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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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

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GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF HOME AFFAIRS DEPARTEMENT VAN BINNELANDSE SAKE

No. 911

27 June 2003

BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

NOTICE OF RECTIFICATION

ASSUMPTION OF ANOTHER SURNAME IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

Notice is hereby given that Entry No. 203 of Government Gazette Notice No. 1455 which was published in Government Gazette No. 24065 dated 22 November 2002, is hereby rectified to read as follows:

Mapotse Jim Makola – 620321 5835 087 – his wife – Cynthia Nomfuneka Makola – 581124 0789 086
– and two minor children – Mpho Portia Makola – 940609 0078 080 – Masilo Mack Makola – 001212
5437 082 – P O Box 3138, Sovenga, 0727 - *Mokgolobotho*

No. 911

27 Junie 2003

WET OP REGISTRASIE VAN GEBOORTES EN STERFTES, 1992 (WET No. 51 VAN 1992)

KENNISGEWING VAN REGSTELLING

AANNAME VAN 'N ANDER VAN INGEVOLGE ARTIKEL 26 VAN DIE WET OP REGISTRASIE VAN GEBOORTES EN STERFTES, 1992 (WET No. 51 VAN 1992)

Hiermee word kennis gegee dat inskrywingsnommer 203 van Goewermentskennisgewing No. 738 wat in *Staatskoerant* No. 24065 gedateer 22 November 2002 gepubliseer is, hiermee reggestel word om soos volg te lees:

Mapotse Jim Makola – 620321 5835 087 – sy vrou – Cynthia Nomfuneka Makola – 581124 0789 086 – en twee minderjarige kinders – Mpho Portia Makola – 940609 0078 080 – Masilo Mack Makola – 001212 5437 082 – Posbus 3138, Sovenga, 0727 - *Mokgolobotho*

No. 912

27 June 2003

**BIRTHS AND DEATHS REGISTRATION ACT, 1992
(ACT NO. 51 OF 1992)**

NOTICE OF RECTIFICATION

**ASSUMPTION OF ANOTHER SURNAME IN TERMS OF SECTION 26 OF THE
BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)**

Notice is hereby given that rectification of Government Gazette Notice No. 700 which was published in Government Gazette No. 24893 dated 30 May 2003, is hereby rectified to read as follows:

Zebulon John Tembe – 380628 5232 085 – P O Box 3078, Mtubatuba, 0733 – *Mhlongo*

No. 912

27 Junie 2003

**WET OP REGISTRASIE VAN GEBOORTES EN STERFTES, 1992
(WET No. 51 VAN 1992)**

KENNISGEWING VAN REGSTELLING

**AANNAME VAN 'N ANDER VAN INGEVOLGE ARTIKEL 26 VAN DIE WET OP
REGISTRASIE VAN GEBOORTES EN STERFTES, 1992 (WET No. 51 VAN 1992)**

Hiermee word kennis gegee dat regstelling van Goewermentskennisgewing No. 700 wat in *Staatskoerant* No. 24893 gedateer 30 Mei 2003 gepubliseer is, hiermee reggestel word om soos volg te lees:

Zebulon John Tembe – 380628 5232 085 – P O Box 3078, Mtubatuba, 0733 – *Mhlongo*

No. 913

27 June 2003

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

The Director-General has in respect of the following person approved the alteration of their forenames to the forenames printed in italics:

1. Glory Mathibe Mathibe – 550104 5220 086 – 1401 Extension 1, Kwa-Themba, 1575 – *Glory*
2. Abdul Waheed Arai – 690912 5297 081 – P O Box 158, Crown Mines, 2025 – *Waheed Faqi*
3. Boy Moffat Dlodlu – 580524 5233 082 – 8177 Mamalangoane Street, Extension 9, Vosloorus, 1475 – *Patrick Moffat*
4. Guslave Andor Andor – 651017 5121 080 – P O Box 383, Stellenbosch, 7599 – *Gustav*

No. 914

27 June 2003

ASSUMPTION OF ANOTHER SURNAME IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

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

1. Mlungisi Maqubela – 711210 5347 088 – P O Box 55109, Weirda Park, Centurion, 0149 – *Malaza*
2. Marius Johannes Gelderbloem – 811119 5194 086 – 152 Kiewiet Street, Extension 8, Mossel Bay, 6500 – *Jantjies*
3. Stuart Ross Fyfe – 840702 5243 089 – P O Box 9584, Cinda Park, Boksburg, 1463 – *Jacobs*
4. Dean Donavan Edward O'Reilly – 840615 5095 087 – P O Box 1153, Plettenberg Bay, 6600 – *Scott*
5. Luvuyo Goodwell Renye – 820409 5747 085 – P O Box 9055, George, 6530 – *Jas*
6. Sylvester Obed Mpyane – 700518 5740 083 – 64 Tlale Street, Atteridgeville, 0008 – *Mathole*
7. Adrian Troy Lawrance – 730424 5105 084 – 1 Annvon Road, Diep River, 7800 – *Lee*
8. Nina Couvaras – 610828 0005 088 – South African Embassy, P O Box 61152, GR 151 10 Athens, Greece – *Wolf*
9. Sathasivan Kanniappek – 580929 5173 081 – and his wife – Mogarani Kanniappek – 590420 0180 089 – 2 Fenton Road, Durban, 4001 – *Naicker*
10. Lucelle Treyvellan nee Van Der Walt – 500521 0104 083 – P O Box 633, Mtunzini, 3867 – *Treyvellan nee Richardson*
11. Gamiel Jacobs – 450520 5445 087 – and his wife – Faldeelah Jacobs – 420105 0418 086 – 18 St William Crescent, Seavind, Steenberg, 7945 – *Cassiem*
12. Ruth Louise Biggars – 511122 0001 085 – 10 Eagle Mount, 251 Quality Street, Wentworth, 4052 – *Biggar*
13. Thomas Wallace Biggars – 520724 5090 085 – 10 Eagle Mount, 251 Quality Street, Wentworth, 4052 – *Biggar*
14. Yvonne Williams – 580715 0221 086 – 21 Simondium Squatter Camp, Simondium, 7670 – *Hermanus*
15. Sarah Elizabeth Krigga – 660925 0243 088 – and two minor children – Lauren Kruger – 900927 0209 085 – Lee Shan Kruger – 970117 0228 088 – 1062 Fredericks Street, Hornlee, Knysna, 6571 – *Krige*
16. Cornelia Susara Hall Nee Scholtz – 551229 0073 088 – 3 Old Nigel Road, Nigel, 1491 – *Wilson*
17. Colin Frederick Baalie – 560103 5214 089 – P O Box 110, Doornbaai, 8151 – *Bailey*
18. Khairoon Lorgat nee Dawood – 541119 0035 083 – P O Box 7414, Westgate, 1734 – *Hoosen*
19. Willem Titties – 530930 5012 080 – and his wife – Martha Elizabeth Titties – 560407 0166 081 – 4 Amethyst Close, Booysen Park, Port Elizabeth, 6059 – *Titus*
20. Wandile Abel Shumi – 620922 5465 088 – his wife – Lindelwa Shumi – 671127 0759 083 – and four minor children – Seun Thamsanqa Shumi – 840629 5418 082 – Sheron Hlubikazi Shumi – 851205 0469 085 – Nomatamsanqa Zimkhitha Precious Shumi – 960529 0374 088 – Nokuzola Leonora Teddy Allam – 900819 0355 085 – P O Box 10, Far Hills, George, 6530 – *Ndoda*
21. John Mbodlane – 511002 5581 085 – his wife – Delisile Abegail Shusha – 681208 0273 081 – and two minor children – Mandlekosi Godson Mbodlane – 890710 5733 081 – Mthokozisi Welcome Mbodlane – 871014 5574 089 – P O Box 57, Izingolweni, 4260 – *Ngcobo*
22. Gladys Kelebogile Ditiro – 700502 0960 086 – and one minor child – Olebogeng Godfrey ditiro – 870826 5755 082 – No. 3939 Zone 2 Extension, Itsoseng, 2744 – *Letsatsi*
23. Ditaba Solomon Moruthane – 460909 5199 083 – his wife – Tswaidi Margaret Moruthane – 590707 0604 088 – and one minor child – Tebogo Ruth Khumalo – 880519 0426 084 – P O Box 489, Ladanna, 0704 – *Khumalo*

24. Itumeleng Evodia Menong – 761024 0606 086 – and two minor children – Lebogang Moipane Menong – 950201 0506 083 – Mpho Menong – 971012 0030 080 – 3854A Zone 4, Diepkloof, 1864 – *Sekhaolelo*
25. Nozandleni Cynthia Soldaat – 641218 0613 086 – 7586 Zone 6, Thembaletu, George, 6530 – *Matroos*
26. Seale Alfred Maseko – 810329 5388 080 – 6762 Extension 4, Qhubekani Street, Middelburg, 1055 – *Kgomo*
27. David Harrison – 651003 5810 086 – NY-138, House 44, Gugulethu, 7750 – *Ndlovu*
28. Leboge Mmatladi – 470805 0393 085 – Tafelkop, Boleu, 0474 – *Matsepe*
29. Tsepo Maxin Cuda – 720413 5334 085 – 87 Juta Street, Argon House, 10th Floor, Braamfontein, 2001 – *Plessie*
30. Maria Zandile Mkhonza – 770828 0241 085 – P O Box 3022, Embalenhle, 2285 – *Mavuso*
31. Thembelihle Sylvia Mdluli – 810924 0792 086 – 1470 Thembaletu Street, Chrommeville, Mhluzi, 1053 – *Mashinini*
32. Portia Hopolang Masooa – 810505 0379 089 – 1238 Makoane Street, Rocklands, Bloemfontein, 9323 – *Mokoboka*
33. Thulani Albert Tshezi – 660815 5858 081 – P O Box 123, Muldersdrift, Krugersdorp, 1747 – *Nxuzi*
34. Zongezile Livingstone Batamani – 450128 5444 082 – 105 Amphul Avenue, Benoni, 1500 – *Mbadamana*
35. Thabo David Pekane – 840817 5305 082 – 79 Concorde Crescent, Crystal Park, 1515 – *Dhlamini*
36. Lubka Kardjieva – 500312 0806 087 – P O Box 3125, Stanger, 4450 – *Ivanova*
37. Siyabulela Nicholas Marwanqana – 800416 5764 089 – 2257 Celu Street, Thembaletu, George, 6529 – *Marwanana*
38. Duduzani Zama Chongo – 850101 0716 081 – 578 Mthombothi Road, Imbali, Pietermaritzburg, 3210 – *Mthlane*
39. Mandla Paulus Tshabangu – 810125 5167 080 – P O Box 853, Boleu, 0474 – *Shabangu*
40. Sello Derick Mofokeng – 810820 5884 086 – P O Box 35412, Johannesburg, 2000 – *Moloi*
41. Matome Petrus Puntshi – 500312 5203 082 – P O Box 721, Pietersburg, 0700 – *Ramarumo*
42. Msume Ranhos Malikane – 461220 5264 086 – and his wife – Keamogetsi Alice Malikane – 391112 0287 086 – P O Box 633, Rietkuil, 1097 – *Malekane*
43. Sipiwe Johannes Mthembu – 651014 5529 089 – P O box 357, Kwangwanase, 3973 – *Manzini*
44. Amely Nthabiseng Bosika – 790307 0719 081 – and one minor child – Refilwe Bosika – 980622 0778 089 – 3096 Nyokong Street, Bochabelo, Bloemfontein, 9323 – *Mphaololi*
45. Macaleka Ntlangani – 490703 5690 082 – his wife – Ntombizangoku Nokwakha Ntlangani – 620403 0831 087 – and two minor children – Anele Ntlangani – 960224 5834 084 – Siposethu Ntlangani – 990526 5875 089 – 2117 Elangeni Street, Thembaletu, George, 6529 – *Hlangani*
46. Confidence Khatliso Masooa – 781003 0345 081 – 1233 Makoane Street, Rocklands, Bloemfontein, 9323 – *Mokoboka*
47. Khudugo William Mmusi – 700201 6245 085 – his wife – Fefe Judith Mmusi – 720303 2759 089 – and one minor child – innocencia Nthabiseng Mmusi – 960202 0709 089 – P O Box 421, Mocweding, 8576 – *Moses*
48. Michael Tootla – 670502 5093 087 – his wife – Mary Manyatseng Tootla – 700816 0320 087 – and one minor child – 010410 0205 087 – 647 Zone III, Iketlo, P O Box 1, Meadowlands, 2001 – *Mere*
49. Khangekile Qoqo – 580914 5985 080 – and three minor children – Sibulele Amos Qoqo – 970910 5975 087 – Novangeli Education Qoqo – 940118 0935 083 – Ntombelizwi Qoqo – 920124 0844 089 – Stand 4554, Extension 3, Botleng, Delmas – *Khwaphula*

50. Bongani Moses Makhubu – 710622 5569 084 – and four minor children – Musa Blessing Makhubu – 891128 5915 088 – Siboniso Makhubu – 921020 5872 084 – Khanyisile Makhubu – 980107 0201 084 – Khayelisha Makhubu – 020415 5154 089 – 9132 Mapalle Street, Thokoza, Alberton, 1426 – *Dlamini*
51. Pretty Nokuthula Dlamini – 640801 0777 083 – 467 Mthombothi Road, Imbali, 3219 – *Moletsane*
52. Sabo Michael Peter – 590816 5134 080 – and his wife – Johanna Peter – 530629 0164 082 – 8 Calyx Street, Lichtenburg, 2740 – *Petersen*
53. Mmatlwi Senika Masitsebe – 570612 0495 087 – P O Box 8, Sekhukhune, 1124 – *Sehlola*
54. Xolile Gxowa – 810403 5630 088 – 4417 Tubani Street, Port Elizabeth, 6001 – *Bangani*
55. Xolile Samuel Boniso – 740211 5587 082 – House 72832, Zone 12, Sebokeng, 1983 – *Hlangwa*
56. Kingstone Goodwill Mohlakola – 830328 5369 088 – 651 Khoza Street, Phola, 2233 – *Palmer*
57. Steve Lucky Shiloane – 680624 5290 089 – P O Box 1128, Chuenespoort, 0745 – *Steve*
58. Dani Samson Myende – 590928 5726 086 – L-149 Umlazi Township, Umlazi, 4031 – *Nyawose*
59. Dalubuhle Welcome Libalele – 600606 5888 084 – Zigudu A/A, Confimvaba, 5380 – *Breakfast*
60. Simon Lucky Msani – 781119 5592 087 – P O Box 1198, Eshowe, 3815 – *Dladla*
61. Jacob Kabelo Khumalo – 820304 5455 088 – P O Box 353, Monakato, 0331 – *Khunou*
62. Retibalang Rigingboy Gaorngwe – 320326 5167 087 – and his wife – Makhabaki Julia Gaorngwe – 411229 0324 085 – P O Box 459, Pudimoe, 8581 – *Gaorengwe*
63. Koena Monicca Mokobodi – 671007 0346 083 – and one minor child – Mmathabo Lorraine Mokobodi – 901219 0464 087 – 193 Side Road, Lyndhurst, 2192 – *Boshomane*
64. Maurice Sonwabo Tshasilanye – 630625 5833 084 – House 2221, 32nd Avenue, 3602 – *Xaba*
65. Joseph Manyathi – 520328 5428 083 – and one minor child – Nomthandazo Gloria Manyathi – 901001 0602 084 – P O Box 83366, Osizweni, 2952 – *Nkosi*
66. Kekwatile Andries Saolebe – 501222 5513 084 – his wife – Keseabetswe Hilda Saolebe – 500604 0211 080 – and two minor children – Simone Stel Saolebe – 871106 5383 089 – William Tumelo Saolebe – 900713 5432 082 – House No. 16, Extension 6, Jouberton, 2574 – *Gaolebe*
67. Mbuyiselo Abel Mtimkulu – 680605 5653 087 – his wife – Nobelung Rosalia Mtimkulu – 681030 0403 082 – and three minor children – Luvuyo Donald Mtimkulu – 960730 5182 084 – Hernilton Solam Mtimkulu – 920731 5287 088 – 1006 Mvuvu Street, Bophelong, 1911 – *Bonkolo*
68. Francisca Charleen Shimirimana Rashaad – 770503 0170 085 – 18 Maggie Laubsher, New Woodlands, 7785 – *Rashaad*
69. Different Somolekae – 641112 5812 084 – his wife – Elisa Somolekae – 690825 1041 081 – and one minor child – Omphemetse Given Somolekae – 011222 5587 081 – P O box 1024, Khudutlou, 8580 – *Shomolekae*
70. Nonibuso Zondo – 740926 0398 082 – and two minor children – Mfanafuthi Zondo – 980923 5567 083 – Linda Zondo – 940515 5331 087 – 232 zola 3, P O KwaXuma, 1868 – *Tshabalala*
71. Anele Ernest Ncaphayi – 750113 5641 082 – his wife – Andiswe Aly Ncaphayi – 790915 0342 082 – Zesethu Anita Ncaphayi – 991114 0598 086 – 9138 Crescent 15, Vietnam Drive, Philippi, 7785 – *Nkote*
72. Jacob Rawu Skosana – 590526 5366 083 – his wife – Sharrol Skosana – 630523 0367 085 – and two minor children – Lindiwe Josephine Skosana – 840318 0078 089 – Delisile Nqobile Annette Skhosana – 920405 0212 082 – P O Box 2557, Secunda – *Sigasa*

73. Muxengeni Peter Nxumayo – 720510 6039 082 – his wife – Florah Nxumayo – 750108 0529 084 – and one minor child – Adonia Nxumayo – 010529 0660 080 – P O Box 1272, Lulekani, 1392 – *Baloyi*
74. Mpenene Agnes Mashabane – 690317 0673 080 – and four minor children – Noko Mashabane – 920922 0886 087 – Manoko Albert Mashabane – 950503 5772 085 – Molatelo rosina Mashabane – 970329 0483 080 – Kabase Gloria Mashabane – 900327 0920 080 – P O Box 1091, Mapela, 0610 – *Matsaka*
75. Maria Tshireto – 620101 3168 081 – and one minor child – Nkele Tshireto- 970828 0718 080 – 42 Block V Extension, Soshanguve, 0152 – *Sereto*
76. Prick Patrick Ndlovu – 550209 5216 081 – his wife – Margaret Solani Ndlovu – 610401 0440 083 – and two minor children – Tebogo Mhlongo – 941025 5211 080 – Monaheng Johannes Mhlongo – 910724 5204 080 – P O Box 1124, Barcelona X23, Daveyton, 1520 – *Kuroane*
77. Nofikile Bongiwe Voyi – 660409 0066 088 – B-230 Kwamahsu Township, Kwamashu, 4360 – *Cele*
78. Khenle Alberto Mathebula – 460925 5195 087 – Uitkyk Farm, Middelburg, 1050 – *Masiteng*
79. Clinton Alan Hoare – 770209 5217 083 – South African Consulate-General, 6300 Wilshire Boulevard, Suite 600, Los Angeles, CA 90048 – *Archer*
80. Sifiso Robert Dlamini – 740624 6358 081 – 4 Dalton Road, Howick, 3290 – *Hlongwane*
81. Nokuthula Precious Zondi – 800217 0370 082 – 40 Pinehaven Lodge, 26 Monors road, Pinetown, 3600 – *Nene*
82. Dunisane Ernest Nzima – 750919 5652 089 – 30 Hoy Street, Breyton, 2330 – *Fakude*
83. Pertunia Dineo Lengweng – 840208 0343 080 – House 1036, Mothutlung, Brits, 0205 – *Rampudi*
84. Mbngeni Nicholas Ndlovu – 810501 5834 087 – Nyusisa Reserve, Botha's Hill, 3062 – *Mthembu*
85. Sylvester Lucas Tshabalala – 620927 5776 087 – his wife – Sebenzile Precious Tshabalala – 581010 1037 080 – and two minor children – Moses Thulani Tshabalala – 870512 5574 083 – Potria Thinasonke Tshabalala – 930216 0463 080 – P O Box 698, Embalenhle, 2285 – *Mike*
86. Dan Lawrence Makuna – 690626 5648 081 – P O Box 13, Sehlakwane, 1047 – *Makuwa*
87. Louisa Nonathemba Tshane – 650410 0540 082 – Marikana Farm, Rustenburg, 0300 – *Chawe*
88. Isaac Sello Mofokeng – 670911 5776 080 – House 73574, Kanana, Sebokeng, 1983 – *Letsoaka*
89. Lydia Nketsuwa Mtati – 781009 0721 080 – House 17955, Old Section, Kanana, 2619 – *Masenyetisa*
90. Diali Lucas Magohie – 430111 5430 082 – P O Box 720, Jane-Furse, 1085 – *Magatlhe*
91. Mpiyakhe Michael Dlamini – 770128 5448 086 – 3525 Msimango Street, Orlando East, 1804 – *Makhetha*
92. Wilson Gcolotela – 401228 5214 087 – House 52, Khayelitsha, 7784 – *Nkope*
93. Keitumetse Emily Gabbentshe – 470101 2401 088 – P O Box 45, Tosca, 8618 – *Gabaintshe*
94. Phineas Hleza – 751225 5878 081 – P O Box 4071, Witbank, 1034 – *Sibande*
95. Lindiwe Galane – 820825 0406 080 – House 321, Section D, Kwadabeka, 3612 – *Sibiya*
96. Thandisizwe Calvin Sampi – 801201 5830 083 – A-256 Nqawe Street, Khayelitsha, 7784 – *Sibozo*
97. Lebogang Hlongwane – 831228 0412 082 – P O Box 3144, Rustenburg, 0300 – *Bogatsu*
98. Cyprian Thulani Mongezi Zungu – 740721 5101 080 – 2536 Ntsingizi Road, Imbali, Pietermaritzburg, 3201 – *Mjwara*
99. Stanley Mthembu – 710207 5369 089 – 4136 Mathaba Street, Orlando East, 1804 – *Maphiri*

100. Theolonius Semanya – 760401 5417 084 – 842 A Tshipa Street, Zone 1, Meadowlands, 1852 – *Legwale*
101. Kebapaletse Donald Sibande – 831023 5259 087 – P O Box 2538, Saulspoort, 0318 – *Molifi*
102. Maxwell S'Duduzo Cele – 840610 5378 088 – P O Box 324, Amerley, 4240 – *Mpisana*
103. Patrick Thembelani Sikwata – 831030 5503 083 – r-599 Umlazi Township, Umlazi, 4031 – *Shozi*
104. Charlton Thembekile Mbebi – 450216 5428 088 – and his wife – Nokuzola Eunice Mbebi – 530603 0543 082 – 10923 Mahambehala Street, Kwazakhele, 6205 – *Mbeki*
105. Sonwabo Sydney Masoka – 820323 5623 081 – P O Box 971, Medunsa, 0204 – *Mazana*
106. Floyd Xolani Khumalo – 660907 5339 087 – C-221 Umlazi Township, Umlazi, 4031 – *Mdhluli*
107. Maletsatsi Rebecca Mlangeni – 770503 0413 089 – House 799, Matshimong Extension, Tembisa, 1632 – *Selepe*
108. Duduzile Friedah Maboya – 770413 0655 087 – and one minor child – Siphesihle Motlatsi Maboya – 010614 0747 085 – 76-88 Small Farm, Evaton, Mafatsane, 1984 – *Khumalo*
109. Maphiri Ben Funde – 740331 5500 081 – House 6713, Phomalanga, Bothaville, Klerksdorp, 2571 – *Letebele*
110. Thanduyise Daniel Shangase – 571226 5745 088 – Ngence H P School, Inanda, 4310 – *Ngubane*
111. Angeline Sbhongile Gcwabaza – 840622 0628 086 – P O Box 76089, Mpolweni, 3225 – *Makhanya*
112. Malesela Morgan Kgoele – 830807 5062 082 – 9500 Ivory Park, Midrand, 1689 – *Kgosana*
113. Maxwell Aifheli Ndou – 610627 5546 082 – Private Bag X223, Sibasa, 0970 – *Netsandama*
114. Johannes Sehube – 820115 5313 089 – 64 Lagois Street, Burgershoop, 1740 – *Matshidze*
115. Dunile Using Bupi – 450124 5436 087 – 7063 lower Cross Roads, Phillipi, 7785 – *Buti*
116. Berenice Bridgette Meintjies – 751223 0247 089 – 3 Wolf Flat, 100 Russel Street, Worcester, 6850 – *Goliath*
117. Kennaleene David Phontsho – 490628 5547 083 – and his wife – Wameemang Lita Phontsho – 550125 0588 086 – Private Bag X509, Ganyesa, 8613 – *Poncho*
118. Bigboy Steven Skhosana – 570924 5791 083 – his wife – Nomvula Francina Skhosana – 641004 0333 085 – and two minor children – Bongani Morris Skhosana – 890303 5347 084 – Nhlanhla Lucky Skhosana – 910402 5176 083 – P O Box 45488, Extension 5, Emalahleni, 1039 – *Mabena*
119. Aaron Mogula – 580605 5657 089 – his wife – Hilda Joyce Mogula – 581207 0773 083 – and two minor children – Tebogo Amos Felicity Mogula – 870504 5410 087 – Lerato Kgumotso Rose Mogula – 910804 0115 083 – PO Box 462, Hendrina, 1095 – *Mogola*
120. Ivani Jan Thozamile Gamede – 641109 5663 087 – his wife – Nompucuko Princess Gamede – 660914 0596 083 – and one minor child – Nolphta Thalita Gamede – 850508 0551 088 – 52 Great Circle Road, Fountain Village, Blue Downs, 7100 – *Gamede*
121. Zanemvula Mahla – 550929 5199 082 – and his wife – Virginia Nombuyiselo Mahla – 500412 0151 086 – P O Box 28, Hollycross, Flagstaff, 4810 – *Makaula*
122. Dalinkonzo Mtyu – 591210 5935 085 – and his wife – Nombuyiselo Hazel Mtyu – 640417 0828 089 – P O Box 193, Mount Ayliff, 4735 – *Ndzelu*
123. Majoni Samuel Motau – 390206 5306 080 – his wife – Maria Motau – 480410 0737 080 – and two minor children – William Motau – 870312 5917 089 – Lebogang Motau – 900906 1123 081 – P O Box 378, Lefifi, Nkaneng, 0435 – *Matlala*
124. Atalia Piet Motlhalo – 450222 5422 089 – his wife – Ramatsobane Elizabeth Motlhalo – 470424 0540 081 – and one minor child – Maria Maishela Motlhalo – 861203 0566 081 – P O Box 1115, Boleu, 0474 – *Mohlala*

125. Sephatsi Bowers Rapodile – 610719 5656 084 – his wife – Lerato Eleanor Adelice Rapodile – 640115 0369 084 – and two minor children – Dorcus Mamorathi Rapodile – 870707 0343 084 – Morakane Sinah Rapodile – 910802 0337 087 – 4495 Nala Street, Duduza, 1496 – *Sefako*
126. Marisa Schultz – 830930 0281 083 – 14 Hanepoort Avenue, Somerset West – *Eggli*
127. Glory Mathibe Namo – 550104 5220 086 – his wife – Settie Nkabinde – 560309 0660 081 – and two minor children – Thamsanqa Namo – 1983.08.31 – Nkululeko Mathibe Namo – 880115 5257 085 – 1401 Extension 1, Kwa-Themba, 1575 – *Mathibe*
128. Abdul Waheed Fakir – 690912 5297 081 – P O Box 158, Crown Mines, 2025 – *Arai*
129. Tshinahe Patrick Mulaudzi – 780108 5859 084 – Room 10 Barnato Place, Corner 72 Tudhope and Doris Street, Berca, 2198 – *Munyai*
130. Timothy John Bowen – 710811 5286 084 – and his wife – Judy Karin Lancaster Bowen – 720817 0138 087 – The South African High Commission, London – *Lancaster Bowen*

**DEPARTMENT OF LAND AFFAIRS
DEPARTEMENT VAN GRONDSAKE**

No. 885

27 June 2003

**NOTICE OF RECOMMENDATION OF EXPROPRIATION AND
COMPENSATION**

1. Notice No. 1637 of 2002 issued in the Government Gazette dated 30 August 2002 is hereby withdrawn and replaced with the following notice.
2. This notice is provided in terms of section 12 (2) of the Provision of Land Assistance Act (126 of 1993).
3. The Department of Land Affairs will recommend to the Minister of Land Affairs in terms of the Provision of Land and Assistance Act that she expropriate the following immovable property together with all improvements thereon and all rights to minerals thereon not already registered in favour of the third person -

**Portion 9 (Driehoek) of the farm Vlaklaagte No. 8,
Registration Division JR, in extent 284,0597 ha,
Waterberg District, Limpopo Province held under Title
Deed No. T 27445/ 1983.**

4. The Department of Land Affairs will also recommend that the Minister of Land Affairs offer the property owner **Four Hundred and Forty Five Thousand Rands (R445 000)** as the amount of compensation for the expropriation in terms of section 10 of Expropriation Act, 1975 (Act 63

of 1975) and that the time and manner of payment of compensation be made in term of the Expropriation Act.

5. The justification for the recommendation of expropriation is available on request.
6. The property owner and any other interested persons are entitled to make representations with regard to the expropriation, which representations should be received by the Department of Land Affairs at the address stated below no later than 21 days after the date of this notice.
7. The property owner is required to notify the Department of Land Affairs if any other person has any right or interest in the property not disclosed in the title deed, no later than 21 days after the date of this notice, at the address noted below.
8. The Minister of Land Affairs will consider the recommendations and all representations received, not before 21 days, have lapsed, calculated from the date of this notice, and -
 - 8.1 decide whether to expropriate the property in terms of the Provisions of Land and Assistance Act, and
 - 8.2 decide whether to offer **Four Hundred and Forty Five Thousand Rands (R445 000)** as the amount of compensation for the expropriation in terms of section 10 of the Expropriation Act and to pay the compensation in the time and manner provided for in the Expropriation Act.

DR GILINGWE PETER MAYENDE
DIRECTOR GENERAL: DEPARTMENT OF LAND AFFAIRS
DATE:

Address : **No. 19 Corner Rissik and Schoeman Streets**
Andria Building
Private Bag X9312
POLOKWANE
0700

Facsimile No. : **015 297 4988**

**DEPARTMENT OF PUBLIC WORKS
DEPARTEMENT VAN OPENBARE WERKE**

No. 915

27 June 2003

**REGULATIONS FOR THE CHARGING OF MEMBERSHIP FEES IN TERMS OF
THE COUNCIL FOR THE BUILT ENVIRONMENT ACT, 2000 (ACT NO. 43 OF
2000)**

I, Stella N Sigcau, Minister of Public Works, have in terms of section 4(s) read with section 22 of the Council for the Built Environment Act, 2000 (Act No. 43 of 2000), made the regulations contained in the Schedule.

SCHEDULE

Definitions

1. In these regulations, any word or expression defined in the Act, has that meaning, and unless the context otherwise indicates –

“council” means the Council for the Built Environment established under section 2 of the Act;

“councils for the professions” means the –

- (i) South African Council for the Architectural Profession, established by the Architectural Profession Act, 2000;
- (ii) South African Council for the Project and Construction Management Professions, established by the Project and Construction Management Professions Act, 2000;
- (iii) Engineering Council of South Africa, established by the Engineering Profession Act, 2000;
- (iv) South African Council for the Landscape Architectural Profession, established by the Landscape Architectural Profession Act, 2000;
- (v) South African Council for the Property Valuers Profession, established by the Property Valuers Profession Act, 2000; and
- (vi) South African Council for the Quantity Surveying Profession, established by the Quantity Surveying Profession Act, 2000;

“financial year” means the period 1 April in any year to 31 March of the following year as determined in section 18(3) of the Act;

“membership fees” means the membership fees that the council may charge the councils for the professions in terms of section 4(s) of the Act;

“professions’ Acts” means the -

- (i) Architectural Profession Act, 2000 (Act No. 44 of 2000);
- (ii) Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000);
- (iii) Engineering Profession Act, 2000 (Act No. 46 of 2000);
- (iv) Property Valuers Profession Act, 2000 (Act No. 47 of 2000);
- (v) Project and Construction Management Professions Act, 2000 (Act No. 48 of 2000); and
- (vi) Quantity Surveying Profession Act, 2000 (Act No. 49 of 2000);

“the Act” means the Council for the Built Environment Act, 2000 (Act No. 43 of 2000); and

“VAT” means Value-Added Tax in terms of the Value-Added Tax, 1991 (Act No. 89 of 1991).

Calculation of membership fees

2. (1) The councils for the professions must, at least 120 days before the end of each financial year of the council, inform the council in writing of -

- (a) the number of persons who had registered for the first time in the applicable financial year in the different categories determined in the professions’ Acts;
- (b) the number of registered persons who had either paid their annual fees or renewed their registration, as the case may be, in the applicable financial year; and
- (c) an estimation for the following financial year of the number of persons who will register, retain their registration and renew their registration.

(2) The council must determine its priorities relating to the compliance with its statutory objectives in terms of the Act for the following financial year and attach a cost to achieving that compliance.

(3) Upon determination of the costs of the activities for the following financial year and after receipt of the information referred to in subregulation (1), the council must calculate the membership fees, *pro rata* to each of the registered persons of the councils for the professions according to their category of registration, based on the estimations given by the councils for the professions in terms of subregulation (1)(c).

(4) The council must complete the determination of the membership fees payable by the councils for the professions no later than 60 days before the end of each financial year and inform the councils for the professions in writing of the membership fees payable for the following financial year.

(5) The membership fees charged by the council must include VAT.

Payment of membership fees

3. (1) Each of the councils for the professions is responsible to the council for the payment of their respective membership fees.

(2) Payment may be made directly into the bank account of the council or be made in any other way that the council and the councils for the professions or a particular council agree to.

(3) When a registered person pays, partially or in full, his or her registration fees, annual fees or renewal of registration fees, levied in terms of the professions' Acts, the councils for the professions must deduct the full membership fee calculated per registered person from that payment.

(4) Membership fees collected in a particular month by the councils for the professions in terms of subregulation (3), must be paid to the council no later than 30 days after the end of that particular month.

(5) The council must supply the councils for the professions with the necessary VAT invoices for all payments made by the councils for the professions.

(6) The councils for the professions may not withhold, defer, or make any deduction from any payment due to the council.

(7) The councils for the professions are liable for interest on all overdue amounts payable to the council under these regulations at a rate per annum 2% (two percent) above the prime overdraft rate per annum of First National Bank from time to time, calculated from the due dates of the respective amounts until they are paid.

Duty of councils for the professions at end of financial year

4. Within 30 days after the end of the financial year, the councils for the professions must give the council notice in writing setting out -

- (a) in the form of an itemised statement, the number of persons who actually registered and renewed their registration; and
- (b) the amount by which the total payments made by the councils for the professions in terms of regulation 3 exceeded or fell short of the estimation provided in regulation 2(1)(c).

Disputes regarding membership fees

5. (1) Any dispute between the council and the councils for the professions concerning any of the councils for the professions' liability for any amount claimed by the council in terms of these regulations, whether related to reasonableness or any other factor or fact, must be determined by the council's auditors acting as experts and not as arbitrators and such auditors must make such determination in good faith and after taking all reasonable measures to verify the relevant information.

(2) If the council or one of the councils for the professions is not satisfied with the determination of the council's auditors in terms of subregulation (1), it may, within 30 days from the date of receipt of that determination, apply to the Minister for an evaluation and final determination of that dispute.

Applicability of regulations

6. These regulations do not apply to registered persons who are pensioners or who have been absolved from the payment of registration fees or renewal fees by any of the councils for the professions.

Short title

7. These regulations are called the Charging of CBE Membership Fees Regulations, 2003.

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. 925

27 June 2003

**DETERMINATION OF THE DAILY ALLOWANCE IN RESPECT OF MEALS
AND INCIDENTAL COSTS FOR PURPOSES OF SECTION 8(1) OF THE
INCOME TAX ACT, 1962 (ACT NO. 58 OF 1962)**

By virtue of the powers vested in me by section 8(1)(c)(ii) of the Income Tax Act, 1962 (Act No. 58 of 1962), I, Trevor Andrew Manuel, Minister of Finance, hereby determine in the Schedule hereto the amounts which shall be deemed to have been actually expended by a person in a day in respect of meals and incidental costs for the purposes of section 8(1)(a)(i)(bb) of that Act.

The amounts determined in this notice apply in respect of the year of assessment ending 29 February 2004.

T. A. MANUEL
MINISTER OF FINANCE

SCHEDULE

1. Unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Income Tax Act, 1962, bears the meaning so assigned.
2. The following amounts will be deemed to have been actually expended by a recipient to whom an allowance or advance has been granted or paid—
 - (a) where the accommodation to which that allowance or advance relates is in the Republic and that allowance or advance is paid or granted to defray—

- (i) incidental costs only, an amount equal to, R60 per day; or
 - (ii) the cost of meals and incidental costs, an amount equal to R196 per day; or
- (b) where the accommodation to which that allowance or advance relates is outside the Republic and that allowance or advance is paid or granted to defray the cost of meals and incidental costs, an amount equal to US\$190 per day.

No. 925

27 Junie 2003

**BEPALING VAN DAGTOELAE TEN OPSIGTE VAN ETES EN TOEVALLIGE
UITGAWES VIR DOELEINDES VAN ARTIKEL 8(1) VAN DIE
INKOMSTEBELASTINGWET, 1962 (WET NO. 58 VAN 1962)**

Kragtens die bevoegdheid aan my verleen deur artikel 8(1)(c)(ii) van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), bepaal ek, Trevor Andrew Manuel, Minister van Finansies, hiermee in die Bylae hierby die bedrae wat geag word werklik deur 'n persoon aangegaan te gewees het in 'n dag ten opsigte van etes en toevallige uitgawes by die toepassing van artikel 8(1)(a)(i)(bb) van daardie Wet.

Die bedrae in hierdie kennisgewing bepaal is van toepassing ten opsigte van die jaar van aanslag wat op 29 Februarie 2004 eindig.

T. A. MANUEL

MINISTER VAN FINANSIES

BYLAE

1. Tensy uit die samehang anders blyk, dra enige woord of uitdrukking waaraan 'n betekenis in die Inkomstebelastingwet, 1962, toegeskryf is, die betekenis aldus daaraan toegeskryf.
2. Die volgende bedrae word geag werklik deur 'n ontvanger aan wie 'n toelae of voorskot toegestaan of betaal is, aangegaan te wees—

- (a) waar die verblyf waarop die toelae of voorskot betrekking het in die Republiek is en daardie toelae of voorskot betaal of toegestaan is—
 - (i) om slegs toevallige koste te delg, 'n bedrag gelyk aan R60 per dag; of
 - (ii) om die koste van etes en toevallige uitgawes te delg, 'n bedrag gelyk aan R196 per dag; of
- (b) waar die verblyf waarop die toelae of voorskot betrekking het buite die Republiek is en daardie toelae of voorskot betaal of toegestaan is om die koste van etes en toevallige uitgawes te delg, 'n bedrag gelyk aan VSA\$190 per dag.

**SPORT AND RECREATION SOUTH AFRICA
SPORT EN REKRIASIE SUID-AFRIKA****No. 893****27 June 2003****PUBLICATION OF EXPLANATORY SUMMARY OF THE SOUTH AFRICAN
INSTITUTE FOR DRUG FREE SPORT AMENDMENT BILL**

The Minister of Sport and Recreation South Africa intends introducing the South African Institute for Drug free Sport Amendment Bill during 2003. The explanatory summary of the Bill is hereby published in accordance with Rule 241 (c) of the Rules of the National Assembly.

The Bill addresses the following issues:

To amend the South African Institute Drug-Free Sport Act, 1997 so as to delete and insert certain definitions; to reprioritise the objects of the Institute; to amend the powers and duties of the institute; to delete appeals to the Appeal Board of the Institute; and to provide for matters connected therewith.

Copies of the Bill can be obtained from:

1. Government Printers: Pretoria and Cape Town
2. Sport and Recreation South Africa
Mr. G Boshoff
Oranje Nassau Building
188 Schoeman Street
PRETORIA

Tel: (012) 334 3191

E-mail: gideon@sport1.pwv.gov.za

GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 1745 OF 2003

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), that a claim for the restitution of land rights on the following properties has been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will investigate the claim in terms of provisions of the Act in due course:

Property	:	see attached schedule
Extent of property	:	see attached schedule
Magisterial District	:	Bergville
Administrative District:	:	KwaZulu - Natal
Current Title Deed No.	:	see attached schedule
Current Owner	:	see attached schedule
Claimant	:	Zwelakhe Joseph Radebe, on behalf of the Bersig Community
Date claim lodged	:	22 December 1998
Reference number	:	KRN6/2/2/E/3/0/0/21

Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice any comments/information to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

THABI SHANGE
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	The farm Lot A 28 Winterton Settlement No. 12432	42, 0044 ha	T3943/1992	Konrad W. J. Boettiger	B20281/2001
2	The farm Lot 28 Winterton Settlement No. 12431	36, 2841 ha	T2533/1991	Michael Anthony o' Brien	B3234/1991
3	The farm Lot 29 Winterton Settlement No. 12433	36, 2775 ha	T2533/1991	Michael Anthony o' Brien	B3234/1991
4	The farm Lot 30 Winterton Settlement No. 12434	31, 4205 ha	T21560/1989	Gregory Cecil Michell	B22837/1990 B33041/1990
5	The farm Lot 31 Winterton Settlement No. 12042	27, 1140 ha	T31897/1997	Lymon Majola and Lilly Lillian Majola	None
6	The farm Lot 32A Winterton Settlement No. 14248	14, 1538 ha	T4424/1997	Lymon Majola and Lilly Lillian Majola	None
7	The farm Lot 32B Winterton Settlement No. 13600	11, 3286 ha	T20101/1995	Bonginkosi Petrus Khoza and Gloria Khethiwe Khoza	B20931/1995
8	The farm Lot 33 Winterton Settlement No. 11663	29, 7318 ha	T24507/1989	Keith Edward Horlock	B27277/1989
9	The farm Lot 34A Winterton Settlement No. 11661	14, 3582 ha	T4583/1991	Glade Farm cc	None
10	The farm lot 34B Winterton Settlement No. 11662	18, 0199 ha	T24507/1989	Keith Edward Horlock	B27277/1989
11	The farm A 34 A Winterton Settlement No. 11664	15, 1807 ha	T13429/1989	Dornford Charles Meacher and Eunice Meacher	B4484/1992
12	The farm Lot AV Winterton Settlement No. 12041	56, 7040 ha	T3943/1992	Konrad W. J. Boettiger	B20281/2001
13	Remainder of the farm Lot V Winterton Settlement No. 12040	22, 0849 ha	T19203/1985	Glenelg Trust	EX318/1986-4/8/86-19
14	Portion 2 of the farm Lot V Winterton Settlement No. 12040	12, 2327 ha	T3943/1992	Konrad W. J. Boettiger	B20281/2001
15	Portion 2 of Winterton Irrigation Board No. 12117	168, 7165 ha	T59912/2001	Craignethan Farm Trust- Trustees	K88/1968S
16	Portion 3 of Winterton Irrigation Board No. 12117	96, 5802 ha	T6837/1977	Graham Hutton Atkinson	B15005/1977
17	Portion 5 of Winterton Irrigation Board No. 12117	57, 0046 ha	T20606/1985	Oddin E. C. Freese and	B6230/1996

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
				Erika F. M. Freese	
18	Portion 6 of Winterton Irrigation Board No. 12117	102, 6558 ha	T22125/1981	Ivan H. L. Driemeyer	K1141/1989S
19	Portion 7 of Winterton Irrigation Board No. 12117	73, 0649 ha	T53009/2002	N C G Farms cc	K1172/1989S

NOTICE 1746 OF 2003**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), that a claim for the restitution of land rights on the following properties has been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will investigate the claim in terms of provisions of the Act in due course:

Property	:	see attached schedule
Extent of property	:	see attached schedule
Magisterial District	:	Pietermaritzburg
Administrative District:	:	KwaZulu - Natal
Current Title Deed No.	:	see attached schedule
Current Owner	:	see attached schedule
Claimant	:	Noel Thembinkosi Mncwabe, on behalf of the Mpushini/ Ashburton Farm Community
Date claim lodged	:	3 December 1998
Reference number	:	KRN6/2/2/E/38/0/0/79

Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice any comments/information to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

THABI SHANGE
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Erf No. 133 of Shortts Retreat Township	1, 5226 ha	T26221/1990	Monex Ltd	I-6678/2001LG
2	Erf No. 134 of Shortts Retreat Township	1082 sqm	T26221/1990	Monex Ltd	I-6678/2001LG
3	Erf No. 135 of Shortts Retreat Township	1568 sqm	T26221/1990	Monex Ltd	I-6678/2001LG
4	Remainder of Erf 218 of Shortts Retreat Township	279, 8922 ha	T18039/2002	Sarkum Projects (Pty) Ltd	I-2626/1994C-12/4/19
5	Erf 308 of Shortts Retreat Township	800 dum	T4460/1967	Transnet Ltd	I-2472/1981LG I-6678/2001LG
6	Erf No. 402 of Shortts Retreat Township	1626 sqm	T3761/1977	Transnet Ltd	I-2472/1981LG I-6678/2001LG
7	The farm Peppertrees No. 15584	8, 7899 ha	T26209/1989	William Desmond Fosse	B29159/1989 B30736/1994
8	Remainder of the farm Uitvlucht No. 858	173, 5403 ha	T16863/1988	Ashley David Price	B20053/1988 K530/1996S K746/1984S
9	Remainder of Portion 3 of the farm Uitvlucht No. 858	56, 7841 ha	T6126/1987	Gert Cornelius Engelbrecht	None
10	Portion 5 of the farm Uitvlucht No. 858	100, 9641 ha	T11612/2000	Victor Willem Hugo	B23226/2000 B32418/2001 B7443/2001
11	Remainder of Portion 10 of the farm Uitvlucht No. 858	28, 2464 ha	T2655/1998	Willy Olsen Trust-Trustees	None
12	Remainder of Portion 11 of the farm Uitvlucht No. 858	7, 3202 ha	T26111/1983	Vincent Frederick Janse van Rensburg	B24763/1983
13	Portion 14 of the farm Uitvlucht No. 858	7702, 9 sqm	T2177/1916	Transnet Ltd	I-3711/1975LG
14	Portion 15 of the farm Uitvlucht No. 858	2, 9496 ha	T2177/1916	Transnet Ltd	I-3711/1975LG

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
15	Portion 19 of the farm Uitvlucht No. 858	13, 0140 ha	T6642/1966	Transnet Ltd	I-3711/1975LG
16	Portion 20 of the farm Uitvlucht No. 858	6, 3979 ha	T15260/1965	Transnet Ltd	I-3711-1975LG
17	Portion 48 of the farm Uitvlucht No. 858	1312 sqm	T10141/1993	Transnet Ltd	None
18	Portion 50 of the farm Uitvlucht No. 858	4856 sqm	T10141/1993	Transnet Ltd	None
19	Portion 51 of the farm Uitvlucht No. 858	893 sqm	T10141/1993	Transnet Ltd	None
20	Remainder of the farm Bushy Park No. 13150	120, 6300 ha	T29931/1993	Rosemary H. Austen Wessels	B2503/1992
21	Remainder of Portion 1 of the farm Bushy Park No. 13150	93, 9514 ha	T16746/1965	David Charles Arnold	B19522/1991 B25020/1983 B585/1985 B916/1981 K220/1979S K229/1996S K654/1979S
22	Portion 3 of the farm Bushy Park No. 13150	248, 0965 ha	T298/1987	Norma Jean Spies	K14/1987S K731/1989S
23	Remainder of Portion 4 of the farm Bushy Park No. 13150	800 dum	T26647/1992	Saxon James Murray	I-707/1994C-31/1/199 K1029/1992S K801/1990S
24	Portion 12 of the farm Bushy Park No. 13150	3, 6028 ha	T4789/1968	Transnet Ltd	None
25	Portion 13 of the farm Bushy Park No. 13150	5, 8938 ha	T10163/1966	Transnet Ltd	None
26	Portion 16 of the farm Bushy Park No. 13150	35, 9084 ha	T29931/1990	Rosemary H. Austen Wessels	B2503/1992
27	A portion of the consolidated Remainder of Erf No. 1 of the Township of Bellevue, previously known as a Portion of the consolidated Remainder of the farm Bellevue No. 14681, known before consolidation as	30, 5541 ha	T12169/1995	Bellevue Trust-Trustees	I-6711/2001LG K250/1990S K367/1983S K867/1993S

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
	Portion 13 of the farm Ockertskraal No. 1336				
28	Remainder of Portion 82 of the farm Ockertskraal No. 1336	521, 6397 ha	T8543/1987	Natal Racing Properties (Pty) Ltd	EX527/1989-21/9/989 K397/1987S K641/1984S
29	Portion 83 of the farm Ockertskraal No. 1336	40, 8739 ha	T8543/1987	Natal Racing Properties (Pty) Ltd	EX527/1989-21/9/989
30	Remainder of Portion 233 of the farm Ockertskraal No. 1336	146, 0753 ha	T20343/1992	Stevens Prop Trust-Trustees	B26276/1999 K1113/1996S
31	Portion 234 of the farm Ockertskraal No. 1336	100, 6259 ha	T8575/1999	Jalltri (Pty) Ltd	B3068/1985
32	Remainder of Portion 5 of the farm Vaalkop & Dadelfontein No. 885	16, 1740 ha	T23856/1995	Gilbert George Jooste and Philicity Lorraine Jooste	I-11813/1998C I-11813/1998C I-5665/1997AT-3246/9 I-6557/1997C-8/7/199 I-6557/1997C-8/7/199 B24546/1996 K672/1996S
33	Portion 7 of the farm Vaalkop & Dadelfontein No. 885	8, 0937 ha	T1661/1976	Colin Ewan Buchanan	K1275/2002S K227/1996S
34	Remainder of Portion 17 of the farm Vaalkop & Dadelfontein No. 885	800 dum	T1347/1898	Joseph Watson	I-7538/1987LG EX416/1985-12/9/85-1
35	Remainder of Portion 19 of the farm Vaalkop & Dadelfontein No. 885	48, 3428 ha	T5175/1960	Kenneth F. J. Hardman	K1490/1984S
36	Remainder of Portion 22 of the farm Vaalkop & Dadelfontein No. 885	800 dum	T10497/1975	Kingfisher Estates (Pty) Ltd	K369/1996S
37	Portion 176 of the farm Vaalkop & Dadelfontein No.	67, 9872 ha	T21383/1997	Ashburton Quarry Products	VA1984/2002

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
	885			cc	
38	Portion 219 of the farm Vaalkop & Dadelfontein No. 885	26, 6153 ha	T52531/2002	Ithala Dev Finance Corp Ltd	K312/1979S
39	Portion 222 of the farm Vaalkop & Dadelfontein No. 885	2, 0284 ha	T64328/2000	Ray Arnold Magnussen	None
40	Portion 223 of Portion 15 of the farm Vaalkop & Dadelfontein No. 885	1, 5074 ha	T64328/2000	Ray Arnold Magnussen	None
41	Portion 225 of the farm Vaalkop & Dadelfontein No. 885	7288, 9 sqm	T1568/1916	Transnet Ltd	I-7538/1987LG
42	Portion 226 of the farm Vaalkop & Dadelfontein No. 885	3812 sqm	T1568/1916	Transnet Ltd	I-7538/1987LG
43	Portion 233 of the farm Vaalkop & Dadelfontein No. 885	1, 0862 ha	T2521/1916	Transnet Ltd	I-7538/1987LG
44	Portion 270 of the farm Vaalkop & Dadelfontein No. 885	1, 3842 ha	T6591/1964	Barry Michael Stead	I-7538/1987LG
45	Portion 313 of the farm Vaalkop & Dadelfontein No. 885	8471 sqm	T803/1954	South African Roads Board	I-7538/1987LG
46	Portion 314 of the farm Vaalkop & Dadelfontein No. 885	1, 1170 ha	T803/1954	South African Roads Board	I-7538/1987LG
47	Portion 315 of the farm Vaalkop & Dadelfontein No. 885	272 sqm	T803/1954	South African Roads Board	I-7538/1987LG
48	Portion 316 of the farm Vaalkop & Dadelfontein No. 885	2, 5684 ha	T7446/1981	South African Roads Board	None
49	Remainder of Portion 340 of the farm Vaalkop & Dadelfontein No. 885	2, 5486 ha	T2493/1961	South African Roads Board	I-7538/1987LG

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
50	Portion 351 of the farm Vaalkop & Dadelfontein No. 885	1367 sqm	T2493/1961	South African Roads Board	None
51	Portion 352 of the farm Vaalkop & Dadelfontein No. 885	5970 sqm	T115/1960	South African Roads Board	None
52	Remainder of Portion 356 of the farm Vaalkop & Dadelfontein No. 885	25, 2273 ha	T4816/1983	Kenneth F. J. Hardman	None
53	Portion 367 of the farm Vaalkop & Dadelfontein No. 885	1744 sqm	T4004/1978	Republic of South Africa	I-7538/1987LG
54	Remainder of Portion 370 of the farm Vaalkop & Dadelfontein No. 885	2, 6184 ha	T32318/1993	Athamanand Maharaj and Romilla Devi Maharaj	None
55	Remainder of Portion 371 of the farm Vaalkop & Dadelfontein No. 885	800 dum	T18671/1979	George Leslie Smith	I-7538/1987LG
56	Portion 374 of the farm Vaalkop & Dadelfontein No. 885	7780 sqm	T10339/1968	South African Roads Board	None
57	Portion 375 of the farm Vaalkop & Dadelfontein No. 885	3, 2976 ha	T5082/1974	Transnet Ltd	I-7538/1987LG
58	Portion 376 of the farm Vaalkop & Dadelfontein No. 885	150 sqm	T5083/1974	Transnet Ltd	I-7538/1987LG
59	Portion 377 of the farm Vaalkop & Dadelfontein No. 885	513 sqm	T9705/1974	Transnet Ltd	I-7538/1987LG
60	Portion 378 of the farm Vaalkop & Dadelfontein No. 885	3, 4757 ha	T9705/1974	Transnet Ltd	I-7538/1987Lg
61	Portion 379 of the farm Vaalkop & Dadelfontein No. 885	14160 sqf	T7556/1966	Transnet Ltd	I-7538/1987LG
62	A portion of the consolidated Portion 709 of the	2636 sqm	T36005/1197	Mzungezi Nicholas Busane	B31365/1997

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
	farm of the farm Vaalkop & Dadelfontein No. 885, known before consolidation as the Remainder of Portion 403 of the farm Vaalkop & Dadelfontein No. 885			and Edner Mfuthi Busane	
63	Remainder of Portion 592 of the farm Vaalkop & Dadelfontein No. 885	23, 6407 ha	T10837/1975	Edmore Farms cc	K336/1988S
64	Remainder of Portion 593 of the farm Vaalkop & Dadelfontein No. 885	1, 0207 ha	T59357/2002	Norma Mchattie	None
65	Portion 599 of the farm Vaalkop & Dadelfontein No. 885	1, 1548 ha	T34537/2002	South African National Roads Agency Ltd	None
66	Portion 605 of the farm Vaalkop & Dadelfontein No. 885	1347 sqm	T35058/2002	South African National Roads Agency Ltd	None
67	Portion 617 of the farm Vaalkop & Dadelfontein No. 885	815 sqm	T7446/1981	South African Roads Board	None
68	Portion 619 of the farm Vaalkop & Dadelfontein No. 885	15, 9357 ha	T24338/1992	Kim Stephens	B27664/2002 B33798/1992 B37399/1994 K232/1996S
69	Remainder of Portion 620 of the farm Vaalkop & Dadelfontein No. 885	50, 9413 ha	T64328/2000	Ray Arnold Magnussen	K1072/2002S K216/1996S
70	Portion 621 of the farm Vaalkop & Dadelfontein No. 885	35, 9328 ha	T6664/1988	Edmore Farms cc	None
71	Portion 629 of the farm Vaalkop & Dadelfontein No. 885	2786 sqm	T19823/1985	South African Roads Board	None
72	Portion 630 of the farm Vaalkop & Dadelfontein No.	3459 sqm	T12744/1984	South African Roads Board	None

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
	885				
73	Portion 635 of the farm Vaalkop & Dadelfontein No. 885	333 sqm	T17399/1984	South African Roads Board	None
74	Portion 636 of the farm Vaalkop & Dadelfontein No. 885	1767 sqm	T17399/1984	South African Roads Board	None
75	Portion 638 of the farm Vaalkop & Dadelfontein No. 885	1, 9828 ha	T12043/1984	South African Roads Board	None
76	Remainder of Portion 660 of the farm Vaalkop & Dadelfontein No. 885	18, 2980 ha	T6660/1988	Kenneth F. J. Hardman	None
77	Remainder of Portion 662 of the farm Vaalkop & Dadelfontein No. 885	29, 6492 ha	T6670/1988	Kenneth F. J. Hardman	None
78	Portion 664 of the farm Vaalkop & Dadelfontein No. 885	50, 3417 ha	T6668/1988	Edmore Farms cc	None
79	Portion 666 of the farm Vaalkop & Dadelfontein No. 885	9354 sqm	T28269/1995	Harwin Ayliff James	K824/1995S
80	A portion of the consolidated Portion 709 of the farm of the farm Vaalkop & Dadelfontein No. 885, known before consolidation as Portion 667 of the farm Vaalkop & Dadelfontein No. 885	1986 sqm	T36005/1197	Mzungezi Nicholas Busane and Edner Mfuthi Busane	B31365/1997
81	Portion 669 of the farm Vaalkop & Dadelfontein No. 885	1088 sqm	T3888/1987	Republic of South Africa	I-7538/1987LG
82	Portion 696 of the farm Vaalkop & Dadelfontein No. 885	2 sqm	T27198/1997	Transnet Ltd	None
83	Portion 699 of the farm Vaalkop & Dadelfontein No. 885	83 sqm	T7944/1993	Transnet Ltd	None

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
84	Portion 704 of Portion 5 of the farm Vaalkop & Dadelfontein No. 885	1153 sqm	T24823/1998	Transnet Ltd	None
85	Portion 705 of the farm Vaalkop & Dadelfontein No. 885	619 sqm	T18892/1997	Transnet Ltd	None
86	Portion 706 of Portion 5 of the farm Vaalkop & Dadelfontein No. 885	1387 sqm	T24824/1998	Transnet Ltd	None
87	Portion 707 of Portion 5 the farm Vaalkop & Dadelfontein No. 885	647 sqm	T24822/1998	Transnet Ltd	None
88	Portion 708 of the farm Vaalkop & Dadelfontein No. 885	68 sqm	T9923/1993	Transnet Ltd	None
89	Portion 709 of the farm Vaalkop & Dadelfontein No. 885	4622 sqm	T36005/1997	Mzungezi Nicholas Busane and Edner Mfuthi Busane	B31365/1997

NOTICE 1752 OF 2003
NATIONAL DEPARTMENT OF AGRICULTURE

PUBLICATION OF DRAFT AGRICULTURAL PRODUCE AGENTS BILL, 2003
FOR COMMENT

The draft Agricultural Produce Agents Bill, 2003, is hereby published for comment.

Interested persons are hereby invited to furnish written comments and representations concerning the draft Bill within four weeks after publication hereof to the National Department of Agriculture at the following addresses:

- (a) if forwarded by post:

Head: Legal Services
National Department of Agriculture
Private Bag X250
PRETORIA
0001
(For attention: T A Maphoto)

- (b) if delivered by hand, be delivered to:

Head: Legal Services
National Department of Agriculture
Agriculture Building Room F-FF-15
20 Beatrix Street
Arcadia, PRETORIA
(For attention: T A Maphoto)

- (c) if sent by facsimile, be transmitted to:

Fax number: (012) 325 7391
(For attention: T A Maphoto)

- (d) if submitted by electronic mail, be transmitted in Ms Word 2000 format to:

hls@nda.agric.za

- (e) It is the incumbent upon the sender to ensure that such comments are received.

A copy of the Bill may be requested via electronic mail from christat@nda.agric.za.

Draft

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PRODUCE AGENTS AMENDMENT BILL, 2003

(TO BE INTRODUCED)

MINISTER FOR AGRICULTURE AND LAND AFFAIRS

(B -2003)

DEPARTEMENT VAN LANDBOU

WYSIGINGS WETSONTWERP OP LANDBOUPRODUKTE-AGENTE, 2003

(OM INGEDIEN TE WORD)

MINISTER VAN LANDBOU EN GRONDSAKE

(W -2003)

NOTE [] Words in bold type in square brackets indicate omissions from existing enactments.

— Words underlined with a solid line indicate insertions in existing enactments.

BILL

To further define certain definitions in the Agricultural Produce Agents Act, 1992; to amend the constitution of the council regulating the professions of fresh produce agent, livestock agents and export agents, to amend the existing Act in so far as certain provisions only relate to fresh produce agents; to provide for the extension of the jurisdiction of the council to export agents, to enhance the regulating authority of the council; and for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows :--

Amendment of section 1 of Act 12 of 1992

1. Section 1 of the Agricultural Produce Agents Act, 1992 (hereinafter referred to as the principal Act), is hereby amended –

(a) by the substitution for the definition of “agent “ of the following definition:

“agent” means a person who, for the acquisition of gain on his own account or in a partnership, in any manner holds himself out as a person who, or directly or indirectly advertises that he, on the instructions of or on behalf of any other person, purchases or sells agricultural produce or negotiates in connection therewith or canvasses or undertakes or offers to canvass a purchaser or seller therefor, **[, but excluding-**

(a) a control board as defined in section 1 of the Marketing Act, 1968 (Act 59 of 1968), which in terms of a scheme likewise defined, purchases and sells an agricultural product to which such scheme relates;

(b) a person who, in the course of his agency, purchases and sells the agricultural product on behalf of a control board referred to in paragraph (a); and

(c) a local authority as defined in section 84 (1) (f) of the Provincial Government Act, 1961 (Act 32 of 1961), which sells an agricultural product entrusted to an agent as defined above, on behalf of that agent at an auction];

- (b) by the substitution for the definition of "agricultural product" of the following definition:

"agricultural product" means an article specified in Part A or B of Schedule 1 or any article added thereto under subsection (2) of this section; "

- (c) by the deletion of the definition of "building society";

- (d) by the insertion of the following definitions after the definition of "close corporation":

"consumer" means a consumer of an agricultural product;

'court' means a court of the provincial or local division of the High Court of South Africa having jurisdiction or a judge of any such court and for purposes of section 27(5) shall also include a Magistrate as defined in the Magistrates' Court's Act, 1944 (Act No. 32 of 1944);

- (e) by the insertion of the following definitions after the definition of "court":

"department" means the Department of Agriculture in the national government;

'export agent' means an agent acting as such with regard to any agricultural product specified in Part A of Schedule 1 intended for export; "

- (f) by the substitution for the definition of "fresh produce agent" of the following definition:

"fresh produce agent" means an agent acting as such with regard to any agricultural product specified in Part A of Schedule 1 on the basis that the risk of profit or loss at all times remains with the principal, and --

(a) for purposes of section 3 (1) (a), includes any director of a company, trustee of a trust or a member of a close corporation which is a fresh produce agent as defined in paragraph (a);

(b) for purposes of sections 12(5), 13(3)(b), 13(3)(c), 13(3)(d), 13(4), 14(5)(a), 16(4)(a), 16(4)(f), 16(6), 22, 23, 24, 25, 26, 27 and 30, includes-

(i) any director of a company, or a member of a close corporation or a trustee of a trust which is a fresh produce agent as defined in paragraph (a); and

(ii) any person who is employed by a fresh produce agent and performs on his behalf any act referred to above.

(g) by the substitution for the definition of "fund" of the following definition:

"fund", [in relation to -

(a) **fresh produce agents,**] means the fresh produce agents fidelity fund referred to in section 12 (2);

[(b) **livestock agents,** means the **fidelity fund** referred to in section 12 (3);]";

(h) by the substitution for the definition of "livestock agent" of the following definition:

"livestock agent" means an agent acting as such with regard to any agricultural product specified in Part B of Schedule 1; and for purposes of section 3 (1) (b), includes any director of a company, trustee of a trust or a member of a close corporation which is a livestock agent.";

- (i) by the deletion of the definition of "officer";
- (j) by the insertion of the following definition after the definition of "Minister":

"person" includes any legal entity unless the context otherwise indicates." ;

- (k) by the insertion of the following definition after the definition of "registrar":

"registration certificate" means a registration certificate issued by the Agents Council in terms of section 16."

Substitution of section 3 of Act 12 of 1992

2. The following section is hereby substituted for section 3 of the principal Act:

"3. Constitution of council.

(1) The Minister shall for a maximum period of three years appoint as members of the Agricultural Produce Agents Council --

(a) two persons representing producers of the products set out in Part A of Schedule 1;

(b) two persons representing producers of the products set out in Part B of Schedule 1;

- (c) three persons representing fresh produce agents;
- (d) three persons representing livestock agents;
- (e) three persons representing export agents;
- (f) two persons representing consumers; and
- (g) one person representing the department.
- (2) The registrar shall *ex officio* be a member of the council.
- (3) A retiring member shall be eligible for re-appointment.
- (4) (a) If a member of a council ceases to hold office for any reason and vacates his office, the Minister may appoint a person in his place for the unexpired part of the term of office of the vacating member.

(b) The existing council shall, in the event of the Minister not having appointed a new council on their term of office expiring, continue in office until a new council has thus been appointed.
- (7) A member of the council other than the registrar and a member referred to in subsection (1)(g) shall be paid for his services such remuneration or allowances from the funds of the council, as the council may determine.
- (8) Nobody shall be appointed as a member of the council if-

 - (a) he is not a South African citizen resident in South Africa;
 - (b) he is an unrehabilitated insolvent in respect of whom the trustee of the insolvent estate has not certified that the insolvent is a fit and proper person to serve as member of the council;

- (c) he has failed or is unable to comply in full with a judgment or order, including an order as to costs, given against him by a court of law in civil proceedings;
- (d) he has been convicted of an offence involving an element of dishonesty or has been sentenced for any other offence to a period of imprisonment; or
- (e) he is of unsound mind."

Substitution for section 4 of Act 12 of 1992

3. Section 4 of the principal Act is hereby amended –

- (a) by the substitution for paragraphs (a),(c), (d) and (f) for the following paragraphs:

"(a) he becomes subject to any disqualification referred to in section 3 **[3]** **[8]**;

(b) **[c]** he has been absent from more than two consecutive meetings of the council without the leave of the council;

(c) **[d]** he resigns as a member of the council and has notified the registrar in writing of his resignation;

(d) **[f]** in the opinion of the Minister, after consultation with the other members of the council, he is no longer fit to serve on the council, or;

(e) in the case of the registrar, he is no longer employed by the council." and

- (b) by the deletion of paragraphs (b) and (e).

Substitution of section 5 of Act 12 of 1992

4. The following section is hereby substituted for section 5 of the principal Act:

"5. Chairperson of council.

(1) The Minister shall designate a chairperson for the council from the members contemplated in section 3 (1).

(2) When the chairperson is absent or is unable to perform his duties, the members of the council shall from among their number elect a person to act as chairperson until the chairperson is able to resume his duties or until a new chairperson is designated by the Minister.

(3) A person whose term of office as chairperson has expired through effluxion of time shall be eligible for re-election to this office: Provided that no person shall serve as chairperson for more than six consecutive years."

Substitution of section 6 of Act 12 of 1992

5. The following section is hereby substituted for section 6 of the principal Act:

"6. Meeting and decisions of council.

"(1) The council shall meet at such times and places as the chairperson may from time to time determine.

(2) The chairperson of the council may at any time convene an extraordinary meeting of the council to be held at a time and place determined by him and shall, upon a written request signed by not less than three members of the council, convene an extraordinary meeting thereof to be held within two weeks after the date of receipt of such request, at a time and place determined by him.

(3) The person presiding at a meeting of the council shall determine the procedure at that meeting.

(4) (a) The quorum for a meeting of the council shall be a majority of all its members.

(b) The decision of a majority of the members of the council present at a meeting thereof shall constitute a decision of the council.

(c) In the event of an equality of votes on any matter the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(5) No decision taken by the council or act performed under the authority of the council shall be invalid by reason only of a casual vacancy on the council or of the fact that any person not entitled to sit as a member of the council, sat as such a member at the time the decision was taken or the act was authorized, if the decision was taken or the act was authorized by the majority of the members of the council who were present at the time and entitled to sit as members of the council."

Amendment of section 7 of Act 12 of 1992

6. Section 7 of the principal Act is hereby amended by –

(1) the substitution for paragraphs (a) and (b) of subsection (1) of the following paragraphs:

"(a) There shall be **[two]** three executive committees of the council which shall deal with matters relating to the occupation of export agent, fresh produce agent and livestock agent, respectively.

(b) The executive committees shall consist of the members of the council referred to in paragraphs (c) to (e) of section 3(1), respectively [(b)(1) and (c), and paragraphs (b)(ii) and (d), respectively, of section 3(1).;”];and

(2) the deletion of paragraph (d) of subsection (1).

Substitution of section 8 of Act 12 of 1992

7. The following section is hereby substituted for section 8 of the principal Act:

“8. Registrar

(1) The work incidental to the performance of the functions of the council and its committees shall be performed by the Registrar, who shall be appointed by the council after consultation with the Minister.

(2) The registrar -

(a) may delegate or assign to a person appointed or designated by him any power or duty conferred or imposed upon him by or under this Act

;

(b) is responsible for -

(i) the implementation of policy, rules and the code of conduct determined by the council in accordance with this Act;

(ii) the day-to-day administrative functioning of the council, including the registration of agents with the council, the keeping of records of account, inspections and investigations into the affairs of agents and the institution and conducting of disciplinary or other proceedings against agents; and

(iii) reporting to the council on his activities in terms of sub-paragraphs (i) and (ii);

(c) shall be appointed on such terms and conditions as the council may decide".

Substitution of section 9 of Act 12 of 1992

8. The following section is hereby substituted for section 9 of the principal Act:

"9. Objects of council.

(1) The objects of the council shall be to regulate the occupations of fresh produce, export and livestock agents and to maintain and enhance the status and dignity of that occupation and the integrity of persons practicing that occupation, and accordingly -

(a) formulate policy;

(b) establish rules;

(c) establish codes of conduct;

(d) ensure that the registrar exercises or performs his powers, duties or functions and delegate or assign the necessary powers, duties and functions to him to ensure the attainment of the objectives of this Act.

(2) Any member of the council-

(a) shall act in a justifiable and transparent manner whenever the exercise of his discretion is required;

(b) shall at all times act in the interest of the council and not in his own or sectoral interests;

(c) shall act independently of any outside influence or instruction;

(d) may not participate in any matter in which he has an interest which would preclude him from exercising his powers or performing his duties and functions in a fair, unbiased and proper manner."

Substitution of section 10 of Act 12 of 1992

9. Section 10 of the principal Act is hereby amended by the substitution for paragraphs (a), (b) and (c) for the following paragraphs:

"(a) to perform any functions in connection with **[agents]** fresh produce, export and livestock agents entrusted to the council by this Act or any other law;

(b) **[to gather information in connection with agents and persons applying for the issue of fidelity fund certificates;]** to exercise any power, duty or function assigned or entrusted to it under this Act or delegate or assign any of its powers, duties or functions to the registrar;

(c) to hire, purchase or otherwise acquire such movable or immovable property or such interest in movable or immovable property as the council may deem necessary for the effective performance of its functions, and to let, encumber, sell or otherwise dispose of property so purchased or acquired; and"

Amendment of section 11 of Act 12 of 1992

10. Section 11 of the principal Act is hereby amended –

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

"(b) all other **[money]** moneys which may accrue to the council from any other source."; and

- (b) by the addition of the following subsection after subsection (2):

"(3) The council may, subject to such terms and conditions as it may deem fit -

(a) make grants with regard to -

(i) research in fields of activity relevant to the business of agents in general;

(ii) the maintenance and promotion of the standard of conduct of agents in general;

(iii) the maintenance and promotion of the training standards of agents in general;

(b) pay an honorarium or remuneration to any person or institution for services with the object of enhancing the standard of conduct of agents in general, rendered at the request of the council; and

(c) utilise such amount as it may determine for the purposes of -

(i) advertising and promoting the services and facilities offered by agents in general; or

(ii) promoting public awareness in respect of matters relating to the purchase of agricultural produce referred to in Part A or B of Schedule 1.

(4) The council may at any time revoke any grant referred to in subsection (3)(a). ; and

- (c) by the substitution for subsections (3) to (10) of the following subsections:

(5) The council shall open an account at a deposit-taking institution, and shall deposit all moneys referred to in subsection (1) therein.

(6) The council may invest any moneys deposited by it in an account in terms of subsection (3) and which are not required for immediate use.

(7) The financial year of the council shall end on the 31 st of December in each year.

(8) The council shall, at least three months prior to the start of its financial year provide to the Minister for his information, a business plan of the forthcoming financial year containing at least –

(a) the budget of the council for that forthcoming year;

(b) particulars about any training, promotional or other activities that the council plans to undertake during that year;

(c) such other particulars as the Minister may request.

(9) The council shall-

(a) cause accounting records to be kept of all moneys received or expended by it, and of all its assets, liabilities and financial transactions; and

(b) as soon as possible, but not later than three months after the end of each financial year, cause annual financial statements to be prepared showing, with all the appropriate particulars, the money received and the expenditure incurred by it during, and its assets and liabilities at the end of, that financial year;

(10) The records and annual financial statements referred to in subsection (6) shall be audited by an auditor appointed by the council.

(11) The council shall within six months of the end of each financial year submit to the Minister a copy of the audited annual financial statements referred to in subsection (6) (b), together with a report on the activities of the council during that financial year.

(12) Copies of the annual financial statements and of the report referred to in subsection (11) shall-

(a) be open to public inspection at the office of the council during office hours; and

(b) be obtainable from the council against payment of the amount determined therefor by the council.

(13) The functions of the council in terms of this section may be performed separately in respect of fresh produce agents, export agents and livestock agents."

Substitution of section 12 of Act 12 of 1992

11. The following section is hereby substituted for section 12 of the principal Act:

"12. Establishment and control of fidelity **[funds]** fund.

(1) It **[are]** is hereby established **[two funds]** a fund to be known as the Fresh Produce Agents Fidelity Fund **[and the Livestock Agents Fidelity Fund, respectively]**.

(2) The Fresh Produce Agents Fidelity Fund shall consist of-

(a) money in the fidelity guarantee fund established under section 27 of the Agricultural Produce Agency Sales Act, 1975 (Act 12 of 1975);

(b) each amount which is immediately prior to the commencement of this section payable to or on the account of the fund referred to in paragraph (a), and is paid on or after such date of commencement;

(c) money paid to or on account of the [said] fund in terms of subsection (4) by fresh produce agents;

(d) money recovered by or on behalf of the [said] fund in terms of this Act;

[(e) money received by the said fund by virtue of a contract of insurance referred to in section 15;]

(e) [(f)] income derived from the investment of money in the [said] fund; and

(f) [(g)] any other money accruing to the [said] fund from any other source.

[(3) The Livestock Agents Fidelity Fund shall consist of-

(a) money paid to or on account of the said fund in terms of subsection (4) by livestock agents;

(b) money recovered by or on behalf of the said fund in terms of this Act;

(c) money received by the said fund by virtue of a contract of insurance referred to in section 15;

(d) income derived from the investment of money in the said fund; and

(e) any other money accruing to the said fund from any other source.]

(3) **[(4)]**(a) Each fresh produce agent other than a person employed by such an agent **[who is the holder of a fidelity fund certificate]** shall annually before or on a date determined by the council **[for this purpose]**, pay to the council for the account of the **[applicable]** fund an amount calculated on such basis or in such manner as the council may determine.

(b) A determination by the council in terms of paragraph (a) shall be made with due regard to the purpose for which the fund **[concerned]** has been established, as well as the present assets and future obligations of that fund.

(4) **[(5)]**(a) Subject to the provisions of this Act, **[The funds are]** the fund is established to **[compensate]** reimburse producers **[persons in accordance with the provisions of this Act]** for **[monetary]** direct losses suffered by them as a result of **[the failure of]** -

(i) **[commission agents as defined in section 1 of the Agricultural Produce Agency Sales Act, 1975, who were members of the fidelity guarantee fund referred to in subsection (2) (a) of this section prior to the commencement of this section, to comply with the provisions of the said Act and the regulations made thereunder;and]** theft, committed by a fresh produce agent of any money or agricultural produce entrusted by or on behalf of the producers thereof to him in his capacity as a fresh produce agent; and

(ii) **[agents who are in possession of valid fidelity fund certificates, to comply with the provisions of this Act and the rules]** dishonest conduct by a fresh produce agent in so far as such conduct relates to agricultural produce.

[(b) Compensation in terms of paragraph (a) shall-

(i) only be payable from the fund referred to in subsection (2) if it relates to an agricultural product specified in Part A of Schedule 1; and

(ii) only be payable from the fund referred to in subsection (3) if it relates to an agricultural product specified in Part B of Schedule 1.]

(b) [(c)] Notwithstanding the provisions of paragraph (a), the Minister may, if he is of the opinion that the balance of the [a particular] fund is sufficient to meet the obligations contemplated in that paragraph, approve that such portion of the income referred to in subsections (2) (f) and 3 (d) as may be determined by him, be made available to the council for utilization as contemplated in section 11 (2).

(5) [(6)] The [funds] fund shall be controlled and administered by the council in accordance with the provisions of this Act.

[(7) The council shall open separate accounts with a deposit-taking institution or building society in which the money in the funds is to be kept.]

(6) [(8)] The council may invest any money in the [funds] fund not required for immediate use at a deposit-taking institution.

(7) [(9)] The financial year of the [funds] fund shall terminate on such date in each year as the council may determine.

(8) [(10)] No provision of any law relating to insurance shall apply in respect of the [funds] fund.

(9) [(11)] The provisions of section 11 (6), (7), (8) and (9) shall *mutatis mutandis* apply to the [funds] fund."

Substitution of section 13 of Act 12 of 1992

12. The following section is hereby substituted for section 13 of the principal Act:

"13. Payments out of **[funds]** fund.

(1) Subject to the provisions of this Act, the **[applicable]** fund shall be utilized for-

(a) all claims against the fund referred to in section 14 and paid by the council or allowed or established against the fund **[concerned]**;

(b) **[compensation,]** in the discretion of the council, a contribution towards expenses incurred by [to] a claimant for **[expenses incurred in respect of proof of]** establishing his claim;

(c) legal and accounting costs incurred in, and other expenses arising from, the investigation and defence of a claim made against the fund;

[(d) premiums in respect of contracts of insurance entered into by the council in terms of section 15;]

(d) **[(e)]** the costs incidental to the control and administration of the fund, including allowances and remuneration paid for this purpose to members of the council and a committee of the council, the registrar and the persons referred to in section 8 (2); and

(e) **[(f)]** other payments required or permitted to be made out of the fund in terms of this Act.

(2) Notwithstanding any other Act to the contrary, the council may in its discretion pay an amount out of the **[applicable]** fund as interest on the amount of any **[judgment obtained against the fund or of any]** claim admitted against the fund **[admitted]**: Provided that-

(a) the interest shall not run from a date earlier than the date on which the claim [concerned] was lodged in writing with the council in terms of subsection (3) (a) (i); and

(b) the rate of interest shall not exceed the prevailing rate of interest prescribed under section 1 (2) of the Prescribed Rate of Interest Act, 1975 (Act 55 of 1975).

(3) Notwithstanding **[the provisions of subsection (1),]** any other provision, no person shall have any claim against **[a]** the fund-

(a) unless the claimant-

(i) has lodged it in writing with the council within six months after he became aware of the loss **[concerned]**, or by the exercise of reasonable care could have become aware thereof; and

(ii) has within three months after having been requested thereto in writing by the council, furnished the council with such proof of that loss as the council may reasonably require; and

(b) if the claimant **[--**

(i)] is a partner, manager, representative, agent, employee or member of the **[family]** household of the fresh produce agent whose **[omission or alleged omission]** conduct as referred to in section 12(4) has caused the loss [concerned];

[(ii) in the case of an agent who is a company or co-operative, is a director of that company or co-operative;

(iii) in the case of an agent who is a close corporation, is a member of that close corporation.]

- (c) as a result of the conduct, as referred to in section 12(4), of a fresh produce agent whose fidelity has been guaranteed by any person, either in general or in respect of the particular transaction, to the extent to which it is covered by the guarantee;
 - (d) as a result of the conduct, as referred to in section 12(4), of a fresh produce agent, after such claimant has received a written notification from the registrar warning him against the employment or continued employment of such fresh produce agent.
- (4) A claim for reimbursement as contemplated in section 12(4) shall be limited, in the case of money entrusted to a fresh produce agent, to the amount actually handed over, without interest, and, in the case of agricultural produce, to an amount equal to the average market value of such produce at the date when written demand is first made for its delivery, or if there is no average market value, the fair market value as at that date, without interest.

Substitution of section 14 of Act 12 of 1992

13. The following section is hereby substituted for section 14 of the principal Act:

"14. Claims against [funds] fund and actions against council

- (1) A claim for the reimbursement from [a] the fund of a monetary loss that arose under the circumstances set out in section 12 (5) shall, subject to the provisions of section 13 (3), be lodged with the council.
- (2) If the council admits such a claim, a payment shall be made to the claimant [concerned] in accordance with the provisions of section 13 (1): Provided that the amount of such payment shall not be more than the difference between the amount of the loss suffered by the claimant [concerned], and the amount or value of all moneys or other benefits received or entitled to be received by that claimant whether gratuitously or otherwise, from any other source.

(3) If the council rejects a claim, an action in respect of that claim may be instituted against the council in the court within whose jurisdiction the **[cause of the claim arose]** principal place of business of the council is situated, provided that –

(a) the claimant has, **[in the opinion of the council,]** exhausted all legal remedies against the fresh produce agent in respect of whom the claim arose or

(b) with leave of the council such action may be instituted before all legal remedies against the said agent have been exhausted.

(4) In any action against the council **[in respect of a fund,]** all defences which would have been available to the fresh produce agent in respect of whom the claim arose, shall be available to the council.

(5) When the council settles in full or in part any claim under this Act-

(a) there shall pass to the council, to the extent of such settlement, all the rights and remedies of the claimant in respect of such claim against the fresh produce agent **[concerned or any other person]** or, if applicable, in the case of the death, insolvency or other legal incapacity of such fresh produce agent **[or other person]**, against the estate of the said fresh produce agent **[or other person]** ; and

(b) the council may use any security furnished by or on behalf of [an] a fresh produce agent in terms of section 17, to reimburse the fund **[concerned]** for the amount for which the claim **[concerned]** was settled.

(6) (a) The council may in its discretion decide on the order in which claims admitted by the council or awarded by the court shall be paid out of the **[applicable]** fund.

- (b) If, at any time the amount to the credit of **[a]** the fund is insufficient to pay all such claims, the council may in its discretion determine the order in which claims and judgments in terms of subsection (1) shall be settled, and may, if the revenue of the fund is not sufficient to settle all claims in full, settle any claim or judgment in whole or in part [shall pay those claims proportionally to the amount available in the fund concerned at that time.]
- (c) Without limiting the discretion of the Council it shall, in applying the fund towards such settlement of claims and judgments, consider the following, namely-
- (i) the relative degrees of hardship suffered or likely to be suffered by the various claimants should their claims against the fund not be settled in whole or in part;
 - (ii) subject to paragraph (i), the full settlement of claims not exceeding the amount prescribed by the Minister by notice in the *Gazette*, except in special circumstances, before claims for amounts exceeding such amounts are settled to a greater extent than such prescribed amounts;
 - (iii) in equal circumstances, the priority of claimants according to the dates of the judgments or the dates when the claims were admitted by the council, as the case may be.

(d) **[(c)]** A proportional payment under paragraph (b) shall be deemed to be full and final payment in respect of the claim .”

Deletion of section 15 of Act 12 of 1992

14. Section 15 of the principal Act is hereby deleted.

Substitution of section 16 of Act 12 of 1992

15. The following section is hereby substituted for section 16 of the principal Act:

"16. Prohibition on acting as agent under certain circumstances.

(1)(a) Subject to the provisions of subsection (2), no person shall perform any act as [an] a fresh produce agent unless he is the holder of a [valid] fidelity fund certificate issued to him and to every employee referred to in the definition of "fresh produce agent" in section 1 and, if such person is -

(i) a company, to every director of that company;

(ii) a close corporation, to every member referred to in paragraph (b) of the definition of 'fresh produce agent' of that corporation; or

(iii) a trust, to every trustee referred to in paragraph (b) of the definition of 'fresh produce agent' of that trust,

and who performs on behalf of that company, close corporation or trust any act referred to in the definition of "fresh produce agent" in section 1.

(b) **[The provisions of paragraph (a) shall, in the case of a partnership, apply to each member of that partnership]** Subject to the provisions of subsection (2), no person shall perform any act as an export agent or a livestock agent unless a registration certificate has been issued to him.

(2) No **[person] agent** shall receive remuneration for the performance of an act as an agent, unless-

- (a) in the case of a fresh produce agent, the act has been performed by the holder of a [valid] fidelity fund certificate which has not been suspended in terms of subsection 7(b); or
 - (b) [the council has under subsection (3) exempted such person from complying with the provisions of subsection (1)] in the case of an export or livestock agent, the act has been performed by the holder of a registration certificate.
- (3) [(a) The council may on application grant written exemption from the provisions of subsection (1) to a person-
- (i) who only occasionally acts as an agent; and
 - (ii) whose scope of business as an agent, in the opinion of the council does not justify the issue of a fidelity fund certificate.
- (b) Such exemption shall be granted subject to such conditions as the council may in each case determine.
- (4) An application for a fidelity fund certificate shall be made in the manner determined by the council, and shall be accompanied by the applicable amount determined by the council for this purpose.]
- (a) Every prospective fresh produce agent shall, within the prescribed period and in the prescribed manner, apply to the council for a fidelity fund certificate, and such application shall be accompanied by the security referred to in section 17(1) and the application fee determined by the council.

(b) Every prospective export agent and livestock agent shall, within the prescribed period and in the prescribed manner, apply to the council for a registration certificate, and such application shall be accompanied by the application fee determined by the council.

(c) If the council upon receipt of any application referred to in subsection (1) or (2) and the security (where applicable) and application fee referred to in those subsections, is satisfied that the applicant is not disqualified in terms of subsection (6) from being issued with a fidelity fund or registration certificate, the council shall in the prescribed form issue to the applicant a fidelity fund certificate or a registration certificate, as the case may be.

(d) Any document purporting to be a fidelity fund certificate or registration certificate which has been issued contrary to the provisions of this Act shall be null and void and shall on demand be returned to the council.

[(5) After consideration of any such application the council shall, subject to the provisions of subsection (6), issue to the applicant a fidelity fund certificate in the form determined by the council.]

(4) [(6) The council may refuse to issue a] No fidelity fund certificate or a registration certificate, as the case may be, shall be issued to [a person who] any person -

- (a) who has at any time by reason of improper conduct been dismissed from a position of trust;**
- (b) who has at any time been convicted of an offence involving an element of dishonesty;**
- (c) who is of unsound mind;**

[(d) has at any time been convicted of a contravention of the Agricultural Produce Agency Sales Act, 1975 (Act 12 of 1975), and whose registration as a commission agent as defined in the said Act, was as a result thereof cancelled in terms of section 6 of that Act;]

(d) [(e)] who has after an investigation in terms of section 24, been found guilty of improper conduct[, if the council has as a result thereof withdrawn the fidelity fund certificate previously issued to the person concerned];

(e) [(f)] who is an unrehabilitated insolvent in respect of whom the trustee of the insolvent estate has not certified that the insolvent is a fit and proper person to assume a position of trust and to be issued with a fidelity fund certificate or registration certificate, as the case may be; [or]

(f) [(g)] in the case of a company [or co-operative], close corporation or other legal person, which is being wound up, whether provisionally or otherwise, or is deregistered, as the case may be; [has a director or employee, and in the case of a close corporation, has a member or employee, who is subject to a disqualification set out in paragraph (a), (b), (c), (d), (e) or (f).]

(g) who has failed to discharge all his liabilities to the council ;

(h) who has failed to comply with any lawful requirement of the council ;
or

(i) in the case of a fresh produce agent, if he has failed to comply with the provisions of section 19(1)(a).

(j) in the case of a fresh produce agent referred to in the definition of 'fresh produce agent', if such fresh produce agent carries or intends to carry on business as a fresh produce agent under a trade name

which is identical or confusingly similar to a trade name of a fresh produce agent -

- (i) already issued with a fidelity fund certificate; or
 - (ii) whose fidelity fund certificate is suspended or has lapsed or been withdrawn in terms of this Act;
- (k) in the case of an export agent referred to in the definition of 'livestock agent', if such livestock agent carries or intends to carry on business as a livestock agent under a trade name which is identical or similar to a trade name of a livestock agent -
- (i) already issued with a registration certificate; or
 - (ii) whose registration certificate is suspended or has lapsed or been withdrawn in terms of this Act;

Provided that if in respect of any person who is subject to any disqualification referred to in this subsection, the council is satisfied that, with due regard to all the relevant considerations, the issue of a fidelity fund certificate or registration certificate, as the case may be, to such person will be in the interest of justice, the council may issue, on such conditions as the council may determine, a fidelity fund certificate or registration certificate, as the case may be, to such person when he applies therefor.

(5) (a) The council may issue a fidelity fund certificate or registration certificate to any person who, in the opinion of the council is acting or intending to act as a fresh produce or livestock agent and such a certificate shall be deemed to be a certificate issued on application by such a person.

(b) The issuing of a fidelity fund certificate or registration certificate under paragraph (a) shall not exempt the person from any prosecution for not complying with or contravening any provision of this Act or the rules prior to the issuing of such a certificate.

[(7) Any person to whom a fidelity fund certificate has been issued in terms of subsection (5) shall, when requested thereto by the council, pay to the council within the period determined by the council the amount determined by the council.]

[(8) (a) Subject to the provisions of paragraph (b), each person who immediately prior to the commencement of this section was a member of the fidelity guarantee fund established under section 27 of the Agricultural Produce Agency Sales Act, 1975 (Act 12 of 1975), shall be deemed to be the holder of a fidelity fund certificate issued by the council in terms of this Act.

(b) The validity of a fidelity fund certificate referred to in paragraph (a) shall lapse 90 days after the date of commencement of this section unless the holder thereof has on or before such date paid to the council the applicable amount determined by the council for this purpose.]

(6) [(9)] Each agent who is the holder of a fidelity fund or registration certificate shall-

(a) annually on or before a date determined by the council, pay to the council the amount determined by the council for the maintenance of such certificate;

(b) forthwith notify the council in writing-

(i) of any change of his business or postal address;

(ii) if the partnership of which he is a partner, dissolves;

(iii) if he becomes a member of a partnership;

(iv) if, in the case of a company, co-operative or close-

corporation, a change in the directorship of that company or co-operative or the membership of that close corporation has occurred; **[and]**

(v) if, in the case of a trust, a change in the trustees of that trust occurred;

(vi) if he ceased to act as an agent; and

(vi) **[(v)]** of any further particulars requested by the council as a result of a notice in terms of the preceding subparagraphs.

(7)**[(10)]**(a) A fidelity fund or registration certificate issued to an agent shall automatically lapse when he becomes disqualified as contemplated in **[subsection]** subsections [(6)] (4)(a)-(k) or (g) or if the agent ceases to act as an agent.

(b) If a fidelity fund certificate which lapsed in terms of subparagraph (a) had been issued to a company, close corporation or trust, then the fidelity fund certificate of –

(i) every director, member, or trustee ; and

(ii) every employee;

as contemplated in the definition of 'fresh produce agent' in section 1 shall likewise lapse.

[(b)] The council may withdraw the fidelity fund certificate of an agent if-

- (i) he is found guilty of improper conduct under section 26;
 - (ii) he fails to pay the amount referred to in subsection (9) (a) within three months after the date of a written request therefor by the registrar, addressed to his last known postal address, as entered in the records of the council;
 - (iii) he fails to furnish the registrar with his business address and postal address within three months after the date of a written request therefor by the registrar, addressed to his said postal address;
 - (iv) he fails to comply with the provisions of section 18 (2) or 19(1) .]
- (c) If a fidelity fund or registration certificate so lapses or is [so withdrawn] suspended in terms of section 19(6), the registrar shall—
- (i) by means of a written notice addressed to the said business and postal address of the agent [concerned], notify him thereof; [and]
 - (ii) in the case of a fresh produce agent who conducts his or her business at a fresh produce market, by means of a written notice addressed to the person in charge of that market, notify him thereof; and
 - (iii) cause particulars thereof to be published in at least two official languages, one which should be in English, circulating in the district in which the said agent's last known business address, as entered in the records of the council, is situated.

(d) **[A]** The agent or any person who is in possession of or has under his control a fidelity fund or registration certificate which has lapsed [or has been withdrawn] under paragraph (a) [or (b), as the case may be], shall return the said certificate to the registrar within 30 days after the [notice referred to in paragraph (c)] last date of publication referred to in paragraph (c)(iii).

(e) A fidelity fund or registration certificate which has lapsed **[or has been withdrawn under this subsection]**, shall be void with effect from such lapse **[or withdrawal]**.

(8) No person whose fidelity fund certificate or registration certificate has been withdrawn or has lapsed, may directly or indirectly participate in the management of any business carried on by an agent in his capacity as such, or participate in the carrying on of such business, or be employed, directly or indirectly, in any capacity in such business, except with the written consent of the council and subject to such conditions as the council may determine from time to time.

(9) No agent shall directly or indirectly in any capacity whatsoever employ a person referred to in subsection (8), or allow or permit such person directly or indirectly to participate in any capacity in the management or the carrying on of his business as an agent, except with the written consent of the council, and subject to such conditions as the council may impose."

Substitution of section 17 of Act 12 of 1992

16. The following section is hereby substituted for section 17 of the principal Act:

"17. Security by agents.

(1) Every fresh produce agent who is responsible to open and keep a trust account in terms of section 19(1), shall before a fidelity fund certificate is issued to him furnish [The] the council with security in such amount and in such form as is acceptable to that council, [may require that an agent who is the holder of a

fidelity fund certificate shall furnish to the council within the period determined by the council such security as the council may determine,] for use by the council [as contemplated in section 14 (5) (b), in respect of] to meet any claim arising in terms of section 12(5) or to defray the costs or any part thereof of an inquiry held in terms of section 24 where such fresh produce agent has been disciplined in terms of section 26(1). [from an act or omission by that agent, and which has occurred within two years after the fidelity fund certificate was issued to him.]

(2) **[Such] The security referred to in subsection (1) shall be returned to the fresh produce agent [concerned] within six months after the withdrawal or lapse of the fidelity fund certificate of that fresh produce agent. [period referred to in subsection (1) has expired,] unless an inquiry under section 24 into an act or omission or alleged act or omission of the fresh produce agent [concerned] is being held before such expiration, and may until it has been so returned from time to time be altered, increased or decreased by the council.**

Substitution of section 18 of Act 12 of 1992

17. The following section is hereby substituted for section 18 of the principal Act:

"18. Account.

(1) Every fresh produce agent referred to in paragraph (a) of the definition of "fresh produce agent" in section 1 [who is the holder of a fidelity fund certificate] shall in respect of his activities as such, keep, at a place approved by the council, **[In one of the official languages]** full and correct accounting records of-

- (a) all money received, kept or expended by him, including money deposited in a trust account referred to in section 19 (1) (a) or invested in a savings or interest-bearing account referred to in section 19 (3) (a);
- (b) all his assets and liabilities; **[and]**

- (c) all his financial transactions~~[.]~~; and
 - (d) all agricultural produce received, kept, sold and lawfully destroyed.
- (2) (a) Such fresh produce agent shall cause the said accounting records to be audited at his expense by an auditor within four months after the final date of every financial year of the fresh produce agent, which final date shall not be amended by him without the prior written approval of the council.
- (b) Notwithstanding the provisions of subsection (2)(a), the council may, on good cause shown, at any time order any fresh produce agent by notice in writing to the council submit to the council within a period stated in such notice, but not less than thirty days, an audited statement fully setting out the state of affairs in respect of the matters referred to in subsection (1).
- (c) The court may, on good cause shown upon application by the council or any other competent person, prohibit any fresh produce agent to operate in anyway his or her trust, savings or other interest-bearing account referred to in section (19)(3)(a) and may appoint a curator bonis to control and administer such trust, savings or other interest-bearing account, with such rights, duties and powers as the court may deem fit.
- (3) **[An]** A fresh produce agent **[referred to in subsection (1)]** shall retain the accounting records to be kept in terms of this section, for a period of at least three years after the last entry in respect of any transaction **[was]** made therein, at the applicable place referred to in subsection (1), together with the vouchers, receipts and other documents relating to those accounting records.
- (4) If the business of such fresh produce agent is terminated for any reason whatsoever, the fresh produce agent shall-

- (a) balance the accounting records referred to in subsection (1) within 21 days, or such other period as the council may determine, of the date on which he performed his last activity as [an] fresh produce agent, and thereupon have them audited as contemplated in subsection (2)(a) within three months of the said date; **[and]**
 - (b) forthwith notify the council in writing of the place at which such accounting records and the vouchers, receipts and other documents referred to in subsection (3) which relate to those records are retained as contemplated in that subsection~~[.]~~; **and**
 - (c) wind-up his trust, savings or other interest-bearing account in the prescribed manner and pay out in the prescribed manner the amount standing to the credit of any such account to the persons entitled to it.
- (5) (a) If such fresh produce agent fails or is in the opinion of the council likely to fail to comply with the provisions of subsection (4), the council may designate any person to comply with those provisions on behalf of the fresh produce agent **[concerned]**.
- (b) When the council designates any person under paragraph (a), the expenditure incurred in connection with the performance of the functions **[concerned]** shall be recoverable from the fresh produce agent **[concerned]**."

Substitution of section 19 of Act 12 of 1992

18. The following section is hereby substituted for section 19 of the principal Act:

"19. Trust accounts

(1) Subject to the provisions of subsection (2), each fresh produce agent other than an employee referred to in the definition of "fresh produce agent" in section 1 [who is the holder of a fidelity fund certificate] shall-

- (a) open and keep a trust account at a deposit-taking institution;
and
- (b) forthwith deposit therein the proceeds of the sale of agricultural produce sold by him on the instructions of or on behalf of his principal.

(2) [(a)] Only one trust account shall be kept in respect of the business of [an] a fresh produce agent which is a partnership.

[(b)] The Minister may on the recommendation of the council and by notice in the Gazette suspend the operation of the provisions of this section and of section 20, or such portions thereof as he may determine, in relation to a particular category of agent if he is satisfied that the said provisions or any portion thereof has an unnecessarily restrictive effect on the disposal of the proceeds of the sale of agricultural produce by such category of agent.

(c) A suspension in terms of paragraph (b) shall-

- (i) only be valid in respect of an agent of the category who has furnished the council with such security as the council may determine, to fulfil any obligation that may arise towards any person in respect of the proceeds of the sale of agricultural produce by that agent; and
- (ii) be subject to such conditions and requirements as the Minister may on the recommendation by council determine and set out in the said notice.]

(3) **[An] A fresh produce agent [referred to in subsection (1)]-**

- (a) may invest any amount paid into his trust account with a view to payment as contemplated in section 20 and which is not immediately required for any particular purpose, in a separate savings or other interest-bearing account opened by him with any deposit-taking institution;
- (b) shall forthwith after opening a trust account or any other account referred to in paragraph (a), or if any change occurs in respect of any such account, notify the council thereof in the manner determined by the council;
- (c) shall keep separate accounting records referred to in section 18 in respect of his trust account and savings or interest-bearing accounts referred to in paragraph (a) of this subsection, and shall balance such accounting records within 21 days after the end of each month.

(4) Any agricultural produce received by a fresh produce agent shall, until it is sold or lawfully destroyed, be deemed to form part of his or her trust account.

(5) **[(4) An] A fresh produce agent shall cause the auditor referred to in section 18 (2), [shall] immediately after having [completing] completed an audit contemplated in that section[,] to transmit to the council a report in the form determined by the council regarding his findings, and a copy thereof to the fresh produce agent [concerned].**

(6) **[(5)](a) An amount deposited or to be deposited in terms of subsection (1) (b) in the trust account of [an] fresh produce agent-**

- (i) shall not be liable to be attached or subjected to any form of execution under a judgment or order of a court of law except such an order issued in pursuance of a claim by the principal ; and
- (ii) shall not form part of the assets of that fresh produce agent or, if he or she is a natural person and has died, or has become insolvent, of his deceased or insolvent estate.

(b) The provisions of paragraph (a) shall not apply to the remainder of the amount **[concerned]** after the principal of the fresh produce agent **[concerned]** has been paid as contemplated in section 20 (1).

(7) The court may upon application by the council suspend a fresh produce agent from conducting his business if -

- (a) he fails to comply with the provisions of section 19 (1) within a time specified by the council in a written request thereof addressed to his business address or postal address; or
- (b) it comes to the attention of the council that the total of the balances shown on the trust account in the accounting records of that fresh produce agent exceed the total amount of the funds in his or trust banking account.

- (8) (a) Any market authority which receives the proceeds of the sale of agricultural produce shall receive such proceeds for and on behalf of the fresh produce agent who sold such produce and that market authority must forthwith hand over such proceeds less the remuneration to which it is lawfully entitled for services rendered in respect of such sale, to that fresh produce agent for depositing in his trust account.

- (b) Any proceeds of the sale of agricultural produce paid to a market authority on behalf of a fresh produce agent shall be administered separately from any other moneys or accounts held or operated by such market authority and such proceeds shall not form part of the assets and liabilities of that market authority: Provided that the market authority shall be entitled to recover for itself the remuneration referred to in paragraph (a).

Substitution of section 20 of Act 12 of 1992

19. The following section is hereby substituted for section 20 of the principal Act:

"20. Payment from trust account

(1) **[An]A fresh produce agent [who is the holder of a fidelity fund certificate]** shall pay to his principal from his trust account the proceeds of the sale of an agricultural product sold **[on the instruction or on behalf of such principal]** after he has deducted from such proceeds his agreed remuneration **[as an agent]** and the other reasonable expenses incurred by him in connection with the sale of that agricultural product.

(2) (a) If the amount to be paid by **[an] a fresh produce agent** to his principal in terms of subsection (1) has not been claimed by the principal **[concerned]** within **[180] 200** days after the sale, that fresh produce agent shall pay the amount **[concerned]** from his trust account to the council, and furnish the council with the particulars required in the rules in connection therewith.

(b) Money so paid to the council shall be dealt with in the manner set out in section 21.

(3) Any withdrawal from a trust account for the purposes of a payment or deduction referred to in subsection (1), the withdrawal of interest earned on a trust account or an interest-bearing account referred to in section 19 (3) (a), and any

payment to the council in terms of subsection (2) of this section, shall be made at the time and in the manner set out in the rules.

(4) No withdrawals other than those specified in subsection (3) shall be made from a trust account or a savings or interest-bearing account referred to in section 19 (3) (a): Provided that any fees **[deducted from such accounts]** charged by the institution at which they are kept shall be **[deemed to form part of the remuneration referred to in subsection (1) of this section]** debited against the business account of the fresh produce agent [concerned]."

Amendment of section 22 of Act 12 of 1992

20. Section 22 of the principal Act is hereby amended –

(a) by the substitution for the expression preceding paragraph (a) of subsection (1), of the following expression:

"(1) The council may, in respect of agents **[who are the holders of fidelity fund certificates]** make rules as to –";

(b) by the addition of the following paragraphs after paragraph (h) of subsection (1):

"(i) regulate, control or prohibit any practice followed by agents;

(j) prescribe the period within and the manner in which application shall be made for a fidelity fund or registration certificate, as the case may be;

(k) prescribe the form of a fidelity fund and registration certificate;

(l) prescribe the manner in which any account referred to in section 18(4)(c) shall be wound up and the amount standing to the credit of such account shall be paid out; and

(m) the manner in which proceedings at a disciplinary hearing contemplated in section 25 is conducted."

Substitution of section 23 of Act 12 of 1992

21. The following section is hereby substituted for section 23 of the principal Act:

"23. Improper conduct.

An agent **[who is the holder of a fidelity fund certificate]** shall be guilty of improper conduct if-

- (a) he contravenes or fails to comply with any provision of this Act or the rules **[or of the code of conduct referred to in section 22 (1) (g)]**;
- (b) he is convicted of an offence involving an element of dishonesty; or
- (c) with due regard to his occupation, he has through any other act or omission **[in the opinion of the council]** conducted himself or herself unprofessionally, improperly or disgracefully.

Substitution of section 24 of Act 12 of 1992

22. The following section is hereby substituted for section 24 of the principal Act:

"24. Inspection and investigation.

- (1) The council may, either on its own accord or as a result of a complaint, charge or allegation lodged with it, institute an **[inquiry]** inspection and investigation into the conduct of an agent **[who is the holder of a fidelity fund certificate,]** or person who, in the opinion of the council, should be deemed to be an agent, or into an act or omission or alleged act or omission of such agent in the

practising of his occupation, or into a contravention or alleged contravention of this Act or the rules by such agent or person.

(2) An inspection and investigation referred to in subsection (1) shall be conducted in accordance with the provisions of section 27(4).

(3) On receipt of the results of an inspection and investigation referred to in subsection (2) the council may decide to charge the agent or person concerned with an act or omission or alleged act or omission in the practising of his occupation, or into the contravention or alleged contravention of this Act or the rules, and shall, on so deciding –

(a) summon the agent or person on not less than 30 days notice to appear before a disciplinary tribunal as contemplated in section 25 at the date, time and place specified in such summons, and to answer to the charges set out in writing in a charge sheet attached to such summons;

(b) order such agent to produce at such hearing any book or other document specified in the summons which the said agent or person has in his possession or custody or under his control or which is suspected or believed to be in his possession or custody or under his control and which has a bearing on the matter.

(4) A summons referred to in subsection (3), shall be –

(a) as nearly as possible in the form specified in the rules;

(b) signed by the registrar or his duly authorised representative; and

(ci) served on the agent or person by delivering or tendering it at the business address of the agent or person or by sending it by prepaid registered post to the postal address referred to in section 16(9), or to the address last known to the council.

[2] (5) If such conduct, act, omission or contravention or alleged act, omission or contravention forms or is **[in the opinion of the council]** likely to form the subject of criminal or civil proceedings in a court of law, the council may postpone the **[inquiry] issuing of a summons** until such proceedings have been determined.

[(3) The acquittal or the conviction of an agent or person by a court of law upon a criminal charge shall not be a bar to an inquiry in respect of him in terms of this section, even if the facts being inquired into would, if proved, constitute the offence set forth in the criminal charge on which he was so acquitted or convicted, or any other offence of which he might have been convicted at his trial on the said criminal charge].”

Substitution of section 25 of Act 12 of 1992

23. The following section is hereby substituted for section 25 of the principal Act:

“25. Disciplinary tribunal

(1) **[(1) Any such inquiry shall be held on such date and at such time and place as may be determined by the [chairman of the council and the] registrar and he shall summon the agent or person on not less than 10 days notice to appear before it at the date, time and place specified in the summons for the purpose of the inquiry and to produce at such inquiry any book or other document specified in the summons which the said agent or person has in his possession or custody or under his control or which is suspected or believed to be in his possession or custody or under his control and which has a bearing on a complaint, charge or allegation referred to in section 24(1) [inform the agent in writing thereof.]**

(b) a summons referred to in subsection (1)(a), shall be –

(i) as nearly as possible in the form specified in the rules;

(ii) signed by the registrar or his duly authorised representative; and

(iii) served on the agent or person by delivering or tendering it at the business address of the agent or person or by sending it by prepaid registered post to the postal address referred to in section 16(9), or to the address last known to the council

(2) The council may in its discretion appoint one or more persons to adduce evidence in support of the charge and to cross-examine any person called as a witness for the defence, and the council may remunerate any such person as it may deem fit.]

(1) A disciplinary tribunal may be convened for purposes of a disciplinary hearing whenever it becomes necessary to do so in terms of section 24.

(2) Disciplinary tribunals shall consist of a maximum of three members, who shall be appointed and selected by the council on account of –

(a) their independence from the affairs of the council, the office of the registrar and the agent or person investigated;

(b) their knowledge of the law;

(c) their knowledge of the conducting of the business of agents in general;

(d) experience in the resolution of disputes;

(e) such other knowledge or experience which renders them suitable for appointment as members of a disciplinary committee.

(3) At least two members of a disciplinary tribunal shall –

(i) be admitted as an advocate under the Admission of Advocates Act, 1964 (Act No.67 of 1964);

(ii) be admitted as an attorney under the Attorneys Act, 1979 (Act No. 53 of 1979); or

(iii) be or was a magistrate appointed under the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), read with section 10 of the Magistrates' Act, 1993 (Act No. 90 of 1993),

and for an uninterrupted period of at least five years practised as an advocate or attorney or occupied the post of magistrate, or for that period was involved in the tuition of law or rendered services as a legal adviser or consultant."

(4) A disciplinary tribunal shall have the power to inquire into and decide upon any charge in terms of this Act or the rules.

(5) The registrar may appoint a competent person to exercise and perform the powers and duties of a *pro forma* prosecutor.

(6) A disciplinary tribunal shall conduct its proceedings in accordance with rules made for this purpose: Provided that –

(a) such rules shall be in accordance with the requirements of this Act and the Constitution; and

(b) the onus of proof shall be the same as in criminal proceedings.

(7) If a vacancy occurs on a disciplinary tribunal after that tribunal has commenced with a hearing, the hearing may be proceeded with before at least two members of the tribunal, but if only two serving members remain they may take any decision referred to in section 26(1)(e) or 26(10) only by unanimous vote.

(8) [(3)] The [council] pro forma prosecutor may for the purposes of such hearing [inquiry] -

(a) [summon] subpoena any person to give evidence who[, in the opinion of the council,] is able to furnish information [of material importance] relevant to the [inquiry] hearing, or who pro forma prosecutor [the council] has reason to believe has in his possession or custody or under his control any book, document or record relating to the subject of the inquiry, to appear at a date, time and place specified in the [summons] subpoena to be examined or to produce such book, document or record, and may retain for examination any book, document or record so produced; and

(b) through the person presiding at the [inquiry] hearing, administer an oath to, or accept an affirmation from, any person present at the inquiry, and examine him or cause him to be examined by the pro forma prosecutor [person appointed by the council to adduce the evidence at the inquiry,] and instruct him to produce any book, document or record in his possession or custody or under his control.

(9) [(4)] (a) A [summons] subpoena referred to in subsection[(3)](8) shall as far as possible be as prescribed in the [applicable] rules [made or maintained under section 6 of the Rules Board for Courts of Law Act, 1985 (Act 107 of 1985), for magistrates' courts,] and shall be signed by the [chairman of the council] pro forma prosecutor [or by a person authorized thereto by the registrar], and shall be served in the same manner as a [summons] subpoena issued by a magistrate's court in [criminal] civil proceedings.

[(b) The provisions of section 51 (2) of the Magistrates' Courts Act, 1944 (Act 32 of 1944), shall apply *mutatis mutandis* to a person on whom a summons has been served in accordance with paragraph (a).]

(b) No person -

(i) having been duly summoned to be present at the hearing, shall without lawful excuse fail so to appear;

(ii) having been called as a witness at a hearing, shall without lawful excuse refuse to be sworn or to make an affirmation or to produce any book or other document or to answer any question which he may be required to produce or answer.

(c) The registrar shall pay a witness called and present at a hearing, such fees as the council may from time to time determine generally, or in any particular case.

(9)[(5)] The law relating to privilege, as applicable to a witness **[summoned]** called to give evidence or to produce a book, document or record in a civil trial before a court of law, shall *mutatis mutandis* apply in relation to the examination of or the production of any book, document or record by any person **[summoned]** called in terms of this section.

[6 If the conduct or an act, omission or contravention or alleged act, omission or contravention of an agent or person which is the subject of an inquiry in terms of this section, amounts to an offence of which he has been convicted by a court of law, a certified copy of the record of the judgment relating to his trial and conviction by that court of law shall, upon the identification of the agent or person as the person referred to in the record as the accused, be sufficient proof of the commission by him of such offence unless the conviction has been set aside by a superior court.]

(11)[(7)] An agent or person in respect of whom the inquiry is instituted in terms of this section shall be entitled to be present at the inquiry, to be assisted or represented by another person, and - **[to give evidence and either personally or through a representative-]**

(a) to be heard;

- (b) to call witnesses;
- (c) to cross-examine any person called as a witness in support of the charge;
- (d) to have access to all documents produced in evidence or relevant to the hearing and which are available; and
- (e) such other rights as may be embodied in the Constitution

(12)[(8)] The registrar [council] shall keep or cause to be kept a record of the proceedings at the inquiry.

(13)[(9)] Any person who, having been duly sworn or having made an affirmation, tenders false evidence at the hearing [an inquiry] held under this section, knowing such evidence to be false, shall be guilty of an offence and liable on conviction to the penalties which may lawfully be imposed for the offence of perjury.

(14) The disciplinary tribunal may, if an agent or person *prima facie* committed an offence, submit a certified copy of the record of the proceedings at any hearing held in terms of section 24 to the office of the National Director of Public Prosecutions having jurisdiction in the matter.

Substitution of section 26 of Act 12 of 1992

25. The following section is hereby substituted for section 26 of the principal Act:

"26. Disciplinary powers of tribunal.

(1) If a disciplinary tribunal [the council], after [an inquiry] a hearing under section [24] 25, finds an agent or person guilty of improper conduct, [the council] it may-

- (a) reprimand or caution him;

(b) impose conditions and restrictions subject to which the agent **[concerned]** or person may, for a specified period, practise his occupation; **[or]**

(c) impose on such agent or person a fine not exceeding such amount as may be prescribed by the Minister by notice in the Gazette;

(d) suspend that agent from conducting his business or from acting as an agent on such conditions and for such period as that tribunal may determine; and/or

(e)**[(c)]** withdraw the fidelity fund or registration certificate issued **[or deemed to have been issued]** to that agent and -

(i) if such agent is a company, of every director of such company;

(ii) if he is a director of a company which is an agent, of such company;

(iii) if he in partnership acts as an agent, of every partner in such partnership;

(iv) if such agent is a close corporation, of every member referred to in the definition of 'fresh produce agent' or 'livestock agent', as the case may be, of that corporation;

(v) if he is a member of a close corporation which is an agent, of such corporation;

(vi) if such agent is a trust, of every trustee of such trust; or

(vii) if he is a trustee of a trust which is an agent, of such trust.

(2) The disciplinary tribunal may **[postpone the taking of its decision under subsection (1), or]** suspend the execution of its decision taken under subsection (1)(c), (d) or (e), for such period not exceeding three years and subject to such further conditions as [the council] it may in each case determine.

(3) (a) A fine imposed under subsection (1)(c) shall have the effect of and may be executed as if it were or civil judgment in favour of the council; and

(b) The registrar shall [--

(a) **inform an agent who is so found guilty, in writing of the decision of the council and of the grounds on which it is based;**

(b) **except where the execution of a decision has been suspended under subsection (2),]** publish the name and address of the agent or person [so] found guilty in terms of subsection (1), particulars of his conviction and the penalty imposed upon him, by notice in the Gazette.

[(4) (a) **If at the end of the period for which the taking of a decision has been postponed under subsection (2), the council is satisfied that the agent has observed all the relevant conditions, the registrar shall inform the agent that the council will not take a decision under subsection (1).**

(b) **If the execution of a decision has been suspended under subsection (2) and the council is satisfied that the agent has observed all the relevant conditions throughout the period of suspension, the registrar shall inform such agent that such decision will not be executed.]**

(4)[(5)] **If an agent or person fails to comply with any conditions determined under subsection (2), the [council] registrar shall [take a decision under subsection (1), or cause the decision taken under subsection (1) (c) to be executed,] cause the decision taken under subsections (1)(c) or (d) to be executed unless the said agent or**

person satisfies the [council] registrar that the non-compliance with such conditions was due to circumstances beyond his control.

[(6) A decision taken under this section by a committee authorized thereto in terms of section 7 shall only come into effect after it has been confirmed by the council.]

(5) In addition to any of the sanctions referred to in subsection (1), the disciplinary tribunal may order that agent or person to pay the costs incurred by the council in connection with such hearing and –

(a) such costs shall be calculated in accordance with the High Court tariff applicable to civil litigation; and

(b) for purposes of assessing such costs, the Registrar of the High Court having jurisdiction shall be empowered to assess such costs.

(6) Without derogating from the generality of any such order for the payment of costs, such costs shall include –

(a) the costs of recording, transcribing and preparing copies of any record;

(b) the costs incurred by the council in respect of the *pro forma* prosecutor and the accountant or accountants or other persons appointed to inspect and investigate on the agent or person's books of account and of any other documents or records or things relating to the agent or person's business operation or former business operation; and

(c) the costs of procuring the attendance of witnesses and their witness fees, including those of the complainant.

(7) The order contemplated in subsection (6) for the payment of costs incurred by the council in connection with an inquiry shall have the effect of and may be executed as if it were a civil judgment in favour of the council.

- (8) (a) The disciplinary tribunal may, whenever a fine has been imposed on an agent as contemplated in subsection (1)(c) order that any portion of that fine, but not exceeding 80% thereof, be applied towards the payment of compensation to any person who suffered a pecuniary loss as a result of the conduct of the agent or person in question.
- (b) The registrar shall, on receipt of the fine imposed on the agent in question, make the payment contemplated in paragraph (a).
- (c) This subsection shall not preclude any person from pursuing any civil remedy against the agent or person referred to in paragraph (a): Provided that if an award is made by a court in favour of a person who has received payment from the council as contemplated in paragraph (b), the court shall take the payment into account in making such award.

Substitution of section 27 of Act 12 of 1992

25. The following section is hereby substituted for section 27 of the principal Act:

"28. Entry and inspections.

- (1) The registrar may designate a suitable person (hereinafter referred to as an inspector) to exercise and perform periodic regulatory inspections and investigations at the business premises of any agent with a view to determine whether the provisions of sections 18,19,20,21 and the rules pertaining thereto are being or have been complied with and for that purpose an inspector shall be entitled to enter such business premises and to exercise any of the powers referred to and in accordance with subsection (4) insofar as they relate to the aforesaid sections and rules. **[the powers and functions mentioned in subsection (4).]**
- (2) An inspector shall be furnished with a certificate of appointment signed by or on behalf of the council and in which it is stated that he is an inspector appointed in terms of this Act. **[stating that the said person has been designated as an inspector under this Act.]**

(3) An inspector shall, when performing any functions in terms of this Act, have his certificate of appointment, in his possession. [at the request of any person affected by the exercise or performance by such inspector of any power or function referred to in subsection (4), exhibit the certificate referred to in subsection (2) to such person.]

(4) [An inspector may conduct an investigation to determine whether the provisions of this Act or the rules are being or have been complied with and may for that purpose at all reasonable times and without giving prior notice-

(a) enter any place in respect of which he has reason to believe that any person there is acting as an agent or that it is being used for the purposes of an agent business;

(b) order any agent or employee of an agent-

(i) to produce to him the fidelity fund certificate of that agent;

(ii) to produce to him any book, record or other document in the possession or under the control of that agent or employee;

(iii) to furnish him with such information in respect of that fidelity fund certificate, book, record or other document as he may require;

(iv) to grant him such assistance as he may demand in order to enable him to perform his functions in terms of this subsection;

(c) examine or make extracts from or copies of such fidelity fund certificate, book, record or other document;

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(d) **seize and retain any such fidelity fund certificate, book, record or other document to which any prosecution or charge of improper conduct under this Act may relate or to which he on reasonable grounds believes such prosecution or charge may relate: Provided that the person from whose possession or custody any fidelity fund certificate, book, record or other document was so taken, shall at his request be allowed to make, at his own expense and under the supervision of the Inspector , copies thereof or extracts therefrom.]**

In order to obtain any information required by the registrar in relation to a complaint, charge or allegation lodged, an inspector may be designated who may, subject to the provisions of this section, enter any premises on or in which any book, document or other object connected with such investigation is or is suspected to be, and may -

- (a) inspect or search those premises, and there make such investigations or inquiries as may be necessary for the purpose of obtaining any such information;
- (b) examine any object found on or in the premises which has or might have a bearing on the investigation in question and request from the owner or person in charge of the premises or from any person in whose possession or charge that object is, information regarding that object;
- (c) make copies of or extracts from any book or document found on or in the premises which has or might have a bearing on the investigation in question, and request from any person who is suspected of having the necessary information an explanation of any entry therein;
- (d) seize, against the issue of a receipt, anything on or in the premises which has or might have a bearing on the investigation in question, if the inspector needs to retain it for further examination or for safe custody.

(5) Unless the owner or person in charge of the premises has consented thereto in writing an inspector shall enter premises and exercise any power contemplated in subsection (4) only under a search warrant, which may only be issued by the Court if it appears to that Court from information given to the Court on oath or solemn affirmation that there are reasonable grounds to suspect -

(a) that a contravention of this Act or the rules has taken place or is taking place; and

(b) that a book, document or other object which may afford evidence of such contravention is on or in those premises.

(6) A search warrant contemplated in subsection (5) shall -

(a) authorise an inspector mentioned in the warrant to enter the premises identified in the warrant for the purpose of exercising any power contemplated in subsection (4);

(b) be executed by day, unless the Court authorises the execution thereof during night;

(c) be of force until it is executed, cancelled by the Court, or a period of one month from the day of its issue expires, whichever occurs first.

(7) An inspector referred to in subsection (1) or an inspector executing a search warrant under subsection (5) shall, before such execution, upon demand by any person whose rights may be affected -

(a) show that person his certificate of appointment;

(b) hand to that person a copy of the warrant if he is acting in terms of subsection (5).

(8) A person from whose possession or charge a book or document has been taken under this section shall, as long as it is in the possession or charge of the inspector or of the council, be allowed on request to make copies thereof or to take extracts therefrom at any reasonable time at his own expense and under the supervision of that inspector or a person in the service of the council.

(9) A person shall be guilty of an offence if -

(a) he obstructs or hinders an inspector in the performance of his functions in terms of this section;

(b) after an enquiry having been made of him under subsection(4)(a) or having been requested for information or an explanation under subsection (4)(b) or (c) -

(i) he refuses to answer, or to answer fully and satisfactorily to the best of his or her knowledge and belief, such enquiry or request for information; or

(ii) gives an answer or information or an explanation which is false or misleading, knowing it to be false or misleading.

(10) Any person from whom information or an explanation has been requested in terms of this section shall not be entitled to refuse to answer any question or to produce any book, document or object on the ground that he would thereby be exposed to a criminal or disciplinary charge: Provided that, to the extent that such answer, book, document or article does expose the person to a disciplinary or criminal charge, no evidence thereof shall be admissible in any disciplinary or criminal proceedings against that person except where the person stands trial on a charge contemplated in subsection 9(b).

(11) An inspector who is not in the full-time service of the State shall be appointed on such conditions and at such remuneration as the council may determine."

Amendment of section 29 of Act 12 of 1992

26. Section 29 of the principal Act is amended by the substitution for subsections (1) and (2) of the following subsections:

"(1) Any person who-

- (a) contravenes or fails to comply with a provision of section **[12(4)(a),] 16(1) [or (9)(a)] 16(8) or (9), 19(1),19(8), [20] 20(2)(a), 27(9)(a) and (b)(i) or 28;**
- (b) contravenes or fails to comply with a provision of section **16(2), [(7),(9)(b)], (6)(a) or (7)(d),[(10)(d)] 18 or 19(3)(b) or (c) or 19(5);**
- [(c) contravenes or fails to comply with a requirement under section 17(1) or a condition or requirement under section 19 (2) (c);**
- (d)
 - (i) **hinders or obstructs an inspector in the exercise of his powers or the performance of his duties under section 27;**
 - (ii) **without valid excuse refuses or fails to answer to the best of his ability any question which an inspector in the exercise of his powers or the performance of his duties under the said section has put to him;**
 - (iii) **refuses or fails to comply to the best of his ability with any requirement made by an inspector in the exercise of his powers or the performance of his duties under the said section; or**

- (iv) wilfully furnishes to an inspector any information which is false or misleading;]

(c) contravenes or fails to comply with the provisions of section 25(9):

(d)[(e)] in any application in terms of this Act, knowingly furnishes information or makes a statement which is false or misleading,

shall be guilty of an offence.

(2) Any person who is convicted of an offence-

(a) mentioned in subsection (1) (a)[, (c) or (d) (i), (ii) or (iii),] shall be liable-

(i) on a first conviction, to a fine [not exceeding R8 000] or to imprisonment for a period not exceeding two years or to both the fine and the imprisonment; and

(ii) on a second or subsequent conviction, [whether of the same offence or any other offence mentioned in this paragraph], to a fine [not exceeding R16 000] or to imprisonment for a period not exceeding four years or to both the fine and the imprisonment;

(b) mentioned in subsection (1)(b), [(d)(iv) or (e)] , shall be liable to a fine [not exceeding R4 000] or to imprisonment for a period not exceeding one year or to both the fine and that imprisonment; and

(c) mentioned in subsection (1)(c), shall be liable to a fine or to imprisonment not exceeding three months or to both that fine and imprisonment."

Amendment of section 30 of Act 12 of 1992

27. Section 30 of the principal Act is hereby amended

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

"(1) Whenever any fresh produce agent or his manager, representative, agent, employee or **[family]** member of his household owing to the appropriation of money in the trust account of that agent, is convicted of an offence involving fraud or dishonesty, and it has been proved that the amount standing to the credit of that trust account is insufficient for the payment of all amounts payable from it in terms of section 20, the court **[concerned]** shall at the request of the prosecutor made on behalf of the council, inquire into and determine the amount of the deficit in the trust account and order the fresh produce agent to pay an amount equal to the amount so determined to the council, and any such order shall have all the effects of and may be executed as if it were a civil judgment in favour of the council."; and

(b) by the deletion of subsection (3).

Amendment of section 31 Act 12 of 1992

28. Section 31 is hereby amended by the deletion of subsection (2).

Deletion of section 32 of Act 12 of 1992

29. Section 32 of the principal Act is hereby deleted.

Transitional provisions

30.(1) Every fresh produce agent who is the holder of a fidelity fund certificate immediately prior to this Act coming into operation, shall within the period determined by the council by notice in the *Gazette* apply on his own behalf and on behalf of every person who performs on his behalf any act referred to in subparagraph (i) of paragraph (a) of the definition of 'fresh produce agent' in section 1, for a fidelity fund certificate, and

shall furnish the council with such information relating to himself and such persons as the council may determine.

(2) Notwithstanding the provisions of subsection (1), each person who immediately prior to the commencement of this Act –

(a) was the holder of a fidelity fund certificate contemplated in that section, shall –

(i) in the case of a fresh produce agent, be deemed to be the holder of a fidelity fund certificate issued in terms of that section: Provided that such certificate shall lapse if a new certificate is not issued to the agent within the period specified in subsection (1);

(ii) in the case of a livestock agent, be deemed to be the holder of a registration certificate.;

(b) to the satisfaction of the council was active as an export agent, shall be deemed to be the holder of a registration certificate.

(3) The provisions of subsection (2) shall not relieve any person who acts or professes to act as –

(a) a fresh produce agent and who is not in possession of a fidelity fund certificate at the commencement date of this Act to apply to the council for a fidelity fund certificate and to furnish the council with such information as it may determine;

(b) a livestock agent and who is not in possession of a registration certificate at the commencement date of this Act, to apply to the council for a registration certificate and to furnish the council with such information as it may determine;

- (c) an export agent and who is not active as such at the commencement date of this Act, to apply to the council for a registration certificate and to furnish the council with such information as it may determine.
- (4) Members of the council in office immediately prior to the commencement of this Act shall remain in office until the termination of their term of office : Provided that the Minister shall appoint such additional members to the council as may be required upon the commencement hereof.

Short title

31. This Act shall be called the Agricultural Produce Agents Amendment Act, 2003.

NOTICE 1755 OF 2003**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT No. 22 OF 1994)**

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended, that a claim for the restitution of land rights have been submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim are as follows:

Property : Erf 12756 Goodwood, subsequently consolidated in Erf 29522 from which was deducted from Erf 29523 was deducted Erf 34126 which was laid out a Plan GP 10084/94 on which Erf 12756 was situated. The said Erf 12756 is now represented by portions of Erven 34179 to 34494

Deeds of Transfer : T9275/27, T4906/82

Date submitted : 1996- 04-15

Current owner : Erf 12776:Regional Services Council – Cape Metropole: T4368/82
Rem Erf 29522 : Province of the Western Cape : T26492/94
Erf 34126 : Province of the Western Cape : T50635/95

Claimant : C.W. Wilson

Reference number : KRK 6/2/3/A/4/12314/0/811 (W62)

The Commission on Restitution of Land Rights will investigate the claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner: Western Cape
Private Bag X9163
Cape Town
8000
Tel: 021*426-2930
Fax: 021*424-5146

B JANSEN
Regional Land Claims Commissioner

NOTICE 1765 OF 2003**NATIONAL AGRICULTURAL MARKETING COUNCIL
MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT No. 47 OF 1996)****DECIDUOUS FRUIT INDUSTRY -
REQUEST FOR THE AMENDMENT AND EXTENSION OF STATUTORY MEASURES**

It is hereby made known in terms of section 11 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), that the Minister of Agriculture has received in terms of section 15 of the said Act a request for the amendment and extension of statutory measures relating to pome fruit (apples and pears), stone fruit (plums, peaches/nectarines and apricots) and table grapes in the deciduous fruit industry.

The DFPT is acting on behalf of the following directly affected groups in the deciduous fruit industry:

- DFPT Finance (Section 21 Company)
- SAAPPA (South African Apple & Pear producers' Association – Section 21 Company)
- SASPA (South African Stone Fruit Producers' Association – Section 21 Company); and
- SAT (South African Table Grapes – Section 21 Company).

The following statutory measures are currently in place in the deciduous fruit industry:

- Keeping of records and returns in terms of section 18 of the MAP Act
- Registration of persons in terms of section 19 of the MAP Act
- Statutory measures in terms of section 15 of the MAP Act;

Table grapes and stone fruit [plums, apricots and peaches (including cling peaches) and nectarines] expiring 31 October 2004

Pome fruit (apples and pears) expiring 30 October 2005.

The DFPT's request for the amendment of statutory measures in the deciduous fruit industry applies to the following.

- **Table grapes** on export volumes only (all classes) at 8c/kg (an increase from 5c/kg).
- **Stone fruit:**
 - Apricots** on export and domestic volumes (all classes) at 8.5c/kg (an increase from 7.0c/kg).
 - Peaches/Nectarines** on export and domestic volumes (all classes) at 6.5c/kg (an increase from 5c/kg).
 - Cling peaches** at 6.5c/kg (an increase from 1.0c/kg).
 - Plums** on export volumes (all classes) at 6.5c/kg (an increase from 5.0c/kg), and domestic volumes at 3c/kg (domestic volumes were not included previously).
- **Pome fruit**
 - Apples** on fresh fruit, export and domestic volumes (all classes) at 3c/kg (an increase from 1.5c/kg).
 - Apple concentrate remains unchanged at R6/ton
 - Pears** on export and domestic volumes at 3c/kg (an increase from 1.5c/kg).

It is proposed that these changes applied for, will be for a new four-year period, to coincide with the start of the new (2003/04) deciduous fruit season, to ensure a smooth roll over from the current measures into the new period, with effect from 1 October 2003 to 30 September 2007.

The DFPT's request to amend the statutory measures is mainly to synchronise the time period applicable to the measures for the various fruit kinds and to bring levy levels and the utilisation thereof in line with the latest industry requirements as mandated by the producers. The amendment of the statutory measures will also ensure the alignment of all 3 fruit groups, which will enhance continuous cost effective services and functions.

Registration and records and returns

In terms of registration (of producers, exporters, the trade and juice plants) and records and returns, it is argued that the maintenance of macro industry statistics and market information is critical for long-term planning relating to production, orderly marketing and infrastructural capacity by the industry (producers and exporters), Government and service/input suppliers.

Levy

The requested levy levels will be applicable on export and/or domestic volumes of deciduous fruit destined for fresh consumption, as well as on apple juice concentrate and will be utilised for the funding and provision of:

- Research projects, information and technology transfer;
- Plant improvement and certification
- Market information, statistics and logistical efficiencies
- Trade and market access issues
- Communication and market development
- Transformation and training
- Administration

The following levy rates per kilogram of fruit are requested:

- a) Apples
 - Fresh fruit at R30/ton (3c/kg) – Domestic and exports;
 - Concentrate fruit at R6/ton (0,6c/kg).
- b) Pears
 - Fresh fruit at R30/ton (3c kg) – Domestic and exports.
- c) Apricots
 - Fresh fruit at R85/ton (8,5c/kg) – Domestic and exports.
- d) Peaches (including cling peaches)/Nectarines
 - Fresh fruit at R65/ton (6,5c kg) – Domestic and exports.
- e) Plums
 - Fresh fruit at R65/ton (6,5c kg) – Exports;
 - Fresh fruit at R30/ton (3c/kg) – Domestic.
- f) Table Grapes
 - Fresh fruit at R80/ton (8c/kg) – Exports only.

The extended measures will apply unchanged for the respective fruit kinds, apart from the levy levels for which increases are proposed to cater for the effect of inflation over the application period and to cover expenses in line with current industry requirements as identified.

It is argued that the outputs resulting from the utilisation of an increased research and development levy will contribute to the optimisation of export earnings and enhancement of the viability of the agricultural sector.

Directly affected groups in the deciduous fruit industry are hereby invited to forward any comments regarding the proposed statutory measures to the National Agricultural Marketing Council within 14 days of the publication hereof.

Submissions should be in writing and be addressed to:

The Chairperson
National Agricultural Marketing Council
Private Bag X 935
PRETORIA
0001
Fax No.: (012) 341 1911
Enquiries: Ms Mathilda van der Walt
e-mail: Mathilda@namc.co.za
Tel.: (012) 341 1115

NOTICE 1766 OF 2003**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****NOTICE OF EXPROPRIATION - WINTERVELD AGRICULTURAL HOLDINGS**

NOTICE TO EXPROPRIATE caused to be published by City of Tshwane Metropolitan Municipality ("the Municipality") in terms of Section 7 (5) of the Expropriation Act, 1975 (Act 63 of 1975) ("the Act") in respect of the Properties being expropriated ("the Properties"); the date of expropriation ("the Expropriation Date"); the date from which the Municipality will take possession of the Properties ("the Date of Possession"); the amount being offered as Compensation for the expropriated Properties ("Compensation") and the person in whose names the respective Property/ies is registered ("the Owner/s"), which includes the executor in the estate of an Owner deceased, or the trustee in the insolvent estate of an Owner, or if the Owner of the Property is under legal disability his/her legal representative and includes the authorised representative of the Owner in the Republic, as the relevant details, described above, appear in Schedule A to this publication, described opposite the relevant Property and/or Owner's descriptions and which Schedule A forms an integral part of this notice.

AND TAKE NOTICE THAT:

- 1 The Municipality by virtue of the powers vested in it in terms of Section 79 (24) (a) of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) ("the Ordinance"), read with Section 5 of the Act, as amended, hereby expropriates the Properties for public purposes - as described in Schedule A.
- 2 The date/s of expropriation are the dates as described in Schedule A.
- 3 The date/s that the Municipality shall exercise the expropriated rights and take possession of the Properties are as described in Schedule A.
- 4 The amount/s being offered in Compensation in terms of Section 12 (1) (a) and 12 (2) of the Act are the total amounts (Compensation) as described in Schedule A.
- 5 Section 12 (3) (a) (ii) of the Act, read with Section 79 (24) (a) of the said Ordinance stipulates as follows:

"(3) (a) Interest at the standard interest rate determined in terms of section 26 (1) of the Exchequer Act, 1975 (Act 66 of 1975), shall, subject to the provisions of subsection (4), be payable from the date on which the Municipality exercises the rights in question in terms of section 8 (3) or (5) on any outstanding portion of the amount of Compensation payable in accordance with subsection (1)."

provided that:

"(ii) if the owner fails to comply with the provisions of section 9 (1) within the appropriate period referred to in the said section, the amount so payable shall during the period of such failure or for the purpose of the payment of interest be deemed not to be an outstanding amount"

- 6 That Section 9 (1) of the Act, read with Section 79 (24) (a) of the Ordinance stipulates as follows:

"(1) An owner whose property has been expropriated in terms of this Act, shall, within 60 (sixty) days from the date of notice in question, deliver or cause to be delivered to the Minister a written statement indicating-

- (a) if any compensation was in the notice of expropriation offered, whether or not he accepts the compensation and, if he does not accept it, the amount claimed by him as compensation and how much of the amount represents each of the respective amounts as contemplated in sections 12 (1) (a) (i) and (ii) or (b) and the full particulars as to how such amount/s is made up;
- (b) if no such compensation was so offered, the amount claimed by him as compensation as contemplated in section 12 (1) (a) (i) and (ii) or (b) and the full particulars as to how such amount/s is made up;
- (c) if the property expropriated is land and any amount is claimed in terms of paragraph (a) or (b), full particulars of all improvements thereon which, in the opinion of the owner, affect the value of such land;
- (d) if the property being expropriated is land -
 - (i) which prior to the date of notice was leased as a whole or in part by unregistered lease (which includes a written sub-lease), the name and address of the lessee (which includes a sub-lessee in terms of a written sub-lease), and accompanied by the lease or written sub-lease or a certified copy thereof, if it is in writing, or full particulars of the lease, if it is not in writing;
 - (ii) which, prior to the date of notice, was sold by the owner, the name and address of the buyer, and accompanied by the contract of purchase and sale or a certified copy thereof;
 - (iii) on which a building has been erected which is subject to a builder's lien by virtue of a written building-contract, the name and address of the builder, and accompanied by the building-contract or a certified copy thereof;
- (e) the address to or at which the owner desires the full documents in connection with the expropriation may be posted or delivered or tendered;

Provided that the Municipality may at its discretion extend the said period of 60 (sixty) days, and that, if the owner requests the Municipality in writing within 30 (thirty) days as from the date of notice to extend the said period of 60 (sixty) days, the Municipality shall extend such period by a further 60 (sixty) days."

- 7 That the Municipality may withdraw the Compensation offered should a lessee (or sub-lessee in terms of a written sub-lease) have a right by virtue of a lease contract (or a written sub-lease) contemplated in Section 9 (1) (d) (i) with regard to the expropriated Property of which the Municipality is unaware on the date of notice.

- 8 That Section 19 (1), read with Section 21 (4) stipulates that if the Property has been burdened with a mortgage bond immediately prior to the Date of Expropriation and if the Owner and the mortgagee fail to notify the Municipality of the person to whom and the conditions on which the Compensation shall be paid, the Municipality shall deposit the Compensation amount, which shall be paid with the Master of the High Court.
- 9 That should the Owner fail to submit to a Court, contemplated in Section 14 (1) before 1st March 2004 an application for settlement of the Compensation amount, should the Municipality and the Owner not have reached an agreement as to the Compensation, the Owner would be deemed in terms of the provisions of Section 10 (5) (a) to have accepted the Compensation offered.

**SIGNED and DATED at PRETORIA on this the 27th day of JUNE 2003 -
EXPROPRIATION NOTICE DATE**

**SALMINAH MABUSHA MAJA
DULY AUTHORISED REPRESENTATIVE
OF THE HEAD: LEGAL AND SECRETARIAL SERVICES
TSHWANE METROPOLITAN MUNICIPALITY**

**27 JUNE 2003
(Notice No 511/2003)**

SCHEDULE A

	PROPERTY PLOT / WINTERVELD AGRICULTURAL HOLDINGS NO.	DATE OF EXPROPRIATION	DATE OF POSSESSION	COMPENSATION R	OWNER
1	1473	27 June 2003	1 July 2003	74 800	Serote J.I.
2	1474	27 June 2003	1 July 2003	47 300	Mangane S.
3	1475	27 June 2003	1 July 2003	47 300	Mosiea M.P.
4	1476	27 June 2003	1 July 2003	47 300	Masiteng P.
5	1477	27 June 2003	1 July 2003	47 300	Baloyi P.
6	1478	27 June 2003	1 July 2003	47 300	Chauke B.
7	1479	27 June 2003	1 July 2003	47 300	Seboko M.A.
8	1480	27 June 2003	1 July 2003	47 300	Lekganyane B.
9	1481	27 June 2003	1 July 2003	47 300	Lempe T.A.
10	1482	27 June 2003	1 July 2003	47 300	Lebuso L.G.
11	1483	27 June 2003	1 July 2003	91 300	Sibeko R.
12	1484	27 June 2003	1 July 2003	47 300	Vilakazi S.
13	1485	27 June 2003	1 July 2003	47 300	Kganyago W.
14	1486	27 June 2003	1 July 2003	47 300	Olifant W.G.
15	1487	27 June 2003	1 July 2003	47 300	Makhuhleni H.
16	1488	27 June 2003	1 July 2003	47 300	Malope J.
17	1489	27 June 2003	1 July 2003	47 300	Lesolang A.R.
18	1490	27 June 2003	1 July 2003	47 300	Mlangeni W.
19	1491	27 June 2003	1 July 2003	47 300	Baloyi N.S.
20	1492	27 June 2003	1 July 2003	47 300	Olifant W.G.
21	1493	27 June 2003	1 July 2003	82 500	Mahlangu P.
22	1494	27 June 2003	1 July 2003	94 600	Nonyane H.
23	1495	27 June 2003	1 July 2003	94 600	De Villiers S.E.
24	1496	27 June 2003	1 July 2003	94 600	Kobo J.M.
25	1497	27 June 2003	1 July 2003	94 600	Makena W.
26	1498	27 June 2003	1 July 2003	94 600	Mabitsela K.W.
27	1499	27 June 2003	1 July 2003	94 600	Kunene N.J.
28	1500	27 June 2003	1 July 2003	94 600	Mophosho D.
29	1501	27 June 2003	1 July 2003	94 600	Khoza M.P.
30	1502	27 June 2003	1 July 2003	111 100	Mahlangu S.
31	1503	27 June 2003	1 July 2003	122 100	Mathejoana J.M.
32	1504	27 June 2003	1 July 2003	115 500	Moleele J.S.
33	1505	27 June 2003	1 July 2003	107 800	Molomo S.
34	1506	27 June 2003	1 July 2003	100 100	Ramadikela N.P.
35	1507	27 June 2003	1 July 2003	92 400	Lebopa N.A.
36	1508	27 June 2003	1 July 2003	84 700	Raphasha M.M.
37	1509	27 June 2003	1 July 2003	146 300	Mabunda J.B.
38	1510	27 June 2003	1 July 2003	102 300	Mlangeni M.D.
39	1511	27 June 2003	1 July 2003	93 500	Mabuna A.
40	1512	27 June 2003	1 July 2003	94 600	Mphela L.J.
41	1513	27 June 2003	1 July 2003	94 600	Simango A.S.
42	1514	27 June 2003	1 July 2003	94 600	Maramba S.I.
43	1515	27 June 2003	1 July 2003	94 600	Pudikabekwa R.S.
44	1516	27 June 2003	1 July 2003	124 300	Mavunda U.C.
45	1517	27 June 2003	1 July 2003	116 600	Ngobeni N.B.
46	1518	27 June 2003	1 July 2003	108 900	Twala G.G.
47	1519	27 June 2003	1 July 2003	53 900	Lenamile D.O.
48	1520	27 June 2003	1 July 2003	47 300	Khoza J.G.
49	1521	27 June 2003	1 July 2003	47 300	Mokoa N.C.
50	1522	27 June 2003	1 July 2003	47 300	Ntsele M.M.
51	1523	27 June 2003	1 July 2003	47 300	Mabuka L.

52	1524	27 June 2003	1 July 2003	47 300	Mnyango G.
53	1525	27 June 2003	1 July 2003	47 300	Lebuso D.
54	1526	27 June 2003	1 July 2003	47 300	Khabo M.P.
55	1527	27 June 2003	1 July 2003	47 300	Baloyi M.G.
56	1528	27 June 2003	1 July 2003	47 300	Ramathoka L.E.
57	1529	27 June 2003	1 July 2003	47 300	Rametsi J.
58	1530	27 June 2003	1 July 2003	47 300	Mokgosi K.C.
59	1531	27 June 2003	1 July 2003	47 300	Lebuso F.
60	1532	27 June 2003	1 July 2003	47 300	Maupa S.J.
61	1533	27 June 2003	1 July 2003	47 300	Boshomane L.J.
62	1534	27 June 2003	1 July 2003	47 300	Sefatsa M.H.
63	1535	27 June 2003	1 July 2003	47 300	Nongane M.B.
64	1536/RE	27 June 2003	1 July 2003	26 400	Maluleke M.
65	1536/1	27 June 2003	1 July 2003	9 900	Roman C. Church
66	1537	27 June 2003	1 July 2003	47 300	Baloyi J.
67	1538	27 June 2003	1 July 2003	47 300	Ntlatleng J.
68	1539	27 June 2003	1 July 2003	47 300	Olifant S.A.
69	1540	27 June 2003	1 July 2003	47 300	Makgatho P.

NOTICE 1740 OF 2003**CO-OPERATIVES REMOVED FROM REGISTER: EMA O TIRELE CO-OPERATIVE LIMITED**

Notice is hereby given that the names of the above-mentioned co-operatives were removed from the register on 10 June 2003 in terms of section 44 (b) of the Co-operatives Act, 1981.

Registrar of Co-operatives

Office of the Registrar of Co-operatives
Agricultural Building
20 Beatrix Street
Private Bag X237
Pretoria

KENNISGEWING 1740 VAN 2003**KOÖPERASIES WAT VAN DIE REGISTER GESKRAP IS: EMA O TIRELE CO-OPERATIVE LIMITED**

Hiermee word bekendgemaak dat die name van bogenoemde koöperasies op 10 June 2003 ingevolge die bepalings van artikel 44 (b) van die Koöperasiewet, 1981, van die register geskrap is.

Registrateur van Koöperasies

Kantoor van die Registrateur van Koöperasies
Landbougeboue
Beatrixstraat 20
Privaatsak X237
Pretoria

(27 June 2003) (27 Junie 2003)

NOTICE 1743 OF 2003**STATISTICS SOUTH AFRICA**

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, all items (Base 2000 = 100)

May 2003: 122,8

(27 June 2003)

NOTICE 1744 OF 2003**CO-OPERATIVES TO BE STRUCK OFF THE REGISTER: SIYAHLOBA CO-OPERATIVE LIMITED, TUNGELA NORTH TRADE AND INVESTMENT CO-OPERATIVE LIMITED, TRADITIONAL DOCTORS TRAINERS CO-OPERATIVE LIMITED, REAHISANE FARMERS CO-OPETIVE LIMITED, AND SOUTH AFRICAN SEAMAN CO-OPERATIVE LIMITED**

Notice is hereby given that the names of the above-mentioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 45 (2) of the Co-operatives Act, 1981, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefor, be lodged with this office before the expiration of the period of sixty days.

Registrar of Co-operatives

Office of the Registrar of Co-operatives
Agricultural Building
20 Beatrix Street
Private Bag X237
Pretoria
0001

KENNISGEWING 1744 VAN 2003

KOÖPERASIES VAN DIE REGISTER GESKRAP TE WORD: SIYAHLOBA CO-OPERATIVE LIMITED, TUNGELA NORTH TRADE AND INVESTMENT CO-OPERATIVE LIMITED, TRADITIONAL DOCTORS TRAINERS CO-OPERATIVE LIMITED, REAHISANE FARMERS CO-OPETIVE LIMITED EN SOUTH AFRICAN SEAMAN CO-OPERATIVE LIMITED

Hiermee word bekendgemaak dat die name van bogenoemde koöperasies na verloop van sestig dae met ingang vanaf die datum van hierdie kennisgewing van die register geskrap sal word ooreenkomstig die bepalings van artikel 45 (2) van die Koöperasiewet, 1981, en die koöperasies sal ontbind word tensy bewys gelever word dat die koöperasies handel drywe of in werking is.

Enige besware wat belanghebbende persone teen hierdie prosedure wil inbring, moet met vermelding van redes voor verstryking van die tydperk van sestig dae by hierdie Kantoor ingedien word.

Registrateur van Koöperasies

Kantoor van die Registrateur van Koöperasies
Landbougebou
Beatrixstraat 20
Privaatsak X237
Pretoria
0001

(27 June 2003) (27 Junie 2003)

NOTICE 1751 OF 2003

SOUTH AFRICAN RESERVE BANK

SECTION 34 (3) (a) OF THE BANKS ACT, 1990

CHANGE OF THE NAME OF A REPRESENTATIVE OFFICE—CREDIT SUISSE FIRST BOSTON SA (PTY) LIMITED

Notice is hereby given, for general information, that Credit Suisse First Boston SA (Pty) Limited, a representative office, changed its name to Credit Suisse First Boston (Europe) Limited.

(27 June 2003)

NOTICE 1753 OF 2003

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE EXPORT OF PEACHES AND NECTARINES: AMENDMENT

I, Ebenhaezer Rademeyer, appointed as Executive Officer in terms of Section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby give notice under Section 4(3)(c) of the said Act, that—

- (a) the standards and requirements regarding the control of the export of peaches and nectarines as stipulated by Government Notice No. R. 1983 of 23 August 1991 and promulgated in Government Notice No. R. 1265 of 09 October 1998, amended previously by Government Notices No's R. 19873 of 01 April 1999, R. 1244 of 22 October 1999, R. 4214 of 10 November 2000, R. 2062 of 21 September 2001 and R. 1716 of 13 September 2002 are hereby further amended; and
- (b) the amendments mentioned in paragraph (a)—
 - (i) shall be available for inspection at the Office of the Executive Officer: Agricultural Product Standards, Dirk Uys Building, 30 Hamilton Street, Arcadia, Pretoria;
 - (ii) may be obtained from the Executive Officer: Agricultural Product Standards, Department of Agriculture, Private Bag X258, Pretoria, 0001, Tel: (012) 319-6444 or Fax: (012) 319-6265, on payment of the prescribed fees; and
 - (iii) shall come into operation seven days after publication of this notice.

E. RADEMEYER

Executive Officer: Agricultural Product Standards

KENNISGEWING 1753 VAN 2003

DEPARTEMENT VAN LANDBOU

WET OP LANDBOUPRODUKSTANDAARDE (WET No. 119 VAN 1990)

STANDAARDE EN VEREISTES BETREFFENDE BEHEER OOR DIE UITVOER VAN PERSKES EN NEKTARIENE: WYSIGING

Ek, Ebenhaezer Rademeyer, ingevolge artikel 2 (1) van die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990) as Uitvoerende Beampte aangewys gee hiermee kragtens artikel 4(3)(c) van die vermeldde Wet, kennis dat—

- (a) die standaarde en vereistes betreffende beheer oor die uitvoer van perskes en nektariene, soos vasgestel deur Goewermentskennisgewing No. R. 1983 van 23 Augustus 1991 en afgekondig in Goewermentskennisgewing No. R. 1265 van 09 Oktober 1998, gewysig, deur Goewermentskennisgewing No's R. 19873 van 01 April 1999, R. 1244 van 22 Oktober 1999, R. 4214 van November 2000, R. 2062 van 21 September 2001 en R. 1716 van 13 September 2002 en hiermee verder gewysig word; en
- (b) die wysigings in paragraaf (a) vermeld—
 - (i) ter insae beskikbaar is by die kantoor van die Uitvoerende Beampte: Landbouprodukstandaarde, Dirk Uysgebou, Hamiltonstraat 30, Arcadia, Pretoria;
 - (ii) teen betaling van die voorgeskrewe bedrag vanaf die Uitvoerende Beampte: Landbouprodukstandaarde, Departement van Landbou, Privaatsak X258, Pretoria, 0001, Tel: (012) 319-6444 of Faks: (012) 319-6265 verkrygbaar is; en
 - (iii) sewe dae na publikasie van hierdie kennisgewing in werking tree.

E. RADEMEYER

Uitvoerende Beampte: Landbouprodukstandaarde

(27 June 2003) (27 Junie 2003)

NOTICE 1754 OF 2003

DEPARTMENT OF AGRICULTURE

AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)

STANDARDS AND REQUIREMENTS REGARDING CONTROL OF THE EXPORT OF APRICOTS: AMENDMENT

I, Ebenhaezer Rademeyer, appointed as Executive Officer in terms of Section 2(1) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby give notice under Section 4(3)(c) of the said Act, that—

- (a) the standards and requirements regarding the control of the export of apricots as stipulated by Government Notice No. R. 1983 of 23 August 1991 and promulgated in Government Notice No. R. 1267 of 9 October 1998, amended previously by Government Notices No's R. 1245 of 22 October 1999, R. 4089 of 27 October 2000, R. 1983 of 14 September 2001 and R. 1730 of 20 September 2002 are hereby further amended; and
- (b) the amendments mentioned in paragraph (a)—
 - (i) shall be available for inspection at the Office of the Executive Officer: Agricultural Product Standards, Dirk Uys Building, 30 Hamilton Street, Arcadia, Pretoria;
 - (ii) may be obtained from the Executive Officer: Agricultural Product Standards, Department of Agriculture, Private Bag X258, Pretoria, 0001, Tel: (012) 319-6444 or Fax: (012) 319-6265, on payment of the prescribed fees; and
 - (iii) shall come into operation seven days after publication of this notice.

E. RADEMEYER

Executive Officer: Agricultural Product Standards

KENNISGEWING 1754 VAN 2003

DEPARTEMENT VAN LANDBOU

WET OP LANDBOUPRODUKSTANDAARDE (WET No. 119 VAN 1990)

STANDAARDE EN VEREISTES BETREFFENDE BEHEER OOR DIE UITVOER VAN APPELKOSE: WYSIGING

Ek, Ebenhaezer Rademeyer, ingevolge artikel 2 (1) van die Wet op Landbouprodukstandaarde, 1990 (Wet No. 119 van 1990) as Uitvoerende Beampte aangewys gee hiermee kragtens artikel 4(3)(c) van die vermelde Wet, kennis dat—

- (a) die standaarde en vereistes betreffende beheer oor die uitvoer van appelkose, soos vasgestel deur Goewermentskennisgewing No. R. 1983 van 23 Augustus 1991 en afgekondig in Goewermentskennisgewing No. R. 1267 van 9 Oktober 1998, gewysig, deur Goewermentskennisgewing No's R. 1245 van 22 Oktober 1999, R. 4089 van 27 Oktober 2000, R. 1983 van 14 September 2001, R. 1730 van 20 September 2002 en hiermee verder gewysig word; en
- (b) die wysigings in paragraaf (a) vermeld—
 - (i) ter insae beskikbaar is by die kantoor van die Uitvoerende Beampte: Landbouprodukstandaarde, Dirk Uysgebou, Hamiltonstraat 30, Arcadia, Pretoria;

- (ii) teen betaling van die voorgeskrewe bedrag vanaf die Uitvoerende Beampte: Landbouprodukstandaarde, Departement van Landbou, Privaatsak X258, Pretoria, 0001, Tel: (012) 319-6444 of Faks: (012) 319-6265 verkrygbaar is; en
- (iii) sewe dae na publikasie van hierdie kennisgewing in werking tree.

E. RADEMEYER**Uitvoerende Beampte: Landbouprodukstandaarde**

(27 June 2003) (27 Junie 2003)

NOTICE 1761 OF 2003**CO-OPERATIVES TO BE STRUCK OFF THE REGISTER: DELAREYVILLE TUISGEBAK KOÖPERASIE BEPERK**

Notice is hereby given that the names of the abovementioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 45 (2) of the Co-operatives Act, 1981, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefor, be lodged with this office before the expiration of the period of sixty days.

Registrar of Co-operatives

Office of the Registrar of Co-operatives
Agricultural Building
20 Beatrix Street
Private Bag X237
Pretoria
0001

KENNISGEWING 1761 VAN 2003**KOÖPERASIES VAN DIE REGISTER GESKRAP TE WORD: DELAREYVILLE TUISGEBAK KOÖPERASIE BEPERK**

Hiermee word bekendgemaak dat die name van bogenoemde koöperasies na verloop van sestig dae met ingang vanaf die datum van hierdie kennisgewing van die register geskrap sal word ooreenkomstig die bepalings van artikel 45 (2) van die Koöperasiewet, 1981, en die koöperasies sal ontbind word tensy bewys gelewer word dat die koöperasies handel drywe of in werking is.

Enige besware wat belanghebbende persone teen hierdie prosedure wil inbring, moet met vermelding van redes voor verstryking van die tydperk van sestig dae by hierdie Kantoor ingedien word.

Registrateur van Koöperasies

Kantoor van die Registrateur van Koöperasies
Landbougebou
Beatrixstraat 20
Privaatsak X237
Pretoria
0001

(27 June 2003) (27 Junie 2003)

NOTICE 1762 OF 2003

The National Treasury hereby announces that transfer documents for registration in respect of the undermentioned Republic of South Africa Internal Registered Bonds must be lodged with this Office on the 12th Floor, 240 Vermeulen Street, Pretoria, not later than 1 July 2003 to qualify for the interest payment on 1 August 2003.

Internal Registered Stock, 12,75%, 2006 (R163).
Internal Registered Stock, 12,75%, 2007 (R164).
Internal Registered Stock, 12,75%, 2008 (R165).
Internal Registered Stock, 12,90%, 2012 (R166).
Internal Registered Stock, 12,90%, 2013 (R167).
Internal Registered Stock, 10%, 2013 (R179).

KENNISGEWING 1762 VAN 2003

Die Nasionale Tesourie maak hiermee bekend dat oordragdokumente vir registrasie ten opsigte van die ondergemelde Republiek van Suid-Afrika Binnelandse Geregistreerde Effekte nie later nie as 1 Julie 2003 by die Departement se kantoor te 12de Vloer, Vermeulenstraat 240, Pretoria, ingelewer moet word ten einde vir rentebetaling op 1 Augustus 2003 te kwalifiseer.

Binnelandse Geregistreerde Effekte, 12,75%, 2006 (R163).

Binnelandse Geregistreerde Effekte, 12,75%, 2007 (R164).

Binnelandse Geregistreerde Effekte, 12,75%, 2008 (R165).

Binnelandse Geregistreerde Effekte, 12,90%, 2012 (R166).

Binnelandse Geregistreerde Effekte, 12,90%, 2013 (R167).

Binnelandse Geregistreerde Effekte, 10%, 2013 (R179).

(27 June 2003)/(27 Junie 2003)

NOTICE 1763 OF 2003**DEPARTMENT OF FINANCE**

19 JUNE 2003

RATE OF INTEREST ON GOVERNMENT LOANS

It is hereby notified that the Minister of Finance has, in terms of Section 26 (1) of the Exchequer Act, 1975 (Act 66 of 1975), fixed the Standard Interest Rate applicable from 1 July 2003 and until further notice, to loans granted by the State out of the State Revenue Fund, at fifteen comma zero zero percent (15,00%) per annum.

The above-mentioned Standard Interest Rate is applicable from 1 July 2003 and until further notice to all drawings of loans from State money, except loans in respect of which other rates of interest are specifically authorized by legislation or the Minister of Finance.

(27 June 2003)

NOTICE 1767 OF 2003**DEPARTMENT OF LABOUR****LABOUR RELATIONS ACT, 1995****REGISTRATION OF A TRADE UNION**

I, Johannes Theodorus Crouse, Acting Registrar of Labour Relations, hereby notify, in terms of section 109 (2) of the Labour Relations Act, 1995, that the **Glaxosmithkline Employees Association (G.S.K.E.A.)** has been registered as a trade union with effect from 20 June 2003.

J. T. CROUSE

Acting Registrar of Labour Relations

KENNISGEWING 1767 VAN 2003**DEPARTEMENT VAN ARBEID****WET OP ARBEIDSVERHOUDINGE, 1995****REGISTRASIE VAN 'N VAKBOND**

Ek, Johannes Theodorus Crouse, Waarnemende Registrateur van Arbeidsverhoudinge, maak hierby ingevolge artikel 109 (2) van die Wet op Arbeidsverhoudinge, 1995, bekend dat die **Glaxosmithkline Employees Association (G.S.K.E.A.)** met ingang van 20 Junie 2003 as 'n vakbond geregistreer is.

J. T. CROUSE

Waarnemende Registrateur van Arbeidsverhoudinge

(27 June 2003) (27 Junie 2003)

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 51 OF 2003

FINANCIAL SERVICES BOARD

LONG-TERM INSURANCE ACT, 1998 (ACT NO. 52 OF 1998)

PRESCRIBED LONG-TERM INSURANCE FEES

I, Jeffrey van Rooyen, Registrar of Long-term Insurance, hereby under sections 3(2)(b)(i) and 3(4) of the Long-term Insurance Act, 1998 (Act No. 52 of 1998), prescribe the fees set out in the Schedule.

In this Notice -

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

"section" means a section of the Act,

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

Board Notice 15 of 2003, published in the *Gazette* on 28 February 2003, is hereby withdrawn.

This Notice comes into operation on 1 August 2003.



J VAN ROOYEN

Registrar of Long-term Insurance

SCHEDULE

1. The fees in the Table apply in respect of each item indicated opposite thereto.

TABLE

	ITEM	FEES
		Rand
(a)	Document searching by the Registrar for purposes of inspection thereof, or furnishing of copies or for the search, per insurer, for documents in respect of a particular financial year, relating to the last ten preceding financial years, for the purposes of inspection thereof or furnishing of copies, in terms of section 3(4)	40
(b)	Furnishing of a photostatic copy of a return contemplated in section 36, excluding those returns to be submitted in terms of the Companies Act, 1973, in terms of section 3(4)	210
(c)	Furnishing of a return contemplated in section 36, in an electronic format, of a particular financial year, excluding those returns to be submitted in terms of the Companies Act, 1973, in terms of section 3(4)	160
(d)	Furnishing of a copy of, or extract from, any document per sheet thereof in terms of section 3(4)	3
(e)	Certification of a document in terms of section 3(5)	190
(f)	Application for extension of time in terms of section 4(1)	710
(g)	Application for the determination that a policy shall form part of a different class of policies in terms of section 4(7)(b)	5 080
(h)	A copy of the Annual Report of the Registrar of Long-term Insurance, in printed and electronic format, prepared in terms of section 5	90
(i)	Application for approval of the use of the words "insure", "assure", "underwrite" or any derivative thereof in the name or description of a business or an undertaking in terms of section 8(1)(a)	190
(j)	Application for approval of a change of name, or a translation, shortened form or derivative thereof, of a long-term insurer in terms of section 8(2)	890
(k)	Application for registration as a long-term insurer, excluding an application which is referred to in section 69(2), in terms of section 9(1)	17 280
(l)	Registration as a long-term insurer, excluding the registration of an existing insurer referred to in section 69(3), in terms of section 9(2)(b)	12 320
(m)	Application for variation of conditions of registration, excluding those variations referred to in sections 12 and 13, in terms of section 11(1)(a)	7 790
(n)	Application for approval of a change in the financial year in terms of section 17	830
(o)	Application for any one approval of an auditor in terms of section 19(2)	1 690
(p)	Application for approval of any one of the statutory actuary and alternate statutory actuary in terms of section 20(4)	2 020
(q)	Application for exemption from appointing an audit committee in terms of section 23(4)	1 310
(r)	Application for any one approval in terms of section 24(a)(i), (ii), (iii), (iv), (v), (vi), (vii) or (viii)	2 980
(s)	Application for approval to allow a subsidiary to acquire directly or indirectly shares in a long-term insurer in terms of section 24(a)(ix)	3 220
(t)	Application for approval of registration of shares in the name of a person in terms of section 25(1)	1 310
(u)	Application for approval to acquire or hold shares or any other interest in a long-term insurer in terms of section 26	3 010

(v)	Application for approval of an increase of a percentage specified by regulation in terms of section 31(1)(c)	1 850
(w)	Application to hold documentary evidence of title to an asset outside the Republic in terms of section 32(1)(b)	950
(x)	Application for prior approval to include in the assets which a long-term insurer holds in respect of any of its policyholder funds shares in its holding company in terms of section 32(2)	3 220
(y)	Application for any one approval in terms of section 34(1)(a), (c), (d) and (e)	3 220
(z)	Application for approval of a person to hold assets on behalf of a long-term insurer in terms of section 34(1)(b)	5 630
(aa)	Application for approval of an arrangement for the transfer of long-term insurance business in terms of section 37(2)	3 440
(ab)	Application for approval of compromise, arrangement, amalgamation, demutualisation or transfer of business in terms of section 38	22 850
(ac)	Application for a declaration in connection with voluntary winding-up of a long-term insurer in terms of section 43	10 930
(ad)	Application for approval of the relevant criteria for a counterparty to a over-the-counter instrument in terms of paragraph 2(b)(i) of Schedule 1	2 610
(ae)	Application for approval of any other financial market in the Republic on which any other derivative instrument is traded in terms of paragraph 2(b)(iii) of Schedule 1	2 610
(af)	Application for approval of a body corporate which is not incorporated and registered in the Republic in terms of item 20(c) of the Table to Schedule 1	2 610
(ag)	Application for approval of another insurer in terms of the definition of "approved reinsurance policy" in paragraph 1 of Schedule 3	2 600
(ah)	Application for relaxation of a provision, in terms of paragraph 10 of the Notice on the Prescribed Requirements for the Calculation of the Value of Assets, Liabilities and Capital Adequacy Requirement of Long-term Insurers, 2003, which Notice has been prescribed in terms of paragraph 2 of Schedule 3	5 630
(ai)	Application for approval for the valuation of any liability i.r.o. a creditor who has waived any right to have the obligation discharged until all obligations to other creditors have been discharged in full in terms of paragraph 7(2) of Schedule 3	2 610
(aj)	Application for the special performance by the Registrar of any other act, authorised by the Act, than an act contemplated in any other subparagraph above	A fee determined by the Registrar in every individual case after consultation with the applicant, being a minimum of 500 and a maximum of 25 000

Payment of fees

- The payment of a fee referred to in this Schedule by a person to the Financial Services Board may be in cash or by means of a cheque or a money transfer (in which case proof of the transfer must be provided).
- The fees referred to in this Schedule are inclusive of Value-Added Tax.

Short title

4. This Notice is called the Notice on Prescribed Long-term Insurance Fees, 2003.

RAADSKENNISGEWING 51 VAN 2003**RAAD OP FINANSIËLE DIENSTE****LANGTERMYNVERSEKERINGSWET, 1998
(WET NO. 52 VAN 1998)****VOORGESKREWE LANGTERMYNVERSEKERINGSGELDE**

Ek, Jeffrey van Rooyen, Registrateur van Langtermynversekering, skryf hierby, kragtens artikels 3(2)(b)(i) en 3(4) van die Langtermynversekeringswet, 1998 (Wet No. 52 van 1998), die gelde uiteengesit in die Bylae voor.

In hierdie Kennisgewing beteken -

"artikel" 'n artikel van die Wet,

"Wet" die Langtermynversekeringswet, 1998 (Wet No. 52 van 1998),

en enige woord of uitdrukking waaraan 'n betekenis in die Wet verleen word, tensy uit die samehang anders blyk, dra die betekenis aldus daaraan verleen.

Raadskennisgewing 15 van 2003, op 28 Februarie 2003 in die *Staatskoerant* gepubliseer, word hierby ingetrek.

Hierdie Kennisgewing tree op 1 Augustus 2003 in werking.



J VAN ROOYEN

Registrateur van Langtermynversekering

BYLAE

1. Die gelde in die Tabel is van toepassing ten opsigte van elke item wat daarteenoor aangedui word.

TABEL

	ITEM	GELDE
		Rand
(a)	Nasporing van dokumente deur die Registrateur vir doeleindes van besigtiging daarvan, of verstrekking van afskrifte of vir die soek, per versekeraar, van dokumente ten opsigte van 'n bepaalde boekjaar, met betrekking tot die afgelope tien boekjare, vir doeleindes van besigtiging daarvan, of verstrekking van afskrifte, ingevolge artikel 3(4)	40
(b)	Verstreking van 'n fotostatiese afskrif van 'n opgawe beoog in artikel 36, uitgesonderd daardie opgawes wat ingevolge die Maatskappywet, 1973, ingedien moet word, ingevolge artikel 3(4)	210
(c)	Verstreking van 'n opgawe beoog in artikel 36, in 'n elektroniese formaat, van 'n bepaalde boekjaar, uitgesonderd daardie opgawes wat ingevolge die Maatskappywet, 1973, ingedien moet word, ingevolge artikel 3(4)	160
(d)	Verstreking van 'n afskrif van, of uittreksel uit, enige dokument per vel daarvan ingevolge artikel 3(4)	3
(e)	Sertifisering ingevolge artikel 3(5) van 'n dokument	190
(f)	Aansoek om verlenging van tyd ingevolge artikel 4(1)	710
(g)	Aansoek om die bepaling dat 'n polis deel van 'n ander klas polisse moet uitmaak, ingevolge artikel 4(7)(b)	5 080
(h)	'n Afskrif van die Jaarverslag van die Registrateur van Langtermynversekering, in gedrukte en elektroniese formaat, opgestel ingevolge artikel 5	90
(i)	Aansoek om goedkeuring vir die gebruik van die woorde "verseker", "verassureer", "onderskryf" of enige afleiding daarvan in die naam of beskrywing van 'n besigheid of onderneming ingevolge artikel 8(1)(a)	190
(j)	Aansoek om goedkeuring van 'n verandering van naam, of 'n vertaling, verkorte vorm of afleiding daarvan, van 'n langtermynversekeraar ingevolge artikel 8(2)	890
(k)	Aansoek om registrasie as 'n langtermynversekeraar, uitgesonderd 'n aansoek waarna in artikel 69(2) verwys word, ingevolge artikel 9(1)	17 280
(l)	Registrasie as 'n langtermynversekeraar, uitgesonderd die registrasie van 'n bestaande versekeraar bedoel in artikel 69(3), ingevolge artikel 9(2)(b)	12 320
(m)	Aansoek om registrasievoorwaardes te verander, uitgesonderd daardie veranderinge bedoel in artikels 12 en 13, ingevolge artikel 11(1)(a)	7 790
(n)	Aansoek om goedkeuring van 'n verandering in die boekjaar ingevolge artikel 17	830
(o)	Aansoek om enige enkele goedkeuring van 'n ouditeur ingevolge artikel 19(2)	1 690
(p)	Aansoek om goedkeuring van enige van die statutêre aktuaris en plaasvervanger statutêre aktuaris ingevolge artikel 20(4)	2 020
(q)	Aansoek om vrystelling van aanstelling van 'n ouditkomitee ingevolge artikel 23(4)	1 310
(r)	Aansoek om enige enkele goedkeuring ingevolge artikel 24(a)(i), (ii), (iii), (iv), (v), (vi), (vii) of (viii)	2 980
(s)	Aansoek om goedkeuring om 'n filiaal regstreeks of onregstreeks toe te laat om aandele in 'n langtermynversekeraar te verkry ingevolge artikel 24(a)(ix)	3 220

(t)	Aansoek om goedkeuring van registrasie van aandele in die naam van 'n persoon ingevolge artikel 25(1)	1 310
(u)	Aansoek om goedkeuring om aandele of enige ander belang in 'n langtermynversekeraar te verkry of te hou ingevolge artikel 26	3 010
(v)	Aansoek om goedkeuring van 'n verhoging van 'n persentasie by regulasie vermeld ingevolge artikel 31(1)(c)	1 850
(w)	Aansoek om goedkeuring om dokumentêre bewys te hou van titel tot 'n bate buite die Republiek ingevolge artikel 32(1)(b)	950
(x)	Aansoek om voorafgoedkeuring om insluiting in bates wat 'n langtermynversekeraar ten opsigte van sy langtermynversekeringsbesigheid in enige van sy polishouersfondse hou van aandele in sy houermaatskappy ingevolge artikel 32(2)	3 220
(y)	Aansoek om enige enkele goedkeuring ingevolge artikel 34(1)(a), (c), (d) en (e)	3 220
(z)	Aansoek om goedkeuring van 'n persoon om bates namens 'n langtermynversekeraar te hou ingevolge artikel 34(1)(b)	5 630
(aa)	Aansoek om goedkeuring van 'n reëling vir die oordrag van langtermynversekeringsbesigheid ingevolge artikel 37(2)	3 440
(ab)	Aansoek om goedkeuring van 'n skikking, reëling, amalgamasie, demutualisering of oordrag van besigheid ingevolge artikel 38	22 850
(ac)	Aansoek vir 'n verklaring in verband met die vrywillige likwidasie van 'n langtermynversekeraar ingevolge artikel 43	10 930
(ad)	Aansoek om goedkeuring van die betrokke keuringsmaatstawwe vir 'n teenparty by 'n oor-die-toonbank instrument ingevolge paragraaf 2(b)(i) van Bylae 1	2 610
(ae)	Aansoek om goedkeuring van enige ander finansiële mark in die Republiek waarop enige ander afgeleide instrument verhandel word ingevolge paragraaf 2(b)(iii) van Bylae 1	2 610
(af)	Aansoek om goedkeuring van 'n regspersoon wat nie in die Republiek ingelyf en geregistreer is nie ingevolge item 20(c) van die Tabel tot Bylae 1	2 610
(ag)	Aansoek om goedkeuring van 'n ander versekeraar ingevolge die omskrywing van "goedgekeurde herversekeringspolis" in paragraaf 1 van Bylae 3	2 600
(ah)	Aansoek, om verligting van 'n bepaling, ingevolge paragraaf 10 van die Kennisgewing op die Voorgeskrewe Vereistes vir die Berekening van die Waarde van Bates, Verpligtinge en Kapitaaltoereikendsvereiste van Langtermynversekeraars, 2003, welke Kennisgewing voorgeskryf is ingevolge paragraaf 2 van Bylae 3	5 630
(ai)	Aansoek om goedkeuring vir die waardering van enige verpligting ten opsigte van 'n skuldeiser wat afstand gedoen het van enige reg dat die verbintenis afgelos moet word totdat alle verbintenisse teenoor ander skuldeisers ten volle afgelos is ingevolge paragraaf 7(2) van Bylae 3	2 610
(aj)	Aansoek om die spesiale verrigting deur die Registrateur van enige ander handeling, deur die Wet gemagtig, as 'n handeling bedoel in enige ander subparagraaf hierbo	'n Geld, synde 'n minimum van 500 en 'n maksimum van 25 000, deur die Registrateur in elke individuele geval, na oorlegpleging met die aansoeker, bepaal

Betaling van gelde

2. Die betaling van 'n geld in hierdie Bylae na verwys deur 'n persoon aan die Raad op Finansiële Dienste kan in kontant of by wyse van 'n tjek of oordrag van fondse (in welke geval bewys van die oordrag gelewer moet word) geskied.
3. Die gelde in hierdie Bylae na verwys, sluit Belasting op Toegevoegde Waarde in.

Kort titel

4. Hierdie Kennisgewing heet die Kennisgewing op Voorgeskrewe Langtermynversekeringsgelde, 2003.

BOARD NOTICE 52 OF 2003**FINANCIAL SERVICES BOARD****SHORT-TERM INSURANCE ACT, 1998
(ACT NO. 53 OF 1998)****PRESCRIBED SHORT-TERM INSURANCE FEES**

I, Jeffrey van Rooyen, Registrar of Short-term Insurance, hereby under sections 3(2)(b)(i) and 3(4) of the Short-term Insurance Act, 1998 (Act No. 53 of 1998), prescribe the fees set out in the Schedule.

In this Notice -

"Act" means the Short-term Insurance Act, 1998 (Act No. 53 of 1998),

"section" means a section of the Act,

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

Board Notice 16 of 2003, published in the *Gazette* on 28 February 2003, is hereby withdrawn.

This Notice comes into operation on 1 August 2003.



J VAN ROOYEN

Registrar of Short-term Insurance

SCHEDULE

1. The fees in the Table apply in respect of each item indicated opposite thereto.

TABLE

	ITEM	FEES
		Rand
(a)	Document searching by the Registrar for purposes of inspection thereof, or furnishing of copies or for the search, per insurer, for documents in respect of a particular financial year, relating to the last ten preceding financial years, for the purposes of inspection thereof or furnishing of copies, in terms of section 3(4)	40
(b)	Furnishing of a photostatic copy of a return contemplated in section 35, excluding those returns to be submitted in terms of the Companies Act, 1973, in terms of section 3(4)	210
(c)	Furnishing of a return contemplated in section 35, in an electronic format, of a particular financial year, excluding those returns to be submitted in terms of the Companies Act, 1973, in terms of section 3(4)	160
(d)	Furnishing of a copy of, or extract from, any document per sheet thereof in terms of section 3(4)	3
(e)	Certification of a document in terms of section 3(5)	190
(f)	Application for extension of time in terms of section 4(1)	710
(g)	Application for the determination that a policy shall form part of a different class of policies in terms of section 4(7)(b)	5 080
(h)	A copy of the Annual Report of the Registrar of Short-term Insurance, in printed and electronic format, prepared in terms of section 5	90
(i)	Application for approval of the use of the words "insure", "assure", "underwrite" or any derivative thereof in the name or description of a business or an undertaking in terms of section 8(1)(a)	190
(j)	Application for approval to place insurance with underwriters other than South African short-term insurers and/or Lloyd's underwriters in terms of section 8(2)(d)	570
(k)	Application for registration as a short-term insurer, excluding an application which is referred to in section 67(2), in terms of section 9(1)	17 280
(l)	Registration as a short-term insurer, excluding the registration of an existing insurer referred to in section 67(3), in terms of section 9(2)(b)	12 320
(m)	Application for variation of conditions of registration, excluding those variations referred to in sections 12 and 13, in terms of section 11(1)(a)	7 790
(n)	Application for approval of a change in the financial year in terms of section 17(a)	830
(o)	Application for approval of a change of name, or a translation, shortened form or derivative thereof, of a short-term insurer in terms of section 17(b)	890
(p)	Application for any one approval of an auditor in terms of any one of sections 19 and 57(5)	1 690
(q)	Application for exemption from appointing an audit committee in terms of section 22(4)	1 310
(r)	Application for any one approval in terms of section 23(a)(i), (ii), (iii), (iv), (v), (vi), (vii) or (viii)	2 980
(s)	Application for approval to allow a subsidiary to acquire directly or indirectly shares in a short-term insurer in terms of section 23(a)(ix)	3 220
(t)	Application for approval of registration of shares in the name of a person in terms of section 24(1)	1 310

(u)	Application for approval to acquire or hold shares or any other interest in a short-term insurer in terms of section 25	3 010
(v)	Application for approval of an increase of a percentage specified by regulation in terms of any one of section 30(2) and paragraph 6(3) of Schedule 3	1 850
(w)	Application to hold documentary evidence of title to an asset outside the Republic in terms of section 31(b)	950
(x)	Application for any one approval in terms of section 33(1)(a), (c), (d) and (e)	3 220
(y)	Application for approval of a person to hold assets on behalf of a short-term insurer in terms of section 33(1)(b)	5 630
(z)	Application for approval of an arrangement for the transfer of short-term insurance business in terms of section 36(2)	3 440
(aa)	Application for approval of compromise, arrangement, amalgamation or transfer of business in terms of section 37	22 850
(ab)	Application for a declaration in connection with voluntary winding-up of a short-term insurer in terms of section 42	10 930
(ac)	Application for approval of any one of the Lloyd's representative and the deputy representative in terms of section 57(2) and (3)	830
(ad)	Application for approval of the relevant criteria for a counterparty to a over-the-counter instrument in terms of paragraph 2(b)(i) of Schedule 1	2 610
(ae)	Application for approval of any other financial market in the Republic on which any other derivative instrument is traded in terms of paragraph 2(b)(iii) of Schedule 1	2 610
(af)	Application for approval of a body corporate which is not incorporated and registered in the Republic in terms of item 20(c) of the Table to Schedule 1	2 610
(ag)	Application for directive to use a percentage which is different to the prescribed percentage in calculating the amount of the provision for claims incurred but not yet reported in terms of paragraph 4 of Schedule 2	3 280
(ah)	Application for approval of a calculation, which is different to the prescribed calculation, in determining the amount of the unearned premium provision in terms of paragraph 5(3) of Schedule 2	3 280
(ai)	Application for approval to use an amount, which is lesser than the minimum amount, for a period not exceeding three years in calculating the amount of the contingency reserve in terms of paragraph 6(b) of Schedule 2	3 280
(aj)	Application for approval for the valuation of any liability i.r.o. a creditor who has waived any right to have the obligation discharged until all obligations to other creditors have been discharged in full in terms of paragraph 7(2) of Schedule 2	2 610
(ak)	Application for approval of a smaller additional amount in terms of any one of Regulations 2.1(a) and 2.2(a)	2 390
(al)	Application for the special performance by the Registrar of any other act, authorised by the Act, than an act contemplated in any other subparagraph above	A fee determined by the Registrar in every individual case after consultation with the applicant, being a minimum of 500 and a maximum of 25 000

Payment of fees

2. The payment of a fee referred to in this Schedule by a person to the Financial Services Board may be in cash or by means of a cheque or a money transfer (in which case proof of the transfer must be provided).
3. The fees referred to in this Schedule are inclusive of Value-Added Tax.

Short title

4. This Notice is called the Notice on Prescribed Short-term Insurance Fees, 2003.

RAADSKENNISGEWING 52 VAN 2003**RAAD OP FINANSIËLE DIENSTE****KORTTERMYNVERSEKERINGSWET, 1998
(WET NO. 53 VAN 1998)****VOORGESKREWE KORTTERMYNVERSEKERINGSGELDE**

Ek, Jeffrey van Rooyen, Registrateur van Korttermynversekering, skryf hierby, kragtens artikels 3(2)(b)(i) en 3(4) van die Korttermynversekeringswet, 1998 (Wet No. 53 van 1998), die gelde uiteengesit in die Bylae voor.

In hierdie Kennisgewing beteken -

"artikel" 'n artikel van die Wet,

"Wet" die Korttermynversekeringswet, 1998 (Wet No. 53 van 1998),

en enige woord of uitdrukking waaraan 'n betekenis in die Wet verleen word, tensy uit die samehang anders blyk, dra die betekenis aldus daaraan verleen.

Raadskennisgewing 16 van 2003, op 28 Februarie 2003 in die *Staatskoerant* gepubliseer, word hierby ingetrek.

Hierdie Kennisgewing tree op 1 Augustus 2003 in werking.



J VAN ROOYEN

Registrateur van Korttermynversekering

BYLAE

1. Die gelde in die Tabel is van toepassing ten opsigte van elke item wat daarteenoor aangedui word.

TABEL

	ITEM	GELDE
		Rand
(a)	Nasporing van dokumente deur die Registrateur vir doeleindes van besigtiging daarvan, of verstrekking van afskrifte of vir die soek, per versekeraar, van dokumente ten opsigte van 'n bepaalde boekjaar, met betrekking tot die afgelope tien boekjare, vir doeleindes van besigtiging daarvan of verstrekking van afskrifte, ingevolge artikel 3(4)	40
(b)	Verstrekking van 'n fotostatiese afskrif van 'n opgawe beoog in artikel 35, uitgesonderd daardie opgawes wat ingevolge die Maatskappywet, 1973, ingedien moet word, ingevolge artikel 3(4)	210
(c)	Verstrekking van 'n opgawe beoog in artikel 35, in 'n elektroniese formaat, van 'n bepaalde boekjaar, uitgesonderd daardie opgawes wat ingevolge die Maatskappywet, 1973, ingedien moet word, ingevolge artikel 3(4)	160
(d)	Verstrekking van 'n afskrif van, of uittreksel uit, enige dokument per vel daarvan ingevolge artikel 3(4)	3
(e)	Sertifisering van 'n dokument ingevolge artikel 3(5)	190
(f)	Aansoek om verlenging van tyd ingevolge artikel 4(1)	710
(g)	Aansoek om die bepaling dat 'n polis deel van 'n ander klas polisse moet uitmaak ingevolge artikel 4(7)(b)	5 080
(h)	'n Afskrif van die Jaarverslag van die Registrateur van Korttermynversekering, in gedrukte en elektroniese formaat, opgestel ingevolge artikel 5	90
(i)	Aansoek om goedkeuring vir die gebruik van die woorde "verseker", "verassureer", "onderskryf" of enige afleiding daarvan in die naam of beskrywing van 'n besigheid of onderneming ingevolge artikel 8(1)(a)	190
(j)	Aansoek om goedkeuring om versekering by ander onderskrywers as Suid-Afrikaanse korttermynversekeraars en/of Lloyd's-onderskrywers te plaas ingevolge artikel 8(2)(d)	570
(k)	Aansoek om registrasie as 'n korttermynversekeraar, uitgesonderd 'n aansoek waarna in artikel 67(2) verwys word, ingevolge artikel 9(1)	17 280
(l)	Registrasie as 'n korttermynversekeraar, uitgesonderd die registrasie van 'n bestaande versekeraar bedoel in artikel 67(3), ingevolge artikel 9(2)(b)	12 320
(m)	Aansoek om registrasievoorwaardes te verander, uitgesonderd daardie veranderinge bedoel in artikels 12 en 13, ingevolge artikel 11(1)(a)	7 790
(n)	Aansoek om goedkeuring van 'n verandering in die boekjaar ingevolge artikel 17(a)	830
(o)	Aansoek om goedkeuring van 'n verandering van naam, of 'n vertaling, verkorte vorm of afleiding daarvan, van 'n korttermynversekeraar ingevolge artikel 17(b)	890
(p)	Aansoek om enige enkele goedkeuring van 'n ouditeur ingevolge enige een van artikels 19 en 57(5)	1 690
(q)	Aansoek om vrystelling van aanstelling van 'n ouditkomitee ingevolge artikel 22(4)	1 310
(r)	Aansoek om enige enkele goedkeuring ingevolge artikel 23(a)(i), (ii), (iii), (iv), (v), (vi), (vii) of (viii)	2 980
(s)	Aansoek om goedkeuring om 'n filiaal regstreeks of onregstreeks toe te laat om aandele in 'n korttermynversekeraar te verkry ingevolge artikel 23(a)(ix)	3 220

(t)	Aansoek om goedkeuring van registrasie van aandele in die naam van 'n persoon ingevolge artikel 24(1)	1 310
(u)	Aansoek om goedkeuring om aandele of enige ander belang in 'n korttermynversekeraar te verkry of te hou ingevolge artikel 25	3 010
(v)	Aansoek om goedkeuring van 'n verhoging van 'n persentasie by regulasie vermeld ingevolge enige een van artikel 30(2) en paragraaf 6(3) van Bylae 3	1 850
(w)	Aansoek om goedkeuring om dokumentêre bewys te hou van titel tot 'n bate buite die Republiek ingevolge artikel 31(b)	950
(x)	Aansoek om enige enkele goedkeuring ingevolge artikel 33(1)(a), (c), (d) en (e)	3 220
(y)	Aansoek om goedkeuring van 'n persoon om bates namens 'n korttermynversekeraar te hou ingevolge artikel 33(1)(b)	5 630
(z)	Aansoek om goedkeuring van 'n reëling vir die oordrag van korttermynversekeringsbesigheid ingevolge artikel 36(2)	3 440
(aa)	Aansoek om goedkeuring van 'n skikking, reëling, amalgamasie of oordrag van besigheid ingevolge artikel 37	22 850
(ab)	Aansoek vir 'n verklaring in verband met die vrywillige likwidasië van 'n korttermynversekeraar ingevolge artikel 42	10 930
(ac)	Aansoek om goedkeuring van enige een van die Lloyd's-verteenwoordiger en die adjunk-verteenwoordiger ingevolge artikel 57(2) en (3)	830
(ad)	Aansoek om goedkeuring van die betrokke keuringsmaatstawwe vir 'n teenparty by 'n oor-die-toonbank instrument ingevolge paragraaf 2(b)(i) van Bylae 1	2 610
(ae)	Aansoek om goedkeuring van enige ander finansiële mark in die Republiek waarop enige ander afgeleide instrument verhandel word ingevolge paragraaf 2(b)(iii) van Bylae 1	2 610
(af)	Aansoek om goedkeuring van 'n regspersoon wat nie in die Republiek ingelyf en geregistreer is nie ingevolge item 20(c) van die Tabel tot Bylae 1	2 610
(ag)	Aansoek om bepaling om 'n ander persentasie wat verskil van die voorgeskrewe persentasie by die berekening van die bedrag van die voorsiening van eise opgehoop maar wat nog nie aangemeld is nie, te gebruik, ingevolge paragraaf 4 van Bylae 2	3 280
(ah)	Aansoek om goedkeuring van 'n berekening, wat verskil van die voorgeskrewe berekening, by die vasstelling van die bedrag van die onverdiende premievoorsiening, ingevolge paragraaf 5(3) van Bylae 2	3 280
(ai)	Aansoek om goedkeuring om 'n bedrag, wat kleiner is as die minimum bedrag, vir 'n typerk van hoogstens drie jaar te gebruik by die berekening van die bedrag van die gebeurlikheidsreserwe ingevolge paragraaf 6(b) van Bylae 2	3 280
(aj)	Aansoek om goedkeuring vir die waardering van enige verpligting ten opsigte van 'n skuldeiser wat afstand gedoen het van enige reg dat die verbintenis afgelos moet word totdat alle verbintenisse teenoor ander skuldeisers ten volle afgelos is ingevolge paragraaf 7(2) van Bylae 2	2 610
(ak)	Aansoek om goedkeuring van 'n kleiner bykomende bedrag ingevolge enige een van Regulasie 2.1(a) en 2.2(a)	2 390
(al)	Aansoek om die spesiale verrigting deur die Registrateur van enige ander handeling, deur die Wet gemagtig, as 'n handeling bedoel in enige ander subparagraaf hierbo	'n Geld, synde 'n minimum van 500 en 'n maksimum van 25 000, deur die Registrateur in elke individuele geval, na oorlegpleging met die aansoeker, bepaal

Betaling van gelde

2. Die betaling van 'n geld in hierdie Bylae na verwys deur 'n persoon aan die Raad op Finansiële Dienste kan in kontant of by wyse van 'n tjek of oordrag van fondse (in welke geval bewys van die oordrag gelewer moet word) geskied.
3. Die gelde in hierdie Bylae na verwys, sluit Belasting op Toegevoegde Waarde in.

Kort titel

4. Hierdie Kennisgewing heet die Kennisgewing op Voorgeskrewe Korttermynversekeringsgelde, 2003.

BOARD NOTICE 53 OF 2003**THE SOUTH AFRICAN COUNCIL FOR PROFESSIONAL AND
TECHNICAL SURVEYORS (PLATO)****TARIFF OF FEES APPLICABLE TO THE SOUTH AFRICAN
COUNCIL FOR PROFESSIONAL AND TECHNICAL
SURVEYORS**

PLATO, in conjunction with the council of the Federation of Institutes of Professional Land Surveyors of Southern Africa (FILSA) and the Institute of Topographical and Engineering Surveyors of South Africa (ITESSA) hereby publishes for general information a tariff of fees, which will be applicable from 1 July 2003.

INTRODUCTION AND APPLICATION

1. This is a recommended tariff of fees for work completed by persons (registered with the Council for Professional and Technical Surveyors, in terms of Act 40 of 1984, herein after referred to as the "surveyor". In the absence of an agreement between a surveyor and his / her client, the Council deems this fee to be that to which the surveyor is reasonably entitled (excluding VAT, fees payable to the Surveyor-General, prescribed application fees and advertisement costs).
2. The tariff consists of sets of tables, yielding a task related fee for the more common survey activities, a schedule of establishment costs which may be applied to any job and an hourly rate for activities not covered in the tables.
3. Local conditions vary and can increase or decrease the scale of fees found in table A and B of this tariff of fees by up to 30% from the published figures. A local Professional Land Surveyor will be able to derive a specific fee for the creation of land rights in terms of the Land Survey Act (Act No. 8 of 1997) based on the FILSA costing model. (Details of Institute members can be obtained from www.filsa.co.za and www.itessa.org.za or www.plato.org.za).
4. Work not specified in this tariff may be charged at the recommended time rate.

1. TIME TARRIFF

Note: Where work is of such a nature that persons with lesser skills can be utilised, the rates should be adjusted accordingly.

1.1 THE RECOMMENDED HOURLY RATES ARE: -

1.1.1 Professional Surveyors entitled to conduct a private practice with more than 5 years experience

- Consulting..... R630.00
- Other..... R475.00

1.1.2 Professional Surveyors entitled to conduct a private practice with less than 5 years experience

- Consulting..... R475.00
- Other..... R430.00

1.1.3 Registered Surveyors entitled to conduct a private practice R360.00

1.1.4 Registered Survey Technicians and employees: their services may be charged out at 0,15% of their gross annual remuneration including bonus, to a maximum of R275.00

2. ESTABLISHMENT COSTS

Charges levied under the item of "Establishment Costs" may include the following:

2.1 TRAVELLING

2.1.1 Travelling costs:

For all travelling required for the execution of a survey to a maximum of 100km: the published Automobile Association rates per kilometre shall apply. For traveling beyond 100 km or 1 hour, traveling cost and time charge shall be negotiated with the client.

2.1.2 Travelling Time rate:

Time spent travelling to and from the site should be charged at 60% of chargeable hourly rate of Institute members and personnel.

2.2 SUBSISTENCE

A subsistence allowance for each surveyor and labourers' accommodation away from base (which should be assessed at costs plus 20%) may be applied where charges for travelling would be higher.

2.3 INFORMAL ACCOMMODATION

For each night spent under canvas, the equivalent of 80% of the surveyor's rate, and 200% of the assistants rate per hour at the applicable time rate should be charged.

2.4 GLOBAL ESTABLISHMENT COST

For projects in excess of R20 000 in fees, or more than 150km from base, or both, the rates shall be negotiated with the client. (A broad guideline is: calculate at R5.00 per km from base to site, plus 10% of total fees. This amount covers subsistence and travelling.) or (Actual costs plus 10%)

2.5 EXTRAORDINARY ITEMS.

Extraordinary items not normally encountered to be charged separately. For example, mechanical bush clearing, photographic reproductions, exotic draughting materials, aircraft charter, consultants fees or mainframe computer time, etc.

2.6 SPECIALIZED EQUIPMENT

The hourly rate pre-supposes the use of fairly sophisticated equipment (Total Stations, Computer with plotter and normal vehicular transport). In the event of specialized equipment being used (GPS, specialised high accuracy survey equipment, specialized software or vehicles) an extra charge should be levied based on replacement value and depreciation (20%), current interest rate (18%), maintenance (8%) and consumables (1%).

i.e.: The use of specialized equipment may be recovered at the rate of 50c per R1000 per hour, e.g. Specialised survey equipment costing R40,000 would be R20.00 per hour.

2.7 ADDITIONAL DUTIES

Other additional duties, which have been approved by the client at the time of appointment, will be charged on a time basis as agreed with the client.

Normal features of a survey such as pegs, stakes, cement, paper and paint are not recoverable. It is also assumed that all surveyors have, or have access to, Total stations, levels and basic computing and plotting facilities. Charges for the hire of these items are not visualised in this tariff.

Whenever an option exists as to different methods of transport, survey, calculation or reproduction, the client should be informed of the alternatives and their cost/time implications *before* execution.

3. TIME BASED CATEGORIES OF WORK

The time tariffs plus establishment costs and expenses should be applied to the following categories

3.1 FEASIBILITY STUDIES: consisting of

- 3.1.1 Site Investigation
- 3.1.2 Report
- 3.1.3 Valuation

3.2 ENVIRONMENTAL IMPACT STUDIES: consisting of

- 3.2.1 Consultant fee
- 3.2.2 Assessment
- 3.2.3 Discussion with interested and affected parties
- 3.2.4 Report
- 3.2.5 Submissions

3.3 SITE PLANS: consisting of

- 3.3.1 Field work
- 3.3.2 Calculations
- 3.3.3 CAD Drawings
- 3.3.4 Sub-contractors

3.4 CHANGING OF LAND RIGHTS APPLICATIONS: consisting of

- 3.4.1 Application fee
- 3.4.2 Prints to local Authority and Client
- 3.4.3 Obtaining Power of Attorney
- 3.4.4 Obtaining Company resolution
- 3.4.5 Obtaining Zoning sheets/Zoning Certificates
- 3.4.6 Obtaining Title Deed
- 3.4.7 Scrutiny of Title Deed
- 3.4.8 Discussions with authorities
- 3.4.9 Discussions with other Professionals
- 3.4.10 Meeting with Client
- 3.4.11 Memorandum as required by regulations
- 3.4.12 CAD Drafting
- 3.4.13 Strategic Planning
- 3.4.14 Planning Layout of portions
- 3.4.15 Submission of application
- 3.4.16 Examination and Comment on conditions
- 3.4.17 Attend hearings
- 3.4.18 Amendments

3.5 REZONING OF PROPERTY AND AMENDMENTS TO TOWN PLANNING SCHEMES: consisting of

- 3.5.1 Advertisements
- 3.5.2 Application fee
- 3.5.3 Preparation of Zoning Maps
- 3.5.4 Drafting Zoning Scheme clauses
- 3.5.5 Discussions with other Professionals
- 3.5.6 Discussions with Authorities
- 3.5.7 Motivation
- 3.5.8 Submission of application
- 3.5.9 Attending Hearings

3.6 REMOVAL OF RESTRICTIVE CONDITIONS ON PROPERTY: consisting of

- 3.6.1 Advertisements
- 3.6.2 Application fee
- 3.6.3 Discussion with other professionals
- 3.6.4 Discussions with Authorities
- 3.6.5 Motivation
- 3.6.6 Submission

3.7 CERTIFICATES OF IDENTITY: consisting of

- 3.7.1 Site inspection
- 3.7.2 Drafting of plan
- 3.7.3 Report

3.8 MARKETING OF PROJECT: consisting of

- 3.8.1 Flagging of Properties
- 3.8.2 Preparation of sales plans

3.9 GIS DEVELOPMENT: consisting of

- 3.9.1 Establishing Client requirements
- 3.9.2 Design of GIS organisation structures
- 3.9.3 Technical Consulting work
- 3.9.4 Customisation of software
- 3.9.5 Application Development work
- 3.9.6 Design and implementation of spatial databases
- 3.9.7 Maintenance of spatial databases
- 3.9.8 System design
- 3.9.9 System implementation
- 3.9.10 Production of spatial reports and analysis
- 3.9.11 Training of Client
- 3.9.12 Support
- 3.9.13 Data collation and conversion

3.10 DATA ACQUISITION FROM THE SURVEYOR GENERAL OR OTHER SOURCES: consisting of

- 3.10.1 Data search
- 3.10.2 Disbursement

4. CREATION OF LAND RIGHTS IN TERMS OF THE LAND SURVEY ACT 1997 (ACT NO.8 OF 1997)**4.1 CREATION OF LAND RIGHTS IN TOWNSHIPS, SUBDIVISION OF PROPERTIES AND CONSOLIDATION OF PROPERTIES**

- 4.1.1 The actual time spent charged according to Par. 1 plus consumables, of which Table A is an approximation for the whole of South Africa.

Where the pieces of land have more than five sides:

10% for each of 10 such additional sides and thereafter 5% for each further additional side according to the basic charge of tables A and B.

4.1.2 The following activities are included in Tables A and B:

- The creation of land rights with a maximum of five sides;
- Travelling time and distance on site.
- The reconnaissance for the survey;
- Establishment of WGS84 Control;
- Relocation of beacons in the field;
- Setting out of new beacons;
- Administration of cadastral rights;

- Beacon Relocation Audit;
- Calculations for new beacons;
- Supervision of Technical personal and field assistants;
- Drafting of working plans, Diagrams and General Plans, subject to Par. 4.1.3;
- Consistency checks on plans;
- Survey report;
- Submission of survey records to Surveyor General in terms of the Regulations of Act 8/1997 and Liaison;
- Field materials

4.1.3 The following activities are excluded from tables A and B and are charged according to Par. 1 from the actual time spend on the activity plus consumables used:

4.1.3.1 ADDITIONAL WORK DURING THE CREATION OF A DIAGRAM

- For each servitude endorsement on a diagram or general plan;
- For the second and each subsequent property, when a number of separate properties are subdivided;
- For the creation of the outside figure represented on a general plan: Fees as if it were a separate creation of a land right.

4.1.3.2 CREATION OF CURVILINEAR BOUNDARIES

- For each subdivision which abuts on the curvilinear boundary

4.1.3.3 CREATION OF SERVITUDES

- For the creation of servitude areas: Provided that where the servitude lies within a subdivision being created, the additional beacons necessary to define the servitude are regarded as additional sides in terms of Par. 4.1.1.1.
- For the creation of line servitudes, other than power line servitudes, represented on separate diagrams: The fees specified for the area of a square piece of land, each side of which is equal to one quarter of the length of such lines. (When a servitude crosses a property, the length should be taken as being the distance between the property boundaries.)
- For two or more adjacent lines represented on the same servitude diagram: 35% of the fees specified for the creation of the second and each subsequent line.

4.2 CREATION OF POWER LINE SERVITUDES COVERING EXISTING POWER LINE STRUCTURES

The actually time spent charged according to Par. 1 plus consumables, of which Table B is an approximation for the whole of South Africa.

4.3 ABNORMAL CIRCUMSTANCES

The fees specified in paragraphs 4.1 and 4.2 may be increased or decreased to a maximum of 30% for any or all of the following prevailing circumstances:

- (a) Access to the site of the survey;
- (b) Availability of trigonometrical beacons;
- (c) Geotechnical conditions;
- (d) Topography;
- (e) Connections to other beacons of the property;
- (f) Cost effectiveness of township layouts;
- (g) Boundaries through party walls
- (h) Garden walls, vegetation or buildings obstruct or assisting the survey.

5. OTHER SPECIALISED WORK

Tabulated Fees: Table C and D

To use the fee tables: -

- a) Obtain a number from the relative row and column from Table C (Interpolate as necessary)
- b) Use the figure and look up the relative row in Table D (Interpolate as necessary).
- c) Multiply the final figure obtained from Table D by the current hourly rate for persons entitled to conduct a private practice
- d) This is the chargeable rate for the task excluding Establishment Costs.

5.1 Control

The Figures for "Spacing" in Table D are in metres.

The fee pertains to the fix in x, y and z of any beacon to Class B (as defined in the Land Survey Act No. 8 of 1997) or better standards. It includes positioning, fieldwork and calculations. The process of Trigonometric heighting is assumed with an independent check applied.

- For standards below Class B, deduct 20%
- For fix in x and y only, deduct 20%
- For projects requiring 5 points or less, add 20%
- For concreted points, add cost plus 10% per beacon
- For pre-marking photo control, add cost plus 10%.

5.2 Mapping

The fee pertains to mapping in final drafted form. Work to be tied to Lo/WG and Mean Sea Level in all but the most exceptional cases. For control beacons fixed to a standard better than tacheometric standards, apply Control rates. Clients are to be advised when photogrammetric options should be applied.

- For draft plot submissions, deduct 20%
- For units below 2km, add 20%
- For survey and reductions only, deduct 15%
- For being on existing road with traffic, add 30%
- For profiling of staked roads - see 6: Conventional Road Staking
- For cross sections - apply tariff to all length of the sum of the cross section.

5.3 CONVENTIONAL ROAD STAKING

Traditional "road staking" combines elements of staking and profiling, therefore: -

- 5.3.1 Use table C/D for staking
- 5.3.2 Plus add 20% for profiling the long section
- 5.3.3 Plus add table C/D for profiling the cross section

e.g.: 50 sections per km. 60 metres wide would yield 3kms of cross sections per km of road, which, if the centre-line runs along an existing road, would yield a higher rate (more detail) than the long sections.

5.4 LEVELLING

The fee pertains to single run spirit levelling and all associated reductions. (The charge is applicable to the direct distance between the end points levelled). The figures for "Standard" in Table B are nominal relative closures in mm per km of levelling run. It is envisaged that precise levelling methods and equipment are necessary for the highest standard only.

- For line double-levelled, add 50%
- For units below 5km, add 20%.

Table A The consumer public is hereby notified to obtain a fee estimate from their local Professional Land Surveyor, as local conditions vary and may increase or decrease these general guideline fees by up to 30%. Number of pieces means the number contained within a common control & boundary reconstruction																				
NUMBER OF PIECES	SQUARE METRES				HECTARES															
	0 400	401 700	701 1 500	1 500 9 999	1 5	5 10	10 25	25 50	50 100	100 200	200 300	300 500	500 750	750 1 000	1 000 1 500	1 500 2 000	2 000 3 000	3 000 5 000	5 000 7 500	7 500 more
1	4 182	4 787	5 411	6 035	6 660	7 215	7 770	8 602	9 574	10 545	11 655	12 626	13 597	14 457	15 318	16 150	17 010	18 315	19 341	20 840
2	3 191	3 670	4 149	4 849	5 550	6 313	6 896	7 909	8 810	9 782	10 961	12 002	12 903	13 889	14 735	15 706	16 552	17 760	18 828	20 410
3	2 729	3 138	3 547	4 225	4 902	5 689	6 359	7 307	8 186	9 204	10 360	11 423	12 395	13 421	14 263	15 281	16 215	17 390	18 472	20 174
4	2 393	2 752	3 111	3 741	4 371	5 238	5 956	6 868	7 735	8 776	9 851	10 926	11 932	13 049	13 885	14 929	15 977	17 135	18 294	19 986
5	2 137	2 457	2 778	3 359	3 940	4 856	5 650	6 493	7 354	8 408	9 490	10 572	11 655	12 770	13 658	14 718	15 834	16 983	18 187	19 874
6	1 942	2 242	2 541	3 066	3 640	4 509	5 309	6 197	7 053	8 117	9 204	10 337	11 470	12 584	13 507	14 578	15 738	16 881	18 116	19 799
7	1 804	2 088	2 373	2 857	3 425	4 261	5 066	5 986	6 838	7 909	8 999	10 168	11 338	12 452	13 399	14 477	15 670	16 808	18 065	19 746
8	1 700	1 973	2 246	2 700	3 264	4 076	4 884	5 827	6 677	7 752	8 845	10 042	11 238	12 352	13 318	14 402	15 619	16 754	18 027	19 705
9	1 619	1 883	2 147	2 578	3 139	3 931	4 742	5 704	6 552	7 631	8 726	9 943	11 161	12 274	13 255	14 343	15 580	16 711	17 997	19 674
10	1 554	1 811	2 069	2 481	3 039	3 816	4 629	5 605	6 452	7 534	8 630	9 865	11 100	12 212	13 205	14 296	15 548	16 677	17 973	19 649
11	1 495	1 745	1 995	2 391	2 943	3 708	4 536													
12	1 445	1 690	1 934	2 315	2 863	3 619	4 458													
13	1 403	1 643	1 883	2 252	2 795	3 543	4 393													
14	1 368	1 603	1 838	2 197	2 737	3 479	4 337													
15	1 337	1 568	1 800	2 150	2 687	3 422	4 288													
16	1 309	1 538	1 766	2 109	2 643	3 373	4 246													
17	1 285	1 511	1 737	2 072	2 604	3 330	4 208													
18	1 264	1 487	1 710	2 040	2 570	3 291	4 175													
19	1 245	1 466	1 687	2 011	2 539	3 257	4 145													
20	1 228	1 447	1 666	1 984	2 511	3 226	4 118													
22	1 198	1 414	1 629	1 939	2 463	3 172	4 072													
24	1 174	1 386	1 598	1 902	2 423	3 128	4 033													
26	1 163	1 374	1 585	1 885	2 406	3 108	4 016													
28	1 150	1 361	1 572	1 869	2 388	3 090	4 000													
30	1 127	1 338	1 549	1 839	2 356	3 057	3 972													
32	1 108	1 318	1 529	1 814	2 329	3 029	3 948													
35	1 088	1 279	1 489	1 763	2 273	2 973	3 899													
40	1 039	1 249	1 459	1 725	2 232	2 931	3 863													
45	1 016	1 226	1 436	1 695	2 200	2 898	3 834													
50	998	1 207	1 417	1 671	2 174	2 872	3 812													
55	976	1 188	1 399	1 652	2 153	2 851	3 793													
60	959	1 171	1 384	1 635	2 136	2 833	3 778													
70	931	1 146	1 361	1 610	2 108	2 805	3 753													
75	919	1 136	1 352	1 600	2 097	2 793	3 744													
80	905	1 125	1 341	1 589	2 087	2 784	3 735													
90	882	1 108	1 323	1 570	2 071	2 767	3 721													
100	863	1 094	1 309	1 555	2 058	2 754	3 710													

NUMBER OF PIECES	SQUARE METRES				HECTARES	
	0 400	401 700	701 1 500	1 500 9 999	1 5	5 10
120	823	1 058	1 278	1 525	2 039	2 734
125	815	1 050	1 272	1 519	2 035	2 731
140	787	1 021	1 242	1 487	2 025	2 720
150	772	1 005	1 226	1 469	2 020	2 715
175	731	962	1 183	1 434	2 009	2 704
200	700	930	1 150	1 407	2 000	2 695
225	669	893	1 110	1 386	1 994	2 689
250	644	864	1 078	1 370	1 989	2 683
275	617	833	1 043	1 356	1 985	2 679
300	594	807	1 014	1 345	1 981	2 675
325	570	778	981	1 336	1 978	
350	549	753	953	1 327	1 976	
375	531	732	928	1 320	1 973	
400	515	713	906	1 314	1 971	
450	489	681	870	1 304	1 968	
500	467	656	842	1 295	1 966	
550	450	636	818	1 289	1 964	
600	436	619	799	1 283	1 962	
700	413	592	768	1 274	1 959	
800	396	571	745	1 268	1 957	
1 000	372	543	712	1 258	1 954	

Table B**1. Basic charge:****1.1 Distance between consecutive bend points of power line:**

Distance (Meters)	Charge
0 to 250	R700
Over 250 to 350	R800
Over 350 to 500	R900
Over 500 to 750	R1000
Over 750 to 1 000	R1100
Over 1 000 to 1 500	R1300
Over 1 500 to 2 000	R1500
Over 2 000 to 3 000	R2000
Over 3 000 to 4 000	R3000
Over 4 000 to 5 000	R3500
Over 5 000 to 7 500	R4000
Over 7 500 to 10 000	R4500
Over 10 000 to 12 500	R5000
Over 12 500 to 15 000	R5500
Over 15 000 to 20 000	R6000
Over 20 000 to 30 000	R6500

1.2 Plus R500 for every additional 10 000 meters or part thereof.**2. Additional charges:**

2.1 For the second and each subsequent line, which is represented on the same servitude diagram: R110 per bend point if only calculated or R230 per bend if calculated and beaconed.

2.2 For each property for which a separate servitude diagram is required: R250.

TABLE "C"						
		VEGETATION				
		OPEN	LIGHT	MODERATE	HEAVY	JUNGLE
CONTROL (Per point fixed)						
Terrain	Flat	2	4	10	15	19
	Rolling	0	2	6	16	20
	Steep	6	7	7	10	17
	Mountain	10	10	11	12	15
	Built up	12	12	15	-	-
MAPPING (Ground method) (per ha.)						
Detail	Light	1	2	4	10	20
	Moderate	4	5	8	12	20
	Heavy	8	9	12	16	-
	Extreme	14	15	19	-	-
STAKING (Per Km)						
% Curved	0	0	2	4	6	7
	33	4	7	8	10	11
	66	9	11	13	14	15
	100	13	15	17	19	20
PROFILING (Per Km)						
Detail	Light	0	4	9	13	18
	Moderate	2	4	9	14	18
	Heavy	4	5	10	15	19
	Extreme	7	9	12	16	20
LEVELLING (Per Km)						
Terrain	Flat	0	1	3	6	14
	Rolling	2	3	5	9	16
	Steep	6	7	8	11	18
	Mountain	10	11	12	14	20

TABLE "D"						
Table "A" Value (carried forward)						
		0	5	10	15	20
Spacing (Meters)	100	1	1.5	2.5	3.5	5
	300	1.5	2	3	4.5	9
	500	2	3	4	5.5	11
	1000	3	4	6	9	14
	5000	5	7	12	14	17
Horizontal Scale	100	5	7	17	28	35
	200	3	4	9	14	18
	500	2	2.5	5	9	11
	1000+	1	1.5	3	6	7
Spacing	20/100	9	12	17	22	29
	20/200	8	11	15	20	26
	40/100	5	7	12	16	23
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mm/Km Standard	100	0.6	1	1.5	2	3
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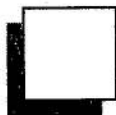
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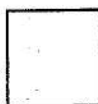
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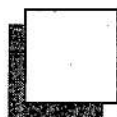
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RADIO- EN- TELEVISIEWOORDEBOEK	A/E	R35,08	R4,92	R40,00
SOKKERWOORDEBOEK	A/E	R4,39	R0,62	R5,00
SOSIOLOGIEWOORDEBOEK	A/E	R17,54	R2,46	R20,00
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VOL. 4 PART 1	Road Traffic signs manual	
VOL. 4 PART 2	Road Traffic signs manual	
VOL. 4 PART 3	Road Traffic signs manual	
VOL. 4 PART 4	Road Traffic signs manual	
		R1811,36(SET)
		<u>SELLING PRICE</u>
VOL. 2 PART 1	Introduction	R28,91
VOL. 2 PART 2	Road marking applications	R142,27
VOL. 2 PART 3	Regulatory /warning/markings applications	R82,21
VOL. 2 PART 4	Tourism signing	R90,15
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VOL. 2 PART 16	Road signs management	R26,44
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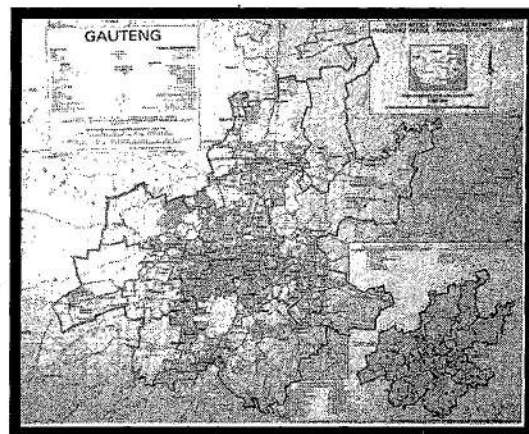
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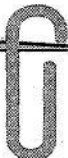
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