Date

No. R. 1066

28 Augustus 1998

**WYSIGING VAN DIE REGULASIES UITGEVAARDIG KRAGTENS
DIE WET OP BEHEER VAN FINANSIËLE MARKTE, 1989**

Die Minister van Finansies het kragtens artikel 37 van die Wet op Beheer van Finansiële Markte, 1989 (Wet No 55 van 1989), die regulasies uiteengesit in die Bylae uitgevaardig.

BYLAE

Omskrywings

1. In hierdie regulasies beteken "die Regulasies" die Regulasies gepubliseer by Goewermentskennisgewing No 619 in *Staatskoerant* No 17939 van 25 April 1997, soos gewysig by Goewermentskennisgewing No R1270 gepubliseer in *Staatskoerant* 18308 van 26 September 1997.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig-

- (a) deur die omskrywing van "beleggingsbestuurder" deur die volgende omskrywing te vervang:

"beleggingsbestuurder" 'n persoon goedgekeur ingevolge artikel 5(1)(a) van die Wet om beleggings te bestuur of 'n persoon wat binne 'n kategorie van persone goedgekeur deur die Registrateur ingevolge daardie artikel val om beleggings te bestuur en omvat, tensy andersins aangedui, 'n GBDV;"

- (b) deur na die omskrywing van "beleggingsbestuurder" die volgende omskrywing in te voeg:

"beleggingsvoorsiener" 'n persoon van wie beleggings namens kliënte deur 'n GBDV gekoop word;"

- (c) deur na die omskrywing van "die appèlraad" die volgende omskrywings in te voeg -

"diskresionêre GBDV" 'n gekoppeldebelegging-diensverskaffer (GBDV) wat 'n diskresie namens 'n kliënt uitoefen;

'eenheid in 'n kollektiewe beleggingskema' -

- (a) 'n onderaandeel in 'n effektegroep soos omskryf in artikel 1 van die Wet op Beheer van Effekte-trustskemas, 1981 (Wet No 54 van 1981);

- (b) eenhede of enige ander vorm van deelname in 'n kollektiewe beleggingskema

goedgekeur deur die Registrateur van Effekte-trustmaatskappye ingevolge daardie Wet; of

- (c) eenhede of enige ander vorm van deelname in 'n kollektiewe beleggingskema gelisensieer of geregistreer in 'n vreemde land;".

'GBDV' 'n gekoppeldebelegging-diensverskaffer (GBDV) synde 'n kategorie beleggingsbestuurder wie se besigheid in die geheel of gedeeltelik bestaan uit die belegging namens kliente in eenhede in 'n kollektiewe beleggingskema op die grondslag dat sodanige eenhede by groot maat gekoop en gehou word;"; en

- (d) deur na die omskrywing van "kliënt" die volgende omskrywing in te voeg:

"nie-diskresionêre GBDV" 'n gekoppeldebelegging-diensverskaffer (GBDV) wat nie 'n diskresie namens 'n kliënt uitoefen nie;".

Wysiging van regulasie 2A(2) van die Regulasies

3. Regulasie 2A(2) van die Regulasies word hierby gewysig -

3.1 deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) in geval van beleggingsbestuurders, uitgesonderd nie-diskresionêre GBDVs, 'n modelmandaat wat die beleggingsbestuurder beplan om te gebruik om beleggings namens 'n ander persoon te bestuur en wat voldoen aan die minimum vereistes wat in die Voorwaardes uiteengesit is;"; en

3.2 deur die byvoeging van die volgende paragrawe:

- "(d) in geval van 'n nie-diskresionêre GBDV, 'n skriftelike modelopdrag of -aansoekvorm te onderteken deur 'n klient;
- (e) in geval van alle GBDVs, 'n afskrif van die jongste geouditeerde finansiële state van die onafhanklike bewaarder.".

Vervanging van Vorm FM3 en Vorm FM4 van die Regulasies

4. Vorms FM3 en FM4 van die Regulasies word hierby onderskeidelik deur die volgende vorms vervang:

"VORM FM3

Aansoek om goedkeuring ingevolge artikel 5(1)(a) van die Wet op Beheer van Finansiële Markte, 1989

AFDELING 1 (Moet deur alle applikante ingevul word)

1. Volle name van applikant
2. Besonderhede van korporatiewe status, geregistreeerde nommer en geregistreeerde adres
3. Adres waar besigheid bedryf sal word

4. Posadres
5. Telefoonnommer Faksimile
6. Adres van Internet-webruimte, indien enige
7. Elektroniese posadres, indien enige
8. Datum van finansiële jaareinde
9. Naam en adres van ouditeure
10. Name en adresse (pos- en straatadres) van gemagtigde verteenwoordigers
11. Name en adresse (pos- en straatadres) van die lede van die ouditkomitee, indien enige
12. Naam en tak van bank waar rekening van applikant gehou word
Lopende rekening Trustrekening (indien enige)
13. Die name, identiteitsnommers en adresse van die applikant se eienaars, vennote, lede (in die geval van 'n beslote korporasie) of sy aandeelhouders en direkteure (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy), die aandeelhouders en direkteure van die beherende maatskappy (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy) is soos volg:

Naam	Identiteitsnommer	Adres

14. Die name (A), identiteitsnommers (B), besigheidstelefoonnommers (C), huistelefoonnommers (D), vier besigheidsverwysings (E), huidige werkgewers (F), en die kwalifikasies en ondervinding (G) van die applikant se lede, direkteure, vennote, eienaars en werknemers wat aktief betrokke is by die bestuur van beleggings:

A	B	C	D	E	F	G

15. Is enige van die persone bedoel in paragraaf 14 ooit skuldig bevind aan 'n oortreding weens oneerlikheid, bedrog of verduistering? (H); was enige van die persone bedoel in paragraaf 14 'n beherende aandeelhouer of direkteur van 'n maatskappy of beslote korporasie toe dit onder geregtelike bestuur geplaas of gelikwedeer is? (I); is die boedel van enige sodanige persoon ooit gesekwestreer? (J); is enige sodanige persoon aan dissiplinêre verrigtinge deur 'n werkgewer of regulerende liggaam onderwerp? (K); en is enige sodanige persoon toelating tot enige professie of beroep geweier? (L) (Dui ook ten opsigte van elke vraag hierbo aan of verrigtinge hangende is):

H	I	J	K	L

16. Verskaf volle besonderhede van enige feit of feite wat 'n uitwerking mag hê op die evaluering deur die Registrateur van die goeie karakter en integriteit van die bovermelde persone.
17. (Moet slegs deur GBDVs voltooi word)
Beskryf volledig u vermoë om rekords te hou wat die beleggings besit deur elke kliënt weergee, en duidelik die verband tussen 'n kliënt en die belegging handhaaf

AFDELING II (Moet slegs deur 'n applikant wat vrystelling verlang, ingevul word)

1. Dui asseblief verlangde vrystellings van die Voorwaardes aan
2. Verskaf asseblief redes waarom vrystelling verlang word

AFDELING III (Moet slegs deur onafhanklike bewaarder met betrekking tot 'n GBDV ingevul word)

Besonderhede van onafhanklike bewaarder

1. Volle name van onafhanklike bewaarder
2. Besonderhede van korporatiewe status, geregistreerde nommer en geregistreerde adres
3. Adres waar besigheid gedryf word.
4. Posadres.

5. Telefoonnommer.....Faksimile.....
6. Adres van Internet-webruimte, indien enige
7. Elektroniese posadres, indien enige
8. Datum van finansiële jaareinde.
9. Naam en adres van ouditeur.
10. Name en adresse (pos- en huis-) van die lede van die ouditkomitee, indien enige
11. Naam en tak van bank waar rekeninge van onafhanklike bewaarder gehou word.
Lopende rekening
12. Trustrekening (indien enige).
12. Die name, identiteitsnommers en adresse van die eienaars van die onafhanklike bewaarder, of sy aandeelhouders en direkteure (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy), die aandeelhouders en direkteure van die beherende maatskappy (in die geval van 'n private maatskappy of ongenoteerde publieke maatskappy) of trustees, in die geval van 'n trust, is soos volg:

Naam	Identiteitsnommer	Adres
13. Die name (A), identiteitsnommers (B), besigheidstelefoonnommers (C), huistelefoonnommers (D), vier besigheidsverwysings (E), huidige werkgewers (F), en die kwalifikasies en ondervinding (G) van die onafhanklike bewaarder se direkteure, vennote, eienaars en/of werknemers wie weselik betrokke is by die bestuur en beheer van die onafhanklike bewaarder, is soos volg:		

A	B	C	D	E	F	G
---	---	---	---	---	---	---

14. Is enige van die persone bedoel in paragrawe 12 en 13 ooit skuldig behind aan 'n oortreding weens oneerlikheid, bedrog of verduistering? (H); was enige van die persone bedoel in paragrawe 12 en 13 'n beherende aandeelhouer of direkteur van 'n maatskappy of beslote korporasie toe dit onder geregtelike bestuur geplaas of gelikwider is? (I); is die boedel van enige sodanige persoon ooit gesekwestreer? (J); is enige sodanige persoon gedurende dissiplinêre verrigtinge deur 'n werkgewer of regulerende liggaam skuldig bevind aan oneerlike aktiwiteite? (K); en is enige sodanige persoon toelating tot enige professie of beroep geweier? (L) (Dui ook ten opsigte van elke vraag hierbo aan of verrigtinge hangende is):

H	I	J	K	L
---	---	---	---	---

15. Beskryf volledig hoe die onafhanklike bewaarder beoog om sigself tevrede te stel dat -

- (a) die GBDV toereikende prosedures in plek het om te verseker dat behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte ooreenkomstig die kliëntrekords gehou deur die GBDV en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener, op 'n lopende grondslag sal plaasvind; en
- (b) sodanige prosedures op 'n deurlopende grondslag plaasvind

.....
Namens die beleggingsbestuurder

.....
Namens die onafhanklike bewaarder (indien van toepassing)

Onderteken teop.....

As getuies:

1.2.....

VORM FM 4

Verslag van die onafhanklike ouditeurs van (NAAM VAN DIE BELEGGINGSBESTUURDER) aan die Registrateur van Finansiële Markte ter nakoming van regulasie 2A van die Regulasies uitgevaardig kragtens die Wet op Beheer van Finansiële Markte, 1989

Ons het 'n oorsig van die ontwerp van die voorgestelde stelsel van interne finansiële beheer wat (NAAM VAN BELEGGINGSBESTUURDER) beoog om vanaf te implementeer, gedoen.

Die ontwerp en onderhoud van 'n toereikende stelsel van interne finansiële beheer is die verantwoordelikheid van die direkteur/vennote/alleen-eienaar. Dit is ons verantwoordelikheid om op grond van ons oorsig verslag te doen of enigiets tot ons aandag gekom het, al dan nie, wat ons sou laat glo dat -

- die voorgestelde stelsel van interne finansiële beheer nie toereikend is vir die omvang en ingewikkeldheid van die voorgestelde beleggingsbestuur-besigheid nie; en
- toereikende maatreëls nie in werking sal wees nie om die volgende te verseker :
 - die voortgesette veiligheid van titeldokumente met betrekking tot bates wat in veilige bewaring gehou mag word (*skrap indien nie van toepassing nie*)
 - behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte ooreenkomstig die kliëntrekords gehou deur die gekoppeldebelegging-diensverskaffer (GBDV) en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener op 'n lopende grondslag plaasvind (*skrap indien die beleggingsbestuurder nie ook 'n gekoppeldebelegging-diensverskaffer (GBDV) is nie*)

Omvang

Ons oorsig is uitgevoer in ooreenstemming met die standpunt van Suid-Afrikaanse Ouditstandaarde van toepassing op oorsigaanstellings. Ons oorsigprosedures was primêr beperk tot navrae gerig aan personeel van die beleggingsbestuurder oor die voorgestelde werking van die stelsel van interne finansiële beheer en ondersoek van verbandhoudende bewyse.

Inherente beperkings

Weens die inherente beperkings van 'n stelsel van interne finansiële beheer, is dit moontlik dat foute of onreëlmatighede mag voorkom en nie opgespoor word nie. Voorts is 'n oorsig nie ontwerp om alle swakhede in die ontwerp van die voorgestelde stelsel van interne finansiële beheer op te spoor nie.

Omdat die voorgestelde stelsel nog nie geïmplementeer is nie, verskaf ons nie enige gerusstelling dat die stelsel toereikend sal funksioneer nie.

Ook voorsien 'n oorsig nie al die bewyse wat in 'n oudit vereis sou word nie, sodat die vlak van gerusstelling wat verskaf word minder is as daardie verskaf in 'n oudit. Ons het nie 'n oudit uitgevoer nie en gevolglik spreek ons ook nie 'n ouditmening uit nie.

Oorsigmening

Gegrand op ons oorsig het niks beduidend tot ons aandag gekom wat ons laat glo dat -

- die voorgestelde stelsel van interne finansiële beheer nie toereikend is vir die omvang en kompleksiteit van die voorgestelde beleggingsbestuur-besigheid nie; en
- toereikende maatreëls nie in werking sal wees nie om die volgende te verseker:
 - die voortgesette veiligheid van titeldokumente met betrekking tot bates wat in veilige bewaring gehou mag word (*skrap indien nie van toepassing*);
 - behoorlike rekonsiliasie van die getal beleggings gehou namens kliënte in ooreenstemming met die kliëntrekords gehou deur die diensverskaffer vir gekoppelde beleggings (GBDV) en die getal beleggings belê ooreenkomstig die rekords van die beleggingsvoorsiener op 'n lopende grondslag plaasvind (*skrap*)

indien die beleggingsbestuurder nie ook 'n gekoppelde belegging-diensverskaffer (GBDV) is nie)

Ons verslag is uitsluitlik vir u inligting en mag nie vir enige ander doel gebruik word of aan enige ander partye versprei word nie.

Naam

Geregistreerde Rekenmeesters en Ouditeurs

Geoktrooieerde Rekenmeesters SA

Adres

Datum

No. R. 1071

28 August 1998

EXCHANGE CONTROL REGULATIONS

CHANGE OF NAME OF AN AUTHORISED DEALER IN FOREIGN EXCHANGE

Paragraph 3 (a) of Government Notice No. R. 1112 of 1 December 1961, as amended, is hereby further amended by the deletion with immediate effect of Investec Merchant Bank Limited from the list of authorised dealers for the purpose of Exchange Control Regulations published under Government Notice No. 1111 of 1 December 1961 and by the addition of **Investec Bank Limited** with effect from the same date.

No. R. 1071

28 August 1998

DEVIESEBEHEERREGULASIES

VERANDERING VAN NAAM VAN GEMAGTIGDE HANDELAAR IN BUITELANDSE VALUTA

Paragraaf 3 (a) van Goewermentskennisgewing No. R. 1112 van 1 Desember 1961, soos gewysig, word verder gewysig deur die skraping met onmiddellike effek van Investec Merchant Bank Limited van die lys van gemagtigde handelaars vir die doeleindes van die Deviesebeheerregulasies gepubliseer in Goewermentskennisgewing No. R. 1111 van 1 Desember 1961 en deur die toevoeging van **Investec Bank Limited** met ingang van dieselfde datum.

SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 1073

28 August 1998

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/927)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

Head- ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno- tations
29.05			By the substitution for subheading No. 2905.13 of the following:			
	"2905.13	5	-- Butan-1-ol (n-butyl alcohol)	kg	10%	
29.14			By the substitution for subheading No. 2914.11 of the following:			
	"2914.11	1	-- Acetone	kg	5%	

No. R. 1073

28 Augustus 1998

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/927)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

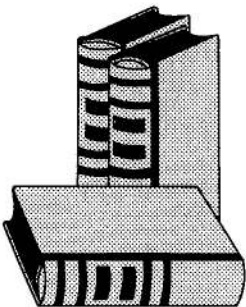
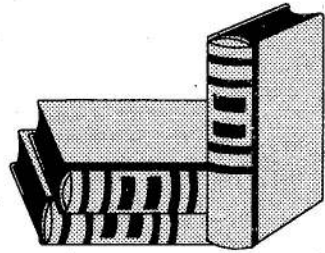
G. MARCUS

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno= tasies
29.05			Deur subpos No. 2905.13 deur die volgende te vervang:			
	"2905.13	5	-- Butan-1-ol (n-butiellalkohol)	kg	10%"	
29.14			Deur subpos No. 2914.11 deur die volgende te vervang:			
	"2914.11	1	-- Asetoon	kg	5%"	

Where is the largest amount of meteorological information in the whole of South Africa available?



Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

Keep South Africa Clean



Throw trash where it belongs

Hou Suid-Afrika Skoon



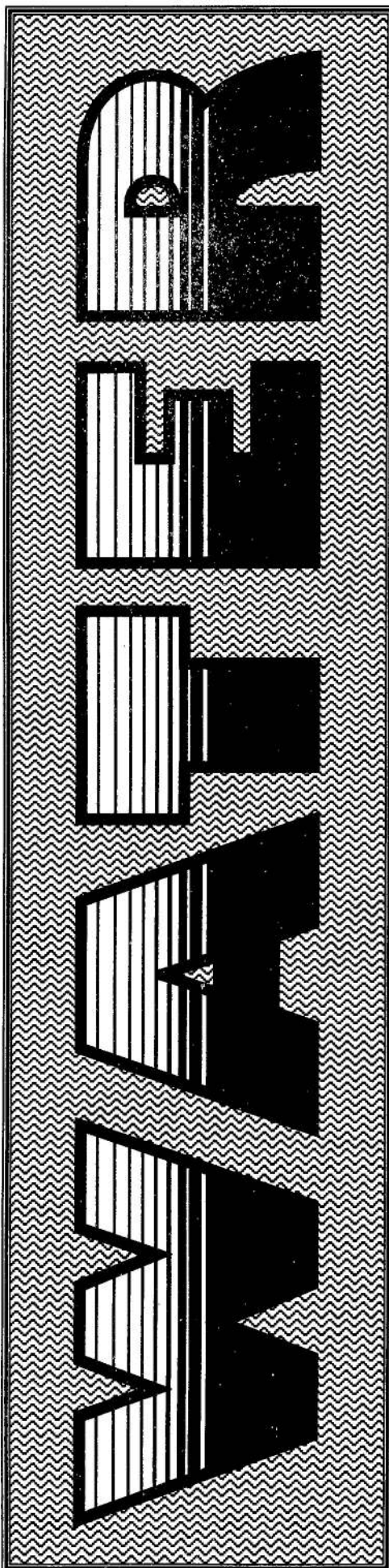
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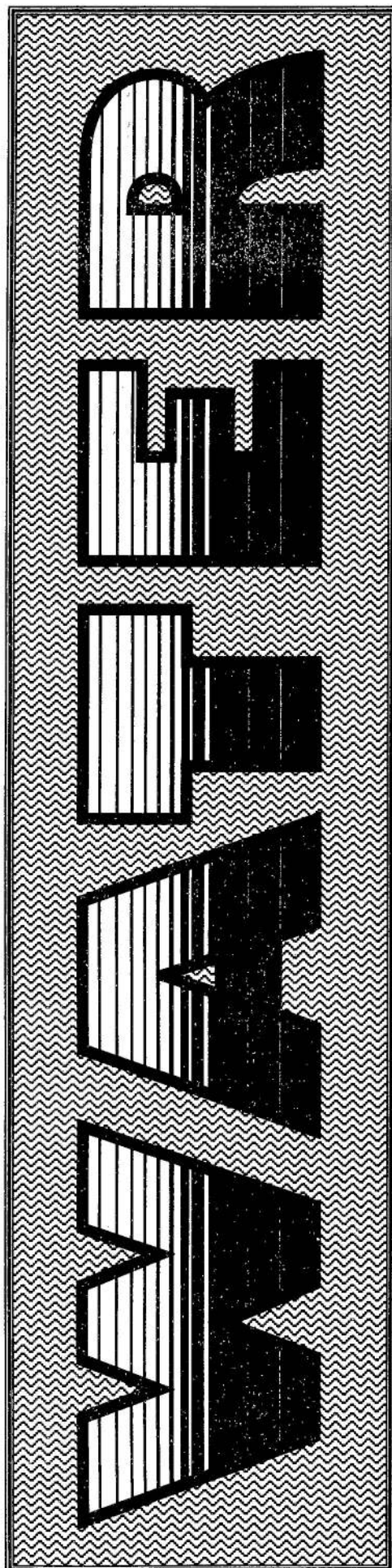


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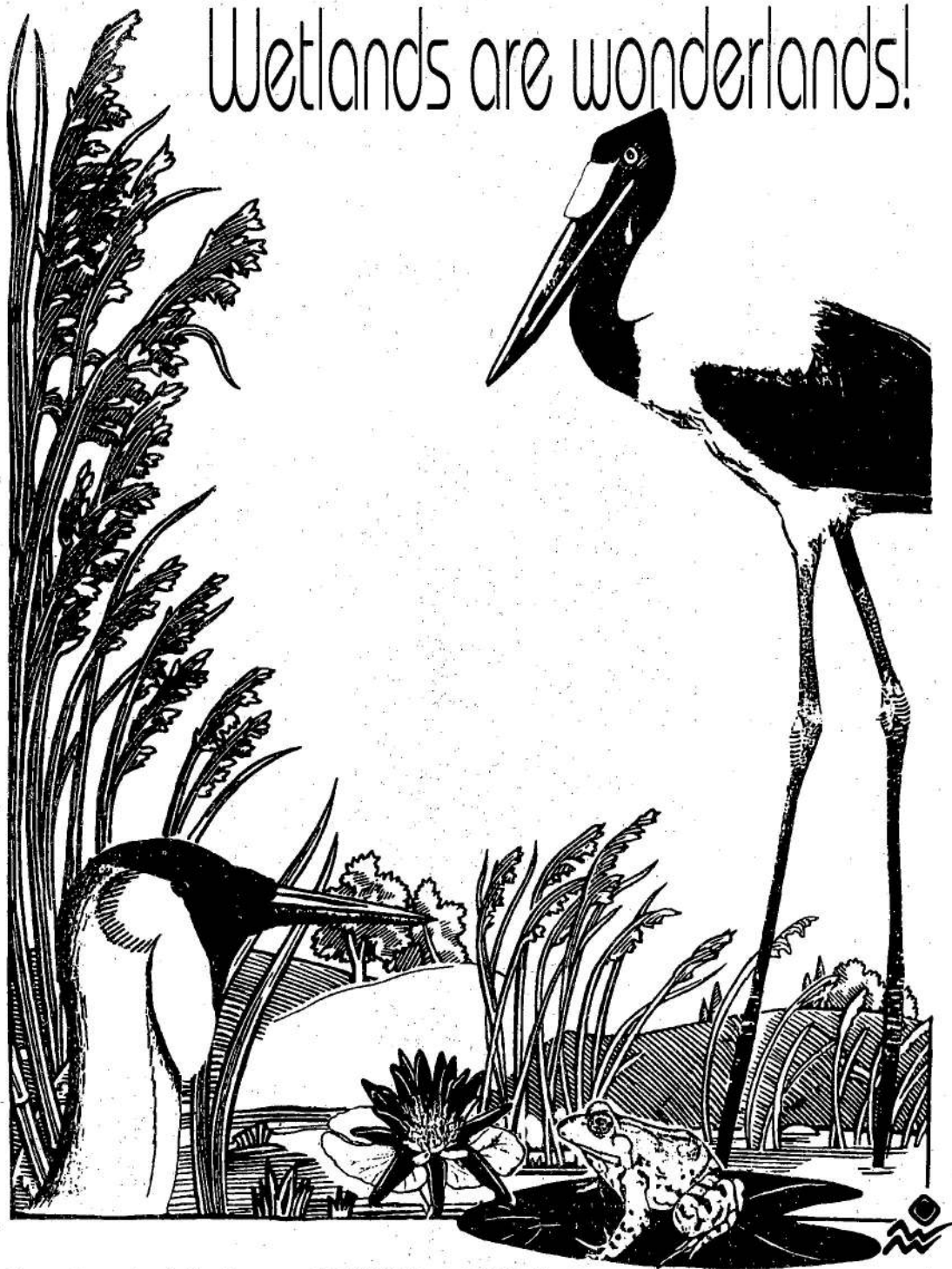
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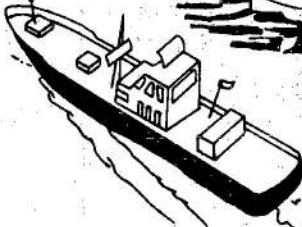
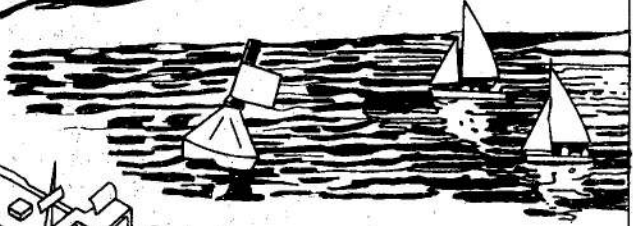
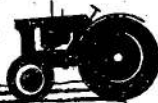
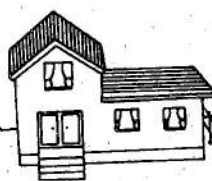
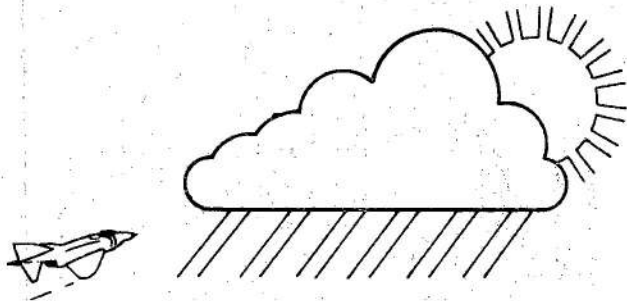
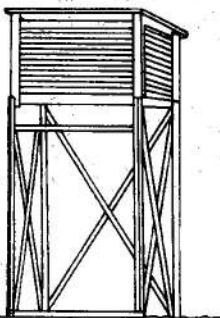
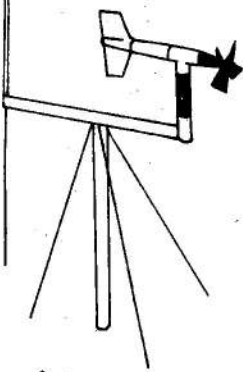
Wetlands are wonderlands!



Department of Environmental Affairs and Tourism

SA WEATHER BUREAU SA WEERBURO

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