

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 824

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED]

Notice is hereby given in terms of **Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended**, that a **Land claim for Restitution of Land Rights** has been lodged by **Ms. Thokozile Elizabeth Hadebe ID. NO. 5306014 0455 086** on behalf of Hadebe family on the property mentioned here under situated in Mkhondo Local Municipality, Gert Sibande District in Mpumalanga Province (**KRP: 336**)

CURRENT PARTICULARS OF THE PROPERTY**1. Springbokkraal 434 IT**

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 4	Hans Naude Trust	T27839/1995	342.5971 ha	B29279/1995	Boland Bank	EX435/1972-19660/51T

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **14 [Fourteen days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X 11330

Nelspruit

1200

or 30 Samora Machel Drive

Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859

CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE:

MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE:

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 825

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by Mr. Petrus Elijah Mahlangu [ID No. 4912055644084] on behalf of the Mahlangu Family on the property mentioned hereunder situated in Govan Mbeki Local Municipality under Gert Sibande District Municipality in the Mpumalanga Province: [KRP: 9930&9948]

CURRENT PARTICULARS OF THE PROPERTY

RIETFontein 420 IS

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 26	<ul style="list-style-type: none"> Kirton Barry [6402255099086] Kirton Magdalena Adriana [6907120258082] 	T3061/2008	378.9407 ha	None	None	<ul style="list-style-type: none"> EX35/2014 K2549/1982RM K3438/1987PC

The Restitution of Land Rights, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **30 [thirty days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X 7201

Witbank

1035

or Saveways Crescent Centre
Cnr Mandele & OR Tambo Street

Witbank

1035

TEL NO: 013 690 3552

FAX NO: 013 690 2438

CHECKED BY:  **MRS R SINGH**
RESTITUTION ADVISOR
DATE:  17/05/2019


MR. L. H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 20/05/17

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 826

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr Rampye Jacob Mmako [ID No. 510706 5194 084] on behalf of Mmako Family on the property mentioned hereunder situated in Dr J S Moroka Local Municipality, Nkangala District in the Mpumalanga Province: [KRP: 12342]

CURRENT PARTICULARS OF THE PROPERTY

KAMEELPOORT 202 JR

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Extent of Portion 10	National Government of the Republic South Africa	T14368/2015	255.9381ha	None	None	None
Portion 12	National Government of the Republic South Africa	T14368/2015	145.1072 ha	None	None	None
Portion 13	National Government of the Republic South Africa	T14368/2015	342.6128 ha	None	None	VA1217/83-54715/81T

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 14 [Fourteen days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

or Shop No. E 8

Saveways Crescent Centre

Cnr OR Thambo and Mandela Street

Witbank

1035

TEL NO: 013 655 1000

FAX NO: 013 699 2438

CHECKED BY: MRS R. SINGH
RESTITUTION ADVISOR

DATE: 19/05/2019

MR. L. H. MAPHUTHA

COMMISSIONER FOR RESTITUTION OF LAND RIGHTS

DATE: 20/05/2019

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 827

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED]

Notice is hereby given in terms of Section 11[1] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for **Restitution of Land Rights** has been lodged by **Mr Majobo Boy Masina ID. NO. 540920 5431 08** on behalf of Masina family on the property mentioned here under situated in Albert Luthuli Local Municipality, Gert Sibande District in Mpumalanga Province (**KRP: 10007**)

CURRENT PARTICULARS OF THE PROPERTY

1. Barneveld 16 IT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 1	Sappi Manufacturing Pty Ltd [195100318007]	T82912/1997	1454.9266 ha	None	None	<ul style="list-style-type: none"> • K1120/1974S • K1508/1972S • K3612/1994S • K4263/2007S • K4296/1990RM • K5083/2004S • K7/2018S • T82912/1997

2. Victoriaspoort 18 IT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 4	Lereko Prop co Pty Ltd [200503829507]	T265/2009	266.5956 ha	B256/2009 B257/2009	Sappi LTD Sappi Manufacturing Pty Ltd	<ul style="list-style-type: none"> • K1757/1980RM • K2194/1981RM • K6000/1998RM • K6001/1998RM

3. Buffelspruit 22 IT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 01	Sappi Manufacturing Pty Ltd [195100318007]	T82912/1997	377.7306 ha	None	None	<ul style="list-style-type: none"> • I-939/2010C • K4263/2007S • K5083/2004S • K599/1991RM in favour of Davel Schalk Willem Burger • K8/2018S • T82912/1997

NB: The Total hectares affected by the claim = 164.9454 ha of 2099.2528 ha

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **14 [Fourteen days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights**Private Bag X 11330****Nelspruit****1200****or 30 Samora Machel Drive****Restitution House****Nelspruit****1200****TEL NO: 013 756 6000****FAX NO: 013 752 3859****CHECKED BY: RENALL SINGH****RESTITUTION ADVISOR****DATE: 2019/04/17****MR. L.H. MAPHUTHA****REGIONAL LAND CLAIMS COMMISSIONER****MPUMALANGA PROVINCE****DATE: 2019/04/17**

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 828

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr Kleinbooi Masilela [ID No. 4904065312083] on behalf of Masilela Family on the property mentioned hereunder situated in Dr J S Moroka Local Municipality, Nkangala District in the Mpumalanga Province: [KRP: 944]

CURRENT PARTICULARS OF THE PROPERTY

KAMEELPOORT 202 JR

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Extent of Portion 10	National Government of the Republic South Africa	T14368/2015	255.9381ha	None	None	None
Portion 12	National Government of the Republic South Africa	T14368/2015	145.1072 ha	None	None	None

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 14 [Fourteen days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X7201

Witbank

1035

or Shop No. E 8

Saveways Crescent Centre

Cnr OR Tambo and Mandela Street

Witbank

1035

TEL NO: 013 655 1000

FAX NO: 013 650 2438

CHECKED BY: MRS R SINGH

RESTITUTION ADVISOR

DATE: 19/05/2019

MR. L. H. MAPHUTHA

COMMISSIONER FOR RESTITUTION OF LAND RIGHTS

DATE: 20/05/2019

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 829

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for **Restitution of Land Rights** has been lodged by **Mr. Marothi Solomon Letsoalo [ID No. 5904 0757 53085]** on behalf of **Letsoalo Family** on the property mentioned hereunder situated in **Dr J S Moroka Local Municipality in Nkangala District in the Mpumalanga Province: [KRP: 935]**

CURRENT PARTICULARS OF THE PROPERTY

1. ALLEMANSKRAAL 164 JR

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Ext of the Farm 164 JR	National Government of the Republic Of South Africa	T4020/2015	1828.3665ha	None	None	1-2461/1988C

2. KOEDOEBOES 159 JR

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Ext of the Farm 159 JR	National Government of the Republic Of South Africa	T4020/2015	604.5735 ha	None	None	None
			Total Extent for Both Farms is	2432.94		

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 30 [thirty days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X7201

Witbank

1035

Or Shop No. E 8

Saveways Crescent Centre

Cnr OR Thambo and Mandela Street

Witbank

1035

TEL NO: 013 655 1000

FAX NO: 013 690 2438



CHECKED BY: MRS. R SINGH

RESTITUTION ADVISOR

DATE: 19/03/2019



MR. L. H. MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

DATE: 20/04/17

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 830

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED]

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by Mr Grash Samuel Khoza ID. NO. 100716 5087 085 on behalf of Nkosi family on the property mentioned here under situated in Mkhondo Local Municipality, Gert Sibande District in Mpumalanga Province (KRP: 6452)

CURRENT PARTICULARS OF THE PROPERTY
1. STAFFORD 399 IT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
The Remaining Extent of Portion 8	Republic of South Africa	T38420/2003	154.7764 ha	None	None	None
The affected hectares of Claimed Land is 4.5642 ha						

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **14 [Fourteen days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X 11330

Nelspruit

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or 30 Samora Machel Drive


Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859


CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 20/05/19


MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE

DATE: 20/04/17

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 831

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a land claim for Restitution of Land Rights has been lodged by Mr. Masoja Mathews Nhlapo [ID No. 540507 5267 084] on behalf of Nhlapo Family on the property mentioned hereunder situated in Albert Luthuli Local Municipality, Gert Sibande District in the Mpumalanga Province: [KRP: 405]

CURRENT PARTICULARS OF THE PROPERTY

WITKLOOF 408 JT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 17	Upbeatrops 1097 CC [199804471223]	T12168/2014	131.6956 ha	B5134/2014	Standard Bank Of South Africa Ltd	None
			Affected hactares are 29.9101 ha for the Land Claimed			

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within 14 [Fourteen days] from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X 11330
Nelspruit

1200

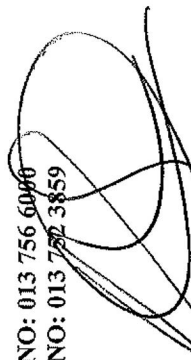
Or 30 Samora Machel Drive
Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752 3859



CHECKED BY: MRS R SINGH
RESTITUTION ADVISOR

DATE: 19/05/2019



MR. L. H. MAPHUTHA

COMMISSIONER FOR RESTITUTION OF LAND RIGHTS

DATE: 20/05/19

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 832

31 MAY 2019

GENERAL NOTICE IN TERMS OF RESTITUTION OF LAND RIGHTS ACT, 1994 [ACT 22 OF 1994] AS AMENDED]

Notice is hereby given in terms of Section 11(1) of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended, that a Land claim for Restitution of Land Rights has been lodged by Ms. Thokozile Elizabeth Hadebe ID. NO. 5306014 0455 086 on behalf of Hadebe family on the property mentioned here under situated in Mkhondo Local Municipality, Gert Sibande District in Mpumalanga Province (KRP: 336)

CURRENT PARTICULARS OF THE PROPERTY

1. Springbokkraal 434 IT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Portion 4	Hans Naude Trust	T27839/1995	342.5971 ha	B29279/1995	Boland Bank	EX435/1972-19660/51T

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the claims in terms of the provisions of the Act, any party interested in the above mentioned property is hereby invited to submit within **14 [Fourteen days]** from the date of publication of this notice to submit any comments, or further information to:

Commissioner for Restitution of Land Rights

Private Bag X 11330

Nelspruit

1200

or 30 Samora Machel Drive

Restitution House

Nelspruit

1200

TEL NO: 013 756 6000

FAX NO: 013 752-3859


CHECKED BY: RENALL SINGH
RESTITUTION ADVISOR
DATE: 2019/05/19


MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE

DATE: 2019/05/17

DEPARTMENT OF TRADE AND INDUSTRY

NO. 833

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. JOUBERTINA BUSINESS PALACE CO-OP LTD
2. INKANYEZI YAMAMPONDO CO-OP LTD
3. RATANANG CO-OP LTD
4. IPHEPHA CORRUGATED CO-OP LTD
5. IMIZAMO YEMBOKODO CO-OP LTD
6. SIMAYLA BUSINESS CO-OP LTD
7. ITULO CO-OP LTD
8. HAMMANSKRAAL KOPANONG CO-OP LTD
9. IVUKILE YOUTH CO-OP LTD
10. INTSIKA YETHEMBA YOUTH CO-OP LTD
11. NKOMAZI COTTON FARMERS CO-OP LTD
12. SELEBRUKA WOMEN AGRICULTURAL CO-OP LTD
13. SISONKE DISPOSABLES TRADING CO-OP LTD
14. E-KHAYA CO-OP LTD
15. MASAKHANE WILD COAST POULTRY CO-OP LTD
16. DALICEBO CERAMIC POTTERIES CO-OP LTD
17. GREYSTONE PEST CONTROL CO-OP LTD
18. IMBAL'ENTLE CO-OP LTD
19. IMITSHIZA FZARMERS CO-OP LTD
20. IZWE LONKE DISTRIBUTORS CO-OP LTD
21. ATLEGANG CO-OP LTD
22. BONGUMUSA CO-OP LTD
23. AMADLELO ENTERPRIZE CO-OP LTD
24. DOWN-TOWN MOTORS CO-OP LTD
25. BAPHAKAME CONSTRUCTION AND MAINTENANCE SERVICES CO-OP LTD
26. ABGQWABI BEMPUMELELO PIGGERY CO-OP LTD
27. IMBUMBA YOMAMA JEAN MAKING CO-OP LTD
28. IMPUNZI CO-OP LTD
29. BANARE BA MANJANA CO-OP LTD
30. G-FORCE ARTS AND CULTURE CO-OP LTD
31. ESIHLE COMMUNITY CO-OP LTD
32. IMBIZA YOMCEBO CO-OP LTD
34. THATO YA BATHO CONFECTIONERY AND BAKERY CO-OP LTD
36. MADWALENI CO-OP LTD
37. MANQILWENI AGRICULTURAL CO-OP LTD
38. MNIKANI CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 834

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. DINATLA CO-OP LTD
2. HOREBE FASHION DESIGNER CO-OP LTD
3. IMBENG E BUSINESS DEVELOPMENT CO-OP LTD
4. SIBANYE HEALTH AND HYGIENE CO-OP LTD
5. PELLA FARMERS ASSOCIATION CO-OP LTD
6. PHILANATHI CO-OP LTD
7. SINAW E AGRICULTURAL CO-OP LTD
8. INGQALABUTHO YESIZWE CO-OP LTD
9. ISIPHIWO CO-OP LTD
10. SIKHULULEKILE POULTRY CO-OP LTD
11. SIYANCENGA-OP LTD
12. MPIYABANTU SECURITY CO-OP LTD
13. SISITHA CATERING CO-OP LTD
14. SAKHISIZWE FARMING CO-OP LTD
15. EZETHU YOUTH CO-OP LTD
16. MASHLUME SAVINGS AND CREDIT CO-OP LTD
17. MBIZANA RURAL WOMEN CO-OP LTD
18. LISO SEWING CO-OP LTD
19. MAPUNGBWE POULTRY CO-OP LTD
20. MUTALE INTERGRATED ENERGY CO-OP LTD
21. ISITHOMBO SOMGWAVA CO-OP LTD
22. LETHUKUPHILA CO-OP LTD
23. LETHULWAZI FARMERS ASSOCIATION CO-OP LTD
24. ANTS CO-OP LTD
25. IYAMUKELA CO-OP LTD
26. INGQAYIZIVELE AGRICULTURAL CO-OP LTD
27. ESTAND YOUTH CONSTRUCTION CO-OP LTD
28. IZAMQULE CO-OP LTD
29. AFRICAN ART WORK CO-OP LTD
30. ALL NATIONS CO-OP LTD
31. MIRRLEES IRRIGATION SCHEME CO-OP LTD
32. LINDELWA CO-OP LTD
34. LILITHA KWAKHANYA RENOVATION CO-OP LTD
36. MAMOKETE CIVIL DEVELOPMENT CO-OP LTD
37. MPHEME CO-OP LTD
38. SESIHLANGENE AGRICULTURAL CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 835

31 MAY 2019

CO-OPERATIVES TO BE STRUCK FROM THE REGISTER

1. MASITHEMBANE CLEANING AND SERVICES CO-OP LTD
2. BATALIMA CO-OP LTD
3. SUNSHINE MEDICERY PLANT CO-OP LTD
4. STEVE TSHWETE AGRICULTURAL CO-OP LTD
5. F K SECURITY SERVICE CO-OP LTD
6. ACHIB NORTH WEST (KLERKSDORP) CO-OP LTD
7. NTUNJENI CO-OP LTD
8. SIYADUDULA HOUSING CO-OP LTD
9. KHULULEKANI CO-OP LTD
10. UMTHOLE CO-OP LTD
11. ANQOBILE CO-OP LTD
12. SIYADLA SIYAFUNDZA CO-OP LTD
13. MAPHELENI AGRICULTURAL CO-OP LTD
14. MIGHTY PERFECT CO-OP LTD
15. BERACAH CO-OP LTD
16. MAKHUZENI CO-OP LTD
17. SIBONGIMPUMELELO CO-OP LTD
18. ESCONGWENI CO-OP LTD
19. BHAKIZONKA BAKERY CO-OP LTD
20. ZONKIZIZWE POULTRY CO-OP LTD
21. UMZABALAZO FARMING CO-OP LTD
22. QONDANAZIKABANZI CO-OP LTD
23. CELA NGOMANA PRIMARY AGRICULTURAL CO-OP LTD
24. SIMOKUHLE GARDENING PAVING AND CLEANING CO-OP LTD
25. TSHIDZINI AGRICULTURAL CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

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 sixty 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 AND INDUSTRY

NO. 836

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. ZITHUTHUKISENI CO-OP LTD
2. MASITHJEJANE ENVELOPING MANUFACTURER CO-OP LTD
3. SIYATHEMBA CLEANING CO-OP LTD
4. KWAMASHU BUTCHERY CO-OP LTD
5. ILIMALETHU CO-OP LTD
6. BAMBELELA CO-OP LTD
7. VUK'UZITHATHE-ZULU FARMERS CO-OP LTD
8. ZIKIPHE CO-OP LTD
9. ART AFRO DÉCOR PRIMARY CO-OP LTD
10. AHITWANANENI FARMERS AGRICULTURAL CO-OP LTD
11. TEZAHSS CO-OP LTD
12. MISHUMO ENVIRONMENT KEEPERS CO-OP LTD
13. KUSAKUSA FARMERS CO-OP LTD
14. AMASU COMMUNITY BAKERY CO-OP LTD
15. KWARRIELAAGTE AND VREEMDELING MINING AND COMMUNITY UPLIFTMENT CO-OP LTD
16. MENS PRODUCTION CO-OP LTD
17. COOPERANDI PRIMARY WORKER CO-OP LTD
18. HLALANATHI NKOSI POULTRY CO-OP LTD
19. HLUMISA CO-OP LTD
20. BLOCK BUSTERS CO-OP LTD
21. BM-TIMBERS SAWMILL CO-OP LTD
22. DANSANE CO-OP LTD
23. BUYANI EKHAYA CO-OP LTD
24. NKOTLOLE AGRICULTURAL CO-OP LTD
25. ELUXENI AGRICULTURAL CO-OP LTD
26. DUMAKAHLE CO-OP LTD
27. DANNHAUSER BEADS CO-OP LTD
28. DURBA UPRISING CO-OP LTD
29. NTABAMHLOPHE AGRICULTURAL CO-OP LTD
30. SBOESE CO-OP LTD
31. SAVELA CATERING CO-OP LTD
32. SNEGUGU CO-OP LTD
33. SHILOAH MOTORS SPARES CO-OP LTD
34. HAMBANDLALA CO-OP LTD
35. TSAKI TSAKI CO-OP LTD
36. MPHATLALATSANE CONSTRUCTION CO-OP LTD
37. PHUKALLANG CLEANING SERVICES CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X 237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 837

31 MAY 2019

CO-OPERATIVES TO BE STRUCK FROM THE REGISTER

1. **AMAZOLO TRADING CO-OP LTD**
2. **QONDISISA CO-OP LTD**
3. **NOMANINI CO-OP LTD**
4. **THARI-E SWANA TRADING CO-OP LTD**
5. **MACOSA TRADING CO-OP LTD**
6. **KHWEZUMKHONO GARDEN CO-OP LTD**
7. **ACHIB EASTERN CAPE (UMTATA) CO-OP LTD**
8. **SOPHILA FOOD SUPPLIER SCHEME CO-OP LTD**
9. **TSHWARAGANO BAKERY CO-OP LTD**
10. **NGOKUZIHANDLA CO-OP LTD**
11. **AMADELA-KUFA CENTRAL CO-OP LTD**
12. **EZIKAMAKHAWULA CO-OP LTD**
13. **NHLEKISA CO-OP LTD**
14. **IMISEBE YELANGA CO-OP LTD**
15. **LEHURUTSHE SHOE MANUFACTURING CO-OP LTD**
16. **HLONIPHANI SEWING CO-OP LTD**
17. **INYONI KAYIPHUMULI CO-OP LTD**
18. **MAHANYISI AGRICULTURAL CO-OP LTD**
19. **MUDASWALI BAKERY CO-OP LTD**
20. **NTIMBANI TRADING CO-OP LTD**
21. **IMVUBELO KWANDENATHI CO-OP LTD**
22. **MAKGWARANENG CO-OP LTD**
23. **SIBONGAKONKE YOUTH CO-OP LTD**
24. **SIMTFOLILE CO-OP LTD**
25. **ACHIB NORTH WEST (POTCHEFSTROOM) CO-OP LTD**
26. **EMPUMALANGA-YETHU CO-OP LTD**
27. **TSHWARANANG CO-OP LTD**
28. **IDUBE DRY CLEANERS CO-OP LTD**

Notice is hereby given that the names of the abovementioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

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 sixty 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 AND INDUSTRY

NO. 838

31 MAY 2019

CO-OPERATIVES TO BE STRUCK FROM THE REGISTER

1. MPUMELELO YETHU CO-OP LTD
2. SILINDELWE CO-OP LTD
3. SIQALA OKUHLE CO-OP LTD
4. THUSHANO YOUTH CO-OP LTD
5. ASIYEPHAMBILI CO-OP LTD
6. MOEPO CO-OP LTD
7. TLHOAFALO BASADI CO-OP LT
8. BOITEKO POULTRY CO-OP LTD
9. KHAZIMLA CO-OP LTD
10. RIXALADZA PRINTING DEVELOPMENT CO-OP LTD
11. SOUTHERN DEVELOPMENT CO-OP LTD
12. IVELILE CO-OP LTD
13. FISOKUHLE SINETHEMBA CO-OP LTD
14. ENDOSA CLOTHING CO-OP LTD
15. LAPOLOGANG MINING CO-OP LTD
16. STAR RESTAURANT CO-OP LTD
17. VUSUMUZI HOUSING AND DEVELOPMENT CO-OP LTD
18. THABELA CO-OP LTD
19. IMINENHLE CLEANING SERVICE CO-OP LTD
20. APERCU CORPORAPN CO-OP LTD
21. ACHIB FREE STATE (KROONSTAD) CO-OP LTD
22. TSAKANI COMMUNITY BAKERY CO-OP LTD
23. REGOROGILE AGRICULTURAL CO-OP LTD
24. BRIGHT FUTURE WARD 38 CO-OP LTD
25. EMPILWENI ENHLE CO-OP LTD
26. ZETHEMBE MINENHLE CO-OP LTD
27. ACHIB EASTERN CAPE (QUEENSTOWN) CO-OP LTD
28. INQAWE FORM MANUFACTURING CO-OP LTD
29. RE TLA DIRA MMOGO PROJECTS CO-OP LTD
30. SINENKOSITHINA TRADING CO-OP LTD
31. THUTHUKANI SIZABANTU CO-OP LTD
32. KGABANG KA BOTHO CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives will, after the expiration of sixty days from the date of this notice, be struck off the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005, and the co-operatives will be dissolved unless proof is furnished to the effect that the co-operatives are carrying on business or are in operation.

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 sixty 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 AND INDUSTRY

NO. 839

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. JOUBERTINA BUSINESS PALACE CO-OP LTD
2. INKANYEZI YAMAMPONDO CO-OP LTD
3. RATANANG CO-OP LTD
4. IPHEPHA CORRUGATED CO-OP LTD
5. IMIZAMO YEMBOKODO CO-OP LTD
6. SIMAYLA BUSINESS CO-OP LTD
7. ITULO CO-OP LTD
8. HAMMANSKRAAL KOPANONG CO-OP LTD
9. IVUKILE YOUTH CO-OP LTD
10. INTSIKA YETHEMBA YOUTH CO-OP LTD
11. NKOMAZI COTTON FARMERS CO-OP LTD
12. SELEBRUKA WOMEN AGRICULTURAL CO-OP LTD
13. SISONKE DISPOSABLES TRADING CO-OP LTD
14. E-KHAYA CO-OP LTD
15. MASAKHANE WILD COAST POULTRY CO-OP LTD
16. DALICEBO CERAMIC POTTERIES CO-OP LTD
17. GREYSTONE PEST CONTROL CO-OP LTD
18. IMBAL'ENTLE CO-OP LTD
19. IMITSHIZA FZARMERS CO-OP LTD
20. IZWE LONKE DISTRIBUTORS CO-OP LTD
21. ATLEGANG CO-OP LTD
22. BONGUMUSA CO-OP LTD
23. AMADLELO ENTERPRIZE CO-OP LTD
24. DOWN-TOWN MOTORS CO-OP LTD
25. BAPHAKAME CONSTRUCTION AND MAINTENANCE SERVICES CO-OP LTD
26. ABGQWABI BEMPUMELELO PIGGERY CO-OP LTD
27. IMBUMBA YOMAMA JEAN MAKING CO-OP LTD
28. IMPUNZI CO-OP LTD
29. BANARE BA MANJANA CO-OP LTD
30. G-FORCE ARTS AND CULTURE CO-OP LTD
31. ESIHLE COMMUNITY CO-OP LTD
32. IMBIZA YOMCEBO CO-OP LTD
34. THATO YA BATHO CONFECTIONERY AND BAKERY CO-OP LTD
36. MADWALENI CO-OP LTD
37. MANQILWENI AGRICULTURAL CO-OP LTD
38. MNIKANI CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 840

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

- 1 .NKOSIBANATHI CO-OP LTD
2. SASESIWUBONILE CO-OP LTD
3. INKANYEZI COMMUNITY SERVICES CO-OP LTD
4. ISULETHU LAND CARE PROJECT CO-OP LTD
5. MAYIBUYE CONSTRUCTION PROJECTS CO-OP LTD
6. ELUKWATINI FINANCIAL SERVICES CO-OP LTD
7. BHEKAPHAMBILI CO-OP LTD
8. NGCENGIMPILO CO-OP LTD
9. UBUHLE TRADING CO-OP LTD
10. ROIMA FISHERY AND CULTURAL VILLAGE CO-OP LTD
11. SIBUYILE QHUBEKANI POULTRY CO-OP LTD
12. NOZIWE QUGQWALA CO-OP LTD
13. SINETHEMBA SIYATHUNGA CO-OP LTD
14. SABELO SENKOSI CO-OP LTD
15. SONDEZA TRANSPORT CO-OP LTD
16. HLOMLA SEWING CO-OP LTD
17. VUKANI COMMITTED YOUTH CO-OP LTD
19. KHANDIMPILO CO-OP LTD
20. ISIQHOVA TRADING CO-OP LTD
21. SAKHISIZWE CLEANING SERVICES CO-OP LTD
22. AREKOPANENG CO-OP LTD
23. GIYANI PLASTIC PROCESSING CO-OP LTD
24. MZAMOMHLE TRANSPORT CO-OP LTD
25. TSHIDIMBINI BURIAL CO-OP LTD
26. SASEKO CLOTHING CO-OP LTD
27. MAYIHLOME BRICK MAKING CO-OP LTD
28. NIKHWE A VIKINDLALA CO-OP LTD
29. THARI-E NTSOHO AGRICULTURAL CO-OP LTD
30. AFRICAN CO-OPERATIVE FOR HAWKERS AND INFORMAL BUSINESS N.M.M (ACHIB) CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X 237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 841

31 MAY 2019

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. EYAMABOMVU CONSTRUCTION AND CATERING CO-OP LTD
2. DIRANG WOMEN CO-OP LTD
3. BELA-BELA DEVELOPMENT CO-OP LTD
4. BHEKABANTU MULTI-PURPOSE CO-OP LTD
5. ISILELEVU CO-OP LTD
6. TSHELWA KA LEHLOTLO CO-OP LTD
7. GUDLUMEZANANI MULTI-PURPOSE CO-OP LTD
8. MTITINYWA CO-OP LTD
9. MOBOGO DINKU A THEBANA AGRICULTURAL CO-OP LTD
10. ABAKWAMBOKAZI AGRICULTURAL CO-OP LTD
11. MOMA SEWERAGE REMOVAL CO-OP LTD
12. MZANSI-AFRIK-ARTS CO-OP LTD
13. BOMATHATHE PROJECTS AND FARMING CO-OP LTD
14. MME MPHE BOGOBE AGRICULTURAL CO-OP LTD
15. INYAMA YETHU CO-OP LTD
16. MASIZAKHE BAFAZI SEWING CO-OP LTD
17. INKANYEZI YOKUSA CATERING CO-OP LTD
18. RISING STAR CO-OP LTD
19. SENTLHAGA BURIAL SOCIETY CO-OP LTD
20. ESIBOMVINI CO-OP LTD
21. NKOSIPILISO CO-OP LTD
22. BAYVIEW TRANSPORT CO-OP LTD
23. SOUTHERN FURNITURE CO-OP LTD
24. MZULU CO-OP LTD
25. STRICTLY PROFESSIONAL CATERING CO-OP LTD
26. EMPILISWENI CO-OP LTD
27. TALENTE CO-OP LTD
28. BUYIS'IZWE CO-OP LTD
29. THOLEZWENI CO-OP LTD
30. NOFANEZILE CO-OP LTD
31. ZIMELENI CO-OP LTD
32. BASADI SEDIBENG CLOTHING CO-OP LTD
34. SOMKHU CO-OP LTD
36. DIPHUKA CLOTHING MANUFACTURERS CO-OP LTD
37. DINOKANA GOPANE SLATE MINING ENTERPRISE PRIMARY CO-OP LTD
38. CLAREDON WEAVERS CO-OP LTD

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 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X237
Pretoria
0002

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**NOTICE 289 OF 2019****AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)****REGULATIONS REGARDING THE GRADING, PACKING AND MARKING OF EGGS DESTINED
FOR SALE IN THE REPUBLIC OF SOUTH AFRICA: REVISION OF REGULATIONS**

I, Senzeni Zokwana, Minister of Agriculture, Forestry and Fisheries, acting under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby make known that I intend to publish revised Regulations Regarding the Grading, Packing and Marking of Eggs destined for Sale in the Republic of South Africa.

All interested parties are invited to submit comments and any representations concerning the proposed revised regulations in writing within **30 days** from the date of publication of this Notice to the following address:

Executive Officer: Agricultural Product Standards
Department of Agriculture, Forestry and Fisheries
Private Bag X343, Pretoria, 0001
30 Hamilton Street, Harvest House Building, Arcadia, Room 157
Tel. no. 012 319 6106; Fax no. 012 319 6265
Email: puritym@daff.gov.za

The revised regulations are available on the Department's website www.daff.gov.za, go to "Branches" → "Agricultural Production, Health & Food Safety" → "Food Safety & Quality Assurance" → "Draft legislation for comments", or can be forwarded via electronic mail or posted to any person upon request.

Mr. Senzeni Zokwana

Minister of Agriculture, Forestry and Fisheries

DEPARTMENT OF ENVIRONMENTAL AFFAIRS**NOTICE 290 OF 2019****WORLD HERITAGE CONVENTION ACT, 1999
(ACT NO. 49 OF 1999)****NOTICE OF INTENTION TO PROCLAIM CERTAIN LAND SITUATED IN THE NORTHERN CAPE PROVINCE TO BE THE ‡KHOMANI CULTURAL LANDSCAPE WORLD HERITAGE SITE AND TO APPOINT A MANAGEMENT AUTHORITY THEREOF**

I, Nomvula Paula Mokonyane, Minister of Environmental Affairs, give notice of my intention to proclaim the entire properties forming part of the Kalahari Gemsbok National Park, listed in the Schedule hereto, as the ‡Khomani Cultural Landscape World Heritage Site under section 1(xxiv) of the World Heritage Convention Act, 1999 (Act No. 49 of 1999), and to declare the South African National Parks as the management authority thereof under section 8 of the World Heritage Convention Act, 1999 (Act No. 49 of 1999). The identified area covers the entire Kalahari Gemsbok National Park situated in the Gordonia Registration Division, Northern Cape Province and also form part of the Kgalagadi Transfrontier Park, which is bordered by Botswana and Namibia in the east and west, respectively. The large expanse of sand contains evidence of human occupation from the Stone Age to the present and is associated with the culture of the formerly nomadic ‡Khomani San people and the strategies that allowed them to adapt to harsh desert conditions. The South African National Parks is currently managing the Kalahari Gemsbok National Park.

Members of the public are invited to submit to the Minister, within 60 days from the date of the publication of the Notice in the *Gazette*, written representations or objections to:

By post: The Director-General: Department of Environmental Affairs
 Attention: Ms Thumeka Ntloko
 Private Bag X447
 Pretoria
 0001

By hand: Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0001.

By e-mail: TNtloko@environment.gov.za.

Any inquiries in connection with the notice can be directed to Ms S Mancotywa at: (012) 399 9514.

Comments received after the closing date may not be considered.



**NOMVULA PAULA MOKONYANE
MINISTER OF ENVIRONMENTAL AFFAIRS**

SCHEDULE

1. Farm Lang Klaas Dam No. 21, Division of Gordonia Registration, Northern Cape Province, measuring 12507.5153 hectares;
2. Farm Bayip No. 13, Division of Gordonia Registration, Northern Cape Province, measuring 11351.9532 hectares;
3. Farm Groot Brak No. 11, Division of Gordonia Registration, Northern Cape Province, measuring 12382.1602 hectares;
4. Farm Seven Pans No. 26, Division of Gordonia Registration, Northern Cape Province, measuring 12872.8688 hectares;
5. Farm Tigna Bruaich No.58, Division of Gordonia Registration, Northern Cape Province, measuring 16842.1912 hectares;
6. Farm Innerleithen No.17, Division of Gordonia Registration, Northern Cape Province, measuring 13563.8070 hectares;
7. Farm Ellies Kolk No.27, Division of Gordonia Registration, Northern Cape Province, measuring 12716.8330 hectares;
8. Farm Muirfield No. 50, Division of Gordonia Registration, Northern Cape Province, measuring 9201.6964 hectares;
9. Farm Kousaunt No. 12, Division of Gordonia Registration, Northern Cape Province, measuring 14643.8412 hectares;
10. Farm Batu Pahat No. 31, Division of Gordonia Registration, Northern Cape Province, measuring 8506.1712 hectares;
11. Farm Dalkeith No. 53, Division of Gordonia Registration, Northern Cape Province, measuring 13624.1812 hectares;
12. Farm Tabuli Lagi No. 6, Division of Gordonia Registration, Northern Cape Province, measuring 11877.2404 hectares;
13. Farm Gemsbok Plain No. 64, Division of Gordonia Registration, Northern Cape Province, measuring 12546.7654 hectares;
14. Farm Kameelsleep No. 38, Division of Gordonia Registration, Northern Cape Province, measuring 12909.1451 hectares;
15. Farm Jacksons Draai No. 3, Division of Gordonia Registration, Northern Cape Province, measuring 9611.6141 hectares;
16. Farm Witkoois Kolk No. 35, Division of Gordonia Registration, Northern Cape Province, measuring 12512.2547 hectares;
17. Farm Sitszas No. 54, Division of Gordonia Registration, Northern Cape Province, measuring 12769.4004 hectares;
18. Farm Okuip No. 16, Division of Gordonia Registration, Northern Cape Province, measuring 13257.3301 hectares;
19. Farm Uri Karuus No. 60, Division of Gordonia Registration, Northern Cape Province, measuring 16019.9915 hectares;
20. Farm Driefendas No. 48, Division of Gordonia Registration, Northern Cape Province, measuring 15766.9913 hectares;

21. Farm The Little Outspan No. 32, Division of Gordonia Registration, Northern Cape Province, measuring 9292.9590 hectares;
22. Farm Kij Garries No.39 , Division of Gordonia Registration, Northern Cape Province, measuring 12650.0781 hectares;
23. Farm Kaspers Draai No. 30, Division of Gordonia Registration, Northern Cape Province, measuring 12817.3693 hectares;
24. Farm Bitter Pan No. 44, Division of Gordonia Registration, Northern Cape Province, measuring 14959.0515 hectares;
25. Farm Lijers Draai No. 10, Division of Gordonia Registration, Northern Cape Province, measuring 15388.4282 hectares;
26. Farm Bonally No. 43, Division of Gordonia Registration, Northern Cape Province, measuring 12503.3671 hectares;
27. Farm Nu-Quap No. 45, Division of Gordonia Registration, Northern Cape Province, measuring 13174.7430 hectares;
28. Farm Kannaguass No. 5, Division of Gordonia Registration, Northern Cape Province, measuring 12856.2751 hectares;
29. Farm Gopeng No. 46, Division of Gordonia Registration, Northern Cape Province, measuring 15399.8847 hectares;
30. Farm Kyky No. 92, Division of Gordonia Registration, Northern Cape Province, measuring 11154.7798 hectares;
31. Farm Kamfers Boom No. 65, Division of Gordonia Registration, Northern Cape Province, measuring 14801.1621 hectares;
32. Farm 643 No. 643, Division of Gordonia Registration, Northern Cape Province, measuring 77636.7313 hectares;
33. Farm Ardlamont No. 40, Division of Gordonia Registration, Northern Cape Province, measuring 9328.4594 hectares;
34. Farm Aba Qua No. 47, Division of Gordonia Registration, Northern Cape Province, measuring 13496.2297 hectares;
35. Farm Killiekrankie No. 93, Division of Gordonia Registration, Northern Cape Province, measuring 15387.0940 hectares;
36. Farm Dalmuir No. 49, Division of Gordonia Registration, Northern Cape Province, measuring 12904.0779 hectares;
37. Farms Moravet No. 42, Division of Gordonia Registration, Northern Cape Province, measuring 10156.8909 hectares;
38. Farm Coolan No. 19, Division of Gordonia Registration, Northern Cape Province, measuring 9716.1160 hectares;
39. Farm Braemar No. 34, Division of Gordonia Registration, Northern Cape Province, measuring 9280.6166 hectares;
40. Farm Montrose No. 63, Division of Gordonia Registration, Northern Cape Province, measuring 13186.7511 hectares;
41. Farm Cubitje Quap No. 25, Division of Gordonia Registration, Northern Cape Province, measuring 13316.8092 hectares;
42. Farm Oup S.A.M.R Reserve No. 67, Division of Gordonia Registration, Northern Cape Province, measuring 1984.4041 hectares;

43. Farm Urip Qua No. 24, Division of Gordonia Registration, Northern Cape Province, measuring 9989.9430 hectares;
44. Farm Lammermoor No. 18, Division of Gordonia Registration, Northern Cape Province, measuring 12292.4697 hectares;
45. Farm Craig Lockhart No. 52, Division of Gordonia Registration, Northern Cape Province, measuring 10644.2261 hectares;
46. Farm Koodoo Bush No. 9, Division of Gordonia Registration, Northern Cape Province, measuring 15047.6387 hectares;
47. Farm Kwang No. 22, Division of Gordonia Registration, Northern Cape Province, measuring 12558.9738 hectares;
48. Farm Namabies No. 33, Division of Gordonia Registration, Northern Cape Province, measuring 6975.2558 hectares;
49. Farm Dochfour No. 41, Division of Gordonia Registration, Northern Cape Province, measuring 11050.3163 hectares;
50. Farm Kaagan No. 7, Division of Gordonia Registration, Northern Cape Province, measuring 11814.1250 hectares;
51. Farm Karib Gnoos No. 62, Division of Gordonia Registration, Northern Cape Province, measuring 10666.5435 hectares;
52. Farm Haas Pan No. 20, Division of Gordonia Registration, Northern Cape Province, measuring 12165.2253 hectares;
53. Farm Sekwats No. 90, Division of Gordonia Registration, Northern Cape Province, measuring 11465.0387 hectares;
54. Farm Strathfillian No. 15, Division of Gordonia Registration, Northern Cape Province, measuring 8654.0964 hectares;
55. Farm Dikbaards Kolk No. 36, Division of Gordonia Registration, Northern Cape Province, measuring 12178.8972 hectares;
56. Farm Rooibrak No. 61, Division of Gordonia Registration, Northern Cape Province, measuring 9594.1010 hectares;
57. Farm Saint John's Dam No. 94, Division of Gordonia Registration, Northern Cape Province, measuring 15852.4688 hectares;
58. Farm Dankbaar No. 4, Division of Gordonia Registration, Northern Cape Province, measuring 10954.5734 hectares;
59. Farm Nelsies Pan No. 8, Division of Gordonia Registration, Northern Cape Province, measuring 11007.3554 hectares;
60. Farm Rooikop No. 28, Division of Gordonia Registration, Northern Cape Province, measuring 12641.7553 hectares;
61. Farm Mata Mata S.A.M.R Res No. 51, Division of Gordonia Registration, Northern Cape Province, measuring 2523.8295 hectares;
62. Farm Auap No. 23, Division of Gordonia Registration, Northern Cape Province, measuring 13733.3770 hectares;
63. Farm Eileen No. 29, Division of Gordonia Registration, Northern Cape Province, measuring 13197.6831 hectares;
64. Farm Wimbles Draai S.A.M.R Res No. 37, Division of Gordonia Registration, Northern Cape Province, measuring 1649.4385 hectares;

65. Farm Stumkes Dam No.66, Division of Gordonia Registration, Northern Cape Province, measuring 12149.7147 hectares;
66. Farm Ooikolk No. 91, Division of Gordonia Registration, Northern Cape Province, measuring 14112.4282 hectares;
67. Farm Strathspey No.14, Division of Gordonia Registration, Northern Cape Province, measuring 13925.2000 hectares;
68. Farm Strathmore No.59, Division of Gordonia Registration, Northern Cape Province, measuring 16684.9986 hectares;
69. Farm Groot Kolk No. 2, Division of Gordonia Registration, Northern Cape Province, measuring 10204.7336 hectares;
70. Farm Unions End No. 1, Division of Gordonia Registration, Northern Cape Province, measuring 9379.2482 hectares;
71. Portion 1 of the Farm No. 643, Division of Gordonia Registration, Northern Cape Province, measuring 26086.3099 hectares;
72. Portion 4 of the Farm No. 643, Division of Gordonia Registration, Northern Cape Province, measuring 31632.9678 hectares.

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
NOTICE 291 OF 2019

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

DESCRIPTION SUBMITTED IN TERMS OF SECTION 15(1)

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, hereby publish under section 15(2) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), the descriptions submitted to me in terms of section 15(1) of the said Act by the –

SWARTLAND MUNICIPALITY

As set out in the Schedule



TSHILOLO MICHAEL MASUTHA, MP (ADV)
MINISTER FOR JUSTICE AND CORRECTIONAL SERVICES

FROM D

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

DESCRIPTION OF CATEGORY OF RECORDS AUTOMATICALLY AVAILABLE IN TERMS OF SECTION 15(1)(a) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000	MANNER OF ACCESS TO RECORDS (e.g. website) (SECTION 15(1)(a))
FOR INSPECTION IN TERMS OF SECTION 15(1)(a)(i):	
1. <u>Business details</u> Name, locality, address, telephone numbers, contact persons, hours of business, etc. of all council offices, facilities and amenities	Director: Corporate Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za
2. <u>Councillors</u> (Including the executive mayor, executive deputy mayor, speaker and office bearers) Information regarding each councillor's – <ul style="list-style-type: none"> • name, address, telephone numbers • ward/proportional, political party and election details • position in council, e.g. committee membership, whether full-time or part-time • representation on outside bodies 	Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za
3. <u>Agendas and minutes</u> Agendas and minutes of all meetings of council, its structures and formal staff meetings and those of its predecessors, excluding minutes and agendas which have been marked "confidential/in-committee"	Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za
4. <u>Structures</u> (Including council, executive committee, ward committees and other committees) <ul style="list-style-type: none"> • composition, names of members, office bearers, political membership • date, time and venue of meetings • functional areas 	Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za
5. <u>Delegations</u> Delegations to – <ul style="list-style-type: none"> • political office bearers • councillors • members of staff • structures (executive mayoral committee, committees, etc.) Authority granted to – <ul style="list-style-type: none"> • conclude contracts • sign legal documents, etc. Decisions by any political office bearer, councillor or staff member in terms of a power or duty delegated or sub-delegated	Director: Corporate Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za
6. <u>Municipal legislation, by-laws and policies</u> All documents in this regard	Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za

<p>7. <u>Budget</u> Budget, Service Delivery and Budget Implementation Plan (SDBIP), Annual Report and Integrated Development Plan (IDP) as approved by Council</p>	<p>Director: Financial Services Snr Manager: Strategic Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za On website at www.swartland.org.za</p>
<p>8. <u>Financial records</u></p> <ul style="list-style-type: none"> • annual financial statements • quarterly statements • monthly statements • arrears (excluding personal details) 	<p>Director: Financial Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za On website at www.swartland.org.za</p>
<p>9. <u>Tariffs, fees, surcharges, etc.</u> All tariffs, fees, surcharges, etc. approved by the council for the current or any previous financial year</p>	<p>Director: Financial Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za On website at www.swartland.org.za</p>
<p>10. <u>Registers</u> Registers regarding –</p> <ul style="list-style-type: none"> • assets (movable or immovable) • agreements • contractors, service providers • tenders awarded 	<p>Manager: Supply Chain Management Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za</p>
<p>11. <u>Statistics</u> (Excluding personal details of individuals)</p> <ul style="list-style-type: none"> • statistics kept for departmental use in the format in which it is available • statistics in the format as required by legislation 	<p>Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za</p>
<p>12. <u>Research/Publications</u> Information regarding research by or on behalf of the municipality, on condition that such research results have been presented to council or any of its structures and no copyright is held by persons or bodies not connected with the municipality</p>	<p>Manager: Secretariat and Records Services Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za</p>
<p>13. <u>Planning</u></p> <ul style="list-style-type: none"> • Spatial Development Framework • individual zonings and conditions • register of approved departures and consent uses 	<p>Snr Manager: Building Environment Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za</p>
<p>14. <u>Land</u></p> <ul style="list-style-type: none"> • single records only of owners of land (only erf numbers) 	<p>Clerk: Property Rates Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za</p>
<p>15. <u>Organisational structure</u></p> <ul style="list-style-type: none"> • organogram • staff structure 	<p>Snr Manager: Human Resources Swartland Municipality Private Bag X52, Malmesbury, 7299 swartlandmun@swartland.org.za On website at www.swartland.org.za</p>
<p>FOR PURCHASING (COPYING) IN TERMS OF SECTION 15(1)(a)(ii):</p>	
<p>As applicable on section 15(1)(a)(i) above</p>	<p>Request a copy from – The Deputy Information Officer, Ms Nicolette Brand Swartland Municipality Private Bag X52, Malmesbury, 7299 Tel no: 022-487 9400 swartlandmun@swartland.org.za</p>

AVAILABLE FREE OF CHARGE IN TERMS OF SECTION 15(1)(a)(iii):

1. <u>Business details</u> Name, locality, address, telephone numbers, contact persons, hours of business, etc. of all council offices, depots, installations, facilities and amenities	
2. <u>Councillors</u> (Including the executive mayor, executive deputy mayor, speaker and office bearers) Information regarding each councillor's – <ul style="list-style-type: none"> • name, address, telephone numbers • ward/proportional, political party and election details • position in council, e.g. committee membership, whether full-time or part-time • representation on outside bodies 	Request a copy from – The Deputy Information Officer, Ms Nicolette Brand Swartland Municipality Private Bag X52, Malmesbury, 7299 Tel no: 022-487 9400 swartlandmun@swartland.org.za
3. <u>Structures</u> (Including council, executive committee, ward committees and other committees) <ul style="list-style-type: none"> • composition, names of members, office bearers, political membership • time and venue of meetings • functional areas 	
4. <u>Budget</u> Budget, Service Delivery and Budget Implementation Plan (SDBIP), Annual Report and Integrated Development Plan (IDP) as approved by Council	On website at www.swartland.org.za
5. <u>Tariffs, fees, surcharges, etc.</u> All tariffs, fees, surcharges, etc. approved by the council for the current or any previous financial year	On website at www.swartland.org.za
6. <u>Financial records</u> <ul style="list-style-type: none"> • annual financial statements • quarterly statements • monthly statements 	On website at www.swartland.org.za
6. <u>By-laws and Financial policies</u> All documents in this regard	On website at www.swartland.org.za

DEPARTMENT OF POLICE**NOTICE 292 OF 2019****Draft 1 – CONFIDENTIAL****NOTICE CALLING FOR PUBLIC COMMENT****DRAFT AMENDMENT REGULATIONS IN TERMS OF THE PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)**

I, Bhelokwakhe Hamilton Cele, Minister of Police, acting under section 35 of the Private Security Industry Regulation Act, 2001 (Act No 56 of 2001) hereby intend to make amendments to the Private Security Industry Regulations, 2002.

The draft amendments are contained in the Schedule to this Notice and are hereby published for general information and written comment from interested and / or affected persons.

Any written comment must be submitted to the Office of the Director: Private Security Industry Regulatory Authority. The comment must reach the said office not later than four weeks from the date of this Gazette at the following address:

Postal address:

The Director
Private Security Industry Regulatory Authority
Private Bag X 817

PRETORIA

0001

Street address:

420 Witch-Hazel Avenue
Eco Glades 2 Office Park, Block B
Highveld Ext 70
Centurion

E-mail: Howard.THWANE@psira.co.za

SCHEDULE**DRAFT AMENDMENT REGULATIONS IN TERMS OF THE PRIVATE
SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)**

1. In this Schedule, "the Regulations" means the Private Security Industry Regulations published under Government Notice No. R.190 of 14 February 2002.

Amendment of regulation 13 of the Regulations

2. Regulation 13 of the Regulations is hereby amended-
 - a. by the substitution for the title of Regulation 13 of the following title:

"Uniforms, insignia and badges.-";
 - b. by the substitution for subregulation (3) of the following subregulation:

“(3) The uniform contemplated in subregulation (1)-

- (a) must be suitable for use by the security officer in view of the nature of the security service rendered, the circumstances under which the security service is rendered and any other relevant circumstance;
- (b) must have at least 2 badges, prominently attached to the visible portion of the uniform, with the name of the security business employing the security officer clearly legible on them;
- (c) must have a badge, attached to the visible portion of the front top part of the uniform, with the name and registration number of the security officer clearly legible on it;
- (d) must have a badge, which is at least 10 centimetres in length and 1.5 centimetres in height with the words “Private Security” clearly legible on it, prominently attached to the visible portion of each of the front top part and the back top part of the uniform;
- (e) must not be identical to, an imitation of, or resemble, or reasonably be capable of being mistaken for that of the South African Police Service, the South African National Defence Force, the Department of Correctional Services or any other law enforcement agency or security service contemplated in section 199 of the Constitution of the Republic of South Africa, 1996; and
- (f) may not be made from fabric or other materials which are any shade of blue, or which have a camouflage design or pattern.”

c. by the insertion immediately after subregulation (3) of the following subregulation:

“(3A) Any security business which applies for registration must submit to the Authority, along with its application –

(a) a design, sketch or photograph of the security business’s insignia, emblem, title or symbol whether on a uniform, vehicle or otherwise; and

(b) a colour sketch or photograph of the security business’s uniform, including any variations of the uniform for different categories or classes of security officers or security services to be rendered.”

- d. by the substitution for subregulation (5) of the following subregulation:

“(5) Despite the provisions of subregulation (3), the Authority may permit a security service provider to make use of a uniform which resembles that of a law enforcement agency or security service referred to in subregulation (3)(e), provided the security service provider has also secured the written consent of the accounting officer of the applicable law enforcement agency or security service.”

- e. by the substitution for subregulation (6) of the following subregulation:

“(6) Every person referred to in sections 21(1)(a)(ii), (iii), (iv), (v), (vi), or (vii) of the Act must take reasonable measures to ensure that the security service provider in question complies with its obligations in terms of subregulation (3).”

- f. by the substitution for subregulation (7) of the following subregulation:

“(7) Any security service provider who –

- (a) contravenes or fails to comply with subregulation (1), (2), (3), (3A) or (6), or fails or refuses to comply with a directive contemplated in subregulation (4);
- (b) intentionally or negligently provides any false information in the submission referred to in subregulation (3A);
- (c) without legal justification or the consents referred to in subregulation (5) wears a uniform, badge or insignia which is identical to, an imitation of, or which resembles or is reasonably capable of being mistaken for that of the South African Police Service, the South African National Defence Force, the Department of Correctional Services or any other law enforcement agency or security service referred to in section 199 of the Constitution of the Republic of South Africa, 1996;
- (d) without legal justification provides another person with a uniform, badge or insignia contemplated in paragraph (c),

is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding 24 months or to both a fine and such imprisonment.”

Insertion of regulation 13A of the Regulations

3. The Regulations are amended by the insertion after regulation 13 of the following regulation:

“13A. Firearms.-(1) A security business which renders a security service requiring the possession or use of a firearm, must lawfully provide a suitable firearm for that purpose and may not require or permit a security officer employed by the security business to obtain or provide a firearm for that purpose.

(2) A security officer may, for the purpose of rendering a security service in the course of his or her employment, only possess a firearm lawfully provided by his or her employer.

(3) Any security service provider who—

(a) requires or permits a security officer employed or made available to that security service provider, to obtain or provide a firearm for the purpose of rendering a security service in the course of his or her employment;

(b) requires a security officer employed or made available by that security service provider, or an applicant for a post as a security officer, to have a firearm licence; or

(c) is a security officer and who, for the purpose of rendering a security service in the course of his or her employment, is in possession of a firearm not lawfully provided by his or her employer,

is guilty of an offence and on conviction liable to a fine or to imprisonment for a period not exceeding 24 months or to both a fine and such imprisonment.”

Substitution of regulation 14(9)(a)(iv) of the Regulations

4. The following regulation is hereby substituted for regulation 14(9)(a)(iv) of the Regulations:

“14(9)(a)(iv) – comply, with the necessary changes, with the provisions contained in regulation 8, regulation 13 and regulation **13A** of these regulations.”

Short title and commencement

5. These regulations are called the Private Security Industry Amendment Regulations, 2018, and come into operation, unless otherwise specified, on the date of their publication in the *Gazette*.

6. The operation of subregulation 13(3)(d), (e) and (f), subregulation 13(6) and subregulation 13(7)(a), (c) and (d) is suspended for 180 days from

the date of their publication in the *Gazette*, in respect of registered security service providers only.

DEPARTMENT OF POLICE
NOTICE 293 OF 2019
Draft 9 – CONFIDENTIAL

NOTICE CALLING FOR PUBLIC COMMENT

**REGULATIONS MADE UNDER THE PRIVATE SECURITY INDUSTRY
REGULATION ACT, 2001 (ACT NO 56. OF 2001)**

**REGULATIONS RELATING TO WORKING ANIMALS IN THE PRIVATE SECURITY
INDUSTRY, 2018**

I, Bhekokwakhe Hamilton Cele, Minister of Police, acting under section 35 of the Private Security Industry Regulation Act, 2001 (Act No 56 of 2001) and after consultation with the Council of the Private Security Industry Regulatory Authority, hereby intend to make regulations in terms of the Act.

The draft regulations are contained in the Schedule to this Notice and are hereby published for general information and written comment from interested and / or affected persons.

Any written comment must be submitted to the office of the Director: Private Security Industry Regulatory Authority. The comment must reach the said office not later than four weeks from the date of this Gazette at the following address:

Postal address:

The Director
Private Security Industry Regulatory Authority
Private Bag X 817

PRETORIA

0001

Street address:

420 Witch-Hazel Avenue
Eco Glades 2 Office Park, Block B
Highveld Ext 70
Centurion

E-mail: Howard.THWANE@psira.co.za

**DRAFT REGULATIONS RELATING TO WORKING ANIMALS IN THE PRIVATE
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PREAMBLE

WHEREAS the private security industry uses working animals for purposes of rendering certain security services;

AND WHEREAS the objects of the Private Security Industry Regulatory Authority are regulation of the private security industry and effective control over the practice of the occupation of security service provider in the public and national interest and in the interest of the private security industry itself, in terms of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001), which includes to take such steps as may be necessary or expedient in connection with the training of security service providers and prospective security service providers;

AND WHEREAS the Minister of Police deems it necessary to make regulations on the training, registration, use, treatment, transportation and general care of working animals by security service providers and other persons who employ security officers, in or in connection with rendering a security service, as well as the registration of training centres, in order to ensure proper control over the use of working animals and promote the general welfare of such animals.

Be it published, therefore, the draft regulations contained in this Schedule for comment by interested persons.

CHAPTER 1

PURPOSE, INTERPRETATION, APPLICATION AND DEFINITIONS

Purpose and interpretation

1. (1) The purpose of these regulations is to determine the requirements and standards for the supply, training and use of working animals within the private security industry, so as to ensure proper control over their use and promote the general welfare of working animals.
- (2) These regulations must be interpreted in accordance with their purpose and in a manner consistent with the Act, the Performing Animals Protection Act, the Animals Protection Act and any other law providing for the use, protection, training and welfare of working animals which is applicable to the private security industry.

Application

2. These regulations apply to –
 - (a) all security service providers, in practising the occupation of security service provider and using working animals in or in connection with rendering a security service or carrying on business as a security service provider, or in performing any other act or function which is subject to the Act;
 - (b) every other person using his or her own employees as security officers, who uses working animals in or in connection with rendering a security service, to the extent provided for in the Act and these regulations;
 - (c) every person involved in the training or assessment of working animals; and
 - (d) every person who supplies working animals to security service providers or other persons using their own employees as security officers, as contemplated in the Act and regulations.

Definitions

3. In these regulations any word or expression to which a meaning has been assigned in the Act will bear the meaning so assigned and, unless the context indicates otherwise –

“accreditation” means the certification by the Authority of a security service provider contemplated in these regulations as having the capacity, resources, knowledge and experience to fulfil a particular function in the quality assurance system in relation to the training of working animals;

“Act” means the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001) and all the regulations made in terms of the Act;

“Animals Protection Act” means the Animals Protection Act, 1962 (Act No. 71 of 1962);

“assessment” means the process of gathering and weighing evidence in order to assess whether or not a working animal can demonstrate the outcomes required for a particular security purpose, and to determine whether the specified training standards applicable to that security purpose have been met;

“assessor” means a natural person who conducts or intends to conduct external assessments;

“colt” means a male horse under 5 years of age;

“development partner” means a person appointed by the Authority to develop specific training standards for working animals, including assessment specifications, or to assist the Authority with functions relating to the approval of training programmes;

“DH 4” has the meaning attributed to it in that part of the Training Standards for Security Dogs and Handlers referred to therein as Module: 5 – Grade DH 4 Special Patrol;

"DH 5" has the meaning attributed to it in that part of the Training Standards for Security Dogs and Handlers referred to therein as Module: 6 – Grade DH 5 Substance Detection;

"filly" means a female horse under 5 years of age;

"gelding" means a castrated male horse of any age;

"handler" means a security service provider who has charge of a working animal for the purpose of rendering a security service, and **"handling"** has a corresponding meaning;

"horse" means a colt, filly, gelding, mare or stallion trained, supplied or used for safeguarding as defined in the Performing Animals Protection Act;

"mare" means a female horse 5 years and over;

"patrol dog" means a security dog trained, supplied or used to deter crime, search for and apprehend suspects, which is trained to operate with and without a leash;

"Performing Animals Protection Act" means the Performing Animals Protection Act, 1935 (Act No. 24 of 1935);

"Private Security Industry Regulations, 2002" means the Private Security Industry Regulations, 2002 made in terms of the Act;

"protection dog" means a security dog trained, supplied or used to deter crime, which is trained to operate on a leash only;

"register", with regard to a working animal or a training centre, means to enter the identification and other details of a working animal or a training centre, as the case may be, in the register contemplated in section 24 of the Act, in the manner provided for in regulation 6 or regulation 9 respectively;

“security dog” means a dog trained, supplied or used for safeguarding as defined in the Performing Animals Protection Act;

“sniffer dog” means a security dog trained, supplied or used to search for substances, follow a scent track, search or locate persons or evidence and assist in investigating stock theft crimes, which is trained to operate with or without a leash;

“stallion” means an uncastrated male horse 5 years and over;

“supply” means to sell, lease or make available a working animal to any person for a remuneration, reward, fee or benefit, and **“supplier”** has a corresponding meaning;

“these regulations” means the regulations contained in this Schedule;

“training centre” means any premises used for the purposes of training a working animal or for purposes of conducting assessments;

“training certificate” in relation to a working animal, means a training certificate issued by the Authority under regulation 21(1);

“training instructor” means a natural person who trains or intends to train working animals;

“Training of Security Officer Regulations, 1992” means the Training of Security Officer Regulations, 1992 made in terms of section 32(1) of the Security Officers Act, 1987 (Act No. 92 of 1987); and

“training programme” means a programme, course, workshop or other form of instruction or training for working animals;

“training provider” means a person who conducts or intends to conduct the business of providing training for or assessment of working animals, and includes the owner or operator of a training centre;

“Training Standards for Security Dogs and Handlers” means the Security Officers Board Notification of Establishment of Training Standards for Security Dogs and Handlers, published under Board Notice 120 in *Government Gazette* 19067 of 24 July 1998, in terms of the Security Officers Act, 1987 (Act No. 92 of 1987), as amended;

“user” means a security business that deploys working animals for the purpose of or in connection with the rendering of security services;

“working animal” means a security dog and a horse.

CHAPTER 2

FUNCTIONS OF THE AUTHORITY, REGISTRATION AND ACCREDITATION

General functions of the Authority pertaining to working animals

4. (1) The Authority shall for the purpose of regulating the training, supply and use of working animals within the private security industry and in accordance with the Act and these regulations –
 - (a) determine the accreditation requirements for security service providers involved in training of working animals, including the criteria for withdrawal of accreditation of such persons;
 - (b) determine training standards for the different categories of working animals;
 - (c) determine the instructional objectives to be achieved, and approve the contents of security training programmes in consultation with the private security industry and other relevant institutions;
 - (d) develop guidelines on the best methods and procedures for conducting assessments;
 - (e) monitor and audit the quality of training provided for working animals;

- (f) from time to time inspect and evaluate any training centre, training provider and a training instructor's methods, conduct or abilities, and verify the authenticity of training certificates;
- (g) inspect the premises of users of working animals to verify compliance with the minimum standards;
- (h) keep a register in which it must enter the details and particulars of all working animals and training centres;
- (i) keep a register of all security service providers and employers of in-house security officers who use, train or supply working animals;
- (j) issue on such conditions as it may determine, a training certificate indicating the achieved training level of a working animal;
- (k) develop standards in respect of the transportation of working animals;
- (l) determine minimum conditions on the use of working animals which include, but are not limited to, the hours of deployment, general care at place of deployment, permanent and temporary kennels, stables and shelters;
- (m) participate in the activities of other bodies or persons entitled by law to set standards in respect of the training or general care and welfare of working animals; and
- (n) enter into agreements with or obtain the assistance of any relevant person, institution or organ of state to conduct or assist it in conducting any investigation or perform any function in terms of these regulations.

Registration of training providers, training instructors, suppliers and assessors as security service providers

5. (1) No person may train, supply or use a working animal for purposes of or in connection with the rendering of security services unless he or she is registered as a security service provider.
- (2) The provisions of Chapter 3 of the Act, read with the Private Security Industry Regulations, 2002 pertaining to registration as a security service provider apply insofar as reasonably possible to any training provider, training instructor, assessor and supplier to the private security industry, provided that-
- (a) an application for registration must, in addition, meet any applicable registration requirements provided for in these regulations;
- (b) for purposes of registration, a supplier to the private security industry shall be considered to be a security business.
- (3) A supplier of working animals must keep its own register and records of all security service providers to whom working animals are supplied, including the details of each of the working animals supplied.

Registration of working animals

6. (1) No working animal may be trained, supplied or used by any person for purposes of or in connection with the rendering of security services unless the working animal has been and remains registered by the Authority in the manner prescribed in this regulation.
- (2) An application for registration of a working animal must be completed by the owner of the working animal in the manner and form required by the Authority, and must include-
- (a) the following information, in respect of a security dog-
- (i) name;

- (ii) sex;
 - (iii) identification number as per implanted or electronic identification responder;
 - (iv) date of birth or approximate date of birth;
 - (v) breed and colour description;
 - (vi) any distinguishing features;
 - (vii) training level specifying all relevant standards and, in the case of substance detection dogs, the specific substances or groups of substances the security dog can detect; and
 - (viii) details of the owner and the owner's registration number;
- (b) the following information, in respect of a horse –
- (i) name;
 - (ii) gender description which includes colt, filly, stallion, mare or gelding;
 - (iii) identification number as per implanted or electronic responder;
 - (iv) date of birth or approximate date of birth;
 - (v) base coat colour;
 - (vi) any distinguishing features; and
 - (vii) details of the owner and the owner's registration number;
- (c) the application fee as determined by the Authority;
- (d) proof of a valid licence issued to the owner to use working animals, as contemplated in the Performing Animals Protection Act;
- (e) any training certificates issued in respect of the working animal; and
- (f) any other documents, certificates or authorisations requested by the Authority, that the owner of a working animal is required by law to keep.
- (3) Any person applying in terms of sub-regulation (1) for registration of a working animal, must furnish such additional particulars in connection with the application as the Authority may determine.

(4) The Authority may reject any application for registration of a working animal where the working animal does not have an implanted or electronic identification responder approved by the Authority.

(5) If the Authority is of the opinion that the provisions of these regulations have been complied with in respect of an application referred to in sub-regulation (1), it may grant such application and register the working animal.

(6) The Authority must-

(a) keep a register in which it must enter key details of every working animal registered in terms of these regulations; and

(b) issue a registration certificate and registration tag to the owner, in respect of the working animal, in the form determined by the Authority.

Change of details in respect of working animals

7. (1) The person in whose name the working animal is registered must inform the Authority within 10 days if -

(a) the working animal dies;

(b) the working animal is no longer being used to render security services and the reasons for no longer being used for such purpose;

(c) the working animal has been missing for more than 72 hours; and

(d) if the ownership of the working animal changes.

(2) In the case of a change in ownership, the registered owner must give the new owner the certificate of registration and registration tag as contemplated in regulation 6(6)(b).

Withdrawal of registration of working animals

8. (1) The Authority may withdraw the registration of a working animal if -

- (a) the working animal no longer meets the required training standards;
- (b) the working animal is no longer used for the rendering of a security service;
- (c) in the case of a security dog, the dog is overly aggressive; or
- (d) the working animal is too old to be used for purposes of rendering a security service or suffers from ill health.

(2) Whenever the registration of a working animal is withdrawn, the owner must forthwith return to the Authority the certificate of registration and registration tag, issued in terms of regulation 6(6)(b).

(3) The Authority may uplift the withdrawal of registration of a working animal on application by the owner and if there is a sound reason to do so.

Accreditation of training providers

9. (1) Any training provider must, in addition to being registered as a security service provider –

- (a) be accredited as a training provider by the Authority;
- (b) continuously meet all the criteria for registration and accreditation as determined from time to time by the Authority;
- (c) comply with all the obligations a training provider must meet in terms of the rules, standards or criteria determined by the Authority; and
- (d) be licensed to use working animals as contemplated in the Performing Animals Protection Act.

(2) An application for accreditation must be completed by the training provider in the manner and form required by the Authority, and must include –

- (a) details of the training provider and the training provider's registration number;

- (b) details of the training centre from whence the training provider shall carry out the training of working animals, and its owner if different from the training provider referred to in paragraph (a);
 - (c) details of the type, level and scale of training programmes to be provided by the training provider, the standards, part qualifications or qualifications to be offered in relation to those training programmes and evidence that the training provider is competent to conduct those training programmes;
 - (d) information regarding the number of working animals that can be accommodated at the training centre and the number of staff, including training instructors and assessors, who will work at the training centre;
 - (e) the location and working animal accommodation conditions of the training centre, which must at least meet the requirements set out in regulation 10;
 - (f) the application fee as determined by the Authority; and
 - (g) any other documents, certificates or authorisations requested by the Authority, that the training provider is required by law to keep.
- (3) Any person applying in terms of sub-regulation (1) for accreditation as a training provider, must furnish such additional particulars in connection with the application as the Authority may determine.
- (4) The Authority must reject any application for accreditation of a training provider if the training centre at which that training provider shall conduct the training of the working animals does not meet the minimum requirements for training centres set out in regulation 10.
- (5) If the Authority is of the opinion that the provisions of these regulations have been complied with in respect of an application referred to in sub-regulation (1), it may grant such application.

(6) If the Authority grants the application referred to in sub-regulation (1), it must enter the details of the training centre in relation to which accreditation has been granted onto the training centre register it has established for this purpose.

Minimum requirements for training centres

10. (1) No person may perform any activity involving the training of working animals other than at a training centre that meets the minimum requirements prescribed in this regulation.

(2) The minimum requirements for a training centre include, but are not limited to, the following-

(a) adequate kennel, stable and shelter facilities as provided for in these regulations;

(b) different practical training areas, including access to –

- (i) open training area for obedience and agility training;
- (ii) buildings;
- (iii) shopping centre(s); and
- (iv) factories;

(c) training equipment which includes –

- (i) agility equipment;
- (ii) sound producing devices;
- (iii) protective clothing and/ or equipment;

(d) exercise areas; and

(e) training provided by registered and accredited training instructors.

Change of address of training provider

11. (1) Any accredited training provider who wishes to change its training centre address and retain its accreditation as a training provider must apply to the Authority, on the form approved for this purpose and accompanied by any documentation and information as may be required, for approval by the Authority of the change of training centre address and, where applicable, registration of the new training centre.
- (2) The application as contemplated in sub-regulation (1) must include the following information –
- (a) the reason for relocation; and
 - (b) such details of the new training centre, if it is not already registered, as are required in terms of regulation 9.
- (3) The Authority may, on receipt of an application for approval to change an address –
- (a) conduct a site visit to determine whether the new training centre meets the minimum requirements set out in regulation 10; and
 - (b) issue an approval letter acknowledging the change of address and registration of the new training centre.

Suspension or withdrawal of accreditation of a training provider

12. (1) The accreditation of a training provider shall be suspended when –
- (a) the training provider's registration as security service provider is suspended for any reason, as contemplated in section 26 of the Act; or
 - (b) the training provider's registration as security service provider is suspended for failure to pay any amounts due in terms of legislation relating to the deduction and payment of annual amounts made in terms of the repealed

Security Officers Act (Act No. 92 of 1987) or in terms of the Levies Act, 2002 (Act No. 23 of 2002).

- (2) The accreditation of a training provider shall lapse when –
- (a) the training provider's registration as security service provider is withdrawn for any reason as contemplated in section 26 of the Act;
 - (b) the training provider's registration as security service provider is withdrawn for failure to pay any amounts due in terms of legislation relating to the deduction and payment of annual amounts made in terms of the repealed Security Officers Act (Act No. 92 of 1987) or in terms of the Levies Act, 2002 (Act No. 23 of 2002);
 - (c) the training provider's registration as a security service provider is not renewed as contemplated in section 22 of the Act;
 - (d) the training provider ceases operating from the training centre registered by the Authority and approved for purposes of accreditation of the training provider, without the Authority having approved a change of address in accordance with regulation 11;
 - (e) the training provider requests the withdrawal of its accreditation, in respect of specified standards, part qualifications or qualifications; and
 - (f) the training provider ceases to hold a valid licence to use working animals as contemplated in the Performing Animals Protection Act.

Accreditation of training instructors and assessors

13. (1) Any person who intends to train a working animal or to conduct external assessments must, in addition to being registered as a security service provider –

- (a) be accredited as an assessor or training instructor in respect of the specific standards or qualifications in relation to which he or she intends to train or assess; and
 - (b) ensure that his or her registration remains valid in relation to the conditions and requirements determined by the Authority.
- (2) An accredited training instructor or assessor must, when conducting training or an assessment into the competence and outcomes of security training of working animals -
- (a) use the applicable officially approved training or assessment methods and procedures;
 - (b) act in an objective manner without showing any prejudice or favour; and
 - (c) not employ a method or practice that would distort the actual competence or outcomes of the training or assessment.
- (3) An applicant for accreditation as a patrol dog and protection dog assessor or training instructor must have the following qualifications:
- (a) a DH 4 or equivalent dog handler qualification recognised by the Authority;
 - (b) a qualification in respect of a training instructor's course approved by the Authority or any other training instructor's course recognised by the Authority for purposes of accreditation;
 - (c) minimum of one year of dog handling experience using patrol or protection dogs; and
 - (d) have assisted in the training of a minimum of 12 dog handlers and security dogs to the standard of DH 4, under the direct supervision and guidance of an accredited training instructor.
- (4) A person who wishes to be accredited as a sniffer dog assessor or training instructor by the Authority must have the following qualifications:

- (a) a DH 5 or equivalent substance/explosive detection dog handler qualification recognised by the Authority; and
 - (b) minimum of one year of dog handling experience using sniffer dogs;
 - (c) a qualification in respect of a training instructor's course approved by the Authority or any other training instructor's course recognised by the Authority for purposes of accreditation;
 - (d) be a qualified patrol dog and protection dog handler instructor; and
 - (e) have trained a minimum of 6 handlers and security dogs to the standard of DH 5, under the direct supervision and guidance of an accredited training instructor.
- (5) An oral or written and practical evaluation, by a person nominated by the Authority, of a training instructor or assessor's competency may be required by the Authority.

Suspension or withdrawal of accreditation as a training instructor or assessor

14. (1) The accreditation of an assessor or training instructor shall be suspended when –
- (a) his or her registration as security service provider is suspended for any reason as contemplated in section 26 of the Act; or
 - (b) his or her registration as security service provider is suspended for failure to pay any amounts due in terms of legislation relating to the deduction and payment of annual amounts made in terms of the repealed Security Officers Act (Act No. 92 of 1987) or in terms of the Levies Act, 2002 (Act No. 23 of 2002).
- (2) The accreditation of an assessor or training instructor shall lapse when –
- (a) his or her registration as security service provider is withdrawn for any reason as contemplated in section 26 of the Act;

- (b) his or her registration as security service provider is withdrawn for failure to pay any amounts due in terms of legislation relating to the deduction and payment of annual amounts made in terms of the repealed Security Officers Act (Act No. 92 of 1987) or in terms of the Levies Act, 2002 (Act No. 23 of 2002);
- (c) his or her registration as a security service provider is not renewed as contemplated in section 22 of the Act; and
- (d) the assessor or training instructor requests the withdrawal of registration in respect of specified training standards, part qualifications or qualifications.

Training programme evaluation

15. (1) A training provider must submit all proposed training programmes in respect of any working animal training standards, part qualifications or qualifications contemplated in these regulations, to the Authority or development partner to whom this function may have been delegated by the Authority, for evaluation and approval.
- (2) A training provider may not offer, advertise, take bookings for or implement any training programme which has not been approved by the Authority or by the development partner delegated by the Authority for this purpose.

CHAPTER 3

MINIMUM TRAINING STANDARDS FOR WORKING ANIMALS, AND RECORD-KEEPING OBLIGATIONS OF TRAINING PROVIDERS, SUPPLIERS AND USERS OF WORKING ANIMALS

Training providers' obligations regarding training and assessment

16. (1) A training provider –

- (a) must provide training for working animals which is of a high standard, equivalent to best industry practice;
 - (b) must employ training methods and materials which are the most suitable in the circumstances so as to promote and achieve the approved outcomes in respect of the applicable training programme, and in a manner that considers and promotes the wellbeing of the animal;
 - (c) may only provide training for working animals which accords with his or her own qualifications and official accreditation or authorisation, and must comply with every condition attached to such accreditation or authorisation;
 - (d) must provide training for working animals in accordance with all legal requirements applicable to such training;
 - (e) may only provide training for working animals in accordance with training programmes which are approved by the Authority, as regards syllabus, programme and training standards; and
 - (f) must, when assessing or testing the abilities or skills of a working animal, or the outcomes of any training programme or element thereof, use the applicable officially approved methods and procedures for assessment or testing, act objectively without showing any prejudice or favour, and may not employ any method or practice that would distort the actual ability or skills of the working animal undergoing the assessment or testing.
- (2) The Authority may issue guidelines from time to time to promote uniformity in training standards and methods used to train working animals.

Training requirements for a protection dog

17. (1) Any training programme for protection dogs must be designed to ensure that the protection dog meets the following training standards -
- (a) be able to react to teasing and bite a tease bag or sack;

- (b) indicate the presence of an intruder;
- (c) heel on leash;
- (d) sit at the halt;
- (e) heel on leash with change of direction – left turn, right turn and about turn;
- (f) bite on arm guard or suit; and
- (g) 2 metres attack on criminal with arm guard or suit where handler and dog moves forward.

Training requirements for a patrol dog

18. (1) Any training programme for patrol dogs must be designed to ensure that the patrol dog meets the following training standards -
- (a) 5 – 10 metre attack on criminal with an arm guard or protection suit - dog on leash and handler moves forward;
 - (b) heel course with changes of direction on and off leash;
 - (c) distance control at 10 metres – dog to follow sit and down commands;
 - (d) stay in any of the above positions for 3 minutes at 10 metres away;
 - (e) recall of dog, the handler to be approximately 10 metres away;
 - (f) area search in building or open area;
 - (g) attack on criminal – dog off leash;
 - (h) crowd control; and
 - (i) be able to negotiate natural and unnatural obstacles according to the specific needs or requirements of the client.

Training requirements for a sniffer dog

19. (1) Any training programme for sniffer dogs must be designed to ensure that the sniffer dog meets the following training standards -
- (a) heel course with changes of direction on and off leash;
 - (b) distance control at 10 metres – dog to follow sit and down commands;
 - (c) stay in any of the above positions for 3 minutes at 10 metres away;

- (d) recall of dog, the handler to be approximately 10 metres away;
- (e) area search in building or open area;
- (f) be able to negotiate natural and unnatural obstacles according to the specific needs or requirements of the client; and
- (g) be able to positively identify and indicate a specific substance or a specific group of substances.

Pre-requisites for use of a horse to render a security service

20. (1) No person may use a horse to render a security service, unless the horse meets the following requirements -
- (a) be between the ages of 4 and 14 years;
 - (b) stallions must be gelded;
 - (c) be a minimum of 1,453 meters high;
 - (d) be under saddle and must know riding cues and aids; and
 - (e) must have strong conformation, excellent temper, be in good body condition and free of injuries and illness.

Training certificates

21. (1) The owner of a security dog that successfully completes an approved training programme which meets the training standards contemplated in regulations 18(1), 19(1) or 20(1), as the case may be, must be issued a training certificate by the applicable training centre indicating the following -
- (a) name of security dog;
 - (b) identification or electronic implanted responder number;
 - (c) date of birth or approximate date of birth;
 - (d) breed and colour description;
 - (e) training standards achieved, as contemplated in regulations 18(1), 19(1) and 20(1), specifying all relevant standards;
 - (f) natural and unnatural obstacles the security dog can negotiate; and
 - (g) in the case of sniffer dogs, the specific substances or groups of substances the security dog can detect.

Retraining of security dogs

22. (1) The Authority may determine procedures and requirements for periodic retraining and evaluation of security dogs.

Obligations of training providers regarding record-keeping

23. (1) A training provider must, for the purposes of these regulations, keep all records concerning the management, administration, and other matters relating to the training of working animals.

(2) A training provider must keep the original versions of all records referred to in sub-regulation (1) in a secure and orderly manner, available for inspection by the Authority or any person to whom relevant functions of the Authority have been delegated –

(a) at the registered training centre servicing the region in which, or at the registered training centre where the working animal has received training; and

(b) for a period of at least 4 years from the date the training took place.

(3) The records to which this regulation relates must be updated, to the extent that their nature requires or permits it, by the training provider as soon as it is reasonably practicable to do so, but in any event within 7 days.

(4) Every person referred to in section 20(2) of the Act must take all reasonable practicable steps within his or her powers, capacity or functions to ensure that the training provider in question complies with all the obligations specified in this regulation.

(5) The records that must be kept in accordance with this regulation include a register of working animals which have undergone training, containing the following particulars –

- (a) name;
- (b) identification or electronic implanted responder number;
- (c) date of birth or approximate date of birth;
- (d) breed and colour description;
- (e) training standards, as contemplated in regulations 18(1), 19(1), and 20(1), specifying all relevant standards which have been met by the working animal;
- (f) natural and unnatural obstacles the working animal can negotiate;
- (g) in the case of sniffer dogs, the specific substances or groups of substances the sniffer dog can detect;
- (h) full particulars of the training instructor and or assessor and the assessment recommendation; and
- (i) any other records required by the Authority or any person to whom the function of administering the working animals register has been delegated.

Obligations of suppliers regarding record-keeping

24. (1) A supplier may only supply working animals to a registered security service provider who has confirmed in writing to the supplier that the working animals to be supplied will be handled by registered and trained handlers in the manner permitted in terms of the Act and these regulations.

(2) A supplier must, for the purpose of these regulations, keep all records concerning the management, administration and other matters relating to the business of supply of working animals.

(3) A supplier must, subject to these regulations, keep the original versions of the records referred to in sub-regulation (2) in a secure and orderly manner, available for inspection by the Authority at its registered address or, if the supplier has more than one premises –

- (a) at the relevant premises servicing the region, or where the working animals are supplied from; and
- (b) for a period of at least 4 years from the date the working animal is supplied.

(4) The records to which this regulation relates must be updated, to the extent that their nature requires or permits it, by the supplier as soon as it is reasonably practicable to do so, but in any event within 7 days.

(5) Every person referred to in section 20(2) of the Act must take all reasonable practicable steps within his or her powers, capacity or functions to ensure that the supplier in question complies with all the obligations specified in this regulation.

(6) The records that must be kept as contemplated in this regulation for every security dog supplied include -

- (a) name of security dog;
- (b) identification or electronic implanted responder number;
- (c) date of birth or approximate date of birth;
- (d) breed and colour description;
- (e) training standards achieved, as contemplated in regulations 18(1), 19(1) and 20(1), specifying all relevant standards;
- (f) natural and unnatural obstacles the security dog can negotiate;
- (g) in the case of sniffer dogs, the specific substances or groups of substances the sniffer dog can detect;
- (h) the registration particulars of the security dog, as provided for in regulation 6;
- (i) the identity and contact details of the security service provider to whom the security dog is supplied;
- (j) details of the area where the security dog will be deployed by the user;
- (k) a copy of any contracts entered into between the supplier and the security service provider to whom the security dog is supplied, pertaining to the supply of working animals;
- (l) the hours normally worked by the security dog;
- (m) the rest period normally allowed for the security dog;
- (n) the security dog's condition on placement and collection; and
- (o) any other records or documents as required by the Authority.

- (7) The records that must be kept as contemplated in this regulation for every horse supplied, include –
- (a) name of the horse;
 - (b) identification or electronic implanted responder number;
 - (c) date of birth or approximate date of birth;
 - (d) base coat colour;
 - (e) the registration particulars of the horse, as provided for in regulation 6;
 - (f) the identity and contact details of the security service provider to whom the horse is supplied;
 - (g) details of the area where the horse will be deployed by the user;
 - (h) a copy of any contracts entered into between the supplier and the security service provider to whom the horse is supplied, pertaining to the supply of horses;
 - (i) the hours normally worked by the horse;
 - (j) the rest period normally allowed to the horse;
 - (k) the horse's condition on placement and collection; and
 - (l) any other records or documents as required by the Authority.

Obligations of users of working animals regarding record-keeping

25. (1) Any security service provider who uses working animals to render a security service must, for the purpose of these regulations, keep all records concerning the management, administration and other matters relating to its business, insofar as those records have any bearing on the use of working animals.
- (2) A security service provider must, subject to these regulations, keep the original versions of the records referred to in sub-regulation (1) in a secure and orderly manner, available for inspection by the Authority at its registered address or, if the security service provider has more than one premises –
- (a) at the relevant premises servicing the region or where the working animal is used; and

(b) for a period of at least 4 years from the date the working animal is first used by the security service provider.

(3) The records to which this regulation relates must be updated, to the extent that their nature requires or permits it, by the security service provider as soon as it is reasonably practicable to do so, but in any event within 7 days.

(4) Every person referred to in section 20(2) of the Act must take all reasonable practicable steps within his or her powers, capacity or functions to ensure that the security business in question complies with all the obligations in terms of this regulation.

(5) The records that must be kept as contemplated in this regulation for every security dog used, include -

- (a) name of security dog;
- (b) identification or electronic implanted responder number;
- (c) date of birth or approximate date of birth;
- (d) breed and colour description;
- (e) details of the supplier from which the dog was obtained;
- (f) a copy of any contracts entered into between the supplier of the security dog and the security service provider in question, pertaining to the supply of working animals;
- (g) training standards achieved by the security dog, as contemplated in regulations 18(1), 19(1) and 20(1), specifying all relevant standards;
- (h) natural and unnatural obstacles the security dog can negotiate;
- (i) in the case of sniffer dogs, the specific substances or groups of substances the sniffer dog can detect;
- (j) the registration particulars of the security dog, as provided for in regulation 6;
- (k) the name, registration details and level of training of the handler to whom the security dog is allocated;
- (l) the site register indicating the address where the security dog is used;
- (m) the duration of deployment and working hours of the security dog;
- (n) rest period of each security dog;

- (o) the security dog's condition before and after placement; and
- (p) any other records or documents as required by the Authority.

(6) The records that must be kept as contemplated in this regulation for every horse used, includes -

- (a) name of horse;
- (b) identification or electronic implanted responder number;
- (c) date of birth or approximate date of birth;
- (d) base coat colour;
- (e) details of the supplier from which the horse was obtained;
- (f) a copy of any contracts entered into between the supplier of the horse and the security service provider in question, pertaining to the supply of horses;
- (g) the registration particulars of the horse, as provided for in regulation 6;
- (h) the name, registration details and level of training of the user to whom the horse is allocated;
- (i) the site register indicating the address where the horse is used;
- (j) the duration of deployment and working hours of the horse;
- (k) rest period of the horse;
- (l) the horse's condition before and after placement; and
- (m) any other records or documents as required by the Authority.

CHAPTER 4

GENERAL CARE AND OBLIGATIONS IN RESPECT OF WORKING ANIMALS

General responsibilities of any person

26. (1) Any person responsible for the use, care or management of any working animal must -
- (a) not ill-treat any working animal;
 - (b) not unreasonably or recklessly cause harm to any working animal;
 - (c) take reasonable steps to mitigate the risk of any harm or the consequence of any harm caused to any working animal; and

- (d) ensure proper veterinarian care for ill or injured working animals.

Appointment and obligations of a responsible person

27. (1) Every security service provider that trains, supplies or uses working animals, must appoint a responsible person to oversee the welfare of the animals and to ensure compliance by the security service provider and any persons responsible for the care of a working animal, with the requirements of this Chapter 4.
- (2) The appointment of the responsible person in no way divests any security service provider from its responsibility concerning the exercise of any power or the performance or non-performance of any duty set out in this Chapter 4.
- (3) No person who could be held liable for a contravention of these regulations shall be absolved from any liability which may arise for any non-compliance with a requirement of this Chapter 4 by any security service provider that trains, supplies or uses working animals, by virtue of the appointment of the responsible person.
- (4) A security service provider may only appoint a person to the position of responsible person if that person -
- (a) is registered as a security service provider ;and
 - (b) for the purposes of overseeing the welfare of security dogs, has a minimum training of DH4 as contemplated in the Training of Security Officer Regulations, 1992 and any Board Notices issued in respect of the minimum training requirements for handlers; or
 - (c) for the purposes of overseeing the welfare of horses, is knowledgeable and experienced in –
 - (i) stable management;
 - (ii) horses' needs and behaviour;
 - (iii) husbandry;
 - (iv) the practical aspects of horse handling and care;
 - (v) procedures such as shoeing, treating, feeding, training and riding of horses;

- (vi) the normal appearance and behaviour of horses and is able to recognise early signs of distress or ill-health; and
 - (vii) basic first aid for horses.
- (4) A security service provider must inform the Authority within 7 days in writing of the appointment of a responsible person and must provide the Authority with the details of that person.
- (5) Every responsible person contemplated in sub regulation (1) must –
- (a) ensure that the security service provider has, maintains and effectively implements appropriate systems and procedures for the general care of working animals at all places where working animals are kept, trained and deployed;
 - (b) ensure that all persons employed by the service provider or that are responsible for implementing the systems and procedures contemplated in regulation 27(5)(a) and for carrying out the duties set out in this Chapter 4 are adequately skilled and competent for this purpose;
 - (c) ensure that he or she, a manager or his or her nominee is contactable inside and outside business hours;
 - (d) keep and maintain a record of any security service provider that is found mistreating a working animal for which the responsible person is responsible or that fails to comply with the provisions of these regulations and shall report such incidents to the Authority within 7 days of such incident coming to his or her attention; and
 - (e) keep and maintain all relevant records as provided for in these regulations.
- (6) All systems and procedures referred to in sub-regulation (5)(a) must be compliant with all of the requirements of this Chapter 4 and must at least provide for the following –
- (a) provision of accommodation and equipment which suits the physical and behavioural requirements of the working animals as provided for in these regulations;

- (b) the protection of working animals from people, other animals or adverse environmental conditions;
- (c) provision of sufficient space for working animals to stand, move freely, stretch fully and rest;
- (d) provision of sufficient quantities of appropriate feed and water to maintain good health;
- (e) protection of working animals as far as possible from disease, distress and injury;
- (f) provision of prompt veterinary or other appropriate treatment in cases of illness or injury but no longer than within 24 hours;
- (g) maintenance of hygiene of the working animal's establishment and the kennel, shelter, stables and exercise areas of guarded and other premises;
- (h) maintenance of the health of the working animals;
- (i) supervision of regular exercise, daily feeding, watering and inspection of working animals to ensure their well-being;
- (j) supervision of all staff handling working animals and ensuring that they are properly trained;
- (k) provision for compliance with the systems and procedures at guarded premises; and
- (l) provision for the following at any guarded premises -
 - (i) the welfare of working animals held at the premises;
 - (ii) the safety of those working with working animals;
 - (iii) handlers or riders are provided with the necessary equipment to safely use working animals;
 - (iv) public safety; and
 - (v) the display of any required signage.

Food and water

28. (1) Any person responsible for the use, care or management of any working animal must ensure that the working animal is provided with appropriate and adequate nutrition to maintain health and vitality.
- (2) Appropriate and adequate nutrition for purposes of this regulation means a palatable, uncontaminated and nutritionally balanced diet designed to meet the physiological demands of the breed, age and activity level of the working animal, and to minimise metabolic and nutritional disorders.
- (3) Fresh water must be available to a working animal at all times, and bowls and troughs must be cleaned daily.
- (4) Fresh water and food for security dogs must be protected from direct sunlight.
- (5) Adult security dogs must be fed daily.
- (6) Pups up to 6 months of age must be fed at least twice a day.
- (7) Feeding levels for horses must be determined by monitoring the body condition of the horse.
- (8) Hay / grass / teff for horses must be fed at floor level, and the underlying ground kept clean.
- (9) Concentrates must be given to horses in feeding containers.
- (10) Food and water containers must not be chewable or spillable and must be readily accessible to the working animals, and positioned to avoid contamination by urine or faeces.

Security dog kennels and premises

29. (1) All security dogs must be provided with secure and comfortable accommodation and living conditions, whether temporary or permanent.
- (2) Suitable facilities for training, exercising, bathing, dipping, drying and for grooming security dogs must be available on the premises where security dogs are accommodated and must be properly maintained for hygiene and safety purposes.
- (3) Kennelling must be provided for a security dog which is held at any premises for more than 6 hours and is not accompanied by a handler.
- (4) Security dog kennels must meet the following requirements –
- (a) the kennels must be located away from sources of noise or pollution that could cause injury or stress to security dogs;
 - (b) the kennels must be situated in areas that are protected from excessive damp, heat and draught;
 - (c) the enclosures must be designed and maintained to avoid injury, disease, theft, or escape of the security dogs or interference with them by unauthorised persons;
 - (d) where kennels are situated outdoors they must protect dogs from rain and wind and be adequately shaded;
 - (e) where kennels are situated indoors, temperature, humidity and ventilation must be considered and provided for accordingly;
 - (f) enclosures must allow for easy observation of security dogs while kennelled, without having to open the enclosure;
 - (g) the size must of the kennel must at least be 4 metres long, 2 metres wide and 1.8 metres high;
 - (h) where dogs are housed in compatible pairs, the kennels must be at least 6 metres long, 3 metres wide and 1.8 metres high;
 - (i) where a kennel and an exercise area as contemplated in regulation 33(2) are together as one enclosure for a single dog, the extra added grass area or landscaped section including the kennel enclosure may not be smaller than 8 metres long, 2 metres wide and 1.8 metres high;

- (j) where a kennel and an exercise area as contemplated in regulation 33(2) are together as one enclosure for compatible dogs sharing, the extra added grass area or landscaped section including the kennel enclosure may not be smaller than 12 metres long, 3 metres wide and 1.8 metres high;
- (k) the internal surfaces of the external walls of kennels must be constructed of impervious, solid, washable materials and a cement glaze must be applied up to a height of 1.2 meters to protect the walls and allow for cleaning;
- (l) floors of kennels must be made of an impervious material, which is hard-wearing, resistant to acid and disinfectants, non-porous, non-slip, jointless and not liable to crack, to allow for cleaning and drainage;
- (m) kennel floors must be sloped to enable urine and water to run off, and a collection drain must be provided;
- (n) drainage channels must be not less than 200mm wide, 150mm deep and have a drop of 1:60;
- (o) kennel drains must be fitted with fine mesh baskets to trap hair and faeces and be cleaned daily;
- (p) dogs must be protected from extremes of temperature and must be adequately insulated to provide protection against excessive heat and cold;
- (q) the sleeping area of a kennel may not be metal;
- (r) lighting should be as close as possible, in duration and intensity, to natural conditions;
- (s) sunlight is the preferred means of lighting, provided shaded areas are available;
- (t) ventilation must be adequate to keep kennels free of dampness and noxious odours;
- (u) all kennels must be provided with a raised sleeping area;
- (v) any bedding provided for dogs must be changed frequently and kept clean and dry; and
- (w) premises at which security dogs are accommodated and property protected by security dogs must have facilities to isolate dogs which require special treatment or that may be infectious;
- (x) kennel buildings must be securely lockable;
- (y) each individual kennel must be fitted with a secure closing device that cannot be opened by dogs; and

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- (z) secure closing devices must allow for ready access to security dogs and ready exit of security dogs in the event of an emergency.

Horse shelters and stables

30. (1) All horses must be provided with secure and comfortable accommodation and living conditions.

(2) Horses must have access to shelter to reduce the risk to their health and welfare caused by exposure to adverse weather conditions, which includes access to shade to minimise the effect of heat stress.

(3) Horse shelters and stables must meet the following requirements -

- (a) the stables must be located away from sources of noise and pollution that could cause stress to horses;
- (b) the stables must be designed and maintained to avoid injury, disease or escape of horses or interference with them by unauthorised persons;
- (c) the stables must have a solid roof and all sides of each stable must be covered and made of materials able to withstand a horse's kick;
- (d) the size of the stable must at least be 3 meters in length and 3 metres in width per horse and must be at least 2.2 metres high;
- (e) the stables must be adequately insulated to provide protection against excessive heat or cold;
- (f) ventilation must be adequate to keep stables free of dampness and noxious odours;
- (g) floor surfaces must not be slippery and must be sloped at an angle so water can run off to a drain;
- (h) gates and stables doorways must be 1.5 meters wide and of stable design;
- (i) stables must have feeding troughs that are secured to the wall at the height of the horse's chest;
- (j) bedding must be of wood shavings or straw, 8cm to 15cm thick and changed daily;
- (k) stables must be cleaned daily and floors rinsed to get rid of ammonia build-up from urine;

- (l) the stable must have sufficient artificial lighting and power to look after the horses;
- (m) fly / midge and general pest control around stables and paddocks must be done to avoid disease;
- (n) paddocks must be large enough to hold all the horses comfortably and must be situated in well drained areas;
- (o) paddocks must have durable fencing, effective gates, be kept clean and be free of debris and sharp objects; and
- (p) fences must be a minimum of 1.2 metres high and easily visible to horses with no sharp protrusion from the fence on the inner side.

Deployment conditions and kennelling of security dogs at deployed premises

31. (1) All security dogs used in rendering security services must be treated and confined in a humane manner, in accordance with legislation preventing cruelty to animals.
- (2) A security dog which is injured and not yet healed or is recovering from illness may not be deployed to render a security service until written consent is given by a veterinarian.
- (3) A security dog that displays or has at any time displayed excessive or uncontrollable aggression must not be used to render security services.
- (4) Security dogs may not be chained or tethered in any way during deployment, but may be kept on a leash whilst actively carrying out security services.
- (5) Security dogs must be provided with kennelling at the premises at which they are deployed, if they will be at such premises for more than 12 hours.
- (6) The kennels referred to in sub-regulation (5) must meet all the kennelling requirements stipulated in regulation 29.

- (7) Security dogs must be kept under adequate control during deployment, which includes the following –
- (a) the handler of the security dog must inspect the leads and chains of the security dog and ensure that they are in good condition before the security dog is deployed;
 - (b) the security dog must be used and controlled by a handler who is registered as a security service provider and has completed any training required for the handling of a security dog;
 - (c) the security dog must be secured so that it cannot escape from the premises; and
 - (d) the security dog must, at all times, wear a collar that meets the generally accepted requirements for dog collars.
- (8) A security dog may not work for more than 12 consecutive hours, and must have a rest period of 12 consecutive hours in any period of 24 hours.
- (9) A security dog may not work for more than 5 days consecutively without having a minimum of 36 consecutive hours' rest period.
- (10) Security dogs must have access to clean water at all times during deployment.
- (11) Deployment registers must be kept for all security dogs, and the dog's deployment and rest hours and days must be recorded therein.
- (12) All incidents involving a security dog which occur during deployment must be reported to the responsible person contemplated in regulation 27(1), who must record such incidents in a register.
- (13) Adequate paw protection must be provided to security dogs for the duration of deployment in an environment where it is warranted, having regard to surfaces that are hot or areas where paws may be injured.

Deployment conditions and requirements for use of horses

32. (1) Deployed horses must –
- (a) be in good body condition and free of injuries and illness;
 - (b) not be used to render a security service directly after feeding;
 - (c) be handled at all times in such manner as to minimise the risk of pain, injury or distress; and
 - (d) not be worked at such intensity or at such high temperatures that the horse is likely to suffer exhaustion, heat stress, injury or distress.
- (2) Horses must not be tethered or hobbled for more than 2 hours at a time and, where temporary hobbling is necessary, the handler must ensure sufficient distance between the two hobbled legs to allow the horse to stand naturally and move without risk or injury.
- (3) Where temporary tethering is necessary, the horse must be able to lie down and, if tethered outdoors, turn around and walk.
- (4) Horses that are tied for longer than 1 hour must be provided with water as well as shelter from the elements, except if it applies to horses in transit, in a vehicle on or in immediate control of a person.
- (5) A security service provider using a horse to render a security service must –
- (a) be registered as such, and trained to the level of grade D;
 - (b) be fitted to the horse in terms of size and weight;
 - (c) be competent in fitting saddlery and equipment;
 - (d) not use electric prodders, spurs and crops in any form, or strike a horse around the head with a whip, lead or other object; and
 - (e) wear an appropriate helmet and any other required uniform.
- (6) The saddlery and equipment used for horses must –

- (a) be of suitable size and correctly fitted to reduce rubbing or slipping and minimise discomfort; and
 - (b) be maintained in a clean and proper condition to ensure comfort, hygiene, safety and prevent injury.
- (7) Horses may not be deployed to render security services for more than 6 hours per day, and must have 2 full days' rest in every 7 days.
- (8) Horses must be given a break period after at least every 2 hours of deployment, and drinkable water must be provided in every such break period.
- (9) Hoof trimming and shoeing must only be performed by persons with the necessary knowledge, experience and skills.

Exercise of security dogs

33. (1) All security dogs must be provided with sufficient exercise to be fit and healthy while not posing a threat to public safety.
- (2) Where an exercise area and the kennel are not together as one enclosure, an exercise camp with grass or landscaped section must be available and may not be less than 5 meters wide, 12 meters long and 1,8 meters high.
- (3) The exercise area must have sufficient shelter.
- (4) A security dog must have the opportunity during exercise to –
- (a) urinate and defecate if they are confined for extended periods;
 - (b) receive contact with humans and, if appropriate, with other dogs;
 - (c) be checked over; and
 - (d) stretch their limbs.
- (5) Exercise must be provided by allowing dogs who are not rendering security services access to an exercise area for a minimum of 1 hour twice daily and/ or by walking dogs on a lead for a minimum of 15 minutes, twice daily.

Exercise of horses

34. (1) Horses must be provided with sufficient exercise to be fit and healthy.
- (2) Horses must be provided with an area in which they can move freely and obtain exercise sufficient enough to meet their health and welfare needs and where they can graze.
- (3) Horses must not be stabled for more than 12 consecutive hours at a time unless instructed by a veterinarian for medical purposes.
- (4) Horses must be exercised daily by being ridden, walked, lunged or turned loose into a paddock.
- (5) Blanket covers on horses must be removed on a daily basis and aired and loose hair and dirt removed from the cover.
- (6) Halters or head collars must not be left on horses when turned out into the paddock, unless there is a sound reason to do so and the horse is regularly monitored to ensure that the halter or head collar is not causing injury or distress.

Health, hygiene and disease prevention

35. (1) A working animal must be kept in hygienic and healthy conditions.
- (2) The responsible person as contemplated in regulation 27(1) of these regulations must, in addition to those requirements set out in regulation 27(6), ensure that the systems and procedures set out in regulation 27(5)(a) adequately provide for the following –
- (a) where a person causes a working animal harm, whether or not they are the owner of the animal, that reasonable steps are taken to mitigate that harm;
- (b) that all special requirements such as administration of medication are attended to as needed;

- (c) each working animal is checked at least twice a day to monitor its health and comfort, including on weekends and public holidays;
 - (d) that any person responsible for the checking of a working animal monitors whether the animal is eating, drinking, defecating, urinating, moving and behaving normally with no apparent injuries, and has a normal coat and normal appearance;
 - (e) that any changes in the health status of a working animal are acted on promptly and, if required, that veterinary attention is sought as soon as practicable; and
 - (f) that horses are groomed daily and that during grooming, the following checks are made and treated –
 - (i) possible sore back and saddle sores;
 - (ii) swollen and sore joints;
 - (iii) cuts and abrasions;
 - (iv) eyes, for signs of infection and abnormal discharge;
 - (v) mouth, for bit sores;
 - (vi) worn or loose shoes; and
 - (vii) examination of teeth.
- (3) Kennels and stables must be cleaned and –
- (a) faeces removed at all times;
 - (b) hosed out at least once a day;
 - (c) disinfected at least once each a day, before new working animals are introduced, and after an outbreak of infectious disease.
- (4) All efforts must be made to effectively control pests, including fleas, ticks, flies, lice, mosquitoes and rodents.

Veterinary procedures and euthanasia

36. (1) The responsible person for a working animal must ensure that working animals in his or her care receive appropriate veterinary care and, if necessary, are euthanized humanely by and on the recommendation of a veterinarian.

(2) The responsible person must ensure that the systems and procedures contemplated in regulation 27(1) require that –

- (a) working animals are vaccinated against common infectious diseases and treated regularly for internal and external parasites;
- (b) a relationship is established between the security service provider and a veterinary surgeon who is able to attend to working animals in his or her care;
- (c) routine veterinary examination of security dogs takes place every 6 months; and
- (d) horses receive an annual health check every 12 months.

(3) Veterinary attention should be sought for any working animal showing any significant abnormality including, but not limited to, one or more of the following signs –

- (a) depression and changes in behaviour;
- (b) ocular and nasal discharge;
- (c) inflammation;
- (d) runny nose;
- (e) runny, discharging or inflamed eyes;
- (f) repeated sneezing;
- (g) coughing or irregular respiration;
- (h) vomiting;
- (i) severe diarrhoea, especially if bloodstained;
- (j) lameness;
- (k) inability to stand or walk or in the case of a horse, lying down for long periods;
- (l) bleeding or swelling of body parts;
- (m) weight loss;
- (n) no appetite;
- (o) apparent pain;
- (p) fits or staggering;
- (q) bloated abdomen;

- (r) inability to urinate or defecate or dark, brown or red urine; and
- (s) fever.

(4) Except on veterinary advice, working animals displaying any of these signs must not be used to render security services and must be accommodated at the working animal's normal establishment.

(5) Working animals showing signs of illness must be isolated from other animals and people.

Identification and records

37. (1) Working animals must be identifiable, and accurate records of their identity must be maintained as per these regulations.

(2) A working animal that is taken outside the premises in which the animal is normally accommodated, must wear a collar in the case of a security dog and a harness in the case of a horse, with the most recent registration tag as contemplated in regulation 6(6)(b) attached. This requirement will not apply if the working animal is -

- (a) effectively confined to premises occupied by a person who owns or is responsible for the working animal; or
- (b) being trained for, or participating in, an organised activity.

(3) The responsible person as contemplated in regulation 27(1) of these regulations must keep the following records, in respect of each working animal -

- (a) dates and types of vaccination;
- (b) dates of veterinary checks and the name of the veterinary surgeon;
- (c) worming medication, which includes type and dates of administration;
- (d) any other type of medication and dates of administration;
- (e) record of each deployment of the working animal, which includes -

- (i) business, name, address and telephone number of the premises where a working animal is deployed;
- (ii) name, address and telephone number of the owner of the premises if different from above;
- (iii) date of placement;
- (iv) date of collection;
- (v) the working animal's condition and body condition score /weight on placement; and
- (vi) the working animal's condition and body condition score /weight on collection.

Transportation

38. (1) No working animal shall be transported unless –

- (a) the working animal is fit and healthy for transport;
- (b) the working animal is transported in a manner which is safe for it and the public;
- (c) any vehicle or trailer used to transport the working animal is designed for appropriate transportation of working animals and is legally licensed and roadworthy;
- (d) appropriate and adequate conditions during transport shall be provided for the working animal;
- (e) that working animal shall be transported in the shortest practical time;
- (f) the working animals shall not be exposed to excessive vehicle emissions; and
- (g) the working animal shall not be held in parked a vehicle in conditions which are likely to impact on the health and welfare of the working animal.

(2) Any vehicle or trailer used in transporting working animals, must be designed in such a way as to –

- (a) protect animals from injury;
- (b) have non-slip floors and avoid direct contact with metal flooring;
- (c) provide easy access and operator safety;

- (d) protect against extremes of temperature;
 - (e) provide adequate ventilation;
 - (f) protect against unauthorised release of working animals;
 - (g) be easy to clean and disinfect;
 - (h) be supplied with clean, secure cages or with separate compartments or partitions; and
 - (i) allow for security dogs to sit, stand and lie down.
- (3) Working animals may not be transported in the back of an open vehicle.

Working animals in public space and attacking

39. (1) A working animal must be managed responsibly in public places.
- (2) A security dog used to render a security service must be held on a lead no more than two metres long of strong wearing material or chain with a hand loop attached to the end and a bridle snap or similar attached to the other end, unless the security dog is –
- (a) participating in an organised activity and is under the effective control of a trained handler; or
 - (b) a patrol dog or sniffer dog, trained to operate off leash to render a security service.
- (3) No handler or horse rider may take a working animal into the grounds of a school, kindergarten, childcare centre or pre-school centre without the permission of the person in charge of such place.
- (4) No person may allow or cause a security dog to fight or attack other dogs or people except in a lawful manner and in reasonable defence of a person or property.
- (5) A handler may not allow or cause a security dog to kill, or be killed by another animal unless, at the time of the offence, the dog was being lawfully used in the reasonable defence of a person or property.

(6) A person responsible for a security dog confined within any premises must not permit the security dog to injure a person lawfully entering those premises, or to damage their property.

Warnings signs

40. (1) A security service provider must make the public aware of the use of working animals at any premises, and of working animals that are being transported.

(2) The responsible person as contemplated in regulation 27(1) of these regulations must procure that the security service provider, or any person responsible for the care of the working animals of that security service provider –

- (a) erects prominent warning signs at all entrances to a premises where working animals are usually kept or used, warning people that working animals are used on the premises;
- (b) in the case of working animals being transported, erects warning signs on the vehicle or trailer;
- (c) ensures that the sign is at least 500mm in diameter, with a silhouette of a security dog and/or horse;
- (d) ensure that signs for the use of security dogs depict a large silhouette of the head and shoulder of a dog and the words “beware security dogs” in large lettering; and
- (e) ensures that, while the working animal is on the premises or being transported, there is a sign displayed in a conspicuous position providing a telephone number on which a person responsible for the working animal can be contacted at any time.

CHAPTER 5

GENERAL PROVISIONS

Offences and penalties

41. (1) Any person who contravenes or fails to comply with any provision of these regulations is guilty of an offence as contemplated in section 38(4) of the Act and is liable on conviction to a fine or to imprisonment for a period not exceeding 24 months, or to both a fine and such imprisonment.

Repeal of regulations

42. The following regulations and notices are hereby repealed to the extent specified below:

REGULATIONS	EXTENT OF REPEAL
Board Notice 120 of 1998 as amended by Board Notice 15 of 1999	To the extent that it refers to the minimum standards of dogs
	Accreditation requirements for Dog Training Centres
	Accreditation standards for Security Dog Supplier

Short title and commencement

43. These regulations are called the Regulations Relating to Working Animals in the Private Security Industry, 2018 and come into operation 180 days after the date of publication.

DEPARTMENT OF POLICE

NOTICE 294 OF 2019

Draft 1 – CONFIDENTIAL

NOTICE CALLING FOR PUBLIC COMMENT

DRAFT AMENDMENTS TO THE CODE OF CONDUCT MADE UNDER THE PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)

I, Bhekokwakhe Hamilton Cele, Minister of Police, acting under section 28(1) of the Private Security Industry Regulation Act, 2001 (Act No 56 of 2001) and after consultation with the Council for the Private Security Industry Regulatory Authority, hereby make amendments to the Code of Conduct for Security Service Providers, 2003 in the Schedule hereto.

The draft amendments are contained in the Schedule to this Notice and are hereby published for general information and written comment from interested and / or affected persons.

Any written comment must be submitted to the office of the Director: Private Security Industry Regulatory Authority. The comment must reach the said office not later than four weeks from the date of this Gazette at the following address:

Postal address:

The Director
Private Security Industry Regulatory Authority
Private Bag X 817

PRETORIA

0001

Street address:

420 Witch-Hazel Avenue
Eco Glades 2 Office Park, Block B
Highveld Ext 70
Centurion

E-mail: Howard.THWANE@psira.co.za

SCHEDULE**DRAFT AMENDMENTS TO THE CODE OF CONDUCT MADE UNDER THE PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)****Interpretation**

1. In this Schedule, "the Code of Conduct" means the Code of Conduct for Security Service Providers, 2003 published under Government Notice No. 305 in the Government Gazette 24971 of 28 February 2003.

Amendment of regulation 4 of the Code of Conduct

2. Regulation 4 of the Code of Conduct is hereby amended-
 - a. by insertion after the definition of "equipment" of the following definition:

"event means a sporting, recreational, entertainment, cultural, religious, political or similar activities hosted at a stadium or venue;"
 - b. by insertion after the definition of "event" of the following definition:

"event security officer means a person who is deployed by another person or a security business to provide a security service aimed at ensuring order and safety on premises used for sporting, recreational, entertainment, cultural, religious, political or similar activities;"
 - c. by insertion after the definition of "respondent" of the following definition:

"Safety Plan means the safety plan contemplated in sub-regulation 4;"

Amendment of regulation 18 of the Code of Conduct

3. Regulation 18 of the Code of Conduct is hereby amended-

a. by the substitution of regulation 18 of the Code of Conduct:

18. (1) A security service provider who has contracted to render a service aimed at ensuring order and safety on premises used for sporting, recreational, entertainment or similar purposes, whether on his or her own or in conjunction with any other person, and any security officer used to render such a service, must act in accordance with all the obligations imposed by the Act and all other applicable legal provisions.

b. by the insertion immediately after sub-regulation (1) of the following sub-regulations:

(2) A security service provider contemplated in sub-regulation (1), deploying an event security officer to render security services on or in relation to premises used for sporting, recreational, entertainment or similar purposes, must properly brief such event security officer about the nature and scope of his or her duties and responsibilities, including –

(a) the expected conduct, behaviour and responsibilities of event security officers towards all people attending the event;

(b) proper procedures to follow in dealing with emergencies arising during an event;

(c) the risks to which the event security officers are exposed to;

- (d) the need and importance of complying with all obligations imposed by law on persons rendering services at premises used for sporting, recreational, entertainment or similar event or purposes;
- (e) recognising and dealing with conflict that may occur during an event;
- (f) any records that needs to be completed by event security officers and the manner in which they must be completed;
- (g) the importance of checking the designated area prior an event and how to check it;
- (h) the method of assessing and reporting a risk;
- (i) the types of actions to take when responding to a hazard during an event;
- (j) any other relevant information that the event security officer is obliged to know relating to his or her functions to be performed at such event;
- (k) the security officer's powers of arrest or detention of individuals at that event;
- (l) the security officer's powers of ejection from the premises where the event is held and procedures to be followed;
- (m) the security officer's powers of confiscation of prohibited and any other dangerous items or weapons;
- (n) proper procedures for escorting members of the public attending the event;
- (o) the security officer's authority to search persons and vehicles entering and leaving the premises and procedures to be followed;
- (p) proper procedures to follow in terms of dealing with illegal or unauthorised entry into restricted or prohibited areas of the premises where an event is taking place; and

(q) procedures for interaction with any Venue Operational Centre

(3) The duty to take all reasonable steps necessary to ensure the achievement and maintenance of order, safety and security on or in relation to premises used for sporting, recreational, entertainment or similar purposes, as well as any duty contemplated in these regulations, rests, subject to these regulations and any other applicable legal provisions, on –

(a) the owner of the premises;

(b) the organiser of the sporting, entertainment, recreational or similar event, if the organiser is a person different from the owner;

(c) a security service provider which has been contracted to render security service to the extent provided for in the contract, or on a security business which renders such a service.

(4) A security business must, subject to regulation 9 of this Code, before rendering a security service, be familiar with the safety plan providing for proper procedures and steps to achieve and maintain a sufficient degree of order, safety and security on or in relation to premises used for sporting, recreational, entertainment or similar purposes or events, and must contain, to the extent that it is applicable in the circumstances –

(a) an accurate description of the nature of the event on the premises;

(b) an accurate description of the premises where the event is to take place, including a map of the premises, details on its location, points of entry and exit and the perimeter or border, as well as an identification and description of the surrounding premises, areas and roads to the extent relevant;

(c) the suitability from a safety and security point of view, of the premises to be used in respect of the event in question;

- (d) a reasonable forecast of the number of persons expected to attend an event, with any other details relevant in this regard, the capacity and suitability of the premises for this purpose and the dates and times when persons are expected to attend;
- (e) an accurate description of all existing plans, systems and equipment dealing with order, safety and security on or in relation to the premises;
- (f) a reasonable description and assessment of all foreseen and reasonably foreseeable risks to be guarded against on or in relation to the premises;
- (g) entry requirements in respect of persons admitted to the premises and the procedures in regard to entry and exit;
- (h) the monitoring of persons entering the premises, on the premises and leaving the premises;
- (i) steps to prevent possible overcrowding of the premises and the points of entry and exit;
- (j) a sufficient number of security service providers and other personnel, whether employed by the owner or organiser or made available by a security business, to be used to eliminate or minimise the risks referred to in paragraph (f), as well as information on the training, experience, and equipment required, as well as their uniforms, any special identification to be worn by security officers, their briefing, deployment, placing and manner in which they are to perform their functions;
- (k) a sufficient number of security service providers exercising supervision and control over security officers deployed;
- (l) the appropriate and lawful methods, procedures, actions, equipment, firearms and weapons to be employed to eliminate or minimise foreseen and reasonably foreseeable risks;

- (m) adequate and appropriate steps to deal with any reasonably foreseeable crisis or emergency;
- (n) the use functioning and logistics of a joint operations or command center, to the extent necessary, to co-ordinate all functions in achieving and maintaining order, safety and security on the premises;
- (o) procedures in regard to the review and amendment of the safety plan as may be necessary;
- (p) a description and demarcation of the responsibilities of different security service providers and role players, and their liaison and co-ordination with each other, with members of the Security Services and with local government officials, including the holding of regular meetings and communication which may be necessary for this purpose;
- (q) provision for a person or persons with authority to make decisions and give instructions for the purposes of implementing the safety plan, liaising and co-ordinating with the Service and dealing with any crises or emergency;
- (r) procedures and steps to be taken by the owner and organiser, including the engaging of security service providers contemplated in paragraph (i) and the acquiring, installing or making available of any equipment, facilities or objects;
- (s) proper communication procedures and facilities to meet all communication needs in relation to the implementation of the safety plan; and
- (t) the proper briefing of all persons involved in the implementation of the safety plan.

(5) A security business must take reasonable steps necessary in the circumstances to ascertain that the requirements regarding security service providers contemplated in sub-regulation (4) are met at all relevant times and may not allow a person who does not meet these requirements to render a security service or continue to render a security service on

or in relation to premises used for sporting, recreational, entertainment and similar purposes.

(6) A security business which has been contracted to provide a security service to achieve and maintain order and safety on premises used for sporting, recreational, entertainment or similar purposes, whether on its own or in conjunction with any other security business or security service provider, or which renders or purports to render a security service, whether on its own or in conjunction with any other security business –

- (a) may only render or purport to render a security service which it is qualified and entitled and has the capacity to render in terms of the Act;
- (b) must, before rendering a security service, be familiar with the safety plan contemplated in sub-regulation (4);
- (c) may only render a security service in accordance with the Act, this Code, any other applicable legal provision and a sound and proper safety and security plan;
- (d) provide all support and co-operation reasonably necessary to any member of the Service and any other person involved with ensuring order, safety and security on the premises;
- (e) must, before rendering a security service, be sufficiently familiar with the premises on or in relation to which the security service is to be rendered as well as any existing safety and security plans, systems and equipment aimed at providing or promoting safety and security in respect of the premises and persons and property on the premises, or entering or leaving the premises;
- (f) must take all reasonably practical steps within the powers, functions and capacity of the security business to ensure that order, safety and security on the premises are achieved and maintained;
- (g) must take appropriate pro-active steps reasonably necessary in the circumstances to identify and deal with possible threats to the order, safety and security on or in relation to the premises;

- (h) must ensure that any security officers used by the security business are properly trained, briefed and informed of their duties and all relevant facts;
 - (i) must ensure that any security officers used by the security business are trained, briefed or experienced on how to deal with crowds or members of crowds;
 - (j) must ensure that any security officers used by the security business are properly equipped for performing their functions;
 - (k) must take all reasonably practical steps to ensure that any security officers used by the security business comply with the Act and perform their functions in a manner which does not infringe or threaten the rights of persons on the premises or persons who are entering or leaving the premises;
 - (l) must properly supervise and control any security officers deployed by the security business; and
 - (m) may only sub-contract the rendering of any security service on or in relation to the premises to a security service provider that is registered by the Authority, meets all the requirements contemplated in these regulations, and if the owner and organiser have been timeously informed in writing of this fact and all other necessary details, and have given their consent.
- (7) An event security officer, whether employed by an owner or organiser or made available by a security business, to render a security service on or in relation to premises used for sporting, recreational, entertainment or similar purposes -
- (a) must wear appropriate uniform attire and correct identification that presents a professional image;
 - (b) must not consume alcohol or use illegal drugs while on duty, or be under the influence of alcohol or illegal drugs when reporting for duty;
 - (c) if practicable, use tact and diplomacy, for example, mediation, conciliatory negotiation or other conciliatory communication, as the first tool to control any conflict;

- (d) must act in compliance with this Code, the safety and security plan and all lawful instructions;
- (e) may not abuse or manhandle any person or perform any act which threatens or violates the rights of any person;
- (f) must comply with all applicable laws in performing their functions;
- (g) may not practice any form of unfair discrimination;
- (h) may not perform any act that will or is likely to lead to disorder or chaos or which poses an unreasonable risk of death or injury to persons or damage or loss of property;
- (i) may not allow any person to enter premises used for sporting, recreational, entertainment or similar purposes if –
 - (i) the person does not comply with the valid requirements for entry;
 - (ii) there is a valid instruction from an authorised person that a person or category or class of persons are not to be allowed entry;
 - (iii) the person is reasonably suspected of intending to commit any crime or act of violence on the premises;
 - (iv) the person is reasonably suspected of being in unlawful possession of any article prohibited on the premises, or which may be used to endanger order, safety and security on the premises; or
 - (v) allowing a person or persons may lead to overcrowding or disorder on the premises, irrespective of whether the persons may be entitled to enter the premises on other grounds;
- (j) may not use force, exercise powers of arrest or any other power unless the use of force or exercise of these powers are lawful and reasonable in the circumstances;
- (k) must take active steps within his or her powers and capacity to ensure order, safety and security on the premises;

- (l) must report incidents which may lead to disorder, chaos, acts of violence or the commission of any crime to their supervisors or other persons in control without undue delay;
 - (m) must protect and assist any person in reasonable need of such protection and assistance on account of any unlawful conduct or other danger, if the security officer is reasonably able to give such protection and assistance in the circumstances;
 - (n) must provide all support and co-operation reasonably necessary to any member of the Service and any other person lawfully involved with ensuring order, safety and security on the premises;
 - (r) must permit only authorised persons and vehicles to enter property and monitors entrances and exits at an event;
 - (s) may, upon commencing his or her duty the event security officer conduct pre-match checks of the area in which he or she will be working and notify the peace safety officer of any faulty safety equipment, damaged seating or suspicious articles; and
 - (t) must not solicit, or accept a bribe.
- (8) An event security officer deployed to perform any function aimed at achieving and maintaining order, safety and security of persons and safety and security of their property on premises used for the purposes of attending or participating in a sporting, recreational, entertainment or similar event, must do so in line with the safety plan contemplated in sub-regulation 4, including-
- (a) the exercise of access and exit control;
 - (b) the effecting of bodily or physical searches at a point of entry or exit;
 - (c) the guiding of persons to specific areas or places;

(d) the performance of any crowd control functions;

(e) appropriate actions to discover or identify bombs, explosives, unauthorised firearms and other weapons and any substance or article that may not be possessed, and the taking further action in this regard;

(f) prevention and detection of fires and firefighting functions and procedures;

(g) the performance of patrolling duties or monitoring duties;

(h) identifying persons committing transgressions, arresting them and taking further appropriate action;

(i) participation in the activities of a security reaction team;

(j) the handling of a dog or using of any other working animal;

(k) effecting personal protection functions; and

(l) guarding property

(9) The provisions imposing duties on a security business contemplated in this Code apply, with necessary changes, to an owner or organiser using its own employees to render a security service referred to in this Code.

(10) Every person referred to in section 21(1)(a)(ii), (iii), (iv), (v), (vi) or (vii) of the Act in relation to a security business must take all reasonably practical steps within his or her powers, capacity or functions to ensure that such security business rendering a security service aimed at achieving and maintaining order, safety and security on premises used for sporting, recreational, entertainment or similar purposes as contemplated in this Code, complies with all its obligations.

(11) Every person who occupies a position or office comparable to that referred to in section 21(1)(a)(ii), (iii), (iv), (v), (vi) or (vii) of the Act in regard to an owner or organiser must, subject to these regulations, take all reasonably practical steps within his or her powers, capacity or functions to ensure that the owner or organiser, as the case may be, complies with all the duties contained in this Code applicable to it.

(12) The director may direct any person contemplated in regulation 18 (1), or whom the director has reason to believe is a person contemplated in regulation 18 (1) -

- (a) to submit any information relating to security services rendered at premises used for sporting, recreational, entertainment or similar purposes within such reasonable time as the director stipulates as well as such further information as the director reasonably requires;
- (b) to comply with any duty contemplated in these regulations within such a period as the director stipulates;
- (c) to take any further step deemed necessary by the director in order to cause the taking of steps to ensure order, safety and security on premises used for sporting, recreational, entertainment or similar purposes; and
- (d) to provide the director with all information required by the director of any incident on premises used for sporting, recreational, entertainment or similar purposes if there has been any loss of life, injury to a person, damage to property or an alleged transgression of these regulations.

(13) A directive contemplated in sub-regulation (12) must be in writing, signed by the director and served on the security business or other person.

Short title and commencement

4. These amendments are called the Amendments to the Code of Conduct, and come into operation, unless otherwise specified, on the date of their publication in the *Gazette*.

DEPARTMENT OF POLICE
NOTICE 295 OF 2019

Draft 1 – CONFIDENTIAL
NOTICE CALLING FOR PUBLIC COMMENT

**DRAFT AMENDMENT REGULATIONS IN TERMS OF THE PRIVATE SECURITY
INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)**

I, Bheki H Cele, Minister of Police, acting under section 35 of the Private Security Industry Regulation Act, 2001 (Act No 56 of 2001) hereby intends to make amendments to the Private Security Industry Regulations, 2002.

The draft amendments are contained in the Schedule to this Notice and are hereby published for general information and written comment from interested and / or affected persons.

Any written comment must be submitted to the office of the Director: Private Security Industry Regulatory Authority. The comment must reach the said office not later than four weeks from the date of this Gazette at the following address:

Postal address:

The Director
Private Security Industry Regulatory Authority
Private Bag X 817

PRETORIA

0001

Street address:

420 Witch-Hazel Avenue

Eco Glades 2 Office Park, Block B
Highveld Ext 70
Centurion

E-mail: Howard.THWANE@psira.co.za

SCHEDULE

DRAFT AMENDMENT REGULATIONS IN TERMS OF THE PRIVATE SECURITY INDUSTRY REGULATION ACT, 2001 (ACT NO 56. OF 2001)

Interpretation

1. In this Schedule, "the Regulations" means the Private Security Industry Regulations published under Government Notice No. R.190 of 14 February 2002.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended-

- a. by the insertion of the following definition:

"ammunition means ammunition as defined in section 1 of the Firearms Control Act;";

- b. by insertion after the definition of "Board" of the following definition:

"bolt action rifle means a hunting rifle;";

- c. by insertion after the definition of "director" of the following definition:

“firearm means a firearm as defined in section 1 of the Firearms Control Act;”;

- d. by the insertion after the definition of “firearm” of the following definition:

“Firearms Control Act means the Firearms Control Act, 2000 (Act No. 60 of 2000);”;

- e. by the insertion after the definition of “Firearms Control Act” of the following definition:

“handgun mean a handgun as defined in section 1 of the Firearms Control Act;”;

- f. by the insertion after the definition of “restricted firearm” of the following definition:

“semi-automatic means a semi-automatic as defined in section 1 of the Firearms Control Act;”;

- g. by the insertion after the definition of “semi-automatic” of the following definition:

“shotgun means a shotgun as defined in section 1 of the Firearms Control Act;”;

- h. by the insertion after the definition of “these Regulations” of the following definition:

“weapon means a weapon as defined in regulation 4 of the Code of Conduct for Security Service Providers, 2003;”.

Amendment of regulation 13 of the Regulations

3. Regulation 13 of the Regulations is hereby amended-

a. by the insertion after regulation 13 of the following regulation:

“13A. Firearms”-;

- 13A. (1) A security business, which renders a security service requiring the possession of a firearm, must lawfully provide a suitable firearm for that purpose and may not require or permit a security officer employed by the security business to obtain a firearm for that purpose.
- (2) A security officer may, for purposes of rendering a security service in the course of his or her employment, only possess a firearm lawfully provided by his or her employer.
- “(3) Any security business which intends to use firearms, must, in writing inform the Authority of its intention to possess and use firearms for the rendering of security services, along with a copy of its application submitted to the Control Firearms Registrar”.
- “(4) For purposes of keeping records, both new and existing security businesses intending to use or using firearms or any other weapons to render security services must, after being issued with the firearm licence, provide the Authority with the following particulars-
- (a) A copy of the firearm licence issued to the security business in terms of section 20(2)(a) of the Firearms Control Act;
- (b) the total number and type of licenced firearms and ammunition issued to and possessed by the security business;
- (c) the total number of weapons issued to and used by security officers;

- (d) the total number of firearms and ammunition issued to the security officers when on duty or rendering security services;
- (e) full particulars of security officers issued with firearms, ammunition or any other weapon; and
- (f) any additional information that the Authority may require”.

“(5) A security business may only issue a firearm to a security officer employed by it for the rendering of a security service if-

- (a) the issuing of the firearm by the security business and possession by the security officer is in accordance with all applicable laws;
- (b) the security business is in possession of a licence issued in terms of section 20 (2) (a) of the Firearms Control Act;
- (c) the security business’s registration as a security service provider is not suspended, withdrawn or terminated for any reason as contemplated in section 26 of the Act”.
- (d) a security officer carrying and using a firearm issued to him or her by the security business complies with all applicable laws in carrying and using that firearm, and must-
 - (i) return to a responsible official of the security business, when so instructed, any document provided by it in terms of law to authorize the possession of the firearm by the security officer;
 - (ii) return the firearm and ammunition issued to him or her to a responsible official of the security business as soon as reasonably possible after the completion of his or her duties or work shift in the rendering of security services;

- (iii) at all times take reasonable steps to guard against the loss, theft or unauthorized possession or use of the firearm and ammunition issued to him or her;
- (iv) inform the responsible official of the security business of any discharge, loss or theft of the firearm or ammunition as soon as reasonably possible after the incident; and
- (v) inform the responsible official of the security business of any additional information regarding the discharge, loss or theft of the firearm or ammunition, issued to any other security officer by that security business”.

“(6) A security business which renders a security service requiring the possession or use of a handgun or shotgun, must issue such firearm to a security officer as contemplated in sub-regulation (2) only for the rendering of one or more of the following security services-

- (a) Reaction services or armed response services;
- (b) Protection of valuables which are being transported (cash-in-transit);
- (c) Private investigator services;
- (d) Environmental protection or anti-poaching services;
- (e) Close protection services; and
- (f) Protection and security services at National Key Points.

(7) A security business which renders a security service requiring the possession or use of a bolt action rifle, must issue such firearm to a security officer as contemplated in sub-regulation (2) only for the rendering of –

- (a) Environmental protection services; or
- (b) Anti-poaching services

- (8) A security business which renders a security service requiring the possession or use of a semi-automatic, must issue such firearm to a security officer as contemplated in sub-regulation (2) only for security services aimed at protecting valuables which are being transported.
- (9) The possession and use of a firearm contemplated in sub-regulation (8), by security service providers is prohibited in respect of all security services rendered, and can only be used by cash-in-transit or asset-in-transit operatives, unless recommended by the Authority and approved by Central Firearms Registrar.
- (10) The possession and use of any firearm on public or private school premises by security service providers when rendering security services, is prohibited, unless stated in a contract that security service provided will require the use of a firearm.
- (11) A security business using firearms or any other weapons to render security services must notify the Authority within 14 days of –
- (a) instances in which a firearm was discharged by a security officer in the performance of his or her duties causing death, personal injury or damage;
 - (b) every incident involving the use of a weapon causing death, personal injury or damage; and
 - (c) the number and details of firearms lost by, stolen from, sold by or transferred by security businesses or destroyed in terms of the Firearms Control Act.
- “(12) The director may cause an audit of all firearms in possession of or presumably in possession of a security business to be performed as often as may be necessary”.
- “(13) For the purposes of an audit contemplated in sub-regulation (12)- every security business must provide the information required by the director in terms of the form used, for the purposes of an audit and

return such properly completed form to the Authority within the time period determined by the director”.

“(14) A security business must, for purposes of these regulations, keep all the registers and documentation in respect of firearms and ammunition licensed to it, at its administrative office in accordance with the Firearms Control Act and the Private Security Industry Regulations”.

“(15) The firearm and ammunition register contemplated in sub-regulation 14 must contain the following particulars -

- (a) a copy of firearm licence issued to the security business in terms of section 20(2)(a) of the Firearms Control Act;
- (b) the total number and type of licensed firearms and ammunition issued to and possessed by the security business;
- (c) the total number and type of weapons issued to the security business;
- (d) the total number of weapons issued to and used by security officers;
- (e) the total number of firearms and ammunition issued to the security officers when on duty or rendering security services;
- (f) full particulars of security officers issued with firearms, ammunition or any other weapon;
- (g) the date, time, place and circumstances pertaining to the discharge of the firearm;
- (h) particulars of any damage, injury or death caused by the discharge of the firearm; and

(i) any additional information related to the incident that the Authority may request”.

b. by the insertion after regulation 13A of the following regulation:

“13B. Weapons”-:

13B. (1) A security business may only issue a weapon to a security officer employed by it for the rendering of a security service if –

- (a) the security officer is well trained in the proper handling and use of the weapon and successfully trained in accordance with any applicable standards imposed by law;
- (b) the weapon is free from any defect or characteristic which may render it an inherent source of danger or capable of easily causing excessive personal harm, injury or damage;
- (c) the security officer issued with the weapon is actively monitored to ensure that he or she complies with all applicable laws;
- (d) a written record of every incident involving the use of weapon causing death, personal injury or damage is kept and monitored;
- (e) the security business issuing the weapon keeps a register in which information is recorded of every instance where a weapon is issued to, possessed or used by the security officer, at its administrative office”.

“(2) A security business must store every firearm, ammunition or weapon in a safe and secure manner required by the Firearms Control Act, as well as in accordance with any directives that the director may issue in terms of these regulations”.

“(3) The firearms kept in a safe must be unloaded, not readily accessible by any person other than the licence holder, authorised

person or responsible official of the security business”.

c. by the insertion after regulation 13B of the following regulation:

“13C. Offences and Penalties-

13C. (1) Any security service provider who –

- (a) requires or permits a security officer employed or made available to that security service provider, to obtain or provide a firearm for the purpose of rendering a security service in the course of his or her employment;
- (b) requires a security officer employed or made available by that security service provider, or an applicant for a post as a security officer, to have a firearm licence;
- (c) is a security officer and who, for the purpose of rendering a security service in the course of his or her employment, is in possession of a firearm not lawfully provided by his or her employer;
- (d) contravenes or fails to comply with a provision of these regulations;
- (e) contravenes or fails to comply with a directive, notice or request of the director in respect of these regulations;
- (f) fails to keep a register, record or file as required in terms of these regulations, or fails to make an entry in such a register without undue delay;
- (g) fails to inform the director in writing, after the use of a firearm or weapon by a security officer if such use caused any death, personal injury or damage.”
- (h) intentionally or negligently makes a false, incorrect or misleading entry or statements in a register that has to be kept in terms of these regulations or any document contemplated in these regulations;

- (i) uses a firearm without being issued with a competency certificate, licence, permit or authorisation by the Designated Firearms Officer;
- (j) issues a security service provider who is not in possession of a firearm licence, with a firearm to render security services; and
- (k) intentionally or negligently provides any false information in complying or purportedly complying with any duty provided for in these regulations;
- (l) uses a firearm that is prohibited or restricted in terms of these regulations to render security services without the recommendation of the Authority and approval of the Control Firearms Registrar;
- (m) possesses and uses a firearm on the public or secondary or private school premises for the rendering of security services;

is guilty of an improper conduct as contemplated in regulation 24 of the Code of Conduct and on conviction liable to penalties as contemplated in regulation 25 of the Code of Conduct.

Substitution of regulation 14(9)(a)(iv) of the Regulations

4. The following regulation is hereby substituted for regulation 14(9)(a)(iv) of the Regulations:

"14(9)(a)(iv) – comply with the necessary changes, with the provisions contained in regulation 8, regulation 13, regulation **13A**, regulation **13B** and regulation **13C** of these Regulations".

5. This regulation comes into operation 150 days after the date of its publication in the "Gazette".

Short title and commencement

6. These regulations are called the Private Security Industry Amendment Regulations, 2018, and come into operation, unless otherwise specified, on the date of their publication in this *Gazette*.

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 296 OF 2019**

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	That portion of Durban commonly known as Dabulamanzi Cato Manor
Province	:	KwaZulu-Natal
District Municipality	:	Ethekwini
Local Municipality	:	Ethekwini
Claimant	:	Johannes Ambrose Africa
Date claim lodged	:	21 December 1998
Reference number	:	KRN6/2/3/E/8/817/2716/4241

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 297 OF 2019

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	see attached schedule
Extent of property	:	see attached schedule
Province	:	KwaZulu-Natal
District Municipality	:	King Cetshwayo District Municipality
Local Municipality	:	Umhlathuze Local Municipality
Current Title Deed No.	:	see attached schedule
Current Owner	:	see attached schedule
Bonds & Restrictive Conditions (Interdicts)	:	see attached schedule
Claimant	:	Musawenkosi on behalf of the Dube/Hlekwayo Family
Date claim lodged	:	27 November 1998
Reference number	:	KRN6/2/2/E/21/0/0/42

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

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Private Bag X9120
Pietermaritzburg 3200

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Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT
1	Remainder of Erf 8394, Empangeni	0, 5010 ha
2	Portion 1 of Erf 8394, Empangeni	3, 2788 ha
3	Portion 0 of Erf 8393, Empangeni	4, 3845 ha
4	Portion 0 of Erf 8392, Empangeni	0, 7761 ha
5	Portion 0 of Erf 8391, Empangeni	0, 4961 ha
6	A portion of the Remainder of Erf 8906, Empangeni	26, 1818 ha
7	Portion 0 of Erf 14261, Empangeni	0, 9047 ha
8	Portion 0 of Erf 14267, Empangeni	0, 1202 ha
9	Portion 0 of Erf 14279, Empangeni	0, 6195 ha
10	Portion 0 of Erf 14283, Empangeni	0, 2509 ha
11	Portion 0 of Erf 14235, Empangeni	0, 5314 ha
12	Portion 0 of Erf 14244, Empangeni	0, 4518 ha
13	Portion 0 of Erf 14192, Empangeni	0, 0742 ha
14	Portion 0 of Erf 14194, Empangeni	0, 0244 ha
15	Portion 0 of Erf 14195, Empangeni	0, 0268 ha
16	Portion 0 of Erf 14196, Empangeni	0, 0253 ha
17	Portion 0 of Erf 14197, Empangeni	0, 0290 ha
18	Portion 0 of Erf 14198, Empangeni	0, 0597 ha
19	Portion 0 of Erf 141200, Empangeni	0, 2743 ha
20	Portion 0 of Erf 141211, Empangeni	0, 2705 ha
21	Portion 0 of Erf 141224, Empangeni	0, 0964 ha
22	Portion 0 of Erf 1421222, Empangeni	0, 1809 ha
23	Portion 0 of Erf 141251, Empangeni	0, 2117 ha
24	Portion 0 of Erf 141253, Empangeni	0, 0700 ha
25	Portion 0 of Erf 141256, Empangeni	0, 1372 ha
26	Portion 0 of Erf 141259, Empangeni	0, 0342 ha
27	Portion 0 of Erf 141260, Empangeni	0, 0244 ha
28	Portion 0 of Erf 141285, Empangeni	0, 0035 ha
29	A portion of Portion 0 of Erf 15665, Richards Bay	48, 4044 ha

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 298 OF 2019

GENERAL NOTICE IN TERMS OF AN ORDER OF THE LAND CLAIMS COURT UNDER CASE NO. LCC77/2018 DATED 10 DECEMBER 2018.

WHEREAS a Land Claim was lodged by Inkosi Mkhontokayise John Mkhwanazi in his capacity as Chairperson of the Mkhwanazi Land Claim Committee over certain portions of land in the Mtunzini area including Portion 1 of the farm Lot 103 Umlalazi No. 13880 in extent 20,5628 hectares belonging to Riverland Resort Shareblock (Pty) Ltd and held under Title Deed No.T79401/1992.

AND WHEREAS the claim was published in terms of section 11 (1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended) in Notice 516 of 2012 published in Government Gazette No. 23297 dated the 12th of April 2002.

AND WHEREAS, Riverland Resort Shareblock (Pty) Ltd launched an application to the Land Claims Court compelling of the Regional Land Claims Court: KZN to refer the claim to the Land Claims Court, for adjudication on the merits.

AND WHEREAS on the 10th of December 2018, the Land Claims Court issued an Order, with the Consent of the Regional Land Claims Commission: KZN Inkosi Mkhontokayise John Mkhwanazi and Riverland Resort Shareblock (Pty) Ltd to the effect that the belonging to Riverland Resort Shareblock (Pty) Ltd and other registered land owners shall be withdrawn from the aforesaid publication.

NOW THEREFORE Notice No. 516 of 2012 published in Government Gazette No. 23297 on the 12th of April 2002 is hereby amended by the Withdrawal of the Properties in the table below:

No.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED	CURRENT OWNER
1.	Portion 1 of the farm Lot 131 Umlalazi No. 14098	4, 5296ha	T1029/2002	Jacqueline Ann Rens
2.	The farm Umhlatuzi No. Rail No. 16838	3,0061ha	T4404/1998	Transnet Ltd
3.	The farm Mzingwenya Rail No. 16837	3, 4083ha	T4404/1998	Transnet Ltd
4.	The farm Umhlatuzi SAR No. 13580	4,7317ha	T3365/1949	Transnet Ltd
5.	The farm Durnford No. 16836	49,5662ha	T7919/1999	Transnet Ltd
6.	Portion 3 of the farm Gage No. 16695	76,1254ha	T732727/1999	I H M Heavy Minerals Ltd
7.	Portion 1 of the farm Gage No. 16695	137,3081ha	T724938/1996	Jocks Farm (Pty) Ltd
8.	Portion 4 of the farm Lot 171 Umhlatuzi No. 13767	2770sqm	T718805/1997	Transnet Ltd
9.	Portion 3 of the farm Lot 171 Umhlatuzi No. 13767	1096sqm	T718805/1997	Transnet Ltd

10.	The Remainder of Portion 2 of the farm Lot 171 Umhlatuzi No. 13767	7, 8380ha	T724938/1996	Jocks Farm (Pty) Ltd
11.	Portion 1 of the farm Lot 171 Umhlatuzi No. 13767	7, 1465ha	T7379/1956	Transnet Ltd
12.	The Remainder of the farm Lot 171 Umhlatuzi No. 13767	29, 0786ha	T724938/1996	Jocks Farm (Pty) Ltd
13.	The remainder of the farm Lot 131 Umlalazi No. 14098	191, 9693ha	T71123/1967	Waterloo Estate cc
14.	Portion 1 of the farm Lot 108 Umhlatuzi No. 14092	4, 0031ha	T724737/1998	Felix Park Trading cc
15.	Portion 3 of the farm Lot 105 Umhlatuzi No. 13766	96, 4731ha	T724938/1998	Jocks Farm (Pty) Ltd
16.	Portion 2 of the farm Lot 105 Umhlatuzi No. 13766	71,9943ha	T724938/1996	Jocks (Pty) Ltd
17.	Portion 1 of the farm Lot 105 Umhlatuzi No. 13766	9,5947ha	T7378/1996	Transnet (Pty) Ltd
18.	The Remainder of the farm Lot 104 Umlalazi No. 13853	198,6867ha	T725361/1988	Kevin Malcolm Wadman
19.	Portion 1 of the farm Lot 103 Umlalazi No. 13880	20,5618ha	T79480/1992	Riverland Resort Shareblock (Pty) Ltd

HARRY LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER-KZN
DATE:

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 299 OF 2019

AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 612 of 2018 published in *Government Gazette* No. 41955 on 5 October 2018 in respect of the Ndllovu Community, under Reference No. KRN6/2/E/19/0/0/18 to:

1. INCLUDE PROPERTIES IN SCHEDULE BELOW

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 1 of the farm Lot 53 No. 1817	1, 6680 ha	T38609/2008 T5144/2015 T41794/2015	Christine Bro John Pickup	None
2	Portion 2 of the farm Lot 53 No. 1817	0, 2675 ha	T41794/2015 T50972/2008 T5145/2014	John Pickup Christine Bro	VA4200/2008
3	A portion of Portion 3 of the farm Lot 53 No. 1817	126, 4929 ha	T20370/1985	W G Maxwell Inv (Pty) Ltd	B10637/2010 VA2293/2018
4	Portion 4 of the farm Lot 53 No. 1817	20, 6847 ha	T20370/1985	W G Maxwell Inv (Pty) Ltd	VA2293/2018
5	Portion 5 of portion 3 of the farm Lot 53 No. 1817	20, 2469 ha	T48638/2000	Alison Mary Carter	B16507/2017
6	Portion 6 of the farm Lot 53 No. 1817	23, 0261 ha	T19913/2016	The Greenhill Family Trust	None
7	Portion 7 of the farm Lot 53 No. 1817	26, 4959 ha	T5146/2014	Trade Avail 161 cc	B3134/2014
8	Portion 8 of the farm Lot 53 No. 1817	20, 4536 ha	T18259/1998	Robert William James Parker	VA2499/2008
9	Portion 9 of the farm Lot 53 No. 1817	21, 4711 ha	T19491/2016	Wayne Marc Woodley	B8680/2016
10	Portion 10 of the farm Lot 53 No. 1817	22, 3928 ha	T19490/2016	Richard Michael Neaves Shacklock	B8679/2016
11	Portion 11 of the farm Lot 53 No. 1817	21, 2371 ha	T25877/2017	Lucile Godwin	B11868/2017
12	Portion 12 of the farm Lot 53 No. 1817	20, 7737 ha	T15541/1988	Little Yarrow Farm cc	None
13	Portion 13 of the farm Lot 53 No. 1817	21, 1312 ha	T27581/1996	Patrick James McCort	None
14	Portion 14 of the farm Lot 53 No. 1817	21, 0595 ha	T22773/1992	Anthony Arba Croxford	B48800/1993
15	Portion 15 of the farm Lot 53 No. 1817	20, 5141 ha	T24666/1984	Lynette Houston	None
16	A portion of the consolidated Portion 21 of the farm Lot 53 No. 1817, know before consolidation as Portion 16 of the farm Lot 53 No. 1817	25, 0247 ha	T1889/1993	Celia Mary Croxford	None
17	Remainder of Portion 17 of the farm Lot 53 No. 1817	17, 4940 ha	T29663/2008	Real Oregon Furniture cc	None

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
18	Portion 18 of the farm Lot 53 No. 1817	20, 3152 ha	T14617/1994	Vaughan Sutherland Wilson and Shirlene Wilson	B20017/1994 B29703/1997
19	Portion 19 of the farm Lot 53 No. 1817	20, 2449 ha	T37248/2017	Michelle Marian Washington	None
20	A portion of the consolidated Portion 21 of the farm Lot 53 No. 1817, know before consolidation as Portion 20 of the farm Lot 53 No. 1817	3, 2623 ha	T1889/1993	Celia Mary Croxford	None
21	Portion 21 of the farm Lot 53 No. 1817	28, 2870 ha	T1889/1993	Celia Mary Croxford	None
22	A portion of the consolidated Portion 0 of the farm Hawkstone No. 15344, known before consolidation as Portion 22 of the farm Lot 53 No. 1817	108, 6625 ha	T19751/1993	Hawkstone Family Trust-Trustees	None
23	Portion 23 of the farm Lot 53 No. 1817	182, 6701 ha	T15564/2008	Triam Trust-Trustees	B13659/2008 VA364/2011
24	A portion of Portion 0 of the farm Hawkstone No. 15344	108, 6625 ha	T19751/1993	Hawkstone Family Trust-Trustees	B18940/2014 B3293/2003 B68208/2007

2. EXCLUDE PROPERTIES IN SCHEDULE BELOW

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 21 of the farm Welgevonden No. 969	94, 9582 ha	T39216/2015	The Two Rivers Trust	None
2	Portion 0 (remaining extent) of the farm Lot 53 No. 1817	87, 6028 ha	T697/1999	Sappi Manufacturing (Pty) Ltd	None

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 300 OF 2019

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) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	That portion of Durban commonly known as 3 Khumalo, Cato Manor
Magisterial District	:	Ethekwini
Administrative District	:	KwaZulu-Natal
Claimant	:	Tubuluzi Annie Sithole
Date claim lodged	:	18 December 1998
Reference number	:	KRN6/2/3/E/8/817/2716/3938

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
NOTICE 301 OF 2019

GENERAL NOTICE IN TERMS OF SECTION 11 (A) (2) OF THE RESTITUTION OF LAND RIGHTS ACT, NO 22 OF 1994

WHEREAS a land claim was lodged by The Maphelane Nature Reserve Land Claimants, represented by Maphelane Nature Reserve Land Claimants, which claim was published in terms of section 11 (1) of the Restitution of Land Rights Act, No 22 of 1994 (as amended), herein referred to as the Act.

NOW THEREFORE NOTICE is hereby given in terms of section 11(A) (2) of the Act that at the expiry of **thirty (30) days** from the date of the publication of this notice in the Government Gazette, the notice of the claim previously published in terms of section 11 (1) of the Act under Notice No. 1592 of 2003 published in Government Gazette No. 25057 dated 13 June 2003, will be amended to:

1. **CORRECT** the Claimant and Community name; and
2. **INCLUDE** the properties listed below,

unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of Notice No. 612 of 20181 published in Gazette No. 441955 dated 5 October 2018, include the following:

Reference No.	:	KRN6/2/E/21/0/0/27B
Claimant	:	The Maphelane Nature Reserve Land Claimants, represented by Maphelane Nature Reserve Land Claimants
Property Description	:	see attached schedule
Total extent	:	see attached schedule
Owner	:	see attached schedule

Any party who may have an interest in the above mentioned land claim is hereby invited to make representations, within 30 days from the publication of this notice, as to show cause why the claim should not be amended in terms of section 11 (A) (4) of the Act.

The representations must be forwarded to

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355-8400
Fax: (033) 342-3409

Submissions may also be delivered to African Life Building, Second Floor, 200 Church Street, Pietermaritzburg 3201.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU-NATAL
DATE:

1. TO REPLACE

The Maphelane Nature Reserve Land Claimants, represented by Maphelane Nature Reserve Land Claimants

WITH

Inkosi Mtholeni Mthiyane on behalf of the Sokhulu Claimant Community

2. TO INCLUDE THE FOLLOWING PROPERTIES

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 0 (remaining extent) of the farm St Lucia Lands No. 13702	17, 6600 ha	G47/1950	Republic of South Africa	I-122/1998LG K2593/1950RM
2	Portion of the farm Umfolozi Swamps No. 17457	1056, 8000 ha		UNREGISTERED STATE LAND	

**STATISTICS SOUTH AFRICA
NOTICE 302 OF 2019**

THE HEAD: STATISTICS SOUTH AFRICA notifies for general information that the Consumer Price Index is as follows:

Consumer Price Index, Rate (**Base Dec 2017=100**)

2018:

Rate: **April 2019 – 4.4**

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 303 OF 2019

SCHEDULE 1

CODES OF GOOD PRACTICE ON BROAD BASED BLACK ECONOMIC
EMPOWERMENT

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

- (a) Publish the following **Schedule 1 of the Amended Codes of Good Practice** in terms of Section 9 (1) of the Broad-Based Black Economic Empowerment Amendment Act 2003, (Act No. 53 of 2003) as amended by Act 46 of 2013 for implementation within 6 Months from date of Gazette; and
- (b) Replace **Schedule 1 of the Amended Codes of Good Practice** within Gazette 36928 with the following **Schedule 1 of the Amended Codes of Good Practice**.



DR ROB DAVIES, MP

MINISTER OF TRADE AND INDUSTRY

9/4/2019

BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT**SECTION 9 (1) CODES OF GOOD PRACTICE AS AMENDED****SCHEDULE 1****INTERPRETATION AND DEFINITIONS****Part 1: Interpretation**

1. The Codes of Good Practice must be interpreted according to the following provisions unless the context requires a different meaning:
2. In interpreting the provisions of the Codes any reasonable interpretation consistent with the objectives of the Act and the B-BBEE Strategy must take precedence.
3. Words importing persons shall where the context so requires or admits, include individuals, firms, partnerships, trusts, corporations, governmental bodies, authorities, agencies, unincorporated bodies of persons or associations and any organisation having legal capacity.
4. The Schedules and Annexes to the Codes are an integral part of the Codes and a reference to the Codes include a reference to the Schedules.

Part 2: Definitions

In these Codes unless the context otherwise requires:

“Absorption”	means a measure of the Measured Entity’s ability to successfully secure a long-term contract of employment for the Employee, Learner, Intern or Apprentice.
“Acquisition Debt”	means the debts of:

	<p>(a) Black participants incurred in financing their purchase of their equity instruments in the Measured Entity; and</p> <p>(b) Juristic persons or trusts found in the chain of ownership between the eventual Black Participants and the Measured Entity for the same purpose as those in (a);</p>
“Apprenticeship”	means an agreement between an apprentice and an employer for a set period of time during which the apprentice works and receives training in the workplace;
“Associated Entity”	means an Entity with which a Seller has concluded a Qualifying Transaction;
“B-BBEE”	means Broad-Based Black Economic Empowerment;
“B-BBEE Controlled Company”	means a juristic person, having shareholding or similar members interest, in which black participants enjoy a right to Exercisable Voting Rights that is at least 51% of the total such rights measured using the Flow Through Principle;
“B-BBEE Owned Company”	means a juristic person, having shareholding or similar members interest, that is B-BBEE controlled, in which Black participants enjoy a right to Economic Interest that is at least 51% of the total such rights measured using the Flow Through Principle;
“B-BBEE Recognition Level”	means the percentage B-BBEE Recognition Levels as determined:

	<p>(a) for Entities that are neither Qualifying Small Enterprises nor Exempted Micro-Enterprises, using statement 000;</p> <p>(b) for Qualifying Small Enterprises, using Statement 000; and</p> <p>(c) for Exempted Micro-Enterprises, the applicable deemed B-BBEE Recognition under Statement 000;</p>
“B-BBEE Status”	means the B-BBEE status of a Measured Entity as determined under statement 000;
“B-BBEE Verification Professional Regulator”	means a body appointed by the Minister for the accreditation of rating agencies or the authorisation of B-BBEE verification professionals;
“Benefit Factor”	means a factor specified in the Benefit Factor Matrix applicable to fixing the monetary value of Enterprise Development and Supplier Development and Socio Economic Development Contributions claimable under Statement 400 and 500;
“Benefit Factor Matrix”	means the Benefit Factor Matrix for Enterprise Development and Supplier Development and Socio Economic Development Contributions annexed to statement 400 and 500;
“Black Designated Groups”	means: <p>(a) unemployed black people not attending and not required by law to attend an</p>

	<p>educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;</p>
“Black New Entrants”	means Black participants who hold rights of ownership in a Measured Entity and who, before holding the Equity Instrument in the Measured Entity, have not held equity instruments in any Entity which has a total value of more than R50,000,000.00 measured using a standard valuation method;
“Black People”	<p>Is a generic term which means Africans, Coloureds and Indians</p> <p>(a) who are citizens of the Republic of South Africa by birth or decent; or</p>

	<p>(b) who became citizens of the Republic of South Africa by naturalisation –</p> <p>(i) before 27 April 1994;</p> <p>(ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.</p>
“Broad-Based Ownership Scheme”	means a ownership scheme which meets the rules set out in Annexe 100B;
“Certified Learning Programme”	<p>means any Learning Programme for which the Measured Entity has:</p> <p>(a) any form of independent written certificate as referred to in the “Learning Achievements” column of the Learning Programme Matrix; or if it does not have such certification:</p> <p>(b) an enrolment certificate issued by the independent person responsible for the issue of the certification referred to in statement 300 confirming the employee has:</p> <p>(i) enrolled for, is attending and is making satisfactory progress in the Learning Programme; or</p> <p>(ii) enrolled for but not attended the Learning; or</p>

	(iii) attended the Training Programme but has failed an evaluation of their learning progress
“Companies Act”	means the Companies Act, No. 71 of 2008 as amended or substituted;
“Company Limited by guarantee”	means a company limited by guarantee as referred in the Companies Act, No. 71 of 2008;
“Competent Person”	means a person who has acquired through training, qualification and experience the knowledge and skills necessary for undertaking any task assigned to them under the codes;
“Core Skills”	<p>means skills that are:</p> <ul style="list-style-type: none"> (a) value-adding to the activities of the Measured Entity in line with its core business; (b) in areas the Measured Entity cannot outsource; or (c) within the production/operational part of the Measured Entity's value-chain; as opposed to the supply side; services or downstream operations;
“Critical Skills”	means those skills identified as being critical by the relevant SETA;
“Designated Group Supplier”	means a supplier to the Measured Entity that is at least 51% owned by one or more of the following categories of ownership within its structure:

	<p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;</p>
“EAP”	Economically Active Population as determined and published by Stats SA. The operative EAP for the purposes of any calculation under the Codes will be the most recently published EAP;
“Economic Interest”	means a claim against an Entity representing a return on ownership of the Entity similar in nature to a dividend right, measured using the Flow Through and, where applicable, the Modified Flow Through Principles;

“EE Act “	means the Employment Equity Act of 1998, as amended;
“EE Regulations”	means the regulations under the Employment Equity Act
“Elements”	means the measurable quantitative or qualitative elements of B-BBEE compliance in the Generic Scorecard and the Codes;
“Employed Learner”	In terms of section 18 (1) of the Skills Development Act it means a learner that was in the employment of the employer party to the learnership agreement concerned when the agreement was concluded. The learner’s contract of employment is therefore not affected by the agreement.
“Employee with a Disability”	has the meaning defined in the Code of Good Practice on Key Aspects of Disability in the Workplace issued under section 54 of the Employment Equity Act; aligned with the Employment Equity Act
“Employee”	bears the meaning as defined in the Labour Relations Act 66 of 1995 as amended;
“Employee Ownership Scheme”	means a worker or employee scheme;

<p>“Empowering Supplier”</p>	<p>An Empowering Supplier within a context of B-BBEE is a B-BBEE compliant entity, which is a good citizen South African entity, comply with all regulatory requirements of the country and should meet at least three if it is a large enterprise or one if it is a QSE of the following criteria:</p> <ul style="list-style-type: none"> (a) At least 25% of cost of sales excluding labour cost and depreciation must be procured from local producers or local supplier in SA, for service industry labour cost are included but capped to 15%. (b) Job creation – 50% of jobs created are for Black people provided that the number of Black employees since the immediate prior verified B-BBEE Measurement is maintained. (c) At least 25% transformation of raw material/beneficiation, which include local manufacturing, production and/or assembly, and/or packaging. (d) Skills transfer - at least spend 12 days per annum of productivity deployed in assisting Black EMEs and QSEs beneficiaries to increase their operation or financial capacity.
<p>“Enterprise Development Contributions”</p>	<p>means monetary or non-monetary contributions carried out for the following beneficiaries, with the objective of contributing to the development,</p>

	<p>sustainability and financial and operational independence of those beneficiaries:</p> <p>(a) Enterprise Development Contributions to Exempted Micro-Enterprises or Qualifying Small Enterprises which are at least 51% Black owned or at least 51% Black women owned;</p>
“Entity”	means a legal entity or a natural or a juristic person conducting a business, trade or profession in the Republic of South Africa;
“Entrepreneur”	means a person who starts and / or operates a business which includes identifying opportunities in the market, taking risks with a view of being rewarded with profits;
“Equity Equivalent contribution”	means an equity equivalent contribution made by a Multinational under an Equity Equivalent Investment Programme;
“Equity Equivalent Investment Programme”	means a public programme or scheme of any government department, provincial or local government in the Republic of South Africa or any other programme approved by the Minister as an Equity Equivalent Investment Programme;
“Equity Instrument”	means the instrument by which a Participant holds rights of ownership in an Entity;
“Equivalency Percentage”	means a percentage ownership performance for all the indicators in the Associated Enterprise’s Ownership Scorecard arising from a Qualifying

	Transaction included in the Ownership Scorecard of the beneficiary entity;
“Executive Members of the Board”	means those members of the Board who are executive directors as defined in the King Report;
“Exempted Micro Enterprise”	means an Entity with an annual turnover of R 10 (ten) million or less;
“Exercisable Voting Right”	means a voting right of a Participant that is not subject to any limit;
“Global Practice”	means a globally and uniformly applied practice of a Multinational, restricting alienation of equity in or the sale of businesses in its regional operations. The practice must have existed before the promulgation of the Act;
“Grant Contribution”	means the monetary value of Qualifying Contributions made by the Measured Entity to a beneficiary in the form of grants, donations, discounts and other similar quantifiable benefits which are not recoverable by the Measured Entity;
“Group Structure”	means an ownership arrangement whereby one or more Measured Entities that are juristic persons are subsidiaries of another Measured Entity that would qualify as a holding company;
“Higher Education Institution”	means a higher education institution as defined under the Higher Education Act of 1997;
“Indicator Percentage”	means the percentage compliance of the Associated Entity for all the indicators of the Associated Enterprises ownership

	Scorecard. The calculation of indicator Percentages follows the rules in statement 100 using the actual percentage compliance for each indicator and not the resulting scores;
“Industry Specific Initiatives”	means the qualifying contributions that are unique to the industry in which enterprises operate. For the purposes of the Codes an industry may be grouped in major divisions in accordance with the Standard Industrial Classification Coding System used by Statistic South Africa;
“Internship”	means an opportunity to integrate career related experience into an undergraduate education by participating in planned, supervised work;
“Junior Management”	means an employee of the Measured Entity who is a member of the occupational category of “Junior Management” as determined using the Employment Equity regulations;
“Learnership”	means a work-based route to a qualification. It is a workplace education and training programme comprising both structured practical workplace (on-the-job) experience and structured theoretical training.
“Learning Programmes”	means any learning programme set out in the Learning Programme Matrix;

“Learning Programme Matrix”	means the Learning Programme Matrix annexed as Annexe “300A” in Statement 300;
“Leviable Amount”	bears the meaning as defined in the Skills Development Levies Act of 1999 as determined using the Fourth Schedule to the Income Tax Act;
“long-term contract of employment”	means a legal agreement between an individual and an entity that this individual would work for until his or her mandatory date of retirement;
“Management Fees”	means the total Economic Interest received by a Broad-Based Ownership Scheme or Black participants in any year less the amounts distributed or applied to beneficiaries and the amounts reserved for future distribution or application;
“Mandated Investments”	means any investments made by or through any third party regulated by legislation on behalf of the actual owner of the funds, pursuant to a mandate given by the owner to a third party, which mandate is governed by that legislation. Some examples of domestic mandated investments and the portions of those investments subject to the exclusion principle are contained in Annexe 100A attached to statement 100;
“Measured Entity”	means an Entity as well as an organ of state or public entity subject to measurement under the Codes;

“51% Black Owned ”	<p>means an Entity in which:</p> <ul style="list-style-type: none"> (a) Black people hold at least 51% of the exercisable voting rights as determined under Code series 100; (b) black people hold at least 51% of the economic interest as determined under Code series 100; and (c) has earned all the points for Net Value under statement 100;
“51% Black Women Owned ”	<p>means an Entity in which:</p> <ul style="list-style-type: none"> (a) Black women hold at least 51% of the exercisable voting rights as determined under Code series 100; (b) Black women hold at least 51% of the economic interest as determined under Code series 100; and (c) has earned all the points for Net Value under statement 100;
“30% Black Women Owned”	<p>means an Entity in which:</p> <ul style="list-style-type: none"> (a) Black women hold at least 30% of the exercisable voting rights as determined under Code series 100; (b) Black women hold at least 30% of the economic interest as determined under Code series 100; and

	(c) has earned all the points for Net Value under statement 100;
“Middle Management”	means an employee of the Measured Entity who is a member of the occupational category of “Middle Management” as determined using the Employment Equity regulations;
“Multinational Business”	means a Measured Entity with a business in the Republic of South Africa and elsewhere which maintains its international headquarters outside the Republic;
“National Skills Development Strategy”	means the national skills development strategy referred to in section 5(1)(a)(ii) of the Skills Development Act;
“Net Profit After Tax”	means the operating profit of a measured entity after tax. It incorporates both the equity / loss figures and abnormal items, but excludes extra ordinary items as determined by (GAAP) Generally Accepted Accounting Practices;
“Net Profit Before Tax”	means the operating profit of a measured entity before tax. It incorporates both the equity / loss figures and abnormal items, but excludes extra ordinary items as determined by (GAAP) Generally Accepted Accounting Practices;
“Net Value”	means the percentage resulting from the formula in Annexe 100(C) of statement 100;
“Current Equity	

Interest Date”	means the later occurring of the date of commencement of statement 100 and the date upon which the transaction undertaken by the Measured Entity in order to achieve black rights of ownership, became effective and unconditional;
“New Enterprise”	means an early stage business, which is similar to a start-up. However, an early stage business is typically 3 years old or less.
“Non-Profit Organisation”	means a non-profit organisation registered under the Non-Profit Organisation Act of 1997;
“Outsourced Labour Expenditure”	means any expenditure incurred in: <ul style="list-style-type: none"> (a) procuring the services of or from a labour broker; and (b) procuring the services of any person who receives any remuneration or to whom any remuneration accrues because of any services rendered by such person to or on behalf of a labour broker;
“Participant”	means a natural person holding rights of ownership in a Measured Entity;
“PIVOTAL report”	means a report on ‘Professional, Vocational, Technical and Academic Learning’ programmes that meet the critical needs for economic growth and social development, generally combining course work at universities, universities of

	technology and colleges with structured learning at work.
“Priority Skills”	<p>means Core, Critical and Scarce Skills as well as any skills specifically identified:</p> <p>(a) in a Sector Skills Plan issued by the Department of Labour of the Republic of South Africa;</p> <p>(b) National Skills Development Strategy III;</p> <p>(c) New Growth Path; and</p> <p>(d) National Development Plan Remove.</p>
“Private Equity Fund”	means a third party fund through which investments are made on behalf of the actual owner of the funds pursuant to a mandate given by that person to the private equity fund;
“Public Benefit Organisation”	means an entity as defined in section 30 of the income Tax Act of 1962;
“Qualifying Enterprise and Supplier Development Contributions”	means a collective term describing Enterprise Development and Supplier Development Contributions targeting EME’s and QSE’s which are at least 51% Black Owned or at least 51% Black Women Owned, black youth in rural, and underdeveloped areas in statement 400;
“Qualifying Small Enterprise”	means an Entity that qualifies for measurement under the Qualifying Small

	Enterprise scorecard with a turnover of R10 million or more but less than R50 million;
“Qualifying Socio-Economic Contributions”	Is a collective term for Socio-Economic Project Contributions and Socio-Economic Contributions;
“Qualifying Transaction”	means a sale of a business, valuable business assets or shares that results in the creation of sustainable business opportunities and transfer of specialised skills or productive capacity to Black people;
“Related Enterprise”	means an Entity controlled by a Measured Entity whether directly or indirectly controlled by the natural persons who have direct or indirect control over that Measured Entity or the immediate family of those natural persons;
“Rights of Ownership”	Is a collective term for the right to Economic Interest and the right to Exercisable Voting Rights;
“Scarce Skills”	are those skills identified as being scarce by any SETA;
“Section 21 Company”	means an association not for gain incorporated under section 21 of the Companies Act;
“Sector Code”	means a code in series 003 which is applicable to a particular sector;
“Seller”	means the Entity or the person concluding a Qualifying Transaction with the Associated Enterprise;
“Senior Management”	means an employee of the Measured Entity who is a member of the occupational

	category of “Senior Management” as determined using the Employment Equity regulations;
“Skills Development Expenditure”	comprises the money that a Measured Entity spends on skills development. It excludes the skills development levy payable by the Measured Entity under the Skills Development Levies Act;
“Socio-Economic Development Contributions”	<p>means monetary or non-monetary contribution implemented for communities, natural persons or groups of natural persons where at least 75% of the beneficiaries are Black people. The objective of Socio-Economic Development Contributions is the promotion of sustainable access for the beneficiaries to the economy. Socio-Economic Development Contributions commonly take the following forms:</p> <ul style="list-style-type: none"> (a) development programmes for women, youth, people with disabilities, people living in rural areas; (b) support of healthcare and HIV/AIDS programmes; (c) support for education programmes, resources and materials at primary, secondary and tertiary education level, as well as bursaries and scholarships;

	<p>(d) community training; skills development for unemployed people and adult basic education and training; or</p> <p>(e) support of arts, cultural or sporting development programmes;</p>
<p>“Socio-Economic Project Contributions”</p>	<p>means monetary or non-monetary contributions carried out for the benefit of any projects approved for this purpose by any organ of state or sectors including without limitation:</p> <p>(a) projects focusing on environmental conservation, awareness, education and waste management; and</p> <p>(b) projects targeting infrastructural development or reconstruction in underdeveloped areas; rural communities or geographic areas identified in the government’s integrated sustainable rural development or urban renewal programmes;</p> <p>(c) New projects promoting beneficiation;</p>
<p>“Standard Valuation”</p>	<p>means a standard valuation method for an asset, an Economic Interest, or any other instrument or right relevant to measurement under statement 100, undertaken using normal valuation</p>

	methods that represent standard market practice;
“Start-up Enterprise”	means a recently formed or incorporated Entity that has been in operation for less than 1 year. A start-up enterprise does not include any newly constituted enterprise which merely a continuation of a pre-existing enterprise;
“Subsidiary”	has the meaning defined in section 1(3) of the Companies Act;
“Superior Contributor to B-BBEE”	is a Level One to Level Three Contributor to B-BBEE;
“Supplier”	means any supplier or service provider to a Measured Entity if any portion of the supply or service provision falls within the definition of Total Measured Procurement Spend;
“Supplier Development Contributions”	<p>means monetary or non-monetary contributions carried out for the benefit of value-adding suppliers to the Measured Entity, with the objective of contributing to the development, sustainability and financial and operational independence of those beneficiaries:</p> <p>(a) Supplier Development Contributions to suppliers that are Exempted Micro-Enterprises or Qualifying Small Enterprises which are at least 51% black owned or at least 51% black women owned;</p>

“Target”	means the targets for the various Elements in the Generic and QSE Scorecard;
“the Act”	means the Broad-Based Black Economic Empowerment Act 53 of 2003;
“the Codes”	means the Codes of Good Practice including all the statements as issued under section 9 of the Act;
“the Generic Scorecard”	means the balanced B-BBEE scorecard as contained in statement 000;
“the PFMA”	means the Public Finance Management Act 1 of 1999 as amended;
“the QSE Scorecard”	means the QSE scorecard referred to in statement 000;
“the Skills Development Act”	means the Skills Development Act of 1998;
“the Skills Development Levies Act”	means the Skills Development Levies Act of 1999;
“the Strategy Document”	means the document entitled “South Africa's Economic Transformation – A Strategy for Broad-Based Black Economic Empowerment” published by the department of trade and industry in March 2003 as amended or substituted under section 11 of the Act;
“Third Party Rights”	<p>means third party legal or commercial rights that restrict withhold or defer any benefit associated with ownership of any Equity Instrument. Third party rights include only those rights:</p> <p>(a) created against a black Participant to secure, for a lender, repayment of a loan advanced to that Participant for</p>

	<p>financing their purchase of their equity instrument in the Measured Entity;</p> <p>(b) held against a juristic person or trust that is in the chain of ownership between the Measured Entity and that the eventual black Participant serving the same purpose mentioned in (a) above;</p>
“Total Labour Cost”	means the total amount of remuneration paid by an Entity to its employees determined using section 3(4) of the Skills Development Levies Act of 1999 and the Forth Schedule of the Income Tax Act of 1962;
“Total Revenue”	means the total income of an Entity from its operations as determined under South African Generally Accepted Accounting Practice;
“Transformation Charters”	means the sectoral transformation charters referred to in section 12 of the Act;
“Unemployed Learner”	means a learner that was not in the employment of the employer party to the learnership agreement concerned when the agreement was concluded. The employer and learner must therefore enter into a contract of employment. Refer to the Skills Development Act.
“Unincorporated Joint Venture”	means a joint venture between two or more Measured Entities effected by agreement without incorporation;

“Voting Right”	means a voting right attaching to an Equity Instrument owned by or held for a participant measured using the Flow through Principle or the Control Principle;
“Weighting”	means the weightings applied to various Elements in the Generic Scorecard and QSE Scorecard;
“Workplace Skills Plan”	means the plan of a Measured Entity approved by the relevant SETA.

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 304 OF 2019
CODE SERIES 400, STATEMENT 400

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

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

- (a) Publish the following **Amended Code Series 400, Statement 400** in terms of Section 9 (1) of the Broad-Based Black Economic Empowerment Amendment Act 2003, (Act No. 53 of 2003) as amended by Act 46 of 2013 for implementation within 6 Months from date of Gazette; and
- (b) Replace **Amended Code Series 400, Statement 400** within Gazette 36928 with the following **Amended Code Series 400, Statement 400**.



DR ROB DAVIES, MP
MINISTER OF TRADE AND INDUSTRY

9 / 4 / 2019

**AMENDED CODE SERIES 400: MEASUREMENT OF THE ENTERPRISE AND SUPPLIER
DEVELOPMENT ELEMENT OF BROAD-BASED BLACK ECONOMIC EMPOWERMENT**

**STATEMENT 400: THE GENERAL PRINCIPLES FOR MEASURING
ENTERPRISE AND SUPPLIER DEVELOPMENT**

Issued under Section 9 of the Broad-Based Black Economic Empowerment
Act of 2003, as amended

Arrangement of this Statement

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1. OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the scorecard for measuring Enterprise and Supplier Development;
- 1.2 Specify the key measurement principles applicable to calculating Preferential Procurement Contributions; Qualifying Enterprise Development and Supplier Development Contributions;
- 1.3 Define the principles applicable when calculating B-BBEE Procurement Spend and Enterprise Development and Supplier Development Spend; and
- 1.4 Indicate the formula for calculating the individual criteria specified in the Enterprise and Supplier Development scorecard.

2. ENTERPRISE AND SUPPLIER DEVELOPMENT SCORECARD

The following table represents the criteria for deriving a score for Enterprise and Supplier Development under this statement.

Criteria	Weighting points	Compliance targets
2.1 PREFERENTIAL PROCUREMENT		
2.1.1 B-BBEE Procurement Spend from all Empowering Suppliers based on the B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	5	80%
2.1.2 B-BBEE Procurement Spend from all Empowering Suppliers that are Qualifying Small Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of	3	15%

Total Measured Procurement Spend. Refer to Paragraph 3.9 Below.		
2.1.3 B-BBEE Procurement Spend from all Empowering Exempted Micro-Enterprises based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend. Refer to Paragraph 3.9 Below.	4	15%
2.1.4 B-BBEE Procurement Spend from Empowering Suppliers that are at least 51% Black Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	11	50%
2.1.5 B-BBEE Procurement Spend from Empowering Suppliers that are at least 30% Black Women Owned based on the applicable B-BBEE Procurement Recognition Levels as a percentage of Total Measured Procurement Spend	4	12%
Bonus points		
2.1.6 B-BBEE Procurement Spend from Empowering Designated Group Suppliers that are at least 51% Black Owned.	2	2%
2.2 SUPPLIER DEVELOPMENT		
2.2.1 Annual value of all Supplier Development Contributions made by the Measured Entity as a percentage of the target.	10	2% of NPAT

2.3 ENTERPRISE DEVELOPMENT		
2.3.1 Annual value of Enterprise Development Contributions and Sector Specific Programmes made by the Measured Entity as a percentage of the target.	5	1% of NPAT
2.4 Bonus Points		
2.4.1 Bonus point for graduation of one or more Enterprise Development beneficiaries to the Supplier Development level.	1	
2.4.2 Bonus point for creating one or more jobs directly as a result of Supplier Development and Enterprise Development initiatives by the Measured Entity.	1	

3. KEY MEASUREMENT PRINCIPLES

3.1 The Enterprise and Supplier Development consist of:

3.1.1 Preferential Procurement;

3.1.2 Enterprise Development; and

3.1.3 Supplier Development.

3.2 Enterprise Development and Supplier Development Contributions will be recognised as a percentage of annual Net Profit After Tax (NPAT).

3.2.1 The Net Profit After Tax (NPAT) or average target applies unless:

3.2.1.1 the company does not make a profit last year or on average over the last five years

3.2.1.2 the net profit margin is less than a quarter of the norm in the

industry.

3.2.1.3 If the Turnover is to be used, the target will be set at:

3.2.1.3.1 1% (ED) or 2% (SD) x Indicative Profit Margin (NPAT/Turnover)
x Turnover

3.3 SUB-MINIMUM AND DISCOUNTING PRINCIPLE

3.3.1 A Measured Entity must achieve a minimum of 40% of each of the total weighting points as set out under Statement 000, Paragraph 3.3.1.3.1

3.3.2 Non-compliance to one or more of the threshold targets as per paragraph 3.1 above will result in the overall achieved B-BBEE status level being discounted in accordance with paragraph 3.3 in statement 000.

3.3.3 An Empowering Supplier within a context of B-BBEE is a B-BBEE compliant entity, which is a good citizen South African entity, comply with all regulatory requirements of the country and should meet at least three if it is a large enterprise or one if it is a QSE of the following criteria:

- (a) At least 25% of cost of sales excluding labour cost and depreciation must be procured from local producers or local supplier in SA, for service industry labour cost are included but capped to 15%.
- (b) Job creation – 50% of jobs created are for Black people provided that the number of Black employees since the immediate prior verified B-BBEE Measurement is maintained.
- (c) At least 25% transformation of raw material/beneficiation which include local manufacturing, production and/or assembly, and/or packaging.

- (d) Skills transfer - at least spend 12 days per annum of productivity deployed in assisting Black EMEs and QSEs beneficiaries to increase their operation or financial capacity.

3.3.4 Exempted Micro Enterprises and Start-Ups are automatically recognised as Empowering Suppliers.

3.4 The Weighting points in the Enterprise and Supplier Development scorecard represent the maximum number of points possible for each of the criteria.

3.5 If a Measured Entity procures goods and services from a supplier that is:

3.5.1 A recipient of supplier development contributions from a Measured Entity under Code series 400 which has a minimum 3-year contract with the Measured Entity, the recognisable B-BBEE Procurement Spend that can be attributed to that Supplier is multiplied by a factor of 1.2;

3.5.2 A black owned QSE or EME which is not a Supplier Development beneficiary but that has a minimum 3-year contract with the Measured Entity, the recognisable B-BBEE Procurement Spend that can be attributed to that Supplier is multiplied by a factor of 1.2;

3.5.3 A supplier to the Measured Entity that is at least 51% Black Owned or at least 51% Black Woman Owned utilising the Flow Through Principle, the recognisable B-BBEE Procurement Spend that can be attributed to that Supplier is multiplied by a factor of 1.2.

3.6 Procurement of goods and services and any other activities that fall under 2.1 will not qualify for scoring under 2.2 and 2.3 and vice versa.

3.7 Beneficiaries of Supplier Development or Enterprise Development are EMEs, QSEs or Generic Entities which are at least 51% Black Owned or at least 51% Black Women Owned utilizing the flow through principle. However, in terms of Generic Entities, this is based on the provision that at the first instance of receiving assistance from the Measured Entity, it was identified that such suppliers were EMEs or QSEs. This recognition

for Generic Entities will only be allowed for 5 years from the first time of receiving assistance from the Measured Entity.

3.8 A Supplier Development Beneficiary is a part of the Measured Entity's supply chain, whereas an Enterprise Development Beneficiary is not.

3.9 B-BBEE Procurement Spend from Generic Entity Suppliers which are at least 51% Black Owned or at least 51% Black Women Owned utilizing the flow through principle can be recognized under Point Indicator 2.1.2 and 2.1.3 of the Enterprise and Supplier Development Scorecard. However, this is based on the provision that at the first instance of procuring goods and services, it was identified that such suppliers were EMEs or QSEs. This recognition for Generic Entities under Point Indicator 2.1.2 and 2.1.3 will only be allowed for 5 years from the first time of procuring goods and services from such suppliers.

4. GENERAL PRINCIPLES

4.1 To strengthen local procurement in order to help build South Africa's industrial base in critical sectors of production and value adding manufacturing, which are largely labour-intensive industries.

4.2 To increase local procurement through capacity building achieved by incentivising appropriate local Supplier Development programmes by businesses supplying imported goods and services.

4.3 The imports provisions do not apply to the designated sectors and products for local production, as and when published.

4.4 To actively support procurement from black owned QSEs and EMEs by identifying opportunities to increase procurement from local suppliers in order to support employment creation.

4.5 To support procurement from black owned and black women

owned businesses in order to increase the participation of these businesses in the main stream economy.

- 4.6 To promote the use of black owned professional service providers and entrepreneurs as suppliers.
- 4.7 Measured Entities receive recognition for any Enterprise Development and Supplier Development Contributions that are quantifiable as a monetary value using a Standard Valuation Method.
- 4.8 Measured Entities are encouraged to align their Enterprise Development and Supplier Development initiatives with the designated sectors of government's localisation and value adding programmes.
- 4.9 Measured Entities are encouraged to align their Enterprise Development and Supplier Development initiatives with their supply chain requirements thereby linking Enterprise Development and Supplier Development with Preferential Procurement.
- 4.10 Qualifying Enterprise Development and Supplier Development Contributions of any Measured Entity are recognisable on an annual basis.
- 4.11 Contributions, programmes and/or initiatives that span over multiple years, the total contribution amount must be divided by the number of years, and the average per year is then to be utilised for the annual contribution.
- 4.12 Measured Entities are encouraged to develop and implement an Enterprise Development plan and Supplier Development plan for Qualifying Beneficiaries. The plan should include:
 - 4.12.1 Clear objectives

- 4.12.2 Priority interventions
- 4.12.3 Key performance indicators; and
- 4.12.4 A concise implementation plan with clearly articulated milestones.
- 4.13 Measured Entities will not get recognition for the same activities undertaken under 2.2 and 2.3, they will only get recognition for one of the two i.e. 2.2 or 2.3
- 4.14 No portion of the value of any Qualifying Enterprise Development and Supplier Development Contribution that is payable to the beneficiary after the date of measurement can form part of any calculation under this statement.

5 TOTAL MEASURED PROCUREMENT SPEND

The following procurement is measurable within Total Measured Procurement Spend:

- 5.1 Cost of sales: all goods and services procured that comprise the cost of the sales of the Measured Entity,
- 5.2 Operational expenditure: all goods and services procured that comprise the operational expenditure of the Measured Entity;
- 5.3 Capital expenditure: all capital expenditure incurred by the Measured Entity;
- 5.4 **Public sector procurement:**
 - 5.4.1 all goods and services procured from organs of state and public entities. Despite this, procurement by a Measured Entity from a local government authority, which is a reseller of that service, is measurable at the B-BBEE Recognition Level of the primary Supplier of the service; and

- 5.4.2 in any event, any procurement of any goods or services from any organ of state or public entity that enjoys a statutory or regulated monopoly in the supply of such goods or services, is excluded;
- 5.5 Monopolistic procurement: all goods and services procured from suppliers that enjoy a monopolistic position;
- 5.6 Third-party procurement: all procurement for a third-party or a client, where the cost of that procurement is an expense recorded in the Measured Entity's annual financial statements;
- 5.7 Labour brokers and independent contractors: any procurement of the Measured Entity which is Outsourced Labour Expenditure;
- 5.8 Pension and medical aid contributions: payments made to any post retirement funding scheme or to a medical aid or similar medical insurer by a Measured Entity for its employees, excluding any portions of such payments which are a contribution to a capital investment of the employee. The scheme or insurer must issue a certificate dividing payments between the capital investment portion and the balance to establish the amount that is measurable within Total Measured Procurement Spend;
- 5.9 Trade commission's: any commission or similar payments payable by a Measured Entity to any other person pursuant to the business or trade of the Measured Entity;
- 5.10 Empowerment related expenditure: all goods and services procured in carrying out B-BBEE. The Total Measured Procurement Spend does not include the actual contribution portion recognised under section 2.2 and 2.3 of this Statement or Code series 500 but does include any expenditure incurred in facilitating those contributions;
- 5.11 Imports: all goods and services that are imported or procured from a non-South African source; and

- 5.12 Intra-group procurement: all goods and services procured from subsidiaries or holding companies of the Measured Entity (BEE credentials of the entity supplying goods and/or services must be confirmed by way of a valid BEE certificate).

6 EXCLUSIONS FROM TOTAL MEASURED PROCUREMENT SPEND

The following list provides permissible exclusions from Total Measured Procurement Spend recognisable in terms of paragraph 5:

- 6.1 Taxation: any amount payable to any person which represents a lawful tax or levy imposed by an organ of state authorised to impose such tax or levy, including rates imposed by a municipality or other local government;
- 6.2 Salaries, wages, remunerations, and emoluments: any amount payable to an employee as an element of their salary or wage and any emolument or similar payment paid to a director of a Measured Entity;
- 6.3 Pass-through third-party procurement: all procurement for a third-party or a client that is recorded as an expense in the third-party or client's annual financial statements but is not recorded as such in the Measured Entity's annual financial statements;

6.4 Empowerment related procurement:

- 6.4.1 Investments in or loans to an Associated Enterprise;
- 6.4.2 Investments, loans or donations qualifying for recognition under any statement under Code series 400 or 500;

6.5 Imports: the following imported goods and services:

- 6.5.1 imported capital goods or components for value-added production in South Africa provided that:

- 6.5.1.1 there is no existing local production of such capital goods or

components; and

6.5.1.2 importing those capital goods or components promotes further value-added production within South Africa;

6.5.2 imported goods and services other than those listed in paragraph 6.5.1 if there is no local production of those goods or services including, but not limited to, imported goods or services that –

6.5.2.1 carry a brand different to the locally produced goods or services; or

6.5.2.2 have different technical specifications to the locally produced goods or services.

6.5.3 The exclusion of imports listed under 6.5.2 are subject to them having developed and implemented an Enterprise Development and Supplier Development plan for imported goods and services. This plan should include:

6.5.3.1 Clear objectives

6.5.3.2 Priority interventions

6.5.3.3 Key performance indicators; and

6.5.3.4 A concise implementation plan with clearly articulated milestones

6.5.4 The Department of Trade and Industry will from time to time consult with the industry and issue practice notes with regard to the provisions on import exclusion.

7. MEASUREMENT OF B-BBEE PROCUREMENT SPEND

7.1 B-BBEE Procurement Spend is the value of the procurement falling within paragraph 5 and not excluded by paragraph 6. If a supplier falls within a category of supplier listed in paragraph 3.5, the value of procurement from that supplier is multiplied by the applicable factor listed in that paragraph.

7.2 B-BBEE Procurement Spend can be measured in terms of formula "A" in Annexe 400(A).

7.3 The B-BBEE Procurement Spend for a Measured Entity in respect of a supplier is calculated by multiplying the spend contemplated by paragraph 5 (and not excluded by paragraph 6) in respect of that supplier by the supplier's B-BBEE Recognition Level.

7.4 A Measured Entity's Total Procurement Spend is the total of all amounts calculated in terms of paragraph 7.3.

8 THE CALCULATION OF PREFERENTIAL PROCUREMENT CONTRIBUTIONS TO B-BBEE

8.1 A measured Entity receives a score for procurement in proportion to the extent that it meets the compliance target.

8.2 The Measured Entity's score for Preferential Procurement contributions to B-BBEE under the preferential procurement scorecard can be calculated in terms of formula "B" in Annexe 400(A).

9 ENTERPRISE DEVELOPMENT and SUPPLIER DEVELOPMENT CONTRIBUTIONS

9.1 The following is a non-exhaustive list of Enterprise Development and Supplier Development Contributions:

9.1.1 investments in beneficiary entities;

9.1.2 loans made to beneficiary entities;

9.1.3 guarantees given or security provided on behalf of beneficiaries;

9.1.4 credit facilities made available to beneficiary entities;

9.1.5 grant contributions to beneficiary entities;

9.1.6 direct costs incurred by a Measured Entity in assisting and

hastening development of beneficiary entities;

9.1.7 overhead costs of a Measured Entity directly attributable to Enterprise Development and Supplier Development Contributions;

9.1.8 preferential credit terms granted by a Measured Entity to beneficiary entities;

9.1.9 preferential terms granted by a Measured Entity in respect of its supply of goods or services to beneficiary entities;

9.1.10 contributions made to settling service costs relating to the operational or financial capacity or efficiency levels of beneficiary entities;

9.1.11 discounts given to beneficiary entities in relation to the acquisition and maintenance costs associated with the grant to those beneficiary entities of franchise, licence, agency, distribution or other similar business rights;

9.1.12 the creation or development of capacity and expertise for beneficiary entities needed to manufacture or produce goods or services previously not manufactured, produced or provided in the Republic of South Africa is provided for in Government's economic growth and local supplier development policies and initiatives;

9.1.13 facilitating access to credit for beneficiary entities without access to similar credit facilities through traditional means owing to a lack of credit history, high-risk or lack of collateral;

9.1.14 provision of training or mentoring by suitably qualified entities or individuals to beneficiary entities which will assist the beneficiary entities to increase their operational or financial capacity; and

9.1.15 the maintenance by the Measured Entity of an Enterprise Development and Supplier Development unit which focuses exclusively on support of beneficiary entities or candidate

beneficiary entities.

9.1.16 new projects promoting beneficiation by the Measured Entity for the benefit of Enterprise Development and Supplier Development Beneficiaries.

9.1.17 provision of preferential credit facilities to a beneficiary entity by a Measured Entity may constitute an Enterprise Development and Supplier Development Contribution. Examples of such contributions include without limitation:

9.1.18 provision of finance to beneficiary entities at lower than commercial rates of interest;

9.1.19 relaxed security requirements or absence of security requirements for beneficiary entities unable to provide security for loans; and

9.1.20 settlement of accounts with beneficiary entities over a shorter period of time in relation to the Measured Entity's normal payment period, provided the shorter period is no longer than 15 days;

9.1.21 providing training or mentoring to beneficiary communities by a Measured Entity. (Such contributions are measurable by quantifying the cost of time (excluding travel or commuting time) spent by staff or management of the Measured Entity in carrying out such initiatives. A clear justification, commensurate with the seniority and expertise of the trainer or mentor, must support any claim for time costs incurred).

9.1.22 maintaining an Enterprise Development and Supplier Development unit by the Measured Entity. (Only that portion of salaries and wages attributable to time spent by the staff in, and the other expenses related to, promoting or implementing Enterprise Development and Supplier Development constitute contributions.)

9.1.23 Payments made by the Measured Entity to suitably qualified and experienced third parties to perform Enterprise Development and

Supplier Development on the Measured Entity's behalf.

10 MONETARY AND NON-MONETARY CONTRIBUTIONS

10.1 Subject always to the definition of Qualifying Enterprise Development and Supplier Development Contributions, the following monetary/non-monetary contributions will, without limitation, be considered:

10.1.1 the provision of seed or development capital;

10.1.2 contributions made towards the settlement of the cost of services relating to the operational or financial capacity and/or efficiency levels of a Qualifying Enterprise Development and Supplier Development Beneficiary including, without limitation:

10.1.2.1 professional and consulting services;

10.1.2.2 licensing and/or registration fees;

10.1.2.3 industry specific levies and/or other such fees; and

10.1.2.4 IT services;

10.1.3 subject to paragraph 10.1, creation or development of capacity and expertise for Beneficiary Entities required to manufacture or produce goods and/or services previously not manufactured, produced or provided in the Republic of South Africa;

10.1.4 subject to paragraph 10.2, provision of preferential credit facilities;

10.1.5 subject to paragraph 10.1, facilitation of access to credit for Beneficiary Entities unable to access similar credit facilities through traditional means owing to a lack of credit history, high risk and/or lack of collateral;

10.1.6 subject to paragraph 10.3, provision of training and/or mentoring to Beneficiary Entities which will assist the Beneficiary Entities to increase their operational and/or financial capacity; and

- 10.1.7 subject to paragraph 10.4, the maintenance by the Measured Entity of an Enterprise Development and Supplier Development unit which focuses exclusively on support of Beneficiary Entities or candidate Beneficiary Entities.
- 10.2 The creation and/or development of the capacity of Beneficiary Entities which will enable them to manufacture and produce goods and/or provide services previously not available in the Republic of South Africa, may constitute a Qualifying Enterprise Development and Supplier Development Contribution, and will be measured as the rand value of monetary contributions made as well as investments into, loans made to or guarantees given for a Beneficiary Entity.
- 10.3 Provision of preferential credit facilities to a Beneficiary Entity by a Measured Entity may constitute a Qualifying Enterprise Development and Supplier Development Contribution. Examples of such contributions include without limitation:
- 10.3.1 provision of finance to Beneficiary Entities at rates of interest below the applicable rate. Such contributions will be measured as the value of the differential between the actual interest rate provided to the Beneficiary Entity and the applicable rate;
- 10.3.2 relaxed security requirements or absence of security requirements for Beneficiary Entities unable to provide security for loans; and
- 10.3.3 settlement of accounts with Beneficiary Entities over a shorter period of time in relation to the Measured Entity's normal payment period, provided that the shorter period is no longer than 15 days. Preferential payment terms which extend beyond 15 days will not qualify as Qualifying Enterprise Development and Supplier Development Contributions.
- 10.4 Provision of training and/or mentoring to a Beneficiary Entity by a Measured Entity may constitute a Qualifying Enterprise

Development and Supplier Development Contribution. Such contributions will be measured by quantifying the cost of time spent by staff or management of the Measured Entity in carrying out such initiatives. Any travel or commuting time may not be included in this cost. Furthermore, a clear justification must be supplied with respect to the calculation of such time costs incurred, commensurate with the level of seniority and expertise of the trainer or mentor. Common forms of such contribution include without limitation:

10.4.1 Professional and consulting services;

10.4.2 IT services; and

10.4.3 any other services which help to increase the entity's financial and/or operational capacity and which have not also been accounted for under skills development.

10.5 The maintenance of an Enterprise Development and Supplier Development unit by the Measured Entity may constitute a Qualifying Enterprise Development and Supplier Development Contribution. Common examples of such contributions include without limitation the salaries and wages of staff and other expenses involved in the operation of such Enterprise Development and Supplier Development unit. Notwithstanding the afore going, only that portion of salaries and wages which relate to time spent by the staff in and the other expenses related to the promotion and implementation of Enterprise Development and Supplier Development in respect of Beneficiary Entities or candidate Beneficiary Entities should be taken into consideration under Enterprise Development and Supplier Development contributions.

11 MEASUREMENT OF ENTERPRISE DEVELOPMENT AND SUPPLIER DEVELOPMENT CONTRIBUTIONS

- 11.1 A measured Entity receives a score for Enterprise Development and Supplier Development in proportion the extent that it meets the compliance target.
- 11.2 Qualifying Contributions are measurable using the formula “A” in Annexe 400(B)

ANNEXE 400(A) - A: B-BBEE PROCUREMENT SPEND:

$$A = \text{the sum of } (B \times C)$$

Where

A is the calculated total B-BBEE Procurement Spend for the Measured Entity. It is equal to the sum of the result of the product of B and C for each Supplier of the Measured Entity not excluded under the exclusion from total measured procurement spend;

B is the value of procurement falling within Total measured procurement spend and not excluded under the exclusion from total measured procurement spend from each Supplier of the Measured Entity;

C is the B-BBEE Procurement Recognition Level of each such Supplier of the Measured Entity.

B: THE CALCULATION OF PREFERENTIAL PROCUREMENT CONTRIBUTIONS TO B-BBEE:

$$A = \frac{B}{C} \times D$$

Where

A is the calculated preferential procurement score for 2.1.1, 2.1.2, 2.1.3, 2.1.4, 2.1.5 and 2.1.6 in the scorecard under statement 400 for the Measured Entity;

B is the total B-BBEE Procurement Spend of the Measured Entity calculated under measurement of B-BBEE Procurement Spend as a percentage of Total Measured Procurement Spend of that Measured Entity;

C is the compliance target for each criteria specified in the scorecard under statement 400;

D is the Weighting points allocated to each criteria specified in the scorecard under statement 400.

ANNEXE 400(B)

**Annexe 400B – Enterprise Development and Supplier Development Benefit Factor
Matrix**

Qualifying Contribution type	Contribution Amount	Benefit Factor
Grant and Related Contributions		
Grant Contribution	Full Grant Amount	100%
Direct Cost incurred in supporting Enterprise Development and Supplier Development	Verifiable Cost (including both monetary and non-monetary)	100%
Discounts in addition to normal business practices supporting Enterprise Development and Supplier Development	Discount Amount (in addition to normal business discount)	100%
Overhead Costs incurred in supporting Enterprise Development and Supplier Development (including people appointed in Enterprise Development and Supplier Development)	Verifiable Costs (including both monetary and non-monetary)	70%
Loans and Related Contributions		
Interest-Free Loan with no security requirements supporting Enterprise Development and Supplier Development	Outstanding Loan Amount	70%
Standard Loan to Enterprise Development and Supplier Development Beneficiaries	Outstanding Loan Amount	50%
Guarantees provided on behalf of a Beneficiary entity	Guarantee Amount	50%
Lower Interest Rate	Outstanding loan amount	Prime Rate – Actual Rate
Equity Investments and Related Contributions		
Minority Investment in Enterprise Development and Supplier Development	Investment Amount	70%

Beneficiaries		
Enterprise Development and Supplier Development Investment with lower dividend to financier	Investment Amount	Dividend Rate of Ordinary Shareholders – Actual Dividend Rate of Contributor
Contributions made in the form of human resource capacity		
Professional services rendered at no cost and supporting Enterprise Development and Supplier Development	Commercial hourly rate of professional	60%
Professional services rendered at a discount and supporting Enterprise Development and Supplier Development	Value of discount based on commercial hourly rate of professional	60%
Time of employees of Measured Entity productively deployed in assisting beneficiaries	Monthly salary divided by 160	60%
Other Contributions		
Shorter payment periods for 2.2 of this statement (Supplier Development)	Percentage of invoiced amount multiplied by 15% (being an approximation of the cost of short term funding)	Percentage being 15 days less the number of days from invoice to payment Maximum points that can be scored is 15% of 10 points

ANNEXE 400(B)

A: Qualifying Contributions are measurable on the following basis:

$$A = \frac{B}{C} \times D$$

Where

A is the score achieved in respect of the Qualifying Contributions made by the Measured Entity

B is the annual value of all Qualifying Contributions made by the Measured Entity measured from the commencement of this statement or the Inception Date to the date of measurement

C is compliance target in respect of the Qualifying Contributions as specified in the scorecard for statement 400

D is the Weighting points allocated to the criteria under the scorecard for statement 400.

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 305 OF 2019

CODE SERIES 300, STATEMENT 300

CODES OF GOOD PRACTICE ON BROAD BASED BLACK ECONOMIC
EMPOWERMENT

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

- (a) Publish the following **Amended Code Series 300, Statement 300** in terms of Section 9 (1) of the Broad-Based Black Economic Empowerment Amendment Act 2003, (Act No. 53 of 2003) as amended by Act 46 of 2013 for implementation within 6 Months from date of Gazette; and
- (b) Replace **Amended Code Series 300, Statement 300** within Gazette 36928 with the following **Amended Code Series 300, Statement 300**.



DR ROB DAVIES, MP
MINISTER OF TRADE AND INDUSTRY

9 / 4 /2019

AMENDED CODE SERIES 300: FRAMEWORK FOR MEASURING BROAD-BASED BLACK ECONOMIC EMPOWERMENT

STATEMENT 300: THE GENERAL PRINCIPLES FOR MEASURING SKILLS DEVELOPMENT

Issued under section 9 of the Broad-Based Black Economic Empowerment Act
No. 53 of 2003 as amended by Act No. 46 of 2013.

Arrangement of this Statement

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OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the scorecard for measuring the Skills Development Element of B-BBEE;
- 1.2 Define the key measurement principles associated with the Skills Development Element; and
- 1.3 Indicate the formula for measuring the Skills Development Element.

2. THE SKILLS DEVELOPMENT ELEMENT SCORECARD

- 2.1 The following table represents the criteria used for deriving a score for Skills Development under this Statement:

Category	Skills Development Element	Weighting points	Compliance Target
2.1.1 Skills Development Expenditure on any programme specified in the Learning Programme Matrix for black people as a percentage of the Leviable Amount			
2.1.1.1	Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for black people as a percentage of Leviable Amount.	6	3.5 %
2.1.1.2	Skills Development Expenditure on Bursaries for Black Students at Higher Education Institutions	4	2.5%
2.1.1.3	Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for black employees with disabilities as a percentage of Leviable Amount.	4	0.3%
2.1.2	Learnerships, Apprenticeships, and Internships		

2.1.2.1	Number of black people participating in Learnerships, Apprenticeships and internships as a percentage of total employees.	6	5%
Bonus points:			
2.1.3	Number of black people absorbed by the Measured and Industry Entity at the end of the Internship, Learnership and Apprenticeship programme under Paragraph 2.1.2.1	5	100%

2.2 The compliance targets for 2.1.1.1, 2.1.1.2 and 2.1.2.1 of the Skills Development scorecard are based on the overall demographic representation of black people as defined in the Regulations of the Employment Equity Act and Commission of Employment Equity Report as amended from time to time.

2.3 In determining a Measured Entity's score, the targets should be further broken down into specific criteria according to the different race sub-groups within the definition of black in accordance with the Regulations of Employment Equity Act and Commission of Employment Equity Report requirements on equitable representation and weighted accordingly.

3. KEY MEASUREMENT PRINCIPLES

3.1 The following criteria must be fulfilled in order for the Measured Entity to receive points on the Skills Development Element scorecard:

3.1.1 Workplace Skills Plan, an Annual Training Report and Pivotal Report which are SETA approved; and

3.1.2 Implementation of Priority Skills programme generally, and more specifically for black people.

3.2 The 3.5 % compliance target under paragraph 2.1.1.1 includes external training expenditure for unemployed black people.

3.3 Initiatives implemented under paragraph 2.1.1.1 cannot be counted under paragraph 2.1.1.2 and vice versa.

3.4 A trainee tracking tool has to be developed in order for the Measured Entity to score under paragraph 2.1.3.

3.5 If less than 100% of the trainees are absorbed under paragraph 2.1.3, the percentage achieved or absorbed will be recognised.

4. SUBMINIMUM AND DISCOUNTING PRINCIPLE

4.1 A Measured Entity must achieve a minimum of 40% of the total weighting points excluding bonus points (40% of the 20 points) set out in the Skills Development Element.

4.2 Non-compliance to the threshold targets will result in the overall achieved B-BBEE status level being discounted in accordance in paragraph 3.4 of Statement 000.

5. GENERAL PRINCIPLES

5.1.1 Skills Development must contribute to the achievement of the country's economic growth and social development goals that will enrich the creation of decent work and sustainable livelihoods.

5.1.2 Promote the development of an industrial skills base in critical sectors of production and value-added manufacturing, which are largely labour-intensive industries.

5.1.3 Support 'Professional, Vocational, Technical and Academic Learning programmes, achieved by means of professional placements, work-integrated learning, apprenticeships, learnerships and internships, that meet the critical needs for economic growth and development.

5.1.4 Strengthen the skills and human resource base by encouraging the support of skills development initiatives with an emphasis on skills development and career pathing for all working people in order to support employment creation.

5.2 Skills Development Expenditure includes any legitimate expenses

incurred for any Learning Programme offered by a Measured Entity to black people evidenced by an invoice or appropriate internal accounting record.

- 5.3 Skills Development Expenditure arising from Informal and workplace Learning Programmes, or from Category F and G Learning Programmes under the Learning Programmes Matrix cannot represent more than 25% of the total value of Skills Development Expenditure.
- 5.4 Legitimate training costs such as accommodation, catering, travelling and the cost to the Measured Entity of employing a Skills Development facilitator or a training manager (non-exhaustive) cannot exceed more than 15% of the total value of Skills Development Expenditure. This does not apply to Skills Development Expenditure recognised in paragraph 2.1.1.2.
- 5.5 Salaries or wages paid to an employee participating as a learner in any Learning Programme constitute Skills Development Expenditure if the Learning Programme is a Learnership, Internship and Apprenticeship (Category B, C and D) of the Learning Programme Matrix or a stipend linked to a bursary programme in terms of paragraph 2.1.1.2.
- 5.6 Expenses on scholarships and bursaries for black people do not constitute Skills Development Expenditure if the Measured Entity can recover any portion of those expenses from the employee or if the grant of the scholarship or bursary is conditional. A bursary or scholarship scheme is a grant made to or for students who are registered at educational institutions established by or registered with the Department of Basic Education or the Department of Higher Education & Training. Examples of legitimate training costs for a bursary or scholarship includes: payment of school, college or university fees, or a portion thereof; funding for textbooks or other learning materials; funding for subsistence or accommodation during the period of study. Despite the afore going, if the right of recovery or the condition involves either of the following obligations of the employee, the expenses are recognisable:
- 5.6.1 the obligation of successful completion in their studies within the time

period allocated; or

5.6.2 the obligation of continued employment by the Measured Entity for a period following successful completion of their studies is not more than the period of their studies.

5.7 Mandatory sectoral training does not qualify as skills development contribution i.e. health and safety in construction sector (non-exhaustive list)

5.8 Training outside the country in line with the Learning Programme Matrix under annexure 300 (A) is measurable if it meets the South African Qualification Authority requirement for recognition.

6. LEGITIMATE RECOGNISABLE TRAINING EXPENSES

6.1.1 costs of training materials;

6.1.2 costs of trainers;

6.1.3 costs of training facilities including costs of catering;

6.1.4 scholarships and bursaries;

6.1.5 course fees;

6.1.6 accommodation and travel; and

6.1.7 Administration costs such as the organization of training including, where appropriate, the cost to the Measured Entity of employing a Skills Development facilitator or a training manager.

7. MEASUREMENT OF SKILLS DEVELOPMENT INDICATORS

The formula that explains the method of measurement of the criteria in the skills development scorecard is set out in Formula "A" in Annexure 300(B).

8. ANNEXE 300 (A)

Learning Programme Matrix

Cat	Programme	Narrative Description	Delivery Mode	Learning Site	Learning Achievement
A	Bursaries or scholarships	Institution-based theoretical instruction alone – formally assessed by educational institutions established by or registered with the Department of Basic Education or the Department of Higher Education & Training.	Institutional instruction	Institutions such as universities and colleges, schools, ABET providers	Recognised theoretical knowledge resulting in the achievement of a degree, diploma or certificate issued by an accredited or registered formal institution of learning
B	Internships	Institution-based theoretical instruction as well as some practical learning with an employer or in a simulated work environment – formally assessed through the institution	Mixed mode delivery with institutional instruction as well as supervised learning in an appropriate workplace or simulated work environment	Institutions such as universities and colleges, schools, ABET providers and workplace	Theoretical knowledge and workplace experience with set requirements resulting in the achievement of a degree, diploma or certificate issued by an accredited or registered formal institution of learning

C	Learnerships	Recognised or registered structured experiential learning in the workplace that is required after the achievement of a qualification – formally assessed by a statutory occupational or professional body	Structured learning in the workplace with mentoring or coaching	Workplace	Occupational or professional knowledge and experience formally recognised through registration or licensing
D	Learnerships or Apprenticeships	Occupationally-directed instructional and work-based learning programme that requires a formal contract – formally assessed by an accredited body	Institutional instruction together with structured, supervised experiential learning in the workplace	Institution and workplace	Theoretical knowledge and workplace learning, resulting in the achievement of a South African Qualifications Authority registered qualification, a certificate or other similar occupational or professional qualification issued by an accredited or registered formal institution of learning

E	Work-integrated learning	Occupationally-directed instructional and work-based learning programme that does not require a formal contract – formally assessed by an accredited body	Structured, supervised experiential learning in the workplace which may include some institutional instruction	Workplace, institutional as well as ABET providers	Credits awarded for registered unit standards, continued professional development, improved performance or skills (e.g. evidence of outputs based on Performance Development Programme)
F	Informal training	Occupationally-directed informal instructional programmes	Structured information sharing or direct instruction involving workshops, seminars and conferences and short courses	Institutions, conferences and meetings	Continuing professional development, attendance certificates and credits against registered unit standards (in some instances)
G	Informal training	Work-based informal programmes	Informal training	Workplace	Increased understand of job or work context or improved performance or skills

ANNEXE 300 (B)

Formula 1

The skills development criteria provided for in paragraphs 2.1.1.1 and 2.1.1.2 is calculated by

following the sub calculations below.

The measurement criteria targets for 2.1.1.1 and 2.1.1.2 are broken down according to the

relevant EAP statistics i.e. splitting the compliance target and points in proportion to the EAP statistics.

The EAP Statistics are reported on the following race groups:

Statistic	African Male	African Female	Coloured Male	Coloured Female	Indian Male	Indian Female	White Male	White Female
Abbreviation	AM	AF	CM	CF	IM	IF	WM	WF

The maximum points per race group needs to be adhered to in order to achieve the outcomes of the code. These calculations will need to be repeated for every race group due to the maximum score for each race group.

The first parameter to be defined is the percentage of spend on black employees in the measured entity as a percentage of the Leviable Amount. The formula to calculate this will need to be repeated six times, for each of the six black EAP statistics.

Let

$$\% \text{ Spend AM} = \frac{\text{Spend on AM Employees}}{\text{Leviable Amount}}$$

$$\% \text{ Spend AF} = \frac{\text{Spend on AF Employees}}{\text{Leviable Amount}}$$

$$\% \text{ Spend CM} = \frac{\text{Spend on CM Employees}}{\text{Leviable Amount}}$$

$$\% \text{ Spend CF} = \frac{\text{Spend on CF Employees}}{\text{Leviable Amount}}$$

$$\% \text{ Spend IM} = \frac{\text{Spend on IM Employees}}{\text{Leviable Amount}}$$

$$\% \text{ Spend IF} = \frac{\text{Spend on IF Employees}}{\text{Leviable Amount}}$$

Where:

RG: Race Group

%SpendRG: Percentage of spend on black employees in the measured entity for the specific race group

Spend on RG Employees: Rand value of Skills Development Expenditure on Learning Programmes specified in the Learning Programme Matrix for the specified Race Group for 2.1.1.1 and 2.1.1.2

Leviable Amount: As defined in Code Series 300

Due to the codes not awarding points for meeting the EAP statistics for the white race groups, the EAP statistics need to be adjusted to exclude the white

categories. The following formula shows how this is accomplished:

Let

$$ADJ\ EAP\ AM = \frac{EAP(AM)}{EAP(Sum)}$$

$$ADJ\ EAP\ AF = \frac{EAP(AF)}{EAP(Sum)}$$

$$ADJ\ EAP\ CM = \frac{EAP(CM)}{EAP(Sum)}$$

$$ADJ\ EAP\ CF = \frac{EAP(CF)}{EAP(Sum)}$$

$$ADJ\ EAP\ IM = \frac{EAP(IM)}{EAP(Sum)}$$

$$ADJ\ EAP\ IF = \frac{EAP(IF)}{EAP(Sum)}$$

Where:

ADJ EAP RG:	Adjusted EAP for a specific race group
EAP (RG):	EAP statistic for the calculated race group
EAP (Sum):	Sum of published EAP statistics for all black race groups (AM+AF+CM+CF+IM+IF)

Since the calculation for each of the race groups need to be done individually, the compliance target also needs to be split in proportion to the EAP statistics.

This formula is defined below:

Let

$$SCT\ AM = ADJ\ EAPAM \times \frac{Compliance\ target}{100}$$

$$SCT\ AF = ADJ\ EAPAF \times \frac{Compliance\ target}{100}$$

$$SCT\ CM = ADJ\ EAPCM \times \frac{Compliance\ target}{100}$$

$$SCT\ CF = ADJ\ EAPCF \times \frac{Compliance\ target}{100}$$

$$SCT\ IM = ADJ\ EAPIM \times \frac{Compliance\ target}{100}$$

$$SCT\ IF = ADJ\ EAPIF \times \frac{Compliance\ target}{100}$$

Where:

SCT RG: group	Split Compliance Target for race
ADJ EAP RG: calculated	Adjusted EAP for the race group as above

Compliance target:
and 2.1.1.2

Compliance Target as specified for 2.1.1.1

The points allocated for the measurement criteria will also be split in proportion to the EAP statistics. The split points for the measurement criteria represent the maximum allowable points for the race groups, and must be enforced as such.

The formula for calculating the maximum allowable points is shown below:

$$MAP\ AM = ADJ\ EAPAM \times Points$$

$$MAP\ AF = ADJ\ EAPAF \times Points$$

$$MAP\ CM = ADJ\ EAPCM \times Points$$

$$MAP\ CF = ADJ\ EAPCF \times Points$$

$$MAP\ IM = ADJ\ EAPIM \times Points$$

$$MAP\ IF = ADJ\ EAPIF \times Points$$

Where:

MAP: Maximum allowable points for a race group

Points: Weighting points as specified for 2.1.1.1 and 2.1.1.2

The achieved score per race group (ScoreRG) will be calculated using the above four equations. The formula must be completed for each race group using the four results from above for each race group. This formula is shown below:

$$ScoreAM = \left(\frac{\%Spend\ AM}{SCT\ AM} \right) \times MAP\ AM$$

$$ScoreAF = \left(\frac{\%Spend\ AF}{SCT\ AF} \right) \times MAP\ AF$$

$$ScoreCM = \left(\frac{\%Spend\ CM}{SCT\ CM} \right) \times MAP\ CM$$

$$ScoreCF = \left(\frac{\%Spend\ CF}{SCT\ CF} \right) \times MAP\ CF$$

$$ScoreIM = \left(\frac{\%Spend\ IM}{SCT\ IM} \right) \times MAP\ IM$$

$$ScoreIF = \left(\frac{\%Spend\ IF}{SCT\ IF} \right) \times MAP\ IF$$

Note that the score per race group may not exceed the maximum allowable points for that race group. The following shows how the total score for 2.1.1.1 and 2.1.1.2 is

calculated:

$$Total\ Score = ScoreAM + ScoreAF + ScoreCM + ScoreCF + ScoreIM + ScoreIF$$

Formula 2

The Skills Development criteria provided for in paragraphs 2.1.2.1, is calculated by following the sub calculations below.

The measurement criteria targets for 2.1.2.1 are broken down according to the relevant EAP statistics i.e. splitting the compliance target and points in proportion to the EAP statistics.

The maximum points per race group needs to be adhered to in order to achieve the outcomes of the code. These calculations will need to be repeated for every race group due to the maximum score for each race group.

The first parameter to be defined is the percentage of black employees in the measured entity for the measurement criteria (Number of black people participating in Learnerships, Apprenticeships and Internships OR Number of black unemployed people participating in the learning programme matrix). The formula to calculate this will need to be repeated six times, for each of the six black EAP statistics.

Let

$$\% \text{ Black AM} = \frac{\text{Number of AM Learners}}{\text{Total of all employees in all race groups}}$$

$$\% \text{ Black AF} = \frac{\text{Number of AF Learners}}{\text{Total of all employees in all race groups}}$$

$$\% \text{ Black CM} = \frac{\text{Number of CM Learners}}{\text{Total of all employees in all race groups}}$$

$$\% \text{ Black CF} = \frac{\text{Number of CF Learners}}{\text{Total of all employees in all race groups}}$$

$$\% \text{ Black IM} = \frac{\text{Number of IM Learners}}{\text{Total of all employees in all race groups}}$$

$$\% \text{ Black IF} = \frac{\text{Number of IF Learners}}{\text{Total of all employees in all race groups}}$$

Where:

RG: Race Group

% BlackRG: Percentage of black employees in the measured
Entity for the specific race group

Number of RG learners: Number of people participating in Learnerships,
Apprenticeships and Internships OR number of
unemployed people participating in training specified in the
learning programme matrix

Total of all race groups: Total of all employees in the measured entity

$$(AM+AF+CM+CF+IM+IF+WM+WF)$$

Due to the codes not awarding points for meeting the EAP statistics for the white race groups, the EAP statistics need to be adjusted to exclude the white categories. The following formula shows how this is accomplished:

Let

$$ADJ\ EAP\ AM = \frac{EAP(AM)}{EAP(Sum)}$$

$$ADJ\ EAP\ AF = \frac{EAP(AF)}{EAP(Sum)}$$

$$ADJ\ EAP\ CM = \frac{EAP(CM)}{EAP(Sum)}$$

$$ADJ\ EAP\ CF = \frac{EAP(CF)}{EAP(Sum)}$$

$$ADJ\ EAP\ IM = \frac{EAP(IM)}{EAP(Sum)}$$

$$ADJ\ EAP\ IF = \frac{EAP(IF)}{EAP(Sum)}$$

Where:

ADJ EAP RG:	Adjusted EAP for a specific race group
EAP (RG):	AP statistic for the calculated race group
EAP (Sum):	Sum of published EAP statistics for all black race groups (AM+AF+CM+CF+IM+IF)

Since the calculation for each of the race groups need to be done individually, the compliance target also needs to be split in proportion to the EAP statistics.

This formula is defined below:

Let

$$SCT\ AM = ADJ\ EAP\ AM \times \frac{Compliance\ target}{100}$$

$$SCT\ AF = ADJ\ EAP\ AF \times \frac{Compliance\ target}{100}$$

$$SCT\ CM = ADJ\ EAP\ CM \times \frac{Compliance\ target}{100}$$

$$SCT\ CF = ADJ\ EAP\ CF \times \frac{Compliance\ target}{100}$$

$$SCT\ IM = ADJ\ EAP\ IM \times \frac{Compliance\ target}{100}$$

$$SCT\ IF = ADJ\ EAP\ IF \times \frac{Compliance\ target}{100}$$

Where:

SCT RG:	Split Compliance Target for race group
---------	--

ADJ EAP RG: Adjusted EAP for the race group as
calculated

above

Compliance target: Compliance Target as specified for 2.1.2.1

The points allocated for the measurement criteria will also be split in proportion to the EAP statistics. The split points for the measurement criteria represent the maximum allowable points for the race groups, and must be enforced as such.

The formula for calculating the maximum allowable points is shown below:

$$MAP\ AM = ADJ\ EAP\ AM \times Points$$

$$MAP\ AF = ADJ\ EAP\ AF \times Points$$

$$MAP\ CM = ADJ\ EAP\ CM \times Points$$

$$MAP\ CF = ADJ\ EAP\ CF \times Points$$

$$MAP\ IM = ADJ\ EAP\ IM \times Points$$

$$MAP\ IF = ADJ\ EAP\ IF \times Points$$

Where:

MAP: Maximum allowable points for a race group

Points: Weighting points as specified for 2.1.2.1

The achieved score per race group (Score RG) will be calculated using the above four equations. The formula must be completed for each race group using the four results from above for each race group. This formula is shown below:

$$ScoreAM = \left(\frac{\%Spend\ AM}{SCT\ AM} \right) \times MAP\ AM$$

$$ScoreAF = \left(\frac{\%Spend\ AF}{SCT\ AF} \right) \times MAP\ AF$$

$$ScoreCM = \left(\frac{\%Spend\ CM}{SCT\ CM} \right) \times MAP\ CM$$

$$ScoreCF = \left(\frac{\%Spend\ CF}{SCT\ CF} \right) \times MAP\ CF$$

$$ScoreIM = \left(\frac{\%Spend\ IM}{SCT\ IM} \right) \times MAP\ IM$$

$$ScoreIF = \left(\frac{\%Spend\ IF}{SCT\ IF} \right) \times MAP\ IF$$

Note that the score per race group may not exceed the maximum allowable

points for that race group. The following shows how the totals score for 2.1.2.1 is calculated:

$$Total\ Score = Score_{AM} + Score_{AF} + Score_{CM} + Score_{CF} + Score_{IM} + Score_{IF}$$

Formula 3

This equation explains the method of measurement of the criteria under paragraph 2.1.1.3 and 2.1.3

$$A = \frac{B}{C} \times D$$

Where

A is the score for measurement category indicator

B is the percentage of spend in the measurement category that are black disabled people

B is the percentage of absorbed people in the measurement category that are black people

C is the target for the applicable criteria as referred to in the scorecard under statement 300

D is the Weighting points for the applicable criteria as referred to in the scorecard under statement 300

DEPARTMENT OF TRADE AND INDUSTRY
NOTICE 306 OF 2019
CODE SERIES 000, STATEMENT 000

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

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

- (a) Publish the following **Amended Code Series 000, Statement 000** in terms of Section 9 (1) of the Broad-Based Black Economic Empowerment Act 2003, (Act No. 53 of 2003) as amended by Act 46 of 2013 for implementation within 6 Months from date of Gazette; and
- (b) Replace **Amended Code Series 000, Statement 000** within Gazette 36928 with the following **Amended Code Series 000, Statement 000**.



DR ROB DAVIES, MP
MINISTER OF TRADE AND INDUSTRY

9 / 4 /2019

AMENDED CODE SERIES 000: FRAMEWORK FOR MEASURING BROAD-BASED BLACK ECONOMIC EMPOWERMENT

STATEMENT 000: GENERAL PRINCIPLES AND THE GENERIC SCORECARD

Issued under Section 9 of the Broad-Based Black Economic Empowerment Act of 2003, as amended

Arrangement of this Statement:

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1 OBJECTIVES OF THIS STATEMENT

- 1.1 Specify the interpretative principles of Broad-Based Black Economic Empowerment(B-BBEE);
- 1.2 Specify the application of the Codes and the basis for measurement under the Codes;
- 1.3 Indicate the qualifying thresholds for Measured Entity to qualify as an Exempted Micro-Enterprise (EME) or Qualifying Small Enterprise (QSE);
- 1.4 Specify the method of measuring Start-Up Enterprises;
- 1.5 Specify the elements of B-BBEE measurable under the Generic Scorecard and Qualifying Small Enterprises;
- 1.6 Specify the basis for determining compliance by Entities with the Codes;

2. KEY PRINCIPLES

- 2.1 The fundamental principle for measuring B-BBEE compliance is that substance takes precedence over legal form.
- 2.2 In interpreting the provisions of the Codes any reasonable interpretation consistent with the objectives of the B-BBEE Act as amended and the B-BBEE Strategy must take precedence.
- 2.3 The basis for measuring B-BBEE initiatives under the Codes is the B-BBEE compliance of the Measured Entity at the Date of Measurement.

- 2.4 Any misrepresentation or attempt to misrepresent a Measured Entity's true B-BBEE Status will be dealt with in accordance with the provisions as set out in the B-BBEE Act as amended, and may lead to the disqualification of the entire scorecard of the entities concerned.
- 2.5 Initiatives which split, separate or divide a Measured Entity as a means of ensuring eligibility as an Exempted Micro-Enterprise, a Qualifying Small Enterprise or a Start-Up Enterprise may constitute an offence and will be dealt with in accordance with the provisions as set out in the B-BBEE Act as amended.
- 2.6 Any representation made by an Entity about its B-BBEE compliance must be supported by suitable evidence or documentation. A Measured Entity that does not provide evidence or documentation supporting any initiative must not receive any recognition for that initiative.
- 2.7 Wherever a Standard Valuation Method applies to measuring an indicator, the same standard should apply, as far as reasonably possible, consistently in all other applicable calculations in this statement.

3. APPLICATION OF THE CODES

3.1 The following Entities are measurable under the Codes:

3.1.1 all Organs of State and Public Entities;

3.1.2 all Measured Entities that undertake any economic activity with all Organs of State and Public Entities;

3.1.3 any other Measured Entity that undertakes any economic activity, whether direct or indirect, with any other Measured Entity that is subject to measurement under paragraph 3.1.1 to 3.1.2 and which is seeking to establish its own B-BBEE compliance.

3.2 The basis for measuring the B-BBEE compliance of an Entity in terms of paragraph 3.1 is:

3.2.1 Paragraph 4, in the case of an Exempted Micro-Enterprise;

3.2.2 Paragraph 5.3 in the case of a Black Owned QSE;

3.2.3 The Generic Scorecard and QSE Scorecard, in the case of other Measured Entities; and

3.2.4 A Measured Entity in a sector in respect of which a sector code has been issued in terms of Section 9 of the BBBEE Act as amended, may only be measured for compliance in accordance with that code.

3.3 PRIORITY ELEMENTS, SUBMINIMUM AND DISCOUNTING PRINCIPLE

3.3.1 The Priority Elements are as follows:

3.3.1.1 **Ownership:**

3.3.1.1.1 The sub-minimum requirement for Ownership is 40% of Net Value (40% of the 8 points) based on the Time Based Graduation Factor as provided in Annexe 100 (E).

3.3.1.2 **Skills Development:**

3.3.1.2.1 The sub-minimum requirement for Skills Development is 40% of the total weighting points excluding bonus points (40% of the 20 points) for Skills Development.

3.3.1.3 **Enterprise and Supplier Development:**

3.3.1.3.1 The sub-minimum requirement for Enterprise and Supplier Development is 40% of the total weighting points for each of the three categories, excluding bonus points, within the Enterprise and Supplier Development element, namely preferential

procurement (40% of the 25 points); Supplier Development (40% of the 10 points) and Enterprise Development (40% of the 5 points).

3.3.2 COMPLIANCE TO PRIORITY ELEMENTS

3.3.2.1 A Large Enterprise is required to comply with all the Priority Elements.

3.3.2.2 A Qualifying Small Enterprise is required to comply with Ownership as a compulsory element, and either Skills Development or Enterprise and Supplier Development, with the exclusion of black-owned QSEs in terms of paragraph 5.3 below.

3.3.3 DISCOUNTING PRINCIPLE EFFECT

3.3.3.1 Qualifying Small Enterprises or Generic Enterprises that fails to meet the 40% sub-minimum requirement for any or a combination of the priority elements in terms of 3.3.1 and 3.3.2 above, will have their B-BBEE status level discounted one level.

3.3.3.2 The discounted level will be recorded and be the applicable status level for that Measured Entity.

3.3.3.3 Notwithstanding the recognition in 3.3.3.1 above, the Measured Entity will recognise the actual points achieved below the 40% sub-minimum requirements.

3.4 The requirement to submit data to the Department of Labour under the Employment Equity Act 55 of 1998 is only applicable to 'designated employers' who employ 50 or more employees or who exceed the turnover threshold specified by the Department of Labour. However, for

the purpose of measurement: both Generic and Qualifying Small Entities that employ less than 50 employees are required to submit sufficient evidence for verification purposes.

4. ELIGIBILITY AS AN EXEMPTED MICRO ENTERPRISE (EME)

- 4.1 Any enterprise with an annual Total Revenue of R10 Million or less qualifies as an Exempted Micro-Enterprise.
- 4.2 Start-Up Enterprises are ordinarily regarded as Exempted Micro Enterprises, unless tendering for a contract in excess of the threshold for EMEs, in which case the corresponding scorecard will apply.
- 4.3 An Exempted Micro-Enterprise is deemed to have a B-BBEE Status of “Level Four Contributor” having a B-BBEE Recognition Level of 100% under paragraph 9.2.
- 4.4 Enhanced B-BBEE recognition level for an Exempted Micro-Enterprise:
 - 4.4.1 Despite paragraph 4.3 an EME which is 100% Black Owned, measured using the flow-through principle, qualifies for elevation to “Level One Contributor” having a B-BBEE recognition level of 135%.
 - 4.4.2 Despite paragraphs 4.3 and 4.4.1, an EME which is at least 51% Black Owned, measured using the flow-through principle, qualifies for elevation to “Level Two Contributor” having a B-BBEE recognition level of 125%.
- 4.5 Despite paragraphs 4.3 and 4.4, an EME is allowed to be measured in terms of the QSE scorecard should it so choose.
- 4.6 An EME is only required to obtain a sworn affidavit or Certificate issued by Companies and Intellectual Property Commission (CIPC) on an annual basis, confirming the following:

4.6.1 Annual Total Revenue of R10 million or less; and

4.6.2 Level of Black ownership.

4.7 Any misrepresentation in terms of Para 4.6 above constitutes a criminal offence as set out in the B-BBEE Act as amended.

5. ELIGIBILITY AS A QUALIFYING SMALL ENTERPRISE (QSE)

5.1 A Measured Entity with an annual Total Revenue of between R10 million and R50 million qualifies as a Qualifying Small Enterprise.

5.2 A QSE must comply with all of the elements of B-BBEE for the purposes of measurement.

5.3 Enhanced B-BBEE recognition level for QSE:

5.3.1 Despite paragraph 5.2 above, a Qualifying Small Enterprise which is 100% Black Owned, measured using the flow-through principle, qualifies for elevation to a "B-BBEE Level One Contributor" having a B-BBEE recognition level of 135%.

5.3.2 Despite paragraph 5.2 above, a Qualifying Small Enterprise which is at least 51% Black Owned, measured using the flow-through principle, qualifies for elevation to a "B-BBEE Level Two Contributor" having a B-BBEE recognition level of 125%.

5.3.3 A Black Owned QSE in terms of paragraph 5.3. above, is only required to obtain a sworn affidavit on an annual basis, confirming the following:

5.3.3.1 Annual Total Revenue of between R10 million and R50 million; and

5.3.3.2 Level of Black ownership.

5.4 Despite paragraph 5.3 a black-owned QSE may be measured in terms of the QSE scorecard should it so choose.

5.5 Any misrepresentation in terms of Para 5.3 above constitutes a criminal offence as set out in the B-BBEE Act as amended.

6. ELIGIBILITY AS A GENERIC ENTERPRISE

6.1 Any enterprise with an annual Total Revenue of R50 Million and more qualifies as a Large Enterprise.

6.2 A Large Enterprise must comply with all of the elements of B-BBEE for the purposes of measurement

7. ELIGIBILITY OF JOINT VENTURES AND START-UP ENTERPRISES

7.1 The measurement of Unincorporated Joint Ventures will be done as follows:

7.2 Unincorporated Joint Ventures are required to compile a consolidated verification certificate. A consolidated verification certificate will consolidate the verified compliance data of joint venture partners in accordance with paragraph 7.3 below as if those Measured Entities were a single Measured Entity.

7.3 The consolidation of compliance data shall be based on a weighting in accordance with the joint venture agreement relevant to the specific joint venture. Therefore, should two companies enter into an Unincorporated Joint Venture their respective scores in terms of the relevant Code of Good Practice will be weighted according to their proportionate share in the joint venture and added together for a combined score out of 100.

7.3.1 Should a company qualify in terms of the Qualifying Small Enterprise Scorecard its B-BBEE score out of 100 must be used to calculate the consolidated score.

- 7.3.2 51% Black Owned EMEs and 51% Black Owned QSEs will qualify for a score of 95 points while 100% Black Owned EMEs and 100% Black Owned QSEs will qualify for a score of 100 Points.
- 7.3.3 EME's other than those in paragraph 7.3.2 above will qualify for a score of 85 Points.
- 7.3.4 The JV B-BBEE Certificate is valid for 12 Months and only applicable to a specific Project.
- 7.3.5 Notwithstanding the B-BBEE Status Level attributed to the JV in terms of the above mechanism the black ownership of the respective partners may be flowed through to the JV in proportion to the respective JV partners' economic interest and voting rights in the JV as determined by the JV agreement.
- 7.4 Start-up Enterprises are deemed to have qualifying B-BBEE Status in accordance with the principles of paragraph 4 of this Statement.
- 7.5 Despite paragraph 7.4, a Start-up Enterprise may be measured in terms of the QSE scorecard or the Generic scorecard should they choose to.
- 7.6 Despite paragraph 7.4, a Start-up Enterprise must submit a QSE scorecard when tendering for any contract, or seeking any other economic activity covered by Section 10 of the Act, with a value higher than R10 million but less than R50 million. For contracts of R50 million or more they should submit the Generic scorecard. The preparation of such scorecards must use annualised data.

8. THE GENERIC SCORECARD

- 8.1 The Ownership Element, as set out in Code series 100, measures effective ownership of entities by Black people.
- 8.2 The Management Control element, as set out in Code series 200, measures the effective control of entities by Black people.
- 8.3 The Skills Development element, as set out in Code series 300, measures the extent to which employers carry out initiatives designed to develop the competencies of Black employees and Black people internally and externally.
- 8.4 The Enterprise and Supplier Development element, as set out in Code Series 400, measures the extent to which entities buy goods and services from Empowering Suppliers with strong B-BBEE recognition levels. This element also measures the extent to which enterprises carry out supplier development and enterprise development initiatives intended to assist and accelerate the growth and sustainability of black enterprises.
- 8.5 The Socio-Economic Development element, as set out in Code series 500, measures the extent to which entities carry out initiatives that contribute towards Socio-Economic Development or Sector Specific initiatives that promote access to the economy for Black people.

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9. The B-BBEE GENERIC SCORECARD

9.1 The following table represents the B-BBEE Generic Scorecard

Element	Weighting	Code series reference
Ownership	25 points	100
Management Control	19 points	200
Skills Development	20 points (Plus 5 Bonus Points)	300
Enterprise and Supplier Development	40 points (Plus 4 Bonus Points)	400
Socio-Economic Development	5 points	500
Total	109 (118) Points	

9.2 B-BBEE RECOGNITION LEVELS

9.2.1 Based on the overall performance of a Measured Entity using the Generic Scorecard and Qualifying Scorecard Enterprise Scorecard, the Measured Entity will receive one of the following B-BBEE Status uses with the corresponding B-BBEE recognition level:

B-BBEE Status	Qualification	B-BBEE recognition level
Level One Contributor	≥100 points	135%
Level Two Contributor	≥ 95 but <100 points	125%
Level Three Contributor	≥90 but <95 points	110%
Level Four Contributor	≥80 but <90 points	100%
Level Five Contributor	≥75 but <80 points	80%
Level Six Contributor	≥70 but <75 points	60%
Level Seven Contributor	≥55 but <70 points	50%
Level Eight Contributor	≥40 but <55 points	10%
Non-Compliant Contributor	<40 points	0%

10. ENHANCED RECOGNITION FOR CERTAIN CATEGORIES OF BLACK PEOPLE

10.1 Throughout the Codes, various criteria appear which advance the interests of certain categories of Black people. These include:

10.1.1 Black women, should form between 40% and 50% of the beneficiaries of the relevant Elements of the Scorecard;

10.1.2 Black people with disabilities, Black youth, Black people living in rural areas and Black unemployed people form part of the beneficiaries of the relevant Elements of the Scorecard.

11 ADJUSTMENT OF THRESHOLDS

The Minister may, by notice in the Gazette, adjust the thresholds in paragraphs 4 to 6. Any such changes apply to compliance reports prepared for a Measured Entity after a 12-month period following the gazetting of the adjustment.

12 DURATION OF THE B-BBEE CODES

12.1 A Code remains in effect until amended, substituted or repealed under Section 9 of the Act.

12.2 The Minister may review the Codes at any stage, and regular reviews will take place to monitor the implementation of B-BBEE throughout the economy.

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 80 OF 2019

**SOUTH AFRICAN NURSING COUNCIL
SUID-AFRIKAANSE RAAD OP VERPLEGING****Nursing Act, 2005 (Act No. 33 of 2005)****NOTICE REGARDING FEES PAYABLE TO THE COUNCIL IN TERMS OF THE
REGULATIONS REGARDING FEES AND FINES PAYABLE TO THE SOUTH
AFRICAN NURSING COUNCIL****DEFINITION**

1. In this notice, **“the regulations”** means the Regulations Regarding Fees and Fines Payable to the South African Nursing Council published by Government Notice No. R. 170 of 8 March 2013.

ANNUAL FEES

2. The amounts of the annual fee referred to in 2(1) (c) of the regulations have been determined by the Council as shown in the table below.
3. These amounts apply to annual fees in respect of the annual fee year 1 January 2020 to 31 December 2020, which may be paid from 1 July 2019, and which must be received by Council before or on 31 December 2019 (final date for payment).
4. These annual fee amounts will apply to all subsequent annual fee years until such time that the fees are amended by a notice in the *Gazette*.
5. The 25% discount applies to practitioners who are or will be 60 to 64 years of age on 1 January 2020.
6. The 50% discount applies to practitioners who are or will be 65 years of age or older on 1 January 2020.

Category of Registration	Annual Fee Amounts (including VAT)		
	Full Amount	25% Discount (*)	50% Discount (**)
Professional Nurse Midwife Registered Nurse Registered Midwife	R670-00	R500-00	R340-00
Staff Nurse Auxiliary Midwife Enrolled Nurse Enrolled Midwife	R400-00	R300-00	R200-00
Auxiliary Nurse Enrolled Nursing Auxiliary	R280-00	R210-00	R150-00

(*) To qualify for the 25% discount, a practitioner must be 60 to 64 years of age on 1 January 2020.

(**) To qualify for the 50% discount, a practitioner must be 65 years of age or older on 1 January 2020.

N.B. To qualify for the discount amounts, a practitioner may be required to submit a certified copy of his/her identity document in order to confirm his/her age.

RESTORATION FEES

7. The amounts of the restoration fees referred to in 2(1) (y) and (z) of the regulations have been determined by the Council as shown in the table below.
8. These restoration fee amounts will apply from 1 January 2020.
9. The reduced restoration fee only applies to:
 - a) those practitioners who were removed from the register at their own request; or
 - b) practitioners who are or will be 60 years of age or older on 1 January 2020.

Category of Registration	Reduced (*) Restoration Fees (including VAT)	Regular Restoration Fees (including VAT)
Professional Nurse Midwife Registered Nurse Registered Midwife	R140-00	R2 010-00
Staff Nurse Auxiliary Midwife Enrolled Nurse Enrolled Midwife	R140-00	R1 210-00
Auxiliary Nurse Enrolled Nursing Auxiliary	R140-00	R 850-00
Retired Nurses	R140-00	R140-00

(*) To qualify for the reduced restoration fee, a practitioner must have been removed from the register at his/her own request or must be 60 years or older on 1 January 2020.

FEEs PAYABLE BY INSTITUTIONS

Accreditation

(Nursing Education
Institution) –section
2(1) (a)

	Payable Rate 1	Payable Rate 2	Payable Rate 3	Payable Rate 4
Learner Enrolment (number of learners)	1-50	51-75	76-100	>100
	R 6 740-00	R 13 500-00	R 20 260-00	R 25 330-00

Accreditation Fees
(Nursing Education
Programme)
-section 2(1) (b)

Number of
Programmes

Payable Rate 1	Payable Rate 2	Payable Rate 3
1-2	3-6	>6
R 13 460-00	R 20 190-00	R 26 920-00

Application for
Nursing
Programmes/Revised
Curriculum
Evaluation – section
2(1) (i)

Payable				
One-year	Three-year	Four-year	Post registration /Post/ Basic Graduate Diploma	Masters/ Doctoral Programmes
R 1 350-00	R 4 030-00	R 6 730-00	R 10 100-00	R 12 630-00

Audit Visit Fee

(Nursing Education
Institution) – section
2(1)(j)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R 6 730-00	R 13 460-00	R 20 190-00

Focus Visit Fee
(Clinical Facility) –
section 2(1)(o)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R 6 730-00	R 13 460-00	R 20 190-00

Focus Visit Fee
(Nursing Education
Institution) – section
2(1)(p)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R 6 730-00	R 13 460-00	R 20 190-00

Description	Amount Payable
Annual Nursing Education Institution Fee – section 2(1)(d)	R 13 460-00
Application Fee (Clinical Facility) – section 2(1)(e)	R 3 370-00
Application Fee (Nursing Education Institution) – section 2(1)(h)	R 3 370-00

OTHER FEES

Section of the regulations	Description	Amount (including VAT)
2(1)(f)	Application fee (foreign additional qualification): - SADC countries - Other countries	R 1 270-00 R 1 270-00
2(1)(g)	Application fee (foreign basic qualification): - SADC countries - Other countries	R 1 270-00 R 1 900-00
2(1)(k)	Certificate of Status Fee	R 2 030-00
2(1)(l)	Duplicate Certificate Fee	R 380-00
2(1)(m)	Examination Fee (per paper)	R 400-00
2(1)(n)	Extract Fee	R 80-00
	Late Registration penalty per applicant	R 810-00
2(1)(q)	Late Entry Fee (exams)	R 940-00
2(1)(r)	Licence Fee (private practice) (pending promulgation of regulations)	Pending
2(1)(s)	Registration Fee (additional qualification)	R 400-00

Section of the regulations	Description	Amount (including VAT)
2(1)(t)	Registration Fee (assessors, moderators and verifiers)	R 200-00
2(1)(u)	Registration Fee (learner)	R 250-00
2(1)(v)	Registration Fee (practitioner)/category	R 400-00
2(1)(w)	Registration Fee (section 56 registration) (pending promulgation of regulations)	Pending
2(1)(x)	Remarking Fee (exam paper)	R 890-00
2(1)(aa)	Transcript of Training Fee	R 2 030-00
2(1)(bb)	Verification Fee	R 2 030-00

Fees Payable by Institutions and Other Fees will be applicable from 1 January 2020.

Ms S. Mchunu



Registrar and CEO

02 - 05 - 2019

South African Nursing Council

BOARD NOTICE 81 OF 2019**NATIONAL DEVELOPMENT AGENCY ACT, 1998 (AS AMENDED BY ACT NO.6 OF 2003)****APPOINTMENT OF THE MEMBERS OF THE NATIONAL DEVELOPMENT AGENCY BOARD**

In terms of Section 5(2) and (4) of the National Development Agency, 1998 (Act No. 108 of 1998 as amended), notice is hereby given for general information of the names of the new members of the National Development Agency Board and the date of commencement of their term of office.


The following persons have been appointed as members of the National Development Agency Board for a period of one year commencing from 1 April 2019 to 31 March 2020:

Government Representatives:

	Name and Surname	Department
1	Dr Zoleka Nobathembu Sokopo	Human Settlements
2	Ms Sarah Ntsau Olga Choane	Trade and Industry
3	Prof Roseline Lynette September	Social Development
4	Ms Marie-Louise Neolene Samuels	Basic Education
5	Ms Carmen-Joy Abrahams	Public Works

Civil Society Organisations:

6	Ms Judy Hermans
7	Mr Abram Stefanus Hanekom
8	Mr Rasebusi Sidwell Mokgothu
9	Ms Zamandlovu Sharon Ndlovu
10	Mr Olwethu Sipuka
11	Mr Tebogo Flavius Mopeloa


Ms S SHABANGU, MP
MINISTER OF SOCIAL DEVELOPMENT
DATE: 27/05/2019

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