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No. 29240

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:

CONTENTS

and weekly Index

No.		Page No.	Gazette No.
PROCLAMATIONS			
R. 38	Protection of Constitutional Democracy against Terrorist and Related Activities Act (33/2004): Notification by President in respect of entities identified by the United Nations Security Council: Section 25 of the Act	3	29222
R. 39	Public Service Act (103/1994): Amendment of Schedule 3	3	29225

GOVERNMENT AND GENERAL NOTICES

Agriculture, Department of

Government Notices

R. 935	Fertilizer, Farm Feeds, Agricultural Remedies and Stock Remedies Act (36/1947): Regulations relating to agricultural remedies	4	29225
958	Marketing of Agricultural Products Act (47/1996): Establishment of statutory measure and determination of guideline prices: Levy relating to wheat, durum wheat, barley and oats	6	29240

General Notices

1392	Marketing of Agricultural Products Act (47/1996): Nomination of candidates for appointment to the National Agricultural Marketing Council	37	29240
1397	Policy on stock remedies in South Africa: For comments	58	29240

Education, Department of

Government Notice

946	General and Further Education and Training Quality Assurance Act (58/2001): Appointment of persons to serve as members on the Second Umaluzi Council for General and Further Education and Training Quality Assurance	3	29236
-----	---	---	-------

Environmental Affairs and Tourism, Department of

Government Notice

954	National Parks Act, 1976: Land declared to be part of Table Mountain National Park, Auwabies Waterfall National Park and Marakele National Park: Correction notices	16	29240
-----	---	----	-------

General Notice

1405	National Environmental Management Act (107/1998): Publication of draft National Environmental Management Amendment Bill: For public comment	83	29240
------	---	----	-------

Foreign Affairs, Department of

Government Notice

957	Diplomatic Immunities and Privileges Act (37/2001): Recognition of the Orange-Senqu River Commission (ORASECOM) for purposes of granting the immunities and privileges provided for in the Act	18	29240
-----	--	----	-------

Alle Proklamasies, Goewermentskennisgewings, Algemene Kennisgewings en Raadskennisgewings gepubliseer, word vir verwysingsdoeleindes in die volgende Inhoudsopgawe ingesluit wat dus 'n weeklikse indeks voorstel. Laat uself deur die Koerantnommers in die regterhandse kolom lei:

INHOUD

en weeklikse Indeks

No.		Bladsy No.	Koerant No.
PROKLAMASIES			
R. 38	Wet op die Beskerming van Konstitusionele Demokrasie teen Terroriste- en verwante aktiwiteite (33/2004): Kennisgewing deur President ten opsigte van entiteite deur Veiligheidsraad van Verenigde Nasies geïdentifiseer: Artikel 25 van die Wet	6	29222
R. 39	Staatsdienswet (103/1994): Wysiging van Bylae 3	3	29225

GOEWERMENTS- EN ALGEMENE KENNISGEWINGS

Arbeid, Departement van

Goewermentskennisgewings

R. 905	Labour Relations Act (66/1995): Correction Notice: Metal and Engineering Industries Bargaining Council: Amending Main Collective Agreement	3	29235
--------	--	---	-------

Algemene Kennisgewings

1393	Labour Relations Act, 1995: Intention to cancel the registration of an employers' organisation: Suid-Kaap Algemene Werkgeversorganisasie	94	29240
1396	Labour Relations Act (66/1995): Essential Services Committee: Notice in terms of section 71 (8)	57	29240

Binnelandse Sake, Departement van

Algemene Kennisgewings

1385	Publication of Civil Union Bill, 2006, as introduced into Parliament	3	29237
1386	Publication of Films and Publications Amendment Bill, 2006, as introduced into Parliament	22	29237
1387	Publication of Immigration Amendment Bill, 2006, as introduced into Parliament	38	29237

Buitelandse Sake, Departement van

Goewermentskennisgewing

957	Diplomatic Immunities and Privileges Act (37/2001): Recognition of the Orange-Senqu River Commission (ORASECOM) for purposes of granting the immunities and privileges provided for in the Act	18	29240
-----	--	----	-------

Die Presidensie

Algemene Kennisgewings

1377	Award of the Order of Mendi for Bravery	3	29234
1378	Award of the Order of Ikhamanga	4	29234
1379	Award of the Order of Mapungubwe	5	29234

Gesondheid, Departement van

Goewermentskennisgewings

951	Wet op Medisyne en Verwante Stowwe (101/1965): Uitsluiting van sekere medisyne van die toepassing van sekere bepaling van die Wet	29	29240
952	do.: do	33	29240

No.	Page No.	Gazette No.	No.	Bladsy No.	Koerant No.
Health, Department of			Grondsake, Departement van		
<i>Government Notices</i>			<i>Algemene Kennisgewings</i>		
951			1391		
Mediaries and Related Substances Act (101/1965): Exclusion of certain medicines from the operation of certain provisions	29	29240	Restitution of Land Rights Act (22/1994): Claim for restitution of land rights: Erf 29, Marydale	36	29240
952			1401		
do.: do	33	29240	Restitution of Land Rights Act (22/1994): Amending Government Gazette No. 23952 (Notice 2033 dated 25 October 2002)	80	29240
Home Affairs, Department of			1403		
<i>General Notices</i>			Restitution of Land Rights Act (22/1994): Amendment of Notice 3372 of 2003 in Government Gazette No. 25778	81	29240
1385			1404		
Publication of Civil Union Bill, 2006, as introduced into Parliament	3	29237	do.: Claim for restitution of land rights: Farm Morgenzon 94 LT Portion 0	82	29240
1386			Handel en Nywerheid, Departement van		
Publication of Films and Publications Amendment Bill, 2006, as introduced into Parliament	22	29237	<i>Goewermentskennisgewing</i>		
1387			R. 949		
Publication of Immigration Amendment Bill, 2006, as introduced into Parliament	38	29237	National Credit Act (34/2005): Prescribed Time Frame for Free Credit Records, and Determination of Application and Registration Fees	3	29245
Justice and Constitutional Development, Department of			<i>Algemene Kennisgewings</i>		
<i>Government Notice</i>			1388		
955			Draft National Credit Regulations, 2006: For general public comment	3	29246
Small Claims Courts Act (61/1984): Small Claims Court for the Area of Lower Tugela: Amendment of Government Notice No. 2361 of 23 October 1987	35	29240	1394		
Labour, Department of			International Trade Administration Commission of South Africa: Customs and Excise Tariff applications: List 12/2006	39	29240
<i>Government Notice</i>			1399		
R. 905			Koöperasiewet, 1981: Koöperasies van die register geskrap te word: Masiphakamisane Primary Farmers Co-operative Limited, Hlanganani Poultry Project Co-operative Limited, Hlabatshane Masincidane Arts and Craft Co-operative Limited, Hlabatshane Siphamandla Fruit and Vegetable Co-operative Limited en Hlokomela Co-operative Limited	95	29240
Labour Relations Act (66/1995): Correction Notice: Metal and Engineering Industries Bargaining Council: Amending Main Collective Agreement	3	29235	1400		
<i>General Notices</i>			do.: do.: Hlobisani Women's Co-operative Limited, Nkanini Dairy Co-operative Limited, Hloveni Sugar Cane Co-operative Limited, Hloveni Womens Club Sewing Co-operative Limited, Hlulmani Catering Co-operative Limited en Hlengwe Co-operative Limited	96	29240
1393			1406		
Labour Relations Act, 1995: Intention to cancel the registration of an employers' organisation: Suid-Kaap Algemene Werkgeversorganisasie	94	29240	Consultations for WTO non-agricultural market access negotiations	90	29240
1396			Justisie en Staatkundige Ontwikkeling, Departement van		
Labour Relations Act (66/1995): Essential Services Committee: Notice in terms of section 71 (8)	57	29240	<i>Goewermentskennisgewing</i>		
Land Affairs, Department of			955		
<i>General Notices</i>			Small Claims Courts Act (61/1984): Small Claims Court for the Area of Lower Tugela: Amendment of Government Notice No. 2361 of 23 October 1987	35	29240
1391			Landbou, Departement van		
Restitution of Land Rights Act (22/1994): Claim for restitution of land rights: Erf 29, Marydale	36	29240	<i>Goewermentskennisgewing</i>		
1401			R. 935		
Restitution of Land Rights Act (22/1994): Amending Government Gazette No. 23952 (Notice 2033 dated 25 October 2002)	80	29240	Fertilizer, Farm Feeds, Agricultural Remedies and Stock Remedies Act (36/1947): Regulations relating to agricultural remedies	4	29225
1403			958		
Restitution of Land Rights Act (22/1994): Amendment of Notice 3372 of 2003 in Government Gazette No. 25778	81	29240	Wet op Bemaking van Landbouprodukte (47/1996): Instelling van statutêre maatreël en bepalings van riglynprys: Heffing betreffende koring, durum koring, gars en hawer	11	29240
1404			<i>Algemene Kennisgewings</i>		
do.: Claim for restitution of land rights: Farm Morgenzon 94 LT Portion 0	82	29240	1392		
Minerals and Energy, Department of			Marketing of Agricultural Products Act (47/1996): Nomination of candidates for appointment to the national Agricultural Marketing Council	37	29240
<i>General Notices</i>					
1395					
Safety in Mines Research Advisory Committee (SIMRAC) on behalf of the Mine Health and Safety Council (the Council): Invitation to submit project proposals	42	29240			
1398					
National Nuclear Regulator Act (47/1999): Application for a nuclear installation licence	78	29240			

No.		Page No.	Gazette No.	No.		Bladsy No.	Koerant No.
National Treasury				1397	Policy on stock remedies in South Africa: For comments	58	29240
<i>General Notices</i>				Minerale en Energie, Departement van			
1389	Lost: Certificate No. 2346	94	29240	<i>Algemene Kennisgewings</i>			
1390	do.: Certificate No. 1762	94	29240	1395	Safety in Mines Research Advisory Committee (SIMRAC) on behalf of the Mine Health and Safety Council (the Council): Invitation to submit project proposals.....	42	29240
South African Qualifications Authority				1398	National Nuclear Regulator Act (47/1999): Application for a nuclear installation licence	78	29240
<i>Government Notices</i>				Nasionale Tesourie			
937	Announcement of Intention to Extend the Accreditation of the Agriculture Sector Education and Training Authority (AgriSETA)	3	29231	<i>Algemene Kennisgewings</i>			
938	Announcement of Intention to Extend the Accreditation of the Council for Higher Education (CHE)	4	29231	1389	Verlore: Sertifikaat No. 2346	94	29240
939	Announcement of Intention to Extend the Accreditation of the Energy Sector Education and Training Authority (ESETA)	5	29231	1390	do.: Sertifikaat No. 1762	94	29240
940	Announcement of Intention to Extend the Accreditation of the Forest Industry Education and Training Authority (FIETA)	6	29231	Omgewingsake en Toerisme, Departement van			
941	Announcement of Intention to Extend the Accreditation of the Local Government Sector Education and Training Authority (LGSETA)	7	29231	<i>Goewermentskennisgewing</i>			
942	Announcement of Intention to Extend the Accreditation of the Services Sector Education and Training Authority (Services SETA)	8	29231	954	Wet op Nasionale Parke, 1976: Grond verklare tot deel van die Tafelberg Nasionale Park, Augrabies Waterval Nasionale Park en Marakele Nasionale Park	16	29240
The Presidency				<i>Algemene Kennisgewing</i>			
<i>General Notices</i>				1405	National Environmental Management Act (107/1998): Publication of draft National Environmental Management Amend- ment Bill: For public comment	83	29240
1377	Award of the Order of Mendi for Bravery	3	29234	Onderwys, Departement van			
1378	Award of the Order of Ikhamanga.....	4	29234	<i>Goewermentskennisgewing</i>			
1379	Award of the Order of Mapungubwe.....	5	29234	946	General and Further Education and Training Quality Assurance Act (58/2001): Appointment of persons to serve as members on the Second Umaluzi Council for General and Further Education and Training Quality Assurance	3	29236
Trade and Industry, Department of				Suid-Afrikaanse Kwalifikasie-owerheid			
<i>Government Notice</i>				<i>Goewermentskennisgewings</i>			
R. 949	National Credit Act (34/2005): Prescribed Time Frame for Free Credit Records, and Determination of Application and Registration Fees	3	29245	937	Announcement of Intention to Extend the Accreditation of the Agriculture Sector Education and Training Authority (AgriSETA)	3	29231
<i>General Notices</i>				938	Announcement of Intention to Extend the Accreditation of the Council for Higher Education (CHE)	4	29231
1388	Draft National Credit Regulations, 2006: For general public comment	3	29246	939	Announcement of Intention to Extend the Accreditation of the Energy Sector Education and Training Authority (ESETA)	5	29231
1394	International Trade Administration Commission of South Africa: Customs and Excise Tariff applications: List 12/2006	39	29240	940	Announcement of Intention to Extend the Accreditation of the Forest Industry Education and Training Authority (FIETA)	6	29231
1399	Co-operatives Act, 1981: Co-operatives to be struck off the register: Masiphakami- sane Primary Farmers Co-operative Limited, Hlankomo Maize Co-operative Limited, Hlanganani Poultry Project Co-operative Limited, Hlabatshane Masincidane Arts and Craft Co-operative Limited, Hlabatshane Siphamandla Fruit and Vegetable Co-operative Limited and Hlokomela Co-operative Limited	95	29240	941	Announcement of Intention to Extend the Accreditation of the Local Government Sector Education and Training Authority (LGSETA)	7	29231
1400	do.: do.: Hlobisani Women's Co-opera- tive Limited, Nkanini Dairy Co-operative Limited, Hloveni Sugar Cane Co-opera- tive Limited, Hloveni Womens Club Sewing Co-operative Limited, Hluimani Catering Co-operative Limited and Hlengwe Co-operative Limited	95	29240	942	Announcement of Intention to Extend the Accreditation of the Services Sector Education and Training Authority (Services SETA)	8	29231
1406	Consultations for WTO non-agricultural market access negotiations	90	29240				

No.		Page No.	Gazette No.	No.		Bladsy No.	Koerant No.
BOARD NOTICE				RAADSKENNISGEWING			
102	Accounting Standards Board: Exposure drafts of the standards of Generally Recognised Accounting Practice (GRAP) on the Effects of Changes in Foreign Exchange Rates, Financial Reporting in Hyperinflationary Economies and Events after the Reporting Date.....	97	29240	102	Accounting Standards Board: Exposure drafts of the standards of Generally Recognised Accounting Practice (GRAP) on the Effects of Changes in Foreign Exchange Rates, Financial Reporting in Hyperinflationary Economies and Events after the Reporting Date.....	97	29240

GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

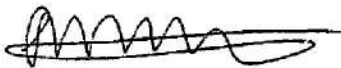
No. 958

29 September 2006

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996 (ACT NO. 47 OF 1996)
ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
GUIDELINE PRICES:
LEVY RELATING TO WHEAT, DURUM WHEAT, BARLEY AND OATS

I, Lulama Xingwana, Minister of Agriculture, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby –

- (a) establish the statutory measure set out in the Schedule hereto; and
- (b) determine the guideline price, per metric ton, for –
 - (i) wheat as R1 222;
 - (ii) durum wheat as R1 284;
 - (iii) barley as R1 305; and
 - (iv) oats as R1 000.



L Xingwana
Minister of Agriculture

Definitions

1. In this Schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning, and unless the context otherwise indicates –

“**approved silo owner**” means a silo owner approved by the Clearing House;

“**Clearing House**” means Safex Clearing Company (Pty) Ltd or any other body corporate or unincorporated association or department of the JSE Securities Exchange South Africa recognised by the Registrar of Financial Markets;

“**barley**” means the kernels of the genus *Hordeum*;

“**durum wheat**” means the kernels of the species *Triticum durum*, *Triticum turgidum* and *Tritidum polonicum*;

“**importer**” means any person who imports winter cereal from another country into the Republic of South Africa;

“**oats**” means the kernels of the genus *Avena*;

“**producer**” means a person who produces winter cereal or a person on who's behalf winter cereal is produced;

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

“**SAFEX silo receipt**” means a transfer document utilised as symbolic delivery of the underlying product issued by an approved silo owner in the form prescribed and on the terms set out in the SAFEX Futures Contract;

“**SAGIS**” means the South African Grain Information Service, an association not for gain incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973);

“**the Act**” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996);

“**the Trust**” means the Winter Cereal Trust, Registration No. IT 11410/97

“**wheat**” means the kernels of the species *Triticum aestivum*; and

“**winter cereal**” means wheat, durum wheat, barley and oats.

Purpose and aims of statutory measure and the relations thereof to objectives of the Act

2. The purpose and aims of this statutory measure are to provide financial support to the winter cereal information and research functions that the winter cereal industry has identified as essential and in the interest of the industry as a whole.

The maintenance of macro industry information is deemed essential for strategic planning purposes by the winter cereal industry and directly affected groups. The supplying of generic market information to all role players, on a continuous basis, is critical in order for the market to operate effectively.

The winter cereal industry supports the principle that generic market information be obtained by means of statutory measures in terms of the Act, and that SAGIS should be the official vehicle to achieve this. SAGIS also operates as official information service for the maize, sorghum and oilseeds industries. A statutory levy is required to ensure that the winter cereal industry also shares in the gathering and dissemination of information.

Proper and accurate winter cereal market information that is obtainable continuously and timeously, will not only increase market access for all participants, but will also promote efficiency in the marketing of winter cereal and winter cereal products. Furthermore, proper market information will enhance the viability of the winter cereal industry and the agricultural sector at large.

Market information will also enhance food security, as the information on national stock levels of winter cereals will be available for the market to function properly.

It is expected from the agricultural sector to ensure food security, strengthen the economy and create job opportunities. These aims can be reconciled with the provisions of Section 2(3) of the Act. In order to achieve these aims and to further the competitive position of the winter cereal industry continued research is essential.

According to experts in the field of research, the performance of the South African agricultural sector despite the lack of high-potential arable land, could to a great extent be attributed to the development and application of agricultural research results. The complex interaction between behavioural patterns of crops and external factors affecting them, such as disease and pests, often impacts negatively on production and quality, thus creating an urgent demand for new technology in order to keep the agricultural sector profitable. Account should also be taken of consumer preferences within the market.

Specific infrastructure has been created over time in respect of research and it is essential that this infrastructure be retained and maintained to the benefit of the winter cereal industry.

For the optimisation of export earnings it is essential that South African products conform to international quality standards. Researchers and breeders must ensure that the locally produced winter cereals are fully competitive on the international markets.

A portion of the funds collected by means of this levy will be focussed on small-scale farmers and the developing winter cereal industry.

The statutory measure shall be administered by the Trust. The levies collected shall be administered in separate accounts. Any surplus or deficit shall at the date of determination of this statutory measure, be for the account of the Trust. The Trust shall be audited in accordance with generally accepted accounting practice.

Product to which statutory measure applies

3. This statutory measure shall apply to winter cereal.

Area in which statutory measure applies

4. This statutory measure shall apply within the geographical area of the Republic of South Africa.

Imposition of levy

5. A levy is hereby imposed on all winter cereal –
- (a) sold by or on behalf of the producer thereof;
 - (b) imported into the Republic of South Africa;
 - (c) processed or converted or caused to be processed or converted into a winter cereal product, by or on behalf of the producer thereof, if the winter cereal product is intended to be disposed of;
 - (d) exported from the Republic of South Africa if the levy in respect of such winter cereal has not been paid in terms of paragraph (a), (b) or (c); and
 - (e) in respect of which a SAFEX silo receipt has been issued in the levy in respect of such winter cereal has not been paid in terms of paragraph (a) or (b).

Amount of levy

6. The amounts of the levies (excluding VAT) will be R9-00 per metric ton for wheat, R8-50 per metric ton for barley, R4-50 per metric ton for oats and R4-75 per metric ton for durum wheat.

Persons by whom levy is payable

7. (1) The levy payable in terms of clause 5 shall –
- (a) in the case of a levy contemplated in clause 5(a) be payable by the buyer of the winter cereal;
 - (b) in the case of a levy contemplated in clause 5(b), be payable by:
 - (i) the buyer of the winter cereal where the winter cereal is sold by the importer; and
 - (ii) the importer of the winter cereal where the importer is also the processor thereof.
 - (c) in the case of a levy contemplated in clause 5(c), be payable by the processor or converter of the winter cereal;
 - (d) in the case of a levy contemplated in clause 5(d), be payable by the exporter of the winter cereal; and
 - (e) in the case of a levy contemplated in clause 5(e), be payable by the person issuing such SAFEX silo receipt.
- (2) The amount of the levy payable by the buyer in terms of sub-clause (1)(a) and (b)(i) may be deducted from the purchase price payable to the producer or the importer, respectively.
- (3) The amount of the levy payable by the person issuing the SAFEX silo receipt in terms of sub-clause 1(e) may be recovered from the person to whom such SAFEX silo receipt is issued.

Payment of levy

8. (1) Payment of a levy imposed in terms of clause 5 shall be made by the persons contemplated in clause 7 not later than the last day of the month

following in which the winter cereal was purchased, processed, converted or exported or a SAFEX silo receipt was issued.

- (2) Payment shall be made in favour of the Winter Cereal Trust.
- (3) Payment shall –

- (a) when forwarded by post, be addressed to –

The Administrator
Winter Cereal Trust
P O Box 7088
CENTURION
0046

- (b) when delivered by hand, be delivered to –

The Administrator
Winter Cereal Trust
Embankment Park
194 Kwikkie Crescent
Centurion

Commencement and period of validity

- 9.
 - (1) This statutory measure shall come into operation on 1 October 2006 and shall lapse on 30 September 2010.
 - (2) Notwithstanding the provisions of sub-clause (1), the Minister may, after evaluation and review of the measure under section 9(1)(f) of the Act, by notice in the Government Gazette determine that the measure shall lapse on a date specified in that notice: Provided that such date shall not be later than the date determined under sub-clause (1).

No. 958

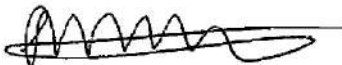
29 September 2006

**WET OP BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996)
INSTELLING VAN STATUTÊRE MAATREËL EN BEPALINGS VAN RIGLYNPRYS:
HEFFING BETREFFENDE KORING, DURUM KORING, GARS EN HAWER**

Ek, Lulama Xingwana, Minister van Landbou, handelende kragtens artikels 13 en 15 van die Wet op Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996) –

- (a) stel hierby die statutêre maatreël in die Byelae uiteengesit in; en
- (b) bepaal hierby die riglynprys, per metrieke ton, vir –

- (i) koring as R1 222;
- (ii) durum koring as R1 284;
- (iii) gars as R1 305; en
- (iv) hawer as R1 000.



L Xingwana
Minister van Landbou

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Wet geheg is, daardie betekenis en tensy uit die samehang anders blyk, beteken —
 - “die Trust” die Wintergraantrust, Registrasie No. IT 11410/97;
 - “die Wet” die Wet op Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996);
 - “durum koring” korrels van die spesies *Triticum durum*, *Triticum trugidum* en *Triticum polonicum*;
 - “gars” korrels van die genus *Hordeum*;
 - “goedgekeurde silo-eienaar” ‘n silo-eienaar wat deur die Klaringshuise goedgekeur is;
 - “hawer” korrels van die genus *Avena*;
 - “invoerder” enige persoon wat wintergraan uit ‘n ander land in die Republiek van Suid-Afrika invoer;
 - “Klaringshuis” die Safex Clearing Company (Pty) Ltd of enige ander regspersoon of nie-ingelyfde organisasie of departement van die JSE Securities Exchange South Africa wat erken word deur die Registrateur van Finansiële Markte;
 - “koring” die korrels van die spesie *Triticum aestivum*;
 - “produsent” ‘n persoon wat wintergraan produseer of ‘n persoon in wie se belang wintergraan geproduseer word;
 - “SAFEX” die South African Futures Exchange;
 - “SAFEX silo-ontvangsbewys” ‘n oordraagbare dokument wat gebruik word as simboliese lewering van die betrokke produk en uitgereik is deur ‘n goedgekeurde silo-eienaar in die voorgeskrewe vorm en op die voorwaardes uiteengesit in die SAFEX Futures Contract;
 - “SAGIS” die Suid-Afrikaanse Graaninligtingsdiens, ‘n besigheid sonder winsoogmerk ingelyf kragtens artikel 21 van die Maatskappywet, 1973 (Wet No. 61 van 1973); en
 - “wintergraan” koring, durum koring, gars en hawer.

Oogmerke en doelwitte van statutêre maatreël en die verband daarvan met die oogmerke van die Wet

2. Die oogmerke en doelwitte van hierdie statutêre maatreël is om finansiële ondersteuning aan die wintergraan inligtings- en navorsingsfunksie te verleen wat deur die wintergraanbedryf as noodsaaklik en in belang van die bedryf in geheel geïdentifiseer is.

Die instandhouding van makro bedryfsinligting word deur die wintergraanbedryf asook direk geaffekteerde partye noodsaaklik geag vir strategiese beplanningsdoeleindes. Die verskaffing van generiese markinligting op ‘n deurlopende basis aan alle rolspelers is krities om die mark doeltreffend te laat opereer.

Die wintergraanbedryf ondersteun die beginsel dat generiese markinligting deur middel van statutêre maatreëls in terme van die Wet verkry moet word, en dat SAGIS die amptelike voertuig is om dit te bereik. SAGIS is ook die amptelike inligtingsdiens vir die mielie-, sorghum- en oliesadebedrywe. ‘n Statutêre heffing word vereis om te verseker dat die wintergraanbedryf ook deel in die versameling en verspreiding van inligting.

Behoorlike en akkurate wintergraanmarkinligting wat deurlopend en tydig beskikbaar is, sal nie slegs marktoegang vir alle markdeelnemers verbeter nie, maar behoort ook die doeltreffendheid van die bemaking van wintergraan en wintergraanprodukte te bevorder. Voorts sal behoorlike markinligting die lewensvatbaarheid van die wintergraanbedryf en die landbousektor in die breë bevorder. Markinligting sal ook voedselsekerheid bevorder deurdat die mark beter kan funksioneer aangesien inligting oor nasionale voorraadvlakke van wintergraan beskikbaar is.

Dit word van die landbousektor verwag om voedselsekureit te verseker, die ekonomie te versterk en werksgeleenthede te skep. Hierdie doelwitte is in ooreenstemming met die bepalings van artikel 2(3) van die Wet. Om hierdie doelwitte te bereik en die wintergraanbedryf se mededingende posisie te bevorder, is volgehoue navorsing noodsaaklik.

Volgens navorsers hou die prestasies van die Suid-Afrikaanse landbousektor verband met die ontwikkeling en toepassing van landbounavorsingsresultate. Die komplekse interaksie tussen die veranderde gedragspatrone van oeste en eksterne faktore wat dit beïnvloed, soos plaë en siektes, raak produksie en kwaliteit nadelig en skep 'n dringende behoefte aan nuwe tegnologie om die landbousektor winsgewind te hou. Verbruikersvoorkeure sal ook deurlopend in gedagte gehou moet word.

Spesifieke infrastruktuur met betrekking tot navorsing is oor tyd gevestig en dit is noodsaaklik dat hierdie infrastruktuur behoue bly en in stand gehou word.

Om die opbrengs uit uitvoere te optimaliseer, is dit noodsaaklik dat Suid-Afrikaanse produkte voldoen aan internasionale kwaliteitstandaarde. Navorsers en telers sal moet toesien dat plaaslik geproduseerde wintergraan mededingend is op internasionale markte.

'n Deel van die fondse ingevorder by wyse van die heffing sal toegespits word op kleinskaalse boere en die ontwikkelende wintergraanbedryf.

Hierdie statutêre maatreël sal deur die Trust geadministreer word. Die heffings wat gevorder word, sal in afsonderlike rekeninge geadministreer word. Enige surplus of tekort op die vervaldatum van hierdie statutêre maatreël sal vir die rekening van die Trust wees. Die Trust sal geouditeer word volgens algemeen aanvaarde rekenkundige praktyk.

Produk waarop statutêre maatreël van toepassing is

3. Hierdie statutêre maatreël is op wintergraan van toepassing.

Gebied waarin statutêre maatreël van toepassing is

4. Hierdie statutêre maatreël is in die geografiese gebied van die Republiek van Suid-Afrika van toepassing.

Instelling van heffing

5. 'n Heffing word hierby opgelê op alle wintergraan -

- (f) wat deur of namens die produsent daarvan verkoop word;
- (g) wat in die Republiek van Suid-Afrika ingevoer word;
- (h) wat verwerk of omskep word of laat verwerk of omskep word in 'n wintergraanprodukt, indien die wintergraanprodukt bestem is om van die hand gesit te word;
- (i) wat uit die Republiek van Suid-Afrika uitgevoer word indien die heffing ten opsigte van sodanige wintergraan nog nie ingevolge paragraaf (a), (b) of (e) betaal is nie; en
- (j) ten opsigte waarvan 'n SAFEX silo-ontvangsbewys uitgereik word indien die heffing ten opsigte van sodanige wintergraan nog nie ingevolge paragraaf (a) of (b) betaal is nie.

Bedrag van heffing

6. Die bedrae van die heffings (BTW uitgesluit) sal R9-00 per metrieke ton vir koring, R8-50 per metrieke ton vir gars, R4-50 per metrieke ton vir hawer en R4-75 per metrieke ton vir durum koring wees.

Persone deur wie heffing betaalbaar is

7. (1) 'n Heffing wat in terme van klousule 5 opgelê is, sal betaalbaar wees deur:
- (a) in die geval van 'n heffing in klousule 5(a) bedoel, deur die koper van die wintergraan;
 - (b) in die geval van 'n heffing in klousule 5(b) bedoel:
 - (i) deur die koper van die wintergraan waar die wintergraan deur die invoerder verkoop word; en
 - (ii) deur die invoerder van die wintergraan waar die invoerder ook die verwerker daarvan is.
 - (c) in die geval van 'n heffing in klousule 5(c) bedoel, deur die verwerker of omskepper van die wintergraan;
 - (d) in die geval van 'n heffing in klousule 5(d) bedoel, deur die uitvoerder van die wintergraan; en
 - (e) in die geval van 'n heffing in klousule 5(e) bedoel, deur die persoon wat sodanige SAFEX silo-ontvangsbewys uitreik.
- (2) Die bedrag van die heffing wat in terme van subklousule (1)(a) en (b)(i) deur die koper betaalbaar is, kan van die koopprijs wat aan die produsent of die invoerder betaalbaar is, afgetrek word.
- (3) Die bedrag van die heffing wat in terme van subklousule (1)(e) deur die uitreiker van die SAFEX silo-ontvangsbewys betaalbaar is, kan van die persoon aan wie sodanige SAFEX silo-ontvangsbewys uitgereik word, verhaal word.

Persone aan wie die heffing betaalbaar is

8. (1) Betaling van 'n heffing opgelê in terme van klousule 5 sal nie later nie as die laaste dag van die maand volgende op die maand waarin die wintergraan aangekoop, omgesit, verwerk of uitgevoer is of 'n SAFEX silo-ontvangsbewys uitgereik is, geskied deur die persone bedoel in klousule 7.
- (2) Betaling moet ten gunste van die Wintergraantrust gemaak word.
- (3) Betaling moet –

- (a) wanneer per pos gestuur, geadresseer wees aan

Die Administrateur
Wintergraantrust
Posbus 7088
CENTURION
0046

- (c) wanneer per hand afgelewer, afgelewer word by –

Die Administrateur
Wintergraantrust
Embankment Park
Kwikkiesingel 194
Centurion

Inwerkingtreding en tydperk van geldigheid

9. (1) Hierdie statutêre maatreël tree op 1 Oktober 2006 in werking en verval op 30 September 2010.
- (2) Nieteenstaande die bepalings van subklousule (1) kan die Minister, na 'n evaluasie en hersiening van die maatreël kragtens artikel 9(1)(f) van die Wet, by kennisgewing in die Staatskoerant bepaal dat die maatreël op 'n datum in daardie kennisgewing uiteengesit, verval; Met dien verstande dat sodanige datum nie later mag wees as die datum kragtens subklousule (1) bepaal nie.

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM
DEPARTEMENT VAN OMGEWINGSKE EN TOERISME**

No. 954

29 September 2006

**CORRECTION NOTICES
WYSIGING KENNISGEWINGS**

**LAND DECLARED IN TERMS OF THE NATIONAL PARKS ACT, 1976 TO BE
PART OF TABLE MOUNTAIN NATIONAL PARK, AUGRABIES WATERFALL
NATIONAL PARK AND MARAKELE NATIONAL PARK**

**GROND VERKLAAR IN TERME VAN DIE WET OP NASIONALE PARKE,
1976 TOT DEEL VAN DIE TAFELBERG NASIONALE PARK, AUGRABIES
WATerval NASIONALE PARK EN MARAKELE NASIONALE PARK**

TABLE MOUNTAIN NATIONAL PARK

Government Notice 1071 published in Government Gazette No. 28185 of 28 October 2005, is hereby amended by replacing the name Agulhas National Park in subparagraph (a) with the name Table Mountain National Park.

TAFELBERG NASIONALE PARK

Goewermenstskennisgewing 1071 gepubliseer in Staatskoerant No. 28185 van 28 Oktober 2005, word hiermee gewysig deur die naam Agulhas Nasionale Park in subparagraaf (a) te vervang met die naam Tafelberg Nasionale Park.

AUGRABIES NATIONAL PARK

(a) Government Notice 1067 published in Government Gazette 28185 of 28 October 2005, is hereby amended by replacing the name of the farm Zeekoe-Streek with Zeekoe Steek, where-ever it appears in the notice.

Goewermentskennisgewing 1067 gepubliseer in Staatskoerant No. 28185 van 28 Oktober 2005, word hiermee gewysig deur die naam van die plaas Zeekoe Streek te vervang met Zeekoe Steek waar dit ookal in die kennisgewing voorkom. .

(b) Government Notice 1067 published in Government Gazette 28185 of 28 October 2005, is hereby amended by replacing Remainder of Portion 18 of the farm Zeekoe-Streek No 9, Kenhard Registration Division, Northern Cape Province, in extent

7116,0904 hectares, held under Title Deed of Transfer T89356/1999 as it appears in the Schedule with Remainder of Portion 18 of the farm Zeekoe Steek No. 9, Kenhard Registration Division, Northern Cape Province, in extent 6467,5355 hectares, held under Title Deed of Transfer T89356/1999.

Goewermentskennisgewing 1067 gepubliseer in Staatskoerant No. 28185 van 28 Oktober 2005, word hiermee gewysig deur die vervanging van Restant van Gedeelte 18 van die plaas Zeekoe Streek No. 9, Registrasie Afdeling van Kenhard, Noord-Kaap Provinsie, groot 7116,0904 hektaar, gehou onder Titelakte T89356/1999, soos dit voorkom in die Bylae met Restant van Gedeelte 18 van die plaas Zeekoe Steek No. 9, Registrasie Afdeling van Kenhard, Noord-Kaap Provinsie, groot 6467,5355 hektaar, gehou onder Titelakte T89356/1999.

MARAKELE NATIONAL PARK

Government Notice 1063 published in Government Gazette No. 28185 of 28 October 2005 is hereby withdrawn

MARAKELE NASIONALE PARK

Goewermentskennisgewing 1063 gepubliseer in Staatskoerant No. 28185 van 28 Oktober 2005, word hiermee onttrek.

**MINISTER OF FOREIGN AFFAIRS
REPUBLIC OF SOUTH AFRICA**

No. 957

29 September 2006

MINISTER'S MINUTE

In accordance with the powers vested in me by section 5(3) of the Diplomatic Immunities and Privileges Act, 2001 (Act No. 37 of 2001), I hereby recognise the Orange-Senqu River Commission (ORASECOM) for the purposes of granting the immunities and privileges provided for in the Diplomatic Immunities and Privileges Act, Act No. 37 of 2001, attached as a schedule hereto.



**NKOSAZANA DLAMINI ZUMA
MINISTER OF FOREIGN AFFAIRS**



AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF

SOUTH AFRICA

AND

THE ORANGE-SENQU RIVER COMMISSION

FOR

THE HOSTING OF THE SECRETARIAT OF THE

ORANGE-SENQU RIVER COMMISSION IN

THE REPUBLIC OF SOUTH AFRICA

PREAMBLE

The Government of the Republic of South Africa and the Orange-Senqu River Commission (hereinafter referred to in plural as the "Parties" and in the singular as a "Party");

RECALLING the Agreement entered into on 3 November 2000 by the Governments of the Kingdom of Lesotho, the Republic of Botswana, Republic of South Africa and the Republic of Namibia to establish the Orange-Senqu River Commission, known as ORASECOM for the integrated water resource management of the Orange-Senqu River Basin;

IN PURSUANCE of a decision taken by ORASECOM on 30 July 2004 in Durban, Republic of South Africa, to establish a Secretariat;

NOTING that ORASECOM wishes and the Government of the Republic of South Africa agrees to the establishment of the Office of the Secretariat of ORASECOM in South Africa and to grant the Secretariat and its staff members certain privileges and immunities;

HEREBY AGREE as follows:

ARTICLE 1 DEFINITIONS

In this Agreement, unless the context indicate otherwise -

- (a) "archives" includes all the records, correspondence, documents, manuscripts, computer records, still and motion pictures, films and sound recordings, belonging to or held by the Secretariat in furtherance of its functions;
- (b) "Country" means the Republic of South Africa;
- (c) "Executive Secretary" means the head of the Secretariat, duly appointed by the Council of ORASECOM in accordance with the provisions of ORASECOM Staff Regulations;
- (d) "Government" means the Government of the Republic of South Africa;
- (e) "members of the family" means
 - (i) the spouse;
 - (ii) any unmarried child under the age of 21 years;
 - (iii) any unmarried child between the ages of 21 and 23 who is undertaking full time studies at an education institution; and
 - (iv) any other unmarried child or other family members officially recognised as a dependant member of the family by the Secretariat
- (f) "Office" means the office premises used by the Secretariat of ORASECOM;
- (g) "official activities" means all activities carried out at the direction of ORASECOM in pursuit of the purpose of ORASECOM;
- (h) "official visitor" means any person invited by the ORASECOM Secretariat to its offices regarding official activities pertaining to ORASECOM;

- (i) "ORASECOM" means the Orange Senqu River Commission;
- (j) "Secretariat" means the Secretariat of ORASECOM;
- (k) "spouse" means the legal spouse or partner recognised as such under South African domestic law;
- (l) "staff member" means any person recruited or appointed as such by the ORASECOM under the terms of the Staff Regulations and for the purpose of carrying out ORASECOM's official activities. It does not include persons recruited at hourly rates of pay.

ARTICLE 1 ESTABLISHMENT

- (1) ORASECOM is hereby authorised to establish the Office in the Country.
- (2) ORASECOM shall enjoy in the furtherance of its official functions treatment not less favourable than that accorded to other international organisations in the Country and shall have the right to display its emblem at its premises subject to the consent of the landlord and on its vehicles.
- (3) The Government shall provide ORASECOM with the necessary, uninterrupted public services on ORASECOM facilities on the same basis as it does to other international organisations.

ARTICLE 2

LEGAL PERSONALITY

- (1) The Government recognises the legal personality of ORASECOM and in particular its international personality with capacity to enter into international agreements.
- (2) ORASECOM shall have international juridical personality, as well as the capacity, among others things to contract, acquire and dispose of property and institute legal proceedings.

ARTICLE 3

INVIOABILITY OF THE OFFICE

- (1) The office and its archives shall be inviolable and ORASECOM's property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process, except insofar as in any particular case immunity shall have expressly been waived. Waiver of immunity from legal process shall not be held to imply waiver of immunity in respect of any measure of execution, for which a separate waiver shall be necessary.
- (2) No officer or official of the Government or person exercising any public authority within the Country, shall enter the Office to perform any duties therein except with the consent of, and under the conditions approved by the Executive Secretary. The Executive Secretary's consent to such entry shall be presumed in the event of fire or other analogous emergency requiring urgent action.
- (3) The Office shall not be used in any other manner incompatible with the functions of the Secretariat.

ARTICLE 4

EXEMPTION FROM TAXATION

- (1) Within the scope of its official activities, ORASECOM assets, income and property shall be exempt from all forms of direct taxation, however ORASECOM shall not claim exemption from taxes which are no more than charges for public utility services.
- (2) ORASECOM shall be exempted from custom duties, prohibitions and restrictions on imports in respect to articles (equipment and materials, including vehicles) imported or exported by the Secretariat for its official use and for implementation or completion of its projects. Goods imported free of duties and taxes shall not be sold, transferred or disposed of in the Country without prior approval and under conditions agreed to with the Government.
- (3) While ORASECOM will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the Secretariat makes important purchases for official use of property on which such duties and taxes have been charged or are chargeable, the Government will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE 5

FINANCIAL TRANSACTIONS

Without being restricted by financial controls, regulations or moratoria of any kind ORASECOM may, in order to carry out its activities -

- (a) hold funds and currency of any kind and operate accounts in any currency;
and
- (b) freely transfer its funds and currency to and from the Country, and convert any currency held by it into any other currency,

Provided that such funds originate from the non-resident sources.

ARTICLE 6

COMMUNICATION

- (1) ORASECOM shall, for its official communication, enjoy treatment not less favourable than that accorded by the Government to any other government, including such government's diplomatic mission, in the manner of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephones and other communication and press rates for information to the press and radio.
- (2) The Government shall ensure that official correspondence and other official communications of ORASECOM shall be free of censorship.
- (3) Nothing in this Article shall be constructed as to preclude the adoption of appropriate security precautions to be determined by agreement between the Government and ORASECOM.

ARTICLE 7

PRIVILEGES AND IMMUNITIES

- (1) The Government shall accord to -
 - (a) the Executive Secretary-
 - (i) the same privileges and immunities, exemptions and facilities as diplomatic representatives at Missions;
 - (b) the staff members of the Secretariat, who are not nationals or permanent residents of the Country -
 - (i) immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

- (ii) exemption from taxation on the salaries and emoluments paid to them by the Secretariat;
- (iii) immunity, together with members of their family, from immigration restrictions and alien registration;
- (iv) subject to restrictions by the Government, which may be in effect for travelling to certain parts of the Republic of South Africa, free movement within the Republic of South Africa;
- (v) where necessary, the timeous issuance of visas, work, travel and residence permits in the Republic of South Africa;
- (vi) the right to import free of duty their furniture and effects, at the time of first taking up their post in the Country;
- (vii) the same privileges in respect of exchange facilities as are accorded the officials of comparative ranks forming part of diplomatic missions to the Government;
- (viii) the same repatriation facilities in time of international crises as to diplomatic envoys.

(c) staff members of the Secretariat, who are nationals of the Country-

- (i) immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity.

(2) Privileges and immunities are granted to the Executive Secretary and staff members of the Secretariat in the interest of the Secretariat and not for the personal benefit of the individuals themselves. The Executive Secretary shall have the right and the duty to waive the immunity of a staff member or members of their family in any case where, in the opinion of the Executive Secretary, the immunity would impede the course of justice and can be waived without prejudice to the interest of the Secretariat.

(3) ORASECOM shall co-operate at all times with the appropriate authorities of the Government to facilitate the proper administration of justice, secure the observance of police regulations and avoid the occurrence of any abuse in connection with the facilities, privileges and immunities accorded to the staff members.

- (4) ORASECOM shall timeously notify the Government of names and ranks of the Secretariat staff in order to facilitate the granting of the immunities and privileges.
- (5) ORASECOM shall have the authority to recruit staff members locally for carrying out collaborative programmes for ORASECOM. Such staff members shall be drawn from among nationals of the Republic of South Africa, or nationals of other countries holding residence and work permits in the Republic of South Africa, and their terms and conditions of employment shall be expected to approximate prevailing norms in the Republic of South Africa with such modifications as may be required to assure availability of well qualified staff members and high quality of performance. Such local staff members shall be recruited under the ORASECOM Staff Regulations, with the provision that the ORASECOM staff regulation shall not apply if and when it conflicts with South African Labour Laws to the extent that rights of the locally recruited staff members would be violated.

ARTICLE 8

SETTLEMENT OF DISPUTES

- (1) Any dispute between the Parties arising out of, or relating to the interpretation or implementation of this Agreement that cannot be settled by negotiation or other agreed mode of settlement shall be submitted to arbitration at the request of either Party.
- (2) For purposes of the implementation of this Article -
 - (a) each Party shall appoint one arbitrator and advise the other Party of the name of its arbitrator. Should the arbitrators fail to agree upon an award they shall immediately appoint an umpire. In the event that within thirty (30) days of the request for the arbitration either has not appointed an arbitrator, or the arbitrators appointed fail to agree on an award and or the appointment of an

umpire, either Party may request the President of the International Court of Justice to appoint an arbitrator or an umpire, as the case may be;

- (b) a majority vote of the arbitrators shall be sufficient to reach a decision, including decisions on procedural matters, which shall be final and binding; and
- (c) the expenses of arbitration shall be borne by the Parties as laid down in the arbitration award.

ARTICLE 9 AMENDMENT

This Agreement may be amended by mutual consent of the Parties through an Exchange of Notes between the Parties through the diplomatic channel.


ARTICLE 10

ENTRY INTO FORCE, DURATION AND TERMINATION

- (1) This Agreement shall enter into force on the date of signature thereof by the Parties.
- (2) This Agreement shall remain in force indefinitely unless terminated by either Party by giving six months written notice in advance to the other Party of its intention to terminate it.
- (3) Notwithstanding any such notice of termination this Agreement shall remain in force until complete fulfilment or termination of all obligations entered into by virtue of this Agreement.



**FOR THE GOVERNMENT OF
THE REPUBLIC OF SOUTH AFRICA**



**FOR THE ORANGE-SENQU
RIVER COMMISSION**

DEPARTMENT OF HEALTH

No. 951

29 September 2006

EXCLUSION OF CERTAIN MEDICINES FROM THE
OPERATION OF CERTAIN PROVISIONS OF THE
MEDICINES AND RELATED SUBSTANCES ACT, 1965
(ACT NO.
101 OF 1965)

I, **Mandisa Hela, Registrar of Medicines**, acting by virtue of a delegation in terms of section 34A of the Medicines and Related Substances Act, 1965 (Act 101 of 1965), hereby exclude in terms of Section 36 of Act 101 of 1965, on the unanimous recommendation of the members present at a meeting of the Medicine Control Council held on **11 August 2006** the medicines listed in the schedule hereto from the operation of the therein listed provisions of the regulations promulgated by Government Notice No. R.510 of 10 April 2003.



MANDISA HELA
REGISTRAR OF MEDICINES

DEPARTEMENT VAN GESONDHEID

No. 951

29 September 2006

UITSLUITING VAN SEKERE MEDISYNE VAN DIE
TOEPASSING VAN SEKERE BEPALING VAN DIE WET OP
DIE BEHEER VAN MEDISYNE EN VERWANTE STOWWE,
1965 (WET NR. 101 VAN 1965)

Ek, **Mandisa Hela, Registrateur van Medisyne**, handelend kragtens 'n delegasie ingevolge artikel 34A van die Wet op Medisyne en Verwante Stowwe, 1965 (Wet 101 van 1965), en op eenparige aanbeveling van die lede van die Medisynebeheerraad teenwoordig in 'n vergadering gehou op **11 August 2006**, sluit hierby uit, kragtens Artikel 36 van Wet 101 van 1965, die medisyne in die Bylae hiervan vermeld van die toepassing van die daarinvermelde bepalinge van die regulasies afgekondig by Goewermentskennisgewing No. R.510 van 10 April 2003, onderworpe aan die voorwaardes ingelys in the Bylae vermeld.



MANDISA HELA
REGISTRATEUR VAN MEDISYNE

REGISTRATION NO/ REGISTRASIE NO	NAME OF MEDICINE/ NAAM VAN MEDISYNE	FORM OF PREPARATION/ BEREIDINGS-VORM	PROVISIONS FROM WHICH EXCLUDED/ BEPALINGS WAARVAN UITGESLUIT	CONDITIONS OF EXCLUSION/ VOORWAAR-DES VIR UITSLUITING	APPLICANT/ APPLIKANT
A400051 A400052	Platosin 10MG/10 ML Platosin 50MG/50 ML		<i>Regulation 8(1) Labelling of medicines intended for administration to humans (immediate container label): Bilingualism</i>		Pharmachemie
27/26/0181	Immukine 0,1mg		<i>Regulation 10 (1) each package of a medicine shall have a patient information leaflet</i>	Provided that: the exemption is only applicable to the supply of medicines to 10 patients per year	Boehringer Ingelheim
35/34/0069	Rouvax		<p><i>Regulation 8 Labelling of medicines intended for administration to humans (immediate container label)</i></p> <p>(1) <i>Bilingualism</i> (a) <i>Scheduling status</i> (c) <i>Registration number</i> (e) <i>Quantity of each Active ingredient</i> (p) <i>The name of the Holder of Certificate of Registration</i></p> <p>And</p> <p><i>Regulation 8 (3) The Council may authorise the inclusion on the label of a medicine of any special information that is not required by this regulation to be so included</i> Aventis Pasteur</p>	<p>Provided that it is only applicable to:</p> <p>a) The Department of Health scheduled measles campaign 2007. b) Aventis to import 700 000units of Rouvax vaccine for the campaign. c) A once off exemption for the Department of Health measles campaign during 2007.</p>	Aventis Pharma

NX/34/156	Parvolex Injection		<p><i>Regulation 8 Labelling of medicines intended for administration to humans (immediate container label)</i></p> <p>(1) Bilingualism (c) Registration number (p) The name of the Holder of Certificate of Registration</p> <p>And</p> <p><i>Regulation 8 (3) The Council may authorise the inclusion on the label of a medicine of any special information that is not required by this regulation to be so included:</i></p> <ul style="list-style-type: none"> • DBL 	<p>Provided that:</p> <p>a) Only a small consignment of 596 packs of 10 units every three to four months imported from the manufacturer in Australia</p>	GlaxoSmithKline
A38/3.2/0562	Bondronat 50		<p><i>Regulation 8 Labelling of medicines intended for administration to humans – Blister foil</i></p> <p>(b) Proprietary name</p> <p>And</p> <p><i>Regulation 8 (3) The Council may authorize the inclusion on the label of a medicine of any special information that is not required by this regulation to be so included:</i></p> <p>Authorisation to allow for the Proprietary name to appear as "Bondronat 50mg" And for the name of the API to appear in besides English, French or Spanish text.</p>	<p>Provided that:</p> <p>a) the exemption is only applicable for 100 patients per year.</p>	Roche
39/26/0028	Alimta 500mg		<p><i>Regulation 8 Labelling of medicines intended for administration to humans</i></p>	<p>Provided that:</p> <p>a) It is for state</p>	Eli Lilly

			<p>(1) <i>Bilingualism</i> (a) <i>Scheduling</i> (b) <i>Proprietary name</i> (c) <i>Registration number</i> (p) <i>Name of the Holder of the Certificate of Registration</i></p> <p>And <i>Regulation 8 (3)</i> <i>The Council may authorize the inclusion on the label of a medicine of any special information that is not required by this regulation to be so included:</i></p> <p>Authorisation to allow for information to appear on the "Fix--Form" label in, besides English, French, Dutch, Italian, German or Spanish text and to use the clinical trial label for the donation of the product to the State.</p>	<p>use only. b) Applicable to 759 vials used previously as Clinical Trial material.</p>	
H1088 (Act 101/1965) Unregistered Unregistered	Spongostan Sponge Spongostan Sponge Surgiflo Haemostatic Matrix		Excluded from Section 14(2): Prohibition of sale of medicines that are subject to registration and are not registered.	Further, the applicant to be reminded that these products could be in future called up for registration.	Johnson & Johnson

DEPARTMENT OF HEALTH

No. 952

29 September 2006

EXCLUSION OF CERTAIN MEDICINES FROM THE
OPERATION OF CERTAIN PROVISIONS OF THE
MEDICINES AND RELATED SUBSTANCES ACT, 1965
(ACT NO.
101 OF 1965)

I, **Mandisa Hela, Registrar of Medicines**, acting by virtue of a delegation in terms of section 34A of the Medicines and Related Substances Act, 1965 (Act 101 of 1965), hereby exclude in terms of Section 36 of Act 101 of 1965, on the unanimous recommendation of the members present at a meeting of the Medicine Control Council held on **7 July 2006** the medicines listed in the schedule hereto from the operation of the therein listed provisions of the regulations promulgated by Government Notice No. R.510 of 10 April 2003.



.....
MANDISA HELA
REGISTRAR OF MEDICINES

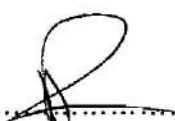
DEPARTEMENT VAN GESONDHEID

No. 952

29 September 2006

UITSLUITING VAN SEKERE MEDISYNE VAN DIE
TOEPASSING VAN SEKERE BEPALING VAN DIE WET OP
DIE BEHEER VAN MEDISYNE EN VERWANTE STOWWE,
1965 (WET NR. 101 VAN 1965)

Ek, **Mandisa Hela, Registrateur van Medisyne**, handelend kragtens 'n delegasie ingevolge artikel 34A van die Wet op Medisyne en Verwante Stowwe, 1965 (Wet 101 van 1965), en op eenparige aanbeveling van die lede van die Medisynebeheerraad teenwoordig in 'n vergadering gehou op **7 July 2006**, sluit hierby uit, kragtens Artikel 36 van Wet 101 van 1965, die medisyne in die Bylae hiervan vermeld van die toepassing van die daarinvermelde bepalinge van die regulasies afgekondig by Goewermentskennisgewing No. R.510 van 10 April 2003, onderworpe aan die voorwaardes ingelys in the Bylae vermeld.



.....
MANDISA HELA
REGISTRATEUR VAN MEDISYNE

REGISTRATION NO/ REGISTRASIE NO	NAME OF MEDICINE/ NAAM VAN MEDISYNE	FORM OF PREPARA- TION/ BEREIDINGS- VORM	PROVISIONS FROM WHICH EXCLUDED/ BEPALINGS WAARVAN UITGESLUIT	CONDITIONS OF EXCLUSION/ VOORWAAR-DES VIR UITSLUITING	APPLICANT/ APPLIKANT
A380629	Inflamride 400 Novolizer		Regulation 8(1): Bilingualism (a) Scheduling status (c) Registration number		Boehringer Ingelheim
27/30.1/0531	OPV-Merieux		Regulation 8(1): Bilingualism (a) Scheduling status (b) Proprietary Name (c) Registration number (p) Name of the Holder of Certificate of Registration Regulation 9(1) Bilingualism	Provided that: - the authorization only be applicable to 7 million doses of trivalent oral polio vaccine intended for a mass polio campaign vaccination in September/ October 2006. - Only supply to the State	Aventis

**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING**

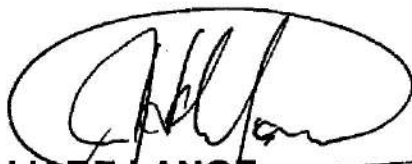
No. 955

29 September 2006

SMALL CLAIMS COURTS ACT, 1984 (ACT NO. 61 OF 1984)

**SMALL CLAIMS COURT FOR THE AREA OF LOWER TUGELA:
AMENDMENT OF GOVERNMENT NOTICE NO. 2361 OF 23 OCTOBER
1987**

I, Johannes Hendrik de Lange, Deputy Minister for Justice and Constitutional Development, acting under section 2(1)(e) of the Small Claims Courts Act, 1984 (Act No. 61 of 1984), hereby amend Government Notice No. 2361 of 23 October 1987, by the insertion in paragraph (a) after the expression "District of Lower Tugela" of the expression: ", including the District of Maphumulo,".



J H DE LANGE
Deputy Minister for Justice and
Constitutional Development

5/4/06

GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 1391 OF 2006

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 22 OF 1994, AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994, as amended that claims for the restitution of land rights on:

Reference No:	KRK6/2/23/B/103/309/0/1 - MARYDALE
Claimant:	Mr. D.P. Bostander
Property description:	Erf Number 29, Marydale Township, measuring 1487 square meter in extent
Current owner:	Mr Jacobus David Strauss
Previous Title Deed No.:	T10868/1942
Current Title Deed No.:	T26864/1992
Bond details:	No bonds registered on this property
Date submitted:	Before 31 December 1998
Current Land use:	Residential
Restitution Option:	Financial compensation

Has been submitted to the Regional Land Claims Commissioner for the Free State and Northern Cape and that the Commission on Restitution of Land Rights will further investigate the claims in terms of the provisions of the Act, as amended, in due course.

Any party who has an interest in the abovementioned land claim is hereby invited to submit, within 30 days from the date of the publication of this Notice, any comments/information to:

The Regional Land Claims Commissioner: Free State and Northern Cape
P. O. Box 2458
Kimberley
8300

Tel: (053) 807-5700
Fax: (053) 831-6501

S.T.R. RAMAKARANE
Regional Land Claims Commissioner

NOTICE 1392 OF 2006**NOMINATION OF CANDIDATES FOR APPOINTMENT TO THE NATIONAL AGRICULTURAL MARKETING COUNCIL**

The current term of office of the ten National Agricultural Marketing Council members is to expire on 28 February 2007. The Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996) makes provision for the appointment of successor members to the National Agricultural Marketing Council when members' term of office expires.

The functions of the National Agricultural Marketing Council, as fully set out in the Act, include investigations and advice to the Minister regarding agricultural marketing policy and its application. The Minister for Agriculture and Land Affairs hereby invites persons and interested parties to submit to her names of nominees to be considered for appointment as members of the National Agricultural Marketing Council.

Notice must be taken that a review of the agricultural marketing environment is being undertaken. The outcome of such review might have an effect on the functions of the new Council to be appointed.

The nominees will be considered for appointment by virtue of their practical knowledge and experience in one or more of the following:

- (a) the commercial production of agricultural products;
- (b) agricultural product-related trade and industry ;
- (c) agricultural economics, including agricultural marketing and international agricultural trade ;
- (d) consumer issues relating to agricultural products including issues relating to previously disadvantaged communities; and
- (e) the production and marketing of agricultural products by small scale and previously disadvantaged farmers.

In terms of the provision of the Act members of the Council will be appointed for a period of not longer than four years commencing on 1 March 2007.

Each nomination must be accompanied by the following (failure to comply with it will result in disqualification):

- a detailed curriculum vitae (including age, address, telephone number to be reached at, qualifications and present employment)
- a written acceptance of the nomination by the nominee
- an indication whether the nominee is available for full-time or part-time appointment
- an indication of the category the nominee would like to be considered for.

Nominations should reach the under-mentioned address not later than 6 October 2006.

Correspondence will be limited to successful candidates.

Postal Address:

Head: Legal and Secretariat Services
Department of Agriculture
Private Bag X250
PRETORIA
0001
For Attention: M. van Rooyen

Physical Address:

First Floor
Agriculture Place
Room F-FF-15
20 Beatrix Street
Arcadia, **PRETORIA**
0007
Tel. No. (012) 319-6907
Fax No. (012) 319-6740
Enquiries: M. van Rooyen
E-mail: MarionVR@nda.agric.za

All nominations should be marked for the attention of Ms M. van Rooyen.

NOTICE 1394 OF 2006**INTERNATIONAL TRADE ADMINISTRATION COMMISSION**
OF SOUTH AFRICA**CUSTOMS AND EXCISE TARIFF APPLICATIONS****LIST 12/2006**

The International Trade Administration Commission of South Africa (ITAC) has received the following application concerning the Customs and Excise Tariff. Any objection to or comment on this representation should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001, within six weeks of the date of this notice. Attention is drawn to the fact that the rate of duty mentioned in the application is that requested by the applicant and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

CONFIDENTIAL INFORMATION

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

- ☐ *Where confidential information has been omitted and the nature of such information;*
- ☐ *A summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and*
- ☐ *In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

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

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

Adjustment of the below mentioned affected tariff lines from the applied rate to the WTO-bound ceiling rates:

Industrial products

Tariff sub-heading	Description (Abbreviated)	Applied rate	Bound rate	Proposed amendment
2921.44.90	Amine-function compounds etc	22%	10%	10%
2921.51.20	Amine-function compounds etc	22%	10%	10%
2933.59.30	Heterocyclic compounds etc	14%	10%	10%
2933.59.85	Heterocyclic compounds etc	18%	10%	10%
5606.00.00	Gimped – chenille - & loop wale yarn	20%	17.5%	17.5%
6405.20.90	Footwear with textile uppers	30% or 500c/2u	30%	500c/2u with a maximum of 30%
6406.10.35	Parts of footwear etc	30%	20%	20%
8202.39.30	Hand & Circular saws, blades	21%	20%	20%
8529.90.80	Parts for reception apparatus for television	25%	20%	20%

Agricultural products

Tariff sub=	Description (Abbreviated)	Applied rate	Bound rate	Proposed amendment
0710.29	Other frozen vegetables	30%	24%	24%
0713.90.20	Dried leguminous veg, skinned or split	30%	24%	24%
0801.11.90	Other Desiccated Coconut	25%	0	0
0805.10	Oranges	5%	4%	4%
0805.20	Mandarins	5%	4%	4%
0805.40	Grapefruit	5%	4%	4%
0805.50	Lemons & Limes	5%	4%	4%
0805.90	Other Citrus Fruit	5%	4%	4%
0806.10	Fresh Grapes	5%	4%	4%
0808.10	Apples	5%	4%	4%
0808.20	Pears & Quinces	5%	4%	4%
0809.10	Apricot	5%	4%	4%
0809.20	Cherries	5%	4%	4%
0809.30	Peaches	5%	4%	4%
0809.40	Plums & Sloes	5%	4%	4%
1211.10	Liquorice roots	15%	12%	12%
1211.20	Ginseng roots	15%	12%	12%
1302.11	Opium extracts	15%	12%	12%
1302.12	Extracts of liquorice	15%	12%	12%
1302.32.20	Modified Mucillages & thickeners	10%	8.5%	8.5%
1302.39.20	Other modified	10%	8.5%	8.5%
1905.10	Crispbread	25%	21%	21%
1905.20	Gingerbread etc	25%	21%	21%
1905.31	Sweet biscuits	25%	21%	21%
1905.32	Waffles and Wafers	25%	21%	21%
1905.40	Rusks, toasted bread etc	25%	21%	21%
1905.90.20	Communion Wafers etc	20%	17%	17%
1905.90.30	Bread Crumbs	20%	17%	17%
1905.90.90	Other Bread etc	25%	21%	21%
2002.10.90	Other Tomatoes	110c/kg less 80%	37%	110c/kg max of 37%

2006.00.20	Crystallised fruits	30% or 7.25c/kg	22%	7.25c/kg with a max of 22%
2006.00.90	Other preserved veg/fruit etc	30% or 7.25c/kg	22%	7.25c/kg with a max of 22%
2202.90.20	Water etc in sealed containers	25% plus 1.04c/L	21%	21%
2202.90.90	Other, less than 2.5l	25%	21%	21%
2401.10	Tobacco	15% or 860c/kg less 85%	44%	860c/kg with a max of 44%
5101.30.20	Wool bleached, dyed or otherwise preserved	10%	8.5%	8.5%
5102.20.90	Other Coarse Animal Hair	10%	8.5%	8.5%

Applicant:

thedti
Private Bag x 84
PRETORIA
0001

[Enquiries: Ms. R Theart, Tel: (012) 394 3674, fax no: (012) 394 4674, E-mail:
rtheart@itac.org.za and Ms E Smith, Tel: (012) 394 3669, fax no: (012) 394 4669, E-mail:
esmith@itac.org.za]

As reasons for the application the applicant stated that:

In terms of South Africa's WTO obligations and in view of the preparatory work for South Africa's engagement in the non-agricultural market access (NAMA) negotiations, it is imperative that South Africa complies with the provisions of our multilateral trade agreements.

LIST 11/2006 WAS PUBLISHED UNDER GENERAL NOTICE NO. 1294 OF 8 SEPTEMBER 2006.

NOTICE 1395 OF 2006

Safety in Mines Research Advisory Committee (SIMRAC)
on behalf of the
Mine Health and Safety Council (the Council)

Invitation to submit project proposals

SIMRAC, a permanent committee of the Mine Health and Safety Council, was established in terms of the Mine Health and Safety Act (29/1996) to conduct research and surveys regarding, and for the promotion of, health and safety in the South African mining industry. Suitably qualified agencies and/or persons are invited to submit proposals in response to the project specifications in this Notice. In soliciting research projects for the 2006/2007-research programme, the Council has the following goals:

- to indicate the current research needs for research to commence in the 2006/2007 cycle;
- to invite research proposals in response to these defined priority areas of research; and
- to invite applications for postgraduate funding for research which will promote health and safety within the South African mining industry.

A consultative process has resulted in the Council formulating a co-ordinated, long-term health and safety research programme and identifying priority areas for research to commence in the 2006/2007 cycle. Researchers and agencies are invited to submit research proposals for the research projects indicated. Proposed research must be well designed with a detailed methods section, be ethical *and* must have the potential to add to existing knowledge, practice or technology, involve the end users and implement/transfer outputs. Research teams must have the specified skills.

Submission of Proposals

1. Proposals must be submitted in accordance with the prescribed format. Contact Cecile Gomes at telephone 011 358 9180, fax 011 403 1821, e-mail cgomes@mhsc.org.za or visit the SIMRAC website www.simrac.co.za to download the submission template. PLEASE NOTE THAT THE NEW FORMAT NEEDS TO BE USED.
2. Queries regarding the aims and objectives of the thrusts listed in this notice can contact the following persons:
Rock Engineering: Dragan Amidzic at damidzic@mhsc.org.za (011 358 9193)
Occupational Health: Audrey Banyini at abanyini@mhsc.org.za (011 358 9183)
SIMRAC Chairperson: Tabo Gazi at thabo.gazi@dme.gov.za (012 317 8461)
Proposal Submission: Cecile Gomes at cgomes@mhsc.org.za (011 358 9190)
3. Proposers are requested to take note of past work in the different thrust areas. (Details are available on website www.simrac.co.za).

¹ Guidelines for the Council postgraduate research and Ethics Guidelines are obtainable from nwoods@mhsc.org.za

4. The closing time and date for the receipt of the proposals is **12:00 on Thursday 19 October 2006**. Late entries will not be considered.
5. Two copies of each proposal, in a sealed envelope, in a form suitable for photocopying **plus** a disk or CD with the proposal in MS Word, should be deposited in the repository labeled "*Proposals*" at the Council's offices².
6. The Council may at its sole discretion, decide to recommend the acceptance, rejection or amendment of any proposal and to commission the team to develop the proposal on the basis of which the contract is awarded. The Council shall not furnish any reasons for its decisions regarding proposals.
7. Every proposal accepted by the Council would be subject to a set of Terms and Conditions, which on acceptance of the final detailed proposal will form part of the contract applicable to the project. All prospective proposers should peruse a set of the standard terms and conditions prior to submitting a proposal. A copy of the draft standard terms and conditions is available on the SIMRAC website www.simrac.co.za.
8. **Charge-out rates have to be in accordance with the rates specified by the Science Council, ACSA and SACNAPS**
9. In compiling proposals, prospective proposers should provide details of methods, identifiable outputs and estimated costs as indicated.
10. The Council will endeavour to solicit the services of South African organisations to undertake projects, but will consider proposals from overseas-based organisations if expertise, cost considerations and local capacity building components compare favourably.
11. The Council requires full disclosure regarding all subcontracts included in the proposal.
12. The proposer and any of its affiliates shall be disqualified from providing other goods, works, or services under the project if, in the Council's judgment, such activities constitute a conflict of interest with the services provided under the assignment/project.
13. Where an output includes a device, mechanism, procedure, or system capable of being applied in the mining environment, a prospective proposer shall include in the proposal an output which suggests how the outputs in question might best be applied in practice. In drafting proposals, all prospective proposers should bear in mind the potential for technology transfer and phasing the project as indicated.
14. The period for which the proposals should be held valid is 150 days.
15. During this period the proposal must undertake to maintain, without change, the proposed key staff, and must hold to both the rates and total price proposed; in case of extension of the proposal validity period, it is the right of the proposer not to maintain their proposal.
16. The anticipated commencement date of the projects is 1 December 2006.

², 2nd Floor, Braamfontein Centre, 23 Jorissen Street, Cnr. Bertha Street, Braamfontein

17. Each proposer have to submit a TAX Clearance Certificate with the proposal
18. A BEE Questionnaire has to be completed by each proposer. The questionnaire can be obtained from Cecile Gomes at cqgomes@mhsc.org.za
19. Each successful proposer may, during the contract period or shortly after its completion, be required to provide:
- A competent spokesperson with appropriate materials to make not more than two separate presentations, on an annual basis for the duration of the project, and
 - A technical paper on the project for publication and/or a poster presentation, without additional remuneration or reimbursement of costs.
- These activities must be detailed and costed within the project.
14. Where relevant, proposers may obtain copies of earlier project reports and other information from the website address or from contacts listed (See paragraph 1 and 2).
15. Proposers are advised that all Council projects should be submitted to language editing and may be subjected to technical and financial audits. Funding for editing and audits should be included in the proposal budget.
16. Proposers should substantiate and cost separately, all proposed travel outside the borders of South Africa in connection with the project, and provide details of all expenses such as travelling and subsistence.
17. All proposed project costs must be expressed in South African Rands and the total price must be VAT inclusive. Fluctuations in the exchange rate and purchase of forward cover should be considered when costing the proposal.
18. The Council will take all reasonable steps to ensure that confidentiality of proposals is maintained during the adjudication process. If a proposal is not accepted within the programme, the Council may invite additional proposals on the topic.
19. No unsolicited proposals will be included in the programme for 2006/7.
20. The following three-stage evaluation procedure will be followed:
- a. A technical evaluation of the proposal that will consist of the following items and weight allocations:

1.	Capability and capacity of the project team	
1.1	Relevant formal qualifications	5
1.2	Knowledge of relevant OHS issues in mining industry	5
1.3	Experience in conducting research in this area	5
1.4	Balance of team composition and competencies	5
1.5	Resources and facilities available	5

1.6	Track record: quality, on-time and within budget	5
2.	Research design and methods	
2.1	Appropriate study design and proptocol	5
2.2	Representivity, sample, strategy and size	5
2.3	Technical methods (tests etc)	5
2.4	Intended analysis of results	5
2.5	Ethics, risks and limitations	5
3.	Research outputs	
3.1	Appropriate format	5
3.2	Usefulness	5
3.3	Potential impact	5
3.4	Technology transfer	5
	Total Score – Technical	75

b. A price evaluation that will be calculated as follows:

$$Ps = (Pmin/Pt) * Ap$$

Where

Ps = % scored for price by proposal being evaluated

Pmin = price of lowest bidder

Pt = price of proposal being evaluated

Ap = % allocated for price aspect of proposal (15%)

c. A preferential procurement purposes using the following criteria and weightings:

- The proposals will each be given a score out of 100 that will be converted to a score out of 10 for the SIMRAC evaluation process
- Commercial Entities will be evaluated against the following criteria and weightings:
 - Ownership - 20%
 - Management - 10%
 - Employment Equity & Skills development – 30%
 - Preferential Procurement – 30%
 - SMME Status – 10%
- National Institutions and Public Entities will be evaluated against the following criteria and weightings:
 - Ownership - 0%
 - Management - 30%
 - Employment Equity & Skills development – 40%
 - Preferential Procurement – 30%

The **objectives** of the Council in commissioning health and safety research, for both general and commodity-based projects, are to:

- Obtain and evaluate information to establish evidence-based risk assessment, standard setting and health and safety performance measurement;
- Develop techniques or guidelines to prevent, reduce, control or eliminate risks;
- Develop and pilot innovative ideas and procedures, where appropriate, to eliminate, reduce or control risk;
- Obtain information on the extent of work-related ill health;
- Identify, develop and improve sampling and measurement techniques to detect environmental hazards and assess personal exposure;
- Understand the aetiology and identify and evaluate best-practice screening, diagnostic and treatment interventions to reduce the impact of occupational disease;
- Evaluate the effectiveness of control interventions;
- Understand risk perception, attitudes and behaviour related to health and safety and promote best practices in hazard recognition and procedural conformance;
- Empower its statutory committees to formulate policy, expedite research aimed at improving the health and safety in the South African mining industry; and
- Collaborate with national and international initiatives and research to promote health and safety in the mining industry.

The **criteria** by which proposals will be evaluated include:

- **Added value and impact** – the Council supports research which can contribute significantly to the improvement in the health and safety of South African miners;
- **Value for money** – the Council supports cost-effective research;
- **Innovation** – the Council welcomes new approaches or new areas of focus for research leading to technologies or best practices to improve health and safety;
- **Excellence** – the Council demands excellence, particularly in the methods employed to conduct research, be it quantitative or qualitative, and hence will consider the track record of the proposer/s for expertise and delivery (quality, time and to budget);
- **Use and development of research skills** – the Council requires research teams to possess the skills relevant to the success of the project and also favours projects which assist in developing research capacity, particularly in previously disadvantaged groups;
- **Collaboration** – the Council places a high priority on collaboration between researchers and the “teams of excellence” approach. Thus, the means of soliciting research proposals is intended to stimulate collaboration between centres of excellence and individual experts in order to optimise the use of the Council funding and the research outcomes.
- **Development of key indicators** – the Council recognises the challenge in assessing performance and improvement in health, as opposed to safety, in the mining industry. There is a lack of suitable occupational health (OH) indicators and baseline data. Thus innovative and robust research to develop relevant OH indicators and baseline values will be favourably considered.

The Council's research and implementation programme consists of occupational health and safety, addresses occupational medicine and hygiene, rock engineering, engineering and machinery, behavioural issues and technology transfer processes.

Each proposal must:

- Address only the research topic advertised and this must be specified;
- Be in the format indicated and the template specified using Word format; and
- Be phased as indicated in the project scope.

SIM 06 02 01 - Track A**Thrust - 2****Rockfalls****Problem Statement / Research Question**

An unacceptably high number of deaths and serious injuries occur on underground mines due to rockfalls. Rock probably has precursory indicators before major failure, most likely in terms of small localized movements and/or longer term regional closure trends.

The research question is, is it possible by monitoring and measuring with instrumentation, to collect data that gives sufficient indications in terms of time and space of an impending rockfall that may result in losses?

GAP Analysis (Statistics/ Previous Research/Best Practice / Benchmarking)

During 2005, 52 people were killed due to rockfalls and 757 people were seriously injured due to this cause. The safety data from the SAMRASS data base to the end of July 2006, indicate that 46 out of 114 deaths were rock related. In the gold sector rock related deaths represents 56% of the total, while in platinum 38 % are the total deaths are specifically rockfall related.

Previous work has been undertaken by the MHSC regarding closure on gold mines. Project GAP 852 examined limited continuous closure data and determined that this was a good indicator of face-bursting or rockfall conditions. The data was collected at isolated sites in stopes and the usefulness of the information was limited to the immediate area around the measuring point rather than for an entire stope.

Further work was carried out in Project SIM 04 02 07 Closure profiles in Bushveld mines (Merensky Reef). This again involved some continuous closure at a limited number of points in stopes. The work has proved successful in predicting the early onset of rockfalls in a number of cases. A current project SIM 06 02 02 Closure monitoring on UG2 Bushveld Complex mines is yielding some very useful data around this horizons behaviour. All of the previous work provides a limited view of closure and a full 3D view of a stope's complete behaviour, not just closure, would be more informative.

Expected Impact on OHS / Value Added

The loss of 52 lives and 757 serious injuries in the South African mining industry during 2005 due to rockfalls is a major concern. Early warning of possible rockfalls will assist in removing people from the danger areas. Apart from the loss of a life, to which it is impossible to put a value, the monetary value of a loss of a life to the industry is conservatively about R3m. Every life spared by proactive identification of potential rockfalls will have positive repercussions for the industry, morally and monetarily. The industry safety targets and milestones, set by the industry, will be achievable only as the rockfall problem is aggressively addressed.

Project title

Elimination of Rockfalls - Measuring and monitoring to reduce the rockfall risk – SIM 06 02 01 Track A

Motivation

The nature of tabular ore bodies means that their actual condition is hard to see and assess. Even in loco inspections of a tabular stope allow the viewer very limited perspective, given the geometry and poor lighting. It is difficult to see many of the discontinuities in the rock that are critical in causing instability or potential failures in the rock. Any rockfall is preceded by some precursory movement, however small, and the detection and interpretation of these movements may be crucial for identifying and warning of impending rockfalls that are so prevalent and

responsible for losses in underground workings, particularly stopes. There is a need to collect geotechnical data from mine sites that can be used in interpreting the rock fall mechanisms that occur on mines.

Primary outputs

1. Measurement of precursory indications of rockfalls. This will entail extensive field measurements.
2. Interpret the predominant and critical rock fall mechanisms involved in rock falls
3. Identification of critical parameters that will assist in signaling an alarm before a rockfall
4. Design algorithm/s that are able to combine critical parameters in order to activate an alarm
5. Design instrumentation that will allow practical collection of critical data.
6. Comprehensive field testing of the technique/s
7. Identify new approaches that will stop or ameliorate the effects of rockfalls that are identified as likely.
8. Final report of the work covered and the main findings

Scope

The project should involve the identification of critical parameters that are involved in early movements of rocks before they detach from the rockmass and fall. This should be considered in all sectors of the mining industry including the small mining sector. The identification of rock fall mechanisms and the collection of geotechnical data necessary to interpret such mechanisms is required. The project should determine what parameter/s should be considered as early indicators of failure of the rock. Instrumentation should be developed necessary for measuring the parameters and guidance given as to where and when to carry out measurements. The techniques should be tested in the industry in all tabular mining situations and on a wide selection of the different reefs mined. The technique should also be applied to tunnels to assess the applicability of early warning in these excavations. The objective of the project should be to contribute meaningfully in new ways to the management of stopes and tunnels for rockfall elimination. This will involve devising procedures for when it is safe to work in an underground opening or not, and how and when to evacuate a stope or tunnel should measurements indicate the risk has risen. The whole area of communication of critical information to whom and when and how, will have to be explored and answers given by the project. There should be an attempt to look at new and innovative ways of collecting and interpreting data, and of applying the knowledge to address rock falls. There may be ideas developed in the project to provide some innovative ways of providing some protection in areas that are identified as high risk for rockfalls.

Estimated duration

3 years

Typical recipients of the Report/Main Outputs

Rock engineers, Mine overseers, Shift Supervisors and Strata Control Officers

Requirement for technology transfer

Hardware and software for measuring identified indicators that will be useful for incorporating into algorithms for predicting rock failure and ultimately rockfalls.

Special skills and facilities required by project team

Strata Control knowledge, Rock mechanics, Underground measurement and monitoring experience

SIM 06 02 01 - Track B**Thrust - 2****Rockfalls****Problem Statement / Research Question**

There is resistance to making "expensive" mining decisions on mines that will later reduce the probability of poor safety. There are no current, easy-to-use tools to evaluate the long term benefit in terms of safety and therefore profitability and sustainability that such decisions and spending will bring.

The research question is: How is the industry made aware of the value of appropriate but sometimes expensive mining decisions in a project that will negate later safety problems and what tools should be developed to inform the industry?

GAP Analysis (Statistics/ Previous Research/Best Practice / Benchmarking

There has been no specific work carried out by MHSC in research projects to evaluate the benefit of early spending on proactive initiatives on the safety and sustainability of the industry. Phrases such as a safe mine is a profitable mine are often used but there is limited quantitative evidence to support such a statement. Some figures that are given for the cost of the loss of a life to the industry range from R3m to > R6m. However, this is only part of the cost and much greater loss is incurred through the loss of a life, poor moral and reputation of the mine and industry.

Expected Impact on OHS / Value Added

The benefit of spending on safety issues will be encouraged before problems emerge because there will be a tool in place to assess the long term value to a mine or the industry. Therefore it is expected that before a safety issue causes losses the correct approach will have been implemented. This will result in the safety of mines related to mining decisions improving. Safety spending early in projects will ensure less spending overall and will contribute significantly to the industry achieving its milestones and targets.

Project title

Elimination of Rockfalls – Managing the rockfall risk and the value of safety spending – SIM 06 02 01 Track B

Motivation

There is usually a cost to improving safety on mines and there is enormous spending on safety in the South African mines. Addressing the rockfall issue is no exception. However, what is often ignored, probably through ignorance, is the benefit that is usually added through improved safety. Often there are a number of alternatives to address improved safety. However, there are no tools to evaluate the cost benefit in the long term of implementing different alternatives for improving safety. The idea of an acceptable risk needs to be balanced against the cost that will be incurred for reducing the risk further.

Primary outputs

1. A rockfall risk model

2. A computer based programme that is able to determine the cost benefit of different safety alternatives against possible consequent cost of not implementing that initiative.

- The alternatives could be changes in support type or an instrumentation programme with measuring and interpretation.

3. Booklet that documents a few clear cases of safety interventions that have yielded greater benefits in the long term than would have otherwise occurred.
4. Roadshows to senior executives in industry to show the benefit of safety spending for greater mine sustainability

Scope

The project should cover all sectors of the South African mining industry. The approaches taken to reduce rockfalls should be documented for the different sectors and best practice identified for the whole industry and each sector. Any successes where safety spending resulted in greater safety as well as greater productivity and/or sustainability of a mine should be documented in case studies. The project will develop a computer based programme to evaluate different alternatives that may be introduced for safety, against the residual risk after applying the intervention, as well as the long term consequences that the introduction of a safety measure may have on productivity and extending the mine life by opening up additional ore body. The project should also look at spending that did not result in any benefit. The reasons for no benefit will be investigated and documented. The project will have to look at the ethical aspects of residual risk and will need to embark on a communications roadshow at the end of the project.

Estimated duration

3 years

Typical recipients of the Report/Main Outputs

Rock engineering practitioners, middle management production staff and safety officers

Requirement for technology transfer

A user friendly software package that can be loaded on PCs or mine servers for use by technical staff. An interesting, readable booklet that discusses benefits of safety spending, giving real examples from the South African mining industry.

Special skills and facilities required by project team

Understanding of HIRA as it applies to mining and particularly to rockfalls. Strata control understanding. Programming skills to write software for use on mines by rock engineering practitioners and safety officers and management. Some knowledge of quantity surveying and cost accounting.

SIM 06 02 01 - Track C**Thrust - 2****Rockfalls****Problem Statement / Research Question**

There have been significant inputs to encourage compliance with best practice in rock engineering in the industry but experience suggests that this does not always happen. Local industry best practice and if necessary international best practice needs to be found, examined, repackaged if necessary and applied throughout the industry.

The research question is how the industry can be encouraged through all tripartite members to comply with best practice and regulations that have been put in place for rock related safety?

GAP Analysis (Statistics/ Previous Research/Best Practice / Benchmarking)

The rock related safety record suggests that although there is a vast accumulation of knowledge in this area, there is often a lack of ability or will to comply. Guidelines for compiling mandatory codes of practice and the actual codes of practice to combat rockfalls and rockbursts have had some success but the annual number of rock related fatalities and injuries is unacceptably high.

Expected Impact on OHS / Value Added

There is sufficient knowledge in the industry to improve rockfall safety significantly. However, compliance with what is known or even regulated is not always good. By putting in place best practice in term of auditing and introducing self auditing, the rock related safety of the industry is expected to improve.

Project title

Elimination of Rockfalls – Review of current practice to address rockfalls – SIM 06 02 01 Track C

Motivation

There is a large repository of knowledge pertaining to causes and prevention of rockfalls in the South African mining industry. Codes of practice and regulations are in place to assist in addressing this and other safety related issues. However, just how effective these regulations and codes of practice are at contributing to the improvements in rock related safety is unclear. Yearly, still over 50 people lose their lives due to rockfall accidents. It is clear that although there is a great amount known about rockmass behaviour and support performance, there is a disconnection between knowledge and practice. It is necessary to discover where the shortcomings are between these two components and to recommend ways of bridging the gap. This will involve studying the law and regulations, understanding the competencies of mine personnel including the issues around "license to practice" and behavioural safety issues around rockfalls particularly, the currency of qualifications for rock mechanics personnel and ways of ensuring that these are up to date. The issuing of CPD points for approved courses may be one way of keeping rock mechanics personnel abreast of developments in this field but this needs to be formally investigated.

One mechanism to assess the state of practice in rock engineering on the mines may be to conduct audits in production stopes and tunnels to assess compliance with mine codes of practice and best practice in the industry. A standard approach to conducting audits needs to be developed so that operations can conduct self audits and compare themselves to one another and to best practice. The role of the DME as the regulator needs to be considered so that maximum benefit may be derived from their interactions with mines.

Primary outputs

- | |
|---|
| 1. Critical review of the law, regulations and codes of practice guidelines that pertain to rockfalls |
| 2. A document detailing the strengths and weaknesses of the issues around license to practice |
| 3. A review of all levels of strata control, rock engineering and rock mechanics to deliver assistance to mines to address rockfalls. This will be accompanied by recommendations to keep all personnel up to date at their respective levels of competency. |
| 4. Detailed recommendations to conduct rock engineering audits. This will be backed-up by extensive examples of actual audits and best practice to measure against. The practice of self audits will be introduced as a method. Aspects of behavioural safety peculiar to rockfalls will be identified and reported on. |
| 5. A review of the role of the regulator and international benchmarks for best practice. |

Scope

<p>The project will review the widest possible cross-section of the South African mining industry in terms of commodities. It will also require that the MHS Act is scrutinized and the mining regulations are understood. There will have to be extensive interactions with the DME and mines which will involve employers and employees. Researchers will have to be familiar or become familiar with MQA and the license to practice framework. There will need to be reference to best practice internationally and to identify the best practice locally in terms of auditing. This will need to be applied particularly to rockfalls to ensure that the rockfall problem is eliminated in South Africa mines. The research will attempt to identify behavioural safety issues that may be unique to rockfalls.</p>
--

Estimated duration

2 years

Typical recipients of the Report/Main Outputs

MHSI of DME, Rock Engineers, Mine Safety Officers and Production Personnel
--

Requirement for technology transfer

Simple guide to conducting rock related audits
Guidelines to proceed if audits reveal unsatisfactory results

Special skills and facilities required by project team

Knowledge of mining law and regulations pertaining to rock related issues.
--

SIM 03 08 02 – Phase 2**Thrust - 8****Occupational diseases****Project title**

Development of sensitive tools for active case finding of tuberculosis Phase 2

Motivation

- **Problem statement**

TB rates amongst gold miners in SA continue to rise despite well implemented TB control programmes. TB case rates have risen progressively during 1990 to 2003 to levels of over 3,000 per 100,000 per year (Gap 524, Health 701 and 705). The HIV and the silicosis problems triplicate the problem.

SIM 03 08 06 also found high prevalence of TB among platinum deceased miners (43/131), although this appeared not to be related to previous gold mining exposure.

In deceased miners, with most exposure in gold mining, the prevalence of silicosis has increased from 250 per thousand in 2000 to 295 per thousand in 2005 and the rate of Pulmonary Tuberculosis in black gold miners from 341/1000 in 2004 to 348/1000 in 2005 (NIOH Pathology Division Surveillance Report 2/2006).

It is therefore vital to be able to **ACTIVELY** find TB prior to disease onset for monitoring and early intervention and optimum cure.

- **Additional information**

The mining industry radiological screening programs (RSP) to screen for mycobacterial diseases and pneumoconiosis for decades, though the prevalence of TB detection through (RSP) was not significantly different between the intervention and control arms at the time of the final annual screening radiograph. Skin tests have not been found to be useful for screening active disease, and though sputum has potential for diagnosing TB, the negative results may not necessarily mean no disease.

- **Gap analysis**

Previous SIMRAC studies also concluded that mass screening of TB. The current MOHAC guidance note is an Adhoc document, and that different organisations within the industry may have robust audit tools for TB OR these may not exist in some. Where these are present at an organisational level, they tend to be protected from the public domain.

Outside the mining industry, the Department of Health has also an ad hoc facilities and generic client survey audits. There are planned new that releases by CDC, however, these may be available late to the public late or complex. No audit tool in the public domain that could be found (WHO and IUATLD)

- **Impact and or added value**

The outcome document could be developed by MOHAC into best practice included in the COP

Primary outputs

A comprehensive, but simple and robust standardized TB code of practice audit tool to be used in the South African mining industry. The final document to be refined by MOHAC

Scope

- Review of past SIMRAC work done
- Critically Review of all existing TB audit tools local and international
- Prepare a document for presentation to a expert panel/workshop including MHSC committee structures and expert including organization of this workshop
- Collate the outcome of the workshop and document the tool (s) and present to MHSC
- Pilot the tool in any mine to ensure practicability, cost effectiveness and efficiency
- Provide a final document to the MHSC

Estimated duration

9 months

Typical recipients of the Report/Main Outputs

MHSC stakeholders

Requirement for technology transfer

A document to inform on best practice TB audit tool in the SA mining industry

Special skills and facilities required by project team

- A team of occupational medicine/ health with extensive knowledge of reviewing literature, writing skills and project management

SIM 06 06 02**Thrust - 6****Airborne Pollutants****Project title**

Explore the standardization on the use of Digital chest x-ray for the early detection during medical surveillance and classification of pneumoconiosis in the mining industry and as a tool for compensation.

Motivation

- **Problem statement**

Chest radiography is currently in use in the South African mining industry for monitoring the health of workers exposed to airborne dust. Though this is secondary back up for primary prevention of dust control, it has tremendous proven benefits. In monitoring programs, it is important to weigh the cost of failing to detect true disease against the cost of falsely identifying disease resulting in unnecessary social cost to worker and financial cost of follow up. Digital chest radiography has in a large sector of the SA mining industry replaced analogue films. This technology also provides easy storage and comparison of chest x-rays for individual miners compared to analogue films. However, there are no existing standards locally or internationally to grade pneumoconiosis to grade pneumoconioses with digital x-rays.

- **Additional information**

Internationally, NIOSH is also looking at standardizing digital chest x-ray in an occupational setting, however this is still at an early stage and hampered by the limited number of workers with possible dust related abnormalities. The ILO have standardised their ILO films; but have taken no steps to develop standard digital X-Rays.

- **Gap analysis**

The recent report by NIOH, has shown from post mortem results that there still a high prevalence of silicosis in South Africa. In line with MHSC the silicosis and the base lining of the noise and dust programmes, the digital x-ray standards will improve on the medical surveillance. There are no standardised digital X-Rays available.

- **Impact and or added value**

Standardized industry radiography that improves medical surveillance.

Primary outputs

A detailed report that will enable SIMRAC to scope a long term project to assist in digital x-rays standardization.

Scope

Initial desk top review of local and international of literature on digital and analogue chest x-rays as a tool for either, and or medical surveillance, diagnosis and compensation for dust related medical conditions including the advantages and disadvantages. Review the involvement of ILO during the phase 2. Organization of local workshop that will include international experts that will help scope phase 2.

Estimated duration

Phase 1 – 9 months

Typical recipients of the Report/Main Outputs

The MHSC

Requirement for technology transfer

Exploratory document to scope phase 2 of the project
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Special skills and facilities required by project team

- | |
|--|
| <ul style="list-style-type: none">• A team of occupational medicine/ health, radiologist(s), pathologists with amongst others Familiarity with occupational legislations, Extensive knowledge of reviewing literature and Extensive writing skills• facilitator |
|--|

NOTICE 1396 OF 2006

DEPARTMENT OF LABOUR

NOTICE PUBLISHED BY THE ESSENTIAL SERVICES COMMITTEE (the
'Committee')

Under section 71 (8) of the Labour Relations Act, 1995 (Act No. 66 of 1995), the Essential Services Committee hereby gives notice that -

1. The following services provided at all airports in South Africa have been designated as essential services:
 - (a) all **electrical** services;
 - (b) all **safety** services;
 - (c) all **security** services.
2. the aforesaid designation is for a period of two months commencing from the 03 October 2006.

Chairperson: Mr Edwin M. Molahlehi
ESSENTIAL SERVICES COMMITTEE

NOTICE 1397 OF 2006

DEPARTMENT OF AGRICULTURE

POLICY ON STOCK REMEDIES IN SOUTH AFRICA

The Minister of Agriculture hereby publish the policy on stock remedies in South Africa for comments by the general public. Comments must be submitted in writing within 30 days of publication of this notice to:

Dr E Mokantla
Registrar of Act No. 36 of 1947

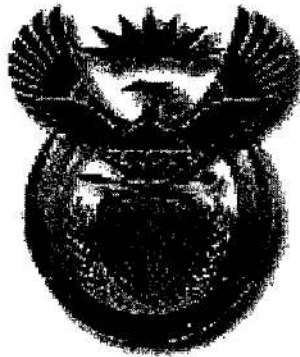
Private Bag x 343
Pretoria
0001

20 Beatrix Street
Arcadia
0007

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L Xingwana
Minister of Agriculture



DEPARTMENT OF AGRICULTURE

POLICY ON STOCK REMEDIES IN SOUTH AFRICA

TABLE OF CONTENTS

1. INTRODUCTION.....1

2. PROBLEM STATEMENT3

3. POLICY OBJECTIVES10

4. POLICY TO ADDRESS THE PROBLEMS10

5. REFERENCES13

6. POLICY OWNER13

ANNEXURE A14

ANNEXURE B17

POLICY ON STOCK REMEDIES IN SOUTH AFRICA

1. INTRODUCTION

Stock remedies are used to treat or prevent disease or enhance production in animals. The misuse of stock remedies has negative implications for export of produce, consumer and public health as well as animal health and welfare. Their appropriate use has positive implications for agricultural development and socio-economic upliftment. It therefore follows that a national policy on stock remedies is necessary to support the appropriate regulation and use of stock remedies.

The Government's intention (as set out in the Agricultural Policy) is to ensure that agriculture is able to contribute to achieving national economic and social objectives. In view of the three strategic aims identified ('making the sector more efficient, internationally competitive', 'supporting production, stimulating an increase in the number of new small, small scale and medium-scale farmers', and 'conserving agricultural natural resources'), a sector plan was developed for agriculture. In the Sector plan various core strategies are identified, including those for 'Equitable access and participation' and 'Global competitiveness and profitability'. It is from this sector plan that the strategic plans arise. Of importance when considering stock remedy policy is ensuring access to sufficient, safe and nutritious food as well as eliminating skewed participation and inequity in the sector.

As background to the development of a policy on stock remedies, it should be noted that the regulation of animal medicines is the responsibility of two departments (Department of Health and Department of Agriculture) in South Africa. The Department of Agriculture regulates "Stock Remedies" (animal medicines that are generally available over the counter to the public, including farmers). Stock Remedies registered under Act No. 36 of 1947 to enable the farmers to access medicines to treat the most common diseases of economic importance in livestock such as heart water, redwater, internal parasites and external parasites. The Department of Health regulates scheduled "Veterinary Medicines". These are highly ethical animal medicines that have specified distribution channels through veterinarians or persons registered in terms of Veterinary and Para-veterinary Professions Act, Act 19 of 1982. Several terminologies are used to refer to medicines intended for use on animals. These terminologies are Stock Remedies, Veterinary Medicines and recently alternative/ complimentary veterinary medicines. The International Cooperation on Harmonisation of Technical Requirements for the registration of Veterinary Medicinal Products (VICH) refers to medicines intended for use on animals as Veterinary Medicinal Products. In this document the term "animal medicine" will include all the medicines intended for use on animals' i.e Stock Remedies, Veterinary Medicines, Veterinary Medicinal Products and alternative/complimentary veterinary medicines.

In terms of legislation, Stock Remedies are registered under the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, Act No. 36 of 1947 while Veterinary Medicines, are registered under the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965).

Each of the Acts refers to the other in their definitions of Stock Remedies and Veterinary Medicines respectively. To quote the Agricultural Policy: "The limitations of this system are that conflicts can arise over the appropriate regulatory mechanism to be used" (although this is in part addressed by the schedules of Act 101). Inadequate attention may be given to the specific issues relating to agriculture in considering the registration of new veterinary medicines and the regulations concerning their use; and that insufficient attention is given to the need to establish a properly regulated distribution network which serves livestock owners in poorer areas." If an Animal Medicine is listed on the schedules of Act 101, and an applicant wishes to register a stock remedy containing the active through Act No. 36 of 1947, application must be made to the Scheduling Committee of the Medicines Control Council for exemption of the active from scheduling in which case it can be registered through Act No. 36 of 1947.

An attempt to rationalise the Animal Medicine regulation process was made with legislation that was proposed in 2000 (the South African Medicines and Medical Devices Regulatory Authority (SAMMDRA) Act). This Act was intended to address the situation by regulating all animal medicines under the same body. The Act made provision for the establishment of a South African Medicines and Medical Devices Regulatory Authority, which in turn would have established a Veterinary Medicines Standing Committee. This committee would have been responsible for making recommendations on registration and regulations which would have required the approval of both the Minister of Health and the Minister of Agriculture. The latter would also have made an appointment to the Board of the Authority. As part of the Act to establish the Authority, stock remedies was to be removed from Act No. 36 of 1947 thereby consolidating responsibility for veterinary medicines and providing scientific expertise and an effective inspectorate through the Authority.

The Standing Committee recommendations would have been expected to facilitate the accessibility of veterinary medicines (though regulations on the licensing of dealers and re-packing of smaller quantities, for example), but the task of developing veterinary medicine services was to remain the responsibility of the National Department of Agriculture, Provincial Departments and the industry itself. Particular attention was to be paid by the Government to the training of veterinary assistants so that more diagnostic services would be made available and more treatments undertaken in rural areas, with refrigeration and other facilities made more widely available by commercial suppliers. The SAMMDRA Act, however, was never implemented.

In 2003 the Agricultural Production Enhancement Agents (APEA) bill was developed to replace the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) but there were no policies or problem statement (for example on stock remedies) to support drafting the bill. A decision was made by the Department of Agriculture to develop policy documents to support review of Act no. 36 of 1947 or drafting a new Act to replace Act no. 36 of 1947.

"The International Cooperation on Harmonisation of Technical Requirements for the registration of Veterinary Medicinal Products" (VICH) is a harmonisation project that brings together the

regulatory authorities of the European Union, Japan and the United States and experts from the animal health industry to discuss scientific and technical aspects of new product registration. Regulatory authorities and industry experts from Australia, New Zealand and Canada participate as observers and OIE as an associate member. Any standards generated by this body can be used by other regulatory bodies.

2. PROBLEM STATEMENT

The current legislation for the regulation of stock remedies (the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) is too broad to fully address the regulatory requirements for stock remedies.

2.1 Legislative nature of the problem

Act No. 36 of 1947 is essentially outdated and does not address many of the requirements for a modern regulatory system:

The scope of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) is broad, covering regulation of Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies under one Act, while the scope of the Medicines and Related substances Control Act, 1965 (Act No 101 of 1965, as amended by Act 90 of 1997) covers orthodox human and veterinary medicines (as listed in the schedules of the Act).

Registration of stock remedies should and may require inputs from other Departments. This is sometimes difficult as formal structures for the evaluation of stock remedies (according to the various departmental mandates) are currently not in place. A number of other Acts influence the registration of stock remedies:

- The Animal Disease Act, 1984 (Act No. 35 of 1984) provides for the control of animal diseases and parasites, for measures to promote animal health, and for matters connected therewith. This Act will be replaced by Animal Health Act, 2002 (Act 7 of 2002). Permission to register some stock remedies is required from the directorate Animal Health (DoA) which regulates the Animal diseases Act (e.g. controlled animal diseases)
- National Environmental Management Act, 1998 (Act No. 107 of 1998) provides for cooperative environmental governance by establishing principles for decision making on matters affecting the environment. Stock remedies, when used in production animals, may have an impact on the environment through excretion onto natural grazing or through fertilization of lands. Ectoparasitocidals may have an impact on e.g. oxpeckers, waterways, and anthelmintics may impact on dung beetles.

- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) provides for the health and safety of persons at work (e.g. in the manufacturing or use of stock remedies).
- Foodstuffs, Cosmetics and Disinfectant Act, 1972 (Act No 54 of 1972) sets Maximum Residue Limits for veterinary drug residues in food in its regulations
- Hazardous Substance Act, 1973 (Act No. 15 of 1973), classifies hazardous substances. The implementation of the Globally Harmonised System of Chemical Classification and Labelling (GHS) must be in place by 2008. The GHS comprises the following main elements: Hazard Classification, Classification Criteria, Test Methods and Hazard Communication. This has implications for the labelling of stock remedies.
- Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) provides measures for managing activities involving GMO's. Vaccines for the immunization of animals, for example, may contain components that are genetically modified.

Act No. 36 of 1947 does not adequately address Constitutional requirements in relation to Bill of Rights, Access to Information, openness and transparency in decision making and also just administration action. Act No. 36 of 1947 does not adequately incorporate international obligations and agreements which South Africa is Party to or may be party to.

Act No. 36 of 1947 does not address the issue of expired products and container management

2.2 Capacity and research

Although there is current capacity in South Africa to deal with Animal Medicine registration, regulation and research, attention will need to be paid to the succession of existing experts.

There is suboptimal use of expertise under the current Animal Medicine regulatory systems.

The ARC (Onderstepoort) does some research relating to Stock Remedies, but more targeted research would be appropriate in the future to make use of the available resources. In addition, research could be focussed on alternative technologies to find more appropriate stock remedies, or technologies which counter the negative effect of current stock remedies.

2.3 Current problems associated with Stock Remedies

The name stock remedy may be considered confusing, as pet/ companion animal products are included in the grouping.

Stock remedies include: anthelmintics, ectoparasitocides, dermatological shampoos, vitamin and injectable minerals, production enhancers, some intramammary medicines and antimicrobials. There is no formal classification system for the various stock remedies, although appropriate categorisation according to pharmacological norms is used (eg. Pyrethroid ectoparasiticide).

Due to the definition of a stock remedy (see background section) with the industry taking advantage of the situation, a lot of products that were supposed to be registered as veterinary medicines under Act No. 101 of 1965 were registered under Act No. 36 of 1947. This situation can lead to some highly ethical products landing in the hands of lay people resulting in their incorrect use which can lead to the product being ineffective, the development of resistance or toxicity.

There are a number of farm feeds that are registered for use in animals as supplements and supportive therapy (in for example paste, solution or tablet form) and they are not feeds/ food. Examples are electrolyte solutions for rehydration and colostrum-based products as anti-diarrhoeals. A "grey area" has thus been created in the South African Animal Medicine regulatory environment, allowing for medicinal claims to be made by "nutritional products".

Currently autogenous vaccines are not registered, nor are there minimum standards of quality, safety and efficacy, although they are widely used in animal production. Complimentary/alternative medicines are currently used in animals of which the quality, safety and efficacy of many remains questionable.

Some stock remedies are used for the treatment or prevention (e.g. vaccines) of controlled diseases. Access by farmers to such stock remedies may encourage treatment of controlled animal diseases without involvement of Veterinary Services, which may be a problem that can lead to the spread of some of the diseases.

2.4 Problems associated with Production Enhancement Products

2.4.1 Antimicrobials

In-feed antimicrobial stock remedies can be either therapeutic (treatment of diseases) or sub-therapeutic (prevention of diseases) and growth promoting. Prescription-only therapeutic in-feeds are registered through the MCC. Antimicrobial growth promotants can contribute to antimicrobial resistance, and therefore have implications for both human and animal health.

Antimicrobial growth promoters are still widely used in South Africa to increase production. Some countries have banned a number of antimicrobial growth promotants. In the future should South Africa export more of its livestock products to other countries, there will be increased pressure to ban and or adapt its policies with those of importing countries and also limit the use of these stock remedies for local consumption. There are a number of registered antimicrobial growth promotants in South Africa, but this will be reviewed.

Bodies such as Codex Alimentarius and the OIE have codes of conduct regarding the minimisation of antimicrobial resistance. These focus on various areas including regulation of antimicrobials monitoring of antimicrobial resistance.

2.4.2 Growth promoting hormones

Growth-promoting hormones are generally registered through Act No. 36 of 1947. They increase feed efficiency and are predominantly used in intensive beef production (feedlots). However, there are some public concerns about environmental contamination and the EU has banned the use of growth-promoting hormones. A number of hormonal growth promotants and BST are registered as stock remedies in South Africa.

Due to increased consumer awareness there has been a lot of debates worldwide on the safety of the food after use of growth promoting agents in animals. This led to some countries banning the use of growth promoting hormones. Some of these products can also be classified as endocrine disrupting agents that enter the food chain via direct consumption of products of treated animals, plants from land fertilised with contaminated manure and/or drinking of contaminated water.

There are a number of registered growth promoting hormones in South Africa, but these will be reviewed.

2.5 Registration of Stock Remedies

The evaluation process that determines whether a stock remedy may be registered is based on scientific proof of quality, efficacy and safety. An applicant provides a dossier of evidence to substantiate the quality, efficacy and safety of the product. The applicant declares that the data presented is authentic and therefore truly reflects the quality, manufacturing, safety and efficacy of the stock remedy. Technical advisors to the Registrar evaluate the presented material based on science, accepted norms and standards and make recommendations on registration of the proposed stock remedy.

It should be noted that registration and not marketing authorization is approved, this subtle difference means that applicants are independently responsible for commercial issues (e.g. ensuring that patents etc. are respected).

Attention to the following must be paid during the registration process:

Consumer Safety and Chemical Residues

Stock remedies are sometimes used in food producing animals and chemical residues may remain in the meat, milk and eggs. It is necessary to ensure that consumers are not dangerously exposed to chemical residues by assigning correct withdrawal periods. This is being addressed, but not optimally (see antimicrobial resistance).

Antimicrobial Resistance

The potential for an antimicrobial stock remedy to select for resistance in human and animals should be assessed by both the Departments of Health and Agriculture respectively. This is currently not the case.

Environmental Safety

Stock remedies must be evaluated for environmental safety according to accepted norms such as The International Cooperation on Harmonisation of Technical Requirements for the registration of Veterinary Medicinal Product (VICH) guidelines. Some of the animal medicines are classified as Persistent Organic Pollutants (POP's) (e.g DDT) while others are classified as endocrine disruptor substances (EDS) (e.g some antimicrobials and hormones). Both the EDS and the POPs result in contamination of the environment. The endocrine disrupting substances enter the food chain via direct consumption of products of treated animals, plants from land fertilised with contaminated manure and/or drinking of contaminated water with EDS. Endocrine disruptor substances result in disturbances in the hormonal system of animals and humans resulting in variety of hormonal abnormalities including fertility.

There is a global move to focus on ecotoxicity, with international standards for testing methods (e.g. OECD standards). Government monitoring of environmental impact is of critical importance.

User Safety

Some stock remedies can be dangerous for the user (e.g. dips) thus appropriate precautions and warnings are placed on the label. In certain instances (e.g. injectable stock remedies) specific skills are required for the administration/ application of a stock remedy and inadequate skill may place the safety of the user and the target animal in jeopardy. Currently assessment of the user precautions and warnings (to ensure Occupational Health and Safety) are done by Act No. 36 of 1947 and not by the Department of Labour. Stock remedies are classified through the SANS 10304 but their marking and labelling is determined by Act No. 36 of 1947.

Scientific Reasoning

By requiring scientific proof of efficacy and safety, the burden of responsibility is placed on the applicant to support safety and efficacy of their product. The Department of Agriculture relies only on the documents submitted by the applicant to register the products. This information may not always be correct. Good Clinical Practice therefore needs to be followed during a study/ trial. GCP is not monitored by the Act No. 36 of 1947 inspectorate and there is also lack of capacity in this area.

Peer Review

During the process of evaluation through Act No. 36 of 1947 there is no formal peer review mechanism. Ideally, a registration dossier should be extensively/ fully evaluated by more than one evaluator.

Review

There is currently no mechanism for the review of stock remedy registrations.

2.6 Regulation of Stock Remedies

Access to stock remedies

Stock remedies may be used to treat animal parasites, diseases and to prevent diseases. For treatment to be successful the parasite or disease needs to be identified or appropriately diagnosed, and this requires that the individual (e.g. farmer) treating the animal would have the ability to correctly identify the problem. Often, this may not be the case.

According to Act No. 36 of 1947 anyone can sell Stock Remedies. The reality is that sellers may not have the appropriate skills to correctly advise farmers on the use of stock remedies, or the skills or facilities to appropriately store stock remedies. In addition registers need not be kept, making the traceability of food products e.g. for veterinary residues difficult. Also, one may not repack stock remedies into smaller packs for resale which is common practice with distributors.

Anyone can buy Stock Remedies. The reality is that buyers may not have the appropriate skills to correctly and safely apply some stock remedies.

Importation and trade aspects

Importation of an unregistered stock remedy or veterinary medicine is prohibited through Act No. 36 of 1947 and Act No. 101 of 1965 respectively. Cancelled registrations would be considered to be unregistered and the importation would therefore not be allowed. Only registered stock remedies may be imported and sold in South Africa. The Stock Remedy regulator does not prescribe procedures for "importation for exportation" (products in transit through SA to another country) and for exportation as this falls outside the current scope of Act No. 36 of 1947. Other institutions/bodies involved in importation of animal medicine in terms of commerce are the South African Revenue Services, Department of Trade and Industry and Custom Services; in terms of importation of veterinary medicines, the Department of Health; and in terms of protecting national herds/ flocks from sanitary and phytosanitary threats, the Directorate of Animal Health. There is lack of coordination on the activities of these bodies on import/export issues relating to animal medicines.

Inspection, Compliance and Enforcement

For effective regulation of animal medicine and to ensure compliance, legislation should be accompanied by a strong inspection service and enforcement measures. Currently the inspection service is not effective, penalties are not deterrent and the public and industry do not play any role in law enforcement activities. All these have led to high level of non-compliance in the animal medicine industry in South Africa. GMP accreditation is often a requirement for international trade by stock remedy manufacturing companies. GCP is a registration requirement of many regulatory bodies globally. The inspectorate of Act No. 36 of 1947 does not perform GMP inspections on the manufacturing companies, nor do they perform GCP inspections on clinical trials.

Food Safety Aspects

The monitoring of veterinary drug residues in food and of antimicrobial resistance in the general human and animal population are not performed at a level that allows for the development of risk management programmes, including the review of stock remedies.

Standards setting

Act No. 36 of 1947 is involved in Standards setting by means of SABS Standards committees on an ad hoc basis

2.7 Socio-economic issues

There are a number of socio economic issues which are not being affectively addressed:

Participation in the Stock Remedy Manufacturing Industry

The stock remedy industry faces various challenges many of which affect the country's economy or are affected by the country's economy. The industry operates in a highly competitive environment that must continuously respond to the new challenges with regard to safety, efficacy, quality and suitability of the products.

The industry is diverse: manufacturers either manufacture locally, or import, and are either subsidiaries of bigger multinationals or are purely South African companies, and access by new stakeholders is difficult.

The Farming Community/ The Users

The availability and utilisation of stock remedies is skewed. The majority of Stock remedies are used in the commercial sector under extensive and intensive conditions. Access is through cooperatives or the manufacturer/ distributor, while there is little to no availability in outlying rural areas. Here communal husbandry plays a role in how parasites and diseases are treated and prevented, access to advice on stock remedies is limited and the appropriate storage of stock remedies is suboptimal.

Public Awareness

The majority of people in SA are not aware of the potential threats, danger and impact of the misuse and mishandling of stock remedies (e.g. adverse reactions).

Within this context the general public and consumers who are the most vulnerable victims of poisoning and /or contamination and residual effects are not being properly or adequately advised.

There is no formal mechanism to educate the public and raise awareness on the safety issues associated with animal medicines.

3. POLICY OBJECTIVES

The following broad objectives have been identified with regards to stock remedies:

- Provision of one focussed, effective and efficient regulatory system that ensures
 - Appropriate and effective access by farmers to stock remedies
 - The consistent safety of stock remedies, and thus the safety of animals, consumers and users
 - The consistent efficacy of stock remedies and thus efficient livestock production
 - Consistent, acceptable quality of stock remedies to ensure consistent efficacy and safety
- Ensuring that decisions are based on scientific principles and in the public interest taking into account the South African situation.
- Creation of a framework for rationalisation and harmonisation of registration requirements and procedures (internationally, regionally and locally)
- To provide regulatory enforcement programs:
 - To safeguard human, animal and environmental health;
 - that provide effective and uniform administration of laws and rules which will assist in facilitating national and international trade;
 - to increase consumer confidence through strong and effective enforcement.

4. POLICY TO ADDRESS THE PROBLEMS

4.1 Legislation

Legislature that allows effective, responsible registration and regulation of stock remedies is required. The use of an appropriate term for stock remedies should be encouraged. Formal structures and mechanisms that allow other Departments to exercise their mandates during the registration and regulation of stock remedies must be put in place. The legislation on regulation of stock remedies must be brought in line with the constitution of the republic of South Africa.

4.2 Registration of stock remedies

The registration requirements for stock remedies need to be harmonized. Access to appropriate expertise is necessary for registration evaluations of acceptable standards. Appropriate and acceptable peer review mechanisms should be established.

All aspects of the evaluation (including consumer, user, environmental and animal safety) need to be given due and appropriate consideration.

A mechanism for the registration of autogenous vaccines should be introduced.

4.3 Labelling

The labelling of stock remedies should facilitate the understanding as well as the correct use of stock remedies.

Warnings must be standardized (within stock remedies and between stock remedies and veterinary medicines) to ensure compliance with for example withdrawal periods. Precautions must be practical to protect the users of stock remedies.

4.4 Review

The review of stock remedy registrations is a necessity. A system should be put in place to continuously review registered stock remedies. An urgent example is growth promotants (both antimicrobial and hormonal). Farm feeds that have medicinal claims need to be reviewed and possibly be re-registered as stock remedies.

A mechanism for the registration of complementary veterinary medicines/ stock remedies needs to be developed and implemented.

4.5 Classification

Stock remedies should be formally classified according to South African requirements, and designated groups should be restricted to certain categories of sellers (including veterinarian-only) and buyers, a good example is antimicrobials (e.g. intramammaries and injectables).

The implementation of the GHS must be in place by 2008. A programme therefore needs to be developed and implemented.

4.6 Access to Animal Medicines

To ensure that appropriate and reliable advice is given to farmers/ public using specified stock remedies, licensing of sellers will be required. Licensing of sellers will also be required to ensure

the reliable repackaging of stock remedies into smaller packs for resale. Strict requirements for the storage of stock remedies needs to be formalized.

There should be selective access to certain stock remedies by farmers/ public with acceptable skills and training (e.g. Organophosphate dips)

4.7 Inspection, Compliance and Enforcement

The inspectorate needs to be developed to be able to inspect and accredit GMP and GCP. Formal principles, requirements and guidelines for the "importation for exportation" of stock remedies must be established. Special attention should be paid to increasing capacity within the inspectorate in order to ensure compliance.

4.8 Pharmacovigilence and the Awareness of the General public

Information on stock remedies (e.g. labels) as well as a formal pharmacovigilence (post registration) programme needs to be put in place and be accessible to the public.

4.9 Participation in the Stock Remedy Manufacturing/ Distributor industry

Methods to increase participation in the stock remedy manufacturing and distributor industry should be explored, and implemented.

4.10 The Farming community

The farming community requires better information transfer with regards to stock remedies. The licensing of sellers will go a long way to providing a framework for the support that is required.

4.11 SADC

Control systems in the SADC region should be standardized in order to regulate importation, distribution and use of veterinary drugs. The harmonisation of VMP registration procedures should be facilitated.

4.12 Other Countries

Co-operation with other countries should be developed.

5. Organisation and Administration

The recommended policy option for stock remedies is government-led regulation with the regulator of stock remedies housed at the Department of Agriculture. The Department of Agriculture in consultation with other government departments will be responsible for Stock Remedy legislation and its regulation, conducting human health, safety and efficacy assessment, surveillance monitoring, as well as compliance.

This policy advocates the formation of Advisory Committee(s) in order that views of all sectors on Stock Remedy are taken into account. The functions of this Advisory Committee(s) will range from policy-making to review the technical aspects of applications for registration. Membership will comprise of government and non-governmental organizations, which include experts from various fields such as agricultural researchers, toxicologist, chemists and environmentalist.

This policy considers the possibility of giving local and provincial Governments the legislative mandate to investigate the use, sale and importation of products; perform on-site inspection of the usage and storage of products, and educate individuals, local officials and users.

6. REFERENCES

1. Agricultural Policy: National Department of Agriculture, 1998
2. Department of Agriculture, the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).
3. Department of Agriculture, Animal Health Act, 2002 (Act 7 of 2002).
4. Department of Health, Medicine and Related Substance Control Act, 1965 (Act 101 of 1965).

7. POLICY OWNER

Directorate of Food Safety and Quality Assurance, Department of Agriculture.

ANNEXURE A

DEFINITIONS/GLOSSARY OF TERMS

Act 36 refers to the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947)

Act 101 refers to the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965)

Animal medicine refers to medicine intended for use on animals and include both the stock remedies and veterinary medicine

anthelmintics means Animal Medicine that destroys or causes the expulsion of parasitic intestinal worms

antimicrobial means Animal Medicine used to destroy microbes, prevent their development, or inhibit their pathogenic action

autogenous vaccines are specific vaccines intended for emergency and restricted use (time/and/or locality) and are safe non-spreading products derived from specific pathogens isolated from a specific animal/bird or herd/flock of animals/birds

complimentary medicines means herbal or alternative medicine.

Ecotoxicity refers to the potential environmental toxicity of residues

ectoparasiticide means Animal Medicine used to control ecto/ external parasites

endocrine disruptor substance means an exogenous substance or mixture that alters function(s) of the endocrine system and consequently causes adverse health effects in an intact organism or its progeny or (sub) populations.

growth promotant means Animal Medicine that improves growth and/ or feed efficiency i.e. improves production

harmonisation means the act or state of agreeing or conforming.

Maximum Residue Limit as defined by the Foodstuffs, Cosmetics and Disinfectant Act of 1972 means the maximum concentration of the residues of a veterinary medicine or a stock remedy, (including specified metabolites, reaction or conversion products or impurities) that remain in a foodstuff referred to in these regulations, resulting from the use of any such veterinary medicine or stock remedy, expressed in milligrams of the veterinary medicine or stock remedy per kilogram of the foodstuff.

orthodox medicine means conventional medicine as prescribed by medical doctors and their allied health professionals.

Persistent organic pollutants (POPs) are chemical substances that persist in the environment, bioaccumulate through the food web, and pose a risk of causing adverse effects to human health and the environment. This group of priority pollutants consists of pesticides (such as DDT), industrial chemicals (such as polychlorinated biphenyls, PCBs) and unintentional by-products of industrial processes (such as dioxins and furans).

Pharmacovigilance refers to post registration surveillance

Production enhancement products means products that improve or increase outputs (e.g. feed conversion)

Pyrethroid a class of insecticide

Rationalisation means systematic organisation; the act of organising something according to a system or a rationale

registration means The legal process by which stock remedies are recognised as being safe and effective, and securities brokers or dealers become legally entitled to sell securities

regulation means the state of being controlled or governed

stock remedies are defined in Act 36 as "a substance intended or offered to be used in connection with domestic animals, livestock, poultry, fish or wild animals (including wild birds), for the diagnosis, prevention, treatment or cure of any disease, infection or other unhealthy condition, or for the maintenance or improvement of health, growth, production or working capacity, but excluding any substance in so far as it is controlled under the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965)".

target species means the intended species

traceability means the ability to trace and follow a feed product or any substance intended to be, or expected to be incorporated into a feed product through all stages of production, packing, processing, handling and distribution.

veterinary medicine means any substance or mixture of substances, other than a stock remedy or farm feed to be registered in terms of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act 36 of 1947), used or purporting to be suitable for use or manufactured or sold for use in connection with vertebrates, for the treatment, diagnosis, prevention or cure of any disease, infection or other unhealthy condition, or for the maintenance or improvement of health, growth, production or working capacity, or for curing, correcting or modifying any somatic or organic function, or for correcting or modifying behaviour. This is the definition according to Act 101 of 1965

Veterinary Medicinal Products

withdrawal period means period necessary between the last administration of the veterinary medicinal product to animals under normal conditions of use and the production of foodstuffs from such animals, in order to ensure that such foodstuffs do not contain residues in quantities in excess of the maximum residue limits.

ANNEXURE B**ACRONYMS/ABBREVIATIONS**

BST	Bovine Somatotropin
EDS	Endocrine disruptor substance
EU	European Union
DDT	Dichloro-diphenyl-trichloroethane
DEAT	Department of Environmental Affairs and Tourism
DoA	Department of Agriculture
DoH	Department of Health
GCP	Good Clinical Practice
GHS	Globally Harmonised System of Chemical Classification and Labelling
GMO	Genetically Modified Organism
GMP	Good Manufacturing Practice
OECD	Organisation for Economic Co-operation and Development
POP	Persistent organic pollutants
SA	South Africa
SABS	South African Bureau of Standards
SADC	Southern African Development Community
VICH	The International Cooperation on Harmonisation of Technical Requirements for the registration of Veterinary Medicinal Product

NOTICE 1398 OF 2006**NOTICE OF APPLICATION FOR A NUCLEAR INSTALLATION LICENCE IN TERMS OF SECTION 21(3) OF THE NATIONAL NUCLEAR REGULATOR ACT (ACT NO. 47 OF 1999)**

Notice is hereby given in terms of Section 21 of the National Nuclear Regulator Act (Act No 47 of 1999) that Pebble Bed Modular Reactor (Proprietary) Limited has made an application for a Nuclear Installation Licence. This Application supersedes the previous application published by Necsa.

A copy of the application is set out hereunder as Schedule A.

In terms of the provisions of Section 21 (4)(a) of the National Nuclear Regulator Act (NNRA) any person who may be directly affected by the granting of a nuclear installation or vessel licence pursuant to an application in terms of subsection (1) or (2) may make representations to the Board of the NNR, relating to health, safety and environmental issues connected with the application, within 30 days of the date of publication in the Gazette contemplated in Subsection (3)(b)

Publication in the Government Gazette was made on 29 September 2006.

Representation must be addressed to:

The Chief Executive Officer

National Nuclear Regulator

P O Box 7106

CENTURION

0046

Fax: (012) 663 5513/674 7822

Schedule A: The application for a Nuclear Installation Licence as submitted under FPA0018



P B M R

Pebble Bed Modular Reactor (Pty) Ltd.

Reg. No: 1999/17946/07

3rd Floor, Lake Buena Vista Building, 1267 Gordon Hood Avenue, Centurion, Republic of South Africa
PO Box 9396 Centurion 0046 Tel (+27 12) 677-9400 Fax (+27 12) 663-3052187971 677-9446

OFFICE OF THE CEO

17 July 2006
Mr Maurice Magugumela
Chief Executive Officer
National Nuclear Regulator
PO Box 7106
Centurion
0046

Dear Mr Magugumela,

**APPLICATION FOR A NUCLEAR INSTALLATION LICENCE FOR A PBMR FUEL
MANUFACTURING PLANT**

In accordance with Section 21 of the National Nuclear Regulator Act 1999 (Act No. 47 of 1999), we hereby make an application for a nuclear installation licence for the prospective siting, construction, commissioning, operation, decontamination and decommissioning of a Pebble Bed Modular Reactor (PBMR) Fuel Manufacturing plant and for the transport of fuel fabrication material and fuel spheres.

In conformance with Government Notice No. R. 479 of 12 May 2000 and Regulations in terms of Section 47, read with Section 21 and 22 of the NNR Act 1999, the following information that is relevant to this application is hereby provided.

The numbering is as per Section 3 of the Regulation:

- (1) The application is for a nuclear installation licence
- (2) The applicant is PBMR (Proprietary) Limited. A juristic person registered in terms of The Companies Act 71 of 1963 (as amended)
- (3) Physical Address of Head Office:

PBMR (Pty) Ltd
Lake Buena Vista Building
1267 Gordon Hood Avenue
PO Box 9396
CENTURION
0046

- (4) Not applicable
- (5) Physical address of the proposed installation:

Building B-D1, B-D2, B-C3 and B-C5
BEVA Site
Church Street West
PELINDABA
0250

- (6) Postal Address of the Applicant:

PBMR Fuel Division Manager
Lake Buena Vista Building
1267 Gordon Hood Avenue
PO Box 9396
CENTURION
0046

- (7) Description of the proposed nuclear installation:

The proposed nuclear installation is for a plant that will manufacture fuel spheres and graphite spheres (non-fuel) for the proposed PBMR (Proprietary) Limited. The Pilot Fuel Plant will be operated by PBMR (Proprietary) Limited for a period of 10 years.

Chemical, ceramic, thermal and mechanical processes will be used for the manufacture of the fuel spheres. The fuel spheres will contain enriched uranium oxide, which is encapsulated in various pyrolytic carbon and silicon carbide coatings to form a coated particle of about 0.9 mm diameter. About 15 000 of these coated particles, together with graphite matrix material are then compressed into a sphere. This sphere is then encapsulated by a further 5.0 mm layer of graphite to form a final sphere containing 9 grams of uranium and 200 grams of graphite with a final diameter of 60 mm. The graphite spheres will be manufactured using similar thermal and mechanical processes to the fuel spheres and will be of similar size and weight.

The proposed plant is designed to produce fuel spheres containing 3.5 tons of up to 10% enriched uranium and 80 tons of graphite spheres per annum.

The proposed manufacturing plant will be installed in the buildings previously used and licensed to manufacture nuclear fuel for the Koeberg Pressured Water Reactor. With adaption to suit manufacture of the PBMR type fuel the existing buildings are therefore suitable for this proposed type of operation and conform to requirements for radiological processes.

The feed material for the fuel sphere will be U_3O_8 powder that will be imported to South Africa at a suitable location and transported to the Pelindaba site. The manufactured fuel spheres will be transported from the Pelindaba site to the location where the PBMR technology will be situated (the first supply is currently planned for the demonstration PBMR on Koeberg site in the Cape Town Metropolitan Municipality, Western Cape Province).

Yours sincerely

Japie Kriek
Chief Executive Officer

SCHEDULE A

NOTICE 1401 OF 2006

AMENDING GOVERNMENT GAZETTE NO: NO 23952 OF 2002 {NOTICE NO: 2033 OF 2002 DATED 25 OCTOBER 2002

AMENDMENT NOTICE IN TERMS OF SECTION 11A [1] OF THE RESTITUTION OF LAND RIGHTS ACT 1994 {ACT 22 OF 1994} AS AMENDED.

Notice is hereby given in terms of **SECTION 11 A [1] OF THE RESTITUTION OF LAND RIGHTS ACT 1994 {ACT 22 OF 1994} AS AMENDED**, that Magisterial District in the above mentioned Gazette was incorrectly reflected as **Barberton Magisterial District** instead of **Nelspruit Magisterial District**. This Gazette amends the **Barberton Magisterial District** to read **Nelspruit Magisterial District** as the Farm Uitkyke 242 JU is situated in the Nelspruit Magisterial District. **The Gazette No 23952 Per Notice No 2033 of 2002 dated 25 October 2002 is still in operation.**

**The Regional Land Claims Commissioner
Private Bag X11330
Nelspruit
1200
or Corner Henshall and Branders Street
Home Affairs Buildings
Third Floor
TEL PHONE NO. 013-755 8100
FAX NO. 013-752 38 59**

**MR. P.G MHANGWANI
THE REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 20 SEPTEMBER 2006**

NOTICE 1403 OF 2006**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT No. 22 OF 1994), AS AMENDED****AMENDMENT OF GAZETTE NOTICE NO. 3372 OF 2003 AS CONTAINED WITHIN THE GOVERNMENT GAZETTE NO. 25778 IN RESPECT OF THE MNISI TRIBAL LAND CLAIM**

Notice is hereby given in terms of Section 11A (4) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that an amendment is hereby made to gazette Notice No. 3372 of 2003 dated the 5th December 2003, contained in Government Gazette No. 25778. The gazette is amended to include a farm that could not be earlier captured as a result of the counter claim between the communities claiming the said farm.

The above - mentioned Gazette Notice is hereby amended to include Ddx 240 KU. The table below gives the description of the property:

Mr. P.P Mnisi lodged a land claim for on the 22nd of November 1998 on behalf of the Mnisi Community. The members of the community took a resolution to mandate the Mnisi Tribal Authority to lodge a land claim on behalf of all the people or their direct descendants who were dispossessed of their rights in land on the Manyeleti Game Reserve and they elected a committee to represent them.

Property	Owners	Title Deed	Extent (H)	Bonds/ Endorsements	Holders
Ddx 240KU	Government of Gazankulu	T501/1963	3165.0970 H	K 3067/2001 RM	ANGLO OPERATIONS LTD

Take further notice that the Regional Land Claims Commission of Limpopo is investigating this claim. Any party that has an interest in the above - mentioned properties is hereby invited to submit in writing, within 90 days of publication of this Notice, any comments, and / or objection to this claim to the Regional land claims commissioner at the addresses set out below under reference number KRP 2723.

Take further notice that a meeting of all interested parties will be convened within a period of 14 days of publication of this notice, for the purpose of information sharing and outlining of the restitution process.

**The Regional Land Claims
Commission: Limpopo
Private Bag X9552
Polokwane
0700**

**Submissions may be made to:
First Floor, 96 Kagiso House
Corner Rissik & Schoeman Streets
Polokwane
0700u**

**MASHILE MOKONO
REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO
DATE:**

NOTICE 1404 OF 2006**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED.**

Notice is hereby given in terms of section 11(1) of the Restitution of Land Rights Act, Act No. 22 of 1994, as amended, that a claim for restitution of land rights has been lodged on the farm, Morgenzon 94 LT, situated within Makhado Local Municipality, Vhembe District of Limpopo.

Chief Mosesenyane George Mashaba lodged a claim on behalf of the Mdonno Community on the 19-02-1997. The investigations revealed that the claimants occupied the subject land since 1900 and they were the first people to occupy the land. The claimants also resolved to elect a committee in order to finalize their claim on the subject farm under the name Mdonno Community Land Claim. Most of the claimants are presently staying at Tiyani village. The description of the property under claim is as follows:

FARM	OWNER	TITLE DEED	EXTENT	BONDS/ ENDORSE MENTS	HOLDER
MORGENZON 94 LT					
Portion 0	Republic of South Africa	T14182/1955VN	1405.1793 Ha	None	South African Development Trust

Take further notice, that the Office of the Regional Land Claims Commissioner : Limpopo, is investigating this claim. Any party that has an interest in the above property is hereby invited to submit in writing, within **90 days** of publication of this notice, any comments, objections or information at the addresses set out below to the Regional Land Claims Commissioner under reference number **KRP 10747**.

Take further Notice that a meeting of all interested parties will be convened within a period of **14 days** of publication of this notice, for the purpose of information sharing and outlining the restitution process.

The Office of Regional Land Claims
Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

OR

Submission may also be
delivered to:
First Floor, 96 Kagiso House
Corner Rissik & Schoeman Streets
Polokwane
0700

MASHILE MOKONO
REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO
DATE:

NOTICE 1405 OF 2006**PUBLICATION OF DRAFT NATIONAL ENVIRONMENTAL MANGEMENT
AMENDMENT BILL FOR PUBLIC COMMENT**

Notice is hereby given that the Minister of Environmental Affairs and Tourism, intends to introduce in Parliament a draft Bill, set out in the Schedule hereto, containing certain proposed amendments to the National Environmental Management Act, 1998 (Act No. 107 of 1998).

Any person who wishes to submit representations or objections in connection with the draft Bill is invited to do so before 31 October 2006. All representations or objections must be submitted in writing to the Director-General of the Department of Environmental Affairs and Tourism:

By post to Private Bag X447, Pretoria, 0001;

By fax to 012 320 4431; and

By e-mail to mjardine@deat.gov.za.

Any enquiries in connection with the draft Bill can be directed to Mark Jardine at 012 310 3375.

SCHEDULE**GENERAL EXPLANATORY NOTE:**

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

_____ Words underlined with a solid line indicate insertions in existing enactments

NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT BILL, 2006**BILL**

To amend the National Environmental Management Act, 1998, in order to include in the definition of "specific environmental management Acts" a reference to the Environment Conservation Act, 1989; to effect consequential amendments to the Environment Conservation Act; to provide for the Atmospheric Pollution Prevention Act, 1965, to be deemed to be a specific environmental management Act until section 60 of the Air Quality Act, 2004, which repeals that Act takes effect; to provide for environmental management inspectors to be peace officers as contemplated in the Criminal Procedure Act, 1977; to provide for a penalty for the offence of failing to comply with a compliance notice in terms of section 31N of the National Environmental Management Act, 1998; and to provide for matters connected therewith.

Amendment of section 1 of Act 107 of 1998, as amended by section 1 of Act 46 of 2003 and section 1 of Act 8 of 2004.

1. Section 1 of the National Environmental Management Act, 1998, (hereinafter referred to as the principal Act), is hereby amended by the substitution in subsection (1) for the definition of "specific environmental management Acts" of the following definition:

"specific environmental management Acts" means –

- (i) the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004); **[and]**
- (ii) the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003); **or**
- (iii) the Environment Conservation Act, 1989 (Act No. 73 of 1989),
and includes any regulations or other subordinate legislation made in terms of any of those Acts;”.

Amendment of section 31H of Act 107 of 1998

2. Section 31H of the principal Act is hereby amended by the insertion after subsection (5) of the following subsection:

“(6) An environmental management inspector is for purposes of the enforcement of this Act and a specific environmental management Act a peace officer as contemplated in the Criminal Procedure Act, 1977.”.

Amendment of section 31N of Act 107 of 1998

3. Section 31N of the principal Act is hereby amended by the insertion after subsection (2) of the following subsection:

“(3) A person convicted of an offence in terms of subsection (1) is liable to a fine not exceeding five million rand or to imprisonment for a period not exceeding ten years, or to both such fine and such imprisonment.”.

Insertion of section 1A in Act No. 73 of 1989

4. The following section is hereby inserted in the Environment Conservation Act, 1989, after section 1:

“Enforcement officers to be regarded as environmental management inspectors

1A. A person who is an enforcement officer contemplated in section 28 (b) when the National Environmental Management Amendment Act, 2006, takes effect, must for purposes of the National Environmental Management Act, 1998 (Act No. 107 of 1998), be regarded as having been designated in terms of section

31B of that Act as an environmental management inspector mandated for the enforcement of this Act.”.

Repeal of section 41A of Act No. 73 of 1989

5. Section 41A the Environment Conservation Act, 1989, is hereby repealed.

Atmospheric Pollution Prevention Act, 1965, deemed to be specific environmental management Act

6. (1) The Atmospheric Pollution Prevention Act, 1965 (Act No. 45 of 1965), must, subject to subsection (2), be regarded to be a specific environmental management Act for purposes of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

(2) This section lapses when section 60 of the Air Quality Act, 2004 (Act 39 of 2004), takes effect.

Short title and commencement

7. This Act is called the National Environmental Management Amendment Act, 2006, and takes effect on a date determined by the Minister by notice in the Gazette.

MEMORANDUM ON THE OBJECTS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT AMENDMENT BILL, 2006

The purpose of the National Environmental Management Amendment Bill, 2006, is threefold. Firstly, to add the Environment Conservation Act, 1989 (ECA) and the Atmospheric Pollution Prevention Act, 1965, (APPA), to the list of Acts which environmental management inspectors are mandated to enforce. Secondly to provide for environmental management inspectors to be peace officers as contemplated in the Criminal Procedure Act, 1977. Lastly, to provide for the imposition of a penalty for the offence of failing to comply with a compliance notice in terms of section 31N of the National Environmental Management Act, 1998 (NEMA).

The reason for including both ECA and APPA as specific environmental management Acts is to ensure that they, for the remainder of their phasing out periods, are enforced in terms of the new enforcement provisions in NEMA which were inserted in NEMA in terms of the National Environmental Management Amendment Act, 2003. In terms of this enforcement system both the Minister and the MECs for environmental affairs can appoint environmental management inspectors for the enforcement of NEMA and all “specific environment management Acts”. Effective enforcement powers are given in terms of this system to environmental management inspectors.

ECA is already partially repealed, and although it is envisaged that ECA will eventually be repealed in its totality, this Act is still being applied for managing the disposal of solid waste. It is therefore proposed that ECA for the remainder of its life span be brought under the NEMA enforcement system to make enforcement of its remaining provisions more effective. It is uncertain at this stage when the provisions of ECA on solid waste disposal would be replaced in its entirety by new legislation.

APPA, on the other hand, has already been repealed but as the repealing provision, section 60 of the Air Quality Act, 2004, has not yet been implemented, it is proposed that a provision be included in the Amendment Bill to provide for APPA to be deemed a specific environmental management until section 60 comes into effect. This course of

action will avoid an unnecessary amendment of NEMA at the stage when section 60 takes effect. It may still take some time before section 60 can be put into effect.

As APPA has its own enforcement provisions, the Bill will enable the current enforcement system of the Act to be retained until the repeal of APPA comes into effect. APPA provides for a detailed system of appointment in respect of air pollution control officers, and also stipulates qualification requirements for such officers because of the highly technical and specialised nature of their functions. The inclusion of the abovementioned deeming clause in this Amendment Bill will therefore not affect the current enforcement system of APPA but will strengthen the enforcement of APPA whilst it is still in force.

The second reason for the amendment is to clarify environmental management inspectors' status as peace officers when exercising certain of their powers. Among the inspection, investigation and enforcement powers given to environmental management inspectors by Chapter 7 of NEMA, is "all the powers assigned in terms of Chapters 2, 5, 7 and 8 of the Criminal Procedure Act, 1977 (CPA), to a police official who is not a commissioned officer" (Section 31H(5) of NEMA). Chapters 2, 5, 7, and 8 of the CPA refer to powers given to "peace officers".

Currently, NEMA does not expressly provide for an environmental management inspector's status as a peace officer when exercising powers under the CPA. Due to concern that this may cause interpretation difficulties in the courts, it is proposed that NEMA's Section 31H is amended by inserting a new sub-clause (6) which simply clarifies that, for the purposes of enforcement of NEMA and a specific environmental management Act, an environmental management inspector is a peace officer as contemplated in the CPA. A similar provision is contained in the Marine Living Resources Act, 1998.

Thirdly, the Amendment Bill provides for the imposition of a penalty in the event that a person is found guilty of the offence of failing to comply with a compliance notice in

terms of section 31N of NEMA. Currently, NEMA states that a person who fails to comply with a compliance notice commits an offence, but it does not provide for an accompanying penalty (either in the form of a fine and/or imprisonment) in the event of a conviction of this offence by a court of law. This may have an adverse effect on the competency of a court to regard the failure to comply with a compliance notice as a criminal offence and to impose any penalty. In order to set a meaningful standard for maximum penalties that is consistent with other national environmental quality and protection offences, the proposed maximum penalty for non-compliance with a compliance notice is equivalent to the maximum penalty currently prescribed in Section 24F(4) of the NEMA, namely 10 years and/or R5 million.

Financial implications

Other than notifying all institutions that implement and enforce NEMA, ECA and APPA and all designated environmental management inspectors (and officials awaiting designation as environmental management inspectors) of the amendment and implementing a communication strategy to advise the public of the amendment, there are no financial implications of any significance.

Consultation

The following persons and institutions have been consulted on the contents of this amendment bill:

- all provincial environment departments through Environment MINMEC
- other national departments represented on the Committee for Environmental Coordination

The Minister of Safety and Security has also have been advised of the contents of the amendment bill.

Tagging

The Department of Environmental Affairs and Tourism is of the view that the Bill should be dealt with as section 76 Bill in the Parliamentary process.

NOTICE 1406 OF 2006**DEPARTMENT OF TRADE AND INDUSTRY
CONSULTATIONS FOR WTO NON-AGRICULTURAL MARKET ACCESS
NEGOTIATIONS**

It is hereby announced that notwithstanding the recent announcement on 24 July 2006 by World Trade Organisation Director-General, Pascal Lamy, to suspend the Doha negotiations, South Africa is continuing with domestic consultations to prepare for the resumption of the Doha Development Agenda Negotiations.

The mandate for the Non-Agricultural Market Access (NAMA) negotiations as contained in paragraph 16 of the Doha Ministerial Declaration is as follows:

“We agree to negotiations which shall aim, by modalities to be agreed, to reduce or as appropriate eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries. Product coverage shall be comprehensive and without *a priori* exclusions. The negotiations shall take fully into account the special needs and interests of developing and least-developed country participants, including through less than full reciprocity in reduction commitments....”

A consultative process to prepare and finalise NAMA negotiating positions is underway within the National Economic Development and Labour Council (NEDLAC) and with South Africa's partners in the Southern African Customs Union (Botswana, Lesotho, Namibia and Swaziland).

The main issues of the position are:

- The formula to be used for tariff reductions and the coefficient of the formula which will determine the severity of the tariff reductions; and
- the products/tariff lines to be accommodated under a flexibility provision. The tariff reductions on such products/tariff lines can be limited to half (50%) of the general formula reductions.

NEDLAC is the statutory body created by the NEDLAC Act 35 of 1994 to facilitate consultations and consensus, amongst others, on trade matters between Government, Business, and Labour. Sector Task Teams have been established to facilitate the consultative process. This ensures that positions are deliberated and cleared at sector level before these are transmitted to Government. The Task Teams with the respective conveners are listed below. Comments in regard to these sectors are to be submitted direct to the conveners:

Task Team/Sector	Convener(s) / Champion(s)	Contact details	Email Address
Overall	Lorraine Lotter Tony Ehreinrech	011 482 1671 021 448 0045	caia@iafrica.com tony@cosatu.org.za or elma@cosatu.org.za
Metals & Engineering (including metal products; tools & implements; machinery; and electrical equipment)	Michael McDonald Neo Chabane	011 298 9513 011 689 1700	Michael@seifsa.co.za neoc@numsa.org.za
Chemicals; plastics & rubber	Lorraine Lotter Dries Neethling Jerry Nkosi	011 482 1671 012 991 7570 082 518 9478	caia@iafrica.com driesnee@global.co.za jnkosi@ceppwawu.org.za
Textiles; Clothing; Leather & Footwear	Brian Brink Etienne Vlok	011 615 4007 021 447 4570	texfed@jhbmail.co.za etienev@sactwu.org.za
Automotives	Nico Vermeulen	012 323 2980	naamsa@iafrica.com
Paper; Pulp; Printing & Wood	John Hunt Danie Jordaan Sakhiwo Zako	011 803 5063 072 594 7735 078 122 7272	John_hunt@pamsa.co.za djordaan@mweb.co.za
Furniture	Danie Jordaan Jeffery Morolong	072 594 7735 082 973 4901	djordaan@mweb.co.za ceppwawu@jhb.co.za
Other sectors	Keith Luyt Danie Jordaan	011 770 9246 012 594 7735	kluyt@gsa.co.za djordaan@mweb.co.za

Government is aware that not all product lines classifiable under chapters 25 to 97 of the Harmonised Commodity Description and Coding System are fully covered by the sectors mentioned above. These are chapters 43, 45, 46, 65, 66, 67, 69, 70, 71, 90, 94, 95 and 96 of the tariff nomenclature. Government has therefore decided to invite representatives of business and labour concerned with product lines classifiable under chapters 43, 45, 46, 65, 66, 67, 69, 70, 71, 90, 94, 95 and 96 of the tariff nomenclature, to consultations to make their views known to the South African Trade Negotiating Team. These consultations will take place at the offices of the National Economic Development and Labour Council (NEDLAC), which are located at the following address:

14A Jellicoe Avenue
Rosebank
Johannesburg
2196
Telephone +27(0) 11 328 4200
Fax +27 (0) 11 447 6053/2089

Please note that the consultations are limited to the chapters quoted in the table below. The consultations will take place according to the following schedule:

Day 01: 19 October 2006

HS Chapter	Description	Date	Time
43	Furskins and Artificial Fur; Manufactures Thereof	19 October 2006	10h00
45 & 46	Wood and Articles of Wood; Wood Charcoal; Cork and Articles of Cork; Manufactures of Straw, of Esparto or of Other Plaiting Materials; Basketware and Wickerwork	19 October 2006	11h00
65 & 66	Footwear. Headgear. Umbrellas, Sun Umbrellas, Walking-Sticks, Seat-Sticks, Whips, Riding-Crops and Parts Thereof; Prepared Feathers and Articles Made Therewith; Artificial Flowers; Articles of Human Hair	19 October 2006	12h00
67	Prepared feathers and down and articles made of feathers or of down; artificial flowers; articles of human hair	19 October 2006	14h00
68 and 69	Articles of stone, plaster, cement, asbestos, mica or similar materials, and Ceramic products	19 October 2006	15h00
70	Glass and glassware	19 October 2006	16h00

Day 02: 20 October 2006

HS Chapter	Description	Date	Time
71	Natural or cultured pearls, precious or semi-precious stones, precious metals, metals clad with precious metal and articles thereof; imitation jewelry; coin	20 October 2006	10h00
90	Optical, Photographic, Cinematographic, Measuring, Checking, Precision, Medical or Surgical Instruments and Apparatus; Parts and Accessories Thereof	20 October 2006	11h00
94	Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings	20 October 2006	12h00

HS Chapter	Description	Date	Time
95	Toys, games and sports requisites; parts and accessories thereof	20 October 2006	14h00
96	Miscellaneous manufactured articles	20 October 2006	15h00

Interested parties are requested to register with Mr. Sandile Roro of **the dti** at e-mail SRoro@thedti.gov.za. He can also be reached on line 012 – 394 3083.

NOTICE 1389 OF 2006**NASIONAL TREASURY****14,5% 2006 INTERNAL REGISTERED BONDS (R126): CERTIFICATE No. 2346 FOR R12 500,
ISSUED IN FAVOUR OF MRS SUSI SOPHIE KERBEL**

Application having been made to the National Treasury for a duplicate of the above-mentioned certificate, the original having been lost or mislaid, notice is hereby given that unless the original certificate is produced at the National Treasury, Private Bag X115, Pretoria, within four weeks from the date of publication of this notice, the duplicate as applied for, will be issued.

KENNISGEWING 1389 VAN 2006**NASIONALE TESOURIE****14,5% 2006 BINNELANDSE GEREISTREERDE EFFEKTE (R126): SERTIFIKAAT No. 2346 VIR R12 500,
UITGEREIK TEN GUNSTE VAN MRS SUSI SOPHIE KERBEL**

Aangesien daar by die Nasionale Tesourie aansoek gedoen is om 'n duplikaat van bovermelde sertifikaat wat verloor of verlê is, word hierby bekendgemaak dat tensy die oorspronklike sertifikaat binne vier weke na die datum van publikasie van hierdie kennisgewing by die Nasionale Tesourie, Privaatsak X115, Pretoria, ingelewer word, die verlangde duplikaat sertifikaat uitgereik sal word.

(29 September 2006)

NOTICE 1390 OF 2006**NATIONAL TREASURY****14,5% 2006 INTERNAL REGISTERED BONDS (R126): CERTIFICATE No. 1762 FOR R102 200, ISSUED IN FAVOUR OF
MRS JOAN ELIZABETH MASON**

Application having been made to the National Treasury for a duplicate of the above-mentioned certificate, the original having been lost or mislaid, notice is hereby given that unless the original certificate is produced at the National Treasury, Private Bag X115, Pretoria, within four weeks from the date of publication of this notice, the duplicate as applied for, will be issued.

KENNISGEWING 1390 VAN 2006**NASIONALE TESOURIE****14,5% 2006 BINNELANDSE GEREISTREERDE EFFEKTE (R126): SERTIFIKAAT No. 1762 VIR R102 200, UITGEREIK
TEN GUNSTE VAN MRS JOAN ELIZABETH MASON**

Aangesien daar by die Nasionale Tesourie aansoek gedoen is om 'n duplikaat van bovermelde sertifikaat wat verloor of verlê is, word hierby bekendgemaak dat tensy die oorspronklike sertifikaat binne vier weke na die datum van publikasie van hierdie kennisgewing by die Nasionale Tesourie, Privaatsak X115, Pretoria, ingelewer word, die verlangde duplikaat sertifikaat, uitgereik sal word.

(29 September 2006)

NOTICE 1393 OF 2006**DEPARTMENT OF LABOUR****LABOUR RELATIONS ACT, 1995****NOTICE OF INTENTION TO CANCEL THE REGISTRATION OF AN EMPLOYERS' ORGANISATION**

I, Johannes Theodorus Crouse, Acting Registrar of Labour Relations, hereby, in terms of section 106 (2B) give notice of my intention to cancel the registration of the **Suid-Kaap Algemene Werkgewersorganisasie** for the following reasons:

- The organisation ceased to function in terms of its constitution
- The organisation has ceased to function as a genuine organisation as envisaged by section 106 (2A) (a) the Act
- The organisation is not capable of collective bargaining in view of the size and nature of its membership.

All interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number: 2002/166.**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, Pretoria. [Postal address: Private Bag X117, Pretoria, 0001—Fax No. (012) 309-4848], within 60 days of the date of this notice.

J. T. CROUSE

Registrar of Labour Relations

(29 September 2006)

NOTICE 1399 OF 2006

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER: MASIPHAKAMISANE PRIMARY FARMERS CO-OPERATIVE LIMITED, HLANKOMO MAIZE CO-OPERATIVE LIMITED, HLANGANANI POULTRY PROJECT CO-OPERATIVE LIMITED, HLABATSHANE MASINCIDANE ARTS AND CRAFT CO-OPERATIVE LIMITED, HLABATSHANE SIPHAMANDLA FRUIT AND VEGETABLE CO-OPERATIVE LIMITED, HLOKOMELA CO-OPERATIVE LIMITED

Notice is hereby given that the names of the above-mentioned co-operatives will, after the expiration of 60 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 60 days.

Registrar of Co-operatives

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Private Bag X237
Pretoria
0001

KENNISGEWING 1399 VAN 2006

KOÖPERASIES VAN DIE REGISTER GESKRAP TE WORD: MASIPHAKAMISANE PRIMARY FARMERS CO-OPERATIVE LIMITED, HLANKOMO MAIZE CO-OPERATIVE LIMITED, HLANGANANI POULTRY PROJECT CO-OPERATIVE LIMITED, HLABATSHANE MASINCIDANE ARTS AND CRAFT CO-OPERATIVE LIMITED, HLABATSHANE SIPHAMANDLA FRUIT AND VEGETABLE CO-OPERATIVE LIMITED, HLOKOMELA CO-OPERATIVE LIMITED

Hiermee word bekendgemaak dat die name van bogenoemde koöperasies na verloop van 60 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 60 dae by hierdie kantoor ingedien word.

Registrateur van Koöperasies

Kantoor van die Registrateur van Koöperasies
Dti Kampus
Meintjiesstraat 77
Privaatsak X237
Pretoria
0001

(29 September 2006)

NOTICE 1400 OF 2006

CO-OPERATIVES TO BE STRUCK OFF THE REGISTER: HLOBISANI WOMEN'S CO-OPERATIVE LIMITED, NKANINI DAIRY CO-OPERATIVE LIMITED, HLWLWENI SUGAR CANE CO-OPERATIVE LIMITED, HLWLWENI WOMENS CLUB SEWING CO-OPERATIVE LIMITED, HLULMANI CATERING CO-OPERATIVE LIMITED, HLENGWE CO-OPERATIVE LIMITED

Notice is hereby given that the names of the above-mentioned co-operatives will, after the expiration of 60 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 60 days.

Registrar of Co-operatives

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Private Bag X237
Pretoria
0001

KENNISGEWING 1400 VAN 2006

KOÖPERASIES VAN DIE REGISTER GESKRAP TE WORD: HLOBISANI WOMEN'S CO-OPERATIVE LIMITED, NKANINI DAIRY CO-OPERATIVE LIMITED, HLOLWENI SUGAR CANE CO-OPERATIVE LIMITED, HLOLWENI WOMENS CLUB SEWING CO-OPERATIVE LIMITED, HLULMANI CATERING CO-OPERATIVE LIMITED, HLENGWE CO-OPERATIVE LIMITED

Hiermee word bekendgemaak dat die name van bogenoemde koöperasies na verloop van 60 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 60 dae by hierdie kantoor ingedien word.

Registrateur van Koöperasies

Kantoor van die Registrateur van Koöperasies
Dti Kampus
Meintjiesstraat 77
Privaatsak X237
Pretoria
0001

(29 September 2006)

BOARD NOTICE RAADSKENNISGEWING

BOARD NOTICE 102 OF 2006



Accounting Standards Board

EXPOSURE DRAFTS OF THE STANDARDS OF GENERALLY RECOGNISED ACCOUNTING PRACTICE (GRAP) ON THE EFFECTS OF CHANGES IN FOREIGN EXCHANGE RATES, FINANCIAL REPORTING IN HYPERINFLATIONARY ECONOMIES AND EVENTS AFTER THE REPORTING DATE.

Issued: 29 September 2006

The Accounting Standards Board (Board) at its meeting held on the 24 August 2006 approved for release an invitation to comment on the following exposure drafts of Standards of GRAP:

- (a) ***ED 31 – The Effects of Changes in Foreign Exchange Rates;***
- (b) ***ED 32 – Financial Reporting in Hyperinflationary Economies; and***
- (c) ***ED 33 – Events After the Reporting Date.***

As these exposure drafts present challenges for some preparers, auditors and users of general purpose financial statements, the Board is grateful for the time respondents are devoting to consider the issues in these exposure drafts. The responses will form a valuable input into the process of standard setting. Those who might be affected by the process, or are interested in the exposure drafts issued by the Board, are encouraged to continue to provide responses to the invitation to comment on the exposure drafts released by the Board.

The comment period for these exposure drafts ends on **28 February 2007**.

Copies of the exposure drafts can be downloaded from the Board's website – <http://www.asb.co.za>, or can be obtained by contacting the Board's offices.

Tel: 011 697 0660
Fax: 011 697 0666

Comments can be emailed to info@asb.co.za or can be submitted in writing to:

Accounting Standards Board
PO Box 74129
Lynwood Ridge
0040

On request, respondents can also present their comment to the project group verbally by contacting the Board's offices.

We are looking forward to receiving your comment.

Issued September 2006