



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 611

6 May  
Mei 2016

No. 39971

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ISSN 1682-5843



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

A graphic of a white sticky note with a black border, pinned to a grey background. The word "Important" is written in a black, cursive font. A black pushpin is visible at the top left corner of the note.

## A message from Government Printing Works

### Notice Submissions Rule: Single notice, single email

Dear Valued Customer,

Over the last six months, GPW has been experiencing problems with many customers that are still not complying with GPW's rule of **single notice, single email** (with proof of payment or purchase order).

You are advised that effective from **18 January 2016**, all notice submissions received that do not comply with this rule will be failed by our system and your notice will not be processed.

In the case where a Z95, Z95Prov or TForm3 Adobe form is submitted with content, there should be a separate Adobe form completed for each notice content which must adhere to the single notice, single email rule.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an electronic Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

To those customers who are complying with this rule, we say Thank you!

Regards,

Government Printing Works



# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the below table to familiarise yourself with the new deadlines.

### ORDINARY GAZETTES

Government Gazette Type	Publishing Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days <b>after</b> submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days <b>prior</b> to publication

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above. Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

**Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.**

Your request for cancellation must be accompanied by the relevant notice reference number (N-).

## AMENDMENTS TO NOTICES

take!  
note!

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

Until then, amendments to notices must be received before the submission deadline.

## CUSTOMER INQUIRIES



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

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

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

## PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

## FORMS AND GAZETTES

The electronic Adobe Forms and published gazettes can be found on our website: [www.gpwonline.co.za](http://www.gpwonline.co.za)

Should you require assistance with downloading forms or gazettes, please contact the eGazette Contact Centre who will gladly assist you.

eGazette Contact Centre

Email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

Telephone: 012-748 6200



## REMINDER OF THE GPW BUSINESS RULES

- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



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:

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

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**COMMENCEMENT: 1 APRIL 2016**

## NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

## EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

**IMPORTANT ANNOUNCEMENT**

*Closing times* **PRIOR TO PUBLIC HOLIDAYS** *for*  
**GOVERNMENT NOTICES, GENERAL NOTICES,  
 REGULATION NOTICES AND PROCLAMATIONS** **2016**

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

- **16 March**, Wednesday for the issue of Thursday **24 March 2016**
- **23 March**, Wednesday for the issue of Friday **1 April 2016**
- **21 April**, Thursday for the issue of Friday **29 April 2016**
- **28 April**, Thursday for the issue of Friday **6 May 2016**
- **9 June**, Thursday for the issue of Friday **17 June 2016**
- **4 August**, Thursday for the issue of Friday **12 August 2016**
- **8 December**, Thursday for the issue of Thursday **15 December 2016**
- **22 December**, Thursday for the issue of Friday **30 December 2016**
- **29 December**, Thursday for the issue of Friday **6 January 2017**

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** **2016**

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

- **16 Maart**, Woensdag vir die uitgawe van Donderdag **24 April 2016**
- **23 Maart**, Woensdag vir die uitgawe van Vrydag **1 April 2016**
- **21 April**, Donderdag vir die uitgawe van Vrydag **29 April 2016**
- **28 April**, Donderdag vir die uitgawe van Vrydag **6 Mei 2016**
- **9 Junie**, Donderdag vir die uitgawe van Vrydag **17 Junie 2016**
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- **22 Desember**, Donderdag vir die uitgawe van Vrydag **30 Desember 2016**
- **29 Desember**, Donderdag vir die uitgawe van Vrydag **6 Januarie 2017**

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

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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF ENVIRONMENTAL AFFAIRS**

NO. 503

06 MAY 2016

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****ADOPTION OF STANDARDS FOR LAND-BASED ABALONE AQUACULTURE**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to adopt the standards for land-based abalone aquaculture, in terms of section 24(10)(a) read with section 24(10)(d) of the National Environmental Management Act, 1998, as set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days of publication of this notice in the Gazette, written representations on or objections to the following addresses:

By post to: Department of Environmental Affairs: The Director-General  
Attention: Ms Chantal Engelbrecht  
Private Bag X447  
**PRETORIA**  
0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, Pretoria.

By e-mail: [cengelbrecht@environment.gov.za](mailto:cengelbrecht@environment.gov.za).

Any inquiries in connection with the notice can be directed to Ms Chantal Engelbrecht at 012 399 9288.

Comments received after the closing date will not be considered.



**BOMO EDITH EDNA MOLEWA**  
**MINISTER OF ENVIRONMENTAL AFFAIRS**

## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 504

06 MAY 2016

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****ACTIVITIES IDENTIFIED IN TERMS OF SECTION 24(2)(d) THAT MAY BE EXCLUDED FROM THE  
REQUIREMENT TO OBTAIN AN ENVIRONMENTAL AUTHORISATION BUT THAT MUST COMPLY  
WITH STANDARDS FOR LAND-BASED ABALONE AQUACULTURE**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to identify activities that may be excluded from the requirement to obtain an environmental authorisation but which activities must comply with standards for land-based abalone aquaculture, in terms of section 24(2)(d), read with section 24(10)(a), of the National Environmental Management Act, 1998, as set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 30 days of publication of this notice in the Gazette, written representations on or objections to the following addresses:

By post to: Department of Environmental Affairs: The Director-General  
Attention: Ms Chantal Engelbrecht  
Private Bag X447  
**PRETORIA**  
0001

By hand at: Reception, Environment House, 473 Steve Biko Road, Arcadia, Pretoria.

By e-mail: [cengelbrecht@environment.gov.za](mailto:cengelbrecht@environment.gov.za).

Any inquiries in connection with the notice can be directed to Ms Chantal Engelbrecht at 012 399 9288.

Comments received after the closing date will not be considered.



**BOMO EDITH EDNA MOLEWA  
MINISTER OF ENVIRONMENTAL AFFAIRS**

## SCHEDULE

### PURPOSE

1. The purpose of this Notice is to identify activities in terms of section 24(2)(d) of the National Environmental Management Act, 1998, that may be excluded from the requirement to obtain an environmental authorisation, but that must comply with standards for land-based abalone aquaculture.

### IDENTIFIED ACTIVITIES

2. The activities listed in Appendix 1 are identified in terms of section 24(2)(d) of the National Environmental Management Act, 1998, as activities that may be excluded from the requirement to obtain an environmental authorisation insofar as these activities—
  - (a) are applicable to the development and related operation or the expansion and related operation of land-based abalone aquaculture facilities, infrastructure or structures where the facility, infrastructure or structures will have a production output exceeding 50 000 kg per annum (wet weight);
  - (b) occur in Eastern Cape, Northern Cape or Western Cape; and
  - (c) are undertaken in compliance with the standards for land-based abalone aquaculture.

**APPENDIX 1**

1. Environmental Impact Assessment Regulations Listing Notice 1 of 2014:
  - (i) Activity 6(ii);
  - (ii) Activity 8
  - (iii) Activity 15;
  - (iv) Activity 17(iv), read with (d), (e) or (f);
  - (v) Activity 17(v), read with (d), (e) or (f);
  - (vi) Activity 18;
  - (vii) Activity 19(ii),
  - (viii) Activity 19(iii);
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  - (xvii) Activity 52;
  - (xviii) Activity 54(iv), read with (d), (e) or (f);
  - (xix) Activity 54(v), read with (d), (e) or (f);
  - (xx) Activity 57; and
  - (xxi) Activity 67
2. Environmental Impact Assessment Regulations Listing Notice 2 of 2014:
  - (i) Activity 6; and
  - (ii) Activity 25.
3. Environmental Impact Assessment Regulations Listing Notice 3 of 2014:
  - (i) Activity 12 in geographical area (a) but limited to Eastern Cape and Western Cape, read with iii or iv;
  - (ii) Activity 12 in geographical area (d), read with iii or iv;
  - (iii) Activity 13 in geographical area (a) but limited to Northern Cape, read with iii;
  - (iv) Activity 13 in geographical area (b), read with iii;

- (v) Activity 15 in geographical area (c), read with i;
- (vi) Activity 15 in geographical area (c), read with ii(aa) or ii(cc);
- (vii) Activity 23 (xii) in geographical area (a) limited to Northern Cape, read with ii(cc), ii(dd), ii(gg) or ii(hh);
- (viii) Activity 23 (xii) in geographical area (a) limited to Northern Cape, read with iii(aa) or iii(bb);
- (ix) Activity 23 (xii) in geographical area (b), read with ii(bb), ii(cc), ii(dd), ii(gg) or ii(hh);
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- (xii) Activity 24 in geographical area (a) but limited to Northern Cape, read with iii;
- (xiii) Activity 24 in geographical area (b), read with iii; and
- (xiv) Activity 26, limited to Eastern Cape, Northern Cape and Western Cape.

**SCHEDULE**  
**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998**  
**(ACT NO. 107 of 1998)**

**DRAFT NATIONAL STANDARDS FOR LAND-BASED ABALONE AQUACULTURE**

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## CHAPTER 1

### INTERPRETATION, PURPOSE AND APPLICATION

#### Definitions

1. (1) In these Standards, unless the context indicates otherwise, a word or expression defined in the National Environmental Management Act, 1998 (Act No.107 of 1998) or the Environmental Impact Assessment Regulations, 2014 has the same meaning, and –

“**abalone**” means the gastropod *Haliotis midae*;

“**abalone aquaculture**” means (a) the breeding; (b) rearing; or (c) harvesting of abalone and includes any combination of (a) – (c);

“**abalone aquaculture facility**” means the facility, infrastructure and structures established for the purpose of abalone aquaculture;

“**access road**” means a road developed for the purpose of providing access to the abalone aquaculture facility, excluding the maintenance road;

“**activity**” means a listed or specified activity identified in terms of section 24(2) of the Act, applicable to and indicated in the scope of this standard;

“**ambient seawater**” means the chemical, physical and biological characteristics of seawater in the marine environment that is determined at the seawater intake point of the abalone aquaculture facility prior to any treatment;

“**Biosecurity Standard**” means the Biosecurity Standard for Producers, processors, harvesters, of abalone in South Africa, 2010, prepared by Amanzi Biosecurity for the Abalone Farmers Association of South Africa;

“**coastal buffer zone**” means either the land seaward of the coastal management line or if the coastal management line has not been determined, the land identified as the littoral active zone, in terms of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No.24 of 2008);

“**coastal marine scientist**” means a specialist in coastal marine science in the field of aquatic science who has the relevant qualifications and can demonstrate expertise.

**“coastal waters discharge permit”** means a permit issued in terms of section 69 of the National Environmental Management: Integrated Coastal Management Act (ICMA), 2008 (Act 24 of 2009);  
**“coast type”** means rocky coast, sandy coast and mixed coast occurring between the -5 metres bathymetric contour line and 500 metres inland from the high water mark and is categorised and spatially defined by the National Marine Benthic and Coastal Habitat layer, available on the South African National Biodiversity Institute’s BGIS website;

**“competent authority”** means the organ of state that would have been charged by section 24C of the Act, in respect of a listed activity or specified activity, with evaluating the environmental impact of that activity and, where appropriate, with granting or refusing an environmental authorisation in respect of that activity”

**“critically endangered ecosystem”** means an ecosystem threat status category listed in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004), being ecosystems that have undergone severe degradation of ecological structure, function or composition as a result of human intervention and are subject to an extremely high risk of irreversible transformation and refer to an ecosystem threat status category. (Prior to the publication of such a list, refers to critically endangered ecosystems identified in the most recent National Biodiversity Assessment, available on the South African National Biodiversity Institute’s BGIS website);

**“current Environmental Impact Assessment Regulations”** means the regulations published in terms of section 24(5) of the Act, 2998, by Government Notice R 38282 of 4 December 2014, and includes any amendments thereto or any similar regulations repealing said 2014 Regulations;

**“ECA Regulations”** means the regulations published in terms of section 26 and 28 of the Environment Conservation Act, 1989, by Government Notice R. 1183 of 5 September 1997;

**“ecological support areas”** are supporting zones required to prevent the degradation of critical biodiversity areas and protected areas and refer to a critical biodiversity areas map category and are spatially defined as part of a bioregional plan or systematic biodiversity plan, available on the South African National Biodiversity Institute’s BGIS website;

**“ecologist”** means a specialist in the field of Ecological Science who has the relevant qualifications and can demonstrate expertise;

“**effluent**” means any liquid discharged into the environment, including coastal environments, as waste and includes any substance dissolved or suspended in the liquid or liquid which is a different temperature from the body of water into which it is being discharged;

“**EIA**” means environmental impact assessment;

“**EIA Regulations**” means the Environmental Impact Assessment Regulations, 2014;

“**EMP**” means environmental management programme;

“**endangered ecosystem**” means an ecosystem threat status category listed in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004), being ecosystems that have undergone degradation of ecological structure, function or composition as a result of human intervention, although they are not critically endangered ecosystems and refer to an ecosystem threat status category. (Prior to the publication of such a list, refers to endangered ecosystems identified in the most recent National Biodiversity Assessment, available on the South African National Biodiversity Institute’s BGIS website);

“**environmental authorisation**” means the authorisation by the competent authority of a listed activity or specified activity in terms of the Section 24(2) of the Act;

“**exposed seashore**” means –

- (a) a reflective beach state as defined spatially on the benthic and coastal habitat layer, available on the South African National Biodiversity Institute’s BGIS website;
- (b) very exposed and exposed rocky coast as defined spatially on the benthic and coastal habitat layer, available on the South African National Biodiversity Institute’s BGIS website; and
- (c) mixed coast that has been identified as exposed by a coastal marine scientist;

“**FEPA**” means freshwater ecosystem priority area identified in terms of the National Freshwater Ecosystem Priority areas project (NFEPA) and represents strategic spatial priorities for conserving freshwater ecosystems and supporting sustainable use of water resources and is categorised in the NFEPA River FEPAs layer available on the South African National Biodiversity Institute’s BGIS website and includes the associated sub-quaternary catchment;

“**inshore habitat type**” means the single coupled benthic and pelagic unit between the -5 metres bathymetric contour line and the -30 metres bathymetric contour line spatially defined on the National

Marine Benthic and Coastal Habitat layer, available on the South African National Biodiversity Institute's BGIS website;

**"least threatened ecosystems"** means ecosystems not identified as critically endangered, endangered or vulnerable and are spatially defined as part of the most recent National Biodiversity Assessment, available on the South African National Biodiversity Institute's BGIS website;

**"maintenance road"** means a road, constructed and/or used exclusively for the purpose of servicing and maintenance of aquaculture facility, including the seawater intake and effluent outfall structures, but excluding the access road of the facility;

**"mixed coast"** means a coast type where rock and sand are both present in the intertidal area and refers to a map category of the National Marine Benthic and Coastal Habitat layer available on the South African National Biodiversity Institute's BGIS website;

**"previous NEMA Regulations"** means " the previous Environmental Impact Assessment Regulations published in terms of NEMA (Government Notice No. R. 385 in the Government Gazette of 21 April 2006 or Government Notice No. R. 543 in the Government Gazette of 18 June 2010);

**"proponent"** means the person to whom these standards will apply in relation to an abalone aquaculture facility;

**"ridgeline"** means a landscape feature elevated above the surrounding topography by more than 8 metres;

**"rocky coast"** means the coast type where only rock is present in the intertidal area and refers to a map category of the benthic and coastal habitat layer available on the South African National Biodiversity Institute's BGIS website ;

**"sandy coast"** means the coast type where only sand is present in the intertidal area and refers to a map category of the benthic and coastal habitat layer available on the South African National Biodiversity Institute's BGIS website;

**"scenic routes"** means routes considered to be of scenic value, including but not limited to routes which have been identified as such in National, Provincial or Local Authority adopted plans and policies;

**"terrestrial critical biodiversity areas"** means terrestrial features, whose safeguarding is critically required in order to meet biodiversity pattern and process thresholds and refer to a critical biodiversity

areas map category and are spatially defined as part of a bioregional plan or systematic plan, available on the South African National Biodiversity Institute's BGIS website;

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

**“the scope of this standard”** means the provisions in paragraph 3 of these standards which specify the location, circumstances, infrastructure and activities to which this standard apply;

**“these standards”** means the national standards for land-based abalone aquaculture;

**“threatened fauna”** means a mammal, bird, amphibian, fish, invertebrate or reptile species that was identified as critically endangered, endangered or vulnerable in terms of a Red List assessment using IUCN criteria;

**“vulnerable ecosystems”** means an ecosystem threat status category listed in terms of section 52(2) of the National Environmental Management: Biodiversity Act, 2004 (Act No.10 of 2004), (Prior to the publication of such a list, refers to vulnerable ecosystems identified in the most recent National Biodiversity Assessment, available on the South African National Biodiversity Institute's BGIS website); and

**“wet weight”** means the biological mass of live abalone and dead abalone before dehydration.

(2) The following words will have the meaning so assigned to them in the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983):

- (a) “invader plant”; and
- (b) “weed”.

(3) The following words will have the meaning so assigned to them in the Hazardous Chemical Substances Regulations (Government Notice R 1179 of 25 August 1995):

- (a) “hazardous chemical substance”.

(4) The following words will have the meaning so assigned to them in the Environmental Impact Assessment Regulations Listing Notice 1 of 2014 :

- (a) “development”;
- (b) “development footprint”;
- (c) “expansion”;
- (d) “indigenous vegetation”;
- (e) “urban areas”;
- (f) “watercourse”; and

- (g) "wetland".
- (5) The following words relevant to coastal actions will have the meaning so assigned to them in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No.24 of 2008):
- (a) "coastal access land";
  - (b) "coastal management line"
  - (c) "coastal protection zone";
  - (d) "coastal waters", with the exception of estuaries;
  - (e) "coastal public property";
  - (f) "estuaries";
  - (g) "special management area"; and
  - (h) "seashore".
- (6) The following word will have the meaning so assigned to them in terms of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003):
- (a) "protected area".
- (7) The following word will have the meaning so assigned to them in the National Environmental Management: Waste Act (Act No. 59 of 2008):
- (a) "hazardous waste".
- (8) The following words will have the meaning so assigned to them in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999);
- (a) "heritage site".
- (9) The following words will have the meaning so assigned to them in the World Heritage Convention Act, 1999 (Act No. 49 of 1999) and associated regulations:
- (a) "world heritage site".

### **Purpose**

2. The purpose of this standard is to regulate the--
- (a) development and related operation; and
  - (b) expansion and related operation;

of land-based abalone aquaculture facilities, infrastructure or structures with a production output exceeding 50 000 kg per annum (wet weight) within the Eastern Cape, Northern Cape and Western Cape provinces.

**Scope**

3. (1) The provisions of this standard are applicable to the development and related operation or the expansion and related operation of land-based abalone aquaculture facilities, infrastructure or structures where the facility, infrastructure or structures will have a production output exceeding 50 000 kg per annum (wet weight) and where the facility, infrastructure or structures meet all of the requirements contained in this paragraph, namely—
- (a) land-based abalone aquaculture facilities, infrastructure or structures with a development footprint of less than 3 hectares, which development footprint includes existing infrastructure that will form an integral part of the facility;
  - (b) land-based abalone aquaculture facilities, infrastructure or structures using flow-through, partial or fully re-circulation systems;
  - (c) land-based abalone aquaculture facilities, infrastructure or structures with a single seawater intake structure which may consist of multiple intake pipes;
  - (d) land-based abalone aquaculture facilities, infrastructure or structures with a single effluent discharge point where such point complies with the relevant legislation;
  - (e) maintenance roads, if any, related to the land-based abalone aquaculture facility, infrastructure or structures, which
    - (i) are situated in the coastal buffer zone;
    - (ii) lead to the pump house, seawater intake pipelines, maintenance point and/or effluent outfall pipeline maintenance point/s; and
    - (iii) are no wider than 3.5 metres;
  - (f) access roads, if any, related to the land-based abalone aquaculture facility, infrastructure or structures where access roads do not exceed four metres in width and one kilometre in length and does not cross a ridgeline or a watercourse and associated flood line;
  - (g) all general operational activities related to the land-based abalone aquaculture facility, infrastructure or structures, but excluding—
    - (i) processing of fish products that involves cutting, separation and drying and ultimately results in waste by products;
    - (ii) clearing of vegetation for the purpose other than fire management or alien plant removal;
    - (iii) use of boreholes where the flow rate and volume required is not consistent with approved water use rights; and

- (iv) bio-digestion of organic waste; and
  - (h) land-based abalone aquaculture facilities, infrastructure or structures, or any portion thereof occurring within–
    - (i) land that has been zoned or designated for the purposes of commercial, industrial or harbour development within the approved municipal Spatial Development Framework;
    - (ii) land that has been legally transformed for agricultural purposes;
    - (iii) coastal waters, land submerged by coastal water and the seashore, falling within coastal public property and is limited to the development of seawater intake and effluent outfall structures;
    - (iv) the littoral active zone that is not coastal public property, any rural land unit that is situated within 1000 metres of the high water mark of the sea that is zoned as agricultural or undetermined, any part of the seashore which is not coastal public property, any land that would be submerged or covered by a 1: 50 year flood or storm event and special management areas, falling within the coastal protection zone;
    - (v) the coastal buffer zone, limited to the development of seawater intake and effluent outfall structures;
    - (vi) a coast type or inshore habitat type that forms part of a vulnerable or least threatened ecosystem;
    - (vii) a five kilometres buffer from the proclaimed boundary of a world heritage site or national park, and a two kilometres buffer from the proclaimed boundary of a protected area, where an area within these buffers has been designated for commercial, industrial or harbour development that does not contain indigenous vegetation; or
    - (viii) a geographical area identified in terms of any environmental management instrument adopted in terms of the Act in which aquaculture is a recommended land use/ where aquaculture is an acceptable land use; or
  - (i) any combination of paragraphs (a) to (h).
- (2) The provisions of this standard are not applicable to land-based abalone aquaculture facilities, infrastructure or structures with a production output exceeding 50 000 kg per

annum (wet weight) where any portion of such facility, infrastructure or structures occurs within—

- (a) fish sanctuaries for critically endangered and endangered fish species;
- (b) river FEPAs;
- (c) terrestrial critical biodiversity areas;
- (d) wetlands and associated buffer zones extending 500 metres from the edge of a wetland;
- (e) subterranean water control areas as specified in the General Authorisations in terms of section 39 of the National Water Act, 1998 (Act No. 36 of 1998);
- (f) estuaries, including a buffer of 500 metres from the edge of the estuary;
- (g) world heritage sites;
- (h) heritage sites;
- (i) protected areas; and
- (j) coastal access land.

## CHAPTER 2

### ADMINISTRATIVE REQUIREMENTS

#### Notification and registration

4. (1) No person may commence with the development and related operation or the expansion and related operation of an abalone aquaculture facility, infrastructure or structures falling within the scope of this standard as contemplated in paragraph 3, unless the proponent has submitted to the competent authority—
- (a) a request to be registered and notification of intent to comply, as set out in Appendix 2;
  - (b) a report generated by the national web- based environmental screening tool, once the tool is operational;
  - (c) proof that notice of the development or expansion of facilities or infrastructure for the development and related operation or the expansion and related operation of an abalone aquaculture facility was issued to—
    - (i) the landowner or person in control of the land if proponent is not the landowner; and
    - (ii) all neighbouring land owners or persons in control of the land;

- (d) an EMP that includes the minimum requirements as set out in Appendix 3, to the competent authority together with the notification; and
  - (e) any other information or reports/documentation that is prescribed in this standard.
- (2) The proponent must indicate the boundaries of the proposed development footprint, which is limited to 3 hectares as contemplated in paragraph 3(1)(a), including future expansion, in the notification.
- (3) No person may commence with the development and related operation or the expansion and related operation of an abalone aquaculture facility falling within the scope of this standard, where such development or expansion is inconsistent with the development footprint indicated in any notification submitted in terms of these standards, unless the proponent complies afresh with sub-paragraph (1) for such development or expansion.
- (4) The proponent may commence with the development and related operation or expansion and related operation of an abalone aquaculture facility, infrastructure or structures after 30 days, but within 2 years, from the date of compliance with sub-paragraph (1) or (3), as the case may be, unless the competent authority indicates to the proponent that—
- (a) the proposed development or expansion falls outside of the scope of these standards; or
  - (b) insufficient information has been provided and additional information is requested to confirm that the proposal falls within the scope of this standard.

### CHAPTER 3

#### ENVIRONMENTAL MANAGEMENT SPECIFICATIONS

5. The proponent must ensure compliance with the following specifications.

**(1) Specifications in relation to the EMP**

The proponent must submit an EMP for the abalone aquaculture facility to the competent authority, which must –

- (a) comply with the content requirements as set out in Appendix 3;
- (b) be made available—
  - (i) on site before development commences;
  - (ii) for inspection on site; and
  - (iii) on a website accessible to the public, where the proponent has such a website;

- (c) provide findings, confirmed by a person with the appropriate experience, demonstrable expertise and qualifications in an environmental management field for the duration of the development or expansion of the proposed facility to monitor compliance with this standard, that the measures contained in such EMP sufficiently provides for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity; and
- (d) be included in all contractual documentation relevant to the development, expansion and operational phase of the proposed abalone aquaculture facility.

**(2) Specifications during development and expansion of an abalone aquaculture facility**

- (a) An aquaculture facility situated outside an urban area that is visible from, and situated closer than 500 metres from a public road or neighbouring dwelling, must be screened by natural means (vegetation, land berms etc.), or reshaping the natural topography to at least 50% of the height of the facility.
- (b) Outside urban areas, the aquaculture facility, excluding access roads, may not be placed within 100 metres from the property boundary, unless a written consent from the relevant abutting landowners is provided with the notification as set out in Appendix 2.
- (c) Outside industrial complexes, all components of the abalone aquaculture facility, except the header storage tank and protein skimmers, must not extend more than 8 metres above the ground.
- (d) The seawater intake structures that are situated within the coastal buffer zone must be limited to —
  - (i) a sump not exceeding 50 square metres in extent;
  - (ii) screening structures at the opening of the intake pipelines for safety purposes and to prevent large marine organisms from entering the sump and
  - (iii) infrastructure required for cleaning and maintenance activities.
- (e) The pump station must not exceed 60 square metres in extent, which includes control boxes, water pumps, light poles and a wall on the seaward side if the pump station is situated next to the sump. Additional equipment such as generators and electrical substations may either be housed in the pump house or in buildings outside of the coastal buffer zone, but within the development footprint of the facility.

- (f) The effluent outfall structures i.e. pipelines or channels must have a maximum outside dimension of 1200 millimetres.
- (g) Seawater intake and effluent outfall structures must –
  - (i) be secured on bedrock, or buried in sand;
  - (ii) not be secured on elevated support structures, including but not limited to pylons;
  - (iii) in the case of channels, be covered or screened for safety purposes such that human access is prevented;
  - (iv) be visually screened, where positioned on bedrock, by covering the structures with cement shaped to blend in with the environment; and
  - (v) not be located in seashore areas situated in front of abutting land parcels unless written consent of the relevant landowners is provided with the notification as set out in Appendix 2.
- (h) The effluent outfall point must be located –
  - (i) in the proximity of the mean sea level on a rocky coast; and
  - (ii) beyond the surf zone on mixed coast and sandy coast,  
or as specified in a discharge permit.
- (i) Rearing, grow out tanks and seawater storage facilities must be constructed in a manner which would prevent the flow of any spillage onto a neighbour's property.
- (j) Settlement and storage dams must be lined with waterproof sheeting.
- (k) Public access along the coast via existing access points must not be restricted by any components of the abalone aquaculture facility without ensuring reasonable alternative access.

**(3) Specifications relating to fauna**

- (a) Disturbance or mortality of indigenous fauna in littoral active zone must be minimised through avoiding roosting and nesting sites, migration pathways and/or feeding grounds of threatened fauna in the coastal buffer zone by all components of the abalone aquaculture facility.
- (b) In areas, untransformed by the proposed development, electrical current may not be conducted within 20 centimetres off the ground.
- (c) No lethal forms of predator control may be used, except for the control of rats, mice and insects.

- (d) Disturbance and mortality of fauna and marine organisms must be minimised by ensuring that the speed of water flow through the screens placed on the intake pipelines, does not exceed 0.15 metres per second.

**(4) Specifications relating to water**

- (a) Where a facility removes organic and natural particulates such as plant material, sand and silt from its influent, the facility may discharge these particulates with its effluent.
- (b) Only chemicals used in the operation of the facility may be discharged in the effluent, provided such chemicals are diluted or neutralised.
- (c) Any effluent discharged by the facility must not exceed the effluent limit values as set out in Appendix 1, or as specified in a discharge permit.
- (d) Water containing pollutants such as cement, concrete, lime, fuels, and detergents must be contained and discharged into an impermeable storage facility for removal from the site to a licensed waste disposal facility or for recycling.
- (e) No visible blockage of stormwater management structures on the development footprint may occur.
- (f) Any blockage of stormwater management structures must be cleared immediately.
- (g) Effluent must be controlled by –
  - (i) containing all effluent in pipelines or channels to the effluent outfall point;
  - (ii) ensuring that the median concentrations or levels of listed constituents and/or parameters in the effluent water in any one of the effluent streams do not exceed the effluent limit values, as set out in Appendix 1, or as specified in a coastal waters discharge permit and by–
    - (aa) calculating and recording the median concentrations and/or levels for listed constituents and/or parameters in the ambient/ inflow into the tank seawater and effluent for the time intervals prescribed in Appendix 1; or as specified in a coastal waters discharge permit; and
    - (bb) complying with the sampling frequency requirements for each parameter as set out in Appendix 1 or as specified in a coastal waters discharge permit;

- (iii) notifying the competent authority and the department responsible for water and sanitation, of non-compliance if the annual median effluent values from the recent 12 monthly constituents in Appendix 1 are not met. Sampling frequency should increase to every two weeks until 3 consecutive measurements fall within the limit values for each constituent.
- (iv) if necessary, implementing measures and corrective actions that may be set by the competent authority or the department responsible for water and sanitation to address the implications of exceeding the values contemplated in sub- paragraph (iii).

**(5) Specifications relating to sewage**

- (a) The sewage system must be connected to a municipal sewer network or where municipal sewer networks are unavailable, a closed system, dry composting toilets or conservancy tanks must be used.
- (b) Conservancy tanks must be located more than 100 metres from a borehole, well point or watercourse.
- (c) All sewage facilities used during development phases must be installed according to the manufacturer's specifications.
- (d) The spillage of the contents of sewage facilities must be remediated immediately and contaminated material must be removed and disposed of at a licensed waste disposal facility.

**(6) Specification relating to fuel**

- (a) Fuel storage areas must be bunded to 110% of the volume of fuel being stored and the bund must be sealed.
- (b) Fuel or oil leakage or spillage caused by oil or fuel transportation or by machinery or equipment must immediately be remediated and contaminated soil removed and disposed of at licensed waste disposal facility.
- (c) The quantity of stored fuel shall not exceed 30 m<sup>3</sup> at any time.

**(7) Specifications relating to fire and explosives**

- (a) Firebreaks located immediately adjacent to the abalone aquaculture facility must be maintained regularly without permanently removing the vegetation.

- (b) Blasting is allowed during the development phase of the facility and must be done in accordance with input from an ecological specialist.

**(8) Specifications relating to hazardous chemical substances**

- (a) Only hazardous substances used in the operation of the facility may be stored on site.
- (b) The relevant Material Safety Data Sheets must be available on site.
- (c) The storage, use and disposal of hazardous substances must be in accordance with the relevant Material Safety Data Sheets.
- (d) The spillage of hazardous substances must be remediated immediately and contaminated material must be removed and disposed of at a licensed waste disposal facility unless the method of disposal is specified in accordance with the relevant Material Safety Data Sheets.
- (e) All concrete storage and mixing must take place inside the development footprint of the facility and outside coastal buffer zone.

**(9) Specifications relating to waste**

- (a) The waste storage area must be demarcated and fenced.
- (b) No burning of waste may occur.
- (c) All waste, must be disposed of at a licensed waste disposal facility or with another registered service provider, other than the reuse of sand, wet and dry sludge and biosolids.
- (d) Only waste generated by the abalone aquaculture facility may be stored on site.

**(10) Specifications relating to biosecurity plan**

- (a) The proponent must ensure that a biosecurity plan is compiled and implemented.
- (b) A biosecurity plan for disease control during the operational phase must be approved, in writing, by a qualified veterinarian, in accordance with the Biosecurity Standard.
- (c) Annual audits must be conducted by a qualified veterinarian to ensure that biosecurity measures are implemented in accordance with the biosecurity plan.

- (d) General health of abalone and risk of disease spread must be controlled through the implementation of sound husbandry practices and the prescribed measures contained in the Biosecurity Plan.

**(11) Specifications relating to biodiversity**

The risk of abalone escape and associated environmental impacts must be minimised by -

- (a) maintaining functional screens with appropriate mesh size at appropriate positions throughout the facility;
- (b) ensuring that wild brood stock are sourced from the local genetic zone;
- (c) ensuring that F1 brood stock originates from wild brood stock, which are sourced from the local genetic zone;
- (d) preventing the movement of animals for the purpose of stocking between the following-
  - (i) Zone 1: East of Cape Agulhas
  - (ii) Zone 2: West of Cape Agulhas, and
- (e) euthanising un-used larvae.

**(12) Specifications relating to specialist input**

- (a) The proponent must appoint—
  - (i) a coastal marine scientist, who must confirm, in writing, prior to the submission of the notification to the competent authority, that the seashore at the outfall point will be classified as exposed and that there will be efficient mixing and optimal dispersion of the effluent, if the effluent outfall point is located on mixed coast;
  - (ii) a coastal marine scientist to provide written confirmation, prior to the submission of the notification to the competent authority, that inlet and outfall structures that fall inside the coastal buffer zone has avoided roosting and nesting sites, migration pathways and/or feeding grounds of threatened fauna; and
- (b) a person with the appropriate experience, demonstrable expertise and qualifications in an environmental management field for the duration of the development or expansion of the proposed facility to monitor compliance with this standard, and as a minimum –

- (i) be appointed prior to the commencement of development or expansion of the development footprint;
- (ii) inspect the development footprint every 2 weeks, or at a frequency determined by the person referred to in paragraph (b);
- (iii) be present for all clearing activities in sensitive areas such as indigenous veld, littoral active zone or watercourse and associated flood zone and if required by the EMP; and
- (iv) compile a site visit report at a frequency determined by the person referred to in paragraph (b), which must be available on site.

## CHAPTER 4

### COMPLIANCE

#### Operational phase compliance measures

6. The proponent must ensure that—
  - (1) a water quality testing laboratory, accredited by the South African National Accreditation System, verifies measurements of all effluent constituents as set out in Appendix 1, two times per annum—
    - (i) in ambient seawater where applicable; and
    - (ii) in effluent, during working and non-working hours; and
  - (2) an audit of the biosecurity plan as contemplated in sub-paragraph 5(10) is conducted annually.

#### Reporting

7. (1) The proponent must appoint a person with the appropriate experience, demonstrable expertise and qualifications in an environmental management field to compile a compliance monitoring statement as set out in Appendix 4 and must provide the relevant competent authority with this compliance reporting statement—
  - (a) following completion of development or expansion and seven days prior to the commencement of the operational phase; and
  - (b) annually, following the submission of the first compliance reporting statement.
- (2) The proponent must report --

- (a) indigenous fauna mortalities to the relevant conservation authority within 7 days from the date the animal was found and the report must, as a minimum contain the information required in these standards;
- (b) the spillage of fuel, oil and chemical hazardous substances greater than 10 litres into a watercourse and associated flood zone to the department responsible for water and sanitation within 24 hours of the accident;
- (c) any notifiable abalone disease outbreak to the provincial state veterinarian within seven days of the detection of the outbreak;
- (d) any disease outbreak causing substantial loss of stock within 7 days to the department responsible for fisheries and aquaculture; and
- (e) non-compliance where annual median concentrations of effluent limit values as set out in Appendix 1 are not met, to the competent authority and the department responsible for water and sanitation within fourteen days of non-compliance and must provide evidence that such non-compliance has been rectified through the following process:
  - (i) providing the competent authority and the department responsible for water and sanitation with an action plan to rectify the non-compliance,
  - (ii) obtaining agreement from the competent authority and the department responsible for water and sanitation regarding the content of the plan and the implementation timeline,
  - (iii) implementing the agreed corrective actions within the agreed timeline.

### Record Keeping

8. (1) The proponent must maintain a signed register—
- (a) of any persons with the appropriate experience, demonstrable expertise and qualifications in an environmental management field, who conducts site visits during the development phase as stipulated below, and must contain –
    - (i) the date and time of the site visit; and
    - (ii) the site visit report, undertaken at the frequency contemplated in paragraph 5(12)(b)(ii), for inspection, which must as a minimum contain –
      - (aa) all contraventions to the EMP; and
      - (bb) details of the person or persons who contravened the EMP; and

- (b) during the development, expansion and operation phases, of all persons entering the site for the purposes of compliance monitoring and reporting.
- (2) The proponent must keep and maintain records of -
- (a) all chemicals discharged in the effluent, including its quantities;
  - (b) each hazardous chemical substance used during the development and operation phase at the aquaculture facility and the records must be accompanied by Material Safety Data Sheets;
  - (c) purchase, use and disposal of hazardous chemical substances in accordance with the manufacturer or the Occupational Health and Safety regulations and must detail—
    - (i) name of the chemical substance;
    - (ii) intended use;
    - (iii) quantity to be disposed, measured in litres; and
    - (iv) details of persons assigned to this task; and
  - (d) oil, fuel or hazardous chemical substances spillages and must detail—
    - (i) the date and time the spill was detected;
    - (ii) substance that was spilled;
    - (iii) reason for spillage;
    - (iv) date and time the spill was attended to;
    - (v) date when the spillage was reported, if required as well as proof of this;
    - (vi) how the spillage was remediated; and
    - (vii) if applicable, the details of the persons that were harmed.
- (3) The proponent must keep and maintain, relating to fire, of any unplanned fire events occurring as a result of the abalone aquaculture facility and must detail—
- (a) date and time of fire detection;
  - (b) details of the person who reported the fire;
  - (c) location of the fire;
  - (d) description of the chain of events that led to the fire; and
  - (e) description of measures taken to extinguish the fire.
- (4) The proponent must keep and maintain records relating to sewage, of the service record of the company that provides the portable chemical toilets that records

- (a) the number of portable chemical toilets used on the development footprint;
  - (b) the date of service; and
  - (c) name, contact details and signature of the service provider.
- (5) The proponent must maintain records of spillages from portable chemical toilets and must detail –
- (a) the date and time the spill was detected;
  - (b) the reason for the spillage;
  - (c) date and time the spill was attended to;
  - (d) how the spillage was remediated; and
  - (e) if applicable, the details of the persons that were harmed.
- (6) The proponent must keep and maintain records of indigenous fauna killed and must detail -
- (a) date and time the animal was found;
  - (b) type of animal;
  - (c) cause of death; and
  - (d) date that this was reported to the relevant conservation authority.
- (7) The proponent must keep and maintain records relating to effluent of --
- (a) effluent monitoring conducted by a specialist, who has relevant qualification and experience in water quality monitoring and can demonstrate expertise, and the records must –
    - (i) contain concentration of each effluent constituent as set out in Appendix, or as specified in a coastal waters discharge permit, 1 measured in in the effluent stream, during working and non-working hours;
    - (ii) contain concentration of each effluent constituent as set out in Appendix 1 or as specified in a coastal waters discharge permit, measured in ambient seawater /inflow into the tank,, during working and non-working hours;
    - (iii) state the calculated difference between the ambient seawater and the effluent for each effluent constituent as set out in Appendix 1, or as specified in a coastal waters discharge permit, where applicable;
    - (iv) flow rate measurement of each effluent channel and standing stock;
    - (v) sampling positions on the farm;

- (vi) correspond with the sampling frequencies as set out in Appendix 1, or as specified in a coastal waters discharge permit;
  - (vii) state the annual median of each effluent constituent;
  - (viii) include date and time of sampling;
  - (ix) include details and signature of the person responsible; and
- (b) include details of the water quality testing laboratory responsible for the verification of the analyses of the water samples and methodology used, where applicable ;
- (8) The proponent must keep and maintain all record relevant to the implementation of the biosecurity plan for a minimum period of 5 years from the date that the record was created and records must as a minimum include—
- (a) written and signed statements of biannual clinical surveillance checks by a qualified veterinarian;
  - (b) contact details and signature of a qualified veterinarian; and
  - (c) if applicable, any documentation produced during a disease outbreak and a detailed description of the event.
- (9) The proponent must keep and maintain records of abalone mortalities which must detail and contain—
- (a) the date of removal from tank;
  - (b) if known, the cause of death; and
  - (c) the quantity of abalone, counted in numbers and wet weight in kilograms.
- (10) The proponent must keep and maintain records of each euthanasiation event and must detail--
- (a) the date of the event; and
  - (b) personal details of the responsible person.
- (11) The proponent must keep and maintain records of abalone spat and stock deliveries to and from the abalone aquaculture facility and must detail--
- (a) the date and time of delivery;
  - (b) where the stock will be delivered to or where it has come from;
  - (c) quantity of abalone, counted in numbers and wet weight in kilograms;

- (d) abalone mortalities during the delivery in numbers and percentage of the batch;  
and
  - (e) name and contact details of the courier.
- (12) The proponent must keep and maintain records of monthly inspections of safety screens, fences and enclosures and must detail --
- (a) the date of inspection;
  - (b) personal and contact details of the persons who performed the inspection; and
  - (c) a description of maintenance measures taken.
- (13) The proponent must keep and maintain records of biological waste disposed of at a licensed waste disposal facility and which must detail --
- (a) date of disposal;
  - (b) a description of actions taken; and
  - (c) volume and weight of waste disposed.
- (14) The proponent must keep and maintain records of all hazardous waste disposed of at a licensed waste disposal facility and which must detail --
- (a) the date of disposal;
  - (b) type of waste; and
  - (c) a description of actions taken.
- (15) If the sewerage system comprises of dry composting toilets or a conservancy tank, the proponent must keep and maintain a cleaning and maintenance record which must detail the--
- (a) age of the sewerage components;
  - (b) name and contact details of the service provider;
  - (c) date and time of detected malfunction;
  - (d) date and time of service; and
  - (e) date and time of cleaning.
- (16) All specialist reports must be available on site for inspection by the competent authority or any other relevant authority.

### Authority inspections

9. The proponent must—
- (a) provide the competent authority with access to the facility, for the purposes of compliance monitoring of the abalone aquaculture facility, without prior notification; and
  - (b) ensure that any records as stipulated in this standard must be available to the competent authority upon request within 2 working days.

### Offences and penalties

10. (1) A person is guilty of an offence if that person contravenes or fails to comply with paragraph 4, 5(1), 5(2)(b), 5(2)(g)(v), 5(4)(g), 5(10)(a), 5(12), 6, 7 or 8(16) of this standard and is liable for the penalty contemplated in section 49B(1) of the Act.
- (2) Compliance with these standards shall not negate the need for the proponent to comply with all other applicable legislation.

## CHAPTER 5

### Transitional Arrangements

11. (1) Existing environmental authorisations will remain in place for abalone aquaculture facilities and in the instance where there is conflict between the requirements of environmental authorisation and the standards, the requirements in the environmental authorisation will prevail.
- (2) Where an existing abalone aquaculture facility has been authorised by means of an environmental authorisation issued in terms of the ECA Regulations, the previous NEMA regulations, or the current Environmental Impact Assessment Regulations, and where such existing abalone aquaculture facility is expanded and the facility, inclusive of the expansion, will fall within the scope of this standard as contemplated in paragraph 3 of this standard, this standard will apply to the facility only to the extent that the standard is not in conflict with any existing environmental authorisation.

## APPENDIX 1

### EFFLUENT MONITORING REQUIREMENTS

#### 1. Table 1 Effluent monitoring requirements – Abalone

The specifications in this Appendix will apply in the absence of a coastal waters discharge permit, or where a coastal waters discharge permit does not include those specifications addressed in this Appendix.

Effluent constituent	Effluent limit value	Sampling frequency of annual median concentration measured during working and non-working hours:
Total Suspended Solids (TDS)	5 mg/l	Monthly
Total Ammonia Nitrogen (TAN)	0.6 mg/l	Monthly

#### 2. Sampling positions

- 2.1. Samples should be taken from the following-
  - a. effluent streams;
  - b. inflow into the grow-out tanks (if there is no filtration system on the farm); or
  - c. intake to the farm.
- 2.2. Sampling should focus on effluents from grow-out units; hatcheries may be excluded where possible.
- 2.3. Ambient conditions are represented by intake to the farm prior to any treatment and are used as an indicator of background ambient concentrations.
- 2.4. Farms with no filtration or other treatment of intake water may utilise samples from header tanks for ambient concentrations.

#### 3. Sampling times

Effluent samples should be collected during both working hours and non-working hours, preferably before work starts in the morning. This is to account for diel variation in concentrations as a result of variable outputs due to operational activities. Influent need only be sampled once daily to represent ambient conditions.

#### 4. Calculation of values

- 4.1. Effluent and influent concentrations levels during working hours are applied to an 8 hour working day. After hours concentrations are assumed to apply to the remaining 16 hours.
- 4.2. The annual median should be weighted for working and non-working hours over the course of a year.

- 4.3. In the calculation of activity-based concentrations, measured concentrations are initially weighted for an 8/16 hour working/non-working periods to provide an average daily value for a working day. A non-working day corresponds to 24 hour of the measured after hours signal. These are then weighted annually using 250 as the typical number of working days and 115 as non-working days in a year. Final values should reflect the difference between the intake and effluent concentrations.
- 4.4. The formula for calculation of activity-based concentrations over the course of a year ( $C_{ann}$ ) is:

$$C_{ann} = ((C_w * 8/24) + (C_{nw} * 16/24)) * 250/365 + (C_{nw} * 115/365) \quad (\text{Eq. 1})$$

where,

$C_w$  = the measured concentration of a particular parameter during working hours; and

$C_{nw}$  = the concentration during non-working hours in a year.

## 5. Flow rates and Standing stock

- 5.1. Effluent flow rates should be measured in the effluent channel during the sampling period or can be estimated from pump capacity.
- 5.2. Data from multiple effluent streams should be presented individually as well as a combined single outflow concentration weighted by flow rate for each channel.
- 5.3. Individual channel concentrations are weighted according to volume flow on the day of sampling (in addition to the activity-based weighting presented above).
- 5.4. Calculation of a combined effluent concentration ( $C_{combined}$ ) is as follows:

$$C_{combined} = C_1 * (F_1 / (F_1 + F_n)) + C_n * (F_n / (F_1 + F_n)) \quad (\text{Eq. 2})$$

where

$C$  = the effluent concentration, and

$F$  = the flow rate, for effluent channels 1 ton.

These values, combined with total effluent discharge rates, can be used to provide annual loadings for each water quality parameter (e.g. metric tonnes/year).

- 5.5. Standing stock data on the day of sampling should be recorded as whole wet weight for calculation of biomass-specific discharge rates.

## 6. Sampling frequency

- 6.1. Monthly samples should be taken of both total suspended solids and total ammonia nitrogen.
- 6.2. A running median is to be calculated from the most recent 12 monthly values and updated as new data become available. If the calculated annual median exceeds the effluent limit

for any outflow, steps should be taken to identify the cause and instigate appropriate remedial actions.

- 6.3. Sampling frequency should increase to every two weeks until 3 consecutive values fall within the limit value.

**APPENDIX 2**  
**REQUEST FOR REGISTRATION AND NOTIFICATION OF INTENT TO COMPLY WITH THE**  
**STANDARDS FOR LAND-BASED ABALONE AQUACULTURE**

For official use:

<b>Reference Number</b>	
<b>Date received</b>	

**General**

1. Please note that the information contained in this notification form must be accurate as it can be used for the purposes of compliance monitoring.

**Definitions**

2. For the purpose of this document a word or expression defined in these standards has the same meaning.

**Part A: Request for Registration**

REGISTRATION (tick where applicable)	
New development	
Expansion of existing development	

3. Please indicate in the table below –
  - (a) the purpose of this notification by ticking the appropriate option (development/expansion);
  - (b) the applicable maps and site plan features; and
  - (c) applicable documents for attachment.

**Part B: Checklist**

Nature of project	Development	Expansion	
<b>1. Environmental mapping requirements</b>			<b>Yes (✓) No (X)</b>
1.1.	A 1:50 000 map showing the location of the development footprint.		
1.2.	A location map (to scale) showing the following features likely to be influenced by the development in relation to the development footprint (regional context):		
	a) location and boundary of the development footprint		
	b) property boundaries		
	c) location and extent of scenic routes, tourist routes, world heritage sites, heritage sites, national parks, protected areas in terms of NEMPAA, the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003) and its biosphere reserves and associated buffer zones		

	d) extent and location of estuaries	
	e) extent and location of watercourses and associated flood zones	
	f) extent of wetlands and associated 500 metres buffer zone from the edge of the wetland	
1.3.	<b>A site map showing the boundaries of the proposed abalone aquaculture facility and including future expansion to the proposed development, but not exceeding 3 hectares</b>	
1.4.	<b>The site plan drawn to scale showing the following features likely to be influenced by the development</b>	
	a) any existing development footprint in hectares of land that is currently physically transformed (i.e. topsoil lawfully disturbed in preceding 10 years.	
	b) proposed total development footprint in hectares of land that will be physically transformed	
	c) existing access road	
	d) proposed access road	
	e) existing infrastructure associated with and to be used in the abalone aquaculture facility	
	f) proposed infrastructure associated with the abalone aquaculture facility	
	g) 100 metres buffer from the property boundary	
	h) location and extent of existing firebreak immediately adjacent to the abalone aquaculture facility	
	i) location and extent of proposed firebreak immediately adjacent to the abalone aquaculture facility	
	j) extent of indigenous vegetation that will be transformed by the proposed abalone aquaculture facility indicating the relevant ecosystem threat statuses	
	k) roosting and nesting sites, migration pathways and/or feeding grounds of threatened fauna on the in close proximity to the proposed abalone aquaculture facility.	
	l) extent and location of the coastal buffer zone	
	m) extent and location of dune habitat	
	n) extent and location of estuaries	
	o) extent and location of watercourses and associated flood zones	
	p) any other sensitive feature identified by the proponent such as geological feature, rocky outcrop, etc.	
<b>2. Documents for attachment</b>		
		<b>Yes (✓) No (X)</b>
2.1.	A Screening Report generated by the national web- based environmental screening tool, once the tool is operational	
2.2.	Name and addresses of all abutting property owners	
2.3.	A written agreement with the abutting land owner indicating that a 100 metres buffer from the property boundary is not required	
2.4.	A written agreement with the relevant land owners that permits seawater intake and effluent outfall structures to be located in front of the relevant land owner's properties	
2.5.	A statement by a coastal marine scientist verifying that the coastline at the outfall point qualifies as exposed shoreline and that there will be efficient mixing and optimal dispersion of the effluent.	
2.6.	A written statement by an coastal marine scientist verifying that all components of the abalone aquaculture facility in the coastal buffer zone will avoid roosting and nesting sites, migration pathways and/or feeding grounds of threatened fauna;	

2.7.	The declaration by the proponent and a confirmation that requirements of this standard will be complied with (see attached declaration).	
2.8.	A declaration by the proponent that onsite commencement with any activities in furtherance of the facility or any other listed activities has not commenced	
2.9.	Short Curricula Vitae with qualifications and lists of relevant projects to demonstrate applicable expertise (Yes/No) of specialists and persons appointed in an Environmental Management capacity.	

**Part C: General Information**

Section A		PROPONENT DETAILS	
Company or Trading Name:			
Contact:			Title:
Passport	Identity Document (ID)	No.:	
Physical Address:			
Postal address:			
Email Address:			
Phone No.:		Fax No.:	

Section B		PROPERTY DETAILS	
Erf / Farm number:			
Plot Size in m <sup>2</sup> :			
Address:			
SG21 Code:			
GPS Coordinates:			
Latitude (S):			
Longitude (E):			

Section C		PROPERTY OWNER DETAILS	
Company Name:			
Contact:			Title:
Passport	Identity Document (ID)	No.:	
Physical Address:			

<b>Postal Address:</b>	
<b>Email Address:</b>	
<b>Phone No.:</b>	<b>Fax No.:</b>

**Part D: Details of the proposed project****A. BRIEF DESCRIPTION OF EXISTING DEVELOPMENT (IF APPLICABLE) THAT WILL FORM PART OF THE PROPOSED ABALONE AQUACULTURE FACILITY**

--

**B. BRIEF PROJECT DESCRIPTION:**

--

**C. DEVELOPMENT FOOTPRINT, INFRASTRUCTURE AND ACTIONS**

(1)	What is the land use zone within which the proposed abalone aquaculture facility will be situated?	
(2)	What is the development footprint of the proposed project?	
(3)	What is the development footprint of existing development (if applicable)	
(4)	What are the ecosystem types present on the site and provide their associated threat status and what area (m <sup>2</sup> ) of each of the above ecosystem types will be cleared by the proposed works (regardless of the level of alien plant invasion).	
(5)	What is the proposed length and width of the access road associated with the proposed project?	

**Part E: Listed activities, as applicable only in the Eastern Cape, Northern Cape and Western Cape provinces)**

<b>Environmental Impact Assessment Regulations Listing Notice 1 (GN 983)</b>	
<b>Activities</b>	<b>Please indicate: Yes (✓) or No (X)</b>
Activity 6(ii)	
Activity 8	
Activity 15	
Activity 17(iv) read with (d), (e) or (f)	
Activity 17(v) read with (d), (e) or (f)	
Activity 18	
Activity 19(ii)	
Activity 19(iii)	
Activity 25	
Activity 26	
Activity 27	
Activity 28(ii)	
Activity 32	
Activity 34	
Activity 41(ii)	
Activity 43	
Activity 52	
Activity 54(iv) read with (d), (e) or (f)	
Activity 54(v) read with (d), (e) or (f)	
Activity 57	
Activity 67	
<b>Environmental Impact Assessment Regulations Listing Notice 2 (GN 984)</b>	
<b>Activities</b>	<b>Please indicate: Yes (✓) or No (X)</b>
Activity 6	
Activity 25	
<b>Environmental Impact Assessment Regulations Listing Notice 3 (GN 985)</b>	
<b>Activities</b>	<b>Please indicate:</b>

	Yes (✓) or No (X)
Activity 12 in geographical area (a) but limited to Eastern Cape and Western Cape, read with iii or iv	
Activity 12 in geographical area (d), read with iii or iv	
Activity 13 in geographical area (a) but limited to Northern Cape, read with iii	
Activity 13 in geographical area (b), read with iii	
Activity 15 in geographical area (c), read with i	
Activity 15 in geographical area (c), read with ii(aa) or ii(cc)	
Activity 23 (xii) in geographical area (a) limited to Northern Cape, read with ii(cc), ii(dd), ii(gg) or ii(hh)	
Activity 23 (xii) in geographical area (a) limited to Northern Cape, read with iii(aa) or iii(bb)	
Activity 23 (xii) in geographical area (b), read with ii(bb), ii(cc), ii(dd), ii(gg) or ii(hh)	
Activity 23 (xii) in geographical area (b), read with iii	
Activity 23 (xii) in geographical area (g), read with ii(bb), ii(dd) or ii(ee)	
Activity 24 in geographical area (a) but limited to Northern Cape, read with iii	
Activity 24 in geographical area (b), read with iii	
Activity 26, limited to Eastern Cape, Northern Cape and Western Cape provinces	
<b>Summary</b>	<b>Please indicate: Yes (✓) or No (X)</b>
Are there activities (contained in the EIA Listing Notices) that are associated with the proposed project, but that are not included in the list above (if Yes, please list below)	

**Part F: Contact list**

Environmental	Details of the person who developed the plan
---------------	--

management plans (provision 7 and EMP)	Name and contact details	Confirm that a short Curricula Vitae is attached with qualifications and lists of relevant projects to demonstrate applicable expertise (Yes/No)	Signature confirming that the plan has been compiled and is available for inspection on site
1. EMP			
2. Biosecurity plan			
Specific environmental requirements	Details of the person who determined the environmental requirements		
	Name and contact details	Confirm that a short Curricula Vitae is attached with qualifications and lists of relevant projects to demonstrate applicable expertise (Yes/No)	Signature
Avoiding of roosting and nesting sites, migration pathways and/or feeding grounds of threatened fauna			
Exposure level of mixed coast type and confirmation of efficient mixing and optimal dispersion of the effluent.			

**Part G: DECLARATION**

I ..... am filing my notification of intent to comply (hereafter referred to as “notification”) with the standards for land-based abalone aquaculture (hereafter referred to as “these standards”) gazetted under section 24 (10) of the National Environmental Management Act, 1998 (NEMA). I fully understand that I can be subject to enforcement action, including a stop work order, on my failure to comply with this standard.

**I also understand that I may not commence within 30 days, and must commence within 2 years, of submitting this notification and the documents and information contemplated in paragraph 4(1) of the standard to the competent authority.**

I am also aware of my responsibility to exercise an environmental duty of care in terms of section 28 of NEMA to take reasonable measures to prevent environmental pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.

I also certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment.

Signature of proponent: \_\_\_\_\_ Date: \_\_\_\_\_

### APPENDIX 3

#### ENVIRONMENTAL MANAGEMENT PROGRAMME FOR ABALONE AQUACULTURE

The Environmental Management Programme (EMP) is applicable during the development and related operation phases or expansion and operation phases of abalone aquaculture facilities and must contain at least the following information:

**Definitions:** A word or expression used in this EMP has the same meaning as defined in the National Standards for land-based abalone aquaculture.

The EMP must contain the following minimum requirements:

#### PART A. GENERAL INFORMATION

##### 1. General

- 1.1. Names of landowner and the proponent.
- 1.2. Postal address, telephone, email address and fax numbers of the landowner and the proponent.
- 1.3. Erf/farm number(s) of the property on which the development footprint is situated.
- 1.4. Description of the land uses and actions on all neighbouring properties.
- 1.5. Name, contact details and qualifications of the person appointed by the proponent to compile the EMP.
- 1.6. Name, contact details and qualifications of the person appointed in terms of paragraph 8(1)(a) of the standards.

#### PART B. LOCAL CONTEXT

##### 2. Description of the environment:

- 2.1. Description of general climate and hydrology.
- 2.2. Description of the geology of the area.
- 2.3. Description of the soil types on the development footprint is developed.

- 2.4. Detailed description of the vegetation types on that will be transformed by the development of the development footprint and immediate surrounding area and their distribution.
- 2.5. Identification of any Critical Biodiversity Areas, Ecological Support Areas, Freshwater Ecosystem Priority Areas and/or National Priority Estuaries in the area.
- 2.6. Description of disturbed or degraded areas, such as the presence of invader plants and weeds or erosion, on the immediate surrounding area of the abalone aquaculture facility.
- 2.7. Description of all water bodies and wetlands in and around the development area.
- 2.8. Description of the coastal environment.
- 2.9. Description of coastal zone usage.

## **PART C. OVERVIEW OF THE DEVELOPMENT**

### **3. Details of Development**

- 3.1. Description of the existing development forming part of the development footprint (if applicable)
- 3.2. Description of the proposed development and associated actions.
- 3.3. Development location.
- 3.4. Three maps showing the regional locality, the local locality and the layout of the facility.

## **PART D. IMPLEMENTATION OF THE EMP**

### **4. Responsibilities**

- 4.1. The proponent
- 4.2. The site engineer and/ or site main contractor, from here on collectively referred to as site officer
- 4.3. Site personnel
- 4.4. The person appointed in terms of paragraph 8(1)(a) of the standards.

### **5. Penalties**

A penalties list and register must be kept that records all penalties issued as well as a description of the nature of the transgression and the remedial action taken

## **PART E. COMMUNICATION STRUCTURES DURING DEVELOPMENT OR EXPANSION**

**6. Site Meetings**

All meetings with the specialists and authorities must be documented and kept on record.

**7. Environmental Awareness Programme**

7.1. The EMP must include an environmental awareness programme that contains management measures to ensure implementation of the specifications of this standard.

7.2. The environmental awareness programme must as a minimum include the training of all new personnel regarding the requirements of these standards and the EMP.

**8. Site Memo Entries**

8.1. Provision must be made in contractual agreements for the person appointed in terms of paragraph 8(1)(a) of this standard to issue instructions to contract workers on measures to protect sensitive areas during development / expansion.

8.2. The EMP must detail reports provided by specialists.

**9. Stakeholder Relations**

9.1. A complaints register that keeps records of each complaint received by the public or an authority and the resolutions thereof must be kept.

9.2. The EMP must state where records will be kept and how feedback will be provided to the complainants.

**PART F. ENVIRONMENTAL MANAGEMENT****10. Site demarcation**

The type and location of permanent and/or temporary fences must be directed by the site officer and approved by the person appointed in terms of paragraph 8(1)(a) of the standards.

**11. Development / Expansion areas**

11.1. All development / expansion activities must be contained within the development footprint.

11.2. The EMP must include the location and management of all development / expansion activities such as storage areas, road access, eating areas, etc., taking into consideration the sensitivities of the site.

**12. Site clearance**

The EMP must include measures to protect sensitive areas on site, protect topsoil to prevent erosion and address the reuse of topsoil.

**13. Access/Maintenance Roads**

13.1 Planning for new access and maintenance roads, including maintenance thereof (including existing roads) must be addressed.

13.2 All vehicles must remain on designated routes.

**14. Temporary site structures**

The location and management of temporary site structures must be informed by the sensitivities of the site. The decommissioning and rehabilitation of the site must be addressed.

**15. Materials handling, use and storage**

The EMP must stipulate measures for the storage, management and handling of development or expansion material.

**16. Storage and transportation of fuel and oil and hazardous substances**

The EMP must detail the location of storage facilities and the use thereof to ensure compliance with the specifications of the standards. The removal of contaminated material must be removed from the site to a licensed waste disposal facility.

**17. Waste management**

The EMP must detail the location of the waste storage and the management thereof to ensure compliance with the standards.

**18. Sanitation facilities**

The EMP must detail the management of temporary and permanent sanitation facilities to ensure compliance with the standards.

**19. Concrete work**

The safe storage and concrete batching must be done in compliance with the specifications of this standard to prevent pollution or any other harm to the environment.

**20. Excavation and trenching**

- 20.1. Top-soil must be stored separately from sub-soils and must be the final layer when backfilling.
- 20.2. Excavated areas must be reinstated where necessary and to the satisfaction of the site officer and the person appointed in terms of paragraph 8(1)(a) of the standards.
- 20.3. Excess material must be removed from the abalone aquaculture facility to a site agreed upon by the site officer, the person appointed in terms of paragraph 8(1)(a) of the standards and, where applicable, the municipality.
- 20.4. Location of infrastructure for excavation and trenching must be reflected on the site layout plan to indicate how sensitive areas have been avoided.

**21. Drilling and rock or concrete demolition**

The EMP must indicate management measures to manage impacts, waste material and disposal thereof.

**22. Workshop, equipment maintenance, cleaning and storage**

The location and management of activities related to the management of workshop, equipment, cleaning and storage must be addressed to prevent pollution and other environmental harm.

**23. Fire control and accidental leaks and spillages**

- 23.1. The EMP must indicate procedures to control fires; fire awareness; fire drills and activities that can lead to fires; and
- 23.2. Roles and responsibilities during emergency events must be included in the EMP.

**24. Temporary site closure**

If the site is closed for a period exceeding one week during development, a checklist procedure must be carried out by the person appointed in terms of paragraph 8(1)(a) of the standards to prevent a fire hazard, spillage and leakage and to secure vehicles, equipment and building materials.

**25. National Heritage Resources**

The EMP must include measures to ensure compliance with the provisions of the National Resource Heritage Act, 1999 (Act No. 25 of 1999).

**26. Protection of natural features**

The protection of natural features, flora and fauna, against direct and indirect impacts as a result of activities on site must be included in the EMP.

**27. Erosion and soil control**

Measures must be taken to sufficiently provide for the avoidance, management and mitigation to limit erosion and sedimentation.

**28. Stormwater and water contamination**

The EMP must include measures to manage stormwater and mitigate the contamination water related to the treatment.

**29. Dust control**

The EMP must include measures to sufficiently provide for the avoidance, management and mitigation to control dust.

**30. Noise Control**

The EMP must include measures to sufficiently provide for the avoidance, management and mitigation to control noise.

**31. Site clean-up and rehabilitation of areas temporarily disturbed during development**

31.1 The EMP must specify the rehabilitation measures taken to clean-up and rehabilitate areas temporarily disturbed during the development / expansion phase including the monetary and aftercare of these areas to ensure adequate rehabilitation. Compile a project-specific rehabilitation programme, compiled by a botanist or ecologist, if the development or expansion of the abalone aquaculture facility requires –

31.1.1. the disturbance of dune habitat;

31.1.2. the removal of indigenous vegetation within vulnerable ecosystems;

31.2. All temporary structures, equipment, materials, waste and facilities used for development or expansion purposes must be removed before commencement of the operational phase and to the satisfaction of the person appointed in terms of paragraph 8(1)(a) of the standards.

- 31.3. All areas identified by the person appointed in terms of paragraph 8(1)(a) of the standards and site officer must be rehabilitated.
- 31.4. A suitably qualified person must be employed to rehabilitate areas damaged by development or expansion actions during the course of the project.
- 31.5. The rehabilitation procedure must be approved by the person appointed in terms of paragraph 8(1)(a) of this standard and the site officer and where required, the Local Authorities.

## APPENDIX 4

## COMPLIANCE REPORTING STATEMENT

The compliance reporting statement has the purpose to report on compliance prior to and during the operational phase to clarify if a proposed project is likely to be compliant with these standards and thus does not include all provisions that the proponent must comply with. It is the proponent's responsibility to ensure that this standard is complied with in its entirety.

A compliance reporting statement must be completed and submitted by the person appointed in terms of paragraph 8(1)(a) of the standards. The first submission of the compliance reporting statement to the relevant competent authority must occur a minimum of seven days before the commencement or continuation of the operational phase and thereafter, a compliance reporting statement must be submitted annually.

DETAILS OF PERSON COMPILING THE COMPLIANCE REPORTING STATEMENT			
Name:		Title:	
Company:			
Qualifications and Experience:			
Passport	Identity Document (ID)	No.	
Physical Address:		Postal Address:	
Email Address:			
Phone No.:		Fax No.:	
I, _____, hereby certify that the information in this compliance reporting statement is true and correct to the best of my knowledge.			
Signed this _____ day of _____, 20_____ at _____			
Signature : _____			

Environmental aspect (Please circle applicable option)	Yes/No/Not applicable	Comments
Appropriate storage is provided for fuel, oil and hazardous chemicals.		
Existing access to the coast is not impeded by the abalone aquaculture facility without providing alternative access.		
The effluent outfall point is in the proximity of the mean sea level on a rocky coast, or as specified in a discharge permit.		
The effluent outfall point is beyond the surf zone on mixed coast and sandy coast, or as specified in a discharge permit.		
Seawater intake and outfall structures, storage tanks, raceways, ponds, porta pools and settlement tanks were checked for leakage.		
The proponent keeps the EMP on site, available for inspection.		
Re-vegetation and rehabilitation has been satisfactorily initiated/continued/completed and in accordance with the project-specific EMP.		
The project-specific stormwater management has been implemented in accordance with the project-specific EMP.		
The biosecurity plan is approved by a qualified veterinarian and is kept on site, available for inspection.		
The biosecurity plan is audited annually by a qualified veterinarian.		
Effluent discharge is in compliance with this standard.		
Applicable visual screening mechanisms have been implemented/are being maintained.		

<b>Environmental aspect</b> (Please circle applicable option)	<b>Yes/No/Not applicable</b>	<b>Comments</b>
Screens on the seawater intake sump are present/ maintained.		
Measures for the prevention of escapes are implemented/ maintained.		
Confirmation of/ proof of where stock is sourced from.		
Details of any expansion and alterations form part of the development footprint beyond what was included in the original Notification of Intent to Comply with the Standard.		
Are there any other environmental concerns that should be addressed in terms of the general environmental "Duty of Care" as contained in section 28 of the National Environmental Management Act, 1998.		

## DEPARTMENT OF POLICE

NO. 505

06 MAY 2016

PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001  
(ACT NO. 56 OF 2001): EXEMPTION IN TERMS OF  
SECTION 1(2) AND 20(5) OF THE ACT

By virtue of the power vested in the Minister of Police by sections 1(2) and 20(5) of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001), I, Nkosinathi Phiyayinkosi Thamsanqa Nhleko, hereby determine that Neotel (Pty) Ltd, are exempted from the provisions of section 20(1)(a) of the Private Security Industry Regulation Act, 2001 (Act No.56 of 2001), for a period of five years from the date hereof, on condition that—

- Neotel (Pty) Ltd may not provide any other security service to anyone else; and
- This exemption will lapse after a period of five years from the date of publication of this notice.

Signed at *CAPE TOWN* on this *15<sup>th</sup>* day of March 2016

  
MINISTER OF POLICE  
NPT NHLEKO

## DEPARTMENT OF TRADE AND INDUSTRY

NO. 506

06 MAY 2016

**CODES OF GOOD PRACTICE ON BROAD BASED BLACK  
ECONOMIC EMPOWERMENT**

I, Dr Rob Davies, Minister of Trade and Industry, hereby:

- (a) Issue the **Marketing, Advertising and Communication Sector Code** in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Amendment Act, (Act No. 53 of 2003) as amended by the B-BBEE Amendment Act No. 46 of 2013.
- (b) Determine that these Codes come into effect on the date of this publication.



**Dr Rob Davies, MP**  
**Minister of Trade and Industry**  
10 March 2016



MARKETING, ADVERTISING  
& COMMUNICATION SOUTH AFRICA  
MAC SA

# **MARKETING, ADVERTISING AND COMMUNICATION SECTOR CODE**

**TRANSFORMATION OF THE MARKETING, ADVERTISING AND  
COMMUNICATION SECTOR CODE SUBMISSION**

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## MARKETING, ADVERTISING AND COMMUNICATION SECTOR CODE

### 1. INTRODUCTION

We, members of the broader marketing, advertising, public relations, communication and research industry as well as related sectors, recognise the critical role our industry fulfils in South Africa. We are mindful of the impact our industry has on millions of our people across all walks of South African life, therefore we accept the responsibility consequent thereto. We further acknowledge that marketing and advertising communication as the livewire of a free market-based economy is an intrusive form of communication to which over 47 million South Africans are subjected to every day of their lives. For such a small industry, its power to influence South Africans is disproportionate to its size; hence the need to make it a truly South African industry is imperative.

### 2. SCOPE OF APPLICATION

The provisions of this Sector Code apply to Advertising, Public Relations and Communication as marketing vehicles in all media including digital platforms. It is applicable to companies who derive more than 50% of their turnover from this sector. It is acknowledged that the Amended Codes of Good Practice will govern the management of B-BBEE. The MAC Sector Code will take precedence except when the MAC Sector Code is silent; the Amended Generic Codes of Good Practice will apply including but not limited to Key Measurement Principles and Definitions.

- 2.1 An advertising company is an enterprise whose core business is the conceptualisation, creation and production of advertising to foster a relationship between a product and the consumer.
- 2.2 A public relations company is an enterprise whose core business is the conceptualisation, creation and implementation of communication to facilitate a relationship between a product and the public.
- 2.3 A communication company is an enterprise whose core business is the conceptualisation, creation, production and implementation of communication as a marketing tool in two or more of the following disciplines;
- Advertising
  - Public Relations
  - Experiential
  - Design
- 2.4 This will apply specifically to the following:
- 2.4.1 Advertising in general with particular reference to the following forms:
- **Through the line:** Traditional form of advertising using all paid for media from electronic to print embracing interactive and non-interactive response mechanisms.
  - **Above the line:** Traditional form of advertising using all paid for media from electronic to print excluding interactive response mechanisms.
  - **Below the line:** Traditional form of advertising using all paid for media from electronic to print as interactive response mechanisms.
  - **Experiential:** Traditional form of advertising using unconventional media like events and functions to physically bring the experience of the product to the consumers.
  - **Digital:** An umbrella term for marketing and advertising activities using technology as the format and the internet for distribution. This would include the desktop and mobile web, display & search advertising, native advertising, social media, mobile applications, digital activations, internet-based outdoor and streaming media.
  - **Design:** Design as a classical communications discipline as well as an integral element of Integrated Marketing Communication in all paid for media.
  - **Integrated Marketing Communication (IMC):** Is the application of consistent brand messaging across both traditional and non-traditional marketing and communication channels and using different promotional methods to reinforce each other in order to (a) deliver the same message and (b) create maximum marketing effect through synergy.

- 2.4.2 Communication
- **Public Relations:** Traditional form of communication that employs all media from electronic to print by issuing media releases, communiqués, statements and advertorials.
  - **Social Marketing:** Communication form that uses all media as in public relations, traditional advertising and experiential for cause related communications.
- 2.5 In as far as the marketing sector is referred to in this document, it is with the understanding that they are clients, who themselves could belong or subscribe to their own or other sector specific codes.
- For example: marketers in the mining industry are bound by the Mining Sector Code.

In October 2001, the Parliamentary Portfolio Committee on Communications, an organ of the National Assembly, convened public hearings into the pace of transformation in the advertising and marketing value chain.

After finding that the pace of transformation in the value chain was unacceptably slow, the Parliamentary Portfolio Committee on Communications directed government, through Government Communications and Information System (GCIS) and the Department of Communications, to facilitate a consultative process with all stakeholders to find a common blueprint for the transformation of the industry. This mandate resulted in the first joint undertaking by all stakeholders to commit to a unified view and common approach as contained in the values statement. This was codified as "**The Values Statement of the Marketing and Communication Industry**". It was endorsed by all stakeholders, adopted and signed on 23 April 2003.

### 3 VALUES STATEMENT

**As a statement of values of an industry which is global in its outlook and reach, and genuinely South African in its roots, we of the marketing, advertising and communication industry state that:**

We acknowledge that like the rest of South African society, we have been plagued by the injustices of South Africa's racist past in terms of employee representivity, ownership and decision-making.

We further recognise that the industry plays a critical role in the creation of wealth and the development of our economy, and believe that transformation of the industry is essential for its long-term growth and the upliftment of people who have historically been disadvantaged. In the spirit of the Constitution of South Africa, we believe that "South Africa belongs to all who live in it, united in our diversity and committed to improve the quality of life of all citizens and the potential of each person."

We hereby commit ourselves to the following values:

#### I. Inclusivity and Diversity:

- (a) The sector reflects and shapes the norms of our society. As such it must be committed to reflecting the values and aspirations of all South Africans.
- (b) This requires that the industry – in its ownership as well as in the traditions and cultures it draws upon – to reflect the diversity of the South African population.
- (c) The industry is committed to sustainable skills development, which enables all our people to enjoy access to the knowledge base needed to shape their destinies within the industry.

#### II. Soul of the Nation

- (a) This industry works in the context of a unique transition – a transition described as a miracle.
- (b) We shall use our strengths to promote pride in the South African Brand. The industry can contribute to the transition by promoting understanding and appreciating our diverse cultures, traditions, histories, abilities and disabilities. It can highlight prejudice where it exists by promoting tolerance of all human beings. In doing so, the sector can become a mirror of the soul of the nation.

**III. Respect and Human Dignity**

- (a) The industry works in a society where the poor, the illiterate, the disabled, women and children suffer a myriad of intolerances. While working for their amelioration and empowerment, the industry shall ensure that the dignity of all human beings, and in particular of these vulnerable groups, is respected.
- (b) The industry recognises the difficulty of escaping the stereotyping of any group. Where this has to be resorted to, the industry shall take particular care not to stereotype or use humour in a manner to target groups mentioned above.

**IV. Business and People's Needs**

- (a) We recognise that the consumer is at the core of our business. Recognising that the industry serves business in its endeavour to create wealth, we shall ensure that the requirement and sensitivities of the consumer are placed at the centre of all our creativity and planning. In doing so, we shall better serve the commercial needs to business as well as the long-term aspirations of the South African nation.
- (b) Furthermore, the industry shall be committed to abiding by the principle of good corporate governance and abide by the highest standards of ethical business practices.

**V. Responsible Creativity**

- (a) We are mindful that this is an industry which impacts on the views and aspirations of the entire population.
- (b) This means that the industry must act sensitively while endeavouring to break the bounds of creative barriers. Such commitment will lay the basis for a self-regulation regime that can best serve all stakeholders.

**Whilst this Sector Code endeavours to achieve redress, the commitment made in this Sector Code shall not place limits upon the various rights and obligations enshrined in the Constitution and protected by the Bill of Rights, especially the Freedom of Expression.**

**Distilled from the values are the objectives**

1. Transformation
2. Truly South African industry
3. Creativity

**4. COMMITMENT AND UNDERTAKINGS**

**This need was recognised by the Association for Communication and Advertising (ACA) previously known as the Association of Advertising Agencies (AAA) herein after referred to as ACA in 2000:**

*"We, members of the ACA, believe that our industry should be the creator and custodian of truly outstanding South African advertising and communication ideas, ideas that while proudly proclaiming their African heritage, still communicate effectively within the global context. We, accordingly, jointly and severally commit ourselves to the harnessing of all resources at our disposal towards the transformation of our industry and related disciplines to reflect and represent the totality of skills and contribution from our unique South African experience."*

*We, further, pledge ourselves to the actualisation of empowerment and transformation goals as determined by prevailing industry needs and dictates in order to achieve meaningful and total involvement of those formerly excluded from the real process. We are irrevocably committed to changing our industry for the better and shall only open membership of the Association of Advertising Agencies to those who demonstrate their commitment to transformation by adopting and signing this Charter.*

*We will therefore establish the advertising industry as unique to South Africa; for all the people of South Africa; by all the people of South Africa; promote the constitutional right of equality and the exercise of true democracy; eliminate unfair discrimination; ensure the implementation of employment equity to redress the effects of discrimination; achieve a diverse workforce broadly representative of our people; promote economic development and efficiency in the workforce; provide training and skills through the AAA School of Advertising to students previously excluded from access initiate practical training programmes for skills development; change the culture of our organisation and members to accept and implement the changes; seek and accept equity partners to reflect the true demography and rich cultures of South Africa;*

*support and encourage each other in reaching our stated goals in letter and spirit; irrevocably bind ourselves to measures to achieve these goals within a reasonable time.*

#### **Public Relations Institute of Southern Africa (PRISA):**

*"Transformation is the implementation of fundamental changes to the way we do things to become and remain a successful organisation. The availability of various talent, competencies and cultural backgrounds among members of the Institute will enhance performance and stature. Therefore, PRISA is committed to a process of transformation that will accelerate opportunities for diversity and growth and will make its membership representative of the South African population at all levels."*

### **5. STRATEGIC DRIVERS OF CHANGE**

- 5.1 Demonstrate commitment to grow and enhance the levels of creativity in the marketing, advertising and communication sector.
  - Support the AAA School of Advertising and all other institutions that offer courses in marketing communication and visual arts.
  - Avail financial assistance for marketing and public relations communication and visual arts students.
  - Subscribe to a periodic mandatory intake of interns and trainees.
- 5.2 Intervene to increase the pool of skills in copywriting and visual arts.
  - Recognise talent and creative ability as criteria for entry into the creative studios or nurseries.
  - Encourage and support creative community initiatives as talent nurturing pools.
  - Facilitate the development of skills needed for migration to digital communication especially amongst the previously excluded.
- 5.3 Promote and popularise the communication sector as a career.
  - Organise and participate in career open days especially at high school level.
  - Advertise the industry as a career opportunity in popularly consumed media.
- 5.4 Subscribe to and uphold ethical conduct in line with generally expected business principles in a democratic South Africa.
  - Actively promote fair procurement processes in communication services which must neither unfairly discriminate against nor prejudice emerging and small qualifying enterprises.
  - Impose sanction on any business practice that undermines provisions of the South African constitution with regards to freedom of commercial expression. These sanctions will be levied by the relevant self-regulatory bodies in the sector.
- 5.5 Encourage adherence to responsible advertising and communication in all facets of social communication.
  - Organise and conduct seminars on the subject.
  - Conduct research where necessary to update knowledge bank.
  - Update communications, including government communications on responsible advertising trends.

### **6 INTERPRETATIONS**

**Absorption** – means a measure of the Measured Entity's ability to successfully secure formal permanent or long-term contract employment for the learner/intern or to assist the learners/interns to proceed with further education and training

**Admissible/Appropriate Evidence** – refers to the measure of the quality of evidence in respect of its relevance and reliability in providing support for detecting misstatements affecting individual scorecard elements. The reliability of evidence is influenced by its source and its nature and is dependent on the individual circumstances under which it is obtained.

**Amended Codes** – refers to B-BBEE Codes of Good Practice, as amended from time to time.

**B-BBEE Act** – refers to the Broad-Based Black Economic Empowerment Act, Act no 53 of 2003 as amended by the Broad-Based Black Economic Empowerment Act, Act No 46 of 2013 and any amendments thereto.

**BEE Verification Professional** – means any verification enterprise that has been accredited by a statutory body on behalf of the Department of Trade and Industry (**the dti**) and who meet the minimum technical and BEE criteria for rating agencies as described in the accreditation manual.

The main role of the BEE rating agencies is to provide an independent opinion on the Broad-Based BEE (B-BBEE) status of enterprises. An accredited BEE rating agency must have the capacity to evaluate, verify and confirm the BEE status of enterprises using the Broad-Based BEE scorecard as presented in Statement 000. An accredited BEE rating agency cannot issue an opinion on an enterprise with which it has a conflict of interest.

**B-BBEE Verification Regulator** – a body appointed by the **Minister of Trade and Industry** for the accreditation of rating agencies or the authorisation of B-BBEE Verification Professionals.

**Black Economic Empowerment (BEE)** – is defined as an integrated and coherent socio-economic process that directly contributes to the economic transformation of South Africa and brings about significant increases in the number of black people who manage, own and control the country's economy, as well as significant decreases in income inequalities.

**Black empowered company** – means a company that is more than 25% owned and controlled by black people and where substantial participation in control is vested in black people.

**B-BBEE Owned Company** – means juristic person having shareholding or similar member interest that is B-BBEE Controlled in which Black participants enjoy a right to economic interest that is at least 51% of the total such rights measured using the Flow Through Principle

**Black people** – is as generic term which means Africans, Coloureds and Indians who are citizens of the Republic of South Africa by birth or descent; or who become citizens of the Republic of South Africa by naturalisation before 27 April 1994 or on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.

**Broad-based ownership scheme** – is where an empowerment shareholder represents a broad base of members such as employees (to the extent that the options have actually been exercised), collective and/or communities, or where the benefits support a target group, for example black women, people living with disabilities and the youth. Shares are held directly or indirectly through non-profit organisations and trusts. At the same time, directors and management of the groups should predominantly comprise black people.

**Charter Council** – means a Charter Council established in terms of this Sector Code and that is responsible for the overall monitoring, evaluation and reports of the Sector Code.

**Certificate Date** – means the date on which the certificate was issued and therefore the start of the 12-month validity period of that certificate.

**Company** – means an enterprise registered in terms of the Company Act, 1973 (Act 61 of 1973), close corporations, trusts and any other such enterprise formed for business purposes. Control centres on the authority and power to manage assets, determination of policies and direction of business operations. Indicators of control may include:

1. Participation in control structures of a business unit or of the company (such as shareholders meetings, board of directors, board subcommittees and divisional boards), the exercise of voting rights on the board of directors and committees thereof, and controlling equity.
2. Participation in executive management.

**Enterprise Development Contributions** – means monetary or non-monetary contributions made to the following beneficiaries, towards their development, sustainability and financial and operational independence:

- (a) Enterprise Development Contributions to Exempted Micro Enterprises which are at least 51% Black Owned or 51% Black Women Owned
- (b) Enterprise Development Contributions to Qualifying Small Enterprises which are at least 51% Black Owned or 51% Black Women Owned

**Exempted Micro Enterprise** – means an Entity with an annual turnover of R10 (ten) million or less for the Marketing, Advertising and Communication Research sector. However, an EME in the Public Relations sector means an entity which has an annual turnover of less than R5 million.

**Industry Stakeholder** - means all groups, organizations, individuals who, may or may not be signatories of the MAC SA Sector Code in the context of this Sector Code, demonstrate common commercial characteristics and are directly or indirectly affected by the implementation of the MAC Sector Code.

**Intended User** – means persons within or external to the Measured Entity, for whom the B-BBEE Verification Certificate on the Scorecard elements and B-BBEE status report.

**Internship** – means an opportunity to integrate career –related experience into an undergraduate education by participating in planned supervised work.

**Large Entity** – means a company is defined as a Large Entity if its annual turnover is:

Industry Sub-Sector	Definition of Large Entity
Public Relations industry	Turnover is R10 million and above
Advertising industry	Turnover is R50 million and above
Marketing, Advertising and Communication Research industry	Turnover is R50 million and above

**Learnership** – means a work-based route to a qualification. It is a workplace education and training program comprising both structured practical workplace (on the job) experience and structured theoretical training.

**MAC SA** - A broad forum of marketing, advertising and communication enterprises comprising representatives from each stakeholder group or industry who are signatories to the Sector Code, and who are guided by the MAC SA Constitution and its mandate.

**MAC SA Charter Council** – means the Charter Council established in terms of this MAC SA Sector Code that is responsible for the overall monitoring, evaluation and reports of this Sector Code.

**Management** – The general management definition and levels will be in line with the guidelines set by the Department of Labour with the provision that the sector will constantly align specific portfolio positions with the requirements of the BBBEE Amendment ACT 46 of 2013.

**Qualifying Small Enterprise (QSE)** – means a company is defined as a Qualifying Small Enterprise (QSE) if its annual turnover is:

Industry Sub-Sector	Definition of QSE
Public Relations industry	Turnover of between R5 million and R10 million
Advertising industry	Turnover of between R10 million and R50 million
Marketing, advertising and communication research industry	Turnover of between R10 million and R50 million

**Sound business practice** – means business practice which is conducive to the establishment, maintenance and promotion of:

1. domestic and international confidence in the marketing and communication sector
2. best international practice and culture relating to creative production that reflects the aspiration of the people of South Africa
3. sustainable sources of finance, taking cognisance of the different resources available
4. level playing fields and competition between the different sub sectors in the marketing and communication sector value chain and hence the avoidance of arbitrage between the sub sectors
5. BEE transactions taking place on willing seller and willing buyer basis

**Turnover** – is defined as total sales less cost of sales. Cost of sales is restricted to third party costs that result in the execution of ideas on which agencies earn remuneration.

**Verification** – means the process and activities conducted by a B-BBEE Verification Professional to assess, verify and validate that the score awarded to a Measured Entity is a result of individual scorecard elements supplied by a Measured Entity, and to evaluate BEE transactions in order to provide an indicative B-BBEE score and Certification based on the principles of the Amended Broad-Based BEE Codes of Good Practice.

**Voting Member (MAC SA Sector Code Council)** – means any elected member of the MAC SA Sector Code Council.

**Voting Member (MAC SA)** – means a member representing any constituents of the MAC SA.

## 7 MAC SA SECTOR SCORECARD

The Broad-Based Black Economic Empowerment (B-BBEE) Scorecard for the Marketing, Advertising, Public Relations and Communication sector should be read in conjunction with the Amended B-BBEE Codes of Good Practice available on <http://www.acasa.co.za> and [www.prisa.co.za](http://www.prisa.co.za).

### **Eligibility as an exempted micro enterprise (EME)**

Any enterprise with an annual Total Revenue of R10 million or less qualifies as an Exempted Micro-Enterprise. Any Exempted Micro-Enterprise is deemed to have a B-BBEE Status of “Level Four Contributor” having a B-BBEE recognition level of 100%. Enhanced B-BBEE recognition level for an Exempted Micro-Enterprise: An EME which is 100% Black owned qualifies for elevation to “Level One Contributor” having a B-BBEE recognition level of 135%. An EME which is at least 51% Black owned qualifies for elevation to “Level Two Contributor” having a B-BBEE recognition level of 125%. An EME is allowed to be measured in terms of the QSE scorecard should they wish to maximise their points and move to a higher B-BBEE recognition level. An EME is only required to obtain a sworn affidavit or Companies and Intellectual Property Commission (CIPC) issued certificate on an annual basis, confirming the following: Annual Total Revenue of R10 million or less or R5 million if it is in the Public Relations sector; and Level of Black ownership.

### **Eligibility as a qualifying small enterprise (QSE)**

A Measured Entity with an annual Total Revenue of between R10 million and R50 million qualifies as a Qualifying Small Enterprise. A QSE must comply with all the elements of B-BBEE for the purposes of measurement. Enhanced B-BBEE recognition level for QSE: A qualifying small enterprise which is 100% Black owned qualifies for a Level One B-BBEE recognition. A QSE which is at least 51% Black owned qualifies for Level Two B-BBEE recognition level. A Black QSE is only required to obtain a sworn affidavit or Companies and Intellectual Property Commission (CIPC) issued certificate on an annual basis, confirming the following: Annual total Revenue of R50 million or less or R10 million or less if it is in the Public Relations sector; and Level of Black ownership.

## 7.1 B-BBEE status based on overall performance of a measured entity using the generic scorecard

	B-BBEE status	Qualification	B-BBEE-recognition level
1	Level-one contributor	≥100 points on the Generic Scorecard	135%
2	Level-two contributor	≥95 but <100 points on the Generic Scorecard	125%
3	Level-three contributor	≥90 but <95 points on the Generic Scorecard	110%
4	Level-four contributor	≥80 but <90 points on the Generic Scorecard	100%
5	Level-five contributor	≥75 but <80 points on the Generic Scorecard	80%
6	Level-six contributor	≥70 but <75 points on the Generic Scorecard	60%
7	Level-seven contributor	≥55 but <70 points on the Generic Scorecard	50%
8	Level-eight contributor	≥40 but <55 points on the Generic Scorecard	10%
9	Non-compliant contributor	<40 points on the Generic Scorecard	0%

## 7.2 PART ONE: LARGE ENTITIES SCORECARD

	Element	Weighting
1	Ownership	25 points
2	Management control	27 points
3	Skills development	20 + 10 bonus points
4	Enterprise and supplier development	42 + 4 bonus points
5	Socio-economic development initiatives	5 points
6	Responsible Social Marketing and Communications	5 points
Total weighting points		124 + 14 bonus points

## 8 Ownership

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
8.1 Voting rights	8.1.1 Exercisable voting rights in the enterprise in the hands of black people	4	40%	45%
	8.1.2 Exercisable voting rights in the enterprise in the hands of black women	2	20%	30%
8.2 Economic interest	8.2.1 Economic interest of black people in the enterprise	4	40%	45%
	8.2.2 Economic interest of black women in the enterprise	2	20%	30%
	8.2.3 Economic interest of black natural people in the enterprise:	3	3%	5%
	8.2.3.1 black designated groups			
	8.2.3.2 black participants in employee-ownership schemes			
8.2.3.3 black beneficiaries of broad-based ownership schemes	2	2%	4%	
8.2.3.4 black participants in co-operatives				
8.2.4 Involvement in the ownership of the enterprises of black new entrants.				
8.3 Realisation points	Net value	8		
		25		

The principles and formulas for calculation of black ownership under the Amended Codes including the calculation of net value, shall apply using the ownership target of this MAC Sector Code.

**9 Management Control**

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
9.1 Board Participation	9.1.1 Exercisable voting rights of black board members as a percentage of all board members	2	50%	50%
	9.1.2 Exercisable voting rights of black female board members as a percentage of all board members	1	25%	25%
	9.1.3 Black executive directors as a percentage of all executive directors	2	50%	50%
	9.1.4 Black female executive directors as a percentage of all executive directors	1	25%	25%
9.2 Other Executive Management	9.2.1 Black executive management as a percentage of all executive management	3	60%	60%
	9.2.2 Black female executive management as a percentage of all executive management	2	30%	30%
9.3 Senior Management	9.3.1 Black employees in senior management as a percentage of all senior management	3	60%	60%
	9.3.2 Black female employees in senior management as a percentage of all senior management	2	30%	30%
9.4 Middle Management	9.4.1 Black employees in middle management as a percentage of all middle management	3	75%	75%
	9.4.2 Black female employees in middle management as a percentage of all middle management	2	38%	38%
9.5 Junior Management	9.5.1 Black employees in junior management as a percentage of all junior management	2	88%	88%
	9.5.2 Black female employees in junior management as a percentage of all junior management	2	44%	44%
9.6 Employees with Disabilities	9.6.1 Black employees with disabilities as a percentage of all employees	2	2%	2%
		27		

**10 Skills Development**

BEE elements		Indicators	Weighting points	Compliance Targets	Timeframe
					31 March 2018
10.1	Skills development expenditure on any programme specified in the Learning Programme Matrix for black people as a percentage of the Leviable Amount	10.1.1 Skills development expenditure on learning programmes specified in the learning programme matrix for black people as a percentage of leviable amount	8	4%	6%
		10.1.2 Skills development expenditure on learning programmes specified in the learning programme matrix for black employees with disabilities as a percentage of leviable amount.	4	0.2%	0.3%
10.2	Learnerships and Internships	10.2.1 Number of black unemployed people participating in learnerships and internships as a percentage of total employees	4	1.5%	2.5%
		10.2.2 Number of black unemployed people participating in training specified in the learning programme matrix as a percentage of number of employees	4	1.5%	2.5%
10.3	Bonus points	10.3.1 Number of black people absorbed by the Measured and Industry Entity at the end of the Learnerships and Internships programme	10	100%	100%
			30		

**11 Enterprise and Supplier Development**

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
11.1 Preferential procurement	11.1.1 B-BBEE procurement spend from all empowering suppliers based on the B-BBEE procurement recognition levels as a percentage of total measured procurement spend	5	80%	80%
	11.1.2 B-BBEE procurement spend from all empowering suppliers that are qualifying small enterprises based on the applicable B-BBEE procurement recognition levels as a percentage of total measured procurement spend	4	15%	20%
	11.1.3 B-BBEE procurement spend from all exempted micro-enterprises based on the applicable B-BBEE procurement recognition levels as a percentage of total measured of total measured procurement spend	5	15%	20%
	11.1.4 B-BBEE procurement spend from empowering suppliers that are at least 51% black owned based on the applicable B-BBEE procurement recognition levels as a percentage of total measured procurement spend	9	40%	40%
	11.1.5 B-BBEE procurements spend from empowering suppliers that are at least 30% black women owned based on the applicable B-BBEE procurement recognition levels as a percentage of total measured procurement spend	4	12%	12%
Bonus points	B-BBEE procurement spend from designated group suppliers that are at least 51% black owned	2		2%
11.2 Supplier development	11.2.1 Annual value of all supplier development contributions made by the measured entity as a percentage of the target	10	2% of NPAT	2% of NPAT
11.3 Enterprise development	11.3.1 Annual value of enterprise development contributions and sector specific programmes made by the measured entity as a percentage of the target	5	1% of NPAT	1% of NPAT
11.4 Bonus points	11.4.1 Bonus point for graduation of one or more enterprise development beneficiaries to graduate to the supplier development level	1		
	11.4.2 Bonus point for creating one or more jobs directly as a result of supplier development and enterprise development initiatives by the measured entity	1		
		46		

**12 Socio-economic Development Contributions**

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
12.1 Social-economic development	12.1.1 Average annual value of all socio economic development contributions by the measured entity as a percentage of the target	5	1% of NPAT	2.5%

### 13 Responsible Social Marketing and Communications

In a society where the national agenda takes precedence, it is important that social marketing pays heed and promotes it in a responsible yet creative manner. This will ensure that all messages aimed at promoting social coherence and edification are consistent with the national agenda in the best interest of society.

Social marketing is the use of any marketing communications platform for the purpose of encouraging society to embrace habits and practices that contribute to its collective wellbeing and welfare. This can be achieved by a number of approaches:

- Cultivating new habits and practices
- Encouraging adoption of good behavioural methods
- Discouraging behavioural patterns that have negative impact on society
- Reinforcing behavioural patterns that contribute to good fellowship and citizenry

For instance, South Africa has recognised the deleterious effects of obesity on the general welfare of the country. While this recognition has not been elevated to a statutory imperative, it has been identified and accepted as a threat to the wellbeing of society. Therefore it would be irresponsible of the MAC Sector to promote it in any manner or platform. Driving with an alcohol level above the national limit is a statutory offence and has dire consequences that impact negatively on the national welfare. The resultant damage, grief and sorrow can never be adequately quantified. Therefore the MAC Sector is constrained to making sure that this national issue is clearly and unambiguously communicated in the interest of social cohesion.

Fulfillment of this additional pillar will be measured by the contribution MAC Sector entities make towards the promotion of responsible social marketing through involvement in a programme designed to propound, propagate and entrench responsible social marketing:

- Attendance of sector RSM initiatives
- Attaining no adverse RSM ruling for the year under review

The South African Advertising Standards Authority (ASA) will be the MAC Sector organ entrusted with the responsibility of managing this element of the MAC Sector Codes.

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
13.1 Responsible Social Marketing and Communications	13.1.1 Annual value of contributions and participation in sector specific programs of the entity to promote responsible behavioural changes in line with national strategic objectives.	5	1% of NPAT	2.5%

**TOTAL weighting = 134**

### 14 Part Two: Qualifying Small Enterprises (QSEs) Scorecard

	Element	Weighting
1	Ownership	25
2	Management control	15
3	Skills development	25 + 10 bonus points
4	Enterprise and supplier development	30
5	Socio-economic development initiatives	5
6	Responsible Social Marketing and Communications	5
Total weighting points		105 + 10 bonus points

### 15 Ownership

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
15.1 Voting Rights	15.1.1 Exercisable voting rights in the enterprise in the hands of black people	5	25% + 1 vote	25% +1 vote
	15.1.2 Exercisable voting rights in the enterprise in the hands of black women	2	10%	12%
15.2 Economic Interest	15.2.1 Economic interest of black people in the enterprise	5	25%	25%
	15.2.2 Economic interest of black women in the enterprise	2	10%	12%
	15.2.3 New entrants or black designated groups	3	2%	2%
15.3 Realisation Points	15.3.1 Net value	8		
		25		

### 16 Management Control

BEE Elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
16.1 Executive Management	16.1.1 Black representation at executive management	5	50%	50%
	16.1.2 Black female representation at executive management	2	25%	30%
16.2 Non-Executive Management	16.2.1 Black representation at non-executive management	6	60%	60%
	16.2.2 Black female representation at non-executive management	2	30%	35%
		15		

### 17 Skills Development

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
17.1 Skills development expenditure on any programme specified in the Learning Programme Matrix for black people as a percentage of the Leviable Amount	17.1.1 Skills development expenditure on learning programmes specified in the learning programme matrix for black people as a percentage of leviable amount	20	3%	4%
	17.1.2 Skills development expenditure on learning programmes specified in the learning programme matrix for black females as a percentage of leviable amount	5	2%	3%
17.2 Bonus points	17.2.1 Number of black people absorbed by the Measured and Industry Entity at the end of the Learnerships and Internships programme	10	100%	100%
		35		

**18 Enterprise and Supplier Development**

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
18.1 Preferential procurement	18.1.1 B-BBEE procurement spend from all empowering suppliers based on the B-BBEE procurement recognition levels as a percentage of the total measured procurement spend	12	60%	60%
	18.1.2 B-BBEE procurement spend from all empowering suppliers that are at least 51% black owned based on the applicable B-BBEE procurement recognition levels as a percentage of total measured procurement spend	8	15%	20%
18.2 Supplier development	18.2.1 Annual value of all supplier development contributions made by the measured entity as a percentage of the target	5	1% of NPAT	2% of NPAT
18.3 Enterprise development	18.3.1 Annual value of enterprise development contributions and sector specific programmes made by the measured entity as a percentage of the target	5	1% of NPAT	2% of NPAT
		30		

**19 Socio-economic development contributions**

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
19.1 Social-economic development	19.1.1 Annual value of all socio-economic development contributions by the measured entity as a percentage of the target	5	1% of NPAT	2% of NPAT

## 20 Responsible Social Marketing (RSM) and Communications

In a society where the national agenda takes precedence, it is important that social marketing pays heed and promotes it in a responsible yet creative manner. This will ensure that all messages aimed at promoting social coherence and edification are consistent with the national agenda in the best interest of society.

Social marketing is the use of any marketing communications platform for the purpose of encouraging society to embrace habits and practices that contribute to its collective wellbeing and welfare. This can be achieved by a number of approaches:

- Cultivating new habits and practices
- Encouraging adoption of good behavioural methods
- Discouraging behavioural patterns that have negative impact on society
- Reinforcing behavioural patterns that contribute to good fellowship and citizenry

For instance, South Africa has recognised the deleterious effects of obesity on the general welfare of the country. While this recognition has not been elevated to a statutory imperative, it has been identified and accepted as a threat to the wellbeing of society. Therefore it would be irresponsible of the MAC sector to promote it in any manner or platform. Driving with an alcohol level above the national limit is a statutory offence and has dire consequences that impact negatively on the national welfare. The resultant damage, grief and sorrow can never be adequately quantified. Therefore the MAC sector is constrained to making sure that this national issue is clearly and unambiguously communicated in the interest of social cohesion.

Fulfillment of this additional pillar will be measured by the contribution MAC sector entities make towards the promotion of responsible social marketing through involvement in a programme designed to propound, propagate and entrench responsible social marketing:

- Attending sector RSM initiatives
- Attaining no adverse RSM ruling for the year under review

The South African Advertising Standards Authority (ASA) will be the MAC sector organ entrusted with the responsibility of managing this element of the MAC Sector Code.

BEE elements	Indicators	Weighting points	Compliance Targets	Timeframe
				31 March 2018
20.1 Responsible Social Marketing and Communications: Annual value of contributions and participation in sector specific programs of the entity to promote responsible behavioural changes in line with national strategic objectives	20.1.1 Attaining no adverse RSM ruling for the year under review	3	1% of NPAT	2% of NPAT
	20.1.2 Attending sector RSM initiatives	2		

**TOTAL weighting = 105**

## 21 CONSTITUTION OF THE MAC SOUTH AFRICA (MAC SA)

### 21.1 PREAMBLE

21.1.1 We, signatories to the Marketing, Advertising and Communication sector code, having irrevocably committed ourselves to the goals and targets enshrined therein, acknowledge that transformation goes beyond numbers and percentage; it embraces the totality of our experience and *raison d'être*.

21.1.2 We further accept that to achieve our goal of transformation of the Marketing Advertising, Public Relations and Communication sector, we must work together through a single representative body and harness and manage our resources in the most cost effective manner.

21.1.3 Therefore, we resolve to a forum comprising representatives of all representatives from all stakeholders, empowered in terms of Section 4 of the B-BBEE Amendment Act 46 of 2013 to guide the MAC industry in its implementation of the Sector Code and all matters related to the B-BBEE Codes.

21.1.4 A duly constituted monitoring and evaluation forum, the MAC SA Charter Council shall be the highest decision making body on all matters related to the implementation of the Sector Code.

## 21.2 NAME

21.2.1 The forum shall be known as the "Marketing, Advertising and Communication South Africa". The abbreviated form of the name shall be the "MAC SA". Both names shall be duly registered and afforded all legal protection as properties and or trademarks of the MAC SA.

21.2.2 Likewise all icons, logos, logotypes, slogans and symbols developed specifically as part of the name and identity of the MAC SA shall be registered and protected under the relevant legal provisions.

## 21.3 FUNCTIONS

The functions of the MAC SA Charter Council as set out in the Amended B-BBEE Codes of Good Practice are to:

21.3.1 Provide guidance on sector-specific matters affecting BEE in entities within the sector.

21.3.2 Monitor, measure and evaluate entities within the sector against the MAC sector code.

21.3.3 Compile reports on the status of B-BBEE within the sector.

21.3.4 Share information with the national monitoring mechanism and approved accreditation agencies, which can have specific relevance to BEE in the sector in terms of targets set out in the MAC sector code.

21.3.5 Report to the B-BBEE Commission, Line Minister, Minister of Trade and Industry and to the Presidential Advisory Council on progress made by the sector implement programmes intended to leverage verification capacity within the industry.

## 21.4 OBJECTIVES

21.4.1 To give meaningful expression and implementation of the MAC Sector Code by facilitating and expediting the transformation within the industry.

- Assume the role of a national policy making body that will give mandates to the MAC SA Charter Council
- Formulate policy directives with the guidance of the MAC SA Charter Council, monitor and evaluate the progress of implementation of the MAC Sector Codes.

## 21.5 COMPOSITION OF THE COUNCIL

21.5.1 In accordance with the Amended Codes of Good Practice, there shall be equitable representation of stakeholders in the membership composition.

21.5.2 In the interest of being representative of the collective experience of our country and to also avail itself of expertise, each stakeholder will be entitled to two (2) representatives.

21.5.3 The MAC SA fulfils its mandate through the Secretariat of the MAC SA Charter Council.

21.5.4 The council members shall be appointed by the Line Minister upon nomination by the sector.

## 21.6 ACCOUNTABILITY

21.6.1 The MAC SA is accountable to all stakeholders, comprising representatives from the Marketing, Advertising, Public Relations and Communication stakeholder bodies.

21.6.2 The MAC SA will consist of two (2) members from each stakeholder who subscribed to the MAC Sector Code. MAC SA reserves the right to co-opt members from advocacy bodies.

21.6.3 The MAC SA will convene at least one (1) annual meeting to report and interact with the MAC SA Charter Council.

21.6.4 The MAC SA may review its mandate if tabled at a fully constituted meeting, and if more than twenty five percent (25%) of stakeholders in the MAC SA agree to the motion.

## 21.7 DURATION OF TENURE

21.7.1 Each stakeholder representative shall serve for a minimum of two (2) years with the option of another two (2) consecutive years. No member may serve on the MAC SA for more than four (4) consecutive years. No more than half of the members of the MAC SA may leave at the end of the first two years.

21.7.2 The Chairperson of the MAC SA shall not be a Chairperson of the MAC SA Charter Council.

**21.8 MEETINGS**

- 21.8.1 The MAC SA shall hold a duly constituted meeting at least once a year in pursuance of its mandate. A special meeting may be convened if at least a third of voting members give their consent to the Chairperson.
- 21.8.2 Every MAC SA meeting will be conducted in accordance with the MAC SA's adopted rules and procedures. A quorum at a duly constituted meeting will be achieved when fifty percent (50%) of voting members are present.

**21.9 FINANCIAL MANAGEMENT**

- 21.9.1 All financial transactions will be undertaken in the auspices of the MAC SA Charter Council Secretariat in accordance with International Financial Reporting Standards Framework (IFRS).
- 21.9.2 Financial reports will be presented to the MAC SA at every standing meeting.
- 21.9.3 The Secretariat shall cause an annual audit to be conducted and presented to the MAC SA.
- 21.9.4 The financial year will end on the 31<sup>st</sup> March of every year.
- 21.9.5 The MAC SA will be funded by the stakeholders through the mechanism adopted by the MAC SA Charter Council.

**21.10 DISQUALIFICATION**

- 21.10.1.1 A member will be disqualified from serving on the MAC SA on the following if:
- 21.10.1.2 Advised by the constituent body which the member represents.
- 21.10.1.3 Withdrawal by the Constituent body of participation on the MAC SA and or ceases to be a member of the MAC SA for any reason.
- 21.10.1.3 Becomes an unrehabilitated insolvent.
- 21.10.1.4 Is convicted of a crime and sentenced to more than six (6) months imprisonment and having to serve without the option of a fine.
- 21.10.1.5 Contravenes and or violates the provisions of the MAC Sector Code.
- 21.10.1.6 A stakeholder will be disqualified immediately if found to have violated the provisions of the MAC SA Constitution.

**21.11 AMENDMENT TO THE MAC SA CONSTITUTION**

- 21.11.1 The MAC SA Constitution can only be amended if sixty percent (60%) of all voting members give their consent at a duly constituted council meeting.
- 21.11.2 A notice of amendment to the MAC SA Constitution must be circulated for a period of fourteen (14) days before its implementation.

**21.12 DISSOLUTION**

- 21.12.1 The MAC SA can only be dissolved if sixty percent (60%) of all voting members give their consent at a duly constituted meeting.
- 21.12.2 A meeting to discuss the dissolution of the MAC SA must be attended by eighty percent (80%) of voting members.
- 21.12.3 At least twenty-one (21) days notice must be given to all MAC SA members.
- 21.12.4 In event that there is dissolution of the MAC SA, any assets will be ceded to a body that espouses similar objectives.

**21.13 INDEMNITY AND LIABILITY**

- 21.13.1 Every member of the MAC SA shall be indemnified against personal claims made against that member and in any losses and expenses incurred by that member in execution of his or her duties of the work of the MAC SA Charter Council, except if acted in bad faith or negligence.
- 21.13.2 No member of the MAC SA shall have any liability for any commitments undertaken by MAC SA.

**21.14 FUNDING AND BUDGET**

- 21.14.1 **Equitable funding by all stakeholders:** This option requires that all the industry bodies represented on the Charter Council including the GCIS contribute equitably to annual projected expenditure required. This contribution can be made in cash or in kind to support and operationalise the work of the MAC SA Charter

- Council. Industry representatives will source funding from individual organisations that belong to that industry body.
- 21.14.2 **The model of equitable contribution by all industry bodies:** The core members as defined in the scope of application will contribute proportionately together with the GCIS to the annual running costs of the MAC SA Charter Council. Once the funding model has been adopted by all parties referred to in the preceding clause, it will be incorporated into the MAC Sector Code.

## 22 MAC SA CHARTER COUNCIL MEMBERS

The MAC SA Charter Council comprises members who have been voted and/or delegated by the stakeholders and approved by the Line Minister.

## 23 SECRETARIAT FOR THE MAC SA CHARTER COUNCIL

The GCIS will avail the secretariat function for the foreseeable future until the MAC SA Charter Council establishes its full time Secretariat.

## 24 INDUSTRY STAKEHOLDERS UNDERTAKINGS

In support of the MAC SA Charter Council application for SECTION 9 (1) status, the following core members and stakeholders have given their endorsement:

- Advertising Standards Authority of South Africa (ASA)
- Association for Communication and Advertising (ACA)
- Communication and Advertising Forum for Empowerment (CAFE)
- Government Communications and Information Services (GCIS)
- Public Relations Institute of Southern Africa (PRISA)
- South African Advertising Research Foundation (SAARF)



association for  
communication  
and advertising

## BOARD RESOLUTION

At the Board meeting of the Association of Communication and Advertising NPC held on the 22<sup>nd</sup> of August 2013, it was resolved that:

The ACA Board acknowledges the efforts made by the GCIS and DTI BBBEE unit in assisting with the revision of the sector charter. Furthermore, having taken into consideration the undertaking by the DTI BBBEE unit, that the Minister is ready to gazette the proposed MACSA Charter for public comment as a Section 9 Charter, the Board mandated the MACSA task team to accordingly submit the revised MAC Charter.

Signed on behalf of the ACA Board of Directors:

ODETTE VAN DER HAAR  
Chief Executive Officer  
Association for Communication and Advertising NPC

Date: 22/08/2013

1st Floor ACA House Bridge On Bond Cnr. Bram Fischer Drive & Bond Street Kensington B Randburg P O Box 2302 Parklands 2121  
Telephone: +27 11 781 2772 Fax: +27 11 781 2797 www.acasa.co.za

Secretariat: CEO: O. van der Haar CFO: R. Cory  
DIRECTORS: Chairperson: N. Morris Vice Chairpersons: G. Curtis M. Gendel B. Pezisa  
M. Abel J. Barty A. Deeb K. Denelane S. Dexter J. Dixon G. Leck M. Makhene A. Mbanga J. McCarthy  
P. Middleton I. Moroke K. Musi S. Napier N. Nkomo E. O'Hanlon C. Primos J. Ribeiro D. Tomlinson N. Wills

Association for Communication and Advertising NPC Registration No. 1971/008178/09

## ANNEXURE 24.2



**The Advertising Standards Authority of South Africa**

(Association incorporated under Section 21)

Telephone 011 781 2006 Fax 011 781 1616 Email info@asasa.org.za Website www.asasa.org.za  
 Willowview Burnside Island Office Park (Entrance off Athole) 410 Jan Smuts Avenue Craighall Park PO Box 41555 Craighall 2024  
 Company Registration Number 1995/000784/08 Non-profit Registration Number 043-694-NPO

Mr/Mrs/Ms .....

Department of Trade and Industry (The DTI)

Designation

Email address:

**RE: Support for MAC Charter**

Dear Mr/Mrs/Ms

The Advertising Standards Authority of South Africa, (ASA), is one of the original signatories of the Marketing, Advertising and Communications sector Charter, (MAC Charter) in compliance with S12 B-BBEE Codes of Good Practice, promulgated in 2007.

We now support the application for the MAC Charter to be gazetted as a sector Charter under S9 of the said B-BEE Codes of Good Practice.

Yours Sincerely

**Ms TN Msibi**  
**Chief Executive Officer**

Date: 27/03/2014

**N Nkomo**  
**Chairman of the Board**

Date: 27/03/2014.

President Judge Kate 'O' Regan  
 Directors NV Nkomo (Chairperson) J Siney-Gould (Vice Chairperson) TN Msibi (CEO) DR Terblanche ! Louw P Moliwa M Gendel

**ANNEXURE 24.3****Pledge by the South African Advertising Research Foundation (SAARF)**

The South African Advertising Research Foundation hereby re-affirms that it identifies with the Marketing, Advertising and Communication Charter and pledges to advocate, promote and support the transformation goals and targets contained therein.

Although the Charter does not apply to SAARF as a non-profit organization, SAARF will endeavour as far as it is able to, to comply with the spirit of the MAC Charter and reaffirms its support of the transformation goals and targets contained therein.

SAARF's members represent the diversity of the communication industry, and the vast majority already has their own programmes in place in their respective industries. However, they also wish to express their in-principle support for the Charter again and have it noted as such.

As it will not be appropriate for SAARF to serve on the MAC Charter Council (since it is a non-profit research organization whose members in any event comprise representatives of industry players), SAARF will not be nominating anybody to serve on the MAC Charter Council.

Signed on behalf of the South African Advertising Research Foundation.

Paul Haupt  
CEO: SAARF

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Page 1 of 1

54 Queens Road, Bryanston P O Box 98874 Sloane Park 2152  
Tel: (011) 463-5340/1/2 Fax: (011) 463-5010 / 0866 353 592 e-mail address: [saarf@saarf.co.za](mailto:saarf@saarf.co.za) Website: <http://www.saarf.co.za>

Directors: L Benjamin; R Chalmers; B Cooke; S F du Plessis (Chair); G Garden; M Grauman; P Haupt (Dr) (CEO); N F Holdsworth; T Mulaudzi;  
P Middleton; L Siso (Vice Chair); T Stafford; B Wortley (Vice Chair)

## ANNEXURE 24.4



**PRISA - The Institute for Public Relations &  
Communication Management**

Section 21 Registration No 2000/016388/08  
VAT registration number: 4230111688  
Tax Reference Number: 9807027140  
P O Box 2825 Pinegowrie 2123 South Africa  
ProComm House 108 Bram Fischer Drive Ferndale 2194  
Tel +27 11 328 1262  
Fax +27 11 328 1259  
Email [info@prisa.co.za](mailto:info@prisa.co.za)  
Website [www.prisa.co.za](http://www.prisa.co.za)

15 June 2015

Mr/Mrs/Ms .....

Department of Trade and Industry (The DTI)  
Designation

Email address:

RE: Support of MAC Charter

Dear Mr/Mrs/Ms

The Public Relations Institute of Southern Africa, (PRISA), is one of the original signatories of the Marketing, Advertising and Communications sector Charter, (MAC Charter) in compliance with S 12 B-BBEEE Codes of Good Practice, promulgated in 2007.

We now support the application for the MAC Charter to be gazette as a sector Charter under S9 of the said B-BEE Codes of Good Practice.

Sincerely

**ADELE PAULSEN**  
EXECUTIVE DIRECTOR

**PUBLIC RELATIONS INSTITUTE OF SOUTHERN AFRICA (NPO)**

Section 21 Company Directors: Lungile Lose APR, Lorraine van Schalkwyk APR, Ingrid Lotze APR, Kevin Welman CPRP, Sylvia Collins APR, Roshnee Pillay CPRP, Tasneem Carrim CPRP, Brightness Mangolotho CPRP, Kyler Martin, Kavitha Kalicheran APR, Adele Paulsen (Executive Director)



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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES  
NOTICE 269 OF 2016****THE PERISHABLE PRODUCTS EXPORT CONTROL BILL, NO. 39593 ADVERTISED IN THE GOVERNMENT GAZETTE ON FRIDAY, 15 JANUARY 2016****INVITATION FOR PUBLIC CONSULTATIONS**

Please be advised that public consultations will be held in respect of the above bill on the following dates and times;

**PORT ELIZABETH**

Date : 30 May 2016  
Time : 10:00 – 12:00  
Venue : The Beach Hotel  
Marine Drive, Summerstrand  
**PORT ELIZABETH**

**DURBAN**

Date : 31 May 2016  
Time : 10:00 – 12:00  
Venue : Gateway Hotel  
Cnr Centenary Boulevard & Twilight Drive, Gateway  
**UMHLANGA RIDGE**

**GAUTENG**

Date : 1 June 2016  
Time : 10:00 – 12:00  
Venue : Inn Joy Boutique Hotel  
1033 Shirley Road, Eldoraigue  
**CENTURION**

**CAPE TOWN**

Date : 2 June 2016  
Time : 10:00 – 12:00  
Venue : Protea Hotel Tygervalley  
Off Uys Krige-/Agulhas Road  
**BELLVILLE**

Please contact Michelle Adams, Legal & Corporate Governance Manager at 021 930 1134 or via email at [MichelleA@ppecb.com](mailto:MichelleA@ppecb.com), in the event of any queries.

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 270 OF 2016**

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

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended, that the following claim L207 (KRK 6/2/2/A/1/0/0/39) for the restitution of land rights was submitted to the Office of the Regional Land Claims Commissioner: Western and Northern Cape. The particulars regarding this claim are as follows:

**Area** : Overberg District Municipality, Agulhas Local Municipality, Western Cape

**Properties** : Remainder of portion 2 (Ryspunt) of the Farm Buffelsfontein no. 170 & portion 5 (portion of portion 2) of the Farm Buffelsfontein no. 170

**Claimant** : Andrew Victor Louw

**Extent** : 141, 0508 H & 56, 8080 H (respectively)

**Claim reference number** : L207

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

Office of the Regional Land Claims Commissioner: Western Cape  
14 Long Street – 1<sup>ST</sup> & 2<sup>ND</sup> Floors  
CAPE TOWN  
8000  
Tel: 021 409 0300  
Fax: 021 424 5146

Mr L.H. Maphutha  
Regional Land Claims Commissioner

**APPROVED** ..... 

**DATE** ..... 2016/03/29

**CHECKED** ..... 

**DATE** ..... 18/03/2016

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 271 OF 2016**

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

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

**Area** : Cape Winelands District Municipality, Breede Rivier Local Municipality, Western Cape

**Property** : The subject land is properly described as the farm Cogmans Kloof no. 84 [portions 10 & 12 – remaining extent] in the Montagu Registration Division.

**Claimant** : Pieter Jacobus Smith

**Extent** : Measure 2.9505 & 37.0456 hectares respectively

**Claim reference number** : S413

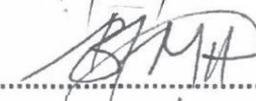
The Commission on Restitution of Land Rights will investigate the claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments/information to:

Office of the Regional Land Claims Commissioner: Western Cape  
14 Long Street – 1<sup>ST</sup> & 2<sup>ND</sup> Floors  
CAPE TOWN  
8000  
Tel: 021 409 0300  
Fax: 021 424 5146

Mr L.H. Maphutha  
Regional Land Claims Commissioner

**APPROVED** ..... 

**DATE** ..... 20/03/16

**CHECKED** ..... 

**DATE** ..... 24/03/16

**SOUTH AFRICAN RESERVE BANK  
NOTICE 272 OF 2016**

**Notice and Order of Forfeiture**

Notice of Forfeiture to the State of money in terms of the provisions of Regulation 22B of the Regulations ("the Exchange Control Regulations") made under Section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice No. R.1111 of 1961-12-01 in respect of the money of:

**Swire Express (Pty) Limited  
(Registration number 2014/063954/07)**

of:

PO Box 695  
Bruma  
2026

**Be pleased to take notice that:**

1. The Minister of Finance has, by virtue of the provisions of Regulation 22E of the Exchange Control Regulations delegated all the functions and/or powers conferred upon the Treasury by the provisions of the Exchange Control Regulations [with the exception of the functions and/or powers conferred upon the Treasury by Regulations 3(5) and (8), 20 and 22, but which exception does not include the functions and/or powers under Exchange Control Regulations 22A, 22B, 22C and 22D], and assigned the duties imposed thereunder on the Treasury, to, *inter alia*, the Governor or the Deputy Governor of the South African Reserve Bank.
2. By virtue of the functions, powers and/or duties vested in me, in my capacity as the Deputy Governor of the South African Reserve Bank, in terms of the delegation and assignment of the functions, powers and/or duties referred to in 1 above, I hereby give notice of a decision to forfeit to the State the following money and I hereby declare and order forfeit to the State the following money, namely:
  - 2.1 the amount of R1 101 240-00 being capital standing to the credit of the Respondent, in account number 11300001164, held with Bidvest Bank Limited, together with any interest thereon and/or other accrual thereto.
3. The date upon which the money specified in 2 above is hereby forfeited to the State is the date upon which this Notice of Forfeiture is published in this Gazette.
4. The money specified in 2 above shall be disposed of by deposit thereof to the National Revenue Fund.
5. This Notice also constitutes a written order, as contemplated in Regulation 22B of the Exchange Control Regulations, in terms of which the money specified in 2 above is hereby forfeited to the State.
6. Signed at Pretoria on this 11 day of APRIL 2016.



**K Naidoo  
Deputy Governor  
South African Reserve Bank**

**DEPARTMENT OF TRANSPORT  
NOTICE 273 OF 2016**

**INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)  
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE**

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

**APPENDIX II**

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight

(A) **Flyfofa Airways (Pty) Ltd.** (B) Hangar 12, Rand Airport, Germiston, Gauteng. (C) Class II; I/N279. (D) Type N1 & N2. (E) Category A1, A2, A3, A4 & H2. (F) & (G) Type N1: Worldwide. **Withdrawing category A1**

(A) **Inter Aviation Services (Pty) Ltd; Interair.** (B) 1<sup>st</sup> Floor-Finance House, 25 Ernest Oppenheimer Road, 2198 Bruma. (C) Class I; I/S022. (D) Type S1. (E) Category A1. (F) OR Tambo International Airport. (G) & (H) **The Licence withdrawn / cancelled & the following routes by Council Members.**

State	Destination	Frequencies
Benin	Cotonou	Four (4) return flights per week
Burkina Faso	Ouagadougou	One (1) return flight per week
Congo	Brazzaville	Two (2) return flights per week
Gabon	Libreville	Two (2) return flights per week
Kenya	Mombasa	Five (5) return flights per week
Mali	Bamoka	Two (2) return flights per week
Reunion	St Denis	Two (2) return flights per week
Swaziland	Manzini	Three (3) return flights per week
Tanzania	Dar Es Salaam	Five (5) return flights per week
Uganda	Entebe	One (1) return flight per week
Zambia	Ndola	Five (5) return flights per week

(A) Phoebus Apollo Aviation (Pty) Ltd. (B) Hangar 21, Rand Airport, Germiston. (C) Class I; I/S108. (D) Type S1 & S2. (E) Category A1. (F) OR Tambo, Cape Town & Durban International Airports. (G) & (H) The Licence withdrawn / cancelled & the following routes by Council Members.

State	Destination	Frequencies
(S2) Angola	Luanda	Two (2) return flights per week
(S2) Botswana	Gaborone	Five (5) return flights per week
(S1) Comores	Moroni	One (1) return flight per week
(S1) & (S2) Congo	Brazzaville	(S1) Two (2) return flights per week & (S2) one (1) return flights per week
(S1) Congo	Point Noire	One (1) return flight per week
(S1) DRC	Kingshasa	Two (2) return flights per week
(S2) DRC	Lubumbashi	One (1) return flight per week
(S1) & (S2) Gabon	Libreville	(S1) Two (2) return flights per week & (S2) Two (2) return flights per week
(S2) Ghana	Accra	One (1) return flight per week
(S2) Mauritius	Mauritius	One (1) return flight per week
(S2) Zambia	Lusaka	Two (2) return flights per week
(S2) Zambia	Ndola	One (1) return flight per week
(S2) Zimbabwe	Harare	Two (2) return flights per week

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**BOARD NOTICES • RAADSKENNISGEWINGS**

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**BOARD NOTICE 53 OF 2016**

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

P.O. BOX 868 Ferndale 2160  
[www:saclap.org.za](http://www.saclap.org.za)

[registrar@saclap.org.za](mailto:registrar@saclap.org.za)

**NOTICE FOR IMPLEMENTATION AS OF 06 MAY 2016**

**CONTINUED PROFESSIONAL DEVELOPMENT**

**FOR THE SOUTH AFRICAN COUNCIL FOR THE LANDSCAPE  
ARCHITECTURAL PROFESSION (SACLAP)**

The South African Council for the Landscape Architectural Profession has, under Section 22(2) of the Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000) determined the registration renewal criteria i.e. Continued Professional Development (CPD).

**Postal Address**

SACLAP  
The Registrar  
P O Box 868  
Ferndale  
2160

**Physical Address**

SACLAP  
c/o Van der Walt & Company (Pty) Ltd  
4 Karen Street Office Park  
4 Karen Street  
Bryanston, Sandton  
Johannesburg  
2021

Tel: 011 061 5000

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Email: [registrar@saclap.org.za](mailto:registrar@saclap.org.za)

## BOARD NOTICE 54 OF 2016



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

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[registrar@saclap.org.za](mailto:registrar@saclap.org.za)

**NOTICE FOR IMPLEMENTATION AS OF 6 MAY 2016**

**REQUIREMENTS FOR RECOGNITION  
AS A VOLUNTARY ASSOCIATION**

**FOR THE  
SOUTH AFRICAN COUNCIL FOR THE  
LANDSCAPE ARCHITECTURAL PROFESSION  
(SACLAP)**

The South African Council for the Landscape Architectural Profession has, as prescribed in Section 14(d) of the Landscape Architectural Profession Act, 2000 (Act No. 45 of 2000), determined the requirements for recognition as a Voluntary Association.

**Postal Address**

SACLAP  
The Registrar  
P O Box 868  
Ferndale  
2160

**Physical Address**

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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065