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REPUBLIEK VAN SUID AFRIKA

Regulation Gazette

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Closing times for **ORDINARY WEEKLY** **REGULATION GAZETTE** **2017**

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

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

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 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, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 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

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

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

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

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

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

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

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:
Government Printing Works

149 Bosman Street

Pretoria

Postal Address:

Private Bag X85

Pretoria

0001

GPW Banking Details:
Bank: ABSA Bosman Street

Account No.: 405 7114 016

Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

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

Contact person for subscribers: Mrs M. Toka:

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

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 663

14 JULY 2017

DETERMINATION OF PERSONS OR CATEGORY OR CLASS OF PERSONS WHO ARE COMPETENT TO BE APPOINTED AS INTERMEDIARIES: SECTION 170A(4) OF THE CRIMINAL PROCEDURE ACT, 1977

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby:

- (a) In terms of section 170A(4)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), determine the following categories or classes of persons to be competent to be appointed as intermediaries:
- (i) Medical practitioners who are registered in terms of section 17 of the Health Professions Act, 1974 (Act No. 56 of 1974), and against whose names the speciality of—
 - (aa) paediatrics; or
 - (bb) psychiatry,are registered.
 - (ii) Clinical, counselling or educational psychologists who are registered in terms of section 17 of the Health Professions Act, 1974 (Act No. 56 of 1974).
 - (iii) Family counsellors who are appointed under section 3(1) of the Mediation in Certain Divorce Matters Act, 1987 (Act No. 24 of 1987), and who are or were—
 - (aa) clinical, counselling or educational psychologists as determined in item (ii);
 - (bb) social workers as determined in item (iv);
 - (cc) educators as determined in item (v); or
 - (dd) child and youth care workers as determined in item (vi).
 - (iv) Social workers who are registered in terms of section 17 of the Social Service Professions Act, 1978 (Act No. 110 of 1978), and who have at least two years' experience in social work.
 - (v) Educators as defined in section 1 of the South African Schools Act, 1996 (Act No. 84 of 1996), who—
 - (aa) have obtained a minimum post Matriculation teacher's education qualification of three years at a recognised tertiary educational institution;
 - (bb) have at least three years' experience in teaching; and
 - (cc) are registered in terms of section 21 of the South African Council for Educators Act, 2000 (Act No. 31 of 2000),

and include former or retired educators, who comply with paragraphs (aa) and (bb), and whose names have not been removed from the register in terms of section 23(1) of the South African Council for Educators Act, 2000.

- (vi) Child and youth care workers who have—
 - (aa) obtained a minimum post Matriculation education qualification of three years at a recognised tertiary educational institution in child and youth care; and
 - (bb) at least three years' experience in child or youth care.
- (b) Determine 1 September 2017 as the date on which this determination shall come into operation.
- (c) Repeal Government Notice No. R. 1374 of 30 July 1993, as amended by Government Notices No. R. 360 of 28 February 1997 and No. R. 597 of 2 July 2001, with effect from 1 September 2017.

T M MASUTHA
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

NO. R. 663

14 JULIE 2017

BEPALING VAN PERSONE OF KATEGORIE OF KLAS PERSONE WAT BEVOEG IS OM AS TUSSENGANGERS AANGESTEL TE WORD: ARTIKEL 170A(4) VAN DIE STRAFPROSESWET, 1977

Ek, Tshililo Michael Masutha, Minister van Justisie en Korrektiewe Dienste:

- (a) Bepaal hiermee ingevolge artikel 170A(4)(a) van die Strafproseswet, 1977 (Wet No. 51 of 1977), dat die volgende kategorieë of klasse persone bevoeg is om as tussengangers aangestel te word:
- (i) Geneeshere wat ingevolge artikel 17 van die Wet op Gesondheidsberoepes, 1974 (Wet No. 56 van 1974), geregistreer is en teenoor wie se name die spesialiteit—
 - (aa) pediatrie; of
 - (bb) psigiatrie, geregistreer is.
 - (ii) Kliniese, voorligting of opvoedkundige sielkundiges wie geregistreer is ingevolge artikel 17 van die Wet op Gesondheidsberoepes, 1974 (Wet No. 56 van 1974).
 - (iii) Gesinsraadgewers wat kragtens artikel 3(1) van die Wet op Bemiddeling in Sekere Egskeidingsaangeleenthede, 1987 (Wet No. 24 van 1987), aangestel is en wie—
 - (aa) kliniese, voorligting of opvoedkundige sielkundiges soos bepaal in item (ii);
 - (bb) maatskaplike werkers soos bepaal in item (iv);
 - (cc) opvoeders soos bepaal in item (v); of
 - (dd) kinder-en jeugsorgwerkers soos bepaal in item (vi), is of was.
 - (iv) Maatskaplike werkers wat ingevolge artikel 17 van die Wet op Maatskaplike Diensberoepes, 1978 (Wet No. 110 van 1978), geregistreer is en wie ten minste twee jaar ondervinding in maatskaplike werk het.
 - (v) Opvoeders soos omskryf in artikel 1 van die Suid-Afrikaanse Skolewet, 1996 (Wet No. 84 van 1996), wie—
 - (aa) 'n minimum na-matrikulasie opvoederskwalifikasie van drie jaar by 'n erkende tersiêre opvoedkundige instelling verwerf het;
 - (bb) ten minste drie jaar ondervinding in onderwys het; en
 - (cc) geregistreer is ingevolge artikel 21 van die Wet op die Suid-Afrikaanse Raad vir Opvoeders, 2000 (Wet No. 31 van 2000),

en sluit voormalige of afgetrede opvoeders in, wie aan die vereistes gemeld in paragrawe (aa) en (bb) voldoen en wie se name nie, ingevolge artikel 23(1) van die Wet op die Suid-Afrikaanse Raad vir Opvoeders, 2000, van die register verwyder is nie.

- (vi) Kinder-en jeugsorgwerkers wie—
 - (aa) 'n minimum na-matrikulasie opvoedkundige kwalifikasie van drie jaar by 'n erkende tersiêre opvoedkundige instelling in kinder- en jeugversorging verwerf het; en
 - (bb) ten minste drie jaar ondervinding in kinder-en jeugversorging het.
- (b) Bepaal hiermee 1 September 2017 as die datum waarop hierdie bepaling in werking sal tree.
- (c) Goewermentskennisgewing No. R. 1374 van 30 Julie 1993, soos gewysig deur Goewermentskennisgewings No. R. 360 van 28 Februarie 1997 en No. R. 597 van 2 Julie 2001, met ingang van 1 September 2017 word hiermee ingetrek.

T M MASUTHA
MINISTER VAN JUSTISIE EN KORREKTIEWE DIENSTE

DEPARTMENT OF TRADE AND INDUSTRY

NO. R. 664

14 JULY 2017

**REGULATIONS MADE IN TERMS OF SECTION 25 (7) OF THE SPECIAL
ECONOMIC ZONES ACT, 2014 10 (ACT NO. 16 OF 2014)**

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 the draft Special Economic Zones Governance and Management Regulations, made in terms of section 25 (7) of the SEZ Act, is now available for public comment.

Members of the public must submit their comments or objections to the Regulations within 30 days from the date of publication of this notice.

Comments may be sent 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



Dr Rob Davies, MP
Minister of Trade and Industry

13 June 2017

GOVERNMENT GAZETTE, DD/MM/YYYY

No. xx

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SPECIAL ECONOMIC ZONES REGULATIONS, 2017

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DRAFT FOR DISCUSSION PURPOSES ONLY

As at 11 May 2017

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REGULATIONS IN TERMS OF THE SPECIAL ECONOMIC ZONES ACT, 2014

Interpretation

1. Interpretation

(1) In these Regulations, unless the context indicates otherwise-

(a) “**the Act**” means the Special Economic Zones Act, 16 of 2014.

(b) “**Board**” means a Special Economic Zone Board appointed by a licensee in terms of section 25(5) of the Act.

(2) A word or expression that is defined in the Act bears the same meaning in these Regulations as in the Act, unless the context indicates otherwise.

2. Governance and management of a Special Economic Zone

(1) A Special Economic Zone Board appointed in terms of section 25(5) of the Special Economic Zones Act, 2014 must comply with the governance principles set out in herein.

3. Membership of the Special Economic Zone Board

(1) The Licensee must appoint not less than three and not more than (ten) 10 persons with diverse skills, knowledge, experience and expertise relevant to Special Economic Zones, as members of the Board.

(2) One of the members of the Board of the Special Economic Zones referred to in sub-regulation (1) must be a representative of the Department.

(3) The composition of the Board must be broadly representative, with due regard to race, gender and regional representation, experience and expertise.

(4) The Licensee must appoint a chairperson of the Board from one of the members of the Board.

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4. Terms of office of Board members

(1) A member of the Board:

- 5
- (a) holds office for a period of five (5) years from the date of appointment as a member; and
 - (b) on expiry of term of office, is eligible for reappointment for only one additional term of office.

(2) No more than fifty person percent (50%) of the members of the Board may be reappointed for an additional term in terms of sub-regulation (1)(b).

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5. Disqualification from membership of Board

(1) A person may not be appointed as a member of the Board if that person—

- 15
- (a) is an un-rehabilitated insolvent;
 - (b) has been declared by a High Court with jurisdiction to be mentally ill;
 - (c) has been convicted of an offence in the Republic or elsewhere, other than an offence committed prior to 27 April 1994 associated with a political objective, and sentenced to imprisonment without the option of a fine or, in the case of fraud or any other offence involving dishonesty, to a fine or imprisonment or both a fine and imprisonment;
 - (d) has at any time been removed from an office of trust on account of breach of fiduciary duties; or
 - (e) is otherwise disqualified in terms of section 69 of the Companies Act, No 71 of 2008.
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6. Vacation of office and filling of vacancies on Board

(1) A member of the Board vacates office if the member—

- (a) resigns in writing;
- (b) ceases to qualify for appointment to the Board in terms of Regulation 5;
- 5 (c) is removed from office by the Licensee —
 - (i) for just cause;
 - (ii) after consulting the Board; and
 - (iii) after a fair hearing.

10 (d) A vacancy arising from the death of a member or from circumstances referred to in sub-regulation 1 above must, within three months of the vacancy occurring, be filled for the unexpired portion of that member's term of office by a suitable person appointed by the Licensee.

7. Board role and responsibilities

(1) The Board must:

- 15 (a) manage the business and affairs of the company and has the authority to exercise all the powers and perform any of the functions of the Special Economic Zone.
- (b) develop and implement and review the a strategic plan for the Special Economic Zone as contemplated in section 26 of the Act,
- 20 (c) develop and implement and review a business and financial plan for the Special Economic Zone as contemplated in section 27 of the Act;
- (d) submit the strategic plan to Minister as contemplated in section 26 of the Act

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(e) submit such other information and documentation that Minister may reasonably require in connection to the affairs of that Special Economic Zone entity;

5 (f) provide effective corporate governance that includes managing the relationships between the management of the Special Economic Zone, and other relevant stakeholders;

8. Fiduciary duties of Board members

(1) A member of the Board—

10 (a) must act honestly, in good faith and in best interest of the Special Economic Zone;

(b) has a duty of care, and diligence in fulfilling his/her functions and exercising the his/her powers as a member of the Board;

(c) must not act in a way that is inconsistent with the functions of the Board in terms of this Act;

15 (d) must not use the position or privilege or confidential information obtained as a member of the Board for personal gain or to improperly benefit another person;

20 (2) Confidential information received by a member of the Board in the course of performing his or her functions or exercising his or her duties remains the property of the Special Economic Zone and no member of the Board shall be entitled to disclose confidential information, except where required to do so in terms of a law, without the prior written consent of the Board.

9. Disclosure of interest by Board member

(1) A member of the Board-

- (a) must make full disclosure to the Board of any conflict of interest, including any potential conflict of interest;
- (b) may not vote, attend or participate in any proceedings of the Board in relation to any matter before the Board in respect of which they have a conflict or potential conflict of interest; and
- (c) must comply with any decision of the Board as to whether or not they are entitled to participate in any particular proceedings of the Board.
- (2) For the purposes of this section, a member has a conflict of interest if the member, or a family member, partner or business associate of the member—
- (a) is applying for: a license to develop, operate and manage the Special Economic Zone, a Special Economic Zone operator permit, the transfer of an operator permit or location of a new investor in the Special Economic Zone; or
- (b) has a financial or other interest in an entity that is involved with the Special Economic Zone; or
- (c) the member has any other interest that may preclude, or may reasonably be perceived as precluding, the member from performing the functions of a member of the Board in a fair, unbiased and proper manner.
- (3) Any disclosure in terms of sub-regulation 9 and any decision of the Board in terms of sub-regulation (1)(c) must be recorded in the minutes of the Board.
- (4) For the purposes of this section, “**family member**”, in relation to a member of the Board, means his or her parent, sibling, child, including an adopted child, or spouse, and includes a person living with that member as if they were married to each other, and any person separated from the member by no more than two degrees of natural or adopted consanguinity or affinity.

10. Meetings of Board

- (1) The Board must hold at least four ordinary meetings each year at times and places determined by the chairperson of the Board.

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- (2) The chairperson of the Board—
- (a) may convene special meetings of the Board; and
 - (b) must convene a special meeting within 14 days of receiving a written request to do so, signed by a majority of Board members.
- 5 (3) The request referred to in sub-regulation (2)(b) must clearly state the reason for the request and only a stated matter may be discussed at the special meeting in question.
- (4) The Licensee may request that a meeting of the Board be convened at any time, should the need arise.
- 10 (5) If the chairperson is not present at a meeting of the Board, the members present must appoint another member to preside at the meeting.
- (6) At any meeting, a majority of the members of the Board constitutes a quorum.
- (7) A decision of the majority of members present at any quorate meeting constitutes a decision of the Board and, in the event of an equality of votes, the chairperson of the meeting has a casting vote in addition to a deliberative vote.
- 15 (8) Minutes of the proceedings of every meeting of the Board must be—
- (a) recorded and must be kept in a manner that cannot be altered or tampered with; and
 - (b) submitted to the next meeting of the Board for consideration and, if adopted, signed by the chairperson.
- 20 (9) The Board may—
- (a) permit members to participate in a particular meeting by telephone or via audio-visual technology and any member who participates in this manner is regarded as being present at the meeting; and

(b) invite any person to attend a meeting for the purpose of advising or informing the Board on any matter.

(10) The Board may, by resolution, make rules to further regulate its meetings.

11. Resolution of Board without meeting

5 (1) The Board may adopt a resolution without a meeting if at least a majority of the members indicate their support for the resolution in a manner and in accordance with a procedure determined by the Board.

12. Committees of Board

10 (1) The Board may establish committees to assist the Board in the performance of its functions and may determine their composition, terms of reference, procedures and duration.

(2) The Board may appoint suitably qualified persons to serve on a committee, including persons in the full-time employment of the State.

15 (3) Any committee established in terms of subsection (1) must be chaired by a member of the Board.

(4) The Board must establish:

(a) an Audit Committee; and

(b) a Remuneration Committee.

13. Expenditure, remuneration and allowances paid to members of Board and committees

20 (1) A member of the Board or a member of any committee of the Board, who is not in the full-time employment of the State, may be paid such remuneration and allowances as determined by the Board, on recommendation of the Remuneration Committee.

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14. Dissolution of the Board

- (1) The Licensee may, after consultation with the Board, dissolve the Board on any reasonable ground.
- (2) Within 30 days of the dissolution of the Board, the Licensee must appoint an interim Board consisting of at least four persons contemplated in regulation 3 (1) and (2).
- (3) The interim Board assumes, and must perform, the functions of the Board in terms of the Act and these Regulations.
- (4) The Licensee must, within six months of the appointment of the interim Board, appoint the members of the newly constituted Board.

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