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

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IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
**GOVERNMENT NOTICES, GENERAL NOTICES,
 REGULATION NOTICES AND PROCLAMATIONS**

2013

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

- ▶ 14 March, Thursday, for the issue of Friday 22 March 2013
- ▶ 20 March, Wednesday, for the issue of Thursday 28 March 2013
- ▶ 27 March, Wednesday, for the issue of Friday 5 April 2013
- ▶ 25 April, Thursday, for the issue of Friday 3 May 2013
- ▶ 13 June, Thursday, for the issue of Friday 21 June 2013
- ▶ 1 August, Thursday, for the issue of Thursday 8 August 2013
- ▶ 8 August, Thursday, for the issue of Friday 16 August 2013
- ▶ 19 September, Thursday, for the issue of Friday 27 September 2013
- ▶ 12 December, Thursday, for the issue of Friday 20 December 2013
- ▶ 17 December, Tuesday, for the issue of Friday 27 December 2013
- ▶ 20 December, Friday, for the issue of Friday 3 January 2014

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE *Government Gazette* must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING

Sluitingstye **VOOR VAKANSIEDAE** vir
**GOEWERMENTS-, ALGEMENE- & REGULASIE-
 KENNISGEWINGS ASOOK PROKLAMASIES**

2013

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ 14 Maart, Donderdag, vir die uitgawe van Vrydag 22 Maart 2013
- ▶ 20 Maart, Woensdag, vir die uitgawe van Donderdag 28 Maart 2013
- ▶ 27 Maart, Woensdag, vir die uitgawe van Vrydag 5 April 2013
- ▶ 25 April, Donderdag, vir die uitgawe van Vrydag 3 Mei 2013
- ▶ 13 Junie, Donderdag, vir die uitgawe van Vrydag 21 Junie 2013
- ▶ 1 Augustus, Donderdag, vir die uitgawe van Donderdag 8 Augustus 2013
- ▶ 8 Augustus, Donderdag, vir die uitgawe van Vrydag 16 Augustus 2013
- ▶ 19 September, Donderdag, vir die uitgawe van Vrydag 27 September 2013
- ▶ 12 Desember, Donderdag, vir die uitgawe van Vrydag 20 Desember 2013
- ▶ 17 Desember, Dinsdag, vir die uitgawe van Vrydag 27 Desember 2013
- ▶ 20 Desember, Vrydag, vir die uitgawe van Vrydag 3 Januarie 2014

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE *Staatskoerant* verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES

GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. 251

5 April 2013

MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

DECLARATION OF THE PRINCE EDWARD ISLANDS MARINE PROTECTED AREA UNDER SECTION 43 OF THE MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)

I, B.E.E.Molewa, the Minister of Water and Environmental Affairs, hereby in terms of section 43 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998) ("the Act") declare the areas in the Schedule to be a marine protected area for the purpose set out in the Schedule.

Mrs B.E.E. Molewa, Minister of Water and Environmental Affairs

SCHEDULE

Boundaries of the Marine Protected Area

The Prince Edward Islands Marine Protected Area is the area within the polygon bounded by lines sequentially joining the points 1,2,3,4,5,6,19,17,16, 15, 14, 13,12, 11, 10, 9, 8, 7 and back to 1. The lines shall be straight lines with the exception of between points 6, 19 and 17; and between 12 and 13; and 1 and 7, where they shall be curved to follow the boundary of the Exclusive Economic Zone as shown in Figure 1. The exact co-ordinates of the points are given in Table 1.

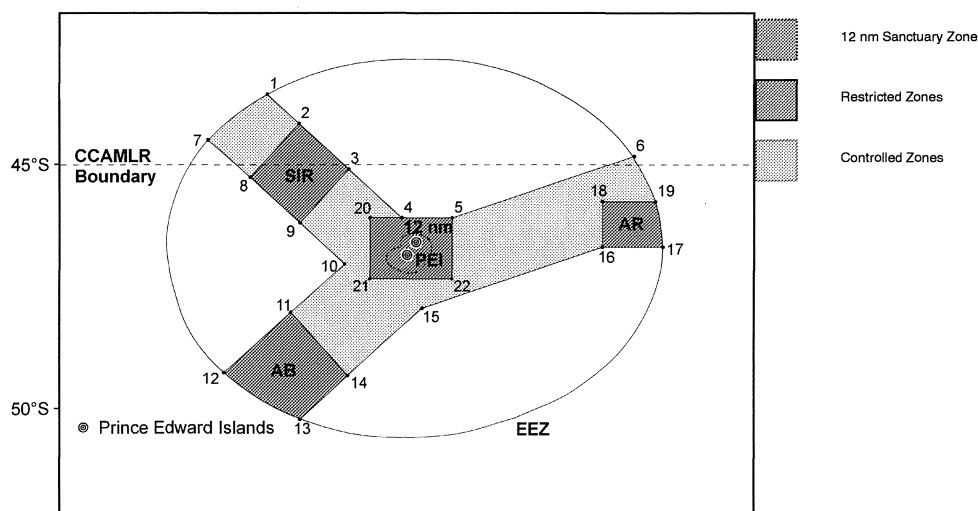


Fig. 1. The boundaries for the Prince Edward Islands Marine Protected Area.**Table 1.** The exact geographic coordinates (WGS 84) of points 1-22 in Fig. 1

Point	South Latitude		East Longitude		Point	South Latitude		East Longitude	
	Degrees	Minutes	Degrees	Minutes		Degrees	Minutes	Degrees	Minutes
1	43	34	34	56	12	49	16	34	3
2	44	10	35	35	13	50	14	35	36
3	45	6	36	36	14	49	20	36	35
4	46	6	37	42	15	47	57	38	7
5	46	6	38	44	16	46	42	41	48
6	44	50	42	27	17	46	42	43	2
7	44	30	33	44	18	45	46	41	48
8	45	16	34	35	19	45	46	42	53
9	46	12	35	36	20	46	6	37	3
10	47	3	36	31	21	47	21	37	3
11	48	2	35	25	22	47	21	38	44

No. 252

5 April 2013

**MARINE LIVING RESOURCES ACT, 1998 (ACT NO. 18 OF 1998)
REGULATIONS FOR THE MANAGEMENT OF THE PRINCE EDWARD
ISLANDS MARINE PROTECTED AREA**

I, Mrs B.E.E. Molewa, the Minister of Water and Environmental Affairs has under Section 77(2)(x)(i) of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), made the regulations in the Schedule hereto.

Mrs B.E.E. Molewa, Minister of Water and Environmental Affairs

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act bears that meaning and, unless the context otherwise indicates—

“**AB**” means the Abyss restricted zone;

“**Act**” means the Marine Living Resources Act, (Act No.18 of 1998), inclusive of amendments, regulations and notices promulgated thereunder;

“**AR**” means the Africana II Rise restricted zone;

“**benthic**” means on, in, or in close proximity to the seabed, and generally includes sedentary species;

“Controlled Zone” means an area within the Marine Protected Area where fishing is permitted;

“Islands” means the Prince Edward Island and Marion Island forming part of the Prince Edward Island group as defined in the Prince Edward Islands Act, 1948 (Act No. 43 of 1948);

“Marine Protected Area” means the Prince Edward Islands Marine Protected Area as declared by the Minister in terms of section 43 of the Act;

“PEI” means the Prince Edward Island restricted zone;

“restricted zone” means an area within the marine protected area where limited commercial fishing is permitted and includes the AB, AR, PEI and SIR restricted zones;

“Sanctuary Area” means an area within the marine protected area where fishing is prohibited and the passage and anchoring of vessels is restricted;

“SIR” means the Southwest Indian Ridge restricted zone;

“toothfish” means *Dissostichus eleginoides* commonly known as the Patagonian toothfish; and

“WGS 84” means the World Geodetic System of 1984 (G730), which is a geographic co-ordinate system used for the co-ordinates in these regulations.

Purpose of Regulations

2. The purpose of these regulations is:

- (a) To contribute to a national and global representative system of marine protected areas, by providing protection for unique species, habitats and ecosystem processes including foraging grounds and shelf areas with increased nutrients;
- (b) To provide scientific reference points that can inform the management of the area and to be able to understand better the impacts of Climate Change on the whole Southern Ocean;
- (c) To facilitate integrated and ecologically sustainable management of marine resources of the area; and
- (d) To reduce the ecological impacts of fisheries and other extractive industries including effects on by-catch species such as albatrosses and petrels.

Zonation within Marine Protected Area

3. The Marine Protected Area consists of a Sanctuary Area, four restricted zones and a Controlled Zone, which are determined by using WGS 84 as detailed in Annexure 1 and 2 as follows:
- (a) A Sanctuary Area extending 12 nautical miles seaward from the high water mark around the islands;
 - (b) Four restricted zones, indicated as PEI, SIR, AR, and AB; and
 - (c) A Controlled Zone, linking the four restricted zones.

Control of activities in Sanctuary Area

4. (1) No person may fish, or attempt to fish, in the Sanctuary Area within the Marine Protected Area.
- (2) Subject to subregulation (3), no person or vessel may enter the Sanctuary Area except under conditions of *force majeure*.
- (3) The following vessels may enter the Sanctuary Area:
- (a) South African government vessels;
 - (b) any fishing vessel authorised to fish in the Marine Protected Area in terms of the Act for the purpose of anchoring at designated anchoring sites detailed in Annexure 3; and
 - (c) Any foreign vessel undertaking research or other scheduled operations or emergency operations, authorised in terms of the Act or any other South African legislation.
- (4) A vessel referred to in subregulation (2) and (3) that is anchoring in or traversing the Sanctuary Area, must stow all fishing gear.

Control of activities in restricted zone

5. (1) No person may fish or attempt to fish in the Restricted Zone, unless authorised in terms of the Act by the Minister responsible for Fisheries. Fishing for toothfish in a restricted zone is capped at levels of legal fishing effort in terms of annual numbers of hooks for each zone as detailed in Annexure 4 and this effort level may be reviewed jointly by the Minister and the Minister responsible for Fisheries after 10 years.
- (2) A permit may be issued in terms of section 83 of the Act if additional fishing effort specified in subregulation (1), is necessary for scientific purposes in a restricted zone.
- (3) Fishing methods, including but not limited to—
- (a) bottom trawling; and

- (b) gill netting,
which may cause damage to benthic habitats, benthic species or seabirds are prohibited in the restricted zones.
- (4) A commercial fishing vessel authorised in terms of the Act to fish in a restricted zone must carry a scientific observer on board.
- (5) A vessel, which is not in possession of a permit in terms of section 13 of the Act to fish for toothfish and traversing the restricted zones—
 - (a) must stow all fishing gear, and
 - (b) may not carry fish on board.

Control of activities in Controlled Zone

6. (1) No person may fish or attempt to fish in the Controlled Zone, unless authorised in terms of the Act by the Minister responsible for Fisheries.
- (2) Fishing methods, including but not limited to—
- (a) bottom trawling;
 - (b) gillnetting,
- which may cause damage to benthic habitats, benthic species or seabirds are prohibited in the controlled zone.
- (3) A commercial fishing vessel authorised in terms of the Act to fish in the Marine Protected Area must carry a scientific observer on board.

Offences and penalties

7. Any person who contravenes or fails to comply with a provision of these regulations is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding two years.

Short title and commencement

8. These regulations are called the Prince Edward Islands Marine Protected Area Regulations and commence upon date of publication.

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

No. 250

5 April 2013

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)

I, Jeffrey Thamsanqa Radebe, Minister of Justice and Constitutional Development, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

UTHUNGULU DISTRICT MUNICIPALITY

As set out in the Schedule



JEFFREY THAMSANQA RADEBE, MP

MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT



REPUBLIC OF SOUTH AFRICA

FORM D

AUTOMATICALLY AVAILABLE RECORDS AND ACCESS TO SUCH RECORDS:
 (Section 15 of the Promotion of Access to Information Act 2000 (Act no. 2 of 2000))
 [Regulation 5A]

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website)(SECTION 15(1)(a))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
Integrated Development Plans Sector Plans Service Delivery Business Implementation Plans Organisational Structure Maps Annual Reports Tenders Awarded Mayor's Speeches Government Gazettes Council Policies Memoranda of Understanding Service Level Agreements Council agendas and Minutes	The records may be accessed for inspection at the Office of the Information Officer as follows: Mr MH Nkosi Tel: 035 7992500 Fax: 035 7891409 Email: sceo@uthungulu.co.za www.uthungulu.org.za uThungulu House Corner Barbados & Krugerrand Street CBD Richards Bay, 3901
FOR PURCHASING IN TERMS OF SECTION 15(1)(a)(ii):	
Bid Documents Maps	The Bid Documents can be purchased at uThungulu District Municipality Offices: uThungulu House, Corner Barbados & Krugerrand Street, CBD, Richards Bay.
FOR COPYING IN TERMS OF SECTION 15(1)(a)(ii)	

Integrated Development Plans Sector Plans Service Delivery Business Implementation Plans Organisational Structure Maps Annual Reports Mayor's Speeches Government Gazettes	Documents may be accessed for copying in terms of the approved Council rates and tariffs for the year at uThungulu Offices.
AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii)	
Izindaba Ezimtoti Internal Newsletter Council agendas Council Minutes Council Policies Tourism Brochures Information Booklet on Services Vacancies Geographical Information	The records may be accessed free of charge at the uThungulu District Municipality Offices: uThungulu House, Corner Barbados & Krugerrand Street, CBD, Richards Bay.

No. 256

5 April 2013

NATIONAL TREASURY

PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO 1 OF 1999 AS AMENDED)

BORROWING POWERS OF WATER BOARDS LISTED UNDER SCHEDULE 3 PART B OF THE ACT

I, PRAVIN J GORDHAN, MINISTER OF FINANCE, acting in terms of Section 66(3)(b) of the Public Finance Management Act, 1999 (Act No 1 of 1999 (the "Act")), hereby authorise the accounting authority of Mhlathuze Water to borrow money up to the limits as stipulated and subject to the conditions set out below:

MHLATHUZE WATER	
FINANCIAL YEAR	AMOUNT
2012/13	R232.8 million
2013/14	R208.5 million
2014/15	R239.1 million


MINISTER OF FINANCE
Date:

GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 341 OF 2013 DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES MEAT SAFETY ACT, 2000 (ACT NO. 40 OF 2000)

PUBLICATION OF THE PROPOSED ABATTOIR RATING SCHEME FOR PUBLIC COMMENTS.

The Minister of Agriculture, Forestry and Fisheries invites public comments on the proposed Abattoir Rating Scheme in terms of section 12 of the Meat Safety Act, 2000 (Act No. 40 of 2000), for rating all abattoirs according to their level of compliance to the requirements of the Meat Safety Act and the regulations promulgated there under as measured by the Hygiene Assessment System, to recognise the diligent efforts of abattoirs that consistently produce meat according to good hygienic practices and legislative meat safety standards and providing a forum from which such abattoirs may make their success known to industry and consumers thereby facilitating implementation of the provisions of the Meat Safety Act through compliance promotion to the extent set out in the Schedule that may be obtained from the Departmental Website.–

The direct link on the DAFF website is:

http://www.daff.gov.za/vetweb/Legislation/Meat%20safety/R_Meat_Safety_Act_40.htm

Otherwise:

www.daff.gov.za > Divisions > Food and Veterinary Services > VPH > Legislation > Meat Safety Act, 2000 (Act No.40 of 2000)

Comments must be submitted within six weeks from the date of publication of this notice.

Comments must be sent to:

The Director: Veterinary Public Health – Game Meat Scheme

Department of Agriculture, Forestry and Fisheries

Private Bag X138

Pretoria 0001

or

E-mail: TembileS@daff.gov.za
FortunateD@daff.gov.za
JohanDP@daff.gov.za

Tel: 012 319 7688/ 7628/ 7572

Fax: 012 329 6892; 012 319 7699

NOTICE 342 OF 2013**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT NO.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. : KRK6/2/3/B/45/2562/0/2 (V326)
Claimant : Mr. Hubert Van Den Heever
Property Description : Portion 0 of Erf 305, Pella
Extent of property : 2268.0000 SQM
Current Title Deed : T66126/2002
Current Owner : Cloete Suzette Janine
Date Submitted : 30th November 1998
Current Land Use : Farming

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
Northern Cape Province
P.O. Box 2458
Kimberley
8300

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


Mr Lebjane Maphutha
Regional Land Claims Commissioner

Date: 2013/01/14

NOTICE 343 OF 2013

AMENDMENT OF GAZETTE NOTICE NO. 4110F 2005 IN RESPECT OF VARIOUS FARMS SITUATED IN THE MAGISTERIAL DISTRICT OF WATERBERG: LIMPOPO.

Notice is hereby given in terms of Section 11A (4) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, to amend Gazette Notice No. 441 of 2005.

The amendment is made in light of the fact that the below-mentioned farms were omitted from the initial Government Gazette when the properties claimed by Majadibodu Community were published. Therefore, it is the intention of the Commission on Restitution of Land Rights to acquire the below farms on behalf of the Majadibodu Community.

Therefore, the Office of the Regional Land Claims Commissioner: Limpopo wishes to make it known to the public that farms mentioned below are also affected by Majadibodu Community land claim.

FARM NAME	CURRENT OWNER	TITLE DEED	EXTENT (HECTARES)	ENDORSEMENTS	HOLDER	CLAIMANT
Portion 0 of the farm Star 567 LR	Niehaus Christopher Charles De Mowbray	T267/1999	910.6448h	K2336/1992RM	Samancor Ltd	Majadibodu
Mozambique LR consolidated from Portion 0 of the farm (Onschuld 551 LQ)	Niehaus Christopher Charles De Mowbray	T146587/2002	822.8686h	-	-	Majadibodu

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is investigating this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **90** days of publication of this notice, any comment, and/ or objection to this land claim to the Office of the Regional Land Claims Commissioner: Limpopo at the addresses set out below.

Office of the Regional Land Claims
Commissioner: Limpopo
Private Bag x9552
POLOKWANE
0700

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

MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: LIMPOPO
DATE:

NOTICE 344 OF 2013**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH
AFRICA****DRAFT GUIDELINES AND CONDITIONS PERTAINING TO A SAFEGUARD
APPLICATION IN TERMS OF ARTICLE 16 OF THE AGREEMENT ON
TRADE, DEVELOPMENT AND CO-OPERATION BETWEEN THE
EUROPEAN COMMUNITY AND ITS MEMBER STATES AND THE
REPUBLIC OF SOUTH AFRICA**

Emanating from the Agreement on Trade, Development and Co-operation between the European Community and its Member States and the Republic of South Africa ("the TDCA"), Article 16 provides for safeguard action in defined circumstances.

The International Trade Administration Commission of South Africa (the Commission) has drafted the attached reference and procedural guide pertaining to the application for safeguard action in terms of Article 16 of the TDCA.

All interested parties are invited to comment on the draft guidelines within 10 calendar days of the date of publication of this notice. The Commission will finalise the guidelines after considering all comments received.

Comments can be submitted to the Chief Commissioner, International Trade Administration Commission of South Africa, Private Bag X 753, Pretoria or delivered by hand to the DTI Campus (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.

Further information can be obtained from the Senior Manager: Trade Remedies I, Ms Carina Janse van Vuuren, at (012) 394 3594.



International Trade Administration Commission of South Africa

DRAFT GUIDELINES AND CONDITIONS PERTAINING TO A SAFEGUARD APPLICATION IN TERMS OF ARTICLE 16 OF THE AGREEMENT ON TRADE, DEVELOPMENT AND CO-OPERATION BETWEEN THE EUROPEAN COMMUNITY AND ITS MEMBER STATES AND THE REPUBLIC OF SOUTH AFRICA

1. PURPOSE

- 1.1 The purpose of this document is to provide a reference and procedural guide pertaining to the application for safeguard action in terms of Article 16 of the Agreement on Trade, Development and Co-operation between the European Community and its Member States and the Republic of South Africa ("the TDCA").

2. SCOPE

- 2.1 The scope of this document covers the application process by applicants for safeguard action in terms of Article 16 of the TDCA which provides as follows:

"Notwithstanding other provisions of this Agreement and in particular Article 24, if, given the particular sensitivity of the agricultural markets, imports of products originating in one Party cause or threaten to cause a serious disturbance to the markets in the other Party, the Cooperation Council shall immediately consider the matter to find an appropriate solution. Pending a decision by the Cooperation Council, and where exceptional circumstances require immediate action, the affected Party may take provisional measures necessary to limit or redress the disturbance. In taking such provisional measures, the affected Party shall take into account the interests of both Parties".

3. PROCEDURE

- 3.1 For the Department of Trade and Industry (dti) to raise the matter of an alleged serious disturbance in the Cooperation Council, it will need to have a

prima facie case to present to the Cooperation Council ("the Council"), i.e. facts demonstrating that imports from the EU are causing or threatening to cause a serious disturbance to the South African market. Further, if there is the need for immediate action pending a decision by the Council, a case will need to be made to the Commission why exceptional circumstances exist that warrants such action.

- 3.2 The South African industry therefore has to submit an application to the International Trade Administration Commission of South Africa ("the Commission") for its consideration.
- 3.3 The Commission will consider the application and if warranted, initiate an investigation and publish a notice in the Government Gazette for comment. A period of 20 days from the date of publication of the initiation notice will be provided for interested parties to submit comments to the Commission.
- 3.4 Taking comments into account, the Commission will then make a preliminary determination, which will form the basis for dti to raise the matter in the Council.
- 3.5 Should the applicant indicate that exceptional circumstances exist and the Commission agrees, it may, once the dti has raised the matter in the Cooperation Council, request the Commissioner for the South African Revenue Service (SARS) to impose provisional measures. Such measures will take the form of a provisional safeguard duty.
- 3.6 The provisional measures will stay in place until such time as a decision has been reached by the Council.

4. APPLICATION

- 4.1 Applications for safeguard action in terms of Article 16 of the TDCA must be addressed to the Chief Commissioner, International Trade Administration Commission of South Africa, Private Bag X 753, Pretoria or delivered by hand to the DTI Campus (Block E), 77 Meintjies Street, Sunnyside, Pretoria, 0002.
- 4.2 Applications must be submitted according to the requirements reflected in the attached application form (See Annexure A).
- 4.3 Applicants should provide full and accurate information and wherever possible provide supporting documentary evidence from commercial or governmental sources, e.g. commercial invoices or offers, official trade and production statistics. Failure to do so could detrimentally affect the case. The Commission will not consider unsubstantiated information. All cost related information should be reconcilable to the financial statements or management accounts.
- 4.4 ITAC's Trade Remedies unit offers a public liaison service and if any party has particular problems in answering the application or requires more information or clarification on policy issues, the staff of the Trade Remedies section is ready to discuss these issues and to provide assistance. Please feel free to contact Ms Carina van Vuuren (012 394 3594).
- 4.5 If the application is based in part on confidential material, the application must contain a non-confidential version of the confidential material together with an explanation of why it is confidential. Section 33 of the International Trade Administration Act, 2002 (Act No. 71 of 2002) ("the ITA Act") provides as follows:
- "(1) A person may, when submitting information to the Commission, identify information that the person claims to be information that –
 - (a) is confidential by its nature; or
 - (b) the person otherwise wishes to be recognized as confidential.
 - (2) A person making a claim in terms of subsection (1) must support that claim with -

- (a) a written statement in the prescribed form-
 - (i) explaining, in the case of information that is confidential by its nature, how the information satisfies the requirements set out in the definition of “information that is by nature confidential” in section 1(2); or
 - (ii) motivating, in the case of other information, why that information should be recognized as confidential; and
- (b) either –
 - (i) a written abstract of the information in a non-confidential form; or
 - (ii) a sworn statement setting out the reasons why it is impossible to comply with subparagraph (i).”

Therefore where confidential and non-confidential versions are supplied, parties must:

- (1) Provide reasons for confidentiality in each instance;
- (2) Indicate where confidential information has been omitted in each case;
- (3) Provide a summary of the omitted confidential information in sufficient detail to permit a reasonable understanding of the substance of the omitted confidential information in each instance; and
- (4) Where confidential information is not susceptible to a non-confidential summary, indicate this in each instance and provide a sworn affidavit setting out the reasons why the information is not susceptible to summarization.

The Commission will not formally accept an application until a proper non-confidential version has been submitted in accordance with the above guidelines. If, in terms of section 34 of the ITA Act, the Commission finds that a request for confidentiality is not warranted and if the applicant is either unwilling to make the information public or to authorize its disclosure in summarized format, the Commission will not consider such information in determining the merits of the application.

Please take note that the rules relating to confidential information and the submission of non-confidential versions of submissions applies to ALL correspondence, which unless clearly indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and

be made available to other interested parties. If a document is indicated to be confidential but a proper non-confidential document complying with the above-mentioned rules is not filed, then the document will not be taken into consideration by the Commission. The public file is available for inspection at the Commission's offices by all interested parties, by appointment.

4.6 Note that interested parties are encouraged to inspect the public file regularly. The Commission and the Trade Remedies section will not check the public file on interested parties' behalf.

4.7 Information should be submitted in hard copies as well as in electronic format, such as on compact disks or flash disks. The Commission's computer system is based on Windows and it uses Excel and MS Word software. The discs must not be write protected and labeled clearly indicating:

1. Applicant's name;
2. Product(s) concerned;
3. Type of information on the disc;
4. Software used; and
5. Whether or not confidential.

4.8 The Commission may verify information submitted. Should it be found that you have submitted false or misleading evidence the Commission may decide not to proceed with the investigation.

5. CONDITIONS

5.1 South African producers of the like or directly competitive product representing at least 50% of the total volume produced by all producers that express an opinion on the investigation must support the application, and a minimum of 25% (by production volume) of the total industry must support the application. Without this support ITAC cannot accept an application for investigation. Letters of support for or opposition to the application must be attached to the application as Annexure B.3 Additionally, the Commission

may not make a preliminary or final determination of serious disturbance unless it has considered evidence relating to "a major proportion" of the South African industry.

- 5.2 A like product is defined as "a product which is identical, i.e. is alike in all respects to the product under consideration, or in the absence of such a product, another product which, although not alike in all respects, has characteristics closely resembling those of the product under consideration", while a directly competitive product is a product, other than a like product, that competes directly with the product under investigation.
- 5.3 The following injury factors will be considered by the Commission in making a determination of serious disturbance:
- a. the rate and volume of the increase in imports of the product concerned from the EU
 - (i) in absolute terms; or
 - (ii) relative to the production in South Africa; and
 - b. whether the South African industry is experiencing:
 - (i) price suppression;
 - (ii) price depression;
 - (iii) price undercutting/price disadvantage with regard to EU as well as other imports;
 - (iv) a decline in exports;
 - (v) a change in market share;
 - (vi) any other relevant factors placed before the Commission.

The information requested must relate only to the affected South African product that is a like or directly competitive product to the product under investigation.

- 5.4 The South African industry should provide the information as requested in Annexure A.

ANNEXURE A

INTERNATIONAL TRADE ADMINISTRATION
COMMISSION OF SOUTH AFRICA

APPLICATION FOR SAFEGUARD MEASURES IN TERMS
OF ARTICLE 16 OF THE TDCA ON

[product]

APPLICANT

Name:

Address:

APPLICATION: ARTICLE 16 TDCA SAFEGUARD: JAN 2013

INTRODUCTION

1. The purpose of this questionnaire is to help industry bring together in a concise and logical form the information needed by the International Trade Administration Commission of South Africa (the Commission) to decide whether or not to initiate a formal investigation, and will also serve as a basis for further investigation.
2. The legal framework is the International Trade Administration Act, 2002 (Act No. 71 of 2002) (the ITA Act), which authorises the Commission to investigate safeguard applications as well as those under Article 16 of the Agreement on Trade, Development and Co-Operation between the European Community and its Member States and the Republic of South Africa (the TDCA).

SECTION A APPLICANT

- A1 State the name, postal and street addresses, the telephone and fax numbers (including codes) and the E-mail address of your company.

Company: _____

Postal Address: _____

Physical Address: _____

Tel: (____) _____

Fax: (____) _____

E-mail: _____

- A2 State the names, telephone numbers of and positions held by the company's officers to be contacted.

Person: _____

Designation: _____

Direct line: (____) _____

Direct fax: (____) _____

E-mail: _____

APPLICATION: ARCILE 16 TDCA SAFEGUARD: JAN 2013

- A3 Indicate the exact location of your manufacturing site(s). (Map to reach your offices)

- A4 Provide a diagram of your company's group structure and indicate the percentage stockholdings and cross-holdings. --- Attach as Annexure A4.

- A5 Indicate the legal structure of your firm, i.e. public or private company, closed corporation, etc.

- A6 Give a summary of any franchise, manufacturing, licensing, know-how, technology and distribution agreements in respect of inputs, manufacturing and outputs with regard to all products under investigation.

- A7 Have you appointed a consultant, legal or other representative to assist you in this application and/or ensuing investigation?

Yes/No.

If affirmative, please attach a copy of the letter of appointment, setting out the scope and duration of the appointment, as Annexure A7.

APPLICATION: ARCILE 16 TDCA SAFEGUARD: JAN 2013**SECTION B DOMESTIC INDUSTRY**

B1 If there is a representative organisation submit the following information:

- (a) Names, address, telephone and fax numbers and E-mail addresses of and position held by the organisation's officers to be contacted;

Name of organisation: _____

Name of contact person: _____

Designation: _____

Postal address: _____

Physical address: _____

Tel: (____) _____ Fax: (____) _____

E-mail: _____

- (b) Name the producers in the industry affiliated to the organisation. (Supply the company names, postal, street and E-mail addresses, telephone and fax numbers and the names of contact persons).

Company: _____	Company: _____
Postal address: _____	Postal address: _____
Physical address: _____	Physical address: _____
Contact person: _____	Contact person: _____
Designation: _____	Designation: _____
Tel: (____) _____	Tel: (____) _____
Fax: (____) _____	Fax: (____) _____
E-mail: _____	E-mail: _____

B2 Name all other producers constituting the SA industry concerned. Give their company names, postal and physical addresses, telephone and fax numbers, E-mail addresses and the names of contact persons.

Company: _____	Company: _____
Postal address: _____	Postal address: _____
Physical address: _____	Physical address: _____
Contact person: _____	Contact person: _____
Designation: _____	Designation: _____

APPLICATION: ARCILE 16 TDCA SAFEGUARD: JAN 2013

Tel: (____) _____	_____
Fax: (____) _____	Tel: (____) _____
Email: _____	Fax: (____) _____
	Email: _____

B3 Indicate the industry support and/or opposition to the application in the following format:

Industry Standing (Total domestic production of like goods for the 12 months preceding the lodging of the application)			
Producer	Production volume- Support Application	Production volume- Oppose application	Production volume- Neutral
Your Company			
Other producers 1. 2. 3.			
Total SA			

SECTION C PRODUCTS**C1 Imported (subject) product**

Note If more than one type of imported product form part of this application, information should be submitted separately for each such product type.

C1.1 Describe the imported product in the following detail:

(a) Detailed physical description:

- scientific name
- common name and
- trade name

APPLICATION: ARCILE 16 TDCA SAFEGUARD: JAN 2013

- (b) Main raw materials/components/inputs used
- (c) Production/manufacturing process used
- (d) Technical characteristics
- (e) Application/use
- (f) Categories of users

Substantiate your description with catalogues, brochures and other literature/samples.

C1.2 Enumerate in detail any differences between the imported product and the South African product that is like or directly competitive.

C1.3 Customs classification

Supply the following information:

Tariff subheading	Description	Unit	Rate of duty

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

C1.4 Possible tariff loopholes

Indicate if you are aware of any loopholes in the tariff classification.

C2 South African like or directly competitive product

C2.1 Describe the subject product that you produce (attach photograph or brochure):

- (a) Detailed physical description
 - Scientific name (if any)
 - Common name
 - Trade name
- (b) Main raw materials/components/inputs used
- (c) Production/manufacturing process used
- (d) Technical characteristics
- (e) Application/use
- (f) Categories of users

Substantiate your description with catalogues, brochures and other literature/samples.

C2.2 Statutory or other standards/specifications

Give details of all standards/specifications applicable to the product concerned in South Africa prescribed by law or otherwise.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

SECTION D SERIOUS DISTURBANCE

D1 General Information

- D1.1** Provide a flow chart of your marketing/distribution channels for the product(s) concerned in the application and indicate the percentage off-take for each channel.
- D1.2** Provide full details of your terms and conditions of sale and selling price to each class of customer, e.g. wholesaler, retailer, downstream producer, etc. Attach a copy of your standard terms and conditions as **Annexure (D1.2)**.
- D1.3** Give the reasons and basis for your categorisation of customers.
- D1.4** Enumerate major changes over the past three years in your answers to the above questions.

D2 FINANCIAL INFORMATION

Note: All financial information should be in a reconciled format. If such requested information is not readily available in the same format or needs adjustment or re-apportionment please qualify by way of explanatory notes or discuss the merits of the situation with the Commission.

- D2.1** Indicate your normal accounting period.
- D2.2** Provide copies of your audited financial statements, including detailed manufacturing, trading and profit and loss statements for the most recent three financial years. If your statutory statements do not include detailed accounts/schedules, please provide such accounts/schedules separately.
- D2.3** Provide copies of your year-to-date management accounts, including detailed manufacturing, trading and profit and loss accounts for the period between the last financial year-end and the most recent month end. Provide ancillary schedules if not part of published accounts.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

D2.4 Provide a separate sales and profit (before tax) contribution analysis of all the product line items manufactured by your company, including a percentage analysis. The information should be sufficient to allow proper verification of your like (or directly competitive) product information.

The requested income statements should be analysed in a departmental or divisionalised format detailing the product concerned as a separate activity. The analysis should also be in respect of three prior financial years and the most recent year-to-date management accounts period. **If the requested information is not available from your financial database, please discuss alternatives with officials of the Commission.**

D3 IMPORTS

Give the following information on the imports of the product, being the subject of the application, for the latest three calendar years and separately on a monthly basis for the period subsequent to the end of the last calendar year.

D3.1 Annual import statistics

Import volumes and values per annum (State unit of measurement)

	Year 1	Year 2	Year 3	Current year
Volume				
Value				
Average unit price				

D3.2 Import volumes and values per month

Attach as Annexure D3.2 a table indicating the monthly volumes, values and unit prices of imports for the last 18 consecutive months.

D3.3 Own imports

Provide the following information on your own imports of the product:

	Year 1	Year 2	Year 3	Current year
Volume				
Value				
Average unit price				

State your reasons for importing the product.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

D4 Effects on the South African prices

Definitions:

- Price undercutting** is the extent to which the price of the imported product is lower than the price of the South African product. The price should be compared at the same level of trade and with the same terms of condition of trade, normally at the South African ex-factory level compared to the landed cost of the imported product.
- Price depression** is the extent to which the South African industry has been forced to reduce its prices, i.e. price depression takes place where there has been an absolute decrease in prices.
- Price suppression** takes place where the South African industry is not able to increase prices in line with the increase in costs, i.e. where there is a relative decrease in prices.

D4.1 Price undercutting

D4.1.1 Provide the following information with regard to your selling price per unit and the selling price per unit of the imported product:

(R/unit)	YEAR 1	YEAR 2	YEAR 3
Your company			
Average landed cost (incl. duty) of imported product-			
Undercutting per unit			
Undercutting %-			

Undercutting %: express the undercutting per unit as a percentage of your price.

Indicate the level of trade and selling conditions of your product and the imported product, i.e. ex-factory/delivered, payment terms, distributor/wholesaler/retailer.

D4.1.2 Comment on the trends indicated by this information and substantiate how this factor is indicative of serious injury. (If the trends do not support your argument, you must provide other substantiating evidence as prove.)

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

D4.2 Price suppression and depression

D4.2.1 Provide the following information with regard to your average per unit ex-factory selling prices:

Per unit	YEAR 1	YEAR 2	YEAR 3
Your production cost			
Your total cost (incl. Selling, general and admin costs)			
Your ex-factory price			
Total cost % of selling price			

D4.2.2 If your cost or prices changed significantly during the last 18 calendar months please additionally supply the abovementioned information on a monthly or quarterly basis. Please attach as Annexure D4.2.2.

D4.2.3 Indicate any other factors that have depressed your ex-factory selling price that do not reflect in the above table, e.g. longer payments terms, higher year-end rebates, additional free stock, etc.

D4.4 Cost build-up

D4.4.1 Please supply a cost build-up in the format indicated in **Annexure D4.4.1**. Where your management accounts do not allow for the specific cost elements indicated in the pro forma, please indicate the information that is available and supply as much detail as possible.

D4.4.2 Please supply a Bill of Materials for the domestic like or directly competitive product.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

D5 SOUTH AFRICAN INDUSTRY SALES AND MARKET SHARE

D5.1 Please supply the following information on your sales volume in South Africa.
State the unit of measurement.

	YEAR 1	YEAR 2	YEAR 3
Your sales volume			
Sales by other SA producers			
Total volume of SA sales by SA producers			
Volume of imports			
Your market share			
Total market share held by SA producers			
Market share held by imports			

D5.2 Attach as Annexure D5.2 a table indicating, in the same format as under section D5.1, the quarterly volumes, values and unit prices of imports for the last six consecutive quarters.

D5.3 Indicate how the information in Tables D5.1 and D5.22 supports your allegation of serious disturbance in the market.

D5.4 If sales of the product is of a cyclical nature comment on the nature thereof, indicating the length of the cycle and the prices both during the up and down phases.

D6 Other information

Please indicate any other injury information to be considered by the Commission and not covered by the questions above.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

SECTION E CAUSE OF SERIOUS DISTURBANCE

- E1 Give the reasons for your belief that the imports are the cause of the alleged serious disturbance.
- E2 Give a comparison between your actual ex-factory selling prices and the actual landed costs of the imported products concerned over the latest three financial years, and indicate what your actual (unsuppressed) prices ought to have been.
- E3 Give the details of any depression of your ex-factory selling prices to enable you to compete with the imported products (indicate price depression, extended payment terms or lower discounts granted, etc.)
- E4 Give the details of any suppression of your ex-factory selling prices to enable you to compete with the imported products. Refer to matters such as unavoidable increases in the cost of inputs that had to be absorbed partially or totally by your firm.
- E5 Indicate the view that your clients have regarding:
- (a) the quality of your product;
 - (b) your delivery times;
 - (c) your service; and
 - (d) your after sales service, including guarantees and warranties and technical training to customers.
- Please elaborate on all of the above issues.
- E6 Indicate the state of your workforce and its attitude towards the company, indicating *inter alia* how wage negotiations are conducted.
- E7 Have you had any strikes, go-slows or lock-outs during the past twelve calendar months? Please elaborate.
- E8 Has there been a contraction in demand for your product or has there been a change in consumption patterns? Please elaborate.
- E9 Indicate the technology developments that have taken place since you last updated your manufacturing process.
- E10 Comment on your productivity vis-à-vis that of the foreign manufacturer(s) of the product being investigated.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

SECTION G GENERAL

Provide any other evidence you wish to bring to the attention of the Commission.

SECTION H CERTIFICATION

The information submitted must be accompanied by the following certificate:

"I, the undersigned, certify that the information given above is complete and correct to the best of my knowledge and belief and that I have been authorised to represent

_____.
Company

Date

Signature of authorised person

Name and title of authorised person (in print)

NB: HAVE YOU COMPLETED YOUR NON-CONFIDENTIAL SUBMISSION?

IN THE ABSENCE OF A PROPER NON-CONFIDENTIAL VERSION THE COMMISSION WILL NOT BE IN A POSITION TO REGARD YOUR COMPLAINT AS A PROPERLY DOCUMENTED APPLICATION AND NO INVESTIGATION CAN BE INITIATED.

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

Annex D4.4.1	Products under investigation	All other products	Company total cost
1. <u>DIRECT COST:</u> Materials # - Imported - Domestic Waste recovery * Components * - Imported - Domestic Direct labour & related costs Re-tooling * Power & fuel Royalties, etc Variable overheads * Other *	<i>Separate cost analyses must be provided for each of the subject products in this format. Note that the cost data should reconcile to your company's income statement.</i>		
2. <u>FIXED OVERHEAD COST:</u> Direct labour Utilities * Repair & maintenance Rates & insurance R & D Plant depreciation Other *			
3. <u>TOTAL PRODUCTION COST:</u> 4. Operating profit			
5. <u>IN-STORE COST:</u> (3&4) 6. <u>SELLING & ADMINISTRATIVE EXPENSES:</u> Administrative expenses - salaries & wages - rent - rates & insurance - depreciation - other * Selling expenses - salespersons salaries - advertising - warranties & guarantees - warehousing - other * Other costs *			
7. <u>TOTAL COST:</u> (5&6) 8. <u>PROFIT, ETC:</u> Subsidies Selling profit			
9. <u>SELLING (LIST) PRICE</u> (7&8) 10. <u>DISCOUNTS, ETC:</u> Discounts Settlements discounts Rebates			

Guidelines and conditions pertaining to a safeguard application in terms of Article 16 of the TDCA

11. <u>NET EX-FACTORY PRICE</u> (9&10)			
12. Distribution costs *			
13. <u>NET DELIVERED PRICE</u> (11&12)			

- Supply a full Bill of materials, indicating the cost and volume of each material or component

* - Supply a detailed breakdown of the items.

Indicate the production volume on which the above cost and price build-ups are based.

This format serves as an indication of the details required by the Commission. However, you may use your own format, provided that the required amount of detail is submitted. This information should be reconcilable to your income statements. Provide a detailed breakdown of the basis of allocation in each case that an allocation has been made.

The cost and price build-ups should refer to the average costs for the 12-month period under investigation.

NOTICE 345 OF 2013**DEPARTMENT OF TRADE AND INDUSTRY****SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

Particulars of applicant

- Name of applicant: **Pharmacare Limited - Aspen Pharmacare High Containment Suite**
- **Pharmacare Limited** is a project to manufacture **Oral Solid Dosage Products**. The project will invest a total of **R 571 195 000**, with the value of qualifying manufacturing assets equal to **R 563 428 000**. The project is classifiable under SIC **3353**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	25 August 2014	232 548 000
Buildings	02 June 2014	02 June 2014
Total Qualifying Assets		R 563 428 000

- Date of approval: **12 December 2012**.
- Envisaged date of commercial production: **01 May 2016**.
- Additional investment allowance benefit period: **December 2012 to December 2016**.
- Additional training allowance benefit period: **December 2012 to December 2018**.
- **Pharmacare Limited** is approved as a **Greenfield** project and awarded **6** points and afforded **qualifying** status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by **Pharmacare Limited** is **R 197 199 800** (one hundred and ninety seven million one hundred and ninety nine thousand eight hundred rand).
- The approved amount for the additional **training** allowance is **R 5 688 000** (five million six hundred and eighty eight thousand rand).

- **Pharmacare Limited** is expected to create **184** direct jobs before the end of the additional investment allowance benefit period.
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances for **Pharmacare Limited** will be **R 56 808 584**.

Enquiries relating to this publication should be made to:

The Secretariat: 12I Tax Allowance Programme
Department of Trade and Industry
Private Bag X84
PRETORIA
0001

For attention:	Mamaki Ngobeni
Telephone No.:	012 394 1016
Fax No.:	012 394 2016

NOTICE 346 OF 2013**DEPARTMENT OF TRADE AND INDUSTRY****SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

Particulars of applicant

- Name of applicant: **Tiger Consumer Brands Ltd- Isando Manufacturing Site Consumer Expansion Project.**
- **Tiger Consumer Brands Ltd** is a project to manufacture **Home, Personal Care and Baby Products**. The project will invest a total of **R 142 144 785**, with the value of qualifying manufacturing assets equal to **R 142 144 785**. The project is classifiable under SIC **3354**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	01 June 2014	83 481 703
Buildings	01 June 2014	58 663 082
Total Qualifying Assets		142 144 785

- Date of approval: **12 December 2012**.
- Envisaged date of commercial production: **01 June 2014**.
- Additional investment allowance benefit period: **December 2012 to December 2016**.
- Additional training allowance benefit period: **December 2012 to December 2018**.
- **Tiger Consumer Brands Ltd** is approved as a **Brownfield** project and awarded **8** points and afforded **preferred** status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by **Tiger Consumer Brands Ltd** is **R 78 179 632** (seventy eight million one hundred and seventy nine thousand six hundred and thirty two rand).
- The approved amount for the additional **training** allowance is **R 5 292 000** (five million two hundred and ninety two thousand rand).

- **Tiger Consumer Brands Ltd** is expected to create no direct jobs before the end of the additional investment allowance benefit period.
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances for **Tiger Consumer Brands Ltd** will be **R 23 372 057**.

Enquiries relating to this publication should be made to:

The Secretariat: 12I Tax Allowance Programme
Department of Trade and Industry
Private Bag X84
PRETORIA
0001

For attention:	Mamaki Ngobeni
Telephone No.:	012 394 1016
Fax No.:	012 394 2016

NOTICE 347 OF 2013**DEPARTMENT OF TRADE AND INDUSTRY****SECTION 12I TAX ALLOWANCE PROGRAMME**

The Minister of Trade and Industry, Dr Rob Davies - in terms of section 12I (19)d of the Income Tax Act, 1962 (Act 58 of 1962) as amended (herein after referred to as the Act) and the Regulations promulgated in the Government Gazette No. 33385 of 23 July 2010 - hereby publishes the decision to **approve** an application received for the 12I Tax Allowance Programme.

Particulars of applicant

- Name of applicant: **Tiger Consumer Brands Ltd**
- **Tiger Consumer Brands Ltd** is a project to manufacture **Sugar Confectionery**. The project will invest a total of **R 167 578 702**, with the value of qualifying manufacturing assets equal to **R 163 668 602**. The project is classifiable under **SIC 3043**.
- Description and costs of qualifying manufacturing assets:

Assets	Expected Date of Assets In Use	Value of Qualifying Assets (R)
Plant and Machinery	January 2014	141 534 247
Buildings	January 2014	22 134 355
Total Qualifying Assets		163 668 602

- Date of approval: **12 December 2012**
- Envisaged date of commercial production: **January 2015**
- Additional investment allowance benefit period: **December 2012 to December 2016**
- Additional training allowance benefit period: **December 2012 to December 2018**
- **Tiger Consumer Brands Ltd** is approved as a **Brownfield** project and awarded **8** points and afforded **preferred** status.
- The approved amount for the additional **investment** allowance in respect of manufacturing assets to be brought into use by **Tiger Consumer Brands Ltd** is **R 90 017 731** (ninety million and seventeen thousand seven hundred and thirty one rand).
- The approved amount for the additional **training** allowance is **R 1 836 000** (one million eight hundred and thirty six thousand rand).

- **Tiger Consumer Brands Ltd** is expected to create **51** direct jobs before the end of the additional investment allowance benefit period.
- Total potential national revenue to be forgone by virtue of deduction of the approved allowances for **Tiger Consumer Brands Ltd** will be **R 25 719 045**.

Enquiries relating to this publication should be made to:

The Secretariat: 12I Tax Allowance Programme
Department of Trade and Industry
Private Bag X84
PRETORIA
0001

For attention:	André Potgieter
Telephone No.:	012 394 1427
Fax No.:	012 394 2427

NOTICE 348 OF 2013

DEPARTMENT OF TRADE AND INDUSTRY

MERCHANDISE MARKS ACT, 1941(ACT 17 OF 1941)

PROPOSED PROHIBITION ON THE USE OF CERTAIN
WORDS TOGETHER WITH AN EMBLEM

I, Dr Rob Davies, Minister of Trade and Industry, in pursuance of the requirements of Section 13 of the Merchandise Marks Act, (Act 17 of 1941), hereby give notice that the Department of Trade and Industry has conveyed a request for the prohibition, in terms of Section 15(1) of the said Act, on the use of the words "COMPANIES TRIBUNAL" in combination with an emblem as depicted below, or any arrangement or any combination thereof, in connection with any trade, business, profession, or occupation or in connection with a trade mark, mark or trade description applied to goods, other than the use thereof by the Department or its mandatories.



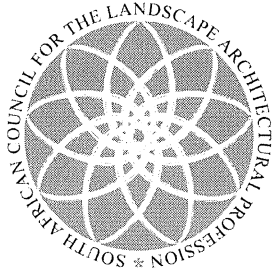
Interested persons are invited to submit, in writing such representations as they may care to make in regard to this matter to the Registrar of Trade Marks, Private Bag X400, Pretoria, 0001, to reach her within 30 days of the publication of this notice.

A handwritten signature in black ink, appearing to read "R. Davies", is written over the printed name.

Dr Rob Davies, MP
Minister of Trade and Industry

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 46 OF 2013



SOUTH AFRICAN COUNCIL FOR THE LANDSCAPE ARCHITECTURAL PROFESSION

P.O. BOX 868 Ferndale 2160
www.saclap.org.za

registrar@saclap.org.za

Invitation to the Members of the Public

Dear Sir/Madam

INVITATION TO NOMINATE: SACLAP COUNCIL

Call for Nominations for Members of the Public to be appointed as Members of the South African Council for the Landscape Architectural Profession (SACLAP).

In terms of the Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000), nominations are invited from members of the general public to serve on the SACLAP Council:

- Number of vacancies: **2 vacancies.**

Background

In December 2000, the President assented to legislation providing for the establishment of Council for the landscape architectural profession. The Council was established in August 2001 and replaced the previous statutory board for the profession. The Council registers professionals and candidates in their profession, accredits educational institutions, upholds professional conduct, identifies the functions of the profession, recommends professional fees and promotes regional and international recognition of the profession.

The Council will meet at least twice a year and will be supported by administrative staff.

The period of office for the members is four years.

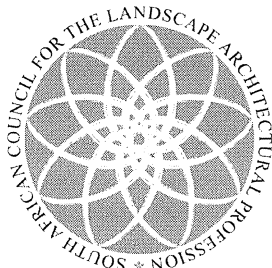
Each nomination must be in writing and must contain the following information in the detail required by the Council. *(Please refer to the Council directly for further information.)*

1. The name and address of the nominating person or organization;
2. The name, address and identity number of the nominee;
3. An Acceptance Form duly completed and signed by the nominee, format of which can be found on SACLAP website www.saclap.org.za
4. Motivation for the appointment of the nominee to the Council (not exceeding one page);
5. A short Curriculum Vitae of the nominee (not exceeding two pages), the format of which can be found on SACLAP website www.saclap.org.za; and
6. A declaration by the nominee stating that he/she is not disqualified in terms of section 6(1) of the Act nor has he/she served on the Council for two consecutive terms, format of which can be found on SACLAP website www.saclap.org.za

All nominations, duly completed and signed, must be submitted to the Council (**Attention: The Registrar**) at the address provided in this correspondence, by no later than 3 June 2013. Incomplete nominations and nominations received after this date will not be considered.

South African Council for the Landscape Architectural Profession
Attention: The Registrar
P.O. Box 868 Ferndale, 2160

Email: registrar@saclap.org.za
Web: www.saclap.org.za

BOARD NOTICE 47 OF 2013

**SOUTH AFRICAN COUNCIL
FOR THE
LANDSCAPE ARCHITECTURAL PROFESSION**

P.O. BOX 868 Ferndale 2160
www.saclap.org.za

registrar@saclap.org.za

**South African Council for the Landscape Architectural Profession
Landscape Architectural Profession Act, 2000 (Act 45 of 2000)**

Annual update of the Guideline Professional Fees in terms of Section 34(2) of the Act

The time based guideline professional fee table published as part of Board Notice 38 of 2012 in the Government Gazette No. 35139, dated 16 March 2012 are hereby amended as follows:

Recommended time based fees			
Tariff of fees reference	Category:		Rate per hour
As per Section 34 of the Landscape Architectural Profession Act, Act 45 of 2000	1.	Principal Landscape Architect with more than 10 years of experience	R 1,440.00
	2.	Principal Landscape Architect with less than 10 years of experience	R 1050.00
	3.	Associates and managers performing work of landscape architectural nature	17,5 percent of each R100.00 or part thereof of total annual cost of employment or R 790.00
	4.	Staff performing work of a landscape architectural nature and carrying direct responsibility for one or more specific activities related to a project	15.0 percent of each R100.00 or part thereof of total annual cost of employment or R 530.00
	5.	Other staff performing work of a landscape architectural nature under direction and control of one of the above	12,5 percent of each R100.00 or part thereof of total annual cost of employment or R 260.00

The above rates EXCLUDE value added tax.

The provisions shall become effective as from 1 January 2013.

Update of the Guideline Professional Fees based on the project value**Scale of Fees**

400 000.00	14.00%
500 000.00	13.53%
600 000.00	13.16%
700 000.00	12.86%
800 000.00	12.62%
900 000.00	12.42%
1 000 000.00	12.25%
1 200 000.00	11.95%
1 400 000.00	11.70%
1 600 000.00	11.45%
1 800 000.00	11.21%
2 000 000.00	10.99%
2 400 000.00	10.64%
2 800 000.00	10.39%
3 500 000.00	9.94%
5 000 000.00	9.92%
9 000 000.00	9.90%

Project value of ≤ R400,000.00 – based on published hourly rates.

The provisions shall become effective as of 1 January 2013.

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