



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 731

15

May
Mei

2026

No. 54677

PART 1 OF 3

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



9 771682 584003



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

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS			
Agriculture, Department of / Landbou, Departement van			
7462	Procedures for import and export permits under Southern African Development Countries EPA, AGOA	54677	14
Electricity and Energy, Department of / Elektriesiteit en Energie, Departement van			
7463	National Nuclear Regulator Act, 1999 (Act No. 47 of 1999): National Nuclear Regulator authorization fee for the 2026/27 Financial Year.....	54677	15
Mineral and Petroleum Resources, Department of / Minerale en Petroleum Hulpbronne, Departement van			
7464	Petroleum Pipelines Act, 2003 (Act No. 60 of 2003): National Energy Regulator of South Africa: Rules made in terms of section 33(3) of the Act	54677	20
Higher Education and Training, Department of / Departement van Hoër Onderwys en Opleiding			
7465	Higher Education Act, 1997 (Act No. 101 of 1997, as amended): Institutional Statute: Rhodes University	54677	96
Non-Governmental Organization / Nie-Regeringsorganisasie			
7466	Public Health and Social Development Sectoral Bargaining Council (PHSDSBC): Amendments to the Rules for the conduct of the proceedings before the Council.....	54677	125
Public Works and Infrastructure, Department of / Department of Public Works and Infrastructure/Departement of Public Works and Infrastructure			
7467	Property Valuers Profession Act No. 47 of 2000: Publication of fees and charges effective 1 April 2026 until 31 March 2027	54677	167
Rural Development and Land Reform, Department of / Landelike Ontwikkeling en Grondhervorming, Departement van			
7468	Restitution of Land Rights Act No. 22 of 1994, as amended: Remaining Extent of the farm Houtrivier 50 LS.....	54677	169
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van			
7469	Co-operatives Amendment Act, No 6 of 2013: Co-Operatives that have been removed from the register	54677	170
7470	Co-operatives Amendment Act, No 6 of 2013: Co-Operatives that have been removed from the register	54677	171
7471	Companies Act, 2008: Notice to customers providing the Commission with accurate and up to date information of Directors.....	54677	172
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
Agriculture, Department of / Landbou, Departement van			
3924	Marketing of Agricultural Products Act (47/1996): Request for comments regarding the continuation of statutory measures in the Winter Cereal industry	54677	174
Employment and Labour, Department of / Indiensneming en Arbeid, Departement van			
3925	Labour Relations Act, 1995: National Bargaining Council for the Chemical Industry: Extension to non-parties of the Pharmaceutical Sector Collective Agreement	54677	177
Independent Communications Authority of South Africa / Onafhanklike Kommunikasie-owerheid van Suid-Afrika			
3926	Electronic Communications Act, 2005 (Act No. 36 of 2005): Draft amendment of the Radio Frequency Spectrum Fees Regulations, 2010.....	54677	221
3927	Electronic Communications Act, 2005 (Act No. 36 of 2005): Draft amendment of the Radio Frequency Spectrum Regulations, 2015	54677	230
Non-Governmental Organization / Nie-Regeringsorganisasie			
3928	National Gambling Act, 2004 (Act No. 7 of 2004): General notice of application for a National Manufacturer Licence	54677	244
3929	National Environmental Management Act (Act 107 of 1998 NEMA): Notification: Public participation opportunity..	54677	245
Rural Development and Land Reform, Department of / Landelike Ontwikkeling en Grondhervorming, Departement van			
3930	Upgrading of Land Tenure Rights Act, 1991 (Act No. 112 of 1991): Notice of an application for conversion of a land tenure right by the Minister.....	54677	247
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van			
3931	Standards Act, 2008 (Act No. 8 of 2008): Standards matters	54677	252
Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van			
3932	International Trade Administration Commission: Notice of Sunset Reviews	54677	264

Water and Sanitation, Department of / Water en Sanitasie, Departement van

3933	Water Research Act, 1971 (Act 34 of 1971): Water Research Levy 2026/27 – rates and charges: Increase of 3,6%	54677	271
------	---	-------	-----

BOARD NOTICES • RAADSKENNISGEWINGS

915	Agricultural Produce Agents Act, 1992, (Act 12 of 1992): Rules in respect of Export Agents, 2025.....	54677	274
-----	---	-------	-----



government
printing

Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works (GPW)*.

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as @gpw.gov.za

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at www.gpwonline.co.za
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: Annamarie.DuToit@gpw.gov.za

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: Bonakele.Mbhele@gpw.gov.za

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: Daniel.Legoabe@gpw.gov.za

Closing times for **ORDINARY WEEKLY** **2026** **GOVERNMENT GAZETTE**

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

- **23 December**, Tuesday for the issue of Friday **02 January 2026**
- **02 January**, Friday for the issue of Friday **09 January 2026**
- **09 January**, Friday for the issue of Friday **16 January 2026**
- **16 January**, Friday for the issue of Friday **23 January 2026**
- **23 January**, Friday for the issue of Friday **30 January 2026**
- **30 January**, Friday for the issue of Friday **06 February 2026**
- **06 February**, Friday for the issue of Friday **13 February 2026**
- **13 February**, Friday for the issue of Friday **20 February 2026**
- **20 February**, Friday for the issue of Friday **27 February 2026**
- **27 February**, Friday for the issue of Friday **06 March 2026**
- **06 March**, Friday for the issue of Friday **13 March 2026**
- **13 March**, Friday for the issue of Thursday **20 March 2026**
- **20 March**, Friday for the issue of Friday **27 March 2026**
- **26 March**, Thursday for the issue of Thursday **02 April 2026**
- **01 April**, Wednesday for the issue of Friday **10 April 2026**
- **10 April**, Friday for the issue of Friday **17 April 2026**
- **17 April**, Friday for the issue of Friday **24 April 2026**
- **22 April**, Wednesday for the issue of Thursday **30 April 2026**
- **30 April**, Thursday for the issue of Friday **08 May 2026**
- **08 May**, Friday for the issue of Friday **15 May 2026**
- **15 May**, Friday for the issue of Friday **22 May 2026**
- **22 May**, Friday for the issue of Friday **29 May 2026**
- **29 May**, Friday for the issue of Friday **05 June 2026**
- **05 June**, Thursday for the issue of Friday **12 June 2026**
- **11 June**, Thursday for the issue of Friday **19 June 2026**
- **19 June**, Friday for the issue of Friday **26 June 2026**
- **26 June**, Friday for the issue of Friday **03 July 2026**
- **03 July**, Friday for the issue of Friday **10 July 2026**
- **10 July**, Friday for the issue of Friday **17 July 2026**
- **17 July**, Friday for the issue of Friday **24 July 2026**
- **24 July**, Friday for the issue of Friday **31 July 2026**
- **31 July**, Friday for the issue of Friday **07 August 2026**
- **06 August**, Thursday for the issue of Friday **14 August 2026**
- **14 August**, Friday for the issue of Friday **21 August 2026**
- **21 August**, Friday for the issue of Friday **28 August 2026**
- **28 August**, Friday for the issue of Friday **04 September 2026**
- **04 September**, Friday for the issue of Friday **11 September 2026**
- **11 September**, Friday for the issue of Friday **18 September 2026**
- **17 September**, Thursday for the issue of Friday **25 September 2026**
- **25 September**, Friday for the issue of Friday **02 October 2026**
- **02 October**, Friday for the issue of Friday **09 October 2026**
- **09 October**, Friday for the issue of Friday **16 October 2026**
- **16 October**, Friday for the issue of Friday **23 October 2026**
- **23 October**, Friday for the issue of Friday **30 October 2026**
- **30 October**, Friday for the issue of Friday **06 November 2026**
- **06 November**, Friday for the issue of Friday **13 November 2026**
- **13 November**, Friday for the issue of Friday **20 November 2026**
- **20 November**, Friday for the issue of Friday **27 November 2026**
- **27 November**, Friday for the issue of Friday **04 December 2026**
- **04 December**, Friday for the issue of Friday **11 December 2026**
- **10 December**, Thursday for the issue of Friday **18 December 2026**
- **17 December**, Thursday for the issue of Thursday **24 December 2026**
- **23 December**, Wednesday for the issue of Thursday **31 December 2026**

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

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 R1008.80 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	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

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 **R3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

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

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

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

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

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

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

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

CANCELLATIONS

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

AMENDMENTS TO NOTICES

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

REJECTIONS

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

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

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

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

LIABILITY OF ADVERTISER

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

CUSTOMER INQUIRIES

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

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:

Government Printing Works
149 Bosman Street
Pretoria

Postal Address:

Private Bag X85
Pretoria
0001

GPW Banking Details:

Bank: ABSA Bosman Street
Account No.: 405 7114 016
Branch Code: 632-005

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

E-mail: submit.egazette@gpw.gov.za

E-mail: info.egazette@gpw.gov.za

Tel: 012-748 6200

Contact person for subscribers: Mrs M. Toka:

E-mail: subscriptions@gpw.gov.za

Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE

NO. 7462

15 May 2026

PAYMENT PROCEDURES FOR IMPORT AND EXPORT PERMITS UNDER THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC) AND EUROPEAN UNION (EU) ECONOMIC PARTNERSHIP AGREEMENT (EPA), SOUTHERN CUSTOM UNION AND MOZAMBIQUE (SACUM) AND UNITED KINGDOM (UK) EPA, WORLD TRADE ORGANISATION AGREEMENT (WTO) AND AFRICAN GROWTH OPPORTUNITY ACT AGREEMENT (AGOA) FOR THE FINANCIAL YEAR 2026/27**FEES FOR THE DOA QUOTA ALLOCATION OF IMPORT AND EXPORT PERMITS**

A fee of R1 840.00 per permit will be payable for annual permits, as well as lost permits and replacement permits issued until 31 March 2027.

The proof of payment of import and export permit fee (bank deposit slip or cashier receipt) must be attached to the application form

Payment is to be made as follows:

Payment to Department of Agriculture bank account

Bank: Standard Bank

Branch: Tshwane Mid City

Branch No.: 01-01-45

Account No.: 013024175

Account Name: DOA MARK.ADMIN.TRADE

Reference: Company Name

OR

Payment in cash: Department of Agriculture cashier
Pretoria: Agricultural Place, 20 Steve Biko Drive, Arcadia,
Pretoria
Block P: Room GF 15

Payments must be made per application period, and no payments should be made in advance for another period.

Where a permit has been lost by the permit holder either in his/her possession or during the clearing process, such permit holder must request a replacement permit from the Department. The replacement permit will only be issued by the Department upon receipt of proof of payment of the replacement permit fee.

There will be no refunds to applicants who pay more than the stipulated import permit fee and disqualified applications.

DEPARTMENT OF ELECTRICITY AND ENERGY

NO. 7463

15 May 2026

**MINISTRY
ELECTRICITY AND ENERGY
REPUBLIC OF SOUTH AFRICA**192 Visagie Street | Matimba House, Cnr Paul Kruger & Visagie Street
Pretoria | 0001**NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO 47 OF 1999)**

Notice in terms of section 28 of the National Nuclear Regulator Act, 1999 (Act No 47 of 1999), on the proposed increase in fees for the National Nuclear Regulator (NNR).

I, Dr Kgosi Ramokgopa, Minister of Electricity and Energy, acting under section 28 of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), on the recommendation of the NNR Board and in consultation with the Minister of Finance and by notice in the Government Gazette, hereby determine the fees contained in the attached schedule payable to the Regulator in respect of:

- (a) any application for the granting of a nuclear authorisation; and
- (b) an annual nuclear authorisation fee for the financial year (2025-26).

The proposed fee increase of 5,5% shall be payable to the National Nuclear Regulator of South Africa, for the period of 01 April 2026 to 31 March 2027, by the licensed holders concerned.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line.

**DR KGOSIENTSHO RAMOKGOPA, MP
MINISTER OF ELECTRICITY AND ENERGY**

DATE: 16/02/26



National Nuclear Regulator

+27 (0) 12 674 7100

enquiry@nnr.co.za

www.nnr.co.za

ANNEXURE A

PROPOSED NOTICE OF AUTHORISATION FEES FOR 2026/2027

GOVERNMENT NOTICE DEPARTMENT OF ELECTRICITY AND ENERGY

No. XXXXX

NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999 AS AMENDED)

NOTICE IN TERMS OF SECTION 28 OF THE NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999 AS AMENDED), ON FEES FOR NUCLEAR AUTHORISATIONS

Under section 28 of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999 as amended), the Minister, on the recommendation of the Board of Directors of the National Nuclear Regulator and in consultation with the Minister of Finance, hereby determine in the Schedule, the fees payable to the Regulator in respect of-

- (a) any application for the granting of a nuclear authorisation;
- (b) an annual nuclear authorisation fee for the financial year 2026/27;
- (c) any work the Regulator may be required to undertake pursuant to receipt of a notification

Protecting people, property and the environment.

Eco Glades Office Park, Eco Glades 2 Block G, Witch Hazel Avenue, Highveld Ext 75,
Eco Park, Centurion, South Africa | PO Box 7106 Centurion, 0046.

1

MINISTER OF ELECTRICITY AND ENERGY

SCHEDULE

Definitions

1. In this notice in the gazette, any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned.

Fees payable to the Regulator in respect of any application for the granting of authorisation for the financial year 2026/27 are proposed as indicated below.

2. For new applications:

R 2,927 per hour per person charged to process application documents and site verification visits until application is approved.

3. For Certificate of Exemptions:

R 2,927 per hour per person charged for all regulatory activities executed by the regulator under the issued certificate of exemption.

4. For any other nuclear regulatory work:

R2,927 per hour per person charged for any work the Regulator may be required to undertake pursuant to receipt of a notification

5. Nuclear Installation licenses

Nuclear Installation / Site	Authorisation Fee 2026/27
Eskom KNPS - Normal operation	R 124,455,390
Eskom - Nuclear Installation Site license Thyspunt	R 3,196,886
Eskom - Nuclear Installation Site license Duynefontien	R 9,590,658
South African Nuclear Energy Corporation, Phelindaba	R 65,618,683
National Radioactive Waste Disposal Institute, Vaalputs	R 10,107,239

Protecting people, property and the environment.

Eco Glades Office Park, Eco Glades 2 Block G, Witch Hazel Avenue, Highveld Ext 75,
Eco Park, Centurion, South Africa | PO Box 7106 Centurion, 0046.

2



6. Certificates of Registration

Categories of facilities	Type of facility	Authorisation Fee 2026/27
Category 1	Small users, laboratories and refurbishes	R 89 841
Category 2	Scrap processors, scrap smelter and service providers	R 112,303
Category 3	Fertilizers and other lesser mineral processing facilities	R 628,896
Category 4	Medium operators and other lesser mining and mineral processing facilities	R 718,254
Category 5	Large operators which include major mining and mineral processing facilities	R 1,707,001

7. The annual authorisation fee as contemplated in terms of Section 28(b) of the NNR Act as amended in respect of new authorisations to be issued between 01 April 2026 and 31 March 2027 in terms of section 22 of the NNR Act as amended shall be calculated on a pro rata basis according to the following formula:

$$\text{Annual Fee} = (0/12) \times N$$

Where 0 = the annual authorisation fee for the relevant category of the operation (i.e. large, medium or small operator): and

N= the number of full calendar months from 01 April 2026 until 31 March 2027.

For the calculation of authorisation fees for 2026/27 financial year, the person-effort for each of the authorisations categories have been revised taking into account the past operational experiences and the expected increase in the workload.

8. Authorisation fees shall be billed annually in advance, and payment of such fees shall be due within thirty (30) days of the issuance of the invoice. Interest shall accrue on the outstanding amount after 30 days of the issuance of the invoice.

Protecting people, property and the environment.

Eco Glades Office Park, Eco Glades 2 Block G, Witch Hazel Avenue, Highveld Ext 75,
Eco Park, Centurion, South Africa | PO Box 7106 Centurion, 0046.

9. Interest shall be calculated on the daily balance owing and compounded monthly. The interest rate determined by the Minister of Finance in terms of section 80 of the Public Finance Management Act 1999, (Act No. 1 of 1999 as amended) shall be applicable.

10. For clarification on any matter relating hereto please be at liberty to contact:

The Chief Executive Officer
National Nuclear Regulator
P O Box 7106
Centurion, 0046.

Tel: 012-674 7100.

Protecting people, property and the environment.

Eco Glades Office Park, Eco Glades 2 Block G, Witch Hazel Avenue, Highveld Ext 75,
Eco Park, Centurion, South Africa | PO Box 7106 Centurion, 0046.

4



DEPARTMENT OF MINERAL AND PETROLEUM RESOURCES

NO. 7464

15 May 2026

NATIONAL ENERGY REGULATOR OF SOUTH AFRICA**RULES MADE IN TERMS OF SECTION 33(3) OF THE PETROLEUM PIPELINES
ACT, 2003 (ACT NO. 60 OF 2003)**

The National Energy Regulator has, in terms of section 33(3) of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003), made the Rules contained in the schedule. Electronic copies of the Rules are available at www.nersa.org.za.

Enquiries can be directed at the Executive Manager: Petroleum Pipelines Regulation:

Telephone: 012 401 4600
Fax: 012 401 4700
Email: pipelines@nersa.org.za

N.P. Sithole

CHIEF EXECUTIVE OFFICER

SCHEDULE**ARRANGEMENT OF RULES**

	Page
1. Definitions	4
CHAPTER 1	
GENERAL REQUIREMENTS FOR DOCUMENTS SUBMITTED TO THE ENERGY REGULATOR	
2. Addresses for submission of documents	6
3. Days and times for submission of documents	6
4. Applications for confidential treatment of information submitted	6
5. General requirements and procedure for all applications made in terms of the Act	7
6. Units of measure	7
CHAPTER 2	
APPLICATIONS AND OBJECTIONS TO LICENCE APPLICATIONS	
7. Application for a licence	8
8. Publishing of a notice of an application for a licence and the contents thereof	9
9. Changes to an application for a licence	10
10. Form and manner of an objection to an application for a licence	11
11. Licence applicant's response to an objection to an application for a licence	11
12. Application for an amendment of a licence	11
13. Application for the revocation of a licence	13
CHAPTER 3	
CONSULTATION WITH AFFECTED AND INTERESTED PARTIES	
14. Administrative action affecting any person	14
15. Administrative action affecting the public	15
CHAPTER 4	
COMPLAINTS, INVESTIGATIONS AND INSPECTIONS	
16. Form and manner of submitting a complaint	16
17. Procedures to be followed in investigations of complaints	16
18. Inspection of and enquiry into licensed activities	17
CHAPTER 5 GENERAL PROVISIONS	
19. Publishing information relating to uncommitted capacity	19
20. Repeal of Rules	19
21. Short title and commencement	19

FORMS AND NOTICES

FORM A	Application for confidential treatment of information submitted to the Energy Regulator	20
FORM B	Applications for a licence in terms of the Petroleum Pipelines Act, 2003	25
FORM C	Notice of an Incomplete Licence or Tariff Application in terms of Rule 7(5) of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)	53
FORM D	Objection to an application for a licence in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)	55
FORM E	Application for an amendment of a licence in terms of section 23 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)	60
FORM F	Application for the revocation of a licence in terms of section 24 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)	65
FORM G	Complaint in terms of section 31 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)	71

Definitions

In these Rules, any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned, unless the context indicates otherwise.

‘Act’ means the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) including any amendments and regulations made in terms thereof.

‘Activity’ means:

- a) the construction of petroleum pipelines, storage or loading facilities;
- b) the conversion of infrastructure into petroleum pipelines, storage or loading facilities;
and
- c) the operation of petroleum pipelines, storage or loading facilities.

‘Actual design capacity’ means the maximum overfill capacity after the installation of internal features such as the floating roof or blanket.

‘Administrative action’ means administrative action as defined in section 1 of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

‘Amendment’ means to vary, suspend, remove or add a licence condition as contemplated in section 23 of the Act.

‘Adequacy Assessment’ means a process undertaken to verify that all the minimum information as required within the Rules (the Forms) has been submitted and that the information is suitable to enable NERSA to conduct a thorough analysis.

‘Applicant’ as it relates to all applications in terms of these Rules, means the owner of the petroleum pipeline, storage facility or loading facility as contemplated in section 16(1) of the Act.

‘Application Fee’ means the prescribed fee to be paid to the Energy Regulator when lodging an application, as approved, and as may be amended.

‘Authorisation permit’ means a permit issued by the Energy Regulator in terms of these rules.

‘Authorised person’ means a person who has been issued with a valid authorisation permit by the Energy Regulator.

‘Company’ means a company or an external company, both as defined in the Companies Act, 2008 (Act No. 71 of 2008).

‘Complainant’ means a person who has submitted a complaint in terms of section 31 of the Act.

‘Complete application’ means an application that meets the minimum information requirements specified in the Act, the Regulations and these Rules.

‘Conversion’ means a change of existing assets/facility from a non-regulated activity into a regulated activity.

‘Days’ mean calendar days.

‘Energy Regulator’ means the National Energy Regulator established in terms of section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004).

‘GPS’ means Global Positioning System.

‘Facility’ means a petroleum pipeline, petroleum storage facility or petroleum loading facility as defined in section 1 of the Act.

‘Licensee’ means a holder of a licence issued by NERSA in terms of the Act.

‘Operational capacity’ means the allowable safe working capacity after considering the unpumpables and all safety parameters relating to the maximum safe working level of a tank.

‘Person’ means, for the purpose of a licence application, a natural person or a juristic person.

‘Promotion of Administrative Justice Act’ means the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

‘Respondent’ means a licensee who is the subject of a complaint in terms of section 31 of the Act.

‘Tariff application’ means an application for the approval or setting of tariffs or an application to amend an approved or set tariff.

‘Third party’ means any company or person other than the sole or co-owner of the petroleum storage facility, who is interested and/or affected or has access to petroleum facilities.

‘Uncommitted capacity’ means capacity determined by the Energy Regulator that is not required to meet contractual obligations in that it is not utilised by the lessee of the storage facility.

CHAPTER 1

GENERAL REQUIREMENTS FOR DOCUMENTS SUBMITTED TO NERSA

Addresses for submission of documents

1. If, in terms of these rules, documents are delivered to the National Energy Regulator of South Africa (NERSA):
 - (a) by hand, they must be delivered to Kulawula House, 526 Madiba Street, Arcadia, Pretoria;
 - (b) by registered post, they must be sent to PO Box 40343, Arcadia, 0007;
 - (c) electronically, they must be emailed to pipelines@nersa.org.za;
 - (d) through the NERSA electronic submission platform, applicants must register; and
 - (e) by fax, they must be faxed to 012 401 4700.

Days and times for submission of documents

2. Documents delivered by hand must be delivered to NERSA only from Monday to Friday, excluding public holidays, from 8:30 to 15:30.

Applications for confidential treatment of information submitted

3. (1) Any person who submits information to NERSA may request confidential treatment of such information.
 - (2) Where a person requests the confidential treatment of information as contemplated in sub-rule (1) above, that person must:
 - (a) submit the application in the manner specified in **Form A** and must provide all information specified therein; and
 - (b) clearly indicate and highlight those parts of the information submitted that the applicant considers to be confidential.
 - (3) Subject to the concurrence of NERSA regarding the confidential nature of the information submitted, such information may be withheld from the public.
 - (4) NERSA will inform the applicant of its decision regarding the request for the confidential treatment of information within 30 days from receipt of such a request or application.

- (5) Information considered by NERSA to be confidential will only be made available to the public in accordance with the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) ('the Act') or the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) ('PAIA').

General requirements and procedure for all applications made in terms of the Act

5. (1) All applications must:
- (a) be indexed and paginated; and
 - (b) be signed and accompanied by a signed and dated solemn declaration included in Forms A, B, D – G.
- (2) Applications contemplated in sub-rule (1) above must be delivered by hand or sent by registered post or sent electronically to the addresses specified in Rule 2 of these Rules. Applications may also be faxed to the fax number specified in Rule 2 of these Rules.
- (3) On receipt of an application, NERSA shall provide the applicant with an acknowledgement of receipt of an application that states:
- (a) the date of receipt of the application;
 - (b) the type of application; and
 - (c) the tracking or reference number allocated to that application.
- (4) Applicants must provide any information that NERSA requests and that NERSA may consider necessary to properly consider the application.

Units of measure

6. All measurements must be expressed in metric units, and for capacity, cubic meters should be used.

CHAPTER 2

APPLICATIONS AND OBJECTIONS TO LICENCE APPLICATIONS

Application for a licence

7. (1) An application for a licence must be made in writing, in **Form B**, and must contain all information specified therein.
- (2) An applicant for a licence may request the confidential treatment of information in the licence application, in which case the licence application must be submitted together with:
 - (a) an application for the confidential treatment of information, which complies with Rule 4 of these Rules.
- (3) Based on NERSA's assessment and evaluation of an application, an applicant may, in accordance with section 18(b) of the Act, be requested by NERSA to alter its application.
- (4) NERSA will, within 30 days of receipt of an application, inform an applicant in writing through an Adequacy Assessment whether the application meets the licence application requirements specified in these Rules and is therefore accepted by NERSA.
- (5) Should an applicant fail to respond to the required information specified in the Adequacy Assessment within the specified period, the application will be considered incomplete. If an application is incomplete, NERSA will issue the applicant with a Notice of an Incomplete Licence Application (**Form C**).
- (6) If the application is adequate, the applicant will be required to pay an application fee as outlined in the Application Fees Procedure.
- (7) A tariff is a condition of an operation licence, therefore all tariff applications must be submitted at least six months prior to the date on which the tariff to be approved or set is to take effect. The tariff to be approved or set is a maximum tariff exclusive of value added tax (VAT) and remains until a new tariff takes effect.
- (8) In addition to the information specified in **Form B** as contemplated in sub-rule (1) above, the following information must be submitted with all tariff applications:
 - (a) electronic models containing all calculations;
 - (b) for pipeline tariffs, all information required in terms of NERSA's Tariff Methodology for the Petroleum Pipelines Industry to enable NERSA to set the tariffs for the pipeline;

- (c) for tariffs for storage facilities and loading facilities:
 - (i) proposed tariffs and details regarding the Methodology used to determine such tariffs, which Methodology must comply with the Regulations made in terms of the Act, and
 - (ii) all information necessary to enable NERSA to apply the its Tariff Methodology inclusive of the information tabled below; and
- (d) any additional information requested by NERSA.

Publishing a notice of a licence application and the contents thereof

8. (1) An applicant for a licence must only publish a notice of a licence application after:
- (a) it has received confirmation from NERSA in terms of rule 7(4) that the application meets the application requirements and is accepted by NERSA; and
 - (b) where applicable, it has been informed of NERSA's decision regarding its application for the confidential treatment of information in its licence application.
- (2) The notice contemplated in rule 8(1) must be published in:
- (a) at least two newspapers (online or physical publications) circulating in the area of the proposed activity; and
 - (b) in any two official languages commonly spoken in the area of the proposed activity, one of which must be English.
- (3) The applicant must, on the day of publication of the notice contemplated in rule 8(1) above, forward copies thereof to NERSA to the addresses and numbers specified in rule 2 of these Rules.
- (4) If NERSA deems it necessary considering the specific characteristics of an application, it may direct an applicant for a licence to publish the notice contemplated in rule 8(1) above, in more than one issue of a newspaper, but not exceeding four issues, or on more than one day, but not exceeding six days.

- (5) A notice of a licence application published in terms of these Rules must comply with all requirements listed in section 17(2) of the Act and must:
- (a) state that the licence application will be accessible to members of the public:
 - (i) for a period of 30 days from the date of publication of the notice of the application, excluding Saturdays, Sundays and public holidays and only during office hours,
 - (ii) at the offices of:
 - (aa) the applicant and must state the address, telephone number and the name of the contact person at the offices of the applicant, and
 - (bb) of the Energy Regulator at the address specified in rule 2(a) of these Rules, and
 - (iii) on the website of:
 - (aa) the applicant, where available, and
 - (bb) the Energy Regulator;
 - (b) state that although the 30 days' period specified in sub-rule (5)(a)(i) above includes all Saturdays, Sundays and public holidays from the day of publication, public access to the offices specified in sub-rule (5)(a)(ii) will not be available on such days;
 - (c) state the application reference number issued by NERSA;
 - (d) indicate that NERSA will disregard objections received after the closing date; and
 - (e) state that:
 - (i) persons who wish to lodge objections must do so by completing **Form D**, which is available on NERSA's website or at the NERSA offices at the address specified in rule 2(a) of these Rules, and
 - (ii) objections must be delivered by hand, sent by registered post, sent electronically or sent by fax to the addresses and numbers specified in rule 2 of these Rules.

Changes to an application for a licence

9. (1) An applicant wanting to make changes to its licence application before NERSA has decided on the application, may request permission from NERSA to do so.
- (2) If NERSA deems it necessary, it may direct the applicant to publish a notice of an amendment to a licence application in the same newspapers and in the same languages as the notice of the licence application had been published.

- (3) The notice published in terms of sub-rule (2) above must also comply with rule 8 of these Rules.

Form and manner of an objection to an application for a licence

- 10.(1) An objection to an application for a licence must be submitted by completing **Form D** and must contain all information specified therein.
- (2) An objector may request the confidential treatment of information contained in the objection, in which case the objection must be submitted together with:
- (a) an application for the confidential treatment of information that complies with rule 4 of these Rules; and
 - (b) a non-confidential version of the objection.
- (3) An objection to an application for a licence must be delivered by hand, sent by registered post, sent electronically or sent by fax to the addresses and numbers specified in rule 2 of these Rules.
- (4) An objection must be received by NERSA on or before the closing date of objections mentioned in the notice of the licence application published in terms of rule 8 of these Rules.
- (5) This Rule, with the necessary changes, applies to an objection to an amended application for a licence.
- (6) Comments on an application for a licence that are not objections, must be in writing and sent to NERSA to the addresses or numbers specified in rule 2 of these Rules.

Licence applicant's response to an objection to an application for a licence

11. Applicants must provide NERSA with a detailed response to an objection as contemplated in rule 10 of these Rules:
- (1) within 30 days of receiving the objections to its licence application from NERSA; and
 - (2) in writing, clearly stating the name of the objector, the date of the objection and the objection to which it is responding.

Application for an amendment of a licence

12. The general requirements for all licence amendment applications are as follows:
- (1) A licensee or an affected party may apply to NERSA for the amendment of a licence.

- (2) An application for the amendment of a licence may be considered with the permission of the licensee, on non-compliance by a licensee with a licence condition, if it is necessary for the purposes of the Act or in the case of an emergency. An emergency refers to an unplanned event affecting the conditions of a licence.
- (3) An application for the amendment of a licence must be made in writing on **Form E** and must contain all information specified in the form.
- (4) An applicant may, in accordance with rule 4 of these Rules, request the confidential treatment of information submitted by it as part of an application for the amendment of a licence.
- (5) Where the applicant is a person other than the licensee:
- (a) NERSA must provide the licensee with the non-confidential version of the application for the amendment of its licence;
 - (b) the licensee must provide NERSA with a written response to the application for the amendment to its licence within 30 days from receipt of the information regarding the application for the amendment to its licence; and
 - (c) NERSA will follow the procedure outlined in either rule 14 or 15 of these Rules or both, as appropriate, to process the application.
- (6) Where the application is made with the permission of a licensee:
- (a) the applicant must attach a written confirmation given by the licensee under oath or an affirmation to that effect; and
 - (b) NERSA will process the application in accordance with the procedure outlined in either rule 14 or 15 of these Rules or both, as appropriate.
- (7) The provisions of rules 8, 9, 10 and 11 apply to all applications made under Rule 12.
- (8) Where the amendment of a licence is at the instance of NERSA, the procedure outlined in either rule 14 or 15 of these Rules will be followed, depending on the circumstances of each case.
- (9) Should the amendment sought change the licensee's regulatory asset base (RAB), a tariff application, where applicable, must be submitted to NERSA within six months following the effective date of the amendment, where the provisions of rule 7(7) and 7(8) will be applicable.

Application for the revocation of a licence

13. (1) An application for the revocation of a licence must be made in writing to NERSA on **Form F** and must contain all information specified therein.
- (2) An applicant may, in accordance with rule 4 of these Rules, request the confidential treatment of information submitted as part of an application for the revocation of a licence.
- (3) If the reason for ceasing the licensed activity is that another person is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act, the licensee must:
- (a) obtain and submit with the licence revocation application, an undertaking under oath by such other person to that effect; and
 - (b) submit proof that the facility has been sold or transferred to such other person.
- (4) NERSA will follow the process outlined in rule 14 or 15 of these Rules to consult with the interested and affected parties. The provisions of rules 8, 9, 10 and 11 apply to all applications made under this rule 13
- (5) For revocation applications made in terms of any other grounds listed in section 24(1) of the Act, NERSA will, in addition to embarking on a public consultation process with interested and affected parties in terms of rule 14 or 15 of these Rules, also perform other verifications as may be warranted to appropriately evaluate the likely implications of the proposed revocation prior to making a decision on the application.

CHAPTER 3**CONSULTATION WITH AFFECTED AND INTERESTED PARTIES****Administrative action affecting any person**

14. (1) For any administrative action that might materially and adversely affect the rights or legitimate expectations of any person, NERSA must call for the written submission of relevant views, facts and evidence.
- (2) The call for written representations:
- (a) must be published on NERSA's website;
 - (b) may also be published on a public noticeboard outside NERSA's offices; and
 - (c) must comply with all the procedures outlined in section 3 of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).
- (3) If considered appropriate by NERSA and where persons concerned can be readily identified, notices of the call for written representations may be communicated by NERSA directly to such persons.
- (4) For all other NERSA decisions that do not constitute an administrative action as defined in the Promotion of Administrative Justice Act, but that may affect or are of interest to other persons, NERSA must allow such interested and affected persons an opportunity to submit their views and present relevant facts and evidence.
- (5) For the purposes of sub-rule (4) above, NERSA must give at least 14 days' notice of the deadline for submission of written representations.
- (6) Written representations submitted in terms of this rule 14 must be submitted together with an affidavit signed by the submitter or a mandated representative confirming that the information submitted is true and correct.
- (7) At the close of each consultation process, all representations received will be considered in taking a decision and compiling reasons therefor.
- (8) A non-confidential version of any such decision and the reasons therefor will be published on NERSA's website.

Energy Regulator decisions affecting the public

15. (1) For any administrative action that might materially and adversely affect the rights of the public, NERSA will follow the procedure outlined in section 4 of the Promotion of Administrative Justice Act and the Regulations made in terms thereof, including a

consultation period of at least 30 days with interested and affected persons.

- (2) Where NERSA chooses to hold a public hearing as contemplated in regulation 11 of the Regulations made in terms of the Promotion of Administrative Justice Act, NERSA must give notice of the public hearing at least 30 days before the date of the hearing.
- (3) For all other NERSA decisions that do not constitute an administrative action as defined in the Promotion of Administrative Justice Act, but that may affect or are of interest to other persons, NERSA must allow such interested and affected persons a consultation period of at least 14 days.
- (4) Written representations submitted in terms of this rule 15 must be submitted together with an affidavit signed by the submitter or a mandated representative confirming that the information submitted is true and correct.
- (5) At the close of each consultation process, all representations received will be considered in taking a decision and compiling reasons therefor.
- (6) A non-confidential version of any such decision and reasons will be published on NERSA's website.

CHAPTER 4

COMPLAINTS, INVESTIGATIONS AND INSPECTIONS

Form and manner of submitting a complaint

16. (1) Complaints in terms of section 31(1) of the Act must be lodged with NERSA within the period of validity of the licence.
- (2) Complaints contemplated in sub-rule (1) above must comply with section 31 (2) of the Act and must be lodged with NERSA:
- (a) in writing by completing **Form G**; or
 - (b) telephonically by calling the number: 012 401 4600.
- (3) Written complaints must be delivered by hand, sent by registered post, sent electronically or sent by fax to the addresses and numbers specified in rule 2 of these Rules.
- (4) Where a complaint is lodged telephonically, the complainant will be required to sign an affidavit confirming the details and nature of the complaint.
- (5) A complainant may, in accordance with rule 4, request the confidential treatment of information submitted to NERSA as part of its complaint.
- (6) NERSA must conduct an investigation into any such complaint lodged, in line with rule 19 of these Rules.

Initiation of own investigations and inquiries

17. (1) NERSA may, in accordance with the regulations made in terms of the Promotion of Administrative Justice Act, read with rule 19 of these Rules, also initiate and conduct its own investigations or inquiries into activities of licensees.
- (2) Investigations conducted in terms of sub-rule (1) must be initiated within the period of validity of the licence to which the suspected transgression relates.

Procedures to be followed in investigations of complaints

18. (1) On receipt of a complaint, NERSA will immediately assess whether the complaint concerns a matter that NERSA is required to investigate in terms of the Act.
- (2) If the complaint falls under the investigation jurisdiction of NERSA, a copy of the non-confidential version of the complaint will be provided to the licensee who is the subject of the complaint to respond to the allegations.

- (3) In the case of self-initiated investigations or inquiries, NERSA will prepare written questions based on the information contained in its investigation or inquiry initiation report and forward them to the relevant licensee with the directive to respond thereto.
- (4) The licensee must submit a written response to the complaint or written questions, as the case may be, to NERSA within 30 days from the date of receipt of the copy of the non-confidential version of such complaint or written questions in case of a self-initiated investigation or inquiry.
- (5) In analysing the responses, NERSA may summon a licensee and/or any person believed to be in possession of information relevant to the investigation or inquiry to appear before NERSA to provide evidence.
- (6) Persons summoned by NERSA in the course of an investigation or inquiry will be reimbursed for all associated and reasonable costs within 30 days of receipt of documentary proof of such costs.
- (7) NERSA will first issue preliminary findings on its investigation or inquiry and afford the licensee and any other interested or affected parties an opportunity to make further representations in accordance with the relevant consultation process laid down in rule 14 or 15 of these Rules.
- (8) At the close of the consultation process contemplated in the preceding sub-rule, all further representations received, if any, will be considered and the final findings will be formulated.
- (9) The final findings will be communicated to the complainant and relevant licensee in writing at the conclusion of the investigation or inquiry.

Inspection of and enquiry into licensed activities

19. (1) Licensees must, in accordance with the Act and at all reasonable times, permit an authorised person to enter any property on which a licensed activity is taking place and inspect any facility, equipment, machinery, book, account or other document found thereat.
- (2) NERSA must issue an authorised person with an authorisation permit similar to and reflecting the information contained in **Form H**.
- (3) An authorised person must, on request by an owner or operator of the facility or activity being inspected, show their authorisation permit to the person requesting it.

- (4) Licensees must furnish NERSA with such information as NERSA may consider necessary for the proper administration of the Act.
- (5) A licensee may allow any authorised person to accompany it on any vehicular or airborne inspection of the licensee's property on which a licensed activity takes place.
- (6) When an authorised person has to remove books, accounts or other documents, they shall, where reasonably possible, take copies of such documents rather than the originals.
- (7) If an authorised person removes – for further inspection – books, accounts or other documents or copies thereof from any property on which a licensed activity is taking place, then the authorised person must provide the licensee with a list of such books, accounts or other documents.
- (8) The licensee must, within 30 days of receiving the list contemplated in sub-rule 8 above, inform NERSA of the information in the list that it regards as non-generic, confidential, personal, commercially sensitive or of a proprietary nature, by completing **Form A** and providing all information specified therein.
- (9) Originals of documents contemplated in sub-rule (7) above will be returned to the licensee within 30 days of removal thereof.

CHAPTER 5

GENERAL PROVISIONS

Publishing of information relating to uncommitted capacity

20. (1) A licensee must publish information relating to uncommitted capacity at its petroleum storage facility as and when directed to do so by NERSA.
- (2) The licensee must publish the information contemplated in sub-rule (1) above on its website and must keep copies of the information at the relevant facility for viewing by interested parties.

Repeal of Rules

21. The Petroleum Pipelines Act Rules of 2019 (GNR 1463 in Government Gazette 42837 of 13 November 2019) are hereby repealed in their entirety.

Short title and commencement

22. These Rules are called the 'Petroleum Pipelines Act Rules, 2026' and shall come into operation on the date of their publication.



FORM A

Application for confidential treatment of information submitted to NERSA

INSTRUCTIONS

1. This form must be used for all applications for the confidential treatment of information submitted to NERSA.
2. Please note that this form has five sections (A, B, C, D and E).
3. All applications must be based on and substantiated in terms of the relevant provisions of:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003); or
 - (b) the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000); or
 - (c) any other appropriate legislation.
4. All applications must be accompanied by a detailed motivation supporting the application.
5. You must clearly indicate and highlight which information in your submission(s) is confidential as NERSA will not accept general claims of confidentiality of entire documents.
6. All information submitted to NERSA without this application shall be treated as not confidential and will be made available to the public.
7. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia, 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.

Enquiries:

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact no.:	012 401 4600
Fax no.:	012 401 4700

Official Use Only

Date received	_____
Reference number	_____

**SECTION A: PARTICULARS OF THE PARTY MAKING THE REQUEST FOR
CONFIDENTIAL TREATMENT OF INFORMATION**

- 1. Name
- 2. Telephone number
- 3. Fax number
- 4. Email address
- 5. Details of mandated representative, including:
 - (a) Designation.....
 - (b) Surname.....
 - (c) First name.....
 - (d) Telephone number
 - (e) Fax number
 - (f) Email address

SECTION B: PARTICULARS REGARDING THE TYPE OF SUBMISSION

The request for confidential treatment of information is with regard to (tick the appropriate box below):

A licence application

An application for an amendment of a licence

An application for the revocation of a licence

An objection to a licence application

A complaint in terms of section 31 of the Act

A tariff application

Other (specify)

.....
.....
.....

SECTION C: DETAILS OF THE CONFIDENTIALITY REQUEST

Complete the following table and, for each piece of information for which confidential treatment is requested, provide the information required in each column:

The name of the document that contains the information considered to be confidential	The page number, paragraph number and line number at which the confidential information begins and ends	The nature and economic value of the information considered to be confidential	Facts and evidence supporting the request for confidential treatment of information identified in columns 2 and 3	The applicable sections of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003), the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) or any other appropriate legislation, supporting the request

SECTION D: ORAL REPRESENTATIONS TO NERSA

Indicate your wish to orally present your request to the Energy Regulator: YES
NO

SECTION E: SOLEMN DECLARATION BY REQUESTER OR MANDATED REPRESENTATIVE

I (full names)

Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this..... day of (month) (year).

.....

Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on this day of (month) (year).

COMMISSIONER OF OATHS

Name _____

Address _____

Capacity _____



FORM B

Applications for a licence in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

INSTRUCTIONS

1. Prior to completing this form, you are advised to read the following documents:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its Regulations; and
 - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rules 1 to 11.
2. Please note that this form has three chapters and that applicants must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia, 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.
4. If you want to request the confidential treatment of certain information in your application, you must make the request in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

Enquiries:

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact no.:	012 401 4600
Fax no.:	012 401 4700

Official Use Only

Date received	_____
Reference number	_____

CHAPTER 1 GENERAL INFORMATION

You are required to provide the following information:

Section A: Particulars of applicant

1. Full name, where the applicant is a natural person, or full registered name of the applicant
2. Trading name of the applicant (if different from the registered name)
3. Physical and postal addresses of the principal place of business of the applicant
4. Physical and postal address of the registered office of the applicant (if different from principal place of business)
5. Telephone number of the applicant
6. Fax number of the applicant
7. Email address of the applicant
8. Details of the mandated representative at the applicant, including:
 - (a) designation;
 - (b) surname;
 - (c) first name;
 - (d) telephone number;
 - (e) fax number; and
 - (f) email address.

Section B: Desired commencement date

State the desired commencement date of the licence applied for.

Section C: Additional information

Provide any other information relevant to this application.

Section D: Licence conditions

State your desired licence conditions in terms of section 20(1) of the Act.

SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE

I (full names)

Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this..... day of (month) (year).

.....

Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on this day of (month) (year).

COMMISSIONER OF OATHS
 Name _____
 Address _____
 Capacity _____

CHAPTER 2

DOCUMENTS OR INFORMATION TO BE SUBMITTED WITH A LICENCE APPLICATION

1. If the applicant is a natural person and a South African citizen, a certified copy of the applicant's identity document.
2. In the case of a non-South African citizen, a certified copy of her/his:
 - (a) passport;
 - (b) permanent residence permit or employment permit; and
 - (c) proof of residence in South Africa, or proof of domicile in South Africa.
3. If the applicant is:
 - (a) a national, provincial or local government;
 - (b) another statutory body;
 - (c) a juristic person established in terms of an Act of Parliament; or
 - (d) a company or other legal body established by statute or government directive, state the proclamation or legislation establishing such a body.
4. If the applicant is not a natural person, and is not contemplated in 3 above, provide:
 - (a) the title of legislation under which it is registered;
 - (b) the registration number given to it in terms of such legislation;
 - (c) other details relating to the entity; and
 - (d) any other information NERSA may require.
5. Where the applicant is a company, provide:
 - (a) a certified copy of the certificate of incorporation;
 - (b) the names of current directors; and
 - (c) the details regarding the ownership or shareholding structure, including particulars of the shareholders.
6. Where the applicant is a Trust as defined in the Trust Property Act, 1988 (Act No. 57 of 1988), provide:
 - (a) a certified copy of the trust deed or trust instrument and in the event of the same having been amended, copies of the amended page(s) duly certified;
 - (b) Letters of Administration duly certified, issued to the trustees, and if this document has been amended, then a copy of the current Letters of Administration duly certified;
 - (c) certified copies of the identity documents of the trustees and beneficiaries and proof of each one's residential address;

- (d) proof of the address at which the Trust is conducting its business, such as an account of the local authority for rates, taxes, electricity or water, which should reflect the physical address of the Trust; and
 - (e) a resolution of the trustees authorising any one or more of them to apply for the licence, which reflects the names of the trustees that attended this meeting and each one's vote for or against the resolution.
7. Where the applicant has authorised another person to submit the licence application on its behalf, provide documentary proof of authorisation and a certified copy of the identity document of the mandated/authorised representative of the applicant.
 8. Provide proof that the applicant is the owner of the petroleum pipeline, storage facility or loading facility.
 9. Where the owner of the petroleum facility is not the owner of the land on which the facility is situated, provide proof that the applicant is the owner of the petroleum facility and proof of authorisation to use the land.
 10. Where the facility is owned by more than one person, the applicant must provide:
 - (a) details of the co-ownership and documentary proof thereof or a solemn declaration to that effect; and
 - (b) a written mandate from each of the other owners authorising the applicant to apply for the licence on their behalf.
 11. Provide documents demonstrating the administrative abilities of the applicant¹
 12. Provide documents demonstrating the financial abilities of the applicant.¹
 13. Provide documents demonstrating the technical abilities of the applicant.¹
 14. Provide a valid Broad-Based Black Economic Empowerment (B-BBEE) certificate reflecting at least the minimum qualification criteria determined by NERSA (Level 4) for the issuing of licences for purposes of facilitating broad-based black economic empowerment within the petroleum pipelines industry, in line with section 10 of the B-BBEE Act.
 15. If the certificate in 14 above is not available, provide a sworn affidavit stating the reasons why it is not available and outline the measures to be put in place by the applicant to obtain one and/or suggesting the timeline by which this will be submitted to NERSA.

¹ Only original or certified copies will be accepted by the Energy Regulator

CHAPTER 3 DETAILS OF APPLICATION

Complete the appropriate form:

Petroleum Pipelines

- Construction of a petroleum pipeline (PPL.p.F1)
- Conversion of a petroleum pipeline (PPL.p.F2)
- Operation of a petroleum pipeline (PPL.p.F3)

Petroleum Storage Facilities

- Construction of a petroleum storage facility (PPL.sf.F1)
- Conversion of a petroleum storage facility (PPL.sf.F2)
- Operation of a petroleum storage facility (PPL.sf.F3)

Petroleum Loading Facilities

- Construction of a petroleum loading facility (PPL.lf.F1)
- Conversion of a petroleum loading facility (PPL.lf.F2)
- Operation of a petroleum loading facility (PPL.lf.F3)

CONSTRUCTION OF A PETROLEUM PIPELINE (PPL.p.F1)

Provide the following information/documents. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the pipeline adequately specifying the following:

(a) Details of pipeline

The route (from/to)		E.g. from Durban to Alrode, Waltloo, Tarlton via TM2 in Jameson Park				
Number of pump stations						
Number of pig launching & receiving stations						
Node¹ No.	Start GPS coordinates	End GPS coordinates	Diameter, mm	Length, m	Planned design capacity (m³/hour)	Flow direction
			E.g. 250	E.g. 1 275	E.g. 600	(Indicate if bi- or uni-directional)

¹ Node denotes sections of pipeline system with different diameters and/or destination/branches

Node¹ No.	Pump station locations & GPS coordinates	Pig launching stations & GPS coordinates	Pig receiving stations & GPS coordinates	Destination depots
	E.g. xx°xx'xx" S xx°xx'xx" E			

(b) Connections with other pipeline systems (including proof of agreement with owners of such pipelines)

(c) Auxiliary equipment like accumulation and inter-mixture tanks.

2. Detailed maps showing the pipeline route(s).

3. A copy of the basic design philosophy of the intended petroleum pipeline, outlining all design requirements, feasibility, concept study and a preliminary design, including piping and instrumentation diagrams (P&IDs) and basic block flow diagrams indicating envisaged pump stations, control and communication systems (including leak/rupture detection), as appropriate.

4. In the case of greenfield projects, for which a licence is sought, proof of adequate financial viability of the proposed facility through any combination of the following, as may be appropriate:
 - (a) Commercial structure
 - (b) Projected financial statements and/or discounted cash flow (DCF) model (providing assumptions used in calculations and sourcing of figures)
 - (c) Letters of support/intent or actual proof of equity financing agreements and finance, including terms and conditions, demonstrating that the applicant is or will be able to fund the proposed construction
 - (d) Evidence of accessible internal financial resources committed to the proposed construction, where this is self-funded
 - (e) Total estimated investment [capital expenditure (CAPEX) and operating expenditure (OPEX)] required for constructing the proposed facility
 - (f) A description of the tariff policies to be applied
 - (g) Other costs incidental to the project (please specify whether legal, consulting etc.).
5. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then:
 - (a) submit:
 - (i) proof of application for such permit, or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
6. List all applicable:
 - (a) legislation;
 - (b) operating and technical standards; and
 - (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
 - (i) South African National Standards (SANS)
 - (ii) the American Society of Mechanical Engineers (ASME) Standards
 - (iii) American Petroleum Institute (API) Standards
 - (iv) European Norms (EN).

7. Status or expected status in terms of the National Key Points Act, 1980 (Act No.102 of 1980).
8. Details of existing and proposed security arrangements.
9. Details of the development programme including:
 - (a) the planned capacity of the project during the various stages of development;
 - (b) the schedule of implementation and minimum investment commitments for looping, receipt and delivery points, pumping stations and other development programmes; and
 - (c) the deadline to commence service for each stage contemplated.

CONVERSION OF A PETROLEUM PIPELINE (PPL.p.F2)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence (if available).
2. Application for the revocation of the licence in terms of section 24 of the Act and rule 13 of these rules, or in terms of any other applicable legislation.
3. If the pipeline is not licensed, provide a technical description of the pipeline, adequately specifying:
 - (a) the route(s);
 - (b) GPS coordinates (of the inlet and outlet flanges);
 - (c) diameter(s);
 - (d) pumping stations;
 - (e) receiving and launching stations;
 - (f) installed design capacity;
 - (g) initial capacity;
 - (h) receipt and delivery points;
 - (i) connections with other pipeline systems;
 - (j) auxiliary equipment like accumulation and inter-mixture tanks; and
 - (k) control and communication systems.
4. Detailed maps and diagrams, showing the 'as built' pipeline route(s), pump stations, control valves etc., as appropriate.
5. A description of the mechanical properties and condition of the pipeline.
6. The results of any programmes, surveys or studies that indicate the present condition of the pipeline. Copies of latest data packs compiled and signed by an Approved Inspection Authority (AIA), and/or a certificate of completion where construction is complete, in case of newly constructed pipelines. In addition, final approved control and communication systems, including leak/rupture detection.

7. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then
 - (a) submit:
 - (i) proof of application for such permit, or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
8. List all applicable operating and technical standards, codes and specifications (including those relating to safety) to be used in the activities for which this application is made.
9. A full description of the intended conversion and the reasons therefor.
10. The impact of the conversion on users of the pipeline and any measures taken to ensure the continued provision of services.
11. Apply for a tariff and provide information required in terms of rule 12(10) read with rule 7(7) and 7(8) of these Rules.
12. Election of third-party access to shared capacity arrangements as contemplated in section 20(1)(g) of the Act; and interconnections in terms section 20(1)(j) of the Act.
13. A copy of the emergency plan contemplated in section 20(1)(x) of the Act.
14. A copy of the operating procedures for the pipeline.
15. A copy of the maintenance policy and procedures, and a plan for inspections for the petroleum pipeline.
16. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
17. Details of existing and proposed security arrangements.
18. Development plans:
 - (a) investment and development plan including nature, schedule and quantum of each investment; and
 - (b) planned changes to pipeline capacity (including additional pump stations) and the dates when changes will become operational.

OPERATION OF A PETROLEUM PIPELINE (PPL.p.F3)

Provide the following information. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the pipeline, adequately specifying:

(a) Details of pipeline:

Route (from/to)		E.g. from Durban to Alrode, Waltloo, Tarlton via TM2 in Jameson Park				
Number of pump stations						
Number of pig launching & receiving stations						
Node¹ No.	Start GPS coordinates	End GPS coordinates	Diameter, mm	Length, m	Planned design capacity (m³/hour)	Flow direction
			E.g.250	E.g.1 275	E.g. 600	(Indicate if bi- or uni-directional)

¹ Node denotes sections of pipeline system with different diameters and/or destination/branches

Node ¹ No.	Pump station locations & GPS coordinates	Pig launching stations & GPS coordinates	Pig receiving stations & GPS coordinates	Destination depots
	E.g. xx°xx'xx" S xx°xx'xx" E			

(b) connections with other pipeline systems (including proof of agreement with owners of such pipelines); and

(c) auxiliary equipment like accumulation and inter mixture tanks.

2. Detailed maps showing *the* 'as built' pipeline route(s), pump stations, control valves etc., as appropriate.

3. A description of the mechanical properties and condition of the pipeline.

4. The results of any programmes, surveys or studies that indicate the present condition of the pipeline. Copies of latest data packs compiled and signed by an Approved Inspection Authority (AIA), and/or a certificate of completion where construction is complete, in case of newly constructed pipelines. In addition, final approved control and communication systems, including leak/rupture detection.

5. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then
 - (a) submit:
 - (i) proof of application for such permit; or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
6. List all applicable:
 - (a) legislation;
 - (b) operating and technical standards; and
 - (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
 - (i) South African National Standards (SANS);
 - (ii) American Society of Mechanical Engineers (ASME) Standards;
 - (iii) American Petroleum Institute (API) Standards; and
 - (iv) European Norms (EN).
7. Apply for a tariff and provide information required in terms of rule 12(10) read with rule 7(7) and 7(8) of these Rules.
8. Election of third-party access to shared capacity arrangements as contemplated in section 20(1)(g) of the Act; and interconnections in terms section 20(1)(j) of the Act.
9. A copy of the emergency plan contemplated in section 20(1)(x) of the Act.
10. A copy of the operating procedures for the pipeline.
11. A copy of the maintenance policy and procedures, and a plan for inspections for the petroleum pipeline.
12. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
13. Details of existing and proposed security arrangements.
14. Development plans:
 - (c) investment and development plan including nature, schedule and quantum of each investment; and
 - (d) planned changes to pipeline capacity (including additional pump stations) and the dates when changes will become operational.

CONSTRUCTION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F1)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the proposed storage facility to be constructed, as follows:
 - (a) Please populate the following tables, where applicable.

Table 1: Tank allocation and capacities

Physical address						
GPS coordinates E.g. XX°XX'XXX" S XX°XX'XXX" E						
Tank ID	Tank diameter (m)	Tank height (m)	Product	Tank type	Operational capacity (m³)	Design capacity (m³)
Combined capacity						

Table 2: Mode of operation – road

Road Gantry							
Intake				Discharge			
Bay number	No. of loading points per product	Product	Rate(m ³ /hour)	Bay number	No. of loading points per product	Product	Rate (m ³ /hour)

Table 3: Mode of operation – rail

Rail Gantry							
Intake				Discharge			
Bay number	No. of loading points per product	Product	Rate(m ³ /hour)	Bay number	No. of loading points per product	Product	Rate (m ³ /hour)

Table 4: Mode of operation – pipeline

Pipeline					
Intake			Discharge		
Source	Product	Rate(m ³ /hour)	Destination	Product	Rate (m ³ /hour)

- (b) Provide a description of the containment system, and a description for handling contaminated water run-off and systems to prevent overflow or leakage.
 - (c) Provide drawings showing:
 - (i) the planned layout of the proposed storage facility;
 - (ii) the storage facility design and piping arrangements [approved diagrams, indicating servitudes and distances approved by the Environmental Impact Assessment (EIA), where applicable]; and
 - (iii) the fences, roads and dimensions of the entire site.
2. A copy of the basic design philosophy of the intended petroleum pipeline, outlining detailed design requirements, a feasibility study, a concept study and a preliminary design, including P&IDs and basic block flow diagrams indicating envisaged pump stations, control valves etc., as appropriate.
3. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then
- (a) submit:
 - (i) proof of application for such permit; or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
4. List all applicable:
- (a) legislation;
 - (b) operating and technical standards; and
 - (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
 - (i) South African National Standards (SANS);
 - (ii) American Society of Mechanical Engineers (ASME) Standards;
 - (iii) American Petroleum Institute (API) Standards; and
 - (iv) European Norms (EN).

5. When seeking a licence for greenfield projects, provide proof of adequate financial viability of the proposed facility through **any** combination of the following, as may be appropriate:
 - (a) commercial structure;
 - (b) projected financial statements and/or discounted cash flow (DCF) model (providing assumptions used in calculations and sourcing of figures);
 - (c) letters of support/intent or actual proof of equity financing agreements and finance, including terms and conditions, demonstrating that the applicant is or will be able to fund the proposed construction;
 - (d) evidence of accessible internal financial resources committed to the proposed construction, where this is self-funded;
 - (e) total estimated investment (CAPEX and OPEX) required for constructing the proposed facility;
 - (f) a description of the tariff policies to be applied; and
 - (g) other costs incidental to the project (please specify whether legal, consulting etc.).
6. A copy of the emergency plan contemplated in section 20(1)(x) of the Act.
 - (a) In case of greenfield projects, the emergency plan must be for the purpose of the construction phase; and
 - (b) for brownfield projects within operational facilities, an emergency plan for the operational facility must be revised to include the construction activities.
7. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
8. Details of existing and proposed security arrangements.
9. Details of the development programme including:
 - (a) planned capacity of the project during the various stages of development;
 - (b) schedule of implementation and minimum investment commitments for the development programme; and
 - (c) deadline to commence service for each stage contemplated.

CONVERSION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F2)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence (if available).
2. Application for the revocation of the licence in terms of section 24 of the Act and rule 13 of these Rules or status of existing licence in terms of any other applicable legislation.
3. If the facility is not licensed, provide a technical description of the proposed storage facility to be converted. This should include the following:
 - (a) GPS coordinates
 - (b) Physical plan of the facility
 - (c) The planned layout of the proposed conversion of the storage facility
 - (d) The diameter and height of the tanks
 - (e) Tank type
 - (f) Design capacity
 - (g) Product stored in each tank
 - (h) Changes to the physical dimensions and capacity of the storage facility
 - (i) Changes to the existing rate at which product can be taken into the proposed storage facility, e.g. Pipeline, rail gantry and road transport gantry, and specify the number of gantries and their capacities.
 - (j) Changes to the rate at which product can be taken out of the proposed storage facility and through what means, e.g. pipeline, rail gantry, road transport gantry, and specify the number of gantries and their capacities.
 - (k) Maps showing:
 - (i) changes to the existing storage facility design, piping arrangements and gantries;
 - (ii) changes to the proposed location of the storage facility, fences and roads;
 - (iii) where applicable, descriptions of changes to the containment system and systems to prevent overflow or leakage;
 - (iv) a description of changes to the regular inspection and maintenance procedures; and
 - (v) where applicable, a description of the changes for handling contaminated water run-off.

4. A description of the mechanical properties and condition of the facility.
5. The results of any programmes, surveys or studies that indicate the present condition of the facility/infrastructure. Copies of latest data packs compiled and signed by an Approved Inspection Authority (AIA), and/or a certificate of completion where conversion is complete, in case of newly constructed infrastructure. In addition, final approved control and communication systems, including leak/rupture detection.
6. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then:
 - (a) submit:
 - (i) proof of application for such permit; or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
7. List all applicable operating and technical standards, and codes and specifications (including those relating to safety) to be used in the activities for which this application is made.
8. A full description of the intended conversion and the reasons therefor.
9. The impact of the conversion on users of the facility/infrastructure and any measures taken to ensure continued provision of services.
10. Apply for a tariff and provide information required in terms of rule 12(10), read with rule 7(7) and 7(8) of these Rules.
11. Election of third-party access to shared capacity arrangements as contemplated in section 20(1)(g) of the Act; and interconnections in terms section 20(1)(j) of the Act.
12. A copy of the emergency plan contemplated in section 20(1)(x) of the Act.
13. A copy of the operating procedures for the facility.
14. A copy of the maintenance policy and procedures.
15. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
16. Details of existing and proposed security arrangements.

17. Development plans:

- (a) investment and development plan including nature, schedule and quantum of each investment; and
- (b) planned changes to facility capacity and the dates when changes will become operational.

OPERATION OF A PETROLEUM STORAGE FACILITY (PPL.sf.F3)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the proposed storage facility to be operated.
 - (a) Please populate the following tables, where applicable.

Table 1: Tank allocation and capacities

Physical address						
GPS coordinates E.g. XX°XX'XXX" S XX°XX'XXX" E						
Tank ID	Tank diameter (m)	Tank height (m)	Product	Tank type	Operational capacity (m ³)	Design capacity (m ³)
Combined capacity						

Table 2: Mode of operation – road

Road Gantry							
Intake				Discharge			
Bay number	No. of loading points per product	Product	Rate (m ³ /hour)	Bay number	No. of loading points per product	Product	Rate (m ³ /hour)

Table 3: Mode of operation – rail

Rail Gantry							
Intake				Discharge			
Bay number	No. of loading points per product	Product	Rate (m ³ /hour)	Bay number	No. of loading points per product	Product	Rate (m ³ /hour)

Table 4: Mode operation – pipeline

Pipeline					
Intake			Discharge		
Source	Product	Rate (m ³ /hour)	Destination	Product	Rate (m ³ /hour)

- (b) Provide a description of the containment system, including the handling of contaminated water run-off and the systems to prevent overflow or leakage.
 - (c) Provide maps showing:
 - (i) the planned layout of the storage facility to be operated;
 - (ii) the storage facility design and piping arrangements (approved 'as built' diagrams, indicating servitudes and distances approved by the Environmental Impact Assessment, where applicable, signed off by an Authorised Inspection Authority); and
 - (iii) the physical dimensions of the location of the storage facility, fences and roads.
2. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then:
- (a) submit:
 - (i) proof of application for such permit; or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
3. List all applicable:
- (a) legislation;
 - (b) operating and technical standards; and
 - (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
 - (i) South African National Standards (SANS);
 - (ii) American Society of Mechanical Engineers (ASME) Standards;
 - (iii) American Petroleum Institute (API) Standards; and
 - (iv) European Norms (EN).
4. Election of third-party access to uncommitted capacity arrangements as contemplated in section 20(1)(n) of the Act.
5. Apply for a tariff and provide information required in terms of rule 12(10) read with rule 7(7) and 7(8) of these Rules.
6. A copy of the emergency plan contemplated in section 20(1)(x) of the Act.
7. A copy of the storage facility operational procedures.

8. A copy of the storage facility's maintenance policy, including maintenance procedures and regular inspection procedures.
9. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
10. Details of existing and proposed security arrangements.
11. Details of the development programme including:
 - (a) planned capacity of the project during the various stages of development;
 - (b) schedule of implementation and minimum investment commitments for the development programme; and
 - (c) deadline to commence with service for each stage contemplated.

CONSTRUCTION OF A PETROLEUM LOADING FACILITY (PPL.If.F1)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the proposed loading facility to be constructed, including:

Table 1: Loading facility/facilities' details

Physical location				
Name of berth				
GPS coordinates				
No. of loading points				
No. of auxiliary pipelines per loading point				
Loading Point No.	Type of loading facility	Diameter, mm	Capacity (m ³ /hour)	Product (s)
E.g. 1	E.g. Flexible hose	E.g. 250	E.g. 750	E.g. Diesel, petrol, jet A1 and illuminating paraffin

Table 2: Auxiliary pipeline/pipelines' details

Loading point No.	Diameter, mm	Length, m	Capacity (m ³ /hour)	Flow direction	Delivery points
E.g.1	E.g. 250	E.g. 1 275	E.g. 600	(Indicate if Bi or uni-directional)	E.g. Engen, BP, etc. in Dom Pedro

2. Maps and diagrams, where appropriate.
3. A copy of the basic design philosophy of the intended loading facility, outlining detailed design requirements, feasibility, concept study and a preliminary design, including Piping and Instrumentation Diagrams (P&IDs) and basic block-flow diagrams indicating envisaged pump stations, control systems etc., as appropriate.
4. The time necessary for ships to be brought into position for loading.
5. Copy of the agreement or authorisation from the National Ports Authority permitting the construction of the facility on its property, where appropriate.
6. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998)

permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then:

- (a) submit:
 - (i) proof of application for such permit; or
 - (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
7. List all applicable legislation, operating and technical standards, and codes and specifications (including those relating to safety) to be used in the activities for which this application is made.
8. When seeking a licence for greenfield projects, provide proof of adequate financial viability of the proposed facility through any combination of the following, as may be appropriate:
- (a) commercial structure;
 - (b) projected financial statements and/or discounted cash flow (DCF) model (providing assumptions used in calculations and sourcing of figures);
 - (c) letters of support/intent or actual proof of equity financing agreements and finance, including terms and conditions, demonstrating that the applicant is or will be able to fund the proposed construction;
 - (d) evidence of accessible internal financial resources committed to the proposed construction, where this is self-funded;
 - (e) total estimated investment (CAPEX and OPEX) required for constructing the proposed facility;
 - (f) a description of the tariff policies to be applied; and
 - (g) other costs incidental to the project (please specify whether legal, consulting etc.).
9. A copy of the proposed emergency plan contemplated in section 20(1)(x) of the Act, as follows:
- (a) In case of greenfield projects, the emergency plan must be for the purpose of the construction phase.
 - (b) For brownfield projects within operational facilities, the operational facility's emergency plan must be revised to include the construction activities.
10. A copy of the basic design philosophy of the intended loading facility, outlining detailed design requirements, feasibility study, concept study and a preliminary design.
11. Status in terms of the National Key Points Act, 1980 (Act No.102 of 1980).

12. Details of proposed security arrangements.

13. Details of the development programme including:

- (a) planned capacity of the loading facility project during the various stages of development;
- (b) the schedule of implementation and minimum investment commitments for the development programme; and
- (c) the deadline to commence service for each stage contemplated.

CONVERSION OF A PETROLEUM LOADING FACILITY (PPL.If.F2)

Provide the following information. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. Existing licence number and date of commencement of licence (if available).
2. Application for revocation of the licence in terms of section 24 of the Act and rule 13 of these rules or in terms of any other applicable legislation.
3. If the facility is not licensed, a technical description of the loading facility to be converted, including:
 - (a) GPS coordinates;
 - (b) the number of loading points;
 - (c) type of each loading point (e.g. loading arms or flexible hose); and
 - (d) details of the auxiliary pipeline(s) including:
 - (i) diameters,
 - (ii) lengths,
 - (iii) storage facility connected to the pipeline, and
 - (iv) receipts and delivery points.
4. Maps and diagrams, where appropriate.
5. Details of capacities at the various stages of development, planned and potential receipt and delivery points.
6. The rate at which petroleum can be conveyed through the loading facility and the time necessary for ships to be brought into position for loading, and the dimensions and capacities of any auxiliary pipelines connected thereto. Please submit a copy of the agreement with or authorisation from the National Ports Authority.
7. A full description of the intended conversion and the reasons therefor.
8. The impact of the conversion on users of the loading facility and measures taken to ensure continued provision of service.

OPERATION OF A PETROLEUM LOADING FACILITY (PPL.If.F3)

Provide the following information/documentation. Each numbered item below should be copied and must appear at the top of a page with your information below.

1. A technical description of the loading facility, including:

Table 1: Loading facility/facilities' details

Physical location				
Name of berth				
GPS coordinates				
No. of loading points				
Loading point No.	Type of loading facility	Diameter, mm	Capacity (m³/hour)	Product (s)
E.g. 1	E.g. Flexible Hose	E.g. 250	E.g. 750	E.g. Diesel, petrol, Jet A1 and illuminating paraffin

Table 2: Auxiliary pipeline/pipelines' details

Diameter, mm	Length, m	Capacity (m³/hour)	Flow direction	Delivery points
E.g. 250	E.g. 1 275	E.g. 600	(Indicate if Bi or uni-directional)	E.g. Engen, BP, etc. in Dom Pedro

2. Maps and diagrams where appropriate, including the facility design and piping arrangements (approved 'as built' diagrams, indicating servitudes and distances approved by the Environmental Impact Assessment, where applicable, signed off by an Authorised Inspection Authority).
3. The time necessary for ships to be brought into position for loading.
4. A copy of the agreement or authorisation from the National Ports Authority permitting the operation of the facility on its property, where appropriate.
5. A certified copy of the Record of Decision of the relevant environmental authorities in accordance with the National Environmental Management Act, 1998 (Act No. 107 of 1998) permitting the activity for which the licence is sought, if applicable. If the Record of Decision has not been obtained, then:
 - (a) submit:
 - (i) proof of application for such permit; or

- (ii) a solemn declaration outlining the applicant's plans and ability to comply with all applicable labour, health and environmental legislation; or
 - (b) state the reason why the permit is not applicable.
- 6. List all applicable:
 - (a) legislation;
 - (b) operating and technical standards; and
 - (c) codes and specifications (including those relating to safety) to be used in the activities for which this application is made, for example:
 - (i) South African National Standards (SANS)
 - (ii) American Society of Mechanical Engineers (ASME) Standards;
 - (iii) American Petroleum Institute (API) Standards; and
 - (iv) European Norms (EN).
- 7. Election of third-party access to shared capacity arrangements as contemplated in section 20(1)(k) of the Act; and interconnections in terms section 20(1)(j) of the Act.
- 8. Apply for a tariff and provide information required in terms of rule 12(10) read with rule 7(7) and 7(8) of these Rules.
- 9. A copy of the loading facility operational procedure.
- 10. A copy of the loading facility's maintenance policy for the loading facility, including maintenance procedures and regular inspection procedures, by the applicant and other authorities.
- 11. Status in terms of the National Key Points Act, 1980 (Act No. 102 of 1980).
- 12. Details of security arrangements.
- 13. Details of the development programme including:
 - (a) planned capacity of the project during the various stages of development;
 - (b) the schedule of implementation and minimum investment commitments for the development programme; and
 - (c) the deadline to commence service for each stage contemplated.



FORM C

Notice of an Incomplete Licence Application in terms of rule 7(5) of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

Name of applicant	
Type of licence applied for	
Date received	
Reference number	

- (a) NERSA hereby informs you that your licence application with the abovementioned details does not meet the application requirements and is therefore considered incomplete.
- (b) You have not submitted the following required information/documentation to NERSA:
- 1.
 - 2.
 - 3.
- (c) The abovementioned information/documentation must be submitted by no later than (insert date) before your application or referral may be considered complete and consequently be accepted.
- (d) Failure to submit the abovementioned information/documentation by the specified date will result in your application or referral being instantly rejected and removed from the database of matters still awaiting to be considered by NERSA.
- (e) The official date of application will be whichever occurs last between the date on which you submit **all** required information as specified in paragraphs (b) and (c) above to NERSA; or the date on which you submit an altered application in line with the directive issued to you by NERSA in terms of section 18(b) of the Act.

Ms XOLILE MTWA

EXECUTIVE MANAGER: PETROLEUM PIPELINES REGULATION

DATE _____



FORM D

Objection to an application for a licence in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its Regulations; and
 - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rules 1 to 11.
2. Please note that this form has four sections (A, B, C & D). An objector must provide **all** information and supporting documentation required.
3. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia, 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.
4. If you want to request the confidential treatment of certain information in your objection, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

ENQUIRIES:

Contact:	Executive Manager: Petroleum Pipeline Regulation
Contact no.:	012 401 4600
Fax no.:	012 401 4700

OFFICIAL USE ONLY

Date received	_____
Reference number	_____

SECTION A: DETAILS OF THE OBJECTOR

1. Full registered name of the objector.....
2. Trading name of the objector (if different from the registered name)
.....
3. Registration number of company (if applicable), or Identity Number if the objector is a natural person.....
4. Name of mandated representative. Attach documentary proof of mandate given to representative.....
5. Physical address
6. Postal address.....
7. Telephone number.....
8. Fax number.....
9. Email address.....
10. Details of contact person at the objector, including:
 - (a) designation.....
 - (b) surname.....
 - (c) first name.....
 - (d) telephone number
 - (e) fax number
 - (f) email address.....

16. Clearly state the reasons for your objection [add additional page(s), if necessary] **and** attach supporting documentation

.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

17. Section 18(a) of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) provides that:
*Before considering an application for a licence in terms of this Act, the Energy Regulator -
if it is of the view that the proposed construction of a petroleum pipelines, loading facility or storage facility should be altered to provide access to third parties, must inform the applicant of that view and request the applicant to supply reasons as to why the application should not be considered subject to the imposition of such condition;*

If your objection relates to the above quoted section of the Act, clearly state your alternative proposal [add additional page(s), if necessary].

.....
.....
.....

SECTION D: SOLEMN DECLARATION BY OBJECTOR OR MANDATED REPRESENTATIVE

I (full names)

Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation); and
- (b) All information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this.....day of (month) (year).

.....

Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on this day of..... (month) (year).

COMMISSIONER OF OATHS

Name _____

Address _____

Capacity _____



FORM E

Application for an amendment of a licence in terms of section 23 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 Of 2003) and its Regulations; and
 - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule 12
2. Please note that this form has five sections (A, B, C, D & E). Applicants must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia, 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

Enquiries:

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact No.:	012 401 4600
Fax No.:	012 401 4700

SECTION A: CATEGORY OF THE APPLICANT

1. Indicate whether you are the licence holder or a party affected by the licence by ticking the appropriate box below:

I am the licence holder

I am a party affected by the licence

SECTION B: DETAILS OF THE APPLICANT

2. Full registered name of the applicant.....

3. Trading name of the applicant (if different from the registered name)
.....

4. Registration number of company (if applicable).....

5. Name of mandated representative (if applicable). Attach documentary proof of mandate given to representative.....

6. Physical address.....
.....

7. Postal address

8. Telephone number.....

9. Fax number.....

10. Email address.....

11. Details of mandated representative, including:

(a) designation.....

(b) surname.....

(c) first name.....

(d) telephone number

(e) fax number

(f) email address

SECTION C: DETAILS OF THE LICENCE

- 12. Name of licensee
- 13. Type of licence or licensed activity to which this application is applicable
.....
- 14. Location of the facility
- 15. State the licence number (if known)

SECTION D: DETAILS OF THE APPLICATION

16. Clearly indicate the amendments that you seek. Please indicate each amendment sought separately and provide details thereof. If the amendment is to a particular condition, cite the condition [add additional page(s), if necessary].

.....
.....
.....
.....
.....
.....

17. Provide detailed reasons and a motivation for each of the amendments sought in 16 above [add additional page(s), if necessary].

.....
.....
.....
.....
.....
.....

18. Substantiate your reasons and motivation in 17 above by submitting documentary proof of your claims.

19. Where the amendment sought is an amendment to an existing tariff, information listed in rule 12(10) read with rule 7(7) and 7(8) of these Rules will be applicable.

SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE

I (full names).....
 Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this.....day of (month) (year).

.....
Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on this day of..... (month) (year).

COMMISSIONER OF OATHS

Name:
 Address:
 Capacity:



FORM F

Application for the revocation of a licence in terms of section 24 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its regulations; and
 - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule 13
2. Please note that this form has four sections (A, B, C, & D). Applicants must provide **all** information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia, 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

ENQUIRIES:

Contact:	Executive Manager: Petroleum Pipelines Regulation
Contact no.:	012 401 4600
Fax no.:	012 401 4700

OFFICIAL USE ONLY

Date received	_____
Reference number	_____

SECTION A: PARTICULARS OF LICENSEE

1. Name of licensee
2. Licence number.....
3. Type of licence.....
4. Date on which NERSA issued the licence
5. Details of the licensed facility/ area
-
-
6. Details of mandated representative, including:
 - a) designation
 - b) surname.....
 - c) first name.....
 - d) telephone number
 - e) fax number.....
 - f) email address

SECTION B: REASON(S) FOR APPLICATION

7. Indicate the reason(s) for the application by ticking the appropriate box below:

- (a) The licensed facility or activity is no longer required
- (b) The licensed facility or activity is not economically justifiable
- (c) Another person is willing and able to assume the rights and obligations of the licensee concerned in accordance with the requirements and objectives of the Act

8. If the reason for the application is that the licensed facility or activity:

- (a) is no longer required, or
- (b) is not economically justifiable,

provide a detailed explanation and submit documentation in support of your reason(s).

.....

.....

.....

9. If the reason for the application is that another person is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act, provide the following information about that person:

- (a) registered name
- (b) trading name (if different from registered name)
.....
- (c) physical address of the registered place of business
.....
.....
- (d) physical address of the principle place of business (if different from the registered place of business)
.....
.....
- (e) postal address
- (f) telephone number
- (g) fax number
- (h) email address
- (i) contact person at applicant, including:
 - designation

- surname.....
 - first name.....
 - telephone number
 - fax number.....
 - email address.....
- (j) submit an undertaking (Section C of this form) by that person confirming its willingness and ability to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act and that the person will apply for the relevant licence; and
- (k) submit documentary proof of the ability to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Act.

SECTION C: SOLEMN DECLARATION BY THE PERSON WILLING AND ABLE TO ASSUME THE RIGHTS AND OBLIGATIONS OF THE LICENSEE OR MANDATED REPRESENTATIVE

I (full names)
Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation);
- (b) all information relating to provided herein is within my personal knowledge and is both true and correct;
- (c)is willing and able to assume the rights and obligations of the licensee in accordance with the requirements and objectives of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003); and
- (d) will apply for the relevant licence.

Signed at (place) on this..... day of (month) (year).

.....
Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at(place) on this day of (month) (year).

COMMISSIONER OF OATHS

Name _____
Address _____
Capacity _____

SECTION D: SOLEMN DECLARATION BY THE APPLICANT OR MANDATED REPRESENTATIVE

I (full names)

Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this.....day of
(month) (year).

Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place)
on this day of..... (month)
..... (year).

COMMISSIONER OF OATHS

Name _____

Address _____

Capacity _____



FORM G

Complaint in terms of section 31 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
 - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 Of 2003) and its Regulations; and
 - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule 16.
2. Please note that this form has four sections (A, B, C, & D). Applicants must provide **all** information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to NERSA:
 - (a) by registered mail to PO Box 40343, Arcadia 0007; or
 - (b) by hand at Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
 - (c) electronically to pipelines@nersa.org.za; or
 - (d) by fax to 012 401 4700.
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

ENQUIRIES:

Contact: Executive Manager: Petroleum Pipelines Regulation
 Contact No.: 012 401 4600
 Fax No.: 012 401 4700

OFFICIAL USE ONLY

Date received -----
 Reference number -----

SECTION A: PARTICULARS OF COMPLAINANT

1. If you are a natural person, please provide:

(a) Your name and surname

.....

(b) Your identification number

.....

(c) Physical address

.....

(d) Postal address

.....

(e) Telephone number

.....

(f) Fax number

(g) Email address.....

2. If you are not a natural person, please provide:

(a) the name of your company/organisation

.....

(b) the registration number of your company

.....

(c) Physical address

.....

(d) Postal address

.....

(e) Telephone number

.....

(f) Fax number

.....

(g) Email address

.....

(h) Details of contact person, including:

- designation.....
- surname.....
- first name.....
- telephone number
- fax number
- email address

SECTION B: DETAILS OF THE LICENSEE

Name of the licensee

.....

Licence number (if known)

.....

SECTION D: SOLEMN DECLARATION BY THE COMPLAINANT OR MANDATED REPRESENTATIVE

I (full names)

Identity Number..... hereby declare that:

- (a) I am authorised byto make this declaration (attach the authorisation) *if applicable*; and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at (place) on this.....day of

..... (month) (year).

Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at (place) on this day of.....(month)(year).

COMMISSIONER OF OATHS

Name _____

Address _____

Capacity _____

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 7465

15 May 2026

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)**INSTITUTIONAL STATUTE****RHODES UNIVERSITY**

I, Mr Kgwaridi Buti Manamela, MP, Minister of Higher Education and Training in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended), hereby publish the amended Institutional Statute of the Rhodes University set out in the Schedule attached hereto.

**Mr KB Manamela, MP****Minister of Higher Education and Training****Date:** 14 / 04 / 2026

RHODES UNIVERSITY STATUTE

The Council of Rhodes University, in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), has approved the Statute of the University as set out in the schedule to this notice, which is, in terms of section 33 of the Act, hereby published with the approval of the Minister of Higher Education and Training, and which comes into operation on the date of publication.

SCHEDULE

To introduce the Statute of Rhodes University to give effect to the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, and to promote the effective management and governance of the University in respect of matters not expressly prescribed by the Act.

CONTENTS

1.	Definitions	5
2.	Name, Status, Seat and Powers of the University	7
3.	Constitution of the University	8
4.	Functions of the Chancellor	8
5.	Term of Office of the Chancellor	8
6.	Appointment of the Chancellor	9
7.	Functions of the Vice-Chancellor	9
8.	Term of Office of the Vice-Chancellor	10
9.	Appointment of the Vice-Chancellor	10
10.	Functions of the Deputy Vice-Chancellor	10
11.	Term of Office of the Deputy Vice-Chancellor	10
12.	Appointment of the Deputy Vice-Chancellor	11
13.	Composition of Council	11
14.	Functions of Council	12
15.	Code of Conduct	13
16.	Appointment of Council Members	13
17.	Term of Office of Council Members	13
18.	Termination of Membership and Filling of Vacancies	14
19.	Office-Bearers of Council	14
20.	Secretary to Council	15

21. Meetings of Council	15
22. Conflict of Interest of Council Members	16
23. Committees of Council	17
24. Drafting, Amending or Rescinding of the Statute	17
25. Composition of the Senate	17
26. Functions of the Senate	18
27. Term of Office of Senate members	19
28. Chairperson and Secretary to the Senate	19
29. Senate Meeting Procedure	20
30. Committees of the Senate	20
31. Joint Committees of Council and Senate	20
32. Faculty Boards	20
33. Composition of the Faculty Boards	20
34. Meeting Procedure of the Faculty Boards	20
35. Composition of the Institutional Forum	21
36. Functions of the Institutional Forum	21
37. Terms of Office of Members of the Institutional Forum	22
38. Office-Bearers of the Institutional Forum	23
39. Quorum and Procedure at Meetings of the Institutional Forum	23
40. Composition of the Convocation	23
41. Functions of the Convocation	23
42. President of the Convocation	23
43. Meetings of the Convocation	24
44. Meeting Procedures of the Convocation	24
45. Composition of the Student Representative Council	24
46. Functions of the Student Representative Council	24
47. Office-Bearers of the Student Representative Council	25
48. Term of Office of Student Representative Council Members	25
49. Privileges of Student Representative Council members	25
50. Meetings of the Student Representative Council	25
51. Student Representative Council Committees	25
52. Board of Governors	25
53. Appointment of the Registrar	25

54. Functions of the Registrar	26
55. Admission and Registration of Students	26
56. Student Discipline	26
57. Degrees, Diplomas and Certificates by Examination	27
58. Award of Honorary Degrees	27
59. Conferring of Degrees and Award of Certificates and Diplomas	27
60. Repeal of Statute	28
61. Transitional Arrangements	28
62. Issue of Notices	28

PREAMBLE

Rhodes University, in accordance with the Higher Education Act 101 of 1997 (as amended), commits to the principles and practices of good governance to achieve sustainable outcomes. Acknowledging its status as a public university, Rhodes University embraces co-operative governance, recognising that institutional autonomy is to be exercised in tandem with public accountability. In so doing, it will ensure that it fulfils its responsibility to South Africa.

1. Definitions

In this Statute, any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning assigned to it, unless the context otherwise indicates:

“**academic employee**” means a person employed to teach, and/or conduct research, and associated activities and provide academic leadership to the benefit of the University and scholarship in general.

“**Act**” means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended.

“**academic calendar**” means the document that specifies, inter alia, the requirements pertaining to admissions and registration of students, general rules pertaining to diplomas, degrees and certificates, faculty and academic department rules.

“**administrative and support employee**” means a person employed by the University in an administrative or support capacity defined in the Human Resources grading process.

“**associated institute**” means an institute recognised by the University Council as such.

“**board of governors**” means persons holding office as members of the Board of Governors of Rhodes University as contemplated in paragraph 52 of this Statute.

“**certificate**” means a certificate of the University awarded to a student on completion of the work as prescribed for the certificate by the Senate.

“**chancellor**” means the titular head of the University.

“**convocation**” means the body of the University comprising the assembly of graduates and diplomates of the University, the vice-chancellor, deputy vice-chancellors, active and retired academic employees, the registrar and the director of student services and development.

“**council**” means the governing body of the University as contemplated by the Act.

“**day**” includes Saturdays, Sundays and public holidays.

“**dean**” means a person appointed as head of a faculty and the Chairperson of the faculty board, and any other academic employee as designated by Council.

“**degree**” means a qualification of the University conferred upon a student on completion of the work prescribed for the degree by the Senate.

“**department**” means a department falling under a faculty or an entity formally recognised by Senate and Council as an institute.

“**diploma**” means a qualification of the University awarded to a student on completion of the work prescribed for the diploma by the Senate.

“**diplomand**” means a person who has met the requirements for a diploma to be awarded but who has not yet graduated.

“**diplomate**” means a person to whom a diploma has been awarded.

“**deputy vice-chancellor**” means a person appointed by the Council as contemplated in paragraph 10, and includes a vice-principal as contemplated in the Act.

“**employee**” means any person appointed at the University to a position by the Council, whether part-time or full-time, permanent, temporary or on a fixed-term contract.

“**entity**” means any organisation, forum or body and includes an organisational structure provided for in the Act or determined by the Council.

“**examination**” means any form of assessment, including any written, oral, practical or clinical test or assessment where the result obtained contributes to, or constitutes, the result for a certificate, diploma, or degree course.

“**executive management**” means the vice-chancellor, deputy vice-chancellor(s), chief financial officer, registrar of the University and such other persons as determined by the Council.

“**faculty**” means a primary cluster of academic departments and schools in a major field of knowledge. A faculty may comprise a singular department.

“**functions**” include powers and duties.

“**graduand**” means a person who has met the requirements to be awarded a degree at the University but has not yet graduated.

“**graduate**” means a person who has been awarded a degree at the University.

“**institution**” means a public higher education institution as contemplated in section 20 of the Act.

“**institutional forum**” means the body as contemplated in section 31 of the Act and paragraph 35 of this Statute.

“**institutional rules**” means the rules of the University made in terms of section 32 of the Act, and includes all the policies and standing orders approved by the Council, as well as the rules as appear in the academic calendar.

“**Minister**” means the Minister responsible for higher education and training.

“**month**” means calendar month.

“**officer of the university**” means an employee of the University designated as such by the Council.

“**Old Rhodian Union**” means the union founded to form a link between past and present students and employees of Rhodes University.

“**professor**” means a university academic employee who has either been promoted or appointed to the rank of full professor.

“**qualification**” means a registered national qualification as defined in the National Qualifications Framework Act 67 of 2008 (as amended).

“**registrar**” means a person appointed by the Council with the responsibility of student administration and institutional governance, and performs the functions as contained in paragraph 54 of this Statute.

“**seat of the university**” means the seat of the University as contemplated in paragraph 2 of this Statute and in section 65A of the Act.

“**senate**” means the body of the University as contemplated in section 26(2)(b) and section 28 of the Act.

“**senior management**” means the executive management, the deans and directors.

“**SRC**” means the Student Representative Council of the University contemplated in section 35 of the Act.

“**statute**” means the institutional Statute of the University approved in terms of section 33 of the Act.

“**student**” means a person registered as a student of the University.

“**term**” means a term of office as contemplated in the Statute and the Institutional Rules.

“**the university**” means Rhodes University.

“**vice-chancellor**” is the principal and chief executive and accounting officer of the University, as contemplated in paragraph 7 of this Statute.

UNIVERSITY

2. Name, Status, Seat and Powers of the University

1. The name of the University is Rhodes University.
2. The seat of the University is Makhanda, in the Eastern Cape Province of the Republic of South Africa.
3. The University is a juristic person, the activities of which are principally administered from the seat of the University, subject to the Act.
4. Notwithstanding paragraph 14(3)(i) of this Statute, the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property acquired with the financial assistance of the State or grant to any person any real right therein.
5. The University may confer degrees and honorary degrees and award diplomas and certificates in its own name as contemplated in section 65C of the Act.

3. Constitution of the University

1. The University consists of—
 - a. the Chancellor;
 - b. the Vice-Chancellor;
 - c. two or more officers, as the Council may determine, each of whom is called Deputy Vice-Chancellor or such other title as the Council may determine;
 - d. the Council;
 - e. the Senate;
 - f. the Registrar;
 - g. the Student Representative Council;
 - h. the Institutional Forum;
 - i. the Convocation;
 - j. the faculties, schools, departments and such other academic structures and research entities of the University as may be determined by the Council in accordance with this Statute;
 - k. the academic employees of the University;
 - l. the administrative and support employees of the University;
 - m. the students of the University;
 - n. such other offices, bodies or structures as may be established by the Council.
2. No vacancy in any of the offices contemplated in paragraph 3(1) nor any deficiency in the numbers or defect in the composition of the bodies or structures contemplated in paragraph 3(1) impairs or affects the existence of the University as a juristic person or any function conferred by the Act or this Statute upon the University.

CHANCELLOR

4. Functions of the Chancellor

1. The Chancellor is the titular head of the University.
2. The Chancellor confers all degrees and awards all diplomas and certificates in the name of the University.
3. The Chancellor performs all such other functions as may be assigned to him or her by the Council.

5. Term of Office of the Chancellor

1. The Chancellor holds office for a period of seven years. Council may extend the term of office of the Chancellor for a further term of no more than seven years after consultation with the Senate and the Institutional Forum.

2. The term of office of the Chancellor is terminated in the event of:
 - a. death;
 - b. incapacity;
 - c. resignation; or
 - d. removal from office by the Council.
3. The Chancellor may only be removed from office by the Council after following due process, by means of a resolution passed by at least two-thirds of the members of the Council.

6. Appointment of the Chancellor

1. Any advertising of the position, invitation for nomination of candidates, search for suitable candidates, criteria for the short-listing of candidates, interviewing, if any, and the appointment processes are conducted in the manner determined by the Council.

VICE-CHANCELLOR

7. Functions of the Vice-Chancellor

1. The Vice-Chancellor is the principal, chief executive, and accounting officer of the University.
2. The Vice-Chancellor is responsible for the day-to-day management and administration of the University and has all the powers necessary to perform these functions.
3. The Vice-Chancellor performs the functions of the Chancellor in the absence of the Chancellor.
4. The Vice-Chancellor is accountable to the Council.
5. The Vice-Chancellor is the Chairperson of the Senate and a member of the committees of the Council and the Senate, and of all joint committees of the Council and the Senate, unless provided for in the Institutional Rules.
6. The Council may assign additional functions and privileges to the Vice-Chancellor.
7. The Vice-Chancellor nominates a deputy vice-chancellor or a senior academic employee in an acting capacity in his or her absence.
8. In the event that the Vice-Chancellor is unable to nominate an acting Vice-Chancellor, the Council must designate one of the deputy vice-chancellors or a senior academic employee to act for such time as stipulated by the Council.
9. An acting vice-chancellor performs the same functions as the Vice-Chancellor.
10. The Vice-Chancellor may, on such conditions as he or she may determine, delegate any of his or her powers under the Act and assign any of his or her duties in terms of section 68(3) of the Act to any other employee of the University.
11. The Vice-Chancellor is the chief disciplinary authority of the University for all employee disciplinary matters and student disciplinary matters. The Vice-Chancellor is vested with the authority and

responsibility to ensure the proper administration, application and implementation of discipline.

8. Term of Office of the Vice-Chancellor

1. Council appoints the Vice-Chancellor for a first term of seven years, which can be renewed once; and
2. Council may renew the Vice-Chancellor's term for a further term for such a period as may be determined by Council.

9. Appointment of the Vice-Chancellor

1. The Vice-Chancellor is appointed in accordance with the procedures determined by the Council.
2. Subject to sections 31 (1)(a)(iii) and 34 (2) of the Act, the Council appoints the Vice-Chancellor in a manner determined the Council and in accordance with the Institutional Rules.
3. Council determines the appointment of an acting vice-chancellor in the event of the office becoming vacant either by resignation, death or suspension.

DEPUTY VICE-CHANCELLOR

10. Functions of the Deputy Vice-Chancellor

1. The Deputy Vice-Chancellor performs all such duties as determined by the and those delegated to him or her by the Vice-Chancellor.
2. The Deputy Vice-Chancellor may delegate any of his or her duties to any other employee of the University, subject to the approval of the Vice-Chancellor.
3. The Deputy Vice-Chancellor may be a member of Council and all committees of the Council, subject to preserving the proportion of external and internal members, and in accordance with the Institutional Rules, except those committees dealing with audit and remuneration matters or any other committee where good governance practice determines it to be so.
4. The Deputy Vice-Chancellor is a member of the Senate and of all joint committees of the Council and the Senate.
5. The Deputy Vice-Chancellor is accountable to the Vice-Chancellor.

11. Term of Office of the Deputy Vice-Chancellor

1. The Council determines the term of office of the Deputy Vice-Chancellor in accordance with the Institutional Rules.

12. Appointment of the Deputy Vice-Chancellor

1. The Deputy Vice-Chancellor is appointed in accordance with the procedures determined by the Council.
2. The Council appoints the Deputy Vice-Chancellor after consultation with the Institutional Forum and the Senate, and in a manner as determined by the Council.
3. In the absence of a deputy vice-chancellor, a suitable senior academic employee may be appointed to act as deputy vice-chancellor. Such a person has the power and authority vested in the Deputy Vice-Chancellor.

COUNCIL

13. Composition of Council

1. The Council of the University shall consist of not more than thirty members, of which at least 60 percent must be members who are not employees or registered students of the University.
2. The Council, subject to section 27(4) of the Act, consists of –

External members:

- a. five persons appointed by the Minister;
- b. two persons representing the Convocation as determined by the Institutional Rules;
- c. one person appointed by the Premier of the Province of the Eastern Cape;
- d. one person appointed by the Makana Municipality;
- e. eight persons elected by the Council by reason of special knowledge or expertise;
- f. one person from the membership of the Board of Governors.

Internal members:

- g. the Vice-Chancellor;
 - h. two Deputy Vice-Chancellors;
 - i. four members of the Senate elected by the Senate, one of whom must be a dean and one a non-professoriate member;
 - j. one member of the full-time academic employees elected by the academic employees;
 - k. two members of the administrative and support employees elected by the administrative and support employees;
 - l. the President of the SRC and another student elected annually by the SRC, one of whom must be a research-based postgraduate student.
3. Council members must have knowledge and experience relevant to the University's objects and governance.

4. Except as provided in paragraph 13(2)(g), (h), (i), (j), (k) and (l)–
 - a. no employee or student of the University and no other person in receipt of regular remuneration from the University is eligible for appointment or nomination for election as a member of the Council;
 - b. a member of Council who becomes a student or an employee of the University or who enters into a contract with the University in terms of which he or she is to receive remuneration from the University must forthwith vacate his or her seat on the Council.
5. In nominating members contemplated in paragraph 13(2)(e), a balance of equity, diversity, and stakeholder constituencies must be considered.

14. Functions of Council

1. The Council governs the University in terms of the Act and this Statute.
2. Without derogating from the generality of paragraph 14(1), the Council–
 - a. appoints all employees of the University, but, in the case of academic employees of the University, it may do so only after consultation with the Senate;
 - b. determines, after consultation with the Senate, the student admission policy of the University;
 - c. determines, after consultation with the Senate, the entrance requirements in respect of particular higher education programmes, the number of students who may be admitted for a particular higher education programme and the manner of their selection, and the minimum requirements for readmission to study at the University;
 - d. may, after consultation with the Senate, refuse admission to a student who fails to satisfy the minimum requirements for readmission; and
 - e. establishes, after consultation with the SRC, a structure to advise on the policy for student support services within the University and provides student support services.
3. Without derogating from the generality of paragraph 14(1), the Council –
 - a. makes the Institutional Statute and Institutional Rules for the University;
 - b. subject to the policy determined by the Minister and with the concurrence of the Senate, determines the language policy of the University, and must publish it and make it available on request;
 - c. determines, subject to the applicable labour laws, the conditions of service, the disciplinary provisions and the privileges and functions of its employees as set out in paragraph 14(5);
 - d. may establish committees as provided for in section 29 of the Act to perform any of its functions;
 - e. determines, after consultation with the Senate, which academic structures are established or disestablished and the functions of each structure, to ensure ethical, effective and efficient governance;
 - f. determines tuition fees, accommodation fees and any other fees payable by students as well as accommodation fees payable by employees;
 - g. approves the annual budget and the audited annual financial statement of the University;

- h. may conclude loans or overdraft agreements, subject to the proviso that the approval of the Minister is required whenever the aggregate of existing borrowings plus the new contemplated borrowing exceeds five per cent of the average income of the University received during the two years immediately preceding such agreement;
 - i. may enter into agreements for the construction of a permanent building or other immovable infrastructural development, the purchasing of immovable property, or the long-term lease of immovable property, subject to the approval of the Minister, if the value of such development or property exceeds five per cent of the average income of the University received during the two years immediately preceding the agreement.
4. Subject to section 68 of the Act, the Council may delegate any of the functions referred to in paragraph 14(2), but the Council may not delegate any of the functions referred to in paragraph 14(3).
5. Council creates employee and student disciplinary rules and is responsible for oversight of any amendments to such rules. The Vice-Chancellor, as the chief disciplinary authority of the University, has the authority to make any ad hoc decisions in relation to the interpretation, application and implementation of the aforementioned disciplinary rules, to efficiently conduct the day-to-day business of the University, as contemplated by the Vice-Chancellor's status as the chief executive officer of the University as well as the chief disciplinary authority of the University.
6. The Council is not divested of responsibility for the performance of any function delegated or assigned under paragraph 14(4).

15. Code of Conduct

1. The Council must, after consultation with the Institutional Forum, adopt a code of conduct to which all members of Council, all members of committees of the Council and all other persons who exercise functions of the Council in terms of delegated authority must subscribe.

16. Appointment of Council Members

1. The eligibility criteria and the manner in which members of the Council are appointed or elected are determined by the Institutional Rules.

17. Term of Office of Council Members

1. The term of office of members of the Council is as follows: the Vice-Chancellor and Deputy Vice-Chancellor(s) remain members of the Council for as long as they occupy their posts.
2. The term of office of the student members of the Council elected by the SRC is one year, provided that membership ceases when a student ceases to be a registered student.
3. The term of office of the remaining members is five years.
4. A member may serve more than one term of office but no more than two terms as a council member, subject to the Institutional Rules.

18. Termination of Membership and Filling of Vacancies

1. A member of the Council vacates his or her position on the Council if he or she –
 - a. tenders a written resignation to the Registrar;
 - b. is absent from three consecutive ordinary meetings -
 - i. without the prior leave of the Chairperson of the Council;
 - ii. or in the case of the Chairperson, the leave of the Executive Committee of Council;
 - c. absent from the ordinary meetings of the Council for a whole calendar year;
 - d. is declared by a court of law to be insolvent or otherwise incapable of attending to his or her own affairs;
 - e. is declared to be of unsound mind by a competent court of the Republic; or
 - f. is convicted of an offence and sentenced by a court of the Republic to a term of imprisonment without the option of a fine;
 - g. in respect of paragraph 13(2)(l), ceases to be president of the SRC or a student, as the case may be;
 - h. having been elected or appointed by a particular constituency, is no longer a member of that constituency;
 - i. is considered by a two-thirds majority of the members of the Council present at any meeting to be acting other than in the best interests of the University;
 - j. is otherwise disqualified in terms of the Institutional Rules.
2. Members contemplated in paragraph 13(2) (g), (h), (i), (j) and (k) of this Statute cease to be members on resignation or termination of membership by the Council or cease to be employed by the University.
3. Where a member who has been elected or appointed dies, resigns or vacates office for any reason, including the expiry of his or her term of office, the Secretary to the Council must notify the authority or body that has appointed or elected such member of the vacancy, and must request such authority or body to nominate or elect a successor.
4. A member whose term of office has expired may, as an interim measure, have his or her term extended by the Council once for a maximum period of six months, should Council be of the opinion that special circumstances so demand.

19. Office-Bearers of Council

1. The following office-bearers of the Council are elected from among the members of the Council –
 - a. the Chairperson; and
 - b. the Vice-Chairperson.

Provided that the Chairperson and Vice-Chairperson of the Council may not be elected from members as contemplated in paragraph 13(2)(g), (h), (i), (j), (k) and (l) of this Statute.

2. An office-bearer holds office for a period of four years, unless, during that time, he or she resigns or ceases to be a member of the Council.
3. If a vacancy in the office of the Chairperson or the Vice-Chairperson occurs during the term of office, the Registrar must invite the Council at its next ordinary meeting to fill the vacancy for the unexpired period of the term of office, unless the unexpired period is six months or shorter, in which case a person will be elected to serve his or her full term.
4. The Chairperson and Vice-Chairperson are eligible for re-election in accordance with the Institutional Rules and may serve for a maximum of two terms.
5. The Chairperson presides at all meetings of the Council at which he or she is present.
6. The Vice-Chairperson presides at any meeting at which the Chairperson is absent, or when the Chairperson has to recuse himself or herself or is unable to continue chairing.
7. If neither the Chairperson nor the Vice-Chairperson is present at a meeting, the Registrar must invite members present to elect an external member to preside at that meeting.

20. Secretary to Council

1. The Registrar is the Secretary to the Council.
2. The Secretary acts as an electoral officer.
3. The Secretary attends all meetings and maintains all relevant Council documents.

21. Meetings of Council

1. The Council determines its own meeting rules.
2. No resolution of a meeting is binding unless the meeting is quorate.
3. Members who recuse themselves in terms of good governance due to a conflict of interest shall be counted as present for quorum purposes. Officers of the University, who are not council members, but in attendance, shall not be counted for quorum purposes.
4. Ordinary meetings are held when and where the Council decides, but there must be at least four ordinary meetings of the Council each year.
 - a. The quorum for an ordinary meeting of the Council shall consist of eight members, of which at least five shall be external members.
 - b. Any member may place a motion on the agenda of a meeting of the Council by giving written notice to the Secretary of the Council at least seven days before the date of the meeting, and the Secretary must include such motion in the agenda.
 - c. The Secretary must issue a written notice to each member of the Council at least fourteen days before each ordinary meeting of the Council, setting out the place, date and time of the meeting.

- d. The agenda and documentation for an ordinary meeting must be circulated at least 7 days before the meeting.
 - e. Notwithstanding paragraph 21(4)(b), the Council may, by a majority of the total membership of the Council excluding vacancies, agree to consider any urgent matter of which notice has not been given.
5. A special meeting must be held when called by the Chairperson or when the Chairperson is requested in writing by five or more members of Council.
- i. The Secretary must give at least three days' written notice of a special meeting of the Council, setting out the place, date and time of the meeting, and the agenda for the meeting.
 - ii. No other business may be dealt with at the meeting except that the Council may, by a majority of the total membership of the Council excluding vacancies, agree to consider any urgent matter of which notice has not been given.
 - iii. The quorum at a special meeting of the Council shall consist of eight members, of which at least five shall be external members.
6. An emergency meeting may be held when called by the Chairperson at any time after giving not less than 24 hours' notice, unless, in the opinion of the Chairperson, there is an emergency warranting a shorter period.
- i. Notice of an emergency meeting may be given in any manner convenient under the circumstances.
 - ii. The object of an emergency meeting must be stated to members, and no business other than that stated may be transacted at such a meeting.
 - iii. The quorum at an emergency meeting of the Council shall consist of eight members, of which at least five shall be external members.

22. Conflict of Interest of Council Members

1. A member of Council must declare his or her or a close family member's conflict of interest with the University.
2. A member of Council must declare such interest:
 - a. before he or she assumes office;
 - b. annually for as long as he or she continues to hold such office;
 - c. before or during any meeting regarding any item on the meeting agenda.
3. Any person may, in writing, inform the Chairperson of a meeting, before a meeting, of a conflict or possible conflict of interest of a council member of which such person may be aware.
4. A member must recuse himself or herself from the meeting during the discussion and voting on any matter that involves or is likely to involve a conflict of interest.

23. Committees of Council

1. The Council establishes such committees as may be required.
2. The composition, functions, terms of reference, and meeting procedures of the committees are as determined by the Council and are included in the Institutional Rules.

24. Drafting, Amending or Rescinding of the Statute

1. No motion to draft, amend or rescind the Statute or an institutional rule is of force and effect unless adopted by at least 75 per cent of all members present at a meeting of the Council, provided that such meeting is constituted by at least one-half plus one of the total number of members, excluding vacancies, at least sixty percent of whom must be external members.
2. Any motion to draft, amend or rescind the Statute or an institutional rule must be in accordance with the provisions of section 32(2) of the Act.

SENATE

25. Composition of the Senate

1. The Senate, subject to the provisions of the section 28(2) of the Act, consists of –
 - a. the Vice-Chancellor;
 - b. the Deputy Vice-Chancellors;
 - c. the professors;
 - d. the deans and deputy deans;
 - e. two members of the Council elected by the Council (for a period as determined by the Council);
 - f. six members of the academic employees elected by the academic employees, other than those who serve on the Senate in different capacities;
 - g. the heads and acting heads of department;
 - h. five students elected by the SRC, at least two of whom must be postgraduate students, at least one of these being a postgraduate student whose degree is by full research thesis;
 - i. the heads of associated institutes as described in the Institutional Rules, who are not professors of the University;
 - j. two members of the administrative and support employees, other than directors of administrative divisions, as defined in the Human Resources grading process, elected by the administrative and support employees;

- k. two nominated members from each faculty to better reflect the diversity of academic employees;
 - l. two directors of administrative divisions, as defined in the Human Resources grading process, appointed according to the Institutional Rules; and
 - m. a senior member representing community engagement as designated by the Vice-Chancellor.
2. The majority of the Senate members must be academic employees.
 3. The Institutional Rules determine the manner of election of members.

26. Functions of the Senate

1. Subject to the Act, the Senate is accountable to the Council for the teaching, learning, research and academic functions of the University, and for all other functions delegated or assigned to it by the Council.
2. Without derogating from the generality of paragraph 26(1), the organisation and superintendence of instruction and examinations, and of lectures and classes, are vested in the Senate and the Senate—
 - a. if delegated to do so by resolution of Council, may make or amend any institutional rule relating to the curriculum for, or the obtaining of, any degree, diploma, certificate or other qualification, but may do so only after consulting the relevant faculty board;
 - b. if delegated to do so by resolution of the Council, may make or amend any institutional rule relating to the manner in which students are to be examined;
 - c. determines what standard of proficiency is required to be attained in any mode of assessment that may be used to satisfy the requirements for the obtaining of each degree, diploma, certificate or other qualification;
 - d. advises the Council on disciplinary measures and rules concerning students;
 - e. may make recommendations to the Council regarding the faculty to which each academic department, school or other academic structure belongs;
 - f. may make recommendations to the Council regarding the establishment and disestablishment of faculties, academic departments, schools and other academic structures;
 - g. determines, in accordance with any relevant deed or gift, and after consultation with the Vice-Chancellor, the conditions applicable to any scholarships and other academic prizes;
 - h. may establish committees to perform any of its functions, may appoint persons who are not members of the Senate as members of such committees and may, for this purpose, deem a single person to be a committee;
 - i. determines the functions of its committees as well as the procedure of meetings of these committees;
 - j. may make standing orders on procedures and delegation of powers for the better carrying out of its functions;
 - k. may delegate its functions; and
 - l. must take note of any action taken by a committee in exercising its delegated powers or functions when such committee reports its actions to the next meeting of the Senate.

3. The Senate submits to the Council –
 - a. such reports upon its work as may be required by the Council;
 - b. recommendations on matters referred to it by the Council, and
 - c. recommendations on any other matter affecting the University as the Senate considers useful.
4. The Senate may, in terms of the Institutional Rules, cancel the registration of a student in all or one or more of the courses for which the student is registered in that year if in the opinion of the Senate the academic achievement of the student is such that the student may not at the end of the year obtain credit in such course or courses, as the case may be.

27. Term of Office of Senate members

1. Members appointed ex officio hold office for as long as they are employed by the University in that capacity.
2. The term of office of members elected by the Council is for as long as the person holds the position on the Council, provided that the Council has the power to terminate such membership prior to this period.
3. The term of office of members of the academic employees elected by the academic employees is three calendar years.
4. Students elected by the SRC hold office until a new SRC takes office.
5. The term of office for representatives of administrative and support employees other than directors is three calendar years.
6. The term of office for representatives of directors of administrative and support employees is three calendar years.
7. The term of office of a senior member representing community engagement, as designated by the Vice-Chancellor, is three calendar years.
8. Where a member who has been elected dies, resigns or vacates office for any reason, including the expiry of his or her term of office, the Secretary to the Senate must request the structure that elected the member to elect a successor in the manner determined by the Institutional Rules.
9. The successor holds office for the unexpired term of office of the predecessor unless the successor is elected because his or her predecessor's term of office has expired or is shorter than six months.

28. Chairperson and Secretary to the Senate

1. The Vice-Chancellor is the Chairperson of the Senate.
2. The Secretary to the Senate is the Registrar.
3. The Chairperson performs such other functions as the Senate may determine.
4. The Secretary performs those functions assigned to him or her by the Senate.

29. Senate Meeting Procedure

1. The quorum and procedure for meetings of the Senate are determined by the Senate and included in the Institutional Rules.

30. Committees of the Senate

1. The Senate establishes –
 - a. an executive committee, and
 - b. such other committees as may be required.
2. The composition and functions of the committees are determined by the Senate as outlined in the Institutional Rules.

31. Joint Committees of Council and Senate

1. The Council, in consultation with the Senate, establishes such joint committees of the Council and Senate as may be necessary for the performance of particular tasks.

FACULTY BOARDS**32. Faculty Boards**

1. For each faculty, there is a Senate committee, known as a faculty board, that regulates the faculty's activities in accordance with the Institutional Rules.

33. Composition of the Faculty Boards

1. The composition of a faculty board is as determined in the Institutional Rules.
2. The Dean of the Faculty Board is, ex officio, the Chairperson of the Faculty Board and is appointed in accordance with the Institutional Rules.
3. The Dean of the faculty holds office for a period as indicated in the Institutional Rules or as approved by the Council after recommendation by the Senate.
4. The duties of the Dean are as determined by the Senate.

34. Meeting Procedure of the Faculty Boards

1. The meeting procedure for faculty boards is as determined in the Institutional Rules.

INSTITUTIONAL FORUM

35. Composition of the Institutional Forum

1. The Institutional Forum consists of sixteen members nominated with due regard to equity and gender diversity—
 - a. one member of executive management appointed by the Vice-Chancellor;
 - b. two Council members;
 - c. two Senate members;
 - d. four student members, appointed by the SRC, of whom at least one must be a postgraduate student;
 - e. three members of academic employees, other than Senate, nominated with due regard to equity and gender diversity;
 - f. three members of the administrative and support employees;
 - g. one member from the Makana Municipality.
2. The Institutional Rules determine the election of members and their term of office.
3. Membership of the Institutional Forum terminates if the member concerned –
 - a. resigns in writing to the Secretary of the Institutional Forum;
 - b. is absent from three consecutive ordinary meetings of the Institutional Forum without leave;
 - c. ceases to be a member of the body which designated or elected the person.

36. Functions of the Institutional Forum

1. The Institutional Forum must consider all provisions for ensuring the effectiveness of its mandate as outlined in the Institutional Rules, and must advise the Council on issues affecting the University, including –
 - a. the implementation of the Act and national policy on higher education;
 - b. policy regarding race, gender, disability and labour equity;
 - c. the language policy of the University;
 - d. the selection of candidates for senior management positions;
 - e. codes of conduct, mediation and dispute resolution procedures;
 - f. fostering of an institutional culture which promotes academic freedom, acceptance of diversity and difference, and respect for fundamental human rights and creates an appropriate environment for teaching, research, community engagement and learning; and the University's responsibilities to society.
2. The Council must consider the advice given by the Institutional Forum concerning the provisions of section 31(1)(a)(i-v) of the Act.

37. Terms of Office of Members of the Institutional Forum

- a. The term of office of a member of the executive management appointed by the Vice-Chancellor is determined by the Vice-Chancellor.
- b. The term of office of the members elected by the Council is the period that the member serves on the Council, provided that the Council has the power to terminate such membership prior to this period.
- c. The term of office of the members elected by the Senate is three calendar years.
- d. The term of office of the student members of the institutional forum will be one year, coinciding with the term of office of the SRC membership.
- e. The term of office of members of staff is three calendar years.
- f. The term of office of a person from the Makana Municipality is three calendar years.
- g. A person elected by the Council ceases to be a member of the Institutional Forum upon ceasing to be a member of the Council.
- h. A person elected by the Senate ceases to be a member of the Institutional Forum upon ceasing to be a member of the Senate.
- i. If a vacancy occurs during the term of office of a Council or a Senate member, the Council or the Senate, as the case may be, must fill the vacancy for the unexpired term of office.
- j. A student elected as a member of the Institutional Forum ceases to be a member of the Institutional Forum:
 - i. if such a person ceases to be a student, or
 - ii. for any period during which such person is suspended by or from the University;
 - iii. if a vacancy occurs during the term of office, the SRC must fill the vacancy for the unexpired term.
- k. A person elected by staff members ceases to be a member of the institutional forum:
 - i. if such a person ceases to be a member of staff;
 - ii. for any period during which such person is suspended by or from the University;
 - iii. if a vacancy occurs during the term of office, the staff body or bodies concerned must fill the vacancy for the unexpired period of the term of office;
 - iv. the successor holds office for the unexpired term of office of the predecessor unless the successor is elected because his or her predecessor's term of office has expired, or is shorter than six months.

38. Office-Bearers of the Institutional Forum

1. The Institutional Forum elects from among its members a Chairperson and a Vice-Chairperson.
2. The Chairperson and Vice-Chairperson will serve for a term of two calendar years, respectively.
3. If the Chairperson and Vice-Chairperson are absent, the first item of business at a meeting is to elect a Chairperson for that meeting.

39. Quorum and Procedure at Meetings of the Institutional Forum

1. The quorum for meetings of the institutional forum is one-third of its total membership.
2. The meeting procedures for the Institutional Forum are as determined in the Institutional Rules.
3. The Secretary to the Institutional Forum is the Registrar.

CONVOCATION**40. Composition of the Convocation**

1. The Convocation consists of the assembly of –
 - a. the graduates and diplomates of the University;
 - b. the Vice-Chancellor;
 - c. the Deputy Vice-Chancellor (s);
 - d. academic employees, both active and retired;
 - e. the Registrar;
 - f. the Director of Student Services and Development.
2. The Registrar is the Secretary of Convocation.

41. Functions of the Convocation

1. The Convocation may discuss and state its opinion upon any matter relating to the University, including any issue referred to it by the Council, the Senate or the Institutional Forum.

42. President of the Convocation

1. The Convocation elects the President of the Convocation from its members at an annual meeting and holds office for a period of five years.
2. The President of the Convocation presides at all meetings of the Convocation at which he or she is present, and in the absence of the President, the meeting elects one of its number to preside at such meeting.

3. If a vacancy occurs in the office of the President of Convocation, the Vice-Chancellor acts as President until the next annual general meeting which must elect a President to hold office for the unexpired period of the term of office, unless the unexpired period is six months or shorter, in which case a person will be elected to serve his or her full term of five years.

43. Meetings of the Convocation

1. The Convocation must hold an annual general meeting, which the Secretary convenes.
2. Notice of any motion or matter for discussion at an annual general meeting must be given to the Secretary in writing at least two months before the meeting.
3. Special meetings of the Convocation may be called by the President at any time or by the Secretary within two months of receipt of a written request by at least 100 members for such a meeting, stating the object thereof.
4. At least four weeks before an annual general meeting, or seven days before a special meeting, the Secretary must give notice of the date, time and place of the meeting, with a statement of the business to be considered, by placing a notice on the University's home page.

44. Meeting Procedures of the Convocation

1. Thirty members form a quorum at an annual general meeting, but if a meeting is adjourned owing to the lack of a quorum, a special meeting must be convened, at which twenty members present constitute a quorum.
2. The meeting procedures of the Convocation are as outlined in the Institutional Rules.

STUDENT REPRESENTATIVE COUNCIL (SRC)

45. Composition of the Student Representative Council

1. Only students registered for a qualification are eligible to serve on the SRC.
2. The manner of election of SRC members and the number of members to be elected are determined by the constitution for student governance.

46. Functions of the Student Representative Council

1. The SRC represents the University's students in matters that may affect them.
2. The functions of the SRC are as determined by the constitution for student governance.

47. Office-Bearers of the Student Representative Council

1. The duties and manner of election of the president, vice-president and other office bearers are as determined by the constitution for student governance.
2. Full-time employees of the University may not be office-bearers of the SRC.

48. Term of Office of Student Representative Council Members

1. The term of office of the members of the SRC is one academic year, as determined by the constitution for student governance, but members may be re-elected.

49. Privileges of Student Representative Council members

1. The privileges of members of the SRC are as determined in the constitution for student governance.

50. Meetings of the Student Representative Council

1. The number of meetings, the quorum at a meeting and the meeting procedures are as determined in the constitution for student governance.

51. Student Representative Council Committees

1. The SRC may establish such committees as are required or deemed necessary.

BOARD OF GOVERNORS**52. Board of Governors**

1. The Rhodes University Board of Governors is a body of distinguished individuals, established by, and accountable to, the Council, to provide advice and act as ambassadors for the University. The Board meets at least twice annually and as or when necessary.

REGISTRAR**53. Appointment of the Registrar**

1. The Council appoints the Registrar for such period as agreed upon in the contract of employment.

54. Functions of the Registrar

1. The Registrar is the Secretary to the Council, the Senate, the Institutional Forum and the Convocation.
2. The Registrar is responsible for assisting the Vice-Chancellor in the academic management and administration of the University and performs such other functions as the Vice-Chancellor may from time to time determine.
3. The Registrar is the custodian of student academic records.
4. The Registrar, subject to the approval of the Vice-Chancellor, may delegate or assign any function provided for in this Statute to a member of staff, but remains responsible for the performance of any function he or she delegates or assigns.
5. The Registrar is accountable to the Vice-Chancellor, and in respect of the duties and functions performed in respect of a particular body, to that body.

STUDENTS

55. Admission and Registration of Students

1. The Council may permit a person to register as a student only if he or she satisfies the legal requirements for admission to study at the University and, further, any other requirements for admission determined by the Council and laid down in the Institutional Rules.
2. The requirements for student admission to the University are set out in the Institutional Rules.
3. A student is a person registered for a qualification or course offered by the University.
4. In order for a student to renew his or her registration after the expiry of the period contemplated in paragraph 55(3), the student must comply with any conditions set out in the Institutional Rules.
5. The Council may refuse to allow the renewal of registration if a student fails to meet the conditions contemplated in paragraph 55(4).
6. The conditions contemplated in paragraph 55(4) may include the payment of outstanding fees.

56. Student Discipline

1. The disciplinary measures and provisions applicable to students are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate and the SRC. This provision must be read in conjunction with paragraph 7(11) and paragraph 14(5) of this Statute.

DEGREES, DIPLOMAS AND CERTIFICATES

57. Degrees, Diplomas and Certificates by Examination

1. The University may, subject to the Act, award diplomas and certificates and confer degrees of bachelor, honours, master and doctor in any faculty.
2. Except as provided in paragraph 59, no degree may be conferred, and no diploma or certificate may be awarded to any person who has not –
 - a. been registered as a student of the University for the period and under the conditions which the Senate prescribes; and
 - b. completed the courses and passed the examinations prescribed by the Senate.
3. The provisions and procedures for the award of credits and exemptions in respect of courses required for the award of diplomas and certificates, or for the conferment of degrees, are determined by the Senate and set out in the Institutional Rules.

Subject to section 65B of the Act, the Council, with the concurrence of the Senate, may withdraw or revoke any degree, diploma, certificate or other qualification that was awarded.

58. Award of Honorary Degrees

1. In accordance with section 65C of the Act, the University may confer an honorary degree of doctor upon any person by virtue of a resolution of the Senate and the Council.
2. The award of a degree contemplated in paragraph 1 does not entitle the holder to practice any profession.

59. Conferring of Degrees and Award of Certificates and Diplomas

1. A meeting of the University's members, called a congregation, is held to confer degrees and award certificates and diplomas.
2. Congregations are held at times and places decided by the Council in consultation with the Senate.
3. The Registrar, acting under delegation from the Vice-Chancellor, determines at which congregation any graduand or diplomand may be admitted to a degree or diploma.
4. A person is not entitled to any of the privileges conferred by any degree or the awarding of a certificate or diploma until he or she has been admitted to such degree or awarded such certificate or diploma at a congregation.
5. The procedure for the presentation of graduands and diplomands, the conferring of degrees or awarding of certificates or diplomas in absentia, academic dress, and all other matters regarding congregations are determined by the Council in consultation with the Senate.

REPEAL OF STATUTE

60. Repeal of Statute

1. The Statute of Rhodes University promulgated in Government Gazette No. 2739, Government Notice No. 234 of 15 March 2005, is hereby repealed with effect from the date on which this Statute comes into operation.

TRANSITIONAL ARRANGEMENTS

61. Transitional Arrangements

1. Anything done under any provision of the Statute which existed prior to the commencement of this Statute is deemed to have been done under the corresponding provision of this Statute.
2. The existing Institutional Rules which are in force prior to the commencement of this Statute continue to apply until replaced.
3. Persons holding office in terms of the Statute which existed prior to the commencement of this Statute are deemed to hold office under the corresponding provisions of this Statute for the duration of the term that he or she was appointed, unless this is inconsistent with the Act or this Statute.

ISSUE OF NOTICES

62. Issue of Notices

1. The non-receipt of notice sent through official university channels to any person entitled to receive it shall not invalidate the proceedings.

NON-GOVERNMENTAL ORGANIZATION

NO. 7466

15 May 2026



RESOLUTION NO ___ OF 2026

**AMENDMENTS TO THE RULES FOR THE CONDUCT OF THE PROCEEDINGS
BEFORE THE PUBLIC HEALTH AND SOCIAL DEVELOPMENT SECTORAL
BARGAINING COUNCIL**

Rules for the conduct of proceedings in the PHSDSBC

① Page 1
(1) C12
JT
MS

1. OBJECTIVE

1.1. The objective of this agreement is to effect amendments to the Rules for the conduct of the proceedings before the Public Health and Social Development Sectoral Bargaining Council (PHSDSBC).

2. SCOPE

This agreement binds:

- 2.1 the State as the Employer;
- 2.2 the Public Health and Social Development personnel employed by the Employer who are members of the trade union parties to this agreement; and
- 2.3 the Public Health and Social Development personnel employed by the employer who are not members of any trade union party to this agreement, but who fall within the registered scope of the PHSDSBC.

3. AGREEMENT

The parties therefore agree that:

- 3.1 the amendments to the Rules for the conduct of the proceedings before the PHSDSBC be adopted;
- 3.2 the Rules amplify the dispute procedures encapsulated in the PHSDSBC Constitution.
- 3.3 where there is conflict between the Rules and any other prescript, the provisions of the LRA and the PHSDSBC Constitution shall prevail; and
- 3.4 the Rules will come into effect in accordance with Rule 38.

Rules for the conduct of proceedings in the PHSDSBC

Page 2

①
JT
MS
10/02
09

4. PROTECTION OF PERSONAL INFORMATION

The parties hereby acknowledge the application of the Protection of Personal Information Act 4 of 2013 (POPI Act). The Council shall at all times observe the provisions of the POPI Act, where applicable, and keep personal information of parties confidential, except in the execution of its duties and functions and where such information has to appear in public documents such as rulings and arbitration awards. Parties are required to treat each other's private information with care and confidentiality in accordance with the POPI Act.

5. DISPUTE RESOLUTION


Should there be a dispute about the interpretation or application of this agreement, such dispute shall be dealt with in terms of the dispute resolution procedure of the Council through conciliation and arbitration.

6. IMPLEMENTATION OF AGREEMENT

The Council will monitor the implementation of this agreement.

THIS DONE AND SIGNED AT _____ OF THIS _____ DAY OF _____ 2026.

ON BEHALF OF THE STATE AS EMPLOYER

	Name	Signature	Date
EMPLOYER	MASHIGO SOLOMON MAHLATJIE		12/03/2026

ON BEHALF OF TRADE UNION PARTIES

Rules for the conduct of proceedings in the PHSDSBC

51
Page 3

(cc)
C-2
09

CONTINUES ON PAGE 130 OF BOOK 2

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



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 731

15

May
Mei

2026

No. 54677

PART 2 OF 3

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



9 771682 584003



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

Trade Union	Name	Signature	Date
NEHAWU	CASPER NAUP		13/03/2026
DENOSA	MAHAMELA IKWEMA DANIEL		24/03/26
PSA	JOHN MPEREKENI TEFFO		18/02/2026
HOSPERSA	SEAN MCGLADDER		4/03/2016
NUPSAW	Solly Motema		30/03/2026

10)
C-2
MS


PHSDSBC RULES FOR THE CONDUCT OF PROCEEDINGS**CONTENTS****PART ONE**

1. Contacting the Council
2. Office hours
3. Calculating time periods in these Rules
4. Signing of documents
5. Service of documents
6. Proof of service of documents
7. Filing of documents with the Council
8. Documents sent by registered mail
9. Condonation
10. Referring a dispute to the Council

PART TWO

11. Notice of conciliation
12. Pre-conciliation
13. Jurisdiction of Council to conciliate
14. Certificate of outcome
15. Conciliation proceedings are confidential

PART THREE

16. Con-arb in terms of section 191(5A)

PART FOUR

17. Enrolling a matter for arbitration
18. Statement of case
19. Pre-arbitration conference
20. Notice of arbitration

Rules for the conduct of proceedings in the PHSDSBC

Page 5

21. Jurisdictional issues at arbitration

PART FIVE

22. Postponements
23. Venue for proceedings
24. Representation
25. Joinder and substitution of parties
26. Correction of citation
27. Consolidation of disputes
28. Disclosure of documents
29. Failure to attend proceedings

PART SIX

30. Bringing an application
31. Variation and rescission of rulings and awards

PART SEVEN

32. Inquiry by arbitrator in terms of section 188A

PART EIGHT

33. Recording of proceedings
34. Subpoenas
35. Witness fees
36. Costs
37. Definitions
38. Transitional arrangements

Annexure A: Employers' addresses

Form 1

PART ONE: SERVICE AND FILING**1. Contacting the Council**

- (1) The addresses, telephone, telefax and fax-to-e-mail numbers of the offices of the Council are the following:

Physical Address: Lyttelton Office Public Service Bargaining Centre
(PHSDSBC)

260 Basden Avenue

Lyttelton

0157

Postal Address: PO Box 11467

Centurion

0046

Telephone: (012) 7655100

E-mail: info@phsdsbc.org.za

Fax to e-mail: (011 580 0447)

Online referrals: <https://www.phsdsbc.org.za/contact-us/online-referral-form/>

- (2) Documents must be filed with the Council at the addresses, e-mail or fax-to-email number listed in sub-rule (1). Referrals may be filed on the online platform.

2. Office hours

- (1) The offices of the Council are open every day from Monday to Friday, excluding public holidays, between the hours of 07h30 and 16h00 or as determined by the Council.

- (2) Documents that are hand-delivered must be filed with the Council during the hours referred to in sub-rule (1). Documents that are filed by way of registered mail must reach the offices of the Council within the hours referred to in sub-rule (1).
- (3) Documents that are filed by way of fax-to-email or e-mail can be filed at any time and online referrals can be made at any time.
- (4) All communications should be addressed to the Secretary of the Council.

3. Calculation of time periods in these Rules

- (1) For the purpose of calculating any period of time in terms of these Rules–
 - (a) “day” means a calendar day, unless the context indicates otherwise;
and
 - (b) the first day is excluded and the last day is included, subject to sub-rule (2).
- (2) For purposes of sub-rule (1)(b), if the last day falls on a Sunday or public holiday, the last day will be the first working day immediately following the Sunday or public holiday.
- (3) During the period 16 December to 7 January the Council continues with its daily activities, save that matters will not be enrolled for hearings and no hearings will be conducted.

4. Signing of documents

- (1) A document that a party must sign in terms of the Act or these Rules must be signed by that party or by a person who is entitled to represent that party in the proceedings or by that party’s legal practitioner.

- (1A) If a referral form¹ has not been signed by the referring party or his/her representative or legal practitioner, the conciliation or arbitration may continue as if the referral form is not defective, provided that the referring party is present at the hearing and confirms his/her intention to continue with the matter.
- (2) If proceedings are jointly instituted or opposed by more than one employee, documents must be signed by all the employees or their representative(s), unless one employee has been mandated to sign on behalf of the others, in which case proof of the mandate must be attached to the referral or other document.
- (3) A list containing the names, identity numbers and contact details of each employee involved in the matter must be attached to the document.

5. Service of documents

- (1) A party must serve a document on the other party or parties to the proceedings –
- (a) by handing a copy of the document to –
 - (i) a person identified in sub-rule (2);
 - (ii) a representative authorised in writing to accept service on behalf of a party;
 - (iii) a person who appears to be at least 16 years old and in charge of the person's place of residence; business or place of employment premises at the time;
 - (b) by leaving a copy of the document at –
 - (i) an address chosen by the party who has to receive service;
 - (ii) any premises in accordance with sub-rule (3);
 - (c) by faxing a copy of the document to a person identified in sub-rule (2) to his/her last-known fax number or a number chosen by the party who has to receive service;

¹ In this context "referral form" means the forms used to refer a dispute to conciliation, a con-arb or arbitration.

- (d) by sending a copy of the document by registered mail or telegram to the last-known address of the party who has to receive service or to an address chosen by that party;
- (e) by sending a copy of the document by e-mail to the last-known e-mail address of the party who has to receive service or to an email address chosen by that party;

(2) A document must be served –

(a) in the case of the employer –

- (i) on a responsible employee of the employer at the workplace where the employee(s) involved in the dispute ordinarily work or worked, or
- (ii) if the employee(s) involved in the dispute ordinarily work or worked in a provincial office, on the nominated employer representative at the provincial office of the province where the employee(s) involved in the dispute ordinarily work or worked at any of the addresses specified in Annexure B; or
- (iii) if the employee(s) involved in the dispute ordinarily work or worked in a national department, on the nominated employer representative of that national department at any of the addresses specified in Annexure B; or
- (iv) a legal practitioner, in accordance with sub-rule (4); and
- (v) in the event of collective bargaining disputes, on the chief negotiator.

(b) in the case of an employee or a trade union, on the employee or an official at the trade union's regional or head office.

(3) If no person identified in sub-rule (2) is willing or able to accept service, service may be effected by affixing a copy of the document to –

- (a) the main door of the premises concerned or;
- (b) if access to the main door is not possible, another place to which the public has access or to a post-box.

(4) If an attorney is on record as the representative of a party or if a party has informed the Council and the other party that he/she is represented by a legal practitioner and has provided the Council and the other party with the name,

address and contact details of the legal practitioner, all documents must be served on the legal practitioner.

- (5) The Council must serve all notices, other documents and correspondence on a party in the same manner as described in this Rule, with the specific proviso that service on the employer must be effected –
- (a) at the provincial office of the employer at the address specified in Annexure B where the employee party was situated at the time of the referral, unless the matter clearly involves a national department, in which case service has to be effected on the relevant national department; and
 - (b) if it appears that any referral or other document was served on the employer at an office other than the prescribed office, service must also be effected at the prescribed office.
- (6) The Council or a panellist may order service in a manner other than prescribed in this Rule.

6. Proof of service of documents

- (1) A party must prove to the Council or a panellist that a document was served on the other party in terms of these Rules by providing the Council or the panellist with:
- (a) a copy of the e-mail that was sent to the other party, including proof of any documents that were attached to the e-mail;
 - (b) the registered slip if a document was sent by registered mail to the other party;
 - (c) a copy of the telegram or telex communicating the document to the other party;
 - (d) a copy of the fax transmission report, indicating the successful transmission to the other party of the whole document; or
 - (e) if a document was served by hand –
 - (i) a copy of a receipt signed by, or on behalf of the other party clearly indicating the name and designation of the recipient and the place, time and date of service; or

- (ii) an affidavit confirming service, signed by the person who delivered a copy of the document to the other party in any manner allowed for in these Rules.
- (2) If proof of a service in accordance with sub-rule (1) is provided, it is presumed until the contrary is proved, that the party on whom the document was served has knowledge of the contents of the document.
- (3) The Council or a Panellist may accept proof of service in a manner other than prescribed in this Rule.

7. Filing documents with the Council

- (1) A party must file documents with the Council:
 - (a) by handing the document to the office of the General Secretary at the address listed in Rule 1;
 - (b) by sending a copy of the document by registered post to the office of the General Secretary at the address listed in Rule 1;
 - (c) by faxing or e-mailing the document to the office of the General Secretary at a number or e-mail address listed in Rule 1; or
 - (d) if it is a referral, by submitting the referral on the online referral portal of the Council.
- (2) A party must file the original of a document that was faxed or e-mailed to the Council if requested to do so by General Secretary or a panellist within seven (7) days of the request.

8. Documents sent by registered mail, fax or e-mail

- (1) Any document or notice sent by registered mail by a party or the Council is presumed, until the contrary is proved, to have been received by the person to whom it was sent seven (7) days after it was posted.
- (2) Any document or notice sent by fax (fax-to-email) is presumed to have been received at the time of successful transmission of the whole document.

- (3) Any document or notice sent by e-mail is presumed to have been received in accordance with the relevant provisions of the Electronic Communications and Transactions Act 25 of 2002.

9. Condonation

- (1) This Rule applies to all referral documents, applications and other documents delivered outside of the applicable time periods prescribed in the Act, any other employment law, these Rules or the dispute resolution procedures of the Council.
- (2) A party who files a referral, application or other document outside the relevant prescribed time period must apply for condonation, in accordance with Rule 30, at the same time as said filing or as soon as possible after becoming aware that condonation is necessary.
- (3) An application for condonation must set out the grounds for seeking condonation and must include details of the following:
 - (a) the degree of lateness;
 - (b) the reasons for lateness;
 - (c) the applicant's prospects of success in the referral or main application, including the relief sought from the other party;
 - (d) any prejudice to the other party; and
 - (e) any other relevant factors.
- (4) The General Secretary may assist a party to comply with this Rule.
- (5) A panellist appointed by the Council for this purpose may condone, on good cause shown, any failure to comply with any relevant prescribed time period provided for in the Act, in any employment law or these Rules.
- (6) In deciding whether or not to grant condonation, the panellist may act in such a manner as is deemed expedient in the circumstances in order to achieve the objectives of the Act. In doing so, regard shall be had to substance rather than form.

10. Referring a dispute to the Council

- (1) A dispute must be referred to the Council for conciliation, con-arb or arbitration by completing the prescribed referral form or completing the referral on the Council's online portal for referrals.
- (2) The referring party must –
 - (a) sign the referral form in accordance with Rule 4;
 - (b) attach to the referral form written proof, in accordance with Rule 6, that the referral form was served on the other party or parties to the dispute;
 - (c) if a referral is filed out of time, attach an application for condonation in accordance with Rule 9.
- (3) The Council will refuse to accept a referral until sub-rules (1) and (2) have been complied with.
- (4) Where a referral does not comply with this Rule and the Council has by mistake or omission accepted the referral and enrolled the matter for a hearing, the conciliating or arbitrating panellist may continue with the hearing if the referring party appears at the hearing in person and confirms that he/she intends to pursue the matter.

PART TWO: CONCILIATION OF DISPUTES**11. Notice of conciliation**

The Council must give the parties at least fourteen (14) days' written notice of a conciliation hearing, unless the parties agree to a shorter period of notice.

12. Pre-conciliation

The Council or a panellist may contact the parties by telephone or other means, prior to the commencement of the conciliation, in order to seek to resolve the dispute.

13. Jurisdiction of Council to conciliate a dispute

- (1) If a jurisdictional issue is raised during the conciliation proceedings the panellist must require the referring party to prove that the Council has jurisdiction to conciliate the dispute, provided that if any jurisdictional challenge requires evidence, the conciliation must be stayed and the jurisdictional challenge must be enrolled for an *in limine* hearing.
- (2) A panellist's ruling on jurisdiction must be issued to the parties in writing within 14 days after the completion of the hearing at which jurisdiction was dealt with.

14. Certificate of outcome

- (1) A certificate of outcome, issued in terms of section 135(5) of the Act, that the dispute has or has not been resolved must identify the parties to the dispute, as well as the nature of the dispute as described in the referral document or as identified by the panellist in consultation with the parties during the conciliation proceedings;
- (2) If a dispute that has been referred to the Council for conciliation has not been enrolled for conciliation within the 30-day conciliation period, as envisaged in section 135(2) of the Act, a certificate of non-resolution must be issued after expiry of said 30-day period in accordance with section 135(5) of the Act.

15. Conciliation proceedings are confidential

- (1) Conciliation proceedings are private and confidential and are conducted on a without prejudice basis. No person may refer to anything said at conciliation proceedings during any subsequent proceedings, unless the parties agree in writing.
- (2) No person, including a panellist, may be called as a witness during any subsequent proceedings in the Council or in any court of law to give evidence about what transpired during conciliation, unless the parties and/or the Panellist agrees thereto in writing.

- (3) Notwithstanding the provision of sub-rules (1) and (2), parties may submit evidence and call witnesses as to what transpired during conciliation –
 - (a) for the purpose of proving or disproving the existence of a settlement agreement concluded during the conciliation proceedings; or
 - (b) in the case of an application for a review in terms of section 145 or 158 of the Act, where the ground for review include allegations about the conduct of the panellist.

PART THREE: CON-ARB IN TERMS OF SECTION 191(5A)

16. Conduct of con-arb in terms of section 191(5A)

- (1) The Council must give the parties at least 14 (fourteen) days' notice in writing that a matter has been scheduled for a con-arb in terms of section 191(5A) of the Act.
- (2) A party who intends to object to a dispute being dealt with in terms of this section must deliver a written notice of objection to the General Secretary and the other party.
- (3) Sub-rule (2) does not apply to a dispute concerning the dismissal of an employee for any reason related to probation or an unfair labour practice relating to probation.
- (4) If a party fails to appear or be represented at a hearing scheduled in terms of sub-rule (1), the panellist must continue with the conciliation and the Rules pertaining to conciliations in general, and specifically including Rules 14 and 29, apply.
- (5) Sub-rule (4) applies irrespective of whether a party has lodged a notice of objection in terms of sub-rule (2).
- (6) Representation of parties in con-arb proceedings is the same as representation at conciliation and arbitration respectively in Rule 24.

- (7) The provisions of the Act and these Rules that are applicable to conciliation and arbitration respectively apply, with the changes required by the context, to con-arb proceedings.
- (8) If the arbitration is not conducted or is not concluded on the date specified in the notice referred to in sub-rule (1), and where neither party has objected in terms of sub-rule (2), the General Secretary must schedule the matter for arbitration by issuing a notice in terms of Rule 20 or as agreed to by the parties.

PART FOUR: ARBITRATIONS

17. Enrolling a matter for arbitration

The Council must set a matter down for arbitration on a date that falls within 60 (sixty) days from the date the Council received a request for arbitration from a party.

18. Statement of case

- (1) The Council or a panellist may direct –
 - (a) the referring party in an arbitration to deliver a statement of case; and
 - (b) the other parties to deliver an answering statement.
- (2) A statement in terms of sub-rule (1) must –
 - (a) set out the material facts upon which the party relies and the legal issues that arise from the material facts; and
 - (b) be delivered within the time period specified by the panellist or the Council.
- (3) The panellist has a discretion to continue with the arbitration despite non-compliance with a directive to deliver a statement of case or answering statement, but any non-compliance must be taken into account when considering costs at the conclusion of the arbitration hearing.

19. Pre-arbitration conference

- (1) The parties to an arbitration must conduct a pre-arbitration conference, dealing with the matters in sub-rule (2), before the arbitration date.

- (2) When parties conduct a pre-arbitration conference they must deal with and endeavor to reach consensus on the following matters –
- (a) any means by which the dispute may be settled;
 - (b) facts that are agreed between the parties;
 - (c) facts that are in dispute;
 - (d) the issues that the arbitrating panellist is required to decide;
 - (e) the relief claimed and if compensation is claimed, the amount of the compensation and how it is calculated;
 - (f) the sharing and exchange of relevant documents and the preparation of bundles of documents in chronological order with each page numbered;
 - (g) the manner in which documentary evidence is to be dealt with, including any agreement on the status of documents and whether documents, or parts of documents, will serve as evidence;
 - (h) whether evidence on affidavit will be admitted with or without the deponent of the affidavit testifying and the other party cross-examining him or her;
 - (i) which party must begin;
 - (j) the necessity for any *in loco* inspection;
 - (k) securing the presence of any witness at the venue appointed by the Council;
 - (l) the raising and/or resolution of any preliminary points that are intended to be taken;
 - (m) the exchange of witness statements;
 - (n) expert evidence;
 - (o) any other means by which the proceedings may be expedited;
 - (p) an estimate of the time required for the hearing;
 - (q) the right of representation;
 - (r) whether an interpreter is required and, if so, for how long and for which of the official South African languages; and
 - (s) any other matter the parties wish to discuss and include.
- (3) Unless a dispute is settled, the parties must draw up and sign a minute, setting out the issues referred to in sub-rule (2) and indicating their agreement or disagreement on those issues.

- (4) The referring party must ensure that a copy of the pre-arbitration conference minute is filed with the Council and the appointed panellist within five (5) working days of the conclusion of the pre-arbitration conference or as directed by the Council or panellist.
- (5) The Council or panellist may, after receiving a pre-arbitration minute –
 - (a) enroll the matter for arbitration;
 - (b) direct the parties to hold a further pre-arbitration conference; or
 - (c) issue any other directive to the parties concerning the conduct of the arbitration.
- (6) Parties may conduct their pre-arbitration conference in writing.

20. Notice of arbitration hearing

The Council must give the parties at least 14 (fourteen) days' written notice of an arbitration hearing, unless the parties agree to a shorter period.

21. Jurisdictional issues at arbitration

- (1) If, during the arbitration proceedings, it appears that a jurisdictional issue has not been determined, the arbitrating panellist must require the referring party to prove that the Council has jurisdiction to arbitrate the dispute, in which case the parties may be invited to deliver evidence and/or argument.
- (2) After hearing both parties, the panellist must issue a written ruling within 14 (days), determining whether the Council has jurisdiction to arbitrate the matter.

PART FIVE: RULES APPLYING TO ALL PROCEEDINGS

22. Postponements

- (1) An arbitration may be postponed –
 - (a) by agreement between the parties in accordance with sub-rule (2) or
 - (b) on application and on notice to the other parties in accordance with sub-rule (3).

- (2) The Council may postpone a hearing without the parties appearing if –
 - (a) all the parties to the dispute agree in writing to the postponement, as provided for in sub-rule (1)(a); and
 - (b) the written agreement for a postponement is received by the Council at least seven (7) days prior to the scheduled date of the arbitration.
- (3) If the parties do not agree to a postponement or if they fail to comply with sub-rule (2), any party to the dispute may apply for a postponement in writing at least fourteen (14) days before the date of the arbitration by filing an application with the Council and serving a copy thereof on the other party. The application must be in the same format as all other applications regulated by Rule 30, but the time periods in Rule 30 do not apply to applications for postponements.
- (4) A party who wishes to oppose an application for postponement must file opposing papers within five (5) days after receipt of the application for postponement.
- (5) The party applying for postponement may file a reply within three (3) days from receiving the opposing papers.
- (6) The Council or a panellist appointed for this purpose will consider the application for postponement and any opposition and/or reply, decide whether or not to postpone the matter and advise the parties accordingly.
- (7) When an application for postponement is filed, the parties must not assume that, because an application has been filed, the matter is automatically postponed. The arbitration will stand to proceed until such time as the parties have been notified by the Council that a postponement has been granted.
- (8) If a postponement is granted, the party who has brought the application must bear the wasted costs of the Council in respect of the day or days the matter is postponed, unless good cause is shown, which will be considered and determined by the General Secretary.

23. Venue for proceedings

- (1) A conciliation, arbitration or any hearing in relation to a dispute must be heard in the province where the cause of action arose, unless otherwise directed by the General Secretary.
- (2) The proceedings shall be held at a venue determined by the General Secretary.
- (3) The parties may agree to have a hearing on an online platform or any party may request that the dispute be heard on an online platform, in which case the General Secretary will call for representations from the other party, consider the request and then determine whether or not the hearing will be online.

24. Representation

- (1) In conciliation proceedings a party to the dispute must appear in person or be represented by a co-employee, a member, office bearer or official of that party's trade union or by an employee of the national department or provincial administration.
- (2) Despite sub-rule (1), a panellist must during conciliation allow a legal practitioner to argue matters of jurisdiction.
- (3) In any arbitration proceedings a party to the dispute may appear in person or be represented by a co-employee, a member, official or office bearer of that party's trade union or an employee of the national department or provincial administration or a legal practitioner.
- (4) If the dispute being arbitrated is about the fairness of a dismissal and a party has alleged that the reason for dismissal relates to the employee's conduct or capacity, the parties are, despite sub-rule (3), not entitled to be represented by legal practitioner in the proceedings unless –
 - (a) the panellist and all the other parties consent;

- (b) the panellist concludes that it is unreasonable to expect a party to deal with the dispute without legal representation after considering
 - (i) the nature of the questions of law raised by the dispute;
 - (ii) the complexity of the dispute;
 - (iii) the public interest; and
 - (iv) the comparative ability of the opposing parties or their representatives to deal with the dispute;
- (5) A party seeking to be represented by a legal practitioner at the arbitration as in sub-rule (4) must bring an application in accordance with Rule 30.
- (6) A party to a dispute who challenges the right of appearance of a representative must furnish reasons why the representative does not have the right of appearance.
- (7) The panellist must call upon the representative whose right of appearance is being challenged to furnish reasons why he/she should be permitted to appear.
- (8) If so requested by the panellist, a representative whose right of appearance is being challenged must provide any documents, including but not limited to constitutions, pay slips, contracts of employment, documents and forms, recognition agreements and proof of membership of a trade union in order to prove his/her right of appearance.

25. Joinder or substitution of parties

- (1) The Council or a panellist may make an order joining any number of persons as parties to the proceedings if the relief depends on substantially the same question of law or fact or if the party to be joined has a substantial interest in the proceedings.
- (2) The Council or a Panellist may make an order in terms of sub-rule (1) –
 - (a) of his/her own accord;
 - (b) on application by a party; or
 - (c) where a person entitled to join the proceedings applies at any time during the proceedings to be joined as a party.

- (3) An application in terms of this Rule must be made in accordance with Rule 30.
- (4) When making an order in terms of sub-rule (1), a panellist may –
- (a) make an order joining a party with interest in the matter; or
 - (b) give appropriate directions as to the further procedure in the proceedings; and
 - (c) make an order as to costs in accordance with these Rules.
- (5) If in any proceedings it becomes necessary to substitute a party for an existing party, any party to the proceedings may at any time before the conclusion of the proceedings apply for an order substituting that party for an existing party in accordance with Rule 30.
- (6) In making an order in terms of sub-rule (4) the Panellist may –
- (a) make an order substituting a party with another; or
 - (b) give such appropriate directions as to the further procedure in the proceedings.
- (7) Any application for joinder or substitution must be accompanied by copies of all documents previously delivered in the proceedings, unless the person to be joined or the person who takes the place of a party in a substitution or his/her representative is already in possession of all the documents.
- (8) Subject to any order made in terms of sub-rules (4) and (6), a joinder or substitution in terms of this Rule does not affect any steps already taken in the proceedings.

26. Correction of citation

If a party to any proceedings has been incorrectly or defectively cited, the Council or a panellist may of its/his/her own accord, by consent of the parties or on application and notice to the other party correct the error or defect.

27. Consolidation of disputes

The Council or a panellist may, of its/his/her own accord after consultation with parties or on application, consolidate more than one dispute so that the disputes may be dealt with in the same proceedings, provided the Council has jurisdiction over all the disputes to be consolidated.

28. Disclosure of documents and evidence

- (1) At any time after the request for arbitration has been delivered either party may apply, in accordance with Rule 30, for an order as to the disclosure of relevant documents or other evidence.
- (2) The parties may agree to the discovery of documents or other relevant evidence.
- (3) Documents and/or other evidence to be discovered in terms of sub-rules (1) and (2) must be disclosed before the scheduled hearing date.
- (4) This Rule does not apply to a trade union seeking the disclosure of information for any negotiation purposes, unless it is for the purpose of negotiating a settlement of a dispute that has already been referred to arbitration.

29. Failure to attend proceedings

- (1) If both the referring party and his or her representative fail to attend conciliation proceedings, the panellist must conclude the proceedings by issuing a certificate to the effect that a dispute remains unresolved.
- (2) If the party opposing the dispute and its representative fail to attend the conciliation proceedings, the panellist must issue a certificate to the effect that the dispute remains unresolved.
- (3) If the referring party and his/her representative fail to attend an arbitration hearing or any other proceedings before the Council other than conciliation, the panellist may dismiss the matter, unless the referring party or his/her

representative has provided, before the commencement of the proceedings, justifiable and acceptable reasons for not attending the proceedings.

- (4) If the party opposing the dispute that has been referred to arbitration or opposing any issue that has been referred to the Council for proceedings other than conciliation fails to attend, the panellist may continue with the proceedings in the absence of the opposing party and his/her representative or may, on good cause shown, postpone the proceedings to a later date.
- (5) Any postponement or dismissal of a matter in terms of this Rule must be confirmed by the panellist in writing and the written ruling must be served by the Council on the parties within 14 (fourteen) days.

PART SIX: APPLICATIONS

30. Bringing an application

- (1) This Rule applies to all –
 - (a) applications for condonation, joinder, substitution, variation, rescission, postponement (subject to sub-rule (2)), consolidation of disputes, correction of citation and discovery of documents;
 - (b) applications in a jurisdictional dispute; and
 - (c) other preliminary or interlocutory applications.
- (2) This Rule applies to applications for postponement, save that the time periods in this Rule do not apply, and the time periods in Rule 22 apply to applications for postponement.
- (3) An application must be brought on notice to all persons who have an interest in the application 14 (fourteen) days prior to the hearing. Such notice is to be served in accordance with Rule 5.
- (4) The party bringing the application must sign the notice of application in accordance with Rule 4 and must state –
 - (a) the title of the matter;

- (b) the case number assigned to the matter by the Council;
 - (c) the relief sought;
 - (d) the address at which the party delivering the documents will accept delivery of all documents in the proceedings;
 - (e) that any party who intends to oppose the matter is required to deliver a notice of opposition and an answering affidavit within seven (7) days from the date the application was served or, if delivered by registered mail, within fourteen (14) days;
 - (f) that the application may be heard in the absence of a party who does not oppose the application or fails to comply with sub-paragraph (e); and
 - (g) that a schedule is included, listing the documents that are material and relevant to the application.
- (5) The application must be supported by an affidavit. The affidavit must clearly and concisely set out –
- (a) the names, description and addresses of the parties;
 - (b) a statement of the material facts, in chronological order, on which the application is based in sufficient detail to enable any person opposing the application to respond to the facts;
 - (c) a statement of legal issues that arises from the material facts, in sufficient detail to enable any party to respond to the issues;
 - (d) if the application is filed outside the relevant time period, grounds for condonation in accordance with Rule 9; and
 - (e) if the application is brought urgently, the circumstances why the matter is urgent and the reasons why it cannot be dealt with in accordance with the time frames prescribed in this Rule.
- (6) (a) Any party opposing the application must deliver a notice of opposition and an answering affidavit within seven (7) days from the day on which the application was served or, if it was served by registered mail, within fourteen (14) days.
- (b) A notice of opposition and an answering affidavit must contain, with the changes required by the context, the same information as is required in sub-rules (3) and (4).
- (7) (a) The party bringing the application may deliver a replying affidavit within five (5) days from the date on which the notice of opposition and answering

- affidavit were served or, if it was served by registered mail, within ten (10) days.
- (b) The replying affidavit must address only issues raised in the answering affidavit and may not introduce new issues of fact or law.
- (8) A panellist may, if compelling circumstances exist, permit the affidavits referred to in this Rule to be substituted by written statements.
- (9) In an urgent application a panellist –
- (a) may dispense with the requirements of this Rule; and
- (b) may only grant an order against a party who has had reasonable notice of the application.
- (10) Once the replying affidavit has been delivered or, if not delivered, once the time period for delivering the replying affidavit has lapsed, the Council must—
- (a) allocate a date for the hearing of the application, which may be on a motion roll; and
- (b) notify the parties of the date, time and venue of the hearing;
- (c) or the Council may appoint a panellist to deal with the application on the papers.
- (11) Despite this Rule, the panellist may determine an application in any manner deemed appropriate, provided that the Council or the panellist inform the parties of how the process will be conducted and giving the parties an opportunity to be heard.

31. Variation and rescission of rulings and arbitration awards

- (1) An application for the variation or rescission of an arbitration award or a ruling must be made within fourteen (14) days of the date on which the applicant became aware of the award or ruling.
- (2) Variation or rescission of an arbitration award or ruling can be sought on only the following grounds –
- (a) erroneously sought or erroneously made in the absence of any party affected by that award or ruling;

- (b) in which there is an ambiguity or an obvious error or omission, but only to the extent of that ambiguity, error or omission ;
 - (c) granted as a result of a mistake common to the parties to the proceedings; or
 - (d) made in the absence of any party on good cause shown.
- (3) A ruling made by a panellist which has the effect of a final order will be regarded as a ruling for the purposes of this Rule.

PART SEVEN: SECTION 188A INQUIRY

32. Inquiry by arbitrator in terms of section 188A

- (1) An employer requesting the Council to conduct an inquiry in terms of section 188A of the Act must do so by filing a completed LRA Form 7.19 to the Council.
- (2) The employee must sign the LRA Form 7.19 to indicate his or her consent to an inquiry by an arbitrator, unless –
 - (a) the employee earns more than the amount determined by the Minister in terms of section 6(3) of the Basic Conditions of Employment Act (BCEA) and has consented in terms of section 188A(4) of the Act to the inquiry in his or her contract of employment, in which case a copy of the contract must be attached to LRA Form 7.19; or
 - (b) the employee is bound by a collective agreement that provides for a section 188A inquiry, in which case a copy of the collective agreement must be attached to LRA Form 7.19.
- (3) When filing the LRA Form 7.19 the employer must pay to the Council an arbitration fee as contained in the Council's fee policy for panellists in respect of each day the inquiry is likely to be scheduled by way of electronic transfer into the banking account of the Council.
- (4) Within seven (7) days of receipt of a completed LRA Form 7.19 which complies with sub-rule (2) and payment of the prescribed fee in terms of sub-rule (3), the Council must notify the parties of the date, time and venue of the inquiry.

- (5) Unless the parties agree otherwise, the Council must give the parties at least seven (7) days' notice of the inquiry.
- (6) The Council will be required to refund a fee paid in terms of sub-rule (3) only if the Council is notified of the resolution of the matter prior to enrolling the matter for an inquiry and issuing a notice to the parties in terms of sub-rule (4).

PART EIGHT: GENERAL

33. Record of proceedings

- (1) A panellist must keep a record of all proceedings, save conciliation proceedings, in digital recording format and in legible hand-written or typed notes.
- (2) The record must capture the entire proceedings, including all evidence, testimonies and arguments given by the parties.
- (3) Upon conclusion of the proceedings the panellist must file the entire and full record with the Council and the Council shall keep the record in safe-keeping.
- (4) Any party to the proceedings may request a copy of the record or a portion thereof upon payment of the costs as prescribed by the Council.

34. Subpoenas

- (1) A panellist who has been appointed to resolve a dispute may, in terms of section 142(1) of the Act, subpoena any person, including an expert, whose evidence is required to testify and/or to produce any relevant document(s) or other relevant evidence during any proceedings.
- (2) Any party who requires the Council or a panellist to subpoena a person in terms of section 142(1) of the Act must file a completed PHSDSBC Rules Form 1, together with a written motivation, setting out why the evidence of the person to be subpoenaed is necessary, as well as proof of payment of the witness fees, where applicable.

- (3) A party requesting the Council to waive the requirement of paying witness fees in terms of section 142(7)(c) of the Act must set out the reasons for the request in writing at the time of requesting the subpoena. The Council's decision to waive or not waive the witness fees must be provided in writing to the party who requested the waiver before the subpoena is served on the person to be subpoenaed.
- (4) An application in terms of sub-rule (1) must be filed with the Council at least fourteen (14) days prior to the scheduled date of the proceedings or as directed by the panellist seized with the matter.
- (5) The Council must refuse to issue a subpoena if –
 - (a) the party requesting the subpoena does not establish why the evidence of the person is necessary;
 - (b) the witness who is being subpoenaed does or will not receive the subpoena at least seven (7) days prior to the scheduled date of the proceedings;
 - (c) not satisfied that the party requesting the subpoena has paid the prescribed witness fees and reasonable travel costs and subsistence expenses of the person subpoenaed, unless the witness fees has been waived by the Council in terms of sub-rule (3).
- (6) A subpoena must be served on the witness –
 - (a) by the person who has requested the issuing of the subpoena or by the Sheriff or by the Council at least seven (7) days prior to the scheduled date of the proceedings; and
 - (b) must be accompanied by proof of payment of the prescribed witness fees, where applicable, for at least one day.

35. Witness fees

- (1) A witness who has been subpoenaed in any proceedings before the Council must be paid a witness fee in accordance with the tariff of allowances published by notice in the Government Gazette in terms of section 142(7) of the Act, provided that if such witness is an employee of the State he/she shall not be paid a witness fee.

- (2) In addition to the witness fee as in sub-rule (1), the witness must be reimbursed for reasonable travel and subsistence expenses, which expenses must be submitted, with supporting documentation, to the presiding Panellist for determination.
- (3) The witness fee must be paid by –
 - (a) the party who requested the Council to issue the subpoena; or
 - (b) the Council if the issuing of the subpoena was not requested by a party but by a panellist in accordance with sub-rule (1) or if the Council has waived the requirement to pay witness fees in terms of section 142(7)(c) of the Act.
- (4) Despite sub-rule (1), the Council or a panellist may, in appropriate circumstances, order that a witness receive no fee or only part of the prescribed fee.

36. Costs

- (1) In any arbitration proceedings or proceedings arising out of or in the course of an arbitration, the panellist may make an order for the payment of costs according to the requirements of law and fairness and, in doing so, should have regard to –
 - (a) the measure of success that the parties achieved;
 - (b) considerations of fairness that weigh in favour of or against granting a costs order;
 - (c) any with prejudice offers that were made with a view to settling the dispute;
 - (d) whether a party or his/her representative acted in a frivolous and vexatious manner by proceeding with or defending the dispute in the arbitration or in its conduct during the proceedings;
 - (e) the effect that a costs order may have on the continued employment relationship of the parties;
 - (f) any agreement concluded between the parties to the arbitration concerning the basis on which costs should be awarded;
 - (g) the importance to the parties and the labour community at large of the issues raised;
 - (h) any other relevant factor.
- (2) Costs may be awarded in the form of either disbursement or legal costs, not both.

- (3) An order as to costs, in the form of disbursements, may be made where not all parties are legally represented during the proceedings. Where such costs are ordered, costs may be ordered for only those disbursements the panellist deems reasonable in the circumstances.
- (4) In proceedings where all parties are not legally represented, the party seeking costs in the form of disbursements must do so during the course of the proceedings and must itemise each claim with supporting documentation. The other party or parties must be afforded an opportunity to respond to the claims.
- (5) Where the panellist orders costs in the form of disbursements in proceedings in which not all parties are legally represented, he/she must in the order specify each item that has been allowed, together with the amount in respect of each item.
- (6) An order as to costs in the form of legal costs may be ordered only if both or all the parties to the proceedings are legally represented and such costs are fixed at a rate of R7 000-00 (seven thousand rand) in respect of the first day of the proceedings and R4 700-00 (four thousand seven hundred rand) for each additional day of the proceedings. Said amounts are inclusive of VAT.

37. Definitions

Any expression in these rules that is defined in the Labour Relations Act 66 of 1995 has the same meaning as in that Act except that, if such expression is defined in the Constitution or the dispute resolution procedure of the Council, it shall have the meaning as in the Constitution or such dispute procedure.

In addition, the following words shall have the meaning as indicated below:

- “Act”** means the Labour Relations Act 66 of 1995 (LRA) and includes any regulation made in terms of the Act;
- “association”** means any unincorporated body of persons;
- “con-arb”** means proceedings held in terms of section 191(5A) of the Act;

- "Council"** means the Public Health and Social Development Sectoral Bargaining Council established in terms of section 37 of the Act;
- "deliver"** means serve on other parties and file with the Council;
- "file"** means to lodge with the Council in terms of rule 7;
- "General Secretary"** means the General Secretary of the Council and includes any person delegated by the General Secretary to perform any of the functions of the General Secretary;
- "Labour Court"** means the Labour Court established by section 151 of the Act and includes any judge of the Labour Court;
- "Legal practitioner"** means any person admitted to practice as an advocate or an attorney in the Republic;
- "panellist"** means a person appointed by the Council to deal with disputes as a conciliator or arbitrator;
- "party"** means any party to proceedings before the Council and may be organisations and / or individuals;
- "public holiday"** means a public holiday referred to in section 1 of the Public Holidays Act, 1994 (Act No. 36 of 1994);
- "rules"** means these Rules and includes any footnote to a rule;
- "serve"** means to serve in accordance with rule 5 and "service" has a corresponding meaning,

38. Transitional arrangements

These Rules become applicable on the date of their publication in the Government Gazette, or on any date determined by the Minister of Employment and Labour, and shall apply to all matters that are referred to the Council on or after said date. Any matter that was referred before the coming into operation of these Rules will be dealt with in terms of the Rules as they were before the amendments of 2025.

ANNEXURE A**EMPLOYERS' ADDRESSES FOR SERVICE**

The designation of the nominated employer representative and their nominated addresses to be used for service on the employer in terms of Rule 5(5) are as follows:

National and regional departments of Health**(a) For the National Department of Health:**

1112 Voortrekker Road

Pretoria Townlands 351 -JR

Email address: Mashego.mahlatjie@health.gov.za

Tel No. (012) 395 8000

(b) For the Province of Eastern Cape:

Global Life Building

Independence Avenue

BISHO

5605

Email address: Bongani.Lose@echealth.gov.za

Tel No. 060 559 8070

(c) For the Province of Free State:

Private Bag X20616

BLOEMFONTEIN

9300

Email address: MaqinaDP@fshealth.gov.za

Tel No. (051) 408 1355

(d) For the Province of Gauteng:

Liberty Life Building – Johannesburg

45 Commissioner Street

JOHANNESBURG

Email address: Giyani.makamu@gauteng.gov.za

Tel No. (011) 355 3185

- (e) For the Province of Kwa-Zulu Natal:
Private Bag X9051

PIETERMARITZBURG

3200

Fax No. (033) 395 3220

Tel No. (033) 395 2763

- (f) For the Province of Limpopo:
18 College Street

Old Capricorn Building

Office D16, Ground Floor

POLOKWANE

Email address: Jameson.maseleme@dhsd.limpopo.gov.za

Tel No. (015) 293 6000

- (g) For the Province of Mpumalanga:
Private Bag X11285

MBOMBELA

1200

Fax No. (013) 766 3428

Tel No. (013) 766 3458

- (h) For the Province of Northern Cape:
Private Bag X5049

KIMBERLEY

8300

Fax No. (053) 830 2649

Tel No. (053) 830 2153

- (i) For the Province of North West:
Private Bag X2068

MMABATHO

2735

Fax No. (086) 636 9290

Tel No. (018) 391 4345

- (j) For the province of Western Cape:
Block A

Metro East Nursing Campus

Stikland Hospital

Email address: Khanyisa.Kala@westerncape.gov.za

Tel No. (021) 831 5852

- (k) For the National Department of Social Development:
134 Pretorius Street
HSRC Building

PRETORIA

Email address: KoosS@dsd.gov.za

Tel No. (012) 312 7000

- (l) For the Province of Eastern Cape:
Private Bag X0039

BISHO

5605

Email address: Mzimkhulu.Machemba@ecdsd.go.za

Tel No. 082 414 7770

(m) For the Province of Free State:
Private Bag X20616

BLOEMFONTEIN

9300

Email address: [Freddy.finger@fssocdev.gov.za/](mailto:Freddy.finger@fssocdev.gov.za)

Motshidisi.Botsime@fssocdev.gov

Tel No. (051) 409 0569/0579

(n) For the Province of Gauteng:
Perm building

1st Floor small building

69 Commissioner Street

JOHANNESBURG

Email address: Ayanda.ngubeni@gauteng.gov.za

Tel No. (011) 355 7930

(o) For the Province of Kwa-Zulu Natal:
Private Bag X9144

PIETERMARITZBURG

Fax No. (033) 353 7950

Tel No. (033) 264 2017 / 2094

(p) For the Province of Limpopo:
Corner Biccard and Rabie Street

POLOKWANE

Email address: MahloT@dsd.limpopo.gov.za

Tel NO. (015) 230 4300

(q) For the Province of Mpumalanga:
Private Bag X11213

Rules for the conduct of proceedings in the PHSDSBC

Page 37

Mbombela

1200

Fax No. (013) 766 3456/3457

Tel No. (013) 766 3128

- (r) For the province of Northern Cape:
Private Bag X5042

Latlhi -Mabilo Complex

Barkley Road

KIMBERLEY

8301

Fax No. (053) 871 3611

Tel No. (053) 874 9300

- (s) For the province of Nort West:
Private Bag X8

MMABATHO

2735

Fax No. (018) 384 5967

Tel No. (018) 388 2043/ 1668

- (t) For the Province of Western Cape:
Union House

14 Queen Victoria Street

CAPE Town

Fax No. (021) 483 3083

Tel No. (021) 483 4783

FORMS IN TERMS OF PHSDSBC RULES

Form 1: SUBPOENA

Note: study PHSDSBC Rule 34 before completing this form.

To:

(Name of person being subpoenaed)

.....

(Organisation of person being subpoenaed)

.....

(Address of person being subpoenaed)

Panellist *(name of Panellist)* has been appointed to resolve the dispute between:

Name of Applicant:

Name of Respondent:

The issue in dispute is:

You are required in terms of section 142 of the Labour Relations Act of 1995 to appear before the Panellist to give evidence and/or to produce evidence in the hearing between the parties. The evidence to be produced is

.....
(name documents/books/other evidence to be produced).

The hearing will be held:

at

(address where hearing will be held)

Rules for the conduct of proceedings in the PHSDSBC

Page 39

on (*date of hearing*)

time:

TO THE PHSDSBC: the reasons why the above mentioned person is required to be a witness in the hearing are:

.....

.....

TO THE WITNESS: the party requesting the subpoena is required to pay to the witness the prescribed witness fee, together with reasonable subsistence and travel expenses, in respect of the first day of the hearing and to furnish proof of such payment to the Council. (*Note: government employees are not entitled to witness fees.*)

.....
(Signed obo the PHSDSBC]

.....
(Date)

.....
(Place)

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

NO. 7467

15 May 2026

PUBLICATION OF FEES AND CHARGES FOR SOUTH AFRICAN COUNCIL FOR THE PROPERTY VALUERS PROFESSION: ACT NO. 47 OF 2000: SECTION 12(1): EFFECTIVE 1 APRIL 2026 UNTIL 31 MARCH 2027

1. Annual Fee (VAT inclusive, Non- Refundable (Neither as a whole nor in part))

Registration Category	Fee payable
Professional Valuers	R5 180
Pr Associated Val and SRPA	R4 780
Ca Val and CSRPA registered > 5 years	R4 460
Ca Val and CSRPA registered < 5 years	R1 670
All Octogenarians	R1 055
International Professionals	R5 180
International Candidates	R1 670

NOTE: Registration will be suspended if no payment is received by 31 December 2026 and registration will be cancelled if no payment is received by 31 March 2027.

2. Application Fee (VAT Inclusive and Non- refundable)

- (a) R1 785 for all registration categories, i.e., Professional Valuer (Pr Val), Professional Associated Valuer (Pr Aval), Candidate Valuer (Ca Val), and Single Residential Property Assessor as well as Candidate Single Residential Property Assessor (CSRPA" and "SRPA").
- (b) R2 950 for all International new applications.
- (c) Additional R1 190 for all categories of International/Foreign categories of registrations; and
- (d) R7500 for a new Specified category, e.g., Plant, Machinery and Equipment (PME), Municipal Property Assessor (MPA) when these registration categories open.
- (e) R30 000 for Recognised Prior Learning (RPL) ito s12(1)(i) of the PVP Act.

3. Registration Fee (VAT Inclusive and non- refundable)

- (a) Professional Valuer R3 430 (50% non- refundable)
- (b) Professional Associated Valuer R3 300 (50% non- refundable)
- (c) Candidate Valuer R1 580 (50% non- refundable)
- (d) Candidate Single Residential Property Assessor <5 yrs R1 580 (50% non- refundable)
- (e) Single Residential Property Assessor and Spec. Cat. R3 300 (50% non-refundable)
- (f) International Professional Valuer R4 680 (50% non-refundable)
- (g) International Professional Associated Valuer R4 550 (50% non-refundable)
- (h) International Candidate Valuer R2 850 (50% non-refundable)
- (i) Registration fees for Recognised Prior Learning (RPL) R7 000 (Amt non-refundable)

4. Examination & Supplementary Exam Fee (VAT Incl - 50% refundable till 14 days before exam)

- (a) Professional Valuer R4 200
- (b) Professional Associated Valuer and SRPA R3 885

5. Other Applicable Fees and Charges

- (a) Administration Fee (Re-Registration) R1 280
- (b) Appeal ito s25(1) of the PVP Act R9 500
- (c) Duplicate hard copy certificate R 350

(d)	Practical Work school	
	4-to-5-day Attendance	R8 900
	3 days (SRPA)	R4 750
	1-day	R2 100
	Non-Registered persons attending Practical WS	R9 700
(e)	Pre exam Workshop	R1 900
(f)	Remarking of Script	R2 500
(g)	Request for Letter of Good standing (LGS)	R 300
(p)	Advertising on SACPVP website	R 500

Additional Notes

1. The Act: Reference is made to the Property Valuers Profession Act, Act No. 47 of 2000.
2. Annual Fee
 - 2.1 A newly registered candidate valuer is exempt from paying the annual fee for his/her first year of registration. All that is payable is the application fee and the registration fee. Once the applicant has been approved to register with SACPVP, an invoice will be issued for the registration fee in order to be registered as a candidate valuer.
 - 2.2 This is the annual subscription paid by all registered persons. The invoices are emailed on 1st April 2026 which is the start of the new financial year. The registered persons have three months to pay their annual fees, i.e. May, June and July or 90 days. Thereafter, a penalty will be charged on the amount of the annual fees.
3. Application Fee

Fees that are paid by the new applicant when they submit an application to SACPVP for the first time. Proof of payment should be attached to the prescribed application form. It is a non-refundable, once off payment.

Once the new applications have been approved, they will proceed to pay the registration fees.
4. Registration Fee

Are fees paid by registered persons when they are progressing from one category to another. Once the registered person has passed the professional valuer or professional associated valuer examination. He/she is required to pay the registration fees to change the category of registration.
5. Validation of CPD events and points: Please visit the website: www.sacpvp.co.za
6. Posting of Registration certificate and Registration cards. The registered persons or Institutions to arrange the collection thereof.
7. Recognized Prior Learning (RPL). Each application will be assessed on its merit and subject to the applicant adhering to a set criterion.

ND Naidoo

Registrar

South African Council for the Property Valuers Profession (SACPVP)

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 7468

15 May 2026

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

Notice is hereby given in terms of section 11(1) of the Restitution of Land Rights Act No. 22 of 1994, as amended, that a claim for Restitution of Land Rights has been lodged on part of the Remaining extent of the farm Houtrivier 50 LS in the Makhado Local Municipality of Vhembe District Limpopo.

The land claim was lodged by Ms. Kgerisa Maite Lina of ID number: 400330 0125 085 on the 29th of December 1998 in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 Of 1994), as amended.

The property description is as follows:

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT (H)	EXTENT (H) CLAIMED	ENDORSEMENTS	HOLDER
Part of the Remaining Extent of The farm Houtrivier 50 LS	Soutpansberg Citrus PTY LTD	T95201/2004 PTA	763.8538H	1.5088H	B1154/2020 B1657/2023 B50168/2014 PTA K431/1978 RMPTA	ABSA BANK GRIMMER ENA MOSTYN

Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within **14** days of publication of this notice, any comments, objections or information under reference number **KRP 10894**:

**The Regional Land Claims
Commission: Limpopo
Private Bag X 9552
Polokwane
0700**

**OR 13th-15th Floor Thabakgolo Nedbank Building
50-58 Landros Mare Street
Polokwane 0700**



**MR LEBJANE HARRY MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2026/04/30**

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7469

15 May 2026

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. EMITHINI CAR-WASH AND GENERAL SERVICES CO-OPERATIVE LIMITED (2014/001489/24)
2. BAK-OOR FARMING PRIMARY CO-OPERATIVE LIMITED (2012/009954/24)
3. CAMISSA TRADING PRIMARY CO-OPERATIVE LIMITED (2013/015684/24)
4. TSHWARANANG PRIMARY CO-OPERATIVE LIMITED (2012/020446/24)
5. CHAMPIONS OF CHANGE (2024/004741/24)
6. MADZINGE FARMING AGRICULTURAL PRIMARY CO-OPERATIVE LIMITED (2016/007187/24)
7. NASH FREIGHT WORKER CO-OPERATIVE LIMITED (2013/013014/24)
8. LAMBEE HOME BASED HEALTH CARE PRIMARY CO-OPERATIVE LIMITED (2013/017099/24)
9. AMANDLA KABABA PRIMARY CO-OPERATIVE LIMITED (2014/003779/24)
10. ABANQOBANGAYE CO-OPERATIVE LIMITED (2014/003650/24)
11. AMAZAZKO CO-OPERATIVE LIMITED (2014/003657/24)
12. INKHAMBI ENTERPRISES PRIMARY CO-OPERATIVE LIMITED (2017/003974/24)
13. UITVLUG OOS BOERDERY PRIMARY CO-OPERATIVE LIMITED (2015/008164/24)
14. MARRHONGWANE (2024/000109/24)
15. IMPANDE YEKUSASA PRIMARY CO-OPERATIVE LIMITED (2017/012946/24)
16. MOHAU MATSOSO MULTI-PURPOSE CO-OPERATIVE LIMITED (2012/021281/24)
17. DEMBE AGRICULTURAL PRIMARY CO-OPERATIVE LIMITED (2014/015220/24)
18. GROUP 6 PRINTERS AND COMMUNITY DEVELOPERS PRIMARY CO-OPERATIVE LIMITED (2015/013874/24)
19. PHAHENG RESORT AND GAME LODGE (2009/007319/24)
20. LINGE'S TOTS TRADING (2010/001557/24)
21. MPILOYOXOLO (2023/002374/24)
22. KLIPTOWN HUSTLERS PRIMARY CO-OPERATIVE LIMITED (2018/002822/24)
23. MHLUZI WEMPISI AGRICULTURAL CO-OPERATIVE LIMITED (2013/006016/24)
24. CALABASH TRADING SOLUTIONS CO-OPERATIVE LIMITED (2013/016925/24)
25. KHULA NATHI PRIMARY CO-OPERATIVE LIMITED (2015/014864/24)
26. NDLOVEZIDUMITHI TRADING (2010/002993/24)
27. BOSPLAAS REALEMA CO-OPERATIVE LIMITED (2011/006901/24)
28. CEDARWOOD CLOTHING WORKERS (2024/000587/24)
29. GLOVE-BEA PRIMARY CO-OPERATIVE LIMITED (2013/016733/24)
30. MASTERS IN SEWING (2021/602637/24)

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 71A of the Co-operatives Amendment Act, No 6 of 2013. Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefore, be lodged with this office before the expiration of the period of thirty days.

REGISTRAR OF CO-OPERATIVES
Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237

Pretoria
0001

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7470

15 May 2026

Companies and Intellectual
Property Commissiona member of **the dtic** group

CO OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. **NTOABEDIPHOYOLE PRIMARY CO-OPERATIVE LIMITED (2017/008876/24)**
2. **XTRA-MILE SPORTS CONSULTANTS (2017/005216/24)**
3. **MANDENI WASTE RECYCLERS (2022/600593/24)**
4. **THABS AGRICULTURAL AND TRADING PRIMARY CO-OPERATIVE LIMITED (2014/015730/24)**

Notice is hereby given that the name of the abovementioned co-operatives will, after the expiration of thirty days from the date of this notice, be struck off the register in terms of the provisions of section 62 of the Co-operatives Act 14 of 2005, as amended. Any objections to this procedure, which interested person may wish to raise, must together with the reasons, therefore, be lodged with this office before the expiration of the period of thirty days.

REGISTRAR OF CO OPERATIVES

Office of the Registrar of Co-
operatives

Dtic Campus
77 Meintjies Street
Pretoria,
Sunnyside
0002

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 7471

15 May 2026

NOTICE TO CUSTOMERS

Notice No.....25 of 2026

**PROVIDING THE COMMISSION WITH ACCURATE AND UP TO DATE INFORMATION OF DIRECTORS**

One of the functions of the Commission is to establish and maintain in the prescribed manner and form a register of companies, and any register contemplated in the Companies Act, or in any other legislation that assigns a registry function to the Commission. The information in these registers must be accurate, up to date and adequate to ensure the prevention of fraud and falsification, amongst others.

The Companies and Intellectual Property Commission (CIPC) has observed discrepancies with regards to information on its registers despite legislative requirements for accurate and up to date information and companies filing Annual Returns.

Section 24(5) of the Act, provides the crux of information that companies must keep and therefore ensure that the Commission registers are similarly up to date.

Companies are advised to inform the Commission of any changes to directors' information within 10 (ten) business days from the change occurring, including: -

- When a person becomes or ceases to be a director;
- When the information of the director changes, i.e maiden surname to married surname or *vice versa*;
- When the passport number of the foreign director has expired and a new passport number issued;
- When the address of the director changes; or
- When contact details of the director changes, etc.

All these amendments can efficiently be done through our eservices – Director Amendments platform - depending on the nature of change. Up to date and accurate contact details of directors are of the utmost importance and should be effected via the eservices platform - Change of Contact Details - tab.

Your urgent co-operation in this regard will assist in ensuring a smoother and more efficient process of director amendments.

Yours Sincerely



.....
Adv. Rory Voller

CIPC Commissioner

Date: 29/04/2026
.....

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE

NOTICE 3924 OF 2026



Hillcrest Office Park, 177 Dyer Road, Barbet Place, Ground Floor, Hillcrest, Pretoria, 0083
 Private Bag X935, Pretoria, 0001
 Tel: 012 341 1115 | Email: info@namc.co.za
 www.namc.co.za

11 May 2026

THE NATIONAL AGRICULTURAL MARKETING COUNCIL

INVITATION TO DIRECTLY AFFECTED GROUPS IN THE WINTER CEREAL INDUSTRY TO SUBMIT COMMENTS

REQUEST FROM THE SA CULTIVAR AND TECHNOLOGY AGENCY (SACTA), FOR THE CONTINUATION OF STATUTORY LEVIES ON WHEAT, BARLEY AND OATS FOR BREEDING AND TECHNOLOGY PURPOSES

The statutory levy on wheat, barley and oats of R35 per ton (VAT excl), to fund seed breeding and technology, that is administered by the South African Cultivar and Technology Agency (SACTA), will lapse on 30 September 2026.

It is hereby made known that the National Agricultural Marketing Council (NAMC) received a request from SACTA on behalf of specific role players in the winter cereal industry, that the Minister of Agriculture, in terms of Section 15 of the Marketing of Agricultural Products Act, Act No 47 of 1996 (MAP Act), establishes the following statutory levy (VAT excluded) for the different winter cereal commodities, as indicated in the Table below:

Commodity	Period	Amount (VAT excluded)
Wheat	1/10/2026 to 30/9/2027	R 35,00 per metric ton
	1/10/2027 to 30/9/2028	R 35,00 per metric ton
Barley	1/10/2026 to 30/9/2027	R 35,00 per metric ton
	1/10/2027 to 30/9/2028	R 35,00 per metric ton
Oats	1/10/2026 to 30/9/2027	R 35,00 per metric ton
	1/10/2027 to 30/9/2028	R 35,00 per metric ton

The levy will be payable to SACTA by buyers, processors and persons that issue a silo receipt and will be recovered from producers. Persons paying the levy may claim 2,5% commission on the amount of the levies recovered, in accordance with the conditions set by SACTA from time to time.

Statutory levies have been imposed over the past years on winter cereals to, inter alia, provide financial support for seed breeding research projects. The seed breeding and technology levy that is based on the international end point royalty system, was administered by SACTA since 1 October 2016.

PARTICULARS OF STATUTORY MEASURE REQUIRED UNDER SECTION 10 OF THE MAP ACT

The relevant particulars, as required in terms of Section 10(2) of the MAP Act, to be included in a request for the establishment of a statutory measure of this nature, are as follows:

- a) The proposed statutory levy would relate to locally produced wheat, barley and oats; and will apply to the whole of the Republic of South Africa in order to have a uniform system of levies without discrimination, which would exist if levies had to be imposed in certain areas and not in others.
- b) The way the objectives referred to in Section 2(2) of the MAP Act will be advanced (namely increased market access for all market participants, promotion of the efficiency of the marketing of agricultural products, optimisation of export earnings from agricultural products and the enhancement of the viability of the agricultural sector) is summarised below.

The purpose and aim of this statutory measure are to compensate breeders of wheat, barley and oats varieties for their proportionate contribution towards obtaining and utilising improved international intellectual property to the benefit of the wheat, barley and oats industries in the Republic of South Africa. SACTA will distribute the levy income in terms of a formal agency agreement concluded with seed breeders.

Sustainable commercial farming, as well as food security, are primarily dependent on the cultivation of high yielding crops from seed varieties most suited to a particular region.

The development of new cultivars with improved quality and yield characteristics constitutes an important part of breeding and technology research undertaken by various organisations. The continuous development of new cultivars is indispensable to the sustained production of winter cereals in South Africa.

Worldwide the levels of Plant Variety Protection ("PVP") legislation and protection of self-pollinated crops are insufficient to guarantee a return on investment on intellectual property for the holders of such plant breeders' rights. This is due to PVP exceptions such as "Farmer's Privilege" and the fact that the offspring or grain produced from self-pollinated crops has the same genetic content as the parent. This means that seed can be harvested and replanted by farmers. This creates a situation where farmers could, for example, only purchase one season's seed, then lawfully save seed from their harvest for the next and subsequent planting seasons.

The existence of international networks is critical in seed breeding as most agriculture related intellectual property is owned by or falls under foreign control. Without an appropriate mechanism to receive adequate compensation, and to account for the risk of exploitation, South Africa remains an unattractive destination for agriculture related intellectual property associated with self-pollinated crops. This means that access to international nurseries, markers, techniques and technologies is being constrained. The result is that South African farmers do not have access to improved agriculture related intellectual property that is available worldwide.

Most industry role players have realised the need for a sustainable industry research funding strategy for self-pollinated crops. These role players have agreed to a breeding and technology levy on such crops to encourage and stimulate the breeding of self-pollinated crops for the benefit of the production, processing and other value-adding industries in the Republic of South Africa.

- c) The Administration of SACTA will take responsibility for the collection of the levy and for the administration functions associated with the proposed levy. The Board of Directors of SACTA appointed specific persons to carry out these functions. These persons were designated and authorised as inspectors by the Minister to perform the functions referred to in Section 21 of the MAP Act.
- d) Annual audits will be executed by the Auditor-General.

BUSINESS PLAN

Based on the SACTA business plan submission, the NAMC noted that the expected income by means of the statutory levy is based on an expected success rate of 92% in the collection of the levy. The levy income for the proposed two years is estimated to be between R250 to R284 million per year.

These statutory funds will be used to support breeding research functions, based on the following:

- The levy funds are earmarked for commercial breeding activities by seed companies based on their performance and utilisation in the seed market;
- These funds will be distributed according to the calculated market share of each seed company;
- At least 20% of the levy income will be used for transformation and development projects, of which the business plan will be considered by the NAMC;
- The budget for administration costs represents approximately 5% of the expected income by means of statutory levy on wheat, barley and oats during the next years; and
- The levy is applicable on local production only and not on imported commodities.

As the proposed breeding and technology levy is consistent with the objectives of the MAP Act, the NAMC is investigating the possible implementation of the relevant statutory levy.

Directly affected groups in the winter cereal industry are kindly requested to submit comments or objections regarding the proposed breeding and technology levy to the NAMC in writing Malapane Thamaga via e-mail mthamaga@namc.co.za on or before 29 May 2026, to enable the Council to formulate its recommendation to the Minister in this regard.

DEPARTMENT OF EMPLOYMENT AND LABOUR**NOTICE 3925 OF 2026****LABOUR RELATIONS ACT, 1995****NATIONAL BARGAINING COUNCIL FOR THE CHEMICAL INDUSTRY:
EXTENSION TO NON-PARTIES OF THE PHARMACEUTICAL SECTOR COLLECTIVE
AGREEMENT**

I, **NOMAKHOSAZANA METH**, Minister of Employment and Labour, hereby in terms of section 32(2) read with section 32(5) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **National Bargaining Council for the Chemical Industry**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from the second Monday after the date of publication of this notice and for a period ending 30 June 2027.



MS N METH, MP**MINISTER OF EMPLOYMENT AND LABOUR****DATE:** 12 March 2026

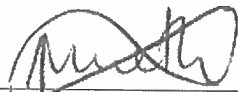
UMNYANGO WEZEMISEBENZI NEZABASEBENZI

R.

USUKU:

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI BE NATIONAL
BARGAINING COUNCIL FOR THE CHEMICAL INDUSTRY****UKWELULWA KWESIVUMELWANO SABAQASHI NABASEBENZI BEZOMKHAKHA WE
PHARMACEUTICAL SELULELWA KULABO ABANGEYONA INGXYENYE YASO**

Mina, **NOMAKHOSAZANA METH**, uNgqongqoshe Wezemisebenzi NezabaSebenzi, ngokwesigaba-32(2) sifundwa Kanye nesigaba 32(5) soMthetho Wobudlelwano KwezabaSebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **kwi National Bargaining Council for the Chemical Industry**, futhi ngokwesigaba 31 soMthetho Wobudlelwano kwezabaSebenzi, ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni kusukela ngoMsombuluko wesibili emva kokushicilelwa kwalesiSaziso futhi kuze kube isikhathi esiphela mhlaka 30 kuNhlangulana 2027.

**NKOSIKAZI N METH, MP****UNGQONGQOSHE WEZEMISEBENZI NEZABASEBENZI****USUKU: 12 March 2026**

PHARMACEUTICAL SECTOR

SUBSTANTIVE AGREEMENT 2025/2027

Between

**CHEMICAL, ENERGY, PAPER, PRINTING, WOOD AND ALLIED WORKERS' UNION
(CEPPWAWU)**

**GENERAL INDUSTRIES WORKERS UNION OF SOUTH AFRICA
(GIWUSA)**

**SOUTH AFRICAN CHEMICAL WORKERS' UNION
(SACWU)**

**NATIONAL UNION OF METAL WORKERS
(NUMSA)**

**SOLIDARITY
(SOLIDARITY)**

(hereinafter referred to as the "Organised Labour or the Unions")

and

**PARTICIPATING EMPLOYERS IN THE LABOUR AFFAIRS ASSOCIATION
OF THE PHARMACEUTICAL INDUSTRY
(LAAPI Employers)
*(hereinafter referred to as "employers")***

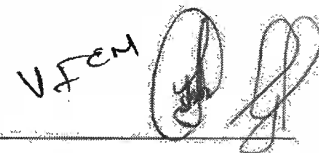
Page 1 of 42

Initials

VIEW
[Handwritten signatures and initials]
SF
NH.M.
C.B.

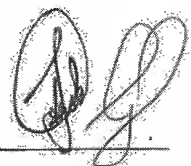
2025/2027 PHARMACEUTICAL SECTOR AGREEMENTTABLE OF CONTENTS

CHAPTER 1	PAGE
1. SCOPE OF AGREEMENT	4
2. PERIOD OF AGREEMENT	4
3. DEFINITION	4
 CHAPTER 2	
4. SALARIES	6
5. MINIMUM SALARY	6
6. ANNUAL BONUS	7
7. HOURS OF WORK	7
 CHAPTER 3	
8. ANNUAL LEAVE	8
9. MATERNITY LEAVE	8
10. PATERNITY LEAVE	9
11. SICK LEAVE	10
12. CHILD CARE LEAVE	10
13. COMPASSIONATE LEAVE	10
14. SHOP STEWARDS LEAVE	11
15. STUDY LEAVE	11
16. TRADITIONAL HEALERS	11
 CHAPTER 4	
17. CONTACTORS AND NON-PERMANENT STAFF	12
18. JOB SECURITY	12
19. EXTENSION OF THE AGREEMENT	12
20. JUST TRANSITION AND 4th INDUSTRIAL REVOLUTION	13
 CHAPTER 5	
21. SHIFT ALLOWANCE	15
22. TRANSPORT ALLOWANCE	16
23. HOUSING ALLOWANCE	16

V.FEM 

SF H.M. CF C.B.

CHAPTER 6		
24.	RETRENCHMENT	16
25.	OVERTIME FOOD ALLOWANCE	17
26.	LONG SERVICE AWARD	17
27.	RETIREMENT FUNDING	18
28.	MEDICAL AID	18
CHAPTER 7		
29.	EXEMPTION	18
30.	DISPUTE RESOLUTION	18
CHAPTER 8		
31.	OTHER TERMS AND CONDITIONS	19
CHAPTER 9		
32.	AGENTS	19
33.	INCOME AND EXPENSE OF THE COUNCIL	20
34.	DEFAULT PAYMENTS	21
	EXEMPTION POLICY AND PROCEDURE	23
	ANNEXURE A	33
	ANNEXURE B	37
	ANNEXURE C	39

VFCW

 H.M. C.P.

PHARMACEUTICAL SECTOR SUBSTANTIVE AGREEMENT 2025

CHAPTER 1

1. SCOPE OF AGREEMENT

This agreement applies to all employers whose industry/operations includes but is not limited to:

- a) The manufacture, fabrication, processing and distribution (excluding wholesaling) of drugs, medicine and health monitoring preparations including biological products such as bacterial and virus vaccines, serums and plasmas, medicinal chemicals and botanical products such as anti-biotics, guinine, strychnine, sulpham drugs, opium and derivatives, adrenal, caffeine and codeine derivatives, vitamins, diagnostics and pharmaceutical preparations for human or veterinary use and antiseptics for medical but not for household use and all operations incidental to these activities.

2. PERIOD OF AGREEMENT

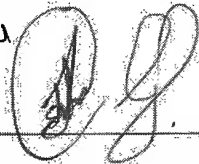
This agreement shall apply for the period 01 July 2025 to 30 June 2027 for the parties to the Collective Agreement and on the date as determined by the Minister of Employment and Labour for the non-parties to the Collective Agreement and shall remain in force until 30 June 2027.

3. DEFINITIONS

Any reference in this Agreement to the Republic of South Africa shall be deemed to be those areas and/or Provinces as they existed immediately after the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

Page 4 of 42

Initials

W.H.N. 

S.S. of
H.M. O.S.

Any expression used in this Agreement that is defined in the Labour Relations Act, as amended, shall have the same meaning in that Act, and any reference to an Act shall include any amendments to such Act; further unless inconsistent with the context – ‘Act’ means the Labour Relations Act (as Amended). The definitions as listed in Section 213 of the Act must read as incorporated herein.

“**Bargaining unit**” shall mean those employees defined as falling within the bargaining unit and which has been agreed as either any employee who earns less than the current earnings threshold in addition to any employee who is currently defined as an employee falling within the current bargaining unit as agreed at plant level.

‘**Council**’ means the National Bargaining Council for the Chemical Industry;

‘**employee**’ means an employee whose minimum wage of pay or activity is scheduled in this Agreement or an employee under exemption from this Agreement or conditions determined by the Council;

‘**employer**’ means any person who employs or provides work for any person and remunerates or expressly or tacitly undertakes to remunerate him or who permits any person in any manner to assist him in the carrying on or conducting of his business;

‘**law**’ includes Common law;

‘**Pharmaceutical Sector**’ as set out above and as defined in the certificate of registration of the NBCCI.

‘**substantive agreement**’ means this agreement.

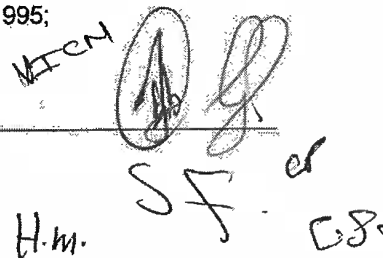
‘**Basic Conditions of Employment Act**’ means the Basic Conditions of Employment Act 75 of 1997

‘**Labour Relations Act**’ means the Labour Relations Act 66 of 1995;

Page 5 of 42

Initials

WICM
H.M.
S.F.
er
C.S.

Handwritten initials and signatures in black ink. At the top, 'WICM' is written. Below it, there are several initials and signatures: 'H.M.', 'S.F.', 'er', and 'C.S.'. There are also two circular stamps or signatures, one of which appears to contain the letters 'AB'.

'Minister' means the Minister of Employment and Labour

'ATB' means "Across The Board" increase.

CHAPTER 2

4. SALARIES

Subject to periodic wage negotiations, the monthly salary, for the duration of this wage agreement as set out above and for all bargaining unit employees will increase as follows.

The employees monthly basic salary will increase as follows.

- Year 1 ATB increase of 5,5% as from 1 July 2025

A further 0,5% ATB increase on the already awarded increase as from 1 January 2026.

- Year 2 An ATB increase of 5,5% as from 1 July 2026

A further 0,5% ATB increase on the already awarded increase as from 1 January 2027.

5. MINIMUM SALARY

The minimum salary which is currently R11398-80 will be increased by the ATB on the dates as set out above and shall be applied each year and will increase by the agreed upon ATB percentage as set out in clause 4 for the parties to the agreement and on the

Page 6 of 42

Initials

VFEM
H.m. SR CP C.F.

date as determined by the Minister of Employment and Labour for the non-parties to the agreement.

6. ANNUAL BONUS

All employees within the scope of this Agreement will be entitled to a guaranteed annual bonus equal to 4.33 times basic weekly wage or a 13th cheque for monthly paid employees, paid pro-rata to completed months of services in the first year of service.

6.1 Pro-rata bonuses will be paid to any employees terminating service part way through the year, except where the termination is a dismissal for alleged misconduct or poor performance, in which case the employee will not have an automatic right to a pro-rata bonus- individual cases will be dealt with in terms of existing plant level procedures.

6.2 Specific plant level agreements/arrangements covering aspects relating to annual bonuses not covered in this agreement will continue to apply.

7. HOURS OF WORK

The working week shall be limited to a maximum of 40 (forty hours) hours ordinary time per week.

7.1 Should the hours of work clauses in the Basic Conditions of Employment Act be amended during the course of this Agreement which prescribes working hours which are less than those as set out above, then the terms of the Amended Act will apply from the effective date of the amendments.

7.2 Averaging arrangements currently in existence at plant level will continue to apply. It is noted that the Basic Conditions of Employment Act 1997 requires averaging arrangements to be agreed in a collective agreement, which lapses after 12 months. Such collective agreements will be negotiated at the plant level.

Page 7 of 42

Initials _____

H.m.

WCH
SF
CP
CS

CHAPTER 3**8. ANNUAL LEAVE**

A minimum of 15 days for a 5-day a week employee and 18 days for a 6-day a week. After 5 years (6 leave cycle) increase to 20 and 24 respectively.

Existing plant level conditions on annual leave which are more favourable than those outlined above will remain place for the period of this Agreement.

Paid Public Holidays will be those as set out in the Public Holidays Act as may be declared by the Minister from time to time.

9. MATERNITY LEAVE

9.1 Employees covered under the scope of this Agreement will be entitled to maternity leave of a maximum of 6 (six) months, during which leave a minimum of 75% of normal basic pay will be paid for the first 4 (four) months.

9.2 An employee who has a miscarriage during the third trimester of pregnancy, or bears a still - born child, will be entitled to sick leave if certified by a medical practitioner as incapable of working, and in addition will be entitled to 6 weeks special maternity leave during which leave a minimum of 75% of basic pay will be paid.

This is in addition to any maternity leave she may have already taken while still pregnant.

9.3 A female employee is entitled to apply for up to one day's paid special leave per month for ante and post-natal clinic visits (including visits to company clinics, in which

Page 8 of 42

Initials

H.M.

S.S.

C.S.

case the minimum time off work will be taken,) for a maximum of 3 months prior to and 3 months post birth.

- 9.4 Female employees in companies where existing Maternity Leave provisions are greater than the above will continue to be covered by existing Maternity Leave agreements/arrangements.
- 9.5 Specific conditions applying to maternity leave contained in existing plant level agreements will continue to apply.
- 9.6 An employee proceeding on maternity leave is guaranteed the right to return to the same job that she held before taking maternity leave.

10. PATERNITY LEAVE

- 10.1 A minimum standard of 10 (ten) days paternity leave per occasion shall apply.
- 10.2 Specific plant level arrangements covering paternity leave shall prevail over this standard, provided that the overall effect is not less favourable than the minimum standard.
- 10.3 Paternity leave will be off set against any existing plant level arrangements and/or provisions contained in the Basic Conditions of Employment Act 75 of 1997, which provide Family Responsibility Leave.
- 10.4 It is a requirement that proof of registration of birth reflecting paternity be produced within 10 (ten) days of the employee returning to work, failing which paid leave granted will be forfeited.

Page 9 of 42

Initials _____

H.m.

SF

C.S.

11. SICK LEAVE

11.1 Where an employee's sick leave entitlement as laid down in the BCEA i.e., 30 days in a 3 (three) year period is exhausted, up to a maximum of six (6) days additional leave will be granted subject to the following:

11.1.1 Additional entitlement will only be paid to an employee who is an in-patient in a registered hospital.

11.1.2 Employees will not be paid this additional leave unless a certificate is produced by a registered Medical Practitioner confirming the hospitalization.

12. CHILD CARE LEAVE

12.1 Any leave taken, under the terms of an existing plant level agreement covering such an eventuality, when an employee's child is sick will be off set against the Family Responsibility Leave entitlement as per the Basic Conditions of Employment Act, 75 of 1997.

13. COMPASSIONATE LEAVE

13.1 Compassionate leave of up to 5 (five) days per occasion will be granted as a minimum standard.

13.2 For the purposes of this Agreement, the general definition of "occasion" will be "death of employee's spouse or life partner, or the employee's parent, adoptive parent, child, adopted child". Specific definitions will be as contained in existing plant level agreement, where these are more specific than the definition contained in this clause.

Page 10 of 42

Initials _____

H.M.

SS CP
C.S.

13.3 Any other conditions of existing plant level agreements will continue to apply.

13.4 Any compassionate leave taken in terms of agreements or plant level agreement will be off set against the Family Responsibility Leave entitlement laid down in the Basic Conditions of Employment Act 1997.

14. SHOP STEWARDS LEAVE

14.1 20 days per annum time off shall be given to the shop stewards. Of these 20 days, 10 days will be paid time off the remaining 10 days shall be unpaid.

15. STUDY LEAVE

15.1 An employee shall be entitled to apply for study leave of a minimum of up to 1 day per subject studied plus one day per examination written with a maximum combined benefit of 6 (six) days per annum.

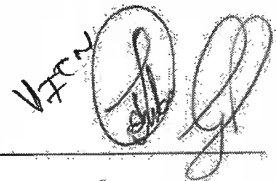
15.2 Existing plant level conditions on study leave which are more favourable than those outlined above will remain place for the period of this Agreement.

16. TRADITIONAL HEALERS

16.1 For the purpose of granting paid sick leave, employers will accept medical certificates issued and signed by traditional healers once registered through an Association which has been formally approved by the National Department of Health.

Page 11 of 42

Initials _____

VFCN


H.M. SF. ef
C.S.

20. JUST TRANSITION (JT) AND THE 4th INDUSTRIAL REVOLUTION (4IR) AND THE TRANSITION TO LOW CARBON ECONOMY

The parties agree to discuss this matter and agree to the appointment of a task team.

The parties in the Pharmaceutical Sector including participating Employers, (CEPPWAWU, GIWUSA, Solidarity, NUMSA and SACWU), agree to the establishment of a task team on Path to Zero Harm and Just Transition.

1 Purpose

The purpose of the Task Team is to gain full understanding of Organised Labour's concerns, explore meaningful and practical solutions to address these concerns; and make recommendations on the way forward.

2 Powers

The Task Team is mandated to address and attempt to reach consensus on the guiding principles and framework to address the issues.

All recommendations will be tabled in the form of recommendations to the Parties for possible ratification and adoption.

In conducting its work, the Task Team may commission research, take cognizance of existing research and resource material, legislation and existing processes in the Pharmaceutical Sector member Companies; co-opt additional members from the Parties, establish ad-hoc technical task teams to conduct specific work and obtain professional technical services from any of the Parties. Where any of the work may require funding, the Task Team will make a recommendation to the Parties as to the source of such funding.

Page 13 of 42

Initials

VHCV


H.m.

SF

CP
C.S.

The Task Team has no mandate to enter into any agreement that binds any of the Parties to the recommendations of the Task Team. Where the Task Team cannot reach consensus on the proposed solutions to address any of the identified issues, the Task Team will table a report to the Parties reflecting the differing views in respect of the identified issue(s).

The Task Team may table recommendations to the Parties as they arise, however, the Task Team must table final recommendations on dealing with the identified issues before the end of their tenure.

Once the Task Team has tabled its final recommendation to the parties, the Task Team will be dissolved, and the plenary will be convened within one month after the final recommendation.

3 Tenure

The tenure of the Task Team shall be for a period of three (3) months commencing from the 1st of August, September and October 2025. Should the Task Team require more time to complete their work, such extension of tenure must be agreed to by the Parties.

4. Composition (Only for illustrative purposes)

The Task Team will be comprised of ten (10) representatives from Organised Labour and ten (10) representatives from the employers

Number of Representatives

CEPPWAWU

2 (1 alternate)

GIWUSA

2 (1 alternate)

Initials

VF *W* *W*
H.M. *SF* *CP*
C.S.

NUMSA	2 (1 alternate)
Solidarity	2 (1 alternate)
SACWU	2 (1 alternate)
Pharmaceutical Employers	10 (5 alternates)

CHAPTER 5

21. SHIFT ALLOWANCE

21.1 A minimum shift allowance of 10%, which shall be non-pensionable, shall be paid to any employee working shifts on the date of this agreement.

21.2 The minimum shift allowance for nights as defined at plant level shall be 12%.

Where three (3) shifts are worked in a plant, the afternoon or second shift is not "night shift".

21.3 Status quo will remain on existing plant level arrangements regarding shift work, which includes definitions.

21.4 A task team will meet before the end of October 2025 to discuss any possible changes on the shift allowance payable. The terms of reference will be defined by the task team and the task team will not be obliged to issue a finding.

Page 15 of 42

Initials _____

Handwritten initials and signatures: *VEN*, *H.M.*, *SF*, *CP*, *C.S.*

22. TRANSPORT FOR SHIFT WORKERS

22.1 For all employees that fall within the bargaining unit, employers undertake, as a principle, and in respect of night workers, to ensure that transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift.

23. HOUSING ALLOWANCE

23.1 Existing plant level agreements and/or arrangements shall, where applicable, continue to apply.

23.2 Employees shall however be entitled to raise these issues with individual employers at plant level.

CHAPTER 6

24. RETRENCHMENT

24.1 The parties agreed that severance pay was legislated for, and in terms of the Labour Relations Act, the circumstances giving rise to the retrenchment should be taken into account when considering the amount of severance to be paid.

24.2 It is therefore agreed that the Sector would not negotiate a common severance package for the Pharmaceutical Sector, but rather both parties commit to consult and engage effectively at the company/ plant level as and when the need arises.

Page 16 of 42

Initials

A large, stylized handwritten signature in black ink, possibly reading 'H.M.', is written over a horizontal line. To the left of the signature, the initials 'VF' are written.

H.M.

S.F. CP
C.S.

25. OVERTIME FOOD

25.1 Provided that no employer- provided canteen alternative exists or that no food is presently provided by the employer, a minimum amount of R5 (five rand) will be paid to each employee for food when overtime of not less than 2 hours is worked during the week, and a minimum amount of R5.50 (five Rand and fifty cents) will be paid to each employee for food when overtime of not less than 5 hours is worked on Saturday, Sunday or public holidays.

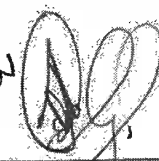
26. LONG SERVICE AWARDS

26.1 Long service awards accrued on/or after 1st July 2004 shall become due and payable as follows as a minimum standard and attaining the following quantum of unbroken service.

- | | |
|--|-------|
| • on completion of 5 (five) years' service | R450 |
| • on completion of 10 (ten) years' service | R675 |
| • on completion of (15) years' service | R1225 |
| • on completion of 20 (twenty) years' service | R1775 |
| • on completion of 25 (twenty-five) years' service | R2325 |
| • on completion of 30 (thirty) years' service | R2875 |
| • on completion of 35 (thirty-five) years' service | R2875 |
| • on completion of 40 (forty) years' service | R3425 |
| • on completion of 45 (forty-five) years' service | R4525 |
| • on completion of 50 (fifty) years' service | R5075 |

Page 17 of 42

Initials

VFCW

 H.M. SF CP
 C.S.

27. RETIREMENT FUND

27.1 As a principle and subject to sub-clause 2 of this paragraph, retirement fund membership shall become a condition of employment in respect of employees after the signing of this agreement.

27.2 Those employees in service at the time of the agreement in respect of a retirement fund and who elected not to join a retirement fund will not be compelled to join the fund.

CHAPTER 7**28. MEDICAL AID**

28.1 Employers will contribute not less than 50% of the total required contribution for medical aid for those employees who are members of the medical aid schemes.

29. EXEMPTION

29.1 Companies seeking exemption from the conditions of this agreement and/or any conditions agreed to previously through centralized bargaining between the parties should do so according to the Council's exemptions procedure.

30. DISPUTE RESOLUTION

30.1 If there is a dispute about the interpretation or application of this agreement any party may refer the matter to the Council for resolution in terms of the Dispute Resolution procedure of the Council.

Page 18 of 42

Initials

VFEN
CP
H.M. SF C.S.

CHAPTER 8**31. OTHER TERMS AND CONDITIONS**

31.1 All other terms and conditions not affected by this agreement will remain status quo.

31.2 Those benefits already more favourable than provided for in terms of this agreement shall not be affected by this agreement.

CHAPTER 9**32. AGENTS**


- a. The Council shall appoint one or more specified persons as Agents to assist in giving effect to the terms of this Agreement.

For the purpose of enforcing or monitoring compliance with this agreement, as the case may be, an Agent of the Council shall have the right to enter and inspect the premises, examine records, and question the employer and/or his employees in any manner that he deems appropriate: Provided that such rights be exercised only as is reasonably required for the purpose of enforcement of, or monitoring compliance with the Agreement.

- b. After each inspection of an employer's records and operations the agent shall prepare a report for the attention of the employer, worker representatives, and, in the case of an individual complainant, the complainant concerned, confirming the date and time of the inspection and, if any contraventions of the Agreement were identified, a summary of the contraventions and the action that management is required to take to rectify the contraventions.

Page 19 of 42

Initials

VFCM

H.M. SF CP
C.S.

Any disclosure of information shall comply with the provisions of the Act.

33. INCOME AND EXPENSES OF THE COUNCIL


- a. For the purposes of meeting the expenses of the Council, every employer shall deduct from the wages of each employee.
- b. Employees who fall within the Bargaining unit shall contribute an amount prescribed by the Council and the employees falling outside the Bargaining unit shall contribute an amount prescribed by the Council, respectively.

Such levies shall be increased, subject to the approval of the Council's Annual General Meeting.

- c. Every employer shall contribute towards the funds of the Council -

An amount prescribed by the Council for each employee who falls within the Bargaining unit, and an amount prescribed by the Council for employees who fall outside the Bargaining unit.

- d. The total amount deducted in terms of the subclauses above, from the wages of employees together with the amounts to be contributed by the employer in terms of subclause above shall be payable monthly by the employer to the Council's Finance Department at no later than the 7th day of the month succeeding the month during which the deductions and contributions were made or were required to be made, together with the proof of payment and schedules incorporating the total number of employees and total levies remitted.

WFCM


H.M.

SF

CP
C.P.

34. DEFAULT PAYMENTS

- a. In an event that an employer pays levies that are due to the Council in terms of this Substantive Agreement, in any manner other than cash, and such levy contributions are dishonoured for any reason whatsoever, then in such an event, a penalty fee shall be imposed on the employer, the penalty fee shall be equal to 3.5%. Any penalty fee plus the full amount originally due, shall be payable to the Council.
- b. If it becomes necessary for the Council to institute legal action in a court of law for the recovery of any levies due but not paid after having been requested in any way whatsoever, then the debtor shall be liable for all legal expenses incurred by the Council in the means of recovering the levies due.

This includes attorney fees, an arbitrator, or a collections agency having been instructed by the Council to collect the levies.


VFCW
CP
H.M. SF C.S.

Signed at Johannesburg this _____ day of _____ 2025



For CEPPWAWU

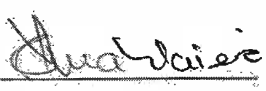
Witness



For GIWUSA




Witness



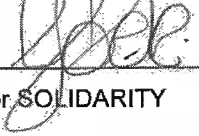
For SACWU

Witness



For NUMSA

Witness

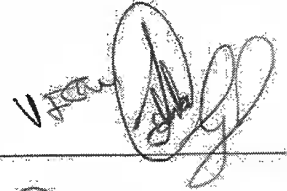


For SOLIDARITY

Witness

For LAAPI Employers

Witness

Initials 
Sf H.M. CP
C.S.

EXEMPTIONS POLICY AND PROCEDURE**INTRODUCTION:**

1. The issue of exemptions is dealt with in Clause 16 of the Council's Constitution. It requires the establishment of a National Exemptions Committee and an Independent Appeals Committee.

The Constitution requires that the National Exemptions Committee and Independent Appeals Committee must determine its composition and powers and establish its own procedures and criteria to be considered in dealing with applications for exemption and for conducting its business.

Applications for exemption by both parties and non-parties must be made to the Council. Employers seeking exemption from the conditions of any collective agreement and/or any conditions agreed to previously through centralised bargaining between the parties should do so according to this procedure.

2. The procedures and criteria set out hereinafter shall apply to any party to a collective agreement as well as non-parties to whom any collective agreement concluded in the Council has been extended in terms of Section 32 of the LRA.

It is the stated view of the Council that all applications for exemption must be completed within 30 days from the date of the application for exemption and all appeals to the Independent Appeals Committee within 30 days from the date of the appeal.

The Exemptions Committee or the Independent Appeals Committee may, in its sole discretion, extend the completion date of an application for an exemption or an appeal for an additional 30 days where circumstances require such extension.

VFCM
H.M.
C.S.


PRE & POST COUNCIL PROCEDURE**CONSULTATION**

- 1 Any application for exemption from any provision/s of a collective agreement concluded under the auspices of the Council must be preceded by consultations between the relevant employers and employees potentially affected by the exemption at which:
 - 1.1 The merits of the application and any impact that it will have on affected employees have been discussed and considered, and
 - 1.2 There has been full disclosure to each other of all information relevant to the consideration of the exemption application.
- 2 The following provisions will apply to consultations:
 - 2.1 Each employer must hold such consultations with the trade union representative(s) of the affected employees.
 - 2.2 If an employer reasonably believes that the affected employees are not trade union members, or where the relevant trade union representatives do not avail themselves for such consultations after a reasonable number of proven and recorded attempts by the employer, the employer must consult the affected employees themselves.
 - 2.3 The affected employees, or groups of such employees, may act through a nominated representative that they have elected, amongst themselves, to represent them.

Once they have informed the employer of such a representative, the employer must, regarding such employees, consult such representative in preference to the trade union to which they belong.

Page 24 of 42


Initials

VHM 
S.F. H.M. CP
C.S.

- 2.4 The above consultations may be facilitated by a member of the National Exemptions Committee with the proviso that all the parties involved in the consultation process consent to such facilitation. The member of the National Exemptions Committee who conducted the facilitation may not chair or be part of any panel appointed to arbitrate an application for exemption or an appeal that follows from his/her facilitation.
- 2.5 A request for facilitation must be made in writing on the Application for Exemption Form in the relevant section provided. (See Annexure A)
- 3 The party seeking an exemption from the Council must, commencing at least immediately before the application is made to the Council, display a copy of the application in a conspicuous place in the workplace(s) where the affected employees normally report for service and ensure that it remains displayed until the exemption license has either been granted in terms of these procedures, the application has been withdrawn, or the application has been dismissed by the National Exemptions Committee.
- 4 Any application for exemption must be in writing and on the appropriate application form, which can be obtained from the Council.

TIMELINES AND CONDONATION


- 5 Any party who wishes to apply for an exemption in terms of this policy must do so within a reasonable time, not exceeding 60 days from the date that the original agreement was signed.
- 6 Where addendums to any collective agreements were signed, the application for an exemption must also be made within a reasonable time not exceeding 60 days from the date of signature of any addendum.

NICH 
SF H.M. of
C.S.

- 7 In the case of a non-party, the party who seeks to apply for an exemption must apply no later than 10 days from the date of the Government Gazette wherein the collective agreement was made applicable to non-parties.
10. Any party who does not comply with the above timelines must submit an application for condonation with its exemption application.

INFORMATION TO BE DISCLOSED

11. The evidence required will include:
 - 11.1 All information as required in the attached questionnaire (Annexure A)
 - 11.2 The relevant steps taken by the employer to comply with the agreement(s) that it now seeks to be exempted from before making a decision to apply for an exemption.
12. In considering an application for exemption, the National Exemptions Committee shall take into account all relevant factors, including those detailed herein.
13. Other criteria that the National Exemptions Committee will consider may include:
 - 13.1 The past records (if applicable) of compliance by the applying party with the provisions of the Council's Collective Agreements and Exemptions Certificates;
 - 13.2 Any special circumstances which might exist;
 - 13.3 Any precedent that might be set by granting/not granting the application;
 - 13.4 The interest of the industry as regards:

Y#er 
SF *H.M. of*
C-S.

- (i) Unfair competition;
- (ii) Collective Bargaining;
- (iii) Potential labour unrest;
- (iii) Increased employment/unemployment;
- (v) Any other aspect that the National Exemptions Committee deems relevant and after having invited the parties' representations thereon.

13.5 The interest of employees as regards;

- (i) Exploitation;
- (ii) Job Preservation;
- (iii) Conditions of employment;
- (iv) Possible financial benefits;
- (v) Health and safety;
- (vi) Infringements of basic rights;
- (vii) Any other aspect that the National Exemptions Committee deems relevant after having invited the parties' representations.

13.6 The interest of the employer as regards;

- (i) Financial stability;

Page 27 of 42

Initials

VICM
SF H.M. CP
C-5

- (ii) Impact on productivity;
- (iii) Future relationship with employees' trade unions;
- (iv) Operational Requirements;
- (v) The SMME Status will be considered in line with Annexure C
- (vi) Any other aspect that the National Exemptions Committee deems relevant after inviting the comments of all interested parties.

14. All applications considered by the National Exemptions Committee will only be based on the written submissions, accompanying supporting documents and arguments presented by the party seeking the exemption and the written submissions, supporting documents and arguments of the parties opposing the exemption application.

The application will be considered and determined in a manner that is fair and transparent. The following times will apply in respect of an application for an exemption:

- 14.1 Any party seeking to oppose the application for exemption must, within 10 days from the date of the exemption application, file their respective responses to the General Secretary of the Council;
- 14.2 The party that has applied for the exemption may reply to the opposing representations within 5 days from receipt of the opposing statements;
- 14.3 The parties may thereafter submit their written arguments to the General Secretary, who will determine a date for the arbitration.

15. Any exemption granted to a party by the National Exemptions Committee (with the exception of the application made by the Company for the SMME status) shall only be in

VFCM
SF H.M.
C.S.

force for a period of one year or for a shorter period as determined by the National Exemptions Committee.

Upon the expiry of the exemption certificate, the employer must implement and uphold the collective agreement from which it received an exemption on the terms and conditions in force at the time of the expiry of the exemption certificate.

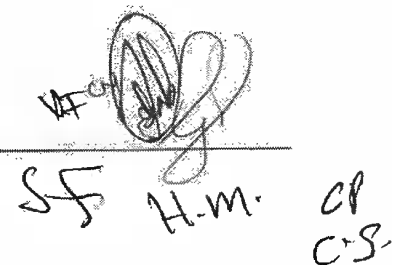
16. The National Exemptions Committee may, in its sole discretion and in exceptional circumstances, call for the hearing of oral and additional evidence where such evidence is deemed essential to assist it in determining the application.
17. The National Exemptions Committee shall submit its written findings, with brief reasons, to the General Secretary for transmission to the parties involved.
18. Once the General Secretary has received the decision of the National Exemptions Committee in terms of this procedure, s/he shall:
 - 18.1 Issue an exemption certificate or vary a certificate already issued or
 - 18.2 Transmit any other decision of the National Exemptions Committee to the parties to the exemptions dispute as directed by the National Exemptions Committee.
 - 18.3 The National Exemptions Committee must make its decision within 14 days of having concluded the matter unless permission is granted by the General Secretary for a longer period. In such a case, the affected parties must be notified.

HOW TO FILE AN APPLICATION FOR EXEMPTION WITH THE COUNCIL

19. All applications must be submitted in writing to the General Secretary.

Page 29 of 42

Initials

Handwritten initials and signatures. The word 'Initials' is printed above a horizontal line. Below the line, there are several handwritten marks: 'VF' in the top left, a large circular scribble in the top right, 'SF' in the middle left, 'H.M.' in the middle right, and 'CP' and 'C.S.' in the bottom right.

20. Any employer seeking an exemption must apply to the Council. Copies of the application must be served on all trade unions in the industry whose members may potentially be affected by the application. All applications must be signed by an authorized company representative.
21. The application must specify the provisions of the collective agreement in respect of which the exemption is sought and the reasons why it is sought. Details of the employees in respect of whom the exemption is sought, either by name or by way of a clear description of the category of employees and an introduction of how many employees fall within that category.

INDEPENDENT APPEALS COMMITTEE

22. In terms of Section 32(3)(e) of the LRA, the Council hereby establishes an independent body, to be known as the Independent Appeals Committee, to consider appeals from parties and non-parties against a decision by the National Exemptions Committee of a party's or non-party's application for exemption from the provisions of a published collective agreement.
23. The Independent Appeals Committee shall consist of such members as the Council determines, with the understanding that the Council may, at its discretion, appoint a single member to chair specific appeals. The Independent Appeals Committee may also co-opt an auditor, who shall only serve in an advisory capacity, where necessary, to assist with financial matters.
24. The following provisions shall apply to the Independent Appeals Committee:
 - 24.1 Any party or non-party may lodge an appeal with the Independent Appeals Committee against the decision of the Exemptions Committee to refuse to grant an application for an exemption from the provisions of a published collective agreement in which event the following procedure shall apply:

VIEN
SF H.M. CP
C.S.

24.2 An appeal shall be in writing and shall be addressed to the General Secretary of the Council for consideration by the Independent Appeals Committee. All appeals will be considered on the written application, the written submissions and arguments of those who seek the exemption as well as those who oppose it. The independent Appeals Committee may deal with an appeal in any manner that it deems prudent, provided that it acts in a manner that is fair and transparent.

24.3 All appeals lodged by parties or non-parties shall be considered by the Independent Appeals Committee with due regard to the Appeal criteria set out in Clause 16 of the Council's constitution as well as the factors detailed below.

24.4 All appeals to the Independent Committee shall be fully substantiated or motivated in writing by the applicant and shall include the following details:

- (i) The period for which the exemption is required;
- (ii) The Agreement and clauses or sub-clauses of the Agreement from which exemption is required;
- (iii) Proof that the exemption applied for has been discussed by the employer, his employees and their respective representatives, and the responses resulting from such consultation, either in support of or against the application, are to be included with the appeal.

25. The Independent Appeals Committee may, having regard to the individual merits of each appeal, grant or refuse the appeal if -

25.1 It does not undermine the Agreement;

Page 31 of 42

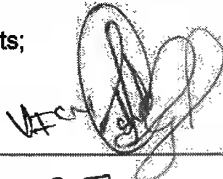
Initials

VICH
CP
SF, H.M.
C.S.

- 25.2 It is fair to the employer or his employees and other employers and employees in the Industry.
26. The Independent Appeals Committee shall deal with all appeals within 30 days of the date on which the appeal was submitted. The Independent Appeals Committee may, however, defer a decision to a following meeting if additional motivation, substantiation or information is considered necessary to make a decision on the appeal.
27. Once the Independent Appeals Committee has granted an exemption, the Council must issue a certificate and advise the applicant(s) accordingly within 14 days of the date of its decision.
28. When the Independent Appeals Committee dismisses an appeal or a part of an appeal for exemption, it shall advise the applicant(s) within 14 days of the date of such decision.

EXEMPTION CRITERIA

29. The Independent Appeals Committee must consider, apart from the factors referred to in Clause 16 of the Council's Constitution, all appeals with reference, amongst others, to the following criteria:
- 29.1 The written substantiation and motivation submitted by the applicant;
- 29.2 The extent of consultation with and the petition for or against granting the exemption as provided by employers or employees who are to be affected by the exemption if granted;
- 29.3 The scope of exemption required;
- 29.4 The infringement of basic conditions of employment rights;

 CP
SF H.M.
C.S.

- 29.5 Consider whether a competitive advantage is not created by the exemption;
- 29.6 the viewing of the exemption from any employee benefit fund or training provision in relation to the alternative compatible bona fide benefit or provision, including the cost of the employee, transferability, administration management and cost, growth and stability;
- 29.7 The extent to which the proposed exemption undermines collective bargaining and labour peace in the Industry;
- 29.8 Any existing special economic or other circumstances which warrant the granting of the exemption;
- 29.9 The recommendations contained in the Report of the Presidential Commission to Investigate Labour Market Policy;
- 29.10 Any recommendation from the Council; and
- 29.11 Any other matter that the Independent Appeals Committee deems prudent after having invited the comments of the parties involved in the dispute.

QUESTIONNAIRE:

ANNEXURE A

PART 1 – COMPANY DETAILS

1. The following is required:

- (i) The name of the company applying for exemption;

Page 33 of 42

Initials

VICU
SF H.M.
C.S.
d

- (ii) The Industry Sector;
- (iii) The address of the Company. Provide all details if more than one establishment/workplace is affected by the exemption application;
- (iv) Contact Person (Provide Contact Details);
- (v) Name of Employer Organisation (Provide Contact Details).

PART 2 – LABOUR DETAILS

- (i) The company's total headcount;
- (ii) The total number of employees affected by the exemption application. Provide details of employment categories, union affiliation and numbers;
- (iii) Names of Trade Unions with affected employees as members. Provide contact names and contact details specifying designation, i.e. trade union official or trade union representative;
- (iv) Nominated representatives in respect of non-unionised affected employees. Provide contact names and contact details and the job categories the nominated representatives are representing.

PART 3 – EXEMPTION DETAILS

- (i) What is the exemption being applied for? Provide details of all clauses of the collective agreement in question from which exemption is sought.

Page 34 of 42

Initials

VICM
CP
S.F. H.M. C.S.

- (ii) Has the Company, in the past 12 months, applied for exemption? If yes, provide details and the outcome.
- (iii) Has the Company, in the past 12 months, instituted short time, lay off and/or retrenchment? If yes, provide details, including dates and numbers of employees affected.
- (iv) What are the estimated savings to the Company if this application for exemption was granted? Quantify the savings anticipated by the Company.
- (v) What is the proposed duration of the exemption if granted? Specify whether the application is for a permanent exemption from a particular requirement of the collective agreement in question or is an application to defer implementation to a later date and, if so, specify the date.

PART 4 – FINANCIAL INFORMATION


2. A party seeking an exemption must attach the most recent audited financial statements for the financial year prior to the date of the application, together with management accounts (income statements) for at least six months immediately prior to the date of the application.

In respect of exemption applications in respect of parts of a Group where audited financial statements do not reflect the financial circumstances of the establishment/workplace in question and/or where inter-company trading takes place at a substantial level, additional relevant information should be included.

3. The Council may, at its discretion, call on the party seeking the exemption to provide such other information to the Council where the Council deems such information relevant for purposes of determining the merits of the application.

Page 35 of 42

Initials

 CP
SR H.M. C.S.

PART 5 – MOTIVATION

4. The party seeking an exemption must attach a detailed explanation of the difficulties being faced, including additional financial information where necessary to provide proof of the circumstances that motivated the exemption.

Included therein must be an explanation of all alternatives the employer has pursued in making savings prior to this application and documentary evidence, where necessary, of the employer's policy in respect of dividends to shareholders and remuneration in respect of employees not subject to the collective agreement in question.

PART 6 – CONSULTATION

5. Attach documentary evidence that will prove that all interested parties have been served with a copy of the exemption application together with relevant attachments and that all interested parties have been invited to consult in accordance with the Council's Exemption Procedure.

A record of such consultation plus its outcomes must be annexed to the application for exemption and must be countersigned by the parties to the consultation for purposes of authenticity.

The refusal of any party to a consultation to countersign such record will not render any application flowing from such consultation improper, nor will it prevent the Council's structures to determine the matter.

6. Specify whether or not the company requests the Council to appoint a Facilitator to assist the parties with the required consultative process.

Page 36 of 42

Initials

VIC
S.F.
H.M.
C.S.

ANNEXURE B**COMPOSITION AND ACTIVITIES: NATIONAL EXEMPTIONS COMMITTEE/INDEPENDENT APPEALS COMMITTEE****PURPOSE**

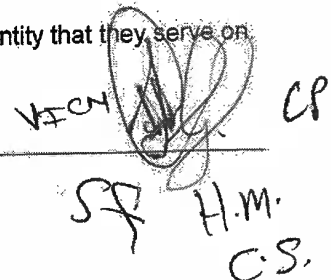
1. The purpose of this document is to detail the procedures governing the National Exemptions Committee/Independent Appeals Committee, as established and governed by Clause 16 of the Council's Constitution, and to ensure that they operate in an orderly and transparent manner.

COMPOSITION OF THE EXEMPTIONS COMMITTEE/APPEALS COMMITTEE

2. The Council must appoint the members of the National Exemptions Committee/Independent Appeals Committee on such terms and conditions as it deems fit. It will be within the sole discretion of the Council to appoint any number of members to chair applications for each exemption application/appeal. The appointment of a single member is sufficient to constitute a National Exemptions Committee/Independent Appeals Committee.
3. The National Exemptions Committee/Independent Appeals Committee must co-opt any suitably qualified auditor/accountant to advise it on financial matters. The person so co-opted will not have any decision-making power.
4. The National Exemptions Committee/Independent Appeals Committee members hold office until either:
 - 4.1 They resign on three months' notice to the Council, or
 - 4.2 The Council resolves to terminate their membership of the entity that they serve on.

Page 37 of 42

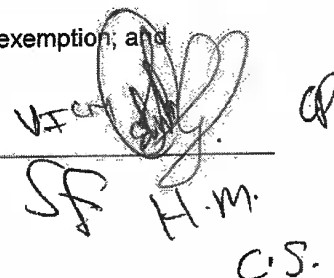
Initials


 VFCN
 SF
 H.M.
 C.S.
 CP

5. Members appointed to the Exemptions Committee/Appeals Committee must:
- 5.1 Be independent, impartial and perform the functions of the office in good faith, and
 - 5.2 Recuse themselves from any matter if they have any conflict of interest in either the subject matter of the exemption application or in respect of the parties involved in the dispute.
6. Should any member of a National Exemptions Committee/Independent Appeals Committee become unable to continue with any process, for whatever reason, any proceedings held up to that stage shall be suspended until it is determined whether or not that member is able to continue with the proceedings or not. If that member is unable to continue, whatever the reason, the proceedings will be adjourned, and a new panel will be constituted. In such a case, the matter will commence afresh in front of the newly constituted panel. With the consent of the newly constituted panel, the parties may agree on how to present the evidence that was presented in the suspended proceedings.

DECISIONS OF THE EXEMPTIONS COMMITTEE/APEALS COMMITTEE

7. A decision agreed upon and confirmed in writing by the majority of the National Exemptions Committee/Independent Appeals Committee, where applicable, is a decision of the Committee.
8. Proceedings of the meetings of the National Exemptions Committee/Independent Appeals Committee shall be recorded and, where necessary, minuted by the Council secretariat. Parties may keep their own recordings.
9. The Independent Appeals Committee shall have the powers to:
- 9.1 Grant a full or partial exemption or reject an application for exemption; and

Handwritten initials and signatures: V.F., SF, H.M., C.S., and a large signature.

9.2 Approve interim orders in circumstances where this will not affect the final outcome.

MEETINGS OF THE NATIONAL EXEMPTIONS COMMITTEE/INDEPENDENT APPEALS COMMITTEE

10. The Independent Exemptions Committee/Independent Appeals Committee must meet when requested to do so by the Council.
11. If a meeting of the National Exemptions Committee/Independent Appeals Committee does not finalise an application for exemption or an appeal, as the case may be, the meeting may be rescheduled for continuance at a date and time to be agreed upon by the National Exemptions Committee/Independent Appeals Committee.

FINDING AND REASONS FOR DECISION

12. Within two weeks of a meeting of the National Exemptions Committee/Independent Appeals Committee where an exemption application/appeal has been considered, the National Exemptions Committee/Independent Appeals Committee must provide the Council with a written decision and brief reasons for the decision.
13. The Council must circulate the National Exemptions Committee's/Independent Appeals Committee's decision and reasons to all interested parties.

ANNEXURE C

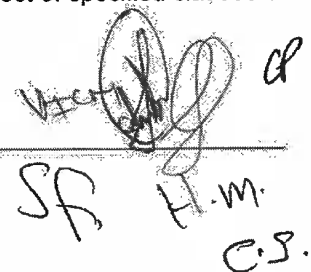
CRITERIA FOR SMALL BUSINESS EXEMPTIONS POLICY

14. Exemptions in this category will be granted for a period not exceeding 3 years.

Exemptions shall be in respect of the wage increase or in respect of specified clauses of the agreement.

Page 39 of 42

Initials

Handwritten initials and signatures. The word 'Initials' is written above a horizontal line. Below the line, there are several handwritten marks: 'SR', 'H.M.', 'C.S.', and a large, stylized signature that appears to be 'W. M. J. C.'.

15. The Council will consider applications on merit, guided by current South African legal guidelines on the definition of SME's and the application of these definitions amongst different sectors, taking into account one or more of the following factors: -
- 15.1 That the business is not the subsidiary of another company;
- 15.2 Its employment numbers keep it within the definition of an SME, within the bargaining unit, in terms of the legal framework of the definition of an SME;
- 15.3 It is able to show that such an exemption will enable it to retain existing jobs or create additional jobs in the firm. This particular factor must be covered in the motivation;
- 15.4 The financial situation of the company.

PROCEDURE TO BE FOLLOWED TO CONSIDER THE APPLICATION

16. Application for Exemptions by SME will be filed by the Company within 10 days of the Company having been declared an SMME.
17. The application will be considered by the SMME Advisory Panel within 10 days from the date on which the application was filed with the Council.
18. The SMME Advisory Panel shall issue the outcome within 7 days from the date of the sitting.

FACTS TO BE CONSIDERED IN DETERMINING THE APPLICATION

19. The Company making the Application must comply with Annexure A.

Page 40 of 42

Initials

VF
H.M.
C.S.
CP

COMPOSITION OF THE EXEMPTIONS COMMITTEE FOR SMALL BUSINESS APPLICATIONS

20. Application for Exemptions by SMME shall be considered by the SMME Advisory Panel comprising an equal number of representatives (two per side) from the Employers and Trade Unions and an Accountant/External Auditor.
21. The General Secretary shall chair the Advisory Panel. In the event the chairperson is not available, then the Committee will elect someone amongst themselves to chair that specific sitting.

PHASE IN EXEMPTIONS

22. The Council shall, in recognizing the financial constraints faced by SMMEs, grant the SMME a phased-in period of up to 3 years for compliance with the minimum Bargaining Council regulations.
23. SMEs shall use this time to adjust their operations and finances gradually, minimizing disruptions and mitigating financial risks.
24. Application for phase-in exemptions must be accompanied by completion of the standard application for exemption questionnaire and shall be dealt with after giving consideration to the following: -
- 24.1 Clear evidence of financial difficulties, including.
- 24.1.1 The latest Audited Financial statements and/or management accounts;
- 24.1.2 Explanation of the difficulties faced;

VFC
[Handwritten signature]
JF H.M. C.S

- 24.1.3 Company motivation, business plan and phase-in plan indicating how parity will be achieved.
25. No Company that has agreed to adopt the phase-in program on a voluntary basis may retrench any worker as a direct result of a phasing-in period of the new wage structure unless such retrenchment is on a voluntary basis or unless there are exceptional circumstances beyond the Employer's control.

AMENDMENT OF THIS POLICY

26. The amendment of this policy shall be made as and when the need arises, taking into consideration the developments in the law. The amendments will not be binding until such time that they are approved by the Executive Committee and ratified by the Full Council, having gone through the relevant institutional structures.

VCS
CP
H.M.
C.S.

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE 3926 OF 2026

**DRAFT AMENDMENT OF THE RADIO FREQUENCY SPECTRUM FEES REGULATIONS, 2010 IN TERMS OF THE ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)**

The Independent Communications Authority of South Africa (“**ICASA**” or “**the Authority**”) hereby declares its intention to amend the radio frequency spectrum fees regulations, 2010 (“**the Regulations**”).

A copy of the draft Amendment to the radio frequency spectrum fees regulations (“**the Draft Regulations**”) will be made available on the Authority’s website at <https://www.icasa.org.za> or can be sent via email upon request by any individual or can be collected from ICASA Library at the following address: 350 Witch-Hazel Avenue, Eco Point Office Park, Eco Park, Centurion between 09h00 and 16h00, Monday to Friday.

The Authority hereby invites interested parties to make written representations on the Draft Regulations by no later than 16H00 on 29 June 2026 electronically (in Microsoft Word) and marked specifically for the attention of: **Mr. Mandla Mchunu – Project Manager.**

The written representations should be sent by e-mail to RRamendments@icasa.org.za and copied to mmchunu@icasa.org.za.

Written representations received by the Authority pursuant to this notice will be made available for inspection by interested persons at the Authority’s library.

When a person submits information to the Authority, such person may request that specific information be treated as confidential information in terms of section 4D of the Independent Communications Act of South Africa Act, 2000 (Act No.13 of 2000) ("ICASA Act"). The request for confidentiality must be accompanied by a written statement explaining why the specific information should be treated as confidential, in accordance with ICASA Guidelines for Confidentiality Request published in Government Gazette No. 41839 of 17 August 2018.

The Authority may determine whether such specific information or any portion thereof is to be treated as confidential in terms of section 4D of the ICASA Act. Where the request for confidentiality is refused, the person who made the request will be granted an opportunity to withdraw such representations or portion(s) thereof.

Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral representations on the draft Regulations, should the Authority elect to hold public hearings.



MOTHIBI RAMUSI

CHAIRPERSON

DATE: 29 April 2026

AMENDMENT OF THE RADIO FREQUENCY SPECTRUM FEES, 2010

The Independent Communications Authority of South Africa has, under sections 4(1) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), made the regulations in the schedule.

SCHEDULE

1. Definitions

In these regulations "the Regulations" means the regulations published by Government Notice No. 33495 of 2010, as amended by Notices No. 385 of 30 March 2015 and No. 280 of 30 April 2015.

2. Amendment of regulation 1 of the Regulations

Regulation 1 of the Regulations is hereby amended –

2.1 by the insertion, after the definition "Bandwidth Factor", of the following definition:

"Blanket Licence" means an authorisation that covers the operation of a network that connect to an unlimited number of terminals with similar technical and operational characteristics,

3. Amendment of regulation 5 of the Regulations

Regulation 5 of the Regulations is hereby amended –

3.1 by the substitution for sub-regulation (5)(d) and (e) of the following sub-regulation:

"(d) Satellite Hub Ground Station Formula

The fee for a principal hub station for uplink is determined by the following fee:

$$\text{Hub ground station Fee} = \text{Max} (R_{UL}; \text{UNIT} * \text{FREQ} * \text{BW} * \text{SEC})$$

The fee is the multiplication of the unit price (UNIT) by the frequency factor (FREQ), and the bandwidth (BW) in MHz, and R_{UL} is the minimum fee for satellite uplink connections; and

(e) Satellite Terminal Network Formula

The fee for a blanket licence to operate a satellite terminal network will be based on the uplink of the terminals and is determined by the following formula:

$$\text{Terminal network Fee} = (\text{UNIT} * \text{BW} * \text{SEC})$$

The fee is the multiplication of the unit price (UNIT) by the bandwidth (BW) in MHz.”

4. Amendment of regulation 9 of the Regulations

Regulation 9 of the Regulations is hereby amended –

- 4.1 by the substitution for item 6 (Satellite) and its subitems in the reference Table, with the following Table:

6. Satellite	
6.1 Satellite terminal networks (including VSAT networks and ESIM terminals)	Terminal Network Fee
6.2 Uplink broadcasting signal distribution fixed satellite earth station	Ground hub station fee
6.3 Mobile or fixed satellite news gathering	Ground hub station fee
6.4 Gateway Earth Stations	Ground hub station fee

5. Short title and commencement

These regulations are called the Radio Frequency Spectrum Licence Fees Amendment Regulations, 2026 and will come into force upon publication in the Government Gazette.

EXPLANATORY MEMO

1. INTRODUCTION

- 1.1 On 14 August 2024, the Authority instituted an Inquiry in terms of section 4B of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) on the licensing framework for satellite services by publishing a notice in Government Gazette No. 51044. In terms of the notice, interested parties were invited to make written submissions to the Authority by no later than 12 November 2024, 16h00.
- 1.2 The Authority received thirty-eight (38) written representations and a further seven (7) after deadline. The Authority resolved to still accept submissions post the closing date. On 31 November 2024, the Authority published the written representations on its website.
- 1.3 The public hearings were held from 05 to 07 February 2025, which saw stakeholders providing valuable oral presentations regarding the framework's content.
- 1.4 After consideration of all the written submissions, oral hearings and supplementary information requested at the public hearings, ICASA published its findings in a government gazette No 52530, Notice 3144 dated 17 April 2025.
- 1.5 The implementation of the findings requires the Authority to make amendments to the Radio regulations (regulations published by Government Notice No. 279 of 2015, as amended by Notices No. 386 of 2015, 781 of 2016, 585 of 2019 and 737 of 2021) and radio spectrum fees regulations (Notice No. 33495 of 2010, as amended by Notices No. 385 of 30 March 2015 and No. 280 of 30 April 2015).

- 1.6 During the consultation, some stakeholders expressed uncertainty regarding the type of licences that the Authority intend to introduce as per the Discussion Document. In particular, there was uncertainty whether the Gateway Earth Station ("GES") licence and User-Terminal network licence would be radio frequency spectrum ("RFS") licences, or whether it would be service licences (as per Chapter 3 of the Electronic Communications Act ("ECA")), or whether an entirely new licence type was envisioned. The Authority can confirm that it does not intend to introduce a new type of licence, nor does it see any need to introduce a new type of licence and that both the Gateway Earth Station ("GES") licence and User-Terminal network licence are to be seen as radio frequency spectrum ("RFS") licences.

2. AMENDMENT CONSIDERATIONS

Regulation 1

- 2.1 The Consultation found that there is support for blanket licensing of the terminals and as such, a definition for it was added to regulation 1.

Regulation 5

- 2.2 An objective of the Inquiry was to review spectrum fees, taking into account the increasing amount of bandwidth used by satellite systems operating in higher frequency bands. To this end, the Discussion Document went on to propose two options with regard to the Gateway Earth Stations fee, namely (a) a new factor in the formula termed the "high throughput satellite factor" ("HTSF"), or (b) a fee that is variable per MHz assigned. Further, the Discussion Document proposed the blanket licensing of terminals.
- 2.3 It was found during the Consultation that there is support for the development of a regulatory framework for Spectrum Fees, although there are differing views on the appropriate methodology for calculating fees. The Authority noted the need for a balanced approach that ensures South Africa remains an attractive destination for satellite operators while promoting efficient use of spectrum.

- 2.4 To this end, the Authority considered the input received during the Inquiry for the amendment of the Radio Frequency Spectrum Fee Regulations, 2010¹, as amended by the Radio Frequency Spectrum Fee Amendment Regulations, 2015². In particular, the Authority focused on the formulas for the “Hub ground station Fee” and the “VSAT Fee”.

Fee for Gateway Earth station

- 2.5 Following the public consultation, the Authority published a Findings Document³. It was found that most of the stakeholders support that the fee structure must ensure that South Africa remains an attractive destination for satellite operators looking to install and operate Gateway Earth Stations. Views on the exact approach varied significantly, with some arguing for an approach that is not bandwidth-based, while others advocated for parity with formulas used for terrestrial services. After reviewing the submissions, the Authority is proposing the formula below to replace the existing Hub ground station Fee formula:

$$\text{Fee} = \text{Max} (\text{RUL}; \text{UNIT} * \text{FREQ} * \text{BW} * \text{SEC})$$

The addition of the frequency factor (FREQ) will ensure that the operation of GES is reduced according to the frequency band being licensed. For example, if the frequency band is between 23 GHz and 30 GHz, a factor of 0.1 will apply. Operators of high-throughput satellites (“HTS”) that make use of this band will therefore be paying a significantly lower fee. The benefit is, however, not only exclusively applied to HTS, but also to any GES operating in the higher bands. The FREQ term will be informed by the table below, and it is already used in the Point-to-Area formula, which brings greater alignment between the respective satellite and terrestrial formulas.

¹ NOTICE 754 OF 2010, Government Gazette No. 33495

² NOTICE 280 OF 2015, Government Gazette No. 38642

³ NOTICE 3144 OF 2025, Government Gazette No. 52530

Frequency Ranges		FREQ Factor
From	To	
1 kHz	174 MHz	1
174 MHz	880 MHz	0.75
880 MHz	1.8 GHz	0.5
1.8 GHz	5 GHz	0.4
5 GHz	10 GHz	0.3
10 GHz	17 GHz	0.2
17 GHz	23 GHz	0.15
23 GHz	30 GHz	0.1
30 GHz	50GHz	0.05

The FREQ factor, as per the table above, incentivises operators to use the higher, less congested frequency bands.

2.6 It is further proposed that only the frequency band and bandwidth in the uplink direction be considered when the fee is calculated. This is currently the case when applying the existing Hub ground station Fee formula. This is also compatible with an "Open-Sky" approach.

The minimum fee is maintained in this formula, resulting in no change to the fee for small bandwidth licences. Lastly, the introduction of the Security (SEC) factor will benefit satellite operations of the security sector.

Fee for User-Terminal network

2.7 During the consultation, it was found that there is general support for a blanket licensing approach for licensing the user-terminal network. After reviewing the submissions, the Authority is proposing the formula below to replace the existing VSAT Fee formula: **Fee = UNIT * BW * SEC**

The Security (SEC) factor is introduced to benefit satellite operations of the security sector. Apart from this addition, the formula is left unchanged as compared to VSAT formula. The scope of the formula is, however, extended to apply to any satellite terminal network and no longer only to a VSAT network. It is further proposed that only the bandwidth in the uplink direction be considered when the fee is calculated. This is currently the case when applying the existing VSAT Fee formula and is compatible with an "Open-Sky" approach. This licence is necessary even if the terminals fall within the definition of subscriber equipment. It should not be seen as the licence associated with the terminal stations/equipment, but instead as the licence of the network that makes it possible to connect those terminals. This approach will ensure accountability of

operations even in an event where the satellite network's gateway is not located in South-Africa.

Regulation 9

- 2.8 Item 6 of the table in regulation 9 was updated to clarify the use of the new satellite formulas in regulation 5. In particular, it is clarified that the Terminal Network fee will apply to ESIMs.

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NOTICE 3927 OF 2026

**DRAFT AMENDMENT OF THE RADIO FREQUENCY SPECTRUM REGULATIONS, 2015 IN TERMS OF THE ELECTRONIC COMMUNICATIONS ACT, 2005 (ACT NO. 36 OF 2005)**

The Independent Communications Authority of South Africa (“**ICASA**” or “**the Authority**”) hereby declares its intention to amend the Radio Frequency Spectrum Regulations, 2015 (“**the Regulations**”).

A copy of the Draft Amendment to the Radio Regulations (“**the Draft Regulations**”) will be made available on the Authority’s website at <https://www.icasa.org.za> or can be sent via email upon request by any individual or can be collected from ICASA Library at the following address: 350 Witch-Hazel Avenue, Eco Point Office Park, Eco Park, Centurion between 09h00 and 16h00, Monday to Friday.

The Authority hereby invites interested parties to make written representations on the Draft Regulations by no later than 16H00 on 29 June 2026 electronically (in Microsoft Word) and marked specifically for the attention of: **Mr. Mandla Mchunu – Project Manager**. The written representations should be sent by e-mail to RRamendments@icasa.org.za and copied to mmchunu@icasa.org.za.

Written representations received by the Authority pursuant to this notice will be made available for inspection by interested persons at the Authority’s library.

When a person submits information to the Authority, such person may request that specific information be treated as confidential information in terms of section 4D of the Independent Communications Act of South Africa Act, 2000 (Act No.13 of 2000)

("ICASA Act"). The request for confidentiality must be accompanied by a written statement explaining why the specific information should be treated as confidential, in accordance with ICASA Guidelines for Confidentiality Request published in Government Gazette No. 41839 of 17 August 2018.

The Authority may determine whether such specific information or any portion thereof is to be treated as confidential in terms of section 4D of the ICASA Act. Where the request for confidentiality is refused, the person who made the request will be granted an opportunity to withdraw such representations or portion(s) thereof.

Persons submitting written representations are further invited to indicate, as part of their submissions, whether they require an opportunity to make oral representations on the draft Regulations, should the Authority elect to hold public hearings.



MOTHIBI G. RAMUSI
CHAIRPERSON

DATE: 29 April 2026

**AMENDMENT OF THE RADIO FREQUENCY SPECTRUM REGULATIONS,
2015**

The Independent Communications Authority of South Africa has, under sections 4(1) read with sections 31(4), 34(7) (c) (iii), 34(8) and 34(16) of the Electronic Communications Act, 2005 (Act No. 36 of 2005), made the regulations in the schedule.

SCHEDULE

1. Definitions

In these regulations "the Regulations" means the regulations as published in the Government Notice No. 279 of 2015, as amended by Government Notices No. 386 of 2015; 781 of 2016; 585 of 2019; and 737 of 2021.

2. Amendment of regulation 1 of the Regulations

Regulation 1 of the Regulations is hereby amended –

2.1 by the insertion, after the definition "Assignment", of the following definitions:

"Astronomy Device" means any device, apparatus, equipment or instrument, declared as such by the Minister in terms of section 28 of the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007), and includes all components, connections and electronic communications links thereof, whether such components, connections or electronic communications links are contiguous or not;

2.2 by the insertion, after the definition "EB", of the following definitions:

"Earth Station" means a station located either on the Earth's surface or within the major portion of the Earth's atmosphere and intended for communication with one or more space stations;

“Earth Station in Motion (ESIM)” Earth stations placed on moving platforms that communicate with geostationary-satellite orbit (GSO) or non-GSO systems operating in fixed satellite service (FSS) including Earth Station on board vessels (ESV) and Aircraft Earth Station (AES);

2.3 by the insertion, after the definition "Low Power Radio", of the following definition:

“Management Authority” means the organ of state or other institution or juristic person in which the authority to manage a particular astronomy advantage area is vested in terms of section 15 of the Astronomy Geographic Advantage Act, 2007 (Act No. 21 of 2007);

2.4 by the insertion, after the definition "National radio frequency plan", of the following definition:

“Network control and monitoring centre (NCMC)” means a facility that provides permanent monitoring and control over the satellite terminals. It is a critical regulatory mechanism ensuring that ESIMs do not cause harmful interference to other satellite services, particularly in shared frequency bands;

“Non-Geostationary Orbit Systems” means an orbit that is not geostationary (GSO), and thus any spacecraft on such orbit will not be fixed to the Earth's rotation. There are many types of NGSO, such as Low Earth orbit (LEO), Medium Earth orbit (MEO), and High Elliptical orbit (HEO). Some NGSOs can also be circular (radius is constant, or eccentricity is zero), or elliptical (eccentricity is greater than 0 and no more than 1);

2.5 by the insertion, after the definition " Non-specific short range devices", of the following definition:

“Orbit” means a path of a satellite around the Earth;

2.6 by the insertion, after the definition "RFID System", of the following definition:

“RICA” means the Regulation of Interception of Communications and Provision of Communication-related information Act 70 of 2002, published in

Government Gazette No. 24286 on 22 January 2003, as amended;

- 2.7 by the insertion, after the definition " Simplex radio rental system", of the following definition:

"Space Segment" means a satellite or satellite constellation network operating in space to communicate with its associated Ground Station;

3. Insertion of regulations 28A and 28B in the Regulations

The following regulations are hereby inserted in the Regulations, after regulation 28:

"28A. Earth Stations in Motion.

- (1) A satellite operator must ensure that the operation of satellite services and transmission to ESIMs within the territory of South Africa, are carried out only if authorised by the Authority.
- (2) When the Authority identifies the presence of an unauthorised operation in the territory of South Africa, the Authority will among others, seal or seize the radio apparatus in accordance with section 32 (3) of the Act.
- (3) The equipment used for transmission must comply with the relevant technical specifications and meet applicable type approval requirements for installation and operation in the Republic of South Africa.
- (4) Subject to sub-regulation (1), the Authority will not authorise ESIM's that are not linked to a satellite network filed with the ITU Radiocommunication Bureau according to Article 9 and 11 of the ITU Radio Regulations.
- (5) The types of ESIM and applicable conditions of use are contained in Annexure K. Operators of ESIM may consult Annexure K for guidance on available frequency ranges that are routinely available for ESIM's.

-
- (6) Foreign ESIMs that comply with ITU Resolution 156 (WRC-15), ITU Resolution 121 (WRC-23), ITU Resolution 169, Reports ITUR S.2223, ITU-R S.2357 and, ETSI EN 303 978, are exempt from licensing in South Africa, provided they are in the Republic of South Africa for a period not exceeding 90 calendar days.
 - (7) Foreign ESIM on board an aircraft, ship, or land mobile vehicle duly authorised/registered in its country of origin must require no licensing where the ESIM is within the territory of South Africa for a period not exceeding 90 calendar days and licence details included in the ship or aircraft's licence issued by the competent authority in compliance with Articles 18.5 to 18.6 of the ITU Radio Regulations.
 - (8) The ESIM must be subject to permanent monitoring and control by a network control and monitoring centre or equivalent facility and be capable of receiving and acting upon at least enable transmission and disable transmission commands from the network control and monitoring centre. Only ESIM's operating under the control of the control and monitoring function will be authorised for use in South Africa.
 - (9) The operator of the ESIM shall not claim protection or impose constraints on the development of terrestrial services operating according to the national table of frequency allocation and/or the National Radio Frequency Plan.
 - (10) Upon receipt of a report of Harmful Interference from licensees that operate terrestrial systems, the Authority may require that the ESIM transmissions must immediately be ceased.

28B. Satellite Space segment.

- (1) A foreign satellite space segment operator must register with the Authority, the details of their systems or network in accordance with Form F.
 - (2) The registration contemplated in sub-regulation (1) is at no fee
-

and does not grant any right to provide services in the Republic of South Africa.

- (3) To mitigate potential interference to Astronomy devices, the satellite space segment operator must, before commencing operations, coordinate with the Management Authority.
- (4) A Satellite space segment operator providing services in the Republic must provide and maintain lawful interception capabilities to facilitate the implementation of the RICA.
- (5) A Satellite space segment operator providing services in the Republic must manage interference by limiting unwanted emissions. For non-geostationary orbit systems, this will include the suppression of satellite transmissions in the channel adjacent to 10.7 GHz.
- (6) A satellite space segment operator providing services in the Republic must take all the necessary protection measures contained in ITU Recommendation ITU-R RA.769-2 and the Radio Astronomy Protection Levels Regulations (No.R.90 of 2012)."

4. Amendment of regulation 42 of the Regulations

Regulation 42 of the Regulations is hereby amended –

- (1) By insertion of sub-regulation (9) after sub-regulation (8):

“(9) Any person that contravenes regulation 28B (3) to (6) of the regulations is liable to a fine not exceeding R5 000 000.00 (Five million Rand).”

5. Short Title and Commencement

These regulations are called the Radio Frequency Spectrum Amendment Regulations, 2026, and must come into operation upon publication in the Government Gazette.

6. Insertion of Form F under Annexure A of the Regulations

"

"FORM F

Foreign Satellite Space Segment Registration Form

To be submitted to: ICASA Satellite Licensing Division

Submission Method: Email to satellite@icasa.org.za or via online portal

Section A: Operator Information

- **Legal Name:** _____
- **Country of Registration:** ____
- **Contact Person (in case of interference):**

- **Email Address:** _____
- **Phone Number:** _____

Section B: Satellite Details

- **Satellite Network/System Commercial Name:**

- **Satellite Network ITU filling Name (s):**

- **ITU Filing Reference:** _____
- **Frequency Bands Used:** ____
- **Frequency bands filed with the ITU under Article 4.4:**

- **Emission Designations:** ____
- **Service Type:** FSS MSS BSS Other: ____
- **Coverage Area:** (e.g. Regional/Global)

Section C: Declaration

I, the undersigned,

- hereby declare that the information provided is truthful at the date of completions of this form.
 - Commit to update this information whenever there are changes.
- _____

Signature: _____ **Date:** _____

Name:

Designation

"... end of insertion.)

7. Addition of Annexure K, after Annexure J, of the Regulations.

"Annexure K

Radio frequency bands for ESIM and applicable provisions.

Categories	Equipment Type	Frequency Range	Applicable Provisions
A	GSO ESV	5 925-6 425 MHz	ITU Resolution 902 ITU-R S.1587
B	GSO ESV	14-14.5 GHz	ITU Resolution 902. ITU-R S.1587 ECC/DEC/(05)10
C	GSO AES	14-14.5 GHz/10.7-11.7 GHz and 12.5-12.75 GHz	ITU-R M.1643 ECC Decision (05)11
D	GSO Land ESIM	14-14.5 GHz. 10.7 – 12.75 GHz	ITU-R S.1857 ECC/DEC/(18)04
	GSO/NGSO Aeronautical ESIM	12.75 - 13.25 GHz/10.7 - 12.75 GHz	ECC Decision (19)04
	NGSO ESIM	14 – 14.5 GHz/10.7 – 12.75	ECC Report 279 ECC Report 271
E	GSO ESIM	19.7-20.2GHz/ 29.5-30GHz	RR No. 5.527A Resolution 156 (WRC-15) ECC/DEC(13)01ITU-R S.2223 Report ITU-R S.2357
F	GSO ESIM	17.7-19.7GHz/ 27.5-30 GHz	RR No. 5.517A Resolution 169 (WRC-19) ECC/DEC(13)01 ITU-R S.2223
G	NGSO ESIM	17.7-20.2GHz/ 27.5-30GHz	ECC/DEC(15)04 Report ITU-R S.2261

"... end of insertion.)

EXPLANATORY MEMO

1. INTRODUCTION

- 1.1 On 14 August 2024, the Authority conducted an Inquiry in terms of section 4B of the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000) on the licensing framework for satellite services by publishing a notice in Government Gazette No. 51044 ("the Inquiry"). The purpose of the Inquiry was to:
- Determine a regulatory and/or licensing framework for Satellite Services in South Africa;
 - Determine the procedures that the Authority may implement for the provision of satellite services in South Africa;
 - Determine procedures for authorising user terminals, IoT terminals, earth station user terminals communicating with space station while in motion (ESIM/ESV), and ground earth stations in the South African territory.
 - Consider the need to review spectrum fees, taking also into account the increasing amount of bandwidth used by satellite systems operating in higher frequency bands.
 - Determine procedures for registration of international satellite operators (including details of International Telecommunications Union ("ITU") coordination status of the space segment) who intend to provide a service either directly or indirectly (through existing licensed operators) to South African consumers.
- 1.2 In terms of the notice, interested parties were invited to make written submissions to the Authority by no later than 12 November 2024, 16h00.
- 1.3 The Authority received forty-seven (47) written representations which were published in Authority's website on 31 November 2024.
- 1.4 The public hearings were held from 05 to 07 February 2025, which saw stakeholders providing valuable oral presentations regarding the framework's content.
-

- 1.5 After consideration of all the written submissions, oral hearings and supplementary information requested at the public hearings, ICASA published its findings in a government gazette No 52530, Notice 3144 dated 17 April 2025 ("Findings document").
- 1.6 The implementation of the findings requires the Authority to make amendments to the Radio regulations (*regulations published by Government Notice No. 279 of 2015, as amended by Notices No. 386 of 2015, 781 of 2016, 585 of 2019 and 737 of 2021*) and radio spectrum fees regulations (*Notice No. 33495 of 2010, as amended by Notices No. 385 of 30 March 2015 and No. 280 of 30 April 2015*).

2. REGULATORY AMENDMENTS

Regulation 28A:

- 2.1 The following explanation is provided for the proposed insertion of "Earth Station in Motion" ("ESIM") in the regulations:
- 2.1.1 The Authority noted in its Findings document, an overwhelming support from stakeholders with respect to the recognition of ESIM licences issued by other countries as this aligns with international best practices, reducing administrative and regulatory complexities, remove deployment barriers, encourage competition and investment, promoting international and regional cooperation. However, some stakeholders pointed out that the ESIMs should still comply with certain conditions and others suggested that the licensing of such ESIMs should be temporary to ensure the necessary safeguards are in place.
- 2.1.2 In implementing its Findings, the Authority proposes to amend the Radio Regulations and add section 28A that contains specific regulations that apply to ESIMs. The proposed amendment takes into account the principle of authorising ESIMs that are authorised in foreign countries
-

(similar to regulation 37 of the Radio Regulations) but adds further conditions that ensure there are necessary safeguards in place to protect national interests and ensure compliance with South African Regulations.

- 2.1.3 ESIM operate with Fixed Satellite Service (FSS) networks using various FSS frequency bands, with small directional antennas, for the provision of broadband communication services. The terminals may be at temporary locations or mounted on aircrafts, ships, vehicles or transportable devices used in motion. The global demand, utilization and application of broadband communications include requirements of connectivity for users on aircraft, vessels and vehicles in motion. This creates a demand for user terminals that operate at both fixed locations and while in motion in urban, suburban, rural areas as well as very remote parts of the globe.
- 2.1.4 ESIMs are used to deliver broadband to aircraft, ships, trains, and vehicles in motion using the same frequency bands, hardware, satellites, transponder beams, and control stations used to provide broadband services that serve earth stations at fixed locations. This connectivity provides an opportunity for operators, service providers, crew, first responders and passengers alike to leverage the innovative services offered with benefits arising from broadband internet connectivity.
- 2.1.5 Today, all earth stations used in motion are using Ku – and Ka-band frequencies; however, the rules and spectrum use regimes for Kaband and Ku-band are different. ESIM, as with any technology, require technical operating guidelines to ensure that operations can meet the requirements of the environment in which they are providing broadband service. Depending on the frequency band and type of satellite network, the nature of providing satellite connectivity to
-

moving platforms necessitates careful regulation to ensure that incumbent services (terrestrial - satellite) in neighbouring or fly-over countries are protected in addition to other space services which share the same frequency band. Therefore, ESIM operations need to comply with the technical and operational requirements as enshrined in the International Telecommunication Union (ITU).

- 2.1.6 According to resolves 1 of ITU Resolution 22 (WRC-19), countries are required "to take all appropriate actions to make publicly and readily available the procedures for licensing/authorizing the operation of earth stations in their territories." Currently there are no national regulations regarding the use of ESIM's.

Regulation 28B:

- 2.2 The following explanation is provided for the proposed insertion of "Satellite Space segment" in the regulations:

Registration of foreign Space segment providers

- 2.2.1 The Findings document noted support for the space segment authorisation as the best streamlined and efficient approach. Stakeholders emphasised that the registration process should be simple and not administratively onerous with no requirement for an administrative fee.
- 2.2.2 It is on this basis that the Authority is implementing the registration procedure to promote transparency on the satellite operators providing or intending to provide services to South Africa. The registration is aimed at establishing direct contact between the regulator and the satellite operator to allow rapid resolution of interference and security issues, without creating an additional burden to enter the market.
-

2.2.3 Registration creates a centralised, authoritative list of all foreign satellite networks who are providing or intend providing services in the Republic. This improves the Authority's situational awareness of active satellite systems or networks without imposing full licencing burdens.

2.2.4 Space segment providers who are operating or intend operating in South Africa will be required to register with the Authority, details in accordance with the proposed FORM F. This information will be made publicly available on the Authority's website.

Radio Astronomy Protection

2.2.5 The Authority's Findings noted that a number of stakeholders stressed the need for a balanced approach in implementing protective measures for RQZs, such that the safeguarding of the interests of radio astronomy resources should be weighed up against the need to facilitate satellite connectivity to underserved areas and compliance obligations insofar as international standards are concerned.

2.2.6 It is for this reason that the Authority is requiring space segment operators to coordinate with the relevant Management Authority before commencing with operations to mitigate possible radio frequency interference.

NON-GOVERNMENTAL ORGANIZATION**NOTICE 3928 OF 2026****GENERAL NOTICE OF APPLICATION FOR A NATIONAL MANUFACTURER LICENCE**

In terms of Section 65 read with Section 67 of the National Gambling Act, 2004 (Act No. 7 of 2004) and having regard to Section 20 of the Gauteng Gambling Act, 1995 (Act No. 4 of 1995).

Notice is hereby given that Double Edge Investments (Pty) LTD. Trading as Visual AI Infinity, intends submitting an application to the Gauteng Gambling Board for the right to operate a manufacturing business at 27 Van Goch, Scales ave. Lonehill, being the registered business address on the COR 39, but trading out of Mushroom Farm Retail Centre, Allandale Road, Midrand

This application will be open for public inspection at the offices of the Board from **22 May 2026**

Attention is directed to the provisions of Section 20 of the Gauteng Gambling Act, 1995 which makes provision for the lodging of written representations in respect of the application.

Written representations should be lodged with the Chief Executive Officer, Gauteng Gambling Board, Private Bag 15, Bramley, 2018, within one month from **22 May 2026**. Such presentations shall contain at least the following information:

- a) The name of the applicant to which representations relate
- b) The ground or grounds on which representations are made;
- c) The name, address, telephone and fax number of the person submitting the representations
- d) Whether the person submitting the representations requests the board to determine that such person's identify may not be divulged and the grounds for such request; and
- e) Whether or not they wish to make oral representations at the hearing of the application.

NON-GOVERNMENTAL ORGANIZATION**NOTICE 3929 OF 2026****NOTIFICATION: PUBLIC PARTICIPATION OPPORTUNITY**

The Petroleum Oil and Gas Corporation of South Africa SOC Ltd (PetroSA), is the holder of the following offshore petroleum Production Rights located in Block 9, offshore of Mossel Bay, Western Cape Province:

- FA_EM Gas Field and FA Satellites (PASA ref 12/4/1/05/2/2/2)
- FO Gas Field (PASA ref 12/4/08)
- Oribi / Oryx Oil Field (PASA ref 12/4/1106/2/2/2)
- South Coast Gas Field (DEA ref 12/12/20/719)

Each of these Rights have approved Environmental Management Programmes (EMPrs'). PetroSA appointed Environmental Impact Management Services (Pty) Ltd (EIMS) as the independent auditor to undertake environmental compliance audits of the EA's/ RoD's and EMPrs' in accordance with Regulation 34 of the EIA Regulations (GNR983) promulgated under the National Environmental Management Act (Act 107 of 1998-NEMA).

The audits undertaken have identified specific shortcomings that should be addressed through amendments and/or additions to the respective EMPrs'. PetroSA has submitted recommendations to address the identified shortcomings and have prepared revised EMPrs'.

This notice informs all potential Interested and Affected Parties (I&APs) that the recommendations made by PetroSA to address the shortcomings, and the amended EMPrs' are available for public review and comment, as per Regulation 34(5) of the EIA Regulations. You can access these documents as follows:

- Hard copy at the following locations:
 - Knysna Tourism Offices (40 Main Road, Knysna Central)
 - Still Bay Library (Municipal building, Main Road West, Still Bay)
 - Mossel Bay Library (99 Marsh Street, Mossel Bay)
 - George Public Library (Corner Courtenay and Caledon Street, Camphersdrift)
 - Plettenberg Bay Library (Shop 29, Mervills Shopping Centre, Sewell Street)
 - KwaNonqaba Library (108 Old Adriaanse Avenue, Site 3427, KwaNonqaba)
- An electronic copy can be downloaded from the EIMS Website:
 - <https://www.eims.co.za/public-participation/>

Queries with regards to this notification, or comments on the documentation can be directed to EIMS at the details provided below. The comments received as a result of the public participation process will be submitted to the Department of Mineral and Petroleum Resources (DMPR- the Competent Authority) via the Petroleum Agency of South Africa (PASA), together with the audit report and the amended EMPr for consideration and approval.

All potential I&APs are also requested to register with EIMS by the specified due date. Within 7 days of submitting the environmental Audit Report to the Competent Authority, EIMS will notify all registered I&APs and make the report available.

Contact Person: Mbali Tshabalala

EIMS Reference Number: 1730

Postal Address: P.O. Box 2083; Pinegowrie; 2123

Telephone: (011) 789 7170/ Fax: (086) 571 9047

E-mail: Block9@eims.co.za

Due date for comments and registrations: 28 May 2026

Please include the project reference number **1730** in all correspondence.

Further information will be available at www.eims.co.za/public-participation/. Please note that in the event that you are unable to access the website due to data constraints please contact EIMS for alternative arrangements.



ISAZISO: ITHUBA LOKUTHATHA INXAXHEBA KOLUNTU

I-Petroleum Oil and Gas Corporation of South Africa SOC Ltd (PetroSA), ngumnini wala malungelo alandelayo emveliso ye-petroleum kulwandle oluseMazantsi koMzantsi Afrika ebekwe kwiBlock 9, kunxweme lwaseMossel Bay, kwiPhondo leNtshona Koloni:

- FA_EM Gas Field kunye ne-FA Satellites (PASA ref 12/4/1/05/2/2/2)
- I-FO Gas Field (PASA ref 12/4/08)
- Oribi / Oryx Oil Field (PASA ref 12/4/1106/2/2/2)
- South Coast Gas Field (DEA ref 12/12/20/719)

Ngalinye kula malungelo lineNkqubo yoLawulo lokusiNgqongileyo (EMPrs) egunyazisiweyo. I-PetroSA iqeshe i-Environmental Impact Management Services (i-Pty) Ltd (EIMS) njengomphicothi-zincwadi ozimeleyo ukuba enze uphicotho lokuthotyelwa kweziGunyaziso zokusingqongileyo eziluhlobo lwe-EA / i-RoD kunye ne-EMPrs ngokungqinelana noMmiselo wama-34 weMigaqo ye-EIA (GNR983) ebhengezwe phantsi koMthetho weSizwe woLawulo lokusiNgqongileyo (uMthetho 107 ka-1998-NEMA).

Uphicotho-zincwadi olwenziweyo luchonge iziphene ezithile ekufuneka ziqwalaselwe ngezilungiso kunye/okanye ukongezwa kwii-EMPrs ezichaphazelekayo. I-PetroSA ingenise iingcebiso zokujongana neziphene ezichongiweyo kwaye ilungise ii-EMPrs ezichaphazelekayo.

Esi saziyo sazisa onke amaQela anomdla kunye nabachaphazelekayo (I&APs) ukuba iingcebiso ezenziwe yiPetroSA ukujongana neziphene, kunye nee-EMPrs ezilungisiweyo ziyafumaneka ukuze ziphononongwe luluntu kwaye luphawule, ngokoMmiselo 34(5) weMigaqo ye-EIA. Unokufikelela kula maxwebhu ngolu hlobo lulandelayo:

- Ikopi iyafumaneka kwezi ndawo zilandelayo:
 - Ii-ofisi zezoKhenketho zaseKnysna (40 Main Road, Knysna Central)
 - Kwithala leencwadi lase-Still Bay (Isakhiwo sikaMasipala, kwi-Main Road West, e-Still Bay)
 - Kwithala leencwadi lase-Mossel Bay (99 Marsh Street, e-Mossel Bay)
 - Kwithala leencwadi loluntu lase-George (kwi kona yeCourtenay kunye neCaledon Street, e-Campersdrift)
 - Kwithala leencwadi loluntu lase-Plettenberg Bay (Shop 29, Mervills Shopping Centre, Sewell Street)
 - KwaNonqaba Library (108 Old Adriaanse Avenue, Site 3427, KwaNonqaba)
- Ikopi ye-elektroniki inokukhutshelwa kwiwebhusayithi ye-EIMS:
 - <https://www.eims.co.za/public-participation/>

Imibuzo malunga nesi saziyo, okanye izimvo kumaxwebhu zingabhekiswa kwi-EIMS kwezi nkukacha zinikezwe apha ngezantsi. Zonke izimvo ezifunyenwe kulenkqubo yokuthatha inxaxheba koluntu ziya kungeniswa kwiSebe le-Mineral and Petroleum Resources (DMPR - iGunya eliFanelekileyo) nge-Petroleum Agency of South Africa (PASA), kunye nengxelo yophicotho-zincwadi, iingcebiso zePetroSA, kunye nee-EMPrs ezilungisiweyo ukuze ziqwalaselwe kwaye zivunye.

Zonke ii-I &APs ziyacelwa ukuba zibhalise kwi-EIMS ngomhla ochaziweyo. Kwisithuba seentsuku ezisi-7 emva kokungeniswa kweNgxelo yoPhicotho-zincwadi lokusingqongileyo kwiGunya elifanelekileyo, i-EIMS iya kwazisa zonke ii-I &AP ezibhalisiweyo kwaye yenze ingxelo yophicotho-zincwadi ifumaneke.

Umntu onokuQhakamshelwa: Mbali Tshabalala
Inombolo yereferensi ye-EIMS: 1730
Idilesi yeposi: P.O. Box 2083; Pinetown; 2123
Umnxeba: (011) 789 7170/ Ifeksi: (086) 571 9047
I-imeyile: Block9@eims.co.za

Umhla wokukhutshwa kwezimvo kunye nokubhaliswa: 28 Uncazibe 2026

Nceda ufake inombolo yesalathiso seprojekthi echaziweyo **1730** kuyo yonke imbalelwano.

Ulwazi oluthe vetshe luya kufumaneka ku-www.eims.co.za/public-participation/. Nceda uqaphele ukuba xa uthethe awakwazi ukufikelela kwiwebhusayithi ngenxa yemida yedatha nceda uqhakamshelane ne-EIMS ukuze kwenziwe amanye amalungiselelo.



DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 3930 OF 2026

**land reform &
rural development**

Department:
Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA



Private Bag X833, PRETORIA, 0001; 600 Lillian Ngoyi Street, PRETORIA, 0002
Tel: 012 – 312 8911; E-mail: bonginkosi.zulu@dlrrd.gov.za; Website: www.dlrrd.gov.za

Form 2
(Regulation 2(1))

DEPARTMENT OF LAND REFORM AND RURAL DEVELOPMENT

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991):

SECTION 2

Notice of an application for conversion of a land tenure right by the Minister

I, Mzwanele Nyhontso Minister of Land Reform and Rural Development, has received an application for the conversion of a land tenure right described below.

Interested persons are hereby informed of the application for the conversion of the land tenure right.

Any person interested in the application may object to such application within a period of (30) thirty days from the publication of this notice. An objection to the application must be lodged at the address below.

1. The name, surname, identity number and residential address of the applicant:
Sello Sefako Mapoch Makhato **Erf 10256 Daveyton.**
2. The nature of the land tenure right:
Leasehold

No	Name and Surname	Erf Number	Title Number	Identity Number
1.	Boyana Wilson Radebe Mamfo Violet Radebe	Erf 5861 Vosloorus	T42457/2016	390223****087 390404****081
2.	Julias Mafemani Mathye	Erf 12280 Kagiso Ext 6	TL49625/1988	620716****084
3.	Funga John Kumalo Martha Mapule Kumalo	Erf 3740 Daveyton	TL29097/2018	471022****082 540706****084
4.	Kese Nelson Khobane Nomzi Monica Khobane	Erf 5649 Kagiso	TL42659/1988	391105****082 470709****087
5.	Josephine Madikoto Rantau George Rantau	Erf 5126 Emdeni, SOWETO.	TL36721/2012	380719****081 200813****086
6.	Phumlani Nkosi	Erf 499 Moseleke East, Katlehong.	TL10699/2014	850610****086
7.	Anna Sekhoala	Erf 7233 Kwa- Thema	TL23066/1993	300413****082
8.	Charity Nthabiseng Ndaba	Erf 30455 Tsakane Ext 15	TL39834/2000	681005****089
9.	Nomvula Maria Lukhele	Erf 4231 Daveyton	TL28467/1999	450721****083
10.	Sipho Solomon Malevu Dikaledi Susan Malevu	Erf 1048, Moroka, SOWETO	TL20418/1993	1929/08/07 390626****089
11.	Mabini Dorcas Mothibi	Erf 16759 Meadowlands, SOWETO	TL 39925/2002	410702****086
12.	Zwelibanzi Kenneth Mlambo Makhosazana Belinna Mlambo	Erf 624 Pimville Zone 7, SOWETO.	TL9628/1991	540417****086 1957/02/16
13.	Agosi Leonard Motaung Lebohang Esther Motaung	Erf 13503 KagisoExt 8	TL22529/2007	730119****081 750901****083
14.	Vuka Bornsent Mabizela	Erf 32748 Tsakane Ext 12	TL48953/1992	570322****088
15.	Fuwani Elsie Mokoena	Erf 3024 Wattville	TL4428/1998	391001****089

16.	Republic of South Africa	Erf 20917, Vosloorus Ext 28	TL1271/1995	N/A
17.	Republic of South Africa	Erf 20926, Vosloorus Ext 28	TL1271/1995	N/A
18.	Republic of South Africa	Erf 20928, Vosloorus Ext 28	TL1271/1995	N/A
19.	Republic of South Africa	Erf 20945, Vosloorus Ext 28	TL1271/1995	N/A
20.	Republic of South Africa	Erf 20946, Vosloorus Ext 28	TL1271/1995	N/A
21.	Republic of South Africa	Erf 20951, Vosloorus Ext 28	TL1271/1995	N/A
22.	Boyana Wilson Radebe	Erf 18503 Diepkloof, SOWETO.	TL28242/1985	390223****087
23.	Paul Wilson Khoza	Erf 14695, Kwa- Thema, Ext 2	TL30296/2010	760620****082
24.	Ngwanamoneku Clara Ratebyana	Erf 2963 Wattville	TL60394/1998	191001****084
25.	Kasizi Eva Mabena	Erf 20947 Vosloorus Ext 28	TL47914/1992	451001****083
26.	Steford aaron Dhladhla Tsotsi Maria Dhladhla	Erf 866 A.P. Khumalo, Katlehong	TL3880/1987	530405****081 510323****085
27.	Andrew Thabo Molefe Nomsa Elizabeth Molefe	Erf 15602 Kagiso Ext 12	T3681/2026	671009****087 750307****089
28.	Majuba Dennis Ngema	Erf 1543 Likole Ext 1, Katlehong	T49225/2006	660413****089
29.	Rakgotu Andries Rammela Florah Shilova Rammela	Erf 30088, Daveyton	TL39914/1989	440801****081 501121****082
30.	Maria Mummy Shingange	Erf 5276 Chiawelo Ext 1, SOWETO.	TL2890/2024	551005****087

31.	Sello Sefako Mapoch Makhato	ERF 10256 Daveyton	TL38721/1988	601007****087
32.	Mfana John Thabethe Mnguni Joyce Nothembeni	Erf 13285 Kwa- Thema	TL33243/1995	631016****089 690601****081
33.	Nomaqala Maria Sikhosana	Erf 6579 Daveyton	TL45205/1999	420309****089
34.	Moloko Pillemon Rammutla	Erf 5829 Etwatwa Ext 3	TL12537/2003	620110****088
35.	Aaron Edward Maphike Mashoenyane Margaret Maphike	Erf 1796 Protea North, SOWETO	TL18081/1986	550128****082 580414****085

REQUEST THE DEPUTY DIRECTOR GENERAL: LAND REDISTRIBUTION AND TENURE REFORM TO APPROVE THE ISSUING OF PUBLICATION NOTICES IN THE GOVERNMENT GAZETTE, LOCAL NEWSPAPERS, MUNICIPAL NOTICE BOARDS AND SOCIAL MEDIA PLATFORMS, INFORMING ALL INTERESTED PERSONS OF THE APPLICATION FOR CONVERSION OF LAND RIGHTS IN TERMS OF SECTION 2(1A)(a) OF THE UPGRADING OF LAND TENURE RIGHTS ACT 112 OF 1991 AS AMENDED (ACT 6 OF 2021)

3. The location of the property by stand number, known name for the area; name of local municipality and the province:

Erf 10256, Daveyton. Katlehong, City Of Ekurhuleni Metropolitan Municipality, Gauteng Province.

4. The description of the property:

House

5. The capacity in which the land tenure right is being held or could have been held by the applicant:

Owner

6. If the application is made on behalf of more than one-person, personal particulars of such other persons:

N/A

7. Address at which objection can be lodged:

(Physical address): Department of Agriculture, Land Reform and Rural Development

600, Lilian Ngoyi, Berea Park

Pretoria

0001

(Email address): queen.filani@dlrrd.gov.za

thabani.motaung@dlrrd.gov.za



**MR. BONGINKOSI ZULU
ACTING DEPUTY DIRECTOR GENERAL: LAND REDISTRIBUTION AND
TENURE REFORM**

DATE: 13/03/2026



Department of Land Reform and Rural Development • Departement van Grondhervorming en Landelike Ontwikkeling • UmNyango wokuBuyiselwa kweNarha nokuThuthukisa iNdawo zemaKhaya • ISebe loBuyekezo lweMihlaba noPhuhliso lwamaPhandle • UMnyango Wezigunguquko Zomhlaba Nokuthukiswa Kwezindawo Zasemaphandleni • Kgoro ya Peakanyoleswa ya Naga le Tihabollo ya Dinagamagae • Lefapha la Kabobotjha ya Naha le Ntshetsopele ya dibaka tsa Mahaeng • Lefapha la Tokafatso ya Lefatshe le Tihabololo ya Magae • Litiko leLingucuko Kutemhlaba NekuTutukiswa Kwetindzawo Tasemaphandleni • Muhasho wa Mbuyedzedzo ya Mavu na Mveledziso ya Mahayani • Ndzawulo ya Antswiso wa Misava, na Nhluvukiso wa Matikoxikaya-

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3931 OF 2026

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SCHEDULE A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.
17

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SATS 57342:20XX Ed 1	Road restraint systems - Motorcycle Road restraint systems which reduce the impact severity of motorcyclist collisions with safety barriers. <i>This standard specifies requirements for the impact performance of systems designed for the reduction of impact severity for PTW riders impacting safety barriers whilst sliding along the ground, having fallen from their PTW vehicle</i>	2026-07-14
SANS 16358-1:20xx Ed 1	Air-cooled air conditioners and air to-air heat pumps - Testing and calculating methods for seasonal performance factors - Part 1: Cooling seasonal performance factor. <i>This document specifies the testing and calculating methods for seasonal performance factor of equipment covered by ISO 5151, ISO 13253 and ISO 15042. It also specifies the seasonal performance test conditions and the corresponding test procedures for determining the seasonal performance factor of equipment, as specified in 1.1, under mandatory test conditions and is intended for use only in marking, comparison, and certification purposes. For the purposes of this part of ISO 16358, the rating conditions are those specified under T1 in the reference standards in 1.1. The procedures in this part of ISO 16358 may be used for other temperature conditions.</i>	2026-07-14
SANS 16358-3:20xx Ed 1	Air-cooled air conditioners and air-to-air heat pumps - Testing and calculating methods for seasonal performance factors - Part 3: Annual performance factor. <i>This document specifies the testing and calculating methods for seasonal performance factor of equipment covered by ISO 5151, ISO 13253 and ISO 15042. It also specifies the seasonal performance test conditions and the corresponding test procedures for determining the seasonal performance factor of equipment, as specified in 1.1., under mandatory test conditions and is intended for use only in marking, comparison, and certification purposes.</i>	2026-07-14
SANS 61995-1:20xx Ed 2	Devices for the connection of luminaires for household and similar purposes Part 1: General requirements. <i>Applies to devices for the connection of luminaires (DCL) intended for household and similar purposes, for the electrical connection of fixed luminaires of class I or class II to final circuits rated at not more than 16 A without mechanical support for the luminaires incorporated in the plug/outlet interface.</i>	2026-07-14
SANS 61995-2:20xx Ed 2	Devices for the connection of luminaires for household and similar purposes Part 2: Standard sheets. <i>Applies to devices for the connection of luminaires (DCL) 250 V AC, 6 A intended for household and similar purposes, for the electrical connection of fixed luminaires.</i>	2026-07-14
SANS 62196-1:XXXX Ed 4	Plugs, socket-outlets, vehicle connectors and vehicle inlets - Conductive charging of electric vehicles Part 1: General requirements. <i>Applicable to EV plugs, EV socket-outlets, vehicle connectors, vehicle inlets, herein referred to as "accessories", and to cable assemblies for electric vehicles (EV) intended for use in conductive charging systems which incorporate control means, with a rated operating voltage not exceeding 690 V AC 50 Hz to 60 Hz, at a rated</i>	2026-07-14

	<i>current not exceeding 250 A and 1 500 V DC at a rated current not exceeding 800 A.</i>	
SANS 62196-2:XXXX Ed 4	Plugs, socket-outlets, vehicle connectors and vehicle inlets - Conductive charging of electric vehicles Part 2: Dimensional compatibility and interchangeability requirements for a.c. pin and contact-tube accessories. <i>Applies to EV plugs, EV socket-outlets, vehicle connectors and vehicle inlets with pins and contact-tubes of standardized configurations, herein referred to as accessories. These accessories have a nominal rated operating voltage not exceeding 480 V AC, 50 Hz to 60 Hz, and a rated current not exceeding 63 A three phase or 70 A single phase, for use in conductive charging of electric vehicles.</i>	2026-07-14
SATS 62196-7:202x Ed 1	Plugs, socket-outlets, vehicle connectors and vehicle inlets - Conductive charging of electric vehicles - Part 7: Vehicle adapters. <i>This part of IEC 62196, which is a Technical Specification, specifies the safety, interoperability, compatibility requirements and the configuration standard sheets for DC charging vehicle adapters</i> – with a rated voltage up to 1 500 V DC; – between vehicle connector and vehicle inlet according to IEC 62196-3; – used to adapt configuration GG vehicle inlet to configuration AA, BB vehicle connector as specified in the IEC 62196-3:20–. <i>NOTE DC vehicle adapters for other configuration combinations are under consideration.</i> <i>This document is not applicable to:</i> – the adapter between the EV socket-outlet and the EV plug; – the adapter between the AC vehicle connector and the AC vehicle inlet. <i>This document does not cover all safety aspects related to maintenance.</i>	2026-07-14
SATS 63379: 20XX Ed 1	Vehicle connector, vehicle inlet and cable assembly for megawatt DC charging. <i>Applicable to vehicle couplers with pins and contact-tubes of standardized configuration, herein also referred to as "accessories", and to cable assemblies intended for use in electric vehicle conductive charging systems which incorporate control means, with rated operating voltage not exceeding 1 500 V DC and a rated current up to and including 3 000 A that employ thermal sensing, or thermal transport and thermal sensing.</i>	2026-07-14
SANS 3251: 20xx Ed 3	Paints, varnishes and plastics - Determination of non-volatile-matter content. <i>Specifies a method for determining the non-volatile-matter content by mass of paints, varnishes, binders for paints and varnishes, polymer dispersions and condensation resins such as phenolic resins (resols, novolak solutions etc.).</i>	2026-07-14
SATR 56009: XXXX Ed 1	Innovation management - Example implementations of innovation operation measurements. <i>Provides illustrative examples of how organizations of different kinds, sizes and innovation objectives can implement innovation operation measurements by using ISO 56008.</i>	2026-07-14
SANS 1598:20XX Ed 4	Automotive fuels - Requirements and test methods for petrol. <i>Specifies requirements and test methods for marketed and delivered petrol grades suitable for use in spark-ignition internal-combustion engines excluding aviation piston engines.</i>	2026-07-14
SANS 60034-2-1:20xx Ed 3	Rotating electrical machines Part 2-1: Standard methods for determining losses and efficiency from tests (excluding machines for traction vehicles). <i>Establishes methods of determining efficiencies from tests, and also to specify methods of obtaining specific losses.</i>	2026-07-14
SANS 60034-2-2: XXXX Ed 2	Rotating electrical machines Part 2-2: Specific methods for determining separate losses of large machines from tests - Supplement to IEC 60034-2-1. <i>Applies to large rotating electrical machines and establishes additional methods of determining separate losses and to define an efficiency supplementing IEC 60034-2-1.</i>	2026-07-14
SANS 60034-2-3: XXXX Ed 2	Rotating electrical machines - Part 2-3: Specific test methods for determining losses and efficiency of converter-fed AC motors. <i>Specifies test methods and an interpolation procedure for determining losses and efficiencies of converter-fed motors. The motor is then part of a variable frequency power drive system (PDS) as defined in IEC 61800-9-2.</i>	2026-07-14
SANS 60034-3:20XX Ed 4	Rotating electrical machines -Part 3: Specific requirements for synchronous generators driven by steam turbines or combustion gas turbines and for	2026-07-14

	<p>synchronous compensators. <i>This part of IEC 60034 applies to large three-phase synchronous generators, having rated outputs of 10 MVA and above driven by steam turbines or combustion gas turbines. Also included are synchronous Mvar compensators of the same output range connected to a grid for the purpose of exchanging reactive power.</i></p> <p><i>This document supplements basic requirements for rotating machines given in IEC 60034-1. Common requirements are specified together with specific requirements for air, hydrogen or liquid cooled synchronous generators or compensators.</i></p> <p><i>This document also gives the precautions to be taken when using hydrogen cooled generators including:</i></p> <ul style="list-style-type: none"> • rotating exciters driven by synchronous generators; • auxiliary equipment needed for operating the generators; • parts of the building where hydrogen might accumulate. <p><i>These requirements also apply to a synchronous generator driven by both a steam turbine and a combustion gas turbine as part of a single shaft combined cycle unit. These requirements do not apply to synchronous generators driven by water (hydraulic) turbines or wind turbines.</i></p>	
SANS 60034-25: XXXX Ed 4	Rotating electrical machines - Part 25: AC electrical machines used in power drive systems - Application guide. <i>Describes the performance characteristics of AC electrical machines for use on converter supplies. For electrical machines specifically designed for converter duty application design features are defined.</i>	2026-07-14
SANS 62386-202: XXXX Ed 2	Digital addressable lighting interface Part 202: Particular requirements for control gear - Self-contained emergency lighting (device type 1). <i>Is applicable to control gear for control by digital signals of electronic lighting equipment which is associated with self-contained emergency lighting as described in IEC 61347-2-7 with additional control interface for configuring emergency operation.</i>	2026-07-14
SANS 3001-CO2-10:202x Ed 1	Civil engineering test methods Part CO2-10: Mortar tests - Initial drying shrinkage and wetting expansion of mortar. <i>This standard specifies a method of determining the initial drying shrinkage and wetting expansion of freshly mixed mortar and cast mortar specimens prepared either on site from mortar actually being used in practice or from mortar prepared in the laboratory with materials and in the proportions intended to be used.</i>	2026-07-14
	<i>NOTE The term mortar includes masonry mortar, mortar for plaster, and mortar used for plastic floor screeds.</i>	
SANS 60095-2:20xx Ed 3	Lead-acid starter batteries Part 2: Dimensions of batteries and dimensions and marking of terminals. <i>This part of IEC 60095 is applicable to lead-acid batteries used for starting, lighting and ignition of passenger cars and light vehicles with a nominal voltage of 12 V. All batteries in accordance with this document can be fastened to the vehicle either by means of the ledges around the container or by means of a hold-down device engaging with the lid.</i>	2026-07-14
	<i>This document specifies dimensions of battery for Europe, East Asia and North America.</i>	
SANS 14001:20xx Ed 4	Environmental management systems - Requirements with guidance for use. <i>Specifies the requirements for an environmental management system that an organization can use to enhance its environmental performance.</i>	2026-07-14
SANS 62281:20xx Ed 1	Safety of primary and secondary lithium cells and batteries during transport. <i>This International Standard specifies test methods and requirements for primary and secondary (rechargeable) lithium cells and batteries to ensure their safety during transport other than for recycling or disposal. Requirements specified in this document do not apply in those cases where special provisions given in the relevant regulations, listed in 7.3, provide exemptions.</i>	2026-07-14
SANS 60794-5:20xx Ed 2	Optical fibre cables Part 5: Sectional specification - Microduct cabling for installation by blowing. <i>Specifies the requirements of microduct optical fibre cables, microduct fibre units, microducts and protected microducts for installation by blowing for outdoor and/or indoor use.</i>	2026-07-14
SANS 60794-4:20xx Ed 2	Optical fibre cables Part 4: Sectional specification - Aerial optical cables along electrical power lines. <i>Covers cable construction, test methods, optical, mechanical, environmental and electrical performance requirements for aerial</i>	2026-07-14

	<i>optical fibre cables and cable elements which are intended to be used along power lines (OCEPL) as a high bandwidth transport media for communications and control optical signals, including optical ground wires (OPGW), optical phase conductors (OPPC), metallic aerial self-supported cables (MASS), all-dielectric self-supporting cables (ADSS) and optical attached cables (OPAC).</i>	
--	---	--

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 1808-2: XXXX Ed 1.06	<i>Water supply and distribution system components Part 2: Metallic compression type pipe couplings</i>	Amended to delete the annex on notes to purchasers.	2026-07-14
SANS 10140-3: XXXX Ed 3.2	<i>Identification colour markings Part 3: Contents of pipelines</i>	Amended to update referenced standards.	2026-07-14
SANS 5249: 20XX Ed 2.1	<i>Determination of the absorbency rate of absorbent cotton wool</i>	Amended to update normative references.	2026-07-14
SANS 62552-3: 20xx Ed 1.1	<i>Household refrigerating appliances - Characteristics and test methods - Part 3: Energy consumption and volume</i>	Amended to include national annex AA on energy efficiency requirements for refrigerating appliances.	2026-07-14
SANS 1373: 20xx Ed 1.3	<i>Chain-link fencing and its wire accessories</i>	Amended to delete the appendix on notes to purchasers.	2026-07-14
SANS 60598-2-11:20XX Ed 2.1	<i>Luminaires Part 2-11: Particular requirements - Aquarium luminaires</i>	Amended to update the clauses on terms and definitions, classification of luminaires, marking, construction, external and internal wiring, endurance tests and thermal tests, and on resistance to dust, solid objects and moisture.	2026-07-14
SANS 60601-2-45:20xx Ed 1.1	<i>Medical electrical equipment - Part 2-45: Particular requirements for the basic safety and essential performance of mammographic X-ray equipment and mammographic stereotactic devices</i>	Amended to the introduction, the clauses on scope, object and related standards, referenced standards, terms and definitions, general requirements, ME EQUIPMENT identification, marking and documents, protection against MECHANICAL HAZARDS of ME EQUIPMENT and ME SYSTEMS, protection against unwanted and excessive radiation HAZARDS, accuracy of controls and instruments and protection against hazardous outputs, radiation protection in diagnostic X-ray equipment, and on radiation protection in diagnostic X-ray equipment.	2026-07-14
SANS 10338: XXXX Ed 1.2	<i>Homologation of respiratory equipment</i>	Amended to update referenced standards, update requirements in homologation procedure and the requirements in Annex C.	2026-07-14
SANS 1261-1:20xx Ed	<i>Performance requirements for retail textiles Part 1: Household piece-goods and articles</i>	Amended to update referenced standards.	2026-07-14

CONTINUES ON PAGE 258 OF BOOK 3

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



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 731

15

May
Mei

2026

No. 54677

PART 3 OF 3

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



9 771682 584003



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

SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdraw them.

Standard No. and Edition	Title	Reason for withdrawal	Closing Date
SATS 17022:2013 Ed 1	<i>Conformity assessment - Requirements and recommendations for content of a third-party audit report on management systems</i>	Withdrawn at ISO without replacement	2026-07-14

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS**SCHEDULE B.1: NEW STANDARDS**

The following standards have been issued in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 1633 Ed 1	Criteria for the identification of useable / non useable Part-worn tyres for fitment to vehicles. <i>Specifies the minimum requirements for the minimum criteria in terms of the use and fitment of part-worn (useable), pneumatic diagonal ply and radial ply tyres designed for use on vehicles on public roads.</i>
SANS 2180-1:2026 Ed 1	Mine shaft overwind protection - Part 1: Vocabulary. <i>Defines the terms and definitions used in the SANS 2180 series to provide adequate protection against overwind events in vertical and incline mine shafts.</i>
SANS 2180-2:2026 Ed 1	Mine shaft overwind protection - Part 2: Headgear overwind safety. <i>Defines the terms and definitions used in the SANS 2180 series to provide adequate protection against overwind events in vertical and incline mine shafts.</i>
SANS 2180-3:2026 Ed 1	Mine shaft overwind protection - Part 3: Shaft hoist energy absorbing systems. <i>Focuses on the type of overwind that can occur that would cause the unwanted event whereby personnel can get exposed to risks resulting from this hazardous condition.</i>
SANS 2180-4:2026 Ed 1	Mine shaft overwind protection - Part 4: Winder and hoist system top overwind and bottom overwind controls and interlocks. <i>Describes the design, validated by risk assessments considering potential risks such as injury to personnel, damage to the winder equipment and shaft infrastructure (which could also prevent timely extraction of personnel), of appropriate safety systems for winder and hoist system equipment.</i>
SANS 2180-5:2026 Ed 1	Mine shaft overwind protection - Part 5: Requirements for shaft sinking. <i>Covers overwind and underwind safety during shaft sinking., the scope is limited to:a)Vertical shafts of circular, oval, or rectangular cross section or all functionality e.g., ventilation, rock hoisting, or person hoisting.</i>
SANS 8429:2026 Ed 1	Standard Test Method for Legionella pneumophila in Water Samples Using Legiolert 1,2. <i>Describes a simple procedure for the detection of Legionella pneumophila (L. pneumophila) in potable water and non-potable waters (cooling towers, for example).</i>
SANS 8433:2026 Ed 1	Standard Specification for Food Safety and Quality of Hempseed Intended for Dehulling or Oil Extraction Food Purposes. <i>Establishes the maximum allowable E. coli and Salmonella microbial levels, moisture content, peroxide value (PV), free fatty acid (FFA) content, yeast and mold levels, representative heavy metals, total coliforms, foreign material, and discoloration for hempseed intended for human consumption.</i>

Standard No. and year	Title, scope and purport
SANS 15995:2026 Ed 1	Gas cylinders - Specification and testing of LPG cylinder valves - Manually operated. <i>Specifies the requirements for design, specification, type testing and production testing and inspection of dedicated LPG manually operated cylinder valves for use with and directly connected to transportable refillable LPG cylinders.</i>
SANS 16358-2:2026 Ed 1	Air-cooled air conditioners and air to-air heat pumps - Testing and calculating methods for seasonal performance factors - Part 2: Heating seasonal performance factor. <i>Specifies the testing and calculating methods for seasonal performance factor of equipment covered by ISO 5151 (published in South Africa as an identical adoption under the designation SANS 5151, ISO 13253 (published in South Africa as an identical adoption under the designation SANS 13253) and ISO 15042.</i>
SANS 16422-1:2026 Ed 1	Pipes and joints made of oriented unplasticized poly(vinyl chloride) (PVC-O) for the conveyance of water under pressure - Part 1: General. <i>Specifies the general characteristics of solid-wall pipes made of oriented unplasticized poly(vinyl chloride) (PVC-O) for piping systems intended to be used underground or above-ground (where protected from direct sunlight), for water supply, buried drainage, sewerage, treated waste water and irrigation under pressure.</i>
SANS 16422-2:2026 Ed 1	Pipes and joints made of oriented unplasticized poly(vinyl chloride)(PVC-O) for the conveyance of water under pressure - Part 2: Pipes. <i>Specifies the characteristics of solid-wall pipes made of oriented unplasticized poly(vinyl chloride) (PVC-O) for piping systems intended to be used underground or above-ground (where protected from direct sunlight), for water supply, buried drainage, sewerage, treated wastewater and irrigation under pressure.</i>
SANS 16422-5:2026 Ed 1	Pipes and joints made of oriented unplasticized poly(vinyl chloride)(PVC-O) for the conveyance of water under pressure - Part 5 - Fitness for purpose of the system. <i>Specifies the characteristics of the fitness for purpose of oriented unplasticized poly(vinyl chloride) (PVC-O) solid wall piping intended to be used underground or above-ground where protected from direct sunlight, for water supply, buried drainage, sewerage, treated wastewater and irrigation under pressure.</i>
SATS 17021-9:2026 Ed 1	Conformity assessment - Requirements for bodies providing audit and certification of management systems Part 9: Competence requirements for auditing and certification of anti-bribery management systems. <i>Complements the existing requirements of ISO/IEC 17021-1 and includes specific competence requirements for personnel involved in the certification process for anti-bribery management systems (ABMS).</i>
SATS 17021-11:2026 Ed 1	Conformity assessment - Requirements for bodies providing audit and certification of management systems Part 11: Competence requirements for auditing and certification of facility management (FM) management systems. <i>Specifies additional competence requirements for personnel involved in the audit and certification process of a facility management (FM) management system and complements the existing requirements of ISO/IEC 17021-1.</i>
SANS 22002-4:2026 Ed 1	Prerequisite programmes on food safety - Part 4: Food packaging manufacturing. <i>Specifies, in conjunction with ISO 22002-100 (published in South Africa as an identical adoption under the designation SANS 22002-4), requirements for establishing, implementing and maintaining prerequisite programmes (PRPs) to control food safety hazards in the manufacture of food and feed packaging.</i>
SANS 55202:2026 Ed 1	LPG equipment and accessories – Essential operational dimensions for LPG cylinder valve outlet and associated equipment connections. <i>Specifies basic connection dimensions of LPG cylinder valves (manufactured in accordance with EN ISO 14245 and EN ISO 15995) and connectors (including pressure regulators) to enable them to be safely connected together.</i>
SANS 60086-6:2026 Ed 1	Primary batteries - Part 6: Guidance on environmental aspects. <i>Provides guidance on the proper scientific protocols for testing the environmental performance of batteries; the symbols used to convey messages for collection, recycling, or other ideas; and the aspects and functional unit(s) to be included in assessing the environmental impact of batteries with modern life-cycle analysis techniques.</i>

Standard No. and year	Title, scope and purport
SANS 62282-3-400:2026 Ed 1	Fuel cell technologies - Part 3-400: Stationary fuel cell power systems - Small stationary fuel cell power system with combined heat and power output. <i>Applies to small stationary fuel cell power systems serving as a heating appliance providing both electric power and useful heat with or without a supplementary heat generator providing peak load function. Applies to fuel cell power systems that are intended to be permanently connected to the electrical system of the customer (end user). Direct connection to the mains (parallel operation) is also within the scope of this standard.</i>

SCHEDULE B.2: AMENDED STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 110:2026 Ed 1.6	Sealing compounds for the building industry, twocomponent, polysulphide base
SANS 251:2026 Ed 5.2	Long-link and extra-long-link medium tolerance steel chains for general purposes. <i>Amended to delete the annex on notes to purchasers, and to update the note in the table on mechanical properties.</i>
SANS 564:2026 Ed 1.2	Rubber insertion sheeting. <i>Amended to delete the footnote to the appendix on applicable standards and the appendix on notes to purchasers.</i>
SANS 657-4:2026 Ed 1.3	Steel tubes for non-pressure purposes Part 4: Steel tubes of round, oval, square and rectangular section for furniture. <i>Amended to update referenced standard, and to delete the subclause on certification, and the appendix on notes to purchasers.</i>
SANS 803:2026 Ed 4.4	Fibre-cement boards. <i>Amended to delete the annex on notes to purchasers.</i>
SANS 819:2026 Ed 3.6	Fibre-cement pipes, couplings and fittings for sewerage, drainage and low-pressure irrigation. <i>Amended to delete the appendix on notes to purchasers.</i>
SANS 906:2026 Ed 2.4	Stainless steel wash-hand basins and wash troughs. <i>Amended to delete the appendix on notes to purchasers.</i>
SANS 1129:2026 Ed 1.05	Steel door frames. <i>Amended to delete the appendix on notes to purchasers.</i>
SANS 1174:2026 2.3	Bains-marie and hot cupboards. <i>Amended to delete the annex on notes to purchasers.</i>
SANS 1198:2026 Ed 2.2	The manufacture of rubber sheeting for rubber lining. <i>Amended to update referenced standards and to delete the annex on notes to purchasers.</i>
SANS 1321-2:2026 Ed 1.4	Non-metallic waste traps Part 2: Rubber waste traps. <i>Amended to update referenced standards and delete the annex on notes to purchasers.</i>
SANS 1322:2026 Ed 1.5	Portable, non-refillable fire extinguishers (general purpose type). <i>Amended to update definitions, referenced standards, subclauses on marking, materials, and to delete the appendix on notes to purchasers.</i>
SANS 1389:2026 Ed 1.4	Tables. <i>Amended to update referenced standards and to delete the appendix on notes to purchasers.</i>
SANS 1442:2026 Ed 1.4	Roadstuds. <i>Amended to update referenced standards.</i>

SANS 1567:2026 Ed 2.4	Portable rechargeable fire extinguishers - CO2 type extinguishers. <i>Amended to update referenced standards, and the requirements in the clause on inspection and methods of test.</i>
SANS 1638:2026 Ed 3.1	Pneumatically powered chain hoists. <i>Amended to update the note in the definition for safe working load, the note on hooks, and to delete the annex on notes to purchasers.</i>
SANS 1746:2026 Ed 1.3	Timber preservative - Tributyltin naphthenatepermethrin. <i>Amended to delete the annex on notes to purchasers.</i>
SANS 1812:2026 Ed 1.1	Washable, reusable sanitary pads. <i>Amended to change the title of the standard, to change the word "towels" to "pads", and to modify the requirements on packaging and marking.</i>
SANS 3001-GR1:2026 Ed 1.4	Civil engineering test methods Part GR1: Wet preparation and particle size analysis. <i>Amended to update the foreword, introduction, referenced standards, and the clauses on apparatus, and procedure.</i>
SANS 6047:2026 Ed 2.1	Water - Determination of dissolved oxygen in different water samples using the Winkler's method. <i>Amended to change the title of the standard, and to update the clauses on principle and on procedure.</i>
SANS 6059:2026 Ed 2.2	Water - Determination of mercury in different water samples using cold vapour atomic adsorption spectrometry. <i>Amended to update the title of the standard, the scope, and the clauses on principles, and preparation of standards.</i>
SANS 10107:2026 Ed 3.1	The design and installation of ceramic tiling. <i>Amended to update referenced standards.</i>
SANS 10400-F:2026 Ed 3.2	The application of the National Building Regulations Part F: Site operations. <i>Amended to update referenced standards, and the clause on requirements.</i>
SANS 10400-G:2026 Ed 3.2	The application of the National Building Regulations Part G: Excavations. <i>Amended to update definitions and the clause on requirements.</i>
SANS 10400-H:2026 Ed 3.1	The application of the National Building Regulations Part H: Foundations. <i>Amended to remove referencing standards by date (Normative references, 3.14, Table 2, Annex A Note, Annex A.8.1, Annex B.3.1, Table B.2, Table B.3, Table B.4, Annex C.4.2, Annex D.2), delete the note of 3.8, delete the definitions (3.9 & 3.10), updated 3.14 Note, and eliminating specification references to a competent person and reference by year (4.1.1 c, 4.2.1, 4.2.2, 4.2.4, 4.3.1.1, 4.3.1.2, 4.3.1.3, 4.3.1.4, 4.3.1.5, 4.3.2.1.3 (Note), table 2, 4.3.2.1.5, 4.3.2.1.7, Annex A Note, A.8.1 e), B.3.1, Table B.2, Table B.3, Table B.4, C.4.2, and D.2.</i>
SANS 10400-J:2026 Ed 3.2	The application of the National Building Regulations Part J: Floors. <i>Amended to update referenced standards, definitions, and the clause on requirements.</i>
SANS 10400-N:2026 Ed 3.2	The application of the National Building Regulations Part N: Glazing. <i>Amended to delete the note to the scope, and the clause on requirements, and to delete the annex on National Building Regulations Part N: Glazing.</i>
SANS 10400-W:2026 Ed 3.1	The application of the National Building Regulations Part W: Fire installation. <i>Amended to update definitions and the clause on requirements, and to delete the annex on National Building Regulations Part W: Fire Installation.</i>
ARP 060:2026 Ed 1.1	Guidance on the use and application of hot-dip galvanized steel piping for the transportation of potable water in South Africa. <i>Amended to update referenced standards.</i>

SCHEDULE B.3: Revised STANDARDS

The following standards have been revised in terms of section 24(1)(a) of the Standards Act.

Standard No. and year	Title, scope and purport
SANS 68:2026 Ed 3	Single-use sterile rubber surgical gloves -Specification. <i>Specifies requirements for packaged sterile rubber gloves intended for use in surgical procedures to protect the patient and the user from cross-contamination.</i>
SANS 6887-4:2026 Ed 2	Microbiology of the food chain - Preparation of test samples, initial suspension and decimal dilutions for microbiological examination Part 4: Specific rules for the preparation of miscellaneous products. <i>Specifies rules for the preparation of samples and dilutions for the microbiological examination of specific food products not covered in other parts of ISO 6887, which deal with more general categories.</i>
SANS 8825-2:2026 Ed 2	Information technology - ASN.1 encoding rules – Part 2: Specification of Packed Encoding Rules (PER). <i>Specifies a set of Packed Encoding Rules that may be used to derive a transfer syntax for values of types defined in Rec. ITU-T X.680 ISO/IEC 8824-1. These Packed Encoding Rules are also to be applied for decoding such a transfer syntax in order to identify the data values being transferred.</i>
SANS 10272-1:2026 Ed 2	Microbiology of the food chain - Horizontal method for detection and enumeration of <i>Campylobacter</i> spp. Part 1: Detection method. <i>Specifies a horizontal method for the detection by enrichment or direct plating of Campylobacter spp. It is applicable to products intended for human consumption, products intended for animal feeding, environmental samples in the area of food and feed production, handling, and samples from the primary production stage such as animal faeces, dust, and swabs.</i>
SANS 11137-1:2026 Ed 2	Sterilization of health care products - Radiation Part 1: Requirements for development, validation and routine control of a sterilization process for medical devices. <i>Specifies requirements for the development, validation and routine control of a radiation sterilization process for medical devices.</i>
SANS 11193-1:2026 Ed 3	Single-use medical examination gloves Part 1: Specification for gloves made from rubber latex or rubber solution. <i>Specifies requirements for packaged sterile, or bulked non-sterile, rubber gloves intended for use in medical examinations and diagnostic or therapeutic procedures to protect the patient and the user from cross-contamination. Covers rubber gloves intended for use in handling contaminated medical materials and gloves with smooth surfaces or with textured surfaces over all or part of the glove. Intended as a reference for the performance and safety of rubber examination gloves.</i>
SANS 12885:2026 Ed 2	Nanotechnologies - Health and safety practices in occupational settings relevant to nanotechnologies. <i>Describes health and safety practices in occupational settings relevant to nanotechnologies.</i>
SANS 13253:2026 Ed 3	Ducted air-conditioners and air-to-air heat pumps - Testing and rating for performance. <i>Specifies performance testing, the standard conditions and the test methods for determining the capacity and efficiency ratings of air-cooled, air-conditioners and air-to-air heat pumps.</i>
SANS 13408-1:2026 Ed 2	Aseptic processing of health care products - Part 1: General requirements. <i>Specifies the general requirements for, and offers guidance on, processes, programs and procedures for development, validation and routine control of aseptic processing of health care products. Includes requirements and guidance relative to the overall topic of aseptic processing.</i>
SANS 14520-1:2026 Ed 4	Gaseous fire-extinguishing systems – Physical properties and system design Part 1: General Requirements. <i>Contains specific requirements for gaseous fire-extinguishing systems, with respect to the HFC 23 extinguishant.</i>
SANS 15223-1:2026 Ed 2	Medical devices - Symbols to be used with medical device labels, labelling and information to be supplied Part 1: General requirements. <i>Specifies symbols used to express information supplied for a medical device.</i>
SANS 15883-1:2026 Ed 2	Washer-disinfectors Part 1: General requirements, terms and definitions and tests. <i>Specifies general performance requirements for washer-disinfectors (WD) and washer-disinfecting accessories that are intended to be used for cleaning and disinfection of reusable medical devices.</i>

SANS 15883-2:2026 Ed 2	Washer-disinfectors Part 2: Requirements and tests for washer-disinfectors employing thermal disinfection for critical and semi-critical medical devices. <i>Specifies particular requirements for washer-disinfectors (WD) that are intended for use for the cleaning and thermal disinfection, in a single operating cycle, of re-usable medical devices such as surgical instruments, anaesthetic equipment, bowls, dishes and receivers, utensils and glassware.</i>
SANS 50054-3:2026 Ed 2	Fire detection and fire alarm systems Part 3: Fire alarm devices – Sounders. <i>Specifies the requirements, test methods and performance criteria for fire alarm sounders, including voice sounders, in a fixed installation intended to signal an audible warning between the fire detection and fire alarm systems and the occupants of a building (see EN 54-1:2011 published in South Africa as an identical adoption under the designation SANS 50054-1). Provides for the assessment and verification of constancy of performance (AVCP) of fire alarm sounders to this EN.</i>
SANS 50868-3:2026 Ed 3	Packaging for terminally sterilized medical devices Part 3: Paper for use in the manufacture of paper bags (specified in EN 868-4) and in the manufacture of pouches and reels (specified in EN 868-5) - Requirements and test methods. <i>Specifies test methods and values for paper used in the manufacture of single-use paperbags (specified in EN 868-4 [3]) and in the manufacture of single-use pouches and reels (specified in EN 868-5 [4]) used as sterile barrier systems and/or packaging systems for terminally sterilized medical devices by means of sterilization processes that require properties specific to higher temperature sterilization, such as moist heat sterilization used in healthcare facilities.</i>
SANS 50868-4:2026 Ed 3	Packaging for terminally sterilized medical devices Part 4: Paper bags - Requirements and test methods. <i>Specifies test methods and values for single-use paper bags manufactured from paper specified in EN 868-3, used as sterile barrier systems and/or packaging systems for terminally sterilized medical devices.</i>
SANS 50868-5:2026 Ed 3	Packaging for terminally sterilized medical devices Part 5: Sealable pouches and reels of porous materials and plastic film construction – Requirements and test methods. <i>Specifies test methods and values for sealable pouches and reels manufactured from porous materials complying with either EN 868 part 2, 3, 6, 7, 9 or 10 and plastic film complying with Clause 4.</i>
SANS 56000:2025 Ed 2	Innovation management - Fundamentals and vocabulary. <i>Defines terms for and establishes the fundamental concepts and principles of innovation management</i>
SANS 60227-1:2026 Ed 2	Polyvinyl chloride insulated cables of rated voltages up to and including 450/750 V Part 1: General requirements. <i>Applies to rigid and flexible cables with insulation, and sheath if any, based on polyvinyl chloride, of rated voltages U_0/U up to and including 450/750 V used in power installations of nominal voltage not exceeding 450/750 V AC.</i>
SANS 60436:2026 Ed 3	Electric dishwashers for household use - Methods for measuring the performance. <i>Applies to electric dishwashers (3.1.1) for household and similar use that are supplied with hot and/or cold water.</i>
SANS 62660-1:2026 Ed 2	Secondary lithium-ion cells for the propulsion of electric road vehicles Part 1: Performance testing. <i>Specifies performance and life testing of secondary lithium-ion cells used for propulsion of electric vehicles including battery electric vehicles (BEV) and hybrid electric vehicles (HEV).</i>
SANS 62660-2:2026 Ed 2	Secondary lithium-ion cells for the propulsion of electric road vehicles Part 2: Reliability and abuse testing. <i>Specifies test procedures to observe the reliability and abuse behaviour of secondary lithium-ion cells and cell blocks used for propulsion of electric vehicles including battery electric vehicles (BEV) and hybrid electric vehicles (HEV).</i>
SANS 80004-1:2026 Ed 2	Nanotechnologies - Vocabulary - Part 1: Core Vocabulary. <i>Defines core terms in the field of nanotechnology.</i>

If your organization is interested in participating in these committees, obtaining a copy of the draft or would like to send comments on draft documents, please send an e-mail to Dsscomments@sabs.co.za for more information or visit [SABS website](http://SABSwebsite)

SCHEDULE C: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice (Schedule B) can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 3932 OF 2026

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

In accordance with the provisions of the Anti-Dumping Regulations (“ADR”) of the International Trade Administration Commission of South Africa (“the Commission”), any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and injury.

The Commission hereby notifies all interested parties that, unless a duly substantiated request is made by or on behalf of the Southern African Customs Union (“SACU”) industry, indicating that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and injury, the following anti-dumping duties will expire during 2027:

PRODUCT	COUNTRY	RATE OF ANTI-DUMPING DUTY	DATE OF IMPOSITION OF THE DUTY	DATE OF EXPIRY OF DUTY	DATE OF SUBMISSION
Garlic	China	1 925c	18/02/2022	17/02/2027	17/08/2026
Pasta	Egypt	43%	17/03/2022	16/03/2027	16/09/2026
Pasta	Latvia	4%	17/03/2022	16/03/2027	16/09/2026
Pasta	Lithuania	12%	17/03/2022	16/03/2027	16/09/2026
Pasta	Türkiye	367%	17/03/2022	16/03/2027	16/09/2026
Cement	Pakistan	25% - 68.87%	10/06/2022	09/06/2027	09/12/2026
Frozen bone-in chicken portions	Brazil	3.31% - 265.1%	05/08/2022	04/08/2027	04/02/2027
Frozen bone-in chicken portions	Denmark	7.75% - 67.4%	05/08/2022	04/08/2027	04/02/2027
Frozen bone-in chicken portions	Ireland	2.49% - 37.52%	05/08/2022	04/08/2027	04/02/2027

Frozen bone-in chicken portions	Poland	2.25% - 96.9%	05/08/2022	04/08/2027	04/02/2027
Frozen bone-in chicken portions	Spain	7.56% - 85.8%	05/08/202275	04/08/2027	04/02/2027
Pet	India	54.1%	09/09/2022	08/09/2027	08/03/2027
Pet	Korea	19.7%	09/09/2022	08/09/2027	08/03/2027
Pet	Chinese Taipei	75%	09/09/2022	08/09/2027	08/03/2027
Float glass	Malaysia	25.31%	16/09/2022	15/09/2027	15/03/2027
Unframed glass mirrors	India	68.74%	11/11/2022	10/11/2027	10/05/2027

PROCEDURAL FRAMEWORK

The Commission will conduct its investigation in accordance with the relevant sections of the International Trade Administration Act (“ITA Act”) and the ADR, with due regard to the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 (“the Anti-Dumping Agreement”). The ITA Act and the ADR are available from the Commission’s website (www.itac.org.za) or from the Trade Remedies section, on request.

Manufacturers of the subject products listed above in the SACU, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so within the time limits set out below. In the instances where no replies are received from the SACU manufacturers within these time limits, the Commission will recommend the termination of the duties on the date of expiry or on such earlier date as determined by the Commission.

SACU manufacturers, who submit a request within the time limit indicated in the section “Procedures and Time Limits” below, are requested to submit duly substantiated information indicating that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury to the Commission, on the dates as specified below:

PRODUCT	COUNTRY	DATE OF IMPOSITION OF THE DUTY	DATE OF SUBMISSION
Garlic	China	18/02/2022	17/08/2026
Pasta	Egypt, Latvia, Lithuania and Türkiye	17/03/2022	16/09/2026
Cement	Pakistan	10/06/2022	09/12/2026
Frozen bone-in chicken portions	Brazil, Demark, Ireland, Poland and Spain	05/08/2022	04/02/2027
Pet	Chinese Taipei, Korea and India	09/09/2022	08/03/2027
Float glass	Malaysia	16/09/2022	15/03/2027
Unframed glass mirrors	India	11/11/2022	10/05/2027

The Commission will consider the information submitted in order to determine whether *prima facie* evidence exist to justify the initiation of a review. Should the Commission decide to initiate a review, notice will be given in the *Government Gazette* and other parties, being exporters and importers of the subject products, will be requested to comment and provide information.

CONFIDENTIAL INFORMATION

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

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;
- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- In exceptional cases, where information is not susceptible to summary, a sworn statement setting out the reasons why it is impossible to comply should be provided.

A sworn statement is defined as a written sworn statement of fact voluntarily made by an affiant or deponent under an oath or affirmation administered by a person authorized to do so by law. Such statement is witnessed as to the authenticity of the affiant's signature by a taker of oaths, such as a Commissioner of Oaths or Notary Public. An affidavit is a type of verified statement or showing, or in other words, it contains verification, meaning it is under oath or penalty of perjury and this serves as evidence to its veracity and is required for court proceedings.

Please note that the Commission will not accept a sworn statement signed by a representative, as defined in the ADR, of the interested party concerned.

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

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

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Regulation 2.3 of the ADR provides as follows:

“The following list indicates “information that is by nature confidential” as per section 33(1) (a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

- (a) management accounts;*
- (b) financial accounts of a private company;*
- (c) actual and individual sales prices;*
- (d) actual costs, including cost of production and importation cost;*
- (e) actual sales volumes;*
- (f) individual sales prices;*
- (g) information, the release of which could have serious consequences for the person that provided such information; and*
- (h) information that would be of significant competitive advantage to a competitor.*

Provided that a party submitting such information indicates it to be confidential.”

ADDRESS

The requests by manufacturers in the SACU of the subject products, and the duly substantiated information indicating what the effect of the expiry of the duties will be, must be submitted in writing to the following address or on the emails below:

Physical address

The Senior Manager: Trade Remedies I
International Trade Administration
Commission
Block E – Uuzaji Building
The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

The Senior Manager: Trade Remedies I
Private Bag X753
Pretoria
0001
SOUTH AFRICA

These responses can also be sent via e-mail to the following addresses:
zntsangani@itac.org.za and msebe@itac.org.za.

PROCEDURES AND TIME LIMITS

Manufacturers in the SACU of the subject products listed above, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so not later than close of business on **22 June 2026**.

SACU manufacturers who submit a request by **22 June 2026**, should submit duly substantiated information, indicating that the expiry of the duty would be likely to lead to the continuation or recurrence of dumping and material injury, to the Commission.

It should be noted that the investigation process is complex, and the Commission is subject to strict time limits within which to complete the investigation. Late submissions will therefore not be accepted, except with the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original period. Merely citing insufficient time is not an acceptable reason for an extension.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted will subsequently be available for verification. It is planned to do the verification of the information submitted by the exporters within three to five weeks subsequent to submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or, for an applicant requesting an extension, upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to, consultants will not be considered to be good cause.

Parties should also ensure when they engage consultants that they will be available

at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the ITA Act and the ADR, and with due consideration to the rules of the Anti-Dumping Agreement. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. A failure to submit an adequate non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties, who experience difficulty in furnishing the information required, or submitting in the format required, are therefore urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing in accordance with Regulation 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing would unduly delay the finalisation of a determination. Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version of, including a non-confidential version, the information to be discussed at the oral hearing at the time of the request.

If the required information and arguments are not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

Enquiries may be directed to the Senior Manager: Trade Remedies I, Mr Zuko Ntsangani, at zntsangani@itac.org.za and Ms Mosa Sebe at msebe@itac.org.za.

DEPARTMENT OF WATER AND SANITATION**NOTICE 3933 OF 2026****WATER RESEARCH LEVY 2026/27 - RATES AND CHARGES:
INCREASE OF 3,6%**

By virtue of the powers vested in me in terms of Section 11 of the Water Research Act, 1971 (Act. 34 of 1971), I, Pemmy Majodina, in my capacity as the Minister of Water and Sanitation, hereby give notice of the increase in the Water Research Levy by 3,6% for the period 01 July 2026 to 30 June 2027.

1. The following rates and charges will be applicable as from 1 July 2026 to June 2027:

(a) Eight hundred and six one cents (861c) in respect of each hectare of land of which the water use is permissible during 01 July 2026 to 30 June 2027 in terms of Section 22(1)(a)(ii) of the National Water Act (Act No.36 of 1998) (NWA), or in respect of which an allocation has been made under Chapter 4 of the said NWA for the irrigation thereof at any time during the said year, with water supplied or made available from a government water work. These rates and charges shall be recovered by or on the instructions of the Director-General: Water and Sanitation, simultaneously with any other charge which I may make in respect of the land concerned during the said period in terms of Section 57 of the said NWA or, if no such charge is made, the charge shall be payable upon demand to the Director-General: Water and Sanitation.

(b) The amount mentioned in 1(a) above shall apply in respect of each hectare of land permitted under the control of an irrigation board or other water management institution established in terms of the NWA for the irrigation of land at any time during the 2026/27 financial year of such board or institution with water supplied or made available from a government water work or a water work belonging to such board or institution. This charge shall be recovered by the irrigation board or statutory body concerned and shall be remitted to the Director-General: Water and Sanitation within thirty days (30) days

of the close of the financial year of the irrigation board or statutory body.

- (c) Eight comma three seven cents (8,37c) per cubic meter in respect of metered water supplied or made available from a government water work for the purposes other than the irrigation of land; provided that if a free allocation has been made to a specific consumer from a government water work, the said charge shall not apply to that allocation as it shall be deemed to be water supplied from his own sources by the consumer concerned. These charges shall be recovered by the Director-General: Water and Sanitation, simultaneously with any charge which I may make in terms of section 57 of the NWA in respect of the supply of water as from the said date or shall be payable to him or her upon demand.
- (d) Eight comma three seven cents (8,37c) per cubic meter in respect of quantity of water supplied or made available for use for the urban, industrial or domestic purposes by a statutory body or water management institution established in terms of the said NWA or by any other water services institution as defined in terms of the Water Services Act (Act No. 108 of 1997); provided that there shall be deduction from the total quantity of water supplied or made available after 1 July 2026 by any one of the abovementioned suppliers the quantity of water supplied or made available from a government water work as contemplated in paragraph 1(c) and the quantity of water obtained from any of the abovementioned suppliers after that date in respect of which the charge referred to paragraph 1(c) or (d) has already been paid. The total amount payable in terms of this paragraph in respect of water supplied or made available shall be remitted by the supplier concerned, to reach the Director-General Water and Sanitation, Private Bag X313, Pretoria, 0001.
- (e) The audited statements prescribed in terms of Section 11(3)(b) of the Water Research Act shall be submitted as soon as possible after the payments mentioned in paragraph 1(d) have been made.
2. If such rates and charges remain wholly or partly unpaid after due date, interest shall be charged in terms of section 80(1)(a) of the Public Finance Management Act (Act No.1 of 1999) on the outstanding amount at a rate determined from time to time by the Minister of Finance, on loans granted out of a Revenue Fund.

3. For the purpose of this notice, one cubic meter shall be equal to one kiloliter.
4. The effective date of this Notice is 1 July 2026.



**MISS PEMMY C.P. MAJODINA, MP
MINISTER OF WATER AND SANITATION**

10-04-2026

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 915 OF 2026

Page 1 of 23

RULES IN RESPECT OF EXPORT AGENTS, 2025

It is hereby made known that-

- (a) the rules set out in the Schedule have been made under section 10(b) of the Agricultural Produce Agents Act, 1992, (Act 12 of 1992), (**'the Act'**) read with section 22(2) and (3) of the said Act;
- (b) the rules shall come into effect on the date of publication hereof in the *Gazette*; and
- (c) the rules published by Government Notice BN 62 in GG 41632 are hereby repealed on the said date of publication.

CF Knowles

Registrar of Agricultural Produce Agents' Council

Page 2 of 23

ARRANGEMENT OF RULES

- Part 1 - Definitions and Application of Rules
- Part 2 - Registration
- Part 3 - General Duties of Export Agents
- Part 4 - Financial And Administrative Duties and Responsibilities of Export Agents
- Part 5 - Internal Complaint Resolution
- Part 6 - Miscellaneous provisions

TABLE OF CONTENTS

PART 1 - DEFINITIONS AND APPLICATION OF RULES	5
1) Definitions and interpretation.....	5
2) Export agent conducting business as fresh produce agent.....	7
PART 2 – REGISTRATION	8
3) Applications for registration certificates.....	8
4) Renewal of registration certificates.....	9
5) Consideration of Application.....	9
6) Fit and Proper Persons.....	10
7) Exceptions and Exemptions	11
8) Payments for registration certificates	11
9) Maintenance of registration certificates.....	12
10) Suspension.....	12
PART 3 – GENERAL DUTIES OF EXPORT AGENTS.....	13
11) Fiduciary Duties.....	13
12) Conflict of Interests.....	13
13) Marketing Agreement	13
14) Knowledge and Training.....	14
15) Publicity and advertisements.....	14
16) Canvassing and touting.....	15
17) Confidentiality.....	15
18) Risk Management.....	15
19) Display of Registration Certificate	16
PART 4 – FINANCIAL AND ADMINISTRATIVE DUTIES AND RESPONSIBILITIES OF EXPORT AGENTS	16
20) Costs	16
21) Fees and Commission.....	17
22) Accounting Records	17

Page 4 of 23

23)	Auditing / Verification of Accounting Records	17
24)	Customer foreign currency account.....	18
25)	Deposits in bank accounts.....	18
	PART 5 - INTERNAL COMPLAINT RESOLUTION.....	18
26)	General.....	18
27)	Basic principles of systems and procedures	19
28)	Resolution of complaints	20
29)	Specific obligations.....	20
	PART 6 - MISCELLANEOUS PROVISIONS	22
30)	Certain convictions to be reported to Council.....	22
31)	Payment of unclaimed moneys to Council	22
32)	Payment of moneys.....	23
33)	Address of Council	23
34)	Title of Rule	23

PART 1 - DEFINITIONS AND APPLICATION OF RULES

1) Definitions and interpretation

- (1) In these Rules, any word or expression to which a meaning has been assigned in the Act, unless the context otherwise indicates, shall have that meaning and the following words shall have the following meanings-
- (a) **'auditor'** has the meaning set out in the Auditing Profession Act, 2005 (Act 26 of 2005);
 - (b) **'bank'** means a bank registered as such in terms of the Banks Act, 1990 (Act 94 of 1990), referred to in the Act as a 'deposit taking institution';
 - (c) **'B-BBEE Act'** means the Broad-based Black Empowerment Act, 2003 (Act 53 of 2003);
 - (d) **'black people / person'** has the meaning set out in the B-BBEE Act;
 - (e) **'Companies Act'** means the Companies Act, 2008 (Act 71 of 2008);
 - (f) **'conflict of interest'** includes any situation in which an export agent or a designated employee has an actual or potential interest that may, in rendering a service to a principal-
 - (i) influence the objective performance of his obligations to that principal; or
 - (ii) prevent an export agent or designated employee from rendering an unbiased and fair service to that principal, or from acting in the best interests of that principal.
 - (g) **'customer foreign currency account'** is a transactional bank account denominated in currencies other than South African Rand currency and maintained by a bank in South Africa;

- (h) **'designated employee'** means a person who is employed by an export agent and whose duties relate to procurement of fresh produce from producers or suppliers and/or the sale thereof;
- (i) **'emerging export agent'** means an export agent or aspiring export agent who meets the following criteria:
 - (i) is a Black person and/or the majority of whose shares (or similar interest) are beneficially owned by Black Persons; and
 - (ii) whose total annual turnover and/or total shipping volumes in respect of fresh produce are less than the threshold published by the Council from time to time
- (j) **'fresh produce'** means any product reference in the PPECB product code list from time to time
- (k) **'Perishable Products Export Control Act'** means the Perishable Products Export Control Act, 1983 (Act 9 of 1983);
- (l) **'PPECB'** means the Perishable Products Export Control Board established in terms of the Perishable Products Export Control Act;
- (m) **'Prescribed Rate of Interest Act'** means the Prescribed Rate of Interest Act, 1975 (Act 55 of 1975);
- (n) **"public regulation"** means any national, provincial, or local government legislation or subordinate legislation, or any license, permit, directive, or similar authorization issued by a regulatory authority or pursuant to any statutory authority;
- (o) **'shipped' or 'ship'** means the transportation of fresh produce by land, air or sea to a country or territory other than the Republic of South Africa;
- (p) **'the Act'** means the Agricultural Produce Agents Act, 1992 (Act 12 of 1992); and

Page 7 of 23

- (q) **'writing'** includes communication by e-mail or any appropriate electronic medium that is accurately and readily reducible to written or printed form; and **'written'** has a corresponding meaning.
- (2) When, in these Rules a particular number of 'business days' is provided for between the happening of one event and another, the number of days must be calculated by-
 - (a) excluding the day on which the first such event occurs;
 - (b) including the day on or by which the second event is to occur; and
 - (c) excluding any public holiday, Saturday or Sunday that falls on or between the days contemplated in paragraphs (a) and (b), respectively.
- (3) These Rules must be construed-
 - (a) in conjunction with the provisions of the Act and in a manner conducive to the promotion and achievement of the objectives of the Act; and
 - (b) as being in addition to any other law not inconsistent with these provisions and not as replacing any such law.
- (4) The provisions of these Rules apply, unless stated otherwise herein or otherwise by law, to all export agents and designated employees, irrespective of the nature of their remuneration.
- (5) For all purposes of these Rules, the male gender shall include the female and neuter genders and *vice versa*.

2) Export agent conducting business as fresh produce agent

- (1) An export agent shall (unless Rule 2(3) applies) not be entitled to sell the fresh produce of his principal in the Republic of South Africa unless he has complied with the provisions of section 16 of the Act, to the extent that they apply to the occupation of fresh produce agents.

Page 8 of 23

- (2) Registration as a fresh produce agent (in the manner envisaged in section 16(1) of the Act) will only be required in instances where the fresh produce is not intended for export.
- (3) An export agent shall further not be required to register as a fresh produce agent prior to selling any fresh produce within the Republic of South Africa in instances where:
 - (a) such agricultural product was intended for export, but required to be sold within the Republic of South Africa on account of necessity occasioned by:
 - (i) circumstances beyond the reasonable control of the export agent; and
 - (ii) which could not have been reasonably anticipated on the date on which the said agricultural product was entrusted to the export agent for purposes of export.

PART 2 – REGISTRATION

3) Applications for registration certificates

- (a) An application for a registration certificate shall be made on or before the date on which an export agent commences business as such.
- (b) The application shall be made in the form prescribed from the Council from time to time and:
 - (i) be completed in full in accordance with the directions indicated thereon, and shall be signed by the applicant or by a person duly authorised thereto, on behalf of the applicant;
 - (ii) provide accurate, true and up to date information of the export agent and its designated employee/s as may be required by the Council;
 - (iii) be accompanied by:

Page 9 of 23

- (1) the applicable application fee determined by the Council for this purpose, as well as the other applicable particulars and documents indicated thereon; and
- (2) a tax clearance certificate issued to the applicant by the South African Revenue Services which tax clearance certificate is not older than 3 (three) months since date of issue.

4) Renewal of registration certificates

- (a) An application for the renewal of a registration certificate shall be made by every export agent that has experienced a change in control within 90 (ninety) days of undergoing such change in control. An export agent who has not undergone a change in control as herein contemplated shall not be required to make application for the renewal of its registration certificate. For the sake of clarity and avoidance of doubt, the export agent shall however remain obliged to make payment of the annual fee required for the maintenance of such certificate as determined in accordance with rule 9.
- (b) The provisions of Rule 3(b) shall apply *mutatis mutandis* to applications made in terms of Rule 4(a)

5) Consideration of Application

- (a) The Council must, on receipt of an application by an export agent for the issue or renewal (if rule 4(a) applies) of a registration certificate, consider the application on the basis of all information disclosed in the application, or otherwise obtained in terms of the Act or these rules, relating to the proposed issue or renewal of a registration certificate and of the following criteria and guidelines:
 - (i) an applicant will not be disqualified from the issue of a registration certificate solely on the basis of the fact that such applicant has not undertaken and/or passed the regulatory courses, training or regulatory exams contemplated in these Rules;

Page 10 of 23

- (ii) for purposes of the issue of a registration certificate, the requirement (if any) to have undertaken and/or passed the regulatory courses, training or regulatory exams contemplated in Rule 6 will be determined with reference to:
 - (1) the applicant's experience in the export industry;
 - (2) compliance with the Rules and Act in the past; and
 - (3) other documentary evidence placed before the Council demonstrating the applicant's knowledge of the provisions of the Act and Rules together with its ability to comply therewith.
- (iii) an applicant will provide a declaration that the persons in control of the applicant have not been convicted of a criminal offence relating to a crime with an element of dishonesty such as corruption, bribery, fraud or money laundering and a criminal background check will not be required. Should such declaration be found to be false, a registration certificate may be forthwith withdrawn.

6) Fit and Proper Persons

- (a) In order to determine whether applicants are fit and proper persons, the Council must, on receipt of an application by an export agent for the issue or renewal, consider the application (in addition that set out in Rule 5) on the basis of the following criteria and guidelines:
 - (i) that the applicant, designated employees and the persons who are in charge or in control of the applicant:
 - (1) are fit and proper persons;
 - (2) have sufficient and appropriate knowledge of the provisions of the Act and the rules, and particularly of all duties and obligations imposed on the applicant in terms of the Act and the rules and of duties and obligations to be discharged by the applicant in the enforcement of any rights granted by the Act;

Page 11 of 23

- (3) will, as regards the relevant business, have adequate resources available to ensure proper compliance monitoring, including as regards the activities of the designated employees of the export agent concerned;
- (4) will be able to function adequately independently or objectively;
- (5) will be able and enabled to keep a written record of all activities undertaken in the course of the business including, but not limited to accounting records and relevant financial transactions;
- (6) will be able to function in a manner ensuring that no actual or potential conflicts of interest will be incapable of being managed properly, either internally or externally; and
- (7) will be able to liaise directly with the Registrar.

7) Exceptions and Exemptions

- (a) In the exercise of its approval function, the Council is vested with a discretion and may grant an approval temporarily, provisionally, conditionally or unconditionally in a particular case notwithstanding that the Council is not satisfied that any particular criterion or guideline is fully met in any such case.
- (b) In addition to the above, the Council may grant to Emerging Export Agents such indulgences and/or exemptions as may be reasonably determined by the Council having regard to the Council's objective to enhance the status and dignity of the occupation the persons practising the occupations of export agents read in conjunction with the objectives set out in section 2 of the B-BBEE Act.

8) Payments for registration certificates

- (a) The Council shall not issue a registration certificate to an export agent, unless the amount referred to and determined in terms of subrule (b) has been paid in full to the Council.

Page 12 of 23

- (b) The amount required from an export agent by the Council in terms of subrule (a) above shall be determined by the Council on an annual basis and shall be paid to the Council simultaneously with the application referred to in Rules 3 and 4 above.

9) Maintenance of registration certificates

- (a) The Council shall annually not later than 30 April in writing notify each export agent who is the holder of a registration certificate, of the amount determined in terms of section 16(9)(a) of the Act, that is payable for the maintenance of such certificate, which payment is to be made not later than the date determined by the Council.
- (b) Such payment, together with any interest accrued in terms of subrule (c) (if applicable), shall reach the Council on or before 30 June first following the date of the relevant notice referred to in subrule (a).
- (c) The total outstanding amount owing from time to time in terms of subrule (a) shall bear interest at the mora interest rate determined from time to time in terms of the Prescribed Rate of Interest Act.

10) Suspension

- (a) The Council may suspend an export agent from conducting his business as export agent if-
 - (i) on written demand by the Registrar, has failed to remedy with 20 (twenty) days of such demand any breach of these Rules.
- (b) If the Council orders a suspension as contemplated in subrule (a), any interested person may apply in the prescribed manner and form to the Council, to cancel the suspension of the export agent; provided however that if such request is made by or on behalf of the export agent concerned, the Council shall cancel the suspension of the export agent, only after the export agent has remedied his breach of the Rules.

Page 13 of 23

PART 3 – GENERAL DUTIES OF EXPORT AGENTS

11) Fiduciary Duties

- (a) Every export agent and every designated employee owe a fiduciary duty to his principal and must, therefore, at all times render his services-
 - (i) honestly and in good faith;
 - (ii) with due skill, care and diligence reasonably expected of a person-
 - (1) carrying out the same functions in relation to the principal as those carried out by that export agent or that designated employee, whichever is the case; and
 - (2) having the general knowledge, skill and experience of that export agent or that designated employee, whichever is the case; and
 - (3) subject to the provisions of Rule 12 below, in the best interests of his principal or principals.

12) Conflict of Interests

- (a) Subject to the provisions of these Rules, an export agent and a designated employee must at all times avoid and where this is not possible, mitigate and disclose in writing a conflict of interest between his personal interests and the interests of their principal, and must comply with and adopt a conflict of interests and conflict of interest's management policy substantially in the form prescribed by the Council from time to time.

13) Marketing Agreement

- (a) An export agent (subject to subrule (b)) shall within 10 (ten) business days of being mandated by his principal procure that he and his principal execute and sign a written marketing agreement with his principal which, as a minimum, deals with the criteria prescribed by the Council from time to time.

Page 14 of 23

- (b) Where, in spite of an export agent's reasonable commercial efforts, an export agent is unable to enter into a marketing agreement with the applicable principal, the export agent shall communicate the terms and conditions governing their relationship, which shall as a minimum include those matters specified in subrule (a).

14) Knowledge and Training

- (a) An export agent shall (and where the export agent is a legal entity, shall procure that its designated employees) ensure that it has the requisite knowledge, skills and expertise required to ensure that the conduct their business is undertaken in accordance with the applicable laws (inclusive of the Rules) and technical and professional standards common to the Export Agent's industry.

15) Publicity and advertisements

- (a) An export agent may by means of publicity and advertisements bring his business and the nature of the services rendered by him to the notice of the public, provided-
 - (i) a due sense of responsibility towards the fresh produce industry and the public is displayed therein; and
 - (ii) the export agent concerned does not draw comparisons with or disparage the services of other export agents or markets.
- (b) An advertisement by any export agent must not contain any statement, promise or forecast which is fraudulent, untrue or misleading.
- (c) if it contains-
 - (i) performance data (including awards and rankings), include references to their source and date;
 - (ii) illustrations, forecasts or hypothetical data:
 - (1) contain support in the form of clearly stated basic assumptions (including but not limited to any relevant assumptions in respect of performance, turnover, costs and charges) with a reasonable prospect of being met

Page 15 of 23

under current circumstances; and make it clear that they are not guaranteed and are provided for illustrative purposes only.

- (d) Information about past performances, also contain a warning that past performances are not necessarily indicative of future performances.

16) Canvassing and touting

- (a) An export agent may canvass for business on condition that he does not:
 - (i) propagate any false or misleading or questionable information of any nature whatsoever;
 - (ii) interfere directly or indirectly with the sale, handling or inspection of fresh produce entrusted for sale to another export agent; or
 - (iii) directly or indirectly influence purchasers not to buy certain fresh products, or fresh produce of a certain class, standard or type, or not to buy fresh produce from a certain export agent, or from a certain principal, unless he can show justification therefore.

17) Confidentiality

- (a) An export agent and an employee may not disclose any confidential information acquired or obtained from a principal in regard to such principal, unless the prior written consent of the principal has been obtained or disclosure of the information is required in the public interest or under any law.

18) Risk Management

- (a) An export agent must at all times have, and effectively employ such resources, procedures and appropriate technological systems that can reasonably be expected to eliminate as far as reasonably possible, the risk that principals will suffer financial loss or damage through theft, fraud, other dishonest acts, negligence or other culpable omissions.
- (b) An export agent, must, without limiting the generality of subrule (a), structure his internal control procedures so as to provide reasonable assurance that:

Page 16 of 23

- (i) the relevant business can be carried on in an orderly and efficient manner;
- (ii) financial and other information used or provided by the export agent will be reliable;
- (iii) all funds will be properly and timeously accounted for; and
- (iv) all applicable laws and rules will be complied with.

19) Display of Registration Certificate

- (a) An export agent must:
 - (i) display a certified copy of each registration certificate issued to him/it in a prominent and durable manner within every business premises of the export agent;
 - (ii) ensure that a reference to the fact that such a registration certificate is held by such export agent, is contained in all business documentation, advertisements and other promotional material; and
 - (iii) ensure that all registration certificates are at all times immediately or within a reasonable time available for production to any person requesting proof of registration.

PART 4 – FINANCIAL AND ADMINISTRATIVE DUTIES AND RESPONSIBILITIES OF EXPORT AGENTS

20) Costs

- (a) An export agent shall not recover costs or expenses at an amount, rate, or scale other than which was agreed amongst the export agent and Principal or disclosed in the export agent's standard marketing terms.

Page 17 of 23

21) Fees and Commission

- (a) No export agent may claim remuneration in an amount or at a higher price, rate or scale than the agreed remuneration price, rate or scale or otherwise disclosed in the export agent's standard marketing terms.

22) Accounting Records

- (a) Export Agents shall keep full and correct accounting records relating to all monies received, kept, or expended by him on behalf of his principals, all financial transactions incurred in the course of sale of its principal/s fresh produce, and all fresh produce received, kept, sold, and lawfully destroyed.
- (b) Export agents are not required to keep the records at their premises but must ensure that they are available for inspection within 30 (thirty) days of the Registrar's request.
- (c) Records may be kept in an appropriate electronic or recorded format, which are accessible and readily reducible to written or printed form.
- (d) In the event of any other public regulation requiring a person acting as an export agent to keep and retain the information referred to in these Rules then such export agent shall be deemed to have complied with the provisions of these Rules if and to the extent that the said export agent complied with the said public regulation; provided that such other public regulation is in this regard not less onerous than these Rules.

23) Auditing / Verification of Accounting Records

- (a) An export agent shall cause his financial statements to be audited or independently reviewed at his expense by an auditor within 6 (six) months after the date of his financial year end.
- (b) The determination as to whether an audit or independent review is required shall be determined with reference to the legislation applicable to the export agent in this regard.

Page 18 of 23

24) Customer foreign currency account

- (a) The export agent shall also open and maintain a customer foreign currency account for all income received in foreign currency.

25) Deposits in bank accounts

- (a) The proceeds of the sale of fresh produce shall, forthwith on receipt thereof, be deposited in the bank account of the export agent.

PART 5 - INTERNAL COMPLAINT RESOLUTION

26) General

- (a) In this Part 5:
- (i) **'complaint'** means a specific complaint relating to a service rendered by an export agent or employee to the complainant or to the conduct of an export agent or employee and in which complaint it is alleged that the export agent or employee-
- (1) has contravened or failed to comply with a provision of the Act or of these Rules irrespective of whether as a result thereof the complainant has suffered or is likely to suffer loss or damage; or
- (2) has wilfully or negligently rendered a service to the complainant which has caused loss or damage to the complainant or which is likely to result in such loss or damage.
- (ii) **'internal complaint resolution system and procedures'**, means the system and procedures established and maintained by the export agent in accordance with these Rules for the resolution of complaints by principals;
- (iii) **'resolution'**, or **'internal resolution'**, in relation to a complaint and an export agent, means the process of the resolving of a complaint through and in accordance with the internal complaint resolution system and procedures of the export agent.

Page 19 of 23

- (b) An export agent must-
 - (i) request that any person who has a complaint against the export agent must lodge such complaint in writing;
 - (ii) maintain a record of such complaints for a period of five years;
 - (iv) handle complaints in a timely and fair manner;
 - (v) take steps to investigate and respond promptly to such complaints; and
 - (vi) where such a complaint is not resolved to the complainant's satisfaction, advise the complainant that other steps are available in terms of the Act and these Rules.

27) Basic principles of systems and procedures

- (a) An export agent must maintain an internal complaint resolution system and procedures based on the following:
 - (i) maintenance of a comprehensive complaints policy outlining the export agent's commitment to, and system and procedures for, internal resolution of complaints;
 - (ii) transparency and visibility: ensuring that complainants have full knowledge of the procedures for resolution of their complaints;
 - (iii) availability of procedures to clients through electronic means; and
 - (iv) fairness: ensuring that a resolution of a complaint can during and by means of the resolution process be affected which is fair to both complainants and the export agent and its staff.

Page 20 of 23

28) Resolution of complaints

- (a) The internal complaint resolution system and procedures of the export agent must be designed to ensure the existence and maintenance of at least the following for purposes of effective and fair resolution of complaints:
 - (i) availability of adequate manpower and other resources;
 - (ii) adequate training of all relevant staff, including imparting and ensuring full knowledge of the provisions of the Act, and the rules with regard to resolution of complaints;
 - (iii) ensure that responsibilities and mandates are delegated to facilitate complaints resolution of a routine nature;
 - (iv) ensure that there is provision for the escalation of non-routine serious complaints and the handling thereof by staff with adequate expertise;
 - (v) internal follow-up procedures to ensure avoidance of occurrences giving rise to complaints, or to improve services and complaint systems and procedures where necessary.

29) Specific obligations

- (a) Subject to the other provisions of Part 5, the internal complaint resolution system and procedures of an export agent must contain arrangements which-
 - (i) must-
 - (1) reduce the details of the internal complaint resolution system and procedures of the export agent, including all subsequent updating or upgrading thereof, to writing;
 - (2) allow for the procedures to be made available to complainants by electronic medium; and
 - (3) include in such details the name, address and other contact particulars of the Registrar.

Page 21 of 23

- (b) must stipulate that complaints must be submitted in writing and must contain all relevant information, and that copies of all relevant documentation must be attached thereto;
- (c) must provide that the receipt of complaints is acknowledged in writing to the complainant within 10 (ten) business days of receipt, with communication particulars of contact staff to be involved in the resolution of the complaint, and are properly internally recorded by the relevant staff;
- (d) must make provision that after the receipt and recording of a particular complaint, the complaint will as soon as reasonably practically possible be forwarded to the relevant staff appointed to consider its resolution, and that-
 - (i) the complaint receives proper consideration;
 - (ii) appropriate management controls are available to exercise effective control and supervision of the consideration process; and
 - (iii) the complainant is informed of the results of the consideration within 6 (six) weeks of receipt of a complaint: Provided that if the outcome is not favourable to the complainant, full written reasons must be furnished to the complainant within 6 (six) weeks of receipt of a complaint.
- (e) In any case where a complaint is resolved in favour of a complainant, the export agent must ensure that a full and appropriate level of redress is offered to the complainant without any delay.
- (f) An export agent must maintain records for a minimum period of 5 (five) years regarding complaints that are received together with an indication whether or not any such complaint has been resolved.
- (g) Only once the internal complaint resolution process has been exhausted may such complaint (provided it falls within the ambit of the Council's responsibility) be referred to the Council for resolution, provided however that this provision shall not be so interpreted as to inhibit a referral to the Council in circumstances where a failure to do so would result in the inability to render such referral in accordance with the time periods provided for in the Act and/or any other applicable legislation.

PART 6 - MISCELLANEOUS PROVISIONS

30) Certain convictions to be reported to Council

- (a) Whenever an export agent or any of his designated employees are convicted of an offence involving an element of dishonesty, such export agent shall within 5 (five) business days after the date of sentencing, notify the Council by registered post or e-mail of the date of conviction, the nature of the offence, the sentence imposed, and by which court.
- (b) Whenever a designated employee leaves the employment of the export agent who employed him, such export agent and such employee shall within 5 (five) business days after the date of termination of employment, notify the Council by registered post or e-mail of the date of termination of employment and the reasons for the termination of his employment.

31) Payment of unclaimed moneys to Council

- (a) If the amount to be paid by an export agent to his principal has not been claimed by the principal within 150 (one hundred and fifty) business days after the sale, that export agent shall pay the amount from his bank account to the Council and furnish the Council with the particulars required in the rules in connection therewith.
- (b) A payment of unclaimed moneys to the Council in terms of section 20(2)(a) of the Act shall be accompanied by a copy of the relevant statement referred to in subrule (a) above.
- (c) Payments referred to in subrule (a) shall annually be made to the Council during March and September to reach the Council not later than the last business day of each of the said months.

Page 23 of 23

32) Payment of moneys

- (a) Any amount payable to the Council in terms of the Act or these Rules shall be paid by electronic funds transfer or money order made out in favour of or for the credit of the Agricultural Produce Agents Council.

33) Address of Council

- (a) The address of the Council shall-
- (i) for the purposes of documents forwarded by post, be P.O. Box Suite, Private Bag X025, Lynnwood, 0081;
 - (ii) for the purposes of documents delivered by hand, be Acray House (Unit 7 & 8), No 6 De Havilland Crescent, Meiring Naude Road, Persequor, Pretoria; and
 - (iii) for purposes of notices and other communication: www.apacweb.org.za and francois@apacouncil.co.za

34) Title of Rule

- (a) These Rules shall be called the Rules in respect of export agents, 2025.

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