



Government Gazette

REPUBLIC OF SOUTH AFRICA

Regulation Gazette

No. 8276

Vol. 481

Pretoria

15

July

2005

No. 27792



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

GOVERNMENT NOTICE

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 699

15 July 2005

The Companies Act 1973 (Act No. 61 of 1973)

I, Mandisi Mpahlwa, Minister of Trade and Industry, after consultation with the Securities Regulation Panel and in terms of section 440a (3) of the Companies Act (Act No. 61 of 1973), hereby amend the Rules made under section 440C(4)(a) of the Companies Act, as contained in notice No. R29 of 1991: Securities Regulation Code on Takeovers and Mergers and the Rules of the Securities Regulation Panel

The amended rules are effective from the date of publication.

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing rules.
 _____ Words underlined with a solid line indicate insertions in existing rules.

The Securities Regulation Code on Takeovers and Mergers and the Rules made under section 440C(4)(a) of the Companies Act, 1973 (Act No. 61 of 1973), are hereby amended –

'by the substitution for rule 2.3 of Rule 2 under the section, SCHEDULE OF FEES AND CHARGES of the following rule;

"2.3 The fees for these services shall depend upon the value of the offer, or in the case of a disposal in terms of section 228 of the Act, the value of the disposal according to the scale set out below:

Value of offer/disposal <u>Rmillion</u>	Charge <u>R</u>
up to 10	10 000
Over 10 to 25	14 000
Over 25 to 50	27 500
Over 50 to 100	[40 000] <u>50 000</u>
Over 100 to [200] <u>250</u>	[50 000] <u>75 000</u>
[Over 200] <u>Over 250 to 500</u>	[50 000] <u>plus .025%</u> of the value exceeding 200 000 000 but limited to a maximum charge of R100 000 <u>100 000</u>
<u>Over 500 to 1000</u>	<u>125 000</u>
<u>Over 1000</u>	<u>175 000</u>

Note: When the charge falls to be **calculated** on the basis of the **value of securities** to be issued **as** consideration, it shall be computed by reference to **the** ruling **market** price of the relevant **securities of** the **Stock Exchange on** the business day immediately prior to the announcement **of** the **firm** intention **of** offer/disposal or, **as** the **case** may be, by reference to the estimate of the value **of** any unlisted securities consideration **offered**.

When there **are** alternative offers, **the** alternative with the highest value **will** be used to **calculate** the value of the offer/disposal. Offers for all classes of securities **will** be included in the calculation of the value of the offer,


MANQISI MPHELELE, MP
MINISTER OF TRADE AND INDUSTRY

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 334-4508, 334-4509, 334-4510

Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504

Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737

Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510

Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504

Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737

Kaapstad-tak: Tel: (021) 465-7531