

No. 548

11 July 2014

**LONG-TERM INSURANCE ACT, 1998: AMENDMENT OF REGULATIONS MADE UNDER
SECTION 72 FOR PUBLIC COMMENT**

I, Nhlanhla M Nene, Minister of Finance, under section 72(1)(gA) of the Long-term Insurance Act, 1998 (Act No. 52 of 1998), hereby publish the proposed amendment to Part 6 of the Regulations made under section 72 of the Long-term Insurance Act and published under GNR.1492 of 27 November 1998, and amended from time to time, as set out in Schedule A hereto, for public comment.

An explanatory memorandum on the proposed amendment is set out in Schedule B hereto.

Comments on the proposed amendment may be submitted in writing on or before 1 September 2014 to the National Treasury, c/o Dr Reshma Sheoraj at LTBinders@treasury.gov.za or faxed to (012) 315 5206.

The proposed draft amendment of the regulations is available on the National Treasury's website at www.treasury.gov.za and the Financial Services Board's website at www.fsb.co.za.



**NHLANHLA M NENE, MP
MINISTER OF FINANCE
DATE: 3/7/14**

SCHEDULE A**1. Interpretation**

In this Schedule “the Regulations” means the Regulations under the Long-term Insurance Act, 1998 as published in GNR 1492 of 1998 and amended by GNR 197 of 2000, GNR 164 of 2002, GNR 1209 of 2003, GNR 1218 of 2006, GNR 952 of 2008, GNR 1077 of 2011.

2. Substitution of Regulation 6.1 of Part 6 in the Regulations

The following Regulation is hereby substituted for Regulation 6.1 of the Regulations:

“6.1 Definitions and interpretation

(1) In this Part 6, unless the context indicates otherwise -

“**administrative FSP**” has the meaning assigned to it in the Codes of conduct for administrative and discretionary FSPs published in Board Notice No. 79 of 8 August 2003, and amended from time to time, under section 15 of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002);

“**associate**” -

(a) has the meaning assigned to it in the General Code of Conduct for Authorised Financial Services Providers and Representatives as published in Board Notice No. 80 of 2003, and amended from time to time, under section 15 of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002); and

(b) in addition to paragraph (a) includes, in relation to a juristic person -

(i) another juristic person that has a shareholder, director or managing executive that is also a shareholder, director or managing executive of the first mentioned juristic person; and

(ii) another juristic person that has a person as a shareholder, director or managing executive who is an associate (within the meaning referred to under paragraph (a)) of a shareholder, director or managing executive of the first mentioned juristic person;

“**binder agreement**” means an agreement contemplated in section 49A;

“**binder holder**” means a person with whom an insurer has concluded a binder agreement;

“**enter into**” means any act that results in an insurer becoming liable to provide policy benefits under a policy where the person performing the act may do so without the insurer becoming aware of the act until after the act has been performed;

“incidental” means any activity that is necessary or expedient for the performance of a binder function;

“independent intermediary” has the meaning assigned to it in regulation 3.1;

“insurer” means a long-term insurer;

“mandated intermediary” means an independent intermediary that holds a written mandate from a potential policyholder or policyholder that authorises that intermediary, without having to obtain the prior approval of that potential policyholder or policyholder, to perform any act, including termination, in relation to a policy, that legally binds that potential policyholder or policyholder, other than an act directed only at changing the underlying investment portfolio of a policy;

“non-mandated intermediary” means a representative or an independent intermediary, other than a mandated intermediary or an underwriting manager;

“policy” means a long-term policy;

“renew” means any act that results in the renewal or reinstatement of an insurer's liability to provide policy benefits under a policy where the person performing the act may do so without the insurer becoming aware of the act until after the act has been performed;

“representative” has the meaning assigned to it in regulation 3.1, but excludes an employee of an insurer;

“settle a claim” means any act that results in—

- (a) the acceptance of partial or full liability under a claim for policy benefits or a part thereof;
- (b) the determination of the liability of an insurer under a claim for policy benefits; or
- (c) the rejection of or refusal to pay a claim for policy benefits or a part thereof;

where the person performing the act may do so without the insurer becoming aware of the act until after the act has been performed;

“this Part” means this Part 6;

“underwriting manager” means a person that—

- (a) performs one or more of the binder functions referred to in section 49A (1) (a) to (e); and
- (b) if that person renders services as an intermediary as defined in Part 3A of the Regulation—
 - (i) does not perform any act directed towards entering into, maintaining or servicing a policy on behalf of an insurer, a potential policyholder or policyholder (including the performance of such an act in relation to a fund, a member of a fund and the agreement between the member and the fund); and

- (ii) renders those services (other than the services referred to in paragraph (i) above) to or on behalf of an insurer only; and

“vary” means any act that results in the variation, termination, repudiation or denial of an insurer’s liability to provide policy benefits under a policy where the person performing the act may do so without the insurer becoming aware of the act until after the act has been performed, and includes any act declaring a policy void.

(2) For purposes of subparagraph (i) of paragraph (b) of the definition of “underwriting manager”, a person renders services as an intermediary within the meaning of subparagraph (i) if that person has any relationship with an insurer (including the secondment of that person’s employees to an insurer or an associate of an insurer, the outsourcing of that person’s infrastructure to an insurer or an associate of an insurer, or any similar arrangement) which may result in that person or its employees *de facto*, directly or indirectly, rendering the services referred to in subparagraph (i) above on behalf of an insurer, a potential policyholder or policyholder.”.

3. Amendment of Regulation 6.2 of Part 6 in the Regulations

Regulation 6.2 is hereby amended by the substitution for paragraph (a) of sub-regulation (4) of the following paragraph:

“(a) An underwriting manager who is a binder holder of one insurer cannot also be a binder holder of other insurers in respect of the same class of policies defined in section 1 of the Act, unless all the relevant insurers have agreed thereto in writing.”.

4. Amendment of Regulation 6.3 of Part 6 in the Regulations

Regulation 6.3 is hereby amended by the substitution for sub-regulation (3) of the following sub-regulation:

“(3) (a) A binder agreement may only provide for matters referred to in section 49A of the Act, this Part and must provide for matters incidental thereto.

(b) A binder agreement[, and] may not regulate any other arrangement or relationship with the binder holder, irrespective of such other arrangement or relationship being dependent on the conclusion of a binder agreement or that the binder agreement is in addition to or consequential to such other arrangement or relationship.

(c)[(b)] A binder agreement may not prohibit an insurer from communicating directly with its policyholders or any independent intermediary.”.

5. Amendment of Regulation 6.4 of Part 6 in the Regulations

Regulation 6.4 is hereby amended by –

(a) the insertion after sub-regulation (1) of the following sub-regulation:

“(1A) (a) The Registrar by notice in the Gazette may prescribe the fees that are reasonably commensurate with the actual costs of performing any binder functions.

(b) An insurer may not pay a binder holder a fee in excess of the fees prescribed under paragraph (a).”

(b) the substitution for sub-regulation (3) of the following sub-regulation:

“(3) (a) A non-mandated intermediary that is a binder holder, in respect of the services rendered under the binder agreement, may not directly or indirectly receive or be offered any share in the profits of the insurer attributable to the type or kind of policies referred to in the binder agreement.

(b) Paragraph (a) does not prohibit a non-mandated intermediary from receiving dividends in respect of shares held in an insurer if –

(i) those shares were issued by the insurer in accordance with the Act; and

(ii) the insurer's conditions of licensing explicitly in writing authorises it to issue shares to intermediaries, in accordance with that insurer's conditions of registration.”

6. Amendment of Regulation 6.5 of Part 6 in the Regulations

Regulation 6.5 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation:

“(1) Despite regulation 6.2 (2) or (3), the Registrar, subject to such conditions as the Registrar may impose, may on application from an insurer that is the holding company or associate of more than one person referred to in regulation 6.2 (2) or (3), exempt that non-mandated intermediary or underwriting manager that is a subsidiary or associate of that insurer from regulation 6.2 (2) or (3), if the Registrar is satisfied that no conflict of interest or potential conflict of interest exists, or that any conflict of interest or potential conflict of interest is effectively mitigated.

7. Transitional provisions

Any agreement concluded before or on the date on which this amendment commences, which is not consistent with the amendment must be aligned with this amendment within one year of this amendment coming into operation.

SCHEDULE B
EXPLANATORY MEMORANDUM

1. PURPOSE

The purpose of this Explanatory Memorandum is to provide the motivation for the proposed amendment to Part 6 of the Regulations.

2. BACKGROUND

Part 6 of the Regulations became effective on 1 January 2012 and provided for a transitional period of 1 year for compliance therewith.

Part 6 of the Regulations regulates binder agreements entered into by insurers in terms of which the insurer authorises another person to enter into, vary or renew policies on its behalf.

3. THE PROPOSED AMENDMENT

The proposed amendment to the Regulations aims to address emerging undesirable practices and regulatory gaps identified post implementation of Part 6 of the Regulations.

Each of the proposed amendments is discussed in the table below:

Regulation	Amendment	Motivation
6.1	<p>“associate” -</p> <p>(a) has the meaning assigned to it in the General Code of Conduct for Authorised Financial Services Providers and Representatives as published in Board Notice No. 80 of 2003, and amended from time to time, under section 15 of the Financial Advisory and Intermediary Services Act, 2002 (Act No. 37 of 2002); and</p> <p>(b) in addition to paragraph (a) includes, in relation to a juristic person –</p> <p>(i) <u>another juristic person that has a shareholder, director or managing executive that is also a shareholder, director or managing executive of the first mentioned juristic person; and</u></p> <p>(ii) <u>another juristic person that has a person as a shareholder, director or managing executive who is an associate (within the meaning referred to under paragraph (a)) of a shareholder, director or managing executive of the first mentioned juristic person;</u></p>	<p>To limit potential conflicts of interest inherent in certain binder function-related relationships by extending the scope of prohibited business relationships to –</p> <ul style="list-style-type: none"> ▪ mandated and non-mandated intermediaries that share shareholders, directors and executive management with non-mandated intermediaries and underwriting managers; and ▪ natural persons that are related to the shareholders, directors and executive management of a binder holder.

	<p><u>“incidental” means any activity that is necessary or expedient for the performance of a binder function;</u></p>	To clarify what constitutes matters incidental to the matters referred to in section 49A of the Act. The amendment must be read with the proposed amendments to Regulation 6.3(3)(a) and Regulation 6.4(1A).
	<p><u>(2) For purposes of subparagraph (i) of paragraph (b) of the definition of “underwriting manager”, a person renders services as an intermediary within the meaning of subparagraph (i) if that person has any relationship with an insurer (including the secondment of that person’s employees to an insurer or an associate of an insurer, the outsourcing of that person’s infrastructure to an insurer or an associate of an insurer, or any similar arrangement) which may result in that person or its employees de facto, directly or indirectly, rendering the services referred to in subparagraph (i) above on behalf of an insurer, a potential policyholder or policyholder.”.</u></p>	To extend the definition of underwriting manager to strengthen the intention of the Binder Regulations. Given the functions an underwriting manager performs as the agent of the insurer and the fact that profit sharing is allowed in respect of underwriting managers only, it is essential to ensure that there is no conflict or potential conflict of interest that may significantly impact on the advice or intermediary services provided to a client. The amendment addresses an observed technical loophole.
6.2	<p><u>“(4) (a) An underwriting manager who is a binder holder of one insurer cannot also be a binder holder of other insurers in respect of the same class of policies defined in section 1 of the Act, unless all the relevant insurers have agreed thereto in writing.”.</u></p>	<i>Technical correction:</i> To correct a grammatical error.
6.3	<p><u>“(3) (a) A binder agreement may only provide for matters referred to in section 49A of the Act, this Part and must provide for matters incidental thereto.</u></p> <p><u>(b) A binder agreement[, and] may not regulate any other arrangement or relationship with the binder holder, irrespective of such other arrangement or relationship being dependent on the conclusion of a binder agreement or that the binder agreement is in addition to or consequential to such other arrangement or relationship.</u></p> <p><u>(c)[(b)] A binder agreement may not prohibit an insurer from communicating directly with its policyholders or any independent intermediary.”.</u></p>	To clarify that activities incidental to the matters referred to in section 49A of the Act must be addressed in a binder agreement.
6.4	<p><u>“(1A) (a) The Registrar by notice in the Gazette may prescribe the fees that are reasonably commensurate with the actual costs of performing any binder functions.</u></p> <p><u>(b) An insurer may not pay a binder holder a fee in excess of the fees prescribed under paragraph (a).”.</u></p>	To authorise the Registrar to prescribe fees for the binder functions rendered under the binder agreement, given observed undesirable practices.
	<p><u>“(3) (a) A non-mandated intermediary that is a binder holder, in respect of the services</u></p>	To clarify that a non-mandated intermediary with whom an insurer may enter into a cell

	<p>rendered under the binder agreement, may not directly or indirectly receive or be offered any share in the profits of the insurer attributable to the type or kind of policies referred to in the binder agreement.</p> <p><u>(b) Paragraph (a) does not prohibit a non-mandated intermediary from receiving dividends in respect of shares held in an insurer if –</u></p> <p>(i) <u>those shares were issued by the insurer in accordance with the Act; and</u></p> <p>(ii) <u>the insurer's conditions of licensing explicitly in writing authorises it to issue shares to intermediaries, in accordance with that insurer's conditions of registration."</u></p>	<p>captive arrangement is not prohibited by the current wording of the sub-regulation from receiving dividends in respect of the ordinary or preference shares owned by it in an insurer.</p>
6.5	<p>"(1) Despite regulation 6.2 (2) or (3), the Registrar, <u>subject to such conditions as the Registrar may impose</u>, may on application from an insurer that is the holding company or associate of more than one person referred to in regulation 6.2 (2) or (3), exempt that non-mandated intermediary or underwriting manager that is a subsidiary or associate of that insurer from regulation 6.2 (2) or (3), if the Registrar is satisfied that no conflict of interest or potential conflict of interest exists, <u>or that any conflict of interest or potential conflict of interest is effectively mitigated."</u></p>	<p>To relax the circumstances under which an exemption may be provided by allowing an exemption to be granted in circumstances where a conflict of interest can be appropriately mitigated.</p> <p><i>Technical correction:</i> To remove the reference to insurer as an insurer cannot be exempted from regulation 6.2 (2) or (3) as those provisions do not apply to insurers.</p>
Transitional provision	<p>Any agreement concluded before or on the date on which this amendment commences, which is not consistent with the amendment must be aligned with this amendment within one year of this amendment coming into operation.</p>	<p>To provide for the progressive implementation of the amendment to the Regulations.</p>

**GENERAL NOTICES
ALGEMENE KENNISGEWINGS**

NOTICE 532 OF 2014

DEPARTMENT OF LABOUR

LABOUR RELATIONS ACT, 1995

CANCELLATION OF REGISTRATION OF AN EMPLOYERS' ORGANISATION

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995, that I have cancelled the registration of **The Free State and Northern Cape Clothing Manufacturers' Association (LR 2/6/3/146)** with effect from *27 June 2014*

J. T. Crouse
REGISTRAR OF LABOUR RELATIONS

NOTICE 533 OF 2014**DEPARTMENT OF LABOUR
LABOUR RELATIONS ACT, 1995****APPLICATION FOR A VARIATION OF REGISTERED SCOPE OF A
BARGAINING COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 58(1) read with Section 29 of the Labour Relations Act, 1995, give notice that an application for variation of its registered scope has been received from the **National Bargaining Council for the Hairdressing, Cosmetology, Beauty and Skincare Industry**.

The particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) The applicant has not complied with the provisions of section 29 of the Act, read with the changes required by the context;
- (b) The sector and area in respect of which the application is made is not appropriate; and
- (c) The applicant is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who objects must lodge his/her written objection with me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, Pretoria (Postal address: Private Bag X117, Pretoria, 0001), within 30 days of the date of this notice. A copy of the objection must be served on the applicant within the said period and I must be satisfied that a copy of the objection has been served on the applicant.

The applicant may respond to the objection within 14 days of the expiry of the 30-day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

TABLE**Name of the bargaining council**

National Bargaining Council for the Hairdressing, Cosmetology, Beauty and Skincare Industry

Address of the bargaining council

No 15 Edward Street

ROODEPOORT

1724

P O Box 1963

ROODEPOORT

1725

Telephone number: (011) 760 1685

Fax number: (011) 760 1274

E-mail address: karen@hcsbc.co.za

Date on which application was lodged

5 May 2014

Intention of the application

The intention of the application is to establish a uniform definition for this sector in the Republic of South Africa. To further extend the geographical scope of the Council and make it applicable to the whole of South Africa.

Interest in respect of which the application is made

“Hairdressing, Cosmetology, Beauty and Skincare Industry”, as defined hereunder in the Republic of South Africa.

For the purpose hereof

“Hairdressing, Cosmetology, Beauty and Skincare Industry” means the industry in which the employers and their employees are associated for the purpose of rendering hairdressing, cosmetology services and beauty and skincare in any establishment.

“Hairdressing” means any one or more of the following services usually performed by a person in an establishment and includes, but is not limited to:

- (a) Any service to the scalp or the hair of the head or face, including the following:
 - (i) Shampooing, cleansing, conditioning and treating.
 - (ii) Chemical reformation of the hair including permanent waving, relaxing and straightening of the hair.
 - (iii) Hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary processes, including the use of colour rinses, shampoos, gels or mousses and lightening by means of tints, bleaches, highlights or high lifting tints or toners.
 - (iv) Hair cutting and shaping.
 - (v) Hair styling, designing, shaping, curling, waving, including blow drying, styling, tonging, crimping, straightening and silking;

Whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations:

- (i) Massage or stimulative treatment of the face, scalp or neck
- (ii) Adding hair, either natural or artificial, including hair extensions, board work, postiche, wig-making or performing any of the above operations on any wig or hairpiece to be worn by any person
- (iii) Trichology and trichological treatment, including the treatment of abnormalities and disorders of the hair and the scalp.

“Barber or Barbering Services” means an employee that renders one or more or all of the following services in an establishment being: Clipper cuts, dry and wet razor shaving, treatment of facial and neck hair including beards and moustaches, hot towel treatments, facial massages, wet and dry cutting of hair, singeing and dry or wet blow drying of hair but specifically excludes any chemical services. The barbering services shall:

- (i) Be performed predominantly on male clients
- (ii) Constitute at least 95% of all services rendered by an employee to clients

(iii) Can only be rendered when the salon provides barbering services to its clients.

“Cosmetology Services” means any one or more or a combination of the operations generally and usually performed by nail technicians or beauty culturists or cosmeticians or cosmetologists or skincare therapists or somotologists or aesticians or hairdressers.

“Beauty and Skin Care Industry” means the industry in which employers and its employees render “cosmetology services” which include but are not limited to cosmetic camouflage, spa treatments, tattooing and/or painting of the face or any part of the body features; whether by permanent, semi-permanent or temporary means in any establishments where such services are rendered to members of the public.

“Establishment” means any place or premises of whatsoever nature from which hairdressing services and cosmetology services are rendered but excluding canvas or sail gazebos or if such services are rendered in open space, unless chemicals are used in the execution of the hairdressing and cosmetology services rendered, in which event canvas or sail gazebos and open spaces shall be considered to be an establishment.

Sector and areas in respect of which registration is held:

A. Hairdressing and Cosmetology Trade” as defined hereunder in the following areas:

Province of Gauteng **excluding** the Magisterial Districts of Bronkhorstspuit, Cullinan, Pretoria and Wonderboom;

Province of Free State; and

The Magisterial Districts of Klerksdorp, Potchefstroom, Kimberley, East London, Humansdorp, Port Alfred, Port Elizabeth; and Uitenhage.

For the purpose of paragraph A:

“Hairdressing and Cosmetology Trade” means the trade in which employers and their employees are associated for the purpose of rendering hairdressing and cosmetology services in any establishment;

“Cosmetology services” means any one or more or a combination of the operations generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

“Cosmetologist” means a person who performs any one or more of the services usually performed by a manicurist or beauty culturist, including a cosmetologist or cosmetician

who performs any one or more of the services referred to in the definition of the “cosmetology” below:

“**Cosmetology**” means any one or more of the services usually performed by a manicurist or beauty culturist, or cosmetologist in an establishment and includes, but is not limited to-

- (a) manicure, pedicure, nail technology, or the application of artificial nails or nail extensions, whatever the substance used including acrylic, fibre glass or gel;
- (b) eyebrow shaping and plucking including the application of false or artificial eyebrow and eyelashes;
- (c) cosmetic and camouflage makeup of the face and its features, whether by permanent, semi-permanent or temporary means;
- (d) facial skin care;
- (e) removal of unwanted or superfluous hair from the head or face, by whatever means, other than shaving, but including waxing, chemical depilatories, electrical or mechanical means,
- (f) massage services in manicures, pedicures, facial treatment and back and neck, whole body or holistic treatment or any other form of massaging,

whether or not any apparatus, appliance, preparation or substance is used in any of these operation;

“**Hairdressing**” means any one or more of the hairdressing services usually performed by a hairdresser in an establishment, and includes, but is limited to –

- (a) any service to the scalp or the hair of the head or face, including the following:
 - (i) shampooing, cleansing, conditioning and treating;
 - (ii) chemical reformation of the hair including permanent waving, relaxing and straightening of the hair;
 - (iii) hair colouring, including tinting, dyeing and colouring by means of permanent, semi-permanent or temporary processes, including the use of colour rinses, shampoos, gels or mousses; and lightening by means of tints, bleaches, highlights or high lifting tints or toners;
 - (iv) hair cutting and shaping;
 - (v) barbering services including shaving and singeing of hair;
 - (vi) hair styling, designing, shaping, curling, waving, including blow drying, styling, tonging, crimping, straightening and silking; and
 - (vii) dreadlocks; weaving and braiding,

whether or not any apparatus, appliance, heat, preparation or substance is used in any of these operations;

- (b) massage or stimulative treatment of the face, scalp or neck;
- (c) adding hair, either natural or artificial, including hair extensions, board work, pastiche, wig making, or performing any of the above operations on any wig or hairpiece to be worn by any person; and
- (d) trichology and trichological treatment, including the treatment of abnormalities and disorders of the hair and scalp.

“**hairstylist**” means any person who, in return for payment, in money and/or in kind, on his own account, or in partnership, or as an employee, performs, or directly or indirectly advertises that he performs, any one or more of the hairstyling and cosmetology services usually performed by a hairstylist;

“**establishment**” means any premises or workplace in which hairstylists and/or cosmetology services are normally rendered to members of the public for gain and includes the informal sector and private homes.

B. The Hairstyling, Cosmetology, Beauty and Skincare Trade in the Magisterial Districts of Cullinan, Pretoria, Wonderboom and Bronkhorstspruit.

For the purpose of paragraph B, Hairstyling, Cosmetology, Beauty and Skincare Trade is defined as follows:

“**Hairstyling Trade**” means the trade in which employers and employees are associated for the purpose of rendering salon services in any establishment where such services are normally rendered to members of the public:-

“**Salon services**” means any one or more of a combination of the operations generally and usually performed by and known as the profession of nail technicians, beauty culturist, cosmeticians, cosmetologists or hairstylists, and includes, but is not limited to the following operations:

- (a) The arranging, dressing, cutting, highlighting, shaving, curling, cleaning, singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, styling, waving (permanent, Marcel or water) of hair, or any other treatment of the hair of the head or the face;

- (b) the performance of any manicure; pedicure , nail technology or the application of artificial nails or nail extensions, whatever the substance used is acrylic, fibre glass or gel or any other substance;
- (c) the shaping and plucking of eyebrows, including the application of false or artificial eyebrows and eyelashes;
- (d) the performance of any cosmetic and camouflage make-up of the face and its features, whether by permanent, semi-permanent or temporary means;
- (e) the performance of any facial skin care operations;
- (f) the removing of unwanted or superfluous hair from the head and face by whatever means, including waxing, chemical depilatories, electrical or mechanical means, but excluding shaving;
- (g) the performance of any beauty treatment ;
- (h) the performance of any beauty therapy or the massaging or stimulating treatment or exercising of the face, scalp or neck; whether or not any apparatus, appliance, preparation or substance is used in any of these operations;
- (i) the performance of any operation referred to in (a) on any wig or hairpieces to be worn by any person, whether or not any apparatus, appliance, preparation or substance is used in any of these operations.

“**Skincare Trade**” means the trade in which employers and employees are associated for the purpose of rendering “salon services” and including but not limited to cosmetic, camouflage, spa treatment, tattooing and or painting of the face or full body features, whether by permanent or semi-permanent or temporary means in any establishment where such services are normally rendered to members of the public.

C. Hairdressing Trade in the Magisterial Districts of Durban, Inanda and Pinetown.

For the purpose of paragraph C—

“Hairdressing Trade” means the trade in which employers and employees are associated for the purpose of rendering cosmetological services in any hairdressing salon.

“cosmetological services” means any one or more or a combination of the practices generally and usually performed by and known as the profession of beauty culturists

or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

- (1) Hair arranging, hairdressing, haircutting, highlighting, shaving, curling, cleaning, singeing, tinting, straightening, styling, waving (permanent, Marcel or water), or any other treatment of the hair of the head or the face; or
- (2) The massage or other stimulative treatment or exercise of the face, scalp or neck; or
- (3) Manicuring of the nails, eyebrow plucking, boardwork, trichological treatment or beauty culture; or
- (4) Performing any operation referred to in (1) on any wig or hairpiece to be worn by any person, whether or not any apparatus, appliance, preparation or substance is used in any of these operations;

“hairdressing salon” means any premises in which cosmetological services are rendered to either males or females or both males and females together.

D. The Hairdressing Trade in the Magisterial Districts of The Cape, Wynberg, Simonstown and Bellville as those areas were constituted as at 24 July 1945.

Representativeness of the Council in respect of the additional activities

Total number of employees falling within the new scope of the Council and who belong to the trade union which is a party to the Council:	5 759
Total number of employers falling within the new scope of the Council and who belong to the employers' organisation which is a party to the Council:	1 620
Total number of employees employed within the new scope of the Council by the employers who belong to the employers' organisation which is a party to the Council:	7 110
Total number of the employers within the new scope of the Council:	2 554
Total number of the employees employed within the new scope of the Council:	8 236



REGISTRAR OF LABOUR RELATIONS

DATE:19 June 2014.....

NOTICE 534 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/3/D/79/617/1225/2
CLAIMANT : David N. Nxele
PROPERTY : Erf 491, Lady Grey
DISTRICT : Lady Grey
MEASURING : 991m²
DEED OF TRANSFER : T31884/1989
DATE SUBMITTED : 14 December 1998
BONDHOLDER :
CURRENT OWNER : C.A. Ridsdale

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 535 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/3/D/59/2100/23/2
CLAIMANT : Royden Clyde Wallace (On behalf of Wallace Family Claim)

PROPERTY	DISTRICT	MEASURING	DEED OF TRANSFER	DATE SUBMITTED	CURRENT OWNER
Erven 4699, Grahamstown	Grahamstown	952 sqm	N/A	31/12/1998	Makana Local Municipality
Erven 4710, Grahamstown	Grahamstown	1428 sqm	N/A	31/12/1998	Makana Local Municipality
Erven 4712, Grahamstown	Grahamstown	2617 sqm	N/A	31/12/1998	Makana Local Municipality

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200

NOTICE 536 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/93/0/0/37
CLAIMANT : Waka Rupert Thwaku (On behalf of Malgas Family Claim)
PROPERTY : Farm 21, Kwelera
DISTRICT : East London / Buffalo City
MEASURING : 25.68 hectares
DEED OF TRANSFER : 426/1940
DATE SUBMITTED : 31 December 1998
BONDHOLDER :
CURRENT OWNER : Waberski Gail

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200
Mr. L.H. Maphutha
Regional Land Claims Commissioner

NOTICE 537 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/93/0/0/37
CLAIMANT : Waka Rupert Thwaku (On behalf of Malgas Family Claim)
PROPERTY : Farm 100, Kwelera
DISTRICT : East London / Buffalo City
MEASURING : 13.3391 hectares
DEED OF TRANSFER : 426/1940
DATE SUBMITTED : 31 December 1998
BONDHOLDER :
CURRENT OWNER : The Kriel Family Trust

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 538 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/93/0/0/37
CLAIMANT : Waka Rupert Thwaku (On behalf of Malgas Family Claim)
PROPERTY : Farm 467, Kwelera
DISTRICT : East London / Buffalo City
MEASURING : 186.67 hectares
DEED OF TRANSFER : 1679/1946
DATE SUBMITTED : 31 December 1998
BONDHOLDER :
CURRENT OWNER : Weltevrede Farm Trust

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 539 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/93/0/0/37
CLAIMANT : Waka Rupert Thwaku (On behalf of Malgas Family Claim)

PROPERTY	DISTRICT	MEASURING	DEED OF TRANSFER	DATE SUBMITTED	CURRENT OWNER
Farm 20, Kwelera	East London / Buffalo City	66.999 hectares	426/1940	31/12/1998	Waberski Mark
Farm 22	East London / Buffalo City	2.0938 hectares	426/1940	31/12/1998	Waberski Mark
Farm 23	East London / Buffalo City	5.347 sqm	426/1940	31/12/1998	Waberski Mark

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200

Mr. L.H. Maphutha
Regional Land Claims Commissioner

NOTICE 540 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/92/0/0/34
 CLAIMANT : Simon Ndindi Funda (On behalf of Bonke Community Claim)
 PROPERTY : Sheshegu Communal land, Bhidli Farm
 DISTRICT : King Williams Town / Amathole
 MEASURING : 1252 hectares
 DEED OF TRANSFER : N/A
 DATE SUBMITTED : 19 July 1995
 BONDHOLDER :
 CURRENT OWNER : Buffalo City Municipality

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200

Mr. L.H. Maphutha
Regional Land Claims Commissioner

NOTICE 541 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE : 6/2/2/D/1078/0/0/25
 CLAIMANT : Sheila Marrie-Anne Peinke (Family Claim)
 PROPERTY : Portion 11 of farm No. 902, Stockenstrom
 DISTRICT : Stockenstrom /Amathole
 MEASURING : 0.6183 hectares
 DEED OF TRANSFER : T15073/1965
 DATE SUBMITTED : 07 April 1997
 BONDHOLDER :
 CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200

Mr. L.H. Maphutha
Regional Land Claims Commissioner

NOTICE 542 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Sheila Marrie-Anne Peinke (Family Claim)
PROPERTY :Farm 218, Stockenstrom
DISTRICT :Stockenstrom / Amathole
MEASURING :8.2299 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER :Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 543 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Sheila Marrie-Anne Peinke (Family Claim)
PROPERTY :Farm Early Spring no. 891, Stockenstrom
DISTRICT :Stockenstrom /Amathole
MEASURING :329.6877 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 544 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Peggy Peinke (Family Claim)
PROPERTY :Portion 7 of farm no. 85, Stockenstrom
DISTRICT :Stockenstrom /Amathole
MEASURING :0.7366 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER :Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 545 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Peggy Peinke (Family Claim)
PROPERTY :Portion 8 of farm no. 85, Stockenstrom
DISTRICT :Stockenstrom /Amathole
MEASURING :0.4127 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 546 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Peggy Peinke (Family Claim)
PROPERTY :Portion 9 of farm no. 85, Stockenstrom
DISTRICT :Stockenstrom /Amathole
MEASURING :0.5896 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 547 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
CLAIMANT :Peggy Peinke (Family Claim)
PROPERTY :Portion 10 of farm no. 85, Stockenstrom
DISTRICT :Stockenstrom /Amathole
MEASURING :0.5746 hectares
DEED OF TRANSFER :T15073/1965
DATE SUBMITTED :07 April 1997
BONDHOLDER :
CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 548 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
 CLAIMANT :Peggy Peinke (Family Claim)
 PROPERTY :Portion 11 of farm no. 85, Stockenstrom
 DISTRICT :Stockenstrom /Amathole
 MEASURING :0.8253 hectares
 DEED OF TRANSFER :T15073/1965
 DATE SUBMITTED :07 April 1997
 BONDHOLDER :
 CURRENT OWNER :Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
 Department of Rural Development and Land Reform
 Land Restitution Support Office: Eastern Cape
 PO Box 1375
 East London
 5200**

**Mr. L.H. Maphutha
 Regional Land Claims Commissioner**

NOTICE 549 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/1078/0/0/25
 CLAIMANT :Peggy Peinke (Family Claim)
 PROPERTY :Portion 12 of farm no. 85, Stockenstrom
 DISTRICT :Stockenstrom /Amathole
 MEASURING :1.4646 hectares
 DEED OF TRANSFER :T15073/1965
 DATE SUBMITTED :07 April 1997
 BONDHOLDER :
 CURRENT OWNER : Republic of Ciskei

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
 Department of Rural Development and Land Reform
 Land Restitution Support Office: Eastern Cape
 PO Box 1375
 East London
 5200**

**Mr. L.H. Maphutha
 Regional Land Claims Commissioner**

NOTICE 550 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/92/0/0/85
CLAIMANT :Sipho Khethe (On behalf of Mzitshane Community)
PROPERTY :Emagxoweni Location, KWT
DISTRICT :King Williams Town / Amathole
MEASURING :58 hactares
DEED OF TRANSFER :N/A
DATE SUBMITTED :21 December 1997
BONDHOLDER :
CURRENT OWNER :Buffalo City Local Municipal

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 551 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994
(ACT NO.22 OF 1994)**

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

REFERENCE :6/2/2/D/92/0/0/85
CLAIMANT :Sipho Khethe (On behalf of Mzitshane Community)
PROPERTY :Ngongomeni, Mzintshane Location, KWT
DISTRICT :King Williams Town / Amathole
MEASURING :70 hactares
DEED OF TRANSFER :N/A
DATE SUBMITTED :21 December 1997
BONDHOLDER :
CURRENT OWNER :Buffalo City Local Municipal

Has been submitted to the Regional Land Claims Commissioner and that the Commission on Restitution of Land Rights will investigate the claim in terms of the provisions of the Act in due course. Any person who has an interest in the above-mentioned land is hereby invited to submit, within sixty (60) days from the publication of this notice, any comments/information to:

**The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
PO Box 1375
East London
5200**

**Mr. L.H. Maphutha
Regional Land Claims Commissioner**

NOTICE 552 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that, the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 253 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Boschkloof Farm 34, Portion Remainder
DISTRICT	: Grahamstown
MEASURING	: 567 hectares
DEEDS OF TRANSFER	: AY0207/1911
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 553 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 254 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Boshkloof Farm 34, Portion 1
DISTRICT	: Grahamstown
MEASURING	: 421 hectares
DEEDS OF TRANSFER	: T12379/1905
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 554 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 255 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuse
PROPERTY	: Boshkloof Farm 34, Portion 2
DISTRICT	: Grahamstown
MEASURING	: 624 hectares
DEEDS OF TRANSFER	: T1978/1911
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 555 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 256 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Boshkloof Farm 34, Portion 3
DISTRICT	: Grahamstown
MEASURING	: 343 hectares
DEEDS OF TRANSFER	: T2567/1912
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 556 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 259 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Fontein Kloof Portion 4
DISTRICT	: Grahamstown
MEASURING	: 653 hectares
DEEDS OF TRANSFER	: T523/1890
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 557 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 264 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Krans Drift Farm 89, Portion Remainder
DISTRICT	: Grahamstown
MEASURING	: 1352 hectares
DEEDS OF TRANSFER	: AYQTS105/1856
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 558 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per the instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 265 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Krans Drift Farm 89, Portion 1
DISTRICT	: Grahamstown
MEASURING	: 500 hectares
DEEDS OF TRANSFER	: T520/1890
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 559 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 266 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Hermanus Kraal Farm 93, Portion Remainder
DISTRICT	: Grahamstown
MEASURING	: 1005 hectares
DEEDS OF TRANSFER	: AYQ415/1835
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 560 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 273 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: KOESTERS Drift Farm 129, Portion 2
DISTRICT	: Grahamstown
MEASURING	: 582 hectares
DEEDS OF TRANSFER	: T1880/1924
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 561 OF 2014**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS
ACT, 1994 (ACT NO.22 OF 1994)**

WHEREAS The Fort Brown community lodged a claim which was published in terms of Section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 ("the Act")
And

WHEREAS during the investigation of the land claims, the office of the Regional Land Claims Commissioner: Eastern Cape Province has reason to believe that the claim was lodged before the cut-off date as per instant claim form.

NOTICE: is hereby given in terms of Section 11A (1) of the Act that at the expiry of 21 days the notice of claim previously published under section 11 (1) of the Act in Government Gazette Notices mentioned below will be withdrawn unless cause the contrary is shown to his satisfactory.

The details of the Government Gazette Notice No. 267 of 2013 in the Government Gazette No. 36278 of 28 March 2013 relates to the following:

REFERENCE	: 6/2/2/D/59/0/0/12
CLAIMANT	: Nkosana Khuselo
PROPERTY	: Hermanus Kraal Farm 93, Portion 4
DISTRICT	: Grahamstown
MEASURING	: 24 hectares
DEEDS OF TRANSFER	: T9964/1899
DATE SUBMITTED	: 31 December 1998
BONDHOLDER	:
CURRENT OWNER	: Gillis Game Farms

The reason why the office of the office of the Regional Land Claims Commissioner believes that the notice must be withdrawn:

- a) When the claim was gazetted it transpired that the claim form submitted by Mr. Nkosana Khuselo does not met the requirement of Section 2(e) this was noticed when the current owners requested the claim form.

NOTICE is further given that at the expiry of the aforesaid 21 days period, the office of the Regional Land Claims Commissioner shall, unless cause to the contrary has been shown to his satisfaction, withdrawn the notice of claim in accordance with the provisions of the section 11 (3) of the Act.

The Regional Land Claims Commissioner
Department of Rural Development and Land Reform
Land Restitution Support Office: Eastern Cape
P.O. Box 1375
East London
5200

NOTICE 562 OF 2014**NOTICE OF THE PUBLIC HEARING ON GUIDELINES FOR THE
ELECTRICITY RESELLER TARIFFS**

The National Energy Regulator of South Africa (NERSA) is a regulatory authority established as a juristic person in terms of Section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004). NERSA's mandate is to regulate the electricity, piped-gas and petroleum pipelines industries in terms of the Electricity Regulation Act, 2006 (Act No. 4 of 2006), Gas Act, 2001 (Act No. 48 of 2001) and Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

The **National Energy Regulator (NERSA)** invites the public and all stakeholders to attend the scheduled public hearing on the Guidelines for the Electricity Reseller Tariffs. The public hearing will be conducted as follows:

Date: 22 July 2014
Venue: Gallagher Convention Centre
Richards Drive, Midrand
Time: 10:00 – 17:00

Members of the public and stakeholders who wish to attend or to present at the hearing must register no later than **16:00** on **Thursday, 17 July 2014**. Contact persons for registration are:

Dimakatjo Moagi
Tel: 012 401 4715
Fax: 012 401 4700
publichearings@nersa.org.za

Elizabeth Taylor
Tel: 012 401 4033
Fax: 012 401 4089
publichearings@nersa.org.za

Also note that if NERSA does not receive any requests to present at the advertised public hearing by the closing date of this notice, **17 July 2014**, NERSA retains the right not to hold the scheduled hearing.

For more information please contact Dimakatjo Moagi at Tel: 012 401 4715

BOARD NOTICES RAADSKENNISGEWINGS

BOARD NOTICE 68 OF 2014

FINANCIAL SERVICES BOARD

FINANCIAL MARKETS ACT, 2012 (ACT NO. 19 OF 2012)

DIRECTIVE AND GUIDELINE NO. 1 OF 2014

DIRECTIVE AND GUIDELINE REGARDING INFRASTRUCTURES PROVIDED BY COMPANIES FACILITATING TRADING IN THEIR OWN SECURITIES

I, Dube Phineas Tshidi, the Registrar of Securities Services, hereby issue under section 6(3)(k) and section 6(4)(a) of the Financial Markets Act, 2012 (Act No. 19 of 2012), this directive and guideline as it relates to infrastructures provided by companies to facilitate trading in their own securities.

Definition

1. In this Directive and Guideline, “**the Act**” means the Financial Markets Act, 2012 (Act No. 19 of 2012) and any word or expression to which a meaning has been assigned in the Act has the meaning so assigned to it.

Legal and policy framework

2. An exchange is defined as “a person who constitutes, maintains and provides an infrastructure-
 - (a) for bringing together buyers and sellers of securities;
 - (b) for matching bids and offers for securities of multiple buyers and sellers; and
 - (c) whereby a matched bid and offer for securities constitutes a transaction”.
3. The definition of an “exchange” is independent of the instrument type, volume of securities traded, market capitalisation, number of investors or the number of issuers whose securities trade on the infrastructure.

4. A person who maintains or provides an infrastructure which meets the three requirements set out in the definition, accordingly operates an exchange, regardless of whether the infrastructure is provided for transactions in only one security.

Licensing of exchanges

5. The Act clearly sets out the measures required to ensure fair, efficient and transparent markets. Non-compliance with any one of these requirements could have an adverse effect on investor protection and the market.
6. Section 7(1) of the Act provides that all exchanges must be licensed under the Act. In terms of section 109(c) of the Act a person who acts as an exchange without being licensed as such commits an offence and is liable on conviction to a fine not exceeding R10 million or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.
7. Sections 7 to 17 of the Act set out the main requirements that applicants for an exchange licence must meet. Amongst others, the exchange (applicant) must have made arrangements for the efficient and effective surveillance of all transactions effected through the exchange and for the supervision of authorised users so as to identify possible market abuse and ensure compliance with the exchange rules and exchange directives.

Infrastructures carrying on the business of an exchange without a licence

8. A number of issuers currently provide infrastructures conforming to the definition of an exchange in terms of which the issuer facilitates trade in its own securities through an exchange platform.
9. The Registrar of Securities Services ("the Registrar"), as the custodian of the Act¹, cannot allow exchange infrastructures to operate illegally nor can a proliferation of illegal exchanges be allowed. The situation is exacerbated if the infrastructures/

¹ Sections 6(2) and (3) of the Act.

persons selling securities in the secondary market do not comply with the disclosure requirements as outlined in the Companies Act, 2008 (Act No. 71 of 2008).

10. The affairs of all unlicensed exchanges must urgently be regularised, either by these exchanges ceasing the illegal unlicensed exchange activities, or by obtaining the requisite licence to operate an exchange or by obtaining the appropriate exemption.

Exemptions

11. Section 6(3)(m) of the Act provides that:

“(3) In performing those functions the registrar-

....

- (m) may exempt any person or category of persons from the provisions of a section of this Act if the registrar is satisfied that-*
 - (i) the application of said section will cause the applicant or clients of the applicant financial or other hardship or prejudice; and*
 - (ii) the granting of the exemption will not-*
 - (aa) conflict with the public interest; or*
 - (bb) frustrate the achievement of the objects of this Act;”*

12. The objects of the Act are in turn defined in the Act as, to:

- “(a) ensure that the South African financial markets are fair, efficient and transparent;*
- (b) increase confidence in the South African financial markets by-*
 - (i) requiring that securities services be provided in a fair, efficient and transparent manner;*
 - and*
 - (ii) contributing to the maintenance of a stable financial market environment;*
- (c) promote the protection of regulated persons, clients and investors;*
- (d) reduce systemic risk; and*
- (e) promote the international and domestic competitiveness of the South African financial markets and of securities services in the Republic.”*

13. The Registrar may therefore, in terms of Section 6(3)(m) of the Act, consider a temporary, or a permanent exemption from the provisions of a section of the Act if he is satisfied that the requirements mentioned in paragraphs 11 and 12 above have been met.

14. An applicant for an exemption must motivate why it believes that it has met all the requirements for an exemption as mentioned in paragraphs 11 and 12 above. In addition, the applicant should also motivate why it believes that the Registrar should

exercise his discretion to grant the requested exemption should the Registrar be satisfied that these requirements have been met.

15. To assist applicants, the Registrar has published a standard form containing minimum information to enable the Registrar to consider such applications. This document is available at www.fsb.co.za under Capital Markets.²

Way forward

16. Any person wishing to apply for a licence to operate an exchange or for an exemption from a section of the Act, can make such application to Mr Norman Muller, Head, Capital Markets Department by email to norman.muller@fsb.co.za or via facsimile to 012 346 6533.
17. Persons currently providing an exchange infrastructure without the requisite licence, or applicable exemption, are doing so in contravention of the Act and must as such take the necessary steps to ensure compliance with the provisions of the Act.

Commencement

18. This Directive and Guideline comes in effect on the date of publication.


DP TSHIDI

Registrar of Securities Services

BOARD NOTICE 69 OF 2014**FINANCIAL SERVICES BOARD****FINANCIAL MARKETS ACT 19 OF 2012****AMENDMENTS TO THE JSE DERIVATIVES RULES**

I Dube Phineas Tshidi, Registrar of Securities Services, hereby give notice under section 71(3)(c)(ii) of the Financial Markets Act 19 of 2012 that the proposed amendments to the JSE Derivatives Rules have been approved. Please be advised that the rules as amended are available on the official website of the Financial Services Board (www.fsb.co.za) and the website of the market infrastructure, the JSE Limited (www.jse.co.za). The amendment comes into operation on **11 July 2014**

**D P TSHIDI****Registrar of Securities Services**

BOARD NOTICE 70 OF 2014**GENERAL EXPLANATORY NOTE:**

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

— Words underlined with a solid line indicate insertions in existing enactments.

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RULES FOR THE PROPERTY VALUERS PROFESSION, 2008, FIFTH AMENDMENT

The South African Council for the Property Valuers Profession, under section 37(3) of the Property Valuers Profession Act, 2000, hereby makes the rules in the Schedule.

SCHEDULE**Definitions**

1. In these rules any word or expression to which a meaning has been assigned to in the Act shall have that meaning and-
 - (i) “the Act” means the Property Valuers Profession Act, 2000 (Act No. 47 of 2000); and
 - (ii) “the Rules” means the Rules for the Property Valuers Profession, 2008.

Substitution of Rule 6 of Rules

2. The following rule is hereby substituted for rule 6 of the Rules:

“Restriction and conditions applicable to candidates and valuation work

6. (1) A candidate in any category of registration must at all times and circumstances comply with section 19(3) of the Act, read with item 9 of Annexure C.1 or item

8 of Annexure C.2, as the case may be, which provides clearly that he or she may perform work in the property valuers profession only under the supervision

and control of a professional (“the supervisor or mentor”) and, consequently, that he or she or any person or body for or on his or her behalf –

- (a) shall not canvass or solicit valuation work or publish his or her services in his or her *capacity as a candidate*;
- (b) shall accept an instruction or request to assist in the performance of a property valuation only from his or her supervisor or mentor or another professional (“the instructing professional”), which instruction or request shall –

- (i) be in writing, stating the name, registration category and postal address of the instructing professional;
 - (ii) contain the name of the person requiring the property valuation ("the client"); the registration particulars and description of the property to be valued; the type of property; the purpose of the valuation; and the work to be performed by the candidate; and
 - (iii) form part of the resulting valuation report;
- (c) shall, if requested by any person or body ("the client") to perform property valuation work refer the client or the request to an instructing professional;
- (d) except where a candidate is in fact also the client he or she shall not, directly or indirectly, instruct a professional to perform property valuation work for a client.
- (2) A professional shall not, directly or indirectly, take instructions from a candidate, or any person other than a client or his or her duly appointed agent, to perform property valuation work for that client.
- (3) The statement of account for services rendered in respect of property valuation work performed as a result of an instruction or request referred to in subrule (1)(b), shall be issued by and in the name of the instructing professional or his or her practice, and payment thereof shall be made only to him or her or the practice, as the case may be."

Short title and commencement

3. These rules shall be called the Fifth Amendment to the Rules for the Property Valuers Profession, 2008, and shall commence on 11 August 2014.
-

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za
 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
 - Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.

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