

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3675

14 July 2023

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

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that land rights were lost on the farm Spitskop 410 KQ, located within the Moses Kotane Local Municipality, Bojanala District, North West Province and the farm Nooitgedacht 11 JQ, located within the Thabazimbi Local Municipality, Waterberg District, Limpopo by the Originally Dispossessed Individual (ODI), the deceased Mr. Ranneile Tau.

The Commission of Restitution of Land Rights received a land claim lodged by Ms. Setobanki Jacobeth Lehabe on behalf of her grandfather, the deceased Mr. Ranneile Tau, on the 4th February 1998. The land claim was in respect of the farm Zwartklip 405 KQ, located within the Thabazimbi Local Municipality, Waterberg District, Limpopo. However, upon thorough investigations, it emerged that the land rights were lost on the below-mentioned properties.

FARM	OWNER	TITLE NUMBERS	DEED	EXTENT (ha)	ENDORSEMENTS	HOLDERS	CLAIMANT
PORTION 1 OF THE FARM SPITSKOP 410 KQ	REPUBLIC OF BOPHUTHATSWANA	T34032/1946BPPTA		1468.1900	K2239/2001RMPTA	THUNGELA OPERATIONS PTY LTD	SETOBANKI JACOBETH LEHABE
PORTION 2 OF THE FARM SPITSKOP 410 KQ	REPUBLIC OF BOPHUTHATSWANA	T11320/1918PTA T528/1987PTA T6771/1912PTA T525/1987PTA		1468.1900 (CLAIMANTS LOST RIGHTS ON 7 645 SQM – FAMILY RESIDENTIAL SITE AND 14 411 SQM – COMMUNAL KRAALS)	VA1027/1987BPPTA	BAKGATLA TRIBE	LEHABE SETOBANKI JACOBETH
REMAINING EXTENT OF THE FARM NOOITGEDACHT 11 JQ	RAKGASE MAMPHOPHA DAVID	T9483/2020		1519.1103 (CLAIMANTS LOST RIGHTS ON 50 SQM – FAMILY GRAVE SITE AND 34 HECTARES – COMMUNAL GRAZING AREA)	K2366/1992RMPTA	SAMANCOR	LEHABE SETOBANKI JACOBETH

PORTION 1 OF THE FARM NOOITGEDACHT 11 JQ	RAKGASE MAMPHOPHA DAVID	T9484/2020	1560.6762	NONE	NONE	SETOBANKI JACOBETH LEHABE
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The Regional Land Claims Commissioner: Limpopo has investigated this claim and any party that has an interest on the above-mentioned property is hereby invited to submit in writing, within **90** days of publication of this Notice, comments; information or objection under reference number **KRP R0134** to:

Submissions may also be delivered to:

Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X 9552
Polokwane
0700

13th - 15th Floors, Nedbank Thabakgolo Building
50-58 Landros Mare Street
POLOKWANE
0699


LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2023/06/10

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3676

14 July 2023

GENERAL NOTICE IN TERMS OF SECTION 11(1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED.

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that claims for Restitution of Land Rights were lodged by the below mentioned two individual land claimants, on the farm Steelpoordrift 365 KT, situated within the Greater Tubatse Local Municipality, Sekhukhune District of the Limpopo.

All these claims were lodged on the 02/12/1998.

The office of the Regional Land Claims Commissioner: Limpopo is processing these claims. Preliminary investigations indicate that the land claimants were not dispossessed of land rights from Steelpoordrift 365 KT but from the property as mentioned below:

No	Details of the land claimant	Claim reference	Property where the claimants were dispossessed of land rights from
1.	Miya Salome Maatseleng	KRP 4589	Badfontein 114 JT
2.	Miya Katishi Doni Paulas	KRP 4629	

The above-mentioned property is situated within the Thaba Chweu Local Municipality, in the Mpumalanga Province.

All interested parties should take note that the office of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **30** days of publication of this notice, any comment, and / or objection to the Office of the Regional Land Claims Commissioner: Limpopo at the addresses set out below, citing the above-mentioned claim reference numbers:

The Regional Land Claims Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

Submissions can also be hand delivered to:
Koos Smit Building 61 Biccard Street/
13th – 15th Floor Thabakgolo Nedbank Building,
50-58 Landros Mare Street
Polokwane
0700



MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER

DATE: 2023/06/10

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3677

14 July 2023

NOTICE OF GAZETTE INTERMS OF SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO 22 OF 1994), AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, that a claim for Restitution of Land Rights has been lodged on part of the Remaining Extent of the farm Secrabje 470 MS situated within the Musina Local Municipality, Vhembe District, Limpopo Province. The Land claim was lodged on the 19th of December 2022.

Details of Lodgment

KRP NO.	CLAIMANT	ID NUMBER.	CLAIMED PROPERTY
1078	Mr Tshihhula Towane Simon	1604045091087	Remaining Extent of the farm Secrabje 470 MS

Preliminary investigations that were done by the office of the Regional Land Claims Commissioner. Limpopo indicates that the claimant was dispossessed of land rights from the Remaining Extent of the farm Secrabje 470 MS.

Detailed information of the Remaining Extent of the farm Secrabje 470 MS is indicated on the table below.

Farm name	Current owner	Extent in Hectares	Title Deed	Encumbrances	Holder
Remaining extent of the farm Secrabje 470 MS	Otto Eiedomsbeleggings PTY LTD	627,0446	T2552020	B151/2020 K3366/1980SPTA K427/1993SPTA K4848/1992SPTA K5806/1993SPTA K5807/1993SPTA K5808/1993SPTA VA1375/2019 Converted from PTA MS. 470	Absa Bank LTD - - - Route description of K5806/93S - Otto Michael Albertues -

All interested parties should take note that the Office of the Regional Land Claims Commissioner. Limpopo is investigating this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within 30 days of publication of this notice, any comment, objection or information under KRP No. 1078 as the reference number to:

The Regional Land Claims Commissioner, Limpopo
Private Bag X 9552
Polokwane
0700

Submissions may also be delivered to:
Koos Smit Building
61 Biccard Street
Polokwane
0700

OR

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


MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2023/06/10

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3678

14 July 2023

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

Notice is hereby given in terms of section 11(1) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended, that a land claim for restitution of land rights has been lodged on the farms, Kromellenboog 132 KT, Waterkop 113 KT and Twickenham 114 KT, situated within the Fetakgomo - Tubatse Local Municipality, Sekhukhune District, Limpopo. The claim was lodged by the late Mr. Winter Christiaan Theodor on behalf of Winter family before the cut-off date of 31 December 1998.

The details of the properties are as follows:

Farm Name	Portion	Current registered owner	Title Deed	Extent	Bonds/Endorsements	Holder
Kromellenboog 132 KT	0 Remaining extent	National Government of the Republic of South Africa	T56533/2009 PTA	7896.922 H	I-12922/2012CPTA	Thungela PTY LTD Operations
					KT.132PTA	
					K2871/2001RMPTA	
					K3691/1991RMPTA	
					K4794/2003RMPTA	
					K7876/2003RMPTA	
Twickenham 114 KT	0 (Remaining Extent)	National Government of the Republic of South Africa	T8670/1948PTA	3167.8936 H	VA1832/91PTA	SAMANCOR LTD Thungela Operations PTY LTD
					VA3660/2001PTA	
					LEBOWA	
					KT.132.1PTA	
					Converted from PTA	
					Released area	
					I-12922/2012 CPTA	
					KT.114PTA	
					K143/2000SPTA	
					K157/1948RMPTA	
Waterkop 113 KT	0 (Remaining Extent)	National Government of the Republic of South Africa	T7711/1928PTA	2071.3085 H	K1525/2008SPTA	Rustenburg Platinum Mines LTD T8670/1948
					K1919/2005SPTA	
					K43/2002RMPTA	
					K4830/2001RMPTA	
					K5143/2012LPTA	
					VA6884/1997PTA	
					LEBOWA	
					I-2915/2014CPTA	
					KT.113PTA	

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3679

14 July 2023

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

Notice is hereby given in terms of section 11(1) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended, that a land claim for restitution of land rights has been lodged on the farm Tigerhoek 140 JS. The land claim was lodged by Chief Madiete Frans Makua on behalf of Bakwena Ba Makua tribe before the cut of date of 31st of December 1998. Preliminary investigations indicate that the land claimants were dispossessed of land rights from Remaining extent of the farm Tigerhoek 140 JS. Detailed Deeds information of this property is as follows:

No.	Farm Name	Owner	Extent/Hectares	Title deed	Endorsements	Holder
1.	Remaining extent of the farm Tigerhoek 140 JS	Ortus Boerdery Pty Ltd	121.8501 Hectares	T9272/2017	I-1961/2016C K220/2011S K7357/2001RM	Susanna Magdalena Van Der Woude

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is investigating this claim. Any party that has an interest in the above-mentioned properties is hereby invited to submit in writing within 30 (thirty) days of publication of this notice, any comment, and/or objection to this claim to the Regional Land Claims Commissioner at the addresses set out below under **KRP NO:1817**.

Office of the Regional Land Claims Commissioner: Limpopo or Submissions may also be delivered at:
Private Bag X9552
POLOKWANE
0700
Koos Smit Building
61 Biccard Streets
POLOKWANE, 0700

MR LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
COMMISSION ON RESTITUTION OF LAND RIGHTS

DATE: 2023/06/08

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3680

14 July 2023

NKOSI FAMILY AFFIDAVIT

I Jabulani Walter Nkosi ID No. 651207 5408 086 staying at stand No.2800, Thokoza, 1427 Contact Number: 0826826504/ 0656429719

Hereby state under the oath that:

My grandfather (Mr. Fanie Nkosi) arrived on the farm Biskop around 1937 and he was coming from the place known as Nyibe and went to build his own household. At that time he was married to Emma Khumalo and had four children, namely: Phillip Msongelwa Nkosi, Sarah Magciya Nkosi, Christian Nkosi and James Germiston Nkosi.

On his arrival he acquired a piece of land for residential, farming, grazing and burial. His neighbouring families were Malaza, Zulu, Mashinini and Thwala. The farm was an open land without any restriction.

My grandfather had a livestock of cattle ±20, goats and chicken. He was also ploughing maize, potatoes, cabbages, and pumpkin for food security and selling some of the vegetables to get cash for providing his family. He stayed on the farm until around 1941 when he decided to find work in Johannesburg. That's when he left my grandmother with all his children, but he was still coming to check on them.

My grandfather came back to stay on the farm when retired from working and started ploughing vegetable and sell them to around the area and some other people from neighbouring farm use to come and buy from him. Around the year 1952 my grandfather (Fani Nkosi) passed away but the Nkosi family continued to stay on farm.

Other families were working on the neighbouring farms. The farm Biskop was mostly used for settlement. Then around 1974 the Kangwane Government started to give a notice to all the families that were staying on the farm and told them to leave the farm. This continued until around 1976 when my family was given the last notice to move from the farm.

Around 1976 as a family my grandmother Emma Khumalo, her children and grandchildren we did not have a choice than to leave the farm and relocated to Dundonald. And my father Msongelwa Phillip Nkosi (claimant) also witnessed the

dispossession. During dispossession they were never compensated nor assisted with transport when they moved from the farm.

I know and understand the content of this declaration.

I have no objection in taking the prescribed oath.

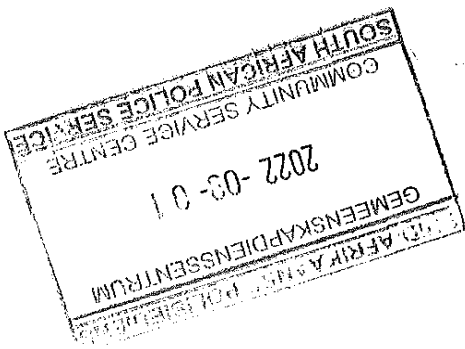
I consider the prescribed oath to be binding on my conscience.

SIGNED AT EMELO Date 01 SEPTEMBER TIME 13H 15

[Signature]
Signature of deponent

I certify that the above statement was taken by me and that the deponent acknowledged that he/she knows and understand the content of this statement. This statement was sworn to before me, and deponent's signature was placed here-on in my presence at

EMELO On this 01-09-01 day of _____ 2022



[Signature]
COMMISSIONER OF OATH

Full Name & Surname
24 TAN JAW REBECK

Address:
CONSTABLE

Rank

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 3681

14 July 2023

**WORLD HERITAGE CONVENTION ACT, 1999
(ACT NO. 49 OF 1999)****INTENTION TO DECLARE MANAGEMENT AUTHORITY FOR THE FOSSIL HOMINID SITES OF STERKFORTEIN, SWARTKRANS, KROMDRAAI AND ENVIRONS (CRADLE OF HUMANKIND) WORLD HERITAGE SITE, A COMPONENT OF THE FOSSIL HOMID SITES OF SOUTH AFRICA WORLD HERITAGE SITE IN TERMS OF THE WORLD HERITAGE CONVENTION ACT, 1999 (ACT NO. 49 OF 1999)**

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby, in terms of section 7 read with section 8 of the World Heritage Convention Act, 1999 (Act No. 49 of 1999), consult on my intention to declare the Member of Executive Council responsible for Economic Development in the Gauteng Province as the Management Authority for the Cradle of Humankind World Heritage Site for a period of five years subject to a performance review.

The Management Authority shall exercise those powers and duties referred to in sections 13(1) and (2) of the World Heritage Convention Act, 1999 (Act No. 49 of 1999). In order for the Management Authority to be able to perform its duties, I furthermore intend to declare that sections 33, 35, 36, 37, 39, 40(1) and (2), and 42 of the World Heritage Convention Act, 1999 (Act No. 49 of 1999) shall apply.

Members of the public are invited to submit to the Minister, within 30 days, from the date of the publication of this notice in the *Gazette*, written comments on this notice to any of the following addresses:

By post: The Director-General: Department of Forestry, Fisheries and the Environment
 Attention: Ms Thumeka Ntloko
 Private Bag X447
 PRETORIA
 0001

By hand at: 473 Steve Biko Street, Arcadia, Pretoria, 0083.

By e-mail: **tntloko@environment.gov.za/nbhengu@environment.gov.za**

Any inquiries in connection with the notice can be directed to Ms T. Ntloko at **012 399 9531**.

Comments received after the closing date may be disregarded



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**GENERAL NOTICE 1916 OF 2023**

Block A | 4th Floor | Meintjiesplein Building | 536 Francis Baard Street | Arcadia | 0002
Private Bag X935 | Pretoria | 0001
Tel: 012 341 1115 | Fax: 012 341 1811/1911
<http://www.namc.co.za>

**POMEGRANATE INDUSTRY
APPLICATION FOR THE CONTINUATION OF STATUTORY
MEASURES ON POMEGRANATES**

NAMC REQUESTING COMMENTS

On 30 June 2023, the Minister of Agriculture, Land Reform and Rural Development received a request from the Pomegranate Association of South Africa (POMASA) for the implementation of statutory measures (levies, records and returns and registration) in the pomegranate industry for four years effective from 1 January 2024.

POMASA requested for the introduction and promulgation of the following statutory measures in the pomegranate industry, namely -

- Section 15 of the Marketing of Agricultural Products Act (MAP): Levies;
- Section 18 of the MAP Act: Records and returns; and
- Section 19 of the MAP Act: Registration.

POMASA indicated that the proposed statutory levy will finance the following functions, namely –

- Research projects, information, and technology transfer;
- Market information, statistics, and logistical efficiencies;
- Trade and market access issues;
- Communication;
- Transformation and Training; and
- Administration.

The proposed statutory measures relating to records & returns and registration of the relevant role players with POMASA is necessary to assist the administrator to ensure that continuous, timeous and accurate market information relating to the pomegranate industry is available to all role players.

The proposed statutory levy amount:

Pomegranates	Current 2023	2024	2025	2026	2027
Fresh extra class and class 1 Export, import and local sales	16c/Kg	17c/K	17c/Kg	18c/Kg	18c/Kg
Processing class and class 2 Export, import and local sales	10c/Kg	11c/Kg	11c/Kg	12c/Kg	12c/Kg

Pomegranates estimated production (kg):

Pomegranates	2024	2025	2026	2027	Total
Extra class and class 1	2 700 000	3 024 000	3 386 880	3 793 306	12 904 186
Processing and class 2	6 300 000	7 056 000	7 902 720	8 851 046	30 109 766
Domestic	20 000	22 400	25 088	28 099	95 587

POMASA's estimated annual income for the four-year period 2024 to 2027:

Income per year:	2024	2025	2026	2027
Class 1 & 2 exports	R459 000	R514 080	R609 638	R682 795
Class 1 & 2 imports	R693 000	R776 160	R948 326	R1 062 126
Processed	R 2 560	R2 867	R3 462	R3 878
Total income	R1 154 560	R1 293 107	R1 561 427	R1 748 798

POMASA's proposed budget:

Expenses	2024	2025	2026	2027	%
Technical Research, development and transfer	R346 368	R387 932	R468 428	R524 639	30%
Statistic and information	R115 456	R129 311	R156 143	R174 880	10%
Transformation and training	R230 912	R258 621	R312 285	R349 760	20%
Market access and development	R346 368	R387 932	R468 428	R524 639	30%
Administration	R115 456	R129 311	R156 143	R174 880	10%
Total	R1 154 560	R1 293 107	R1 561 427	R1 748 798	

Directly affected groups in the pomegranate industry, are kindly requested to submit any comments, in writing, regarding the proposed statutory measures, to Mathilda van der Walt

(mathildavdw@namc.co.za) on or before 4 August 2023, to enable the Council to finalise its recommendation to the Minister in this regard.

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**GENERAL NOTICE 1917 OF 2023****CONSUMER ADVISORY PANEL REGULATIONS**

The Independent Communications Authority of South Africa (“the Authority”) hereby publishes the Consumer Advisory Panel Regulations in terms of section 4, read with section 71 of the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended, to the extent reflected in the Schedule.

A copy of the Regulations will be made available on the Authority’s website at <http://www.icasa.org.za>.

A handwritten signature in black ink, appearing to read 'Yolisa Kedama', written over a horizontal line.

Yolisa Kedama**Acting Chairperson****ICASA**

SCHEDULE

1. DEFINITIONS

In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the Act or the Independent Communications Authority of South Africa Act, 2000 (Act 13 of 2000), as amended shall have the meaning so assigned, and the following words and expressions shall have the meaning set out below:

"Act" means the Electronic Communications Act, 2005 (Act No. 36 of 2005) as amended;

"Authority" means the Independent Communications Authority of South Africa;

"Chairperson" means a Panel member appointed by Council to chair the Panel;

"Consumer" means a subscriber, end-user or person making use of a service licensed (or exempted) under Chapter 3 of the ECA or in terms of Chapter 3 of the Postal Services Act.

"Community of interest" means a group of persons or sector of the public having a specific ascertainable, common interest, the distinctive feature of the group being the common interest that makes such a group of persons or sector of the public an identifiable community;

"Council" means the Council appointed in terms of section 5 of the ICASA Act;

"ICASA Act" means the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000), as amended;

"Panel" means the Consumer Advisory Panel established in terms of section 71 of the Act;

"Panel member" means a member referred to in regulation 5 of these Regulations; and

"SMME" has the meaning assigned to it in the Act.

2. PURPOSE OF REGULATIONS

The purpose of these Regulations is to:

- (a) establish the Panel;
- (b) set out the criteria and process for the appointment, disqualification, and removal of Panel members; and
- (c) set out the roles and responsibilities of the Panel.

3. ESTABLISHMENT AND FUNCTIONS OF THE PANEL

- (1) The Authority hereby establishes the Consumer Advisory Panel in terms of section 71 of the Act to advise the Authority on matters relating to consumer issues in the Republic.
- (2) The functions of the Panel shall include the following:
 - (a) preparation and submission of quarterly and annual advisory reports to the Authority, on consumer related issues resulting from the usage of electronic communications, broadcasting, and postal services, which include:
 - (i) critical concerns affecting consumers with particular emphasis on persons with disabilities, senior citizens, women, youth, and people living in underserved areas; and
 - (ii) research on issues affecting consumers and report findings.
 - (b) providing a consumer perspective through commentary on relevant Regulations and regulatory projects when published for public comment;
 - (c) liaising and engaging with consumers on a quarterly basis to understand consumer perspectives on issues impacting the electronic communications, broadcasting and postal services sectors; and
 - (d) preparing the Panel's annual plan and budget for approval by Council.
 - (e) reporting quarterly and annually to Council through the Panel's Chairperson on activities and findings for the year.

4. THE APPOINTMENT PROCESS OF THE PANEL

- (1) The Authority shall call for the nomination of Panel members from members of the public for suitable candidates following an advertisement on the Authority's website, media platforms and/or national newspapers.
- (2) The nominations must take into consideration the following:
 - (a) representation of a community of interest;
 - (b) knowledge and understanding in the fields of consumer legislation and rights, law, economics, engineering, communications, academia, labour, or any other relevant experience in the field of consumer protection; and
 - (c) knowledge and understanding of the electronic communications, broadcasting and postal services sectors.
- (3) Panel members must represent a consumer segment or work in an environment that provides the member with relevant electronic communications, broadcasting or postal services sector consumer insight which will aid and enhance the Authority's consumer protection mandate.

5. MEMBERSHIP OF THE CONSUMER ADVISORY PANEL

- (1) The Authority will appoint nine (9) members to the Panel.
- (2) The Authority will appoint one (1) of the members to be the Chairperson of the Panel.
- (3) The Chairperson holds office for a period of four (4) years as from the date of his or her appointment as Chairperson.
- (4) The Chairperson may at the end of his or her term of office be re-appointed for one (1) additional term of four (4) years only.
- (5) The other members of the Panel hold office for a period of three (3) years as from the date of their appointment.
- (6) The other Panel members may at the end of their term of office be re-appointed for one (1) additional term of three (3) years only.

6. RESIGNATION

- (1) A Panel member may at any time, upon submitting at least one (1) month's written notice, tender his or her resignation to the Authority.
- (2) Where a Chairperson resigns, the Authority may appoint a Chairperson or an acting Chairperson from any of the remaining Panel members for the remainder of his or her existing term of office.
- (3) Where a Panel member resigns, the Authority will call for the nomination of a replacement of the vacant position created by such resignation.

7. ELIGIBILITY OF PANEL MEMBERS

- (1) Panel members must have a minimum of five (5) years' experience in the electronic communications, broadcasting and/or postal services sector.
- (2) In addition to the requirement of sub-regulation (1) above, the Authority will consider appointing representatives from organisations that represent the interests of the following groups:
 - (a) women;
 - (b) youth;
 - (c) persons with disabilities;
 - (d) SMME; and/or
 - (e) community-based organisations or non-governmental organisations.

8. DISQUALIFICATION

A person may not be appointed as a Panel member if he or she:

- (a) is not a citizen of the Republic; or
- (b) is not a permanent resident of the Republic; or
- (c) is a member of Parliament, a provincial legislature or municipal council; or
- (d) is an office-bearer or employee of a party, movement, or organisation of a party-political nature; or

- (e) has a spouse or partner who has a direct or indirect financial interest in the electronic communications, broadcasting, or postal services sectors; or
- (f) is declared by a court of law as mentally ill or disordered; or
- (g) is an unrehabilitated insolvent; or
- (h) has been convicted of an offence, after the commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and sentenced to imprisonment without the option of a fine; or
- (i) has at any time been removed from an office of trust on account of misconduct.

9. REMOVAL OF PANEL MEMBERS FROM OFFICE

- (1) Subject to a decision of Council, a Panel member may be removed from the Panel on account of:
 - (a) misconduct;
 - (b) inability to perform his or her role as a Chairperson, acting Chairperson or Panel member;
 - (c) absence from three consecutive meetings of the Panel without tendering a written apology to the Chairperson, except on good cause shown;
 - (d) his or her disqualification as contemplated in regulation 8;
 - (e) bringing the Panel or Authority into disrepute;
 - (f) failure to disclose a conflict of interest.
- (2) Where a Panel member is removed from office, the Authority will call for the nomination of a replacement of the vacant position created by such removal.

10. INDUCTION OF PANEL MEMBERS

The Authority will induct Panel members on how it conducts its business and what is expected of Panel members before the Panel commences with its advisory work.

11. FUNCTIONS OF THE CHAIRPERSON

The Chairperson must:

- (a) allocate and manage the work of the Panel;
- (b) chair meetings and ensure that all meetings are noted with minutes;
- (c) sign off on written submissions on behalf of the Panel;
- (d) submit quarterly and annual reports to Council on behalf of the Panel;
- (e) review and assess the performance of Panel members on a quarterly and annual basis; and
- (f) monitor the budget utilisation of the Panel.

12. FUNCTIONS OF PANEL MEMBERS

The Panel members must:

- (a) identify issues affecting consumers in the electronic communications, broadcasting and postal services sectors;
- (b) contribute to the work of the Panel as assigned;
- (c) attend meetings and activities of the Panel;
- (d) provide advise to the Authority on issues affecting consumers;
- (e) carry out research on issues affecting consumers;
- (f) fulfil the objectives set out in the Terms of Reference; and
- (g) contribute information on its work to the Authority's annual report to ensure that issues affecting consumers are reflected.

13. MEETINGS OF THE PANEL

- (1) The Panel must meet once in a quarter.
- (2) Where there is a need for additional meetings, such must be requested and approved by the Authority.
- (3) The Chairperson may make a request to the Authority to hold additional meetings and provide motivation for such further meetings.

14. AGENDA OF MEETINGS

The Chairperson shall prepare meeting agenda/s, which shall be circulated with any relevant supporting documentation at least seven (7) working days prior to each meeting.

15. QUORUM OF MEETING

- (1) The quorum of the Panel shall consist of the majority of Panel members serving, including the Chairperson.
- (2) In the absence of the Chairperson, Panel members in attendance may elect a Panel member to chair the meeting.

16. VENUE OF MEETINGS

The meetings of the Panel shall be held online and/or at a date, place and time determined by the Chairperson, in consultation with the Authority.

17. DECLARATION OF INTEREST

- (1) A Panel member must declare any potential or existing conflict of interest.
- (2) A Panel member must recuse himself or herself from voting on or engaging in a discussion over a matter pending before the Panel, in which he or she has a direct or indirect interest.
- (3) A Panel member must declare a conflict of interest which arises during the course of his or her appointment.

18. MINUTES

- (1) Minutes of all Panel meetings must be adopted by the Panel and signed-off by the Chairperson.
- (2) The Authority will offer administrative support to all Panel activities.

19. DECISIONS OF THE PANEL

- (1) Decisions and/or recommendations of the Panel are to be taken by majority vote of the Panel members present at a meeting.
- (2) In the event of a split vote, the Chairperson has a casting vote in addition to his or her deliberative vote.

20. FUNDING OF PANEL ACTIVITIES

The Authority shall be responsible for funding the activities of the Panel as identified in the Panel's annual plan in line with the approved allocated budget and subject to the Authority's procurement processes.

21. REMUNERATION OF PANEL MEMBERS

Panel members will be remunerated at rates determined by the Authority from time to time for:

- (a) the attendance of meetings in line with regulation 13;
- (b) the attendance of special or other meetings at the written request of the Authority; and
- (c) any work performed in line with regulations 3, 11 or 12.

22. RECOMMENDATIONS OF THE PANEL

- (1) The Panel must consider relevant matters and prepare a submission with recommendations to the Authority.
- (2) Every recommendation of the Panel must be:
 - (a) recorded in writing;
 - (b) within the scope of these Regulations;
 - (c) based on reliable information; and
 - (d) submitted by the Chairperson to the Authority.

23. REPORTS BY THE PANEL

The Panel must:

- (a) submit a written report with respect to its findings, advice, and recommendations;
- (b) prepare and submit a written report on its activities and findings on a quarterly and annual basis or as directed by the Authority;
- (c) prepare written report/s no later than two weeks after each meeting of the Panel or any meeting with stakeholders; and
- (d) prepare and submit quarterly and annual report for submission to the Authority.

24. ENGAGEMENTS WITH OTHER CONSUMER BODIES

- (1) Upon the written approval of the Authority, the Panel may engage with regional and international consumer protection bodies with similar mandates to those of the Panel for knowledge-sharing.
- (2) The Chairperson must seek permission from the Authority before engagements with such said bodies.
- (3) The Authority may pay for Panel members' registration and membership fees where necessary.

25. TRAVEL AND ACCOMMODATION COSTS

The Authority may pay the travel and accommodation expenses of a Panel member, subject to prior arrangement with the Authority and in accordance with the Authority's Subsistence and Travel Policy.

26. CONFIDENTIALITY

Members of the Panel must not disclose any confidential information with regard to any matter which may come to their knowledge in the performance of their duties under

these Regulations, unless they are required by law or a court order to disclose such information.

27. INTERACTION WITH MEDIA AND PUBLIC

- (1) A Panel member must not issue media statements, comment in the media on the activities of the Panel or on any matter related to the work of the Authority.
- (2) All media enquiries on the Panel's activities or any matter relating to the Panel must be directed to the Authority.

28. TERMS OF REFERENCE

The Authority shall, after consultation with the Panel, develop Terms of Reference which will guide the Panel on how to execute its mandate.

29. REPEAL OF REGULATIONS

These Regulations repeal the Consumer Advisory Panel Regulations published in Government Gazette No 40725 of 28 March 2017, as amended by Government Gazette No 42725 of 27 September 2019.

30. SHORT TITLE AND COMMENCEMENT

These Regulations are called the Consumer Advisory Panel Regulations, 2023 and will come into effect on the date of publication in the *Government Gazette*.

INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**REASONS DOCUMENT ON THE CONSUMER ADVISORY PANEL REGULATIONS,
2023****1. INTRODUCTION**

- 1.1 The Independent Communications Authority of South Africa (“the Authority” or “ICASA”) acts in accordance with the empowering framework established by the Constitution of the Republic of South Africa¹, the Broadcasting Act², the Independent Communications Authority of South Africa Act (“the **ICASA Act**”)³, the Electronic Communications Act (“**ECA**”)⁴ and Postal Services Act⁵.
- 1.2 The Authority is empowered in terms of section 4 (1) of the ECA “to make Regulations with regard to any matter which in terms of the ECA or the related legislation must or may be prescribed, governed or determined by regulation”.
- 1.3 Section 4 of the ECA is read together with section 71 (2) of the ECA, to make regulations on the constitution of the Consumer Advisory Panel.
- 1.4 On 11 November 2022, the Authority published the Draft Consumer Advisory Panel Regulations (“the Draft Regulations”) in *Government Gazette* No. 47489 and called for interested persons to make written representations within thirty (30) working days.
- 1.5 The Authority extended the call for written comments through an extension notice published in *Government Gazette* No. 47729 of 15 December 2022.

¹ 1996.

² Act 4 of 1999.

³ Act 13 of 2000.

⁴ Act 36 of 2005.

⁵ Act 124 of 1998.

1.6 The Authority received four (4) written representations on the Draft Regulations by closing date of 16 January 2023 from the following interested persons:

1.6.1 Cell C (Pty) Ltd ("Cell C");

1.6.2 MTN (Pty) Ltd ("MTN");

1.6.3 Ms Josephine Mabotja ("Ms Mabotja"); and

1.6.4 Consumer Advisory Panel Committee ("CAP Committee").

Two stakeholders expressed their interest in making oral representations and after considering all the written submissions the Authority did not deem it necessary to hold public hearings given that the Authority received limited submissions which did not raise any issues which required further ventilation.

1.7 The Authority has considered and analysed the written submissions provided by the stakeholders and hereby publishes the reasons in support of the final Regulations.

1.8 This Reasons Document highlights the submissions received from stakeholders and sets out the relevant considerations and reasons which informed the Authority's decision to publish the final Regulations.

2. REASONS DOCUMENT

2.1 Ad Definitions

2.1.1 Submissions Received

2.1.1.1 Ms Josephine Mabotja ("Ms Mabotja") proposed that the definition of NGO and secretariat be added into the regulations.

2.1.2 **The Authority's Decision:**

2.1.2.1 The Authority has removed reference to the acronym "NGO" and has provided the full term "non-governmental organisations" in regulation 7 (2) (e).

In relation to the proposal to include a definition for "secretariat", the Authority does not deem it necessary considering that the term is not used in the body of the regulations. Secondly, the Authority at this point in time, does not envision the appointment of a secretariat.

2.2 **Ad Regulation 2 Purpose of the Regulations**

2.2.1 **Submissions Received**

2.2.1.1 Ms Mabotja proposed the deletion of sub-regulation (d) because it is already catered for in sub-paragraph (c).

2.2.2 **The Authority's Decision:**

2.2.2.1 The Authority has decided to amend regulation 2 by deleting sub-paragraph (d) as it is sufficiently captured in sub-paragraph (c).

2.3 **Regulation 3: Establishment of the Panel**

2.3.1 **Submissions Received**

2.3.1.1 MTN supported the functions of the Panel enumerated in the Regulations and proposed that the quarterly and annual reports submitted by the Panel to the Authority be made available to the public.

2.3.1.2 MTN further submitted that the timelines for the submission of the reports are adequate for the Panel to review for accuracy and finalisation. MTN supported sub-regulation 22 (2) that requires that the recommendations of the Panel must be based on reliable information. MTN further submitted that the effectiveness of the Panel will be largely influenced by the

unremitting administrative and financial support from the Authority for the proper functioning of the Panel.

2.3.1.3 Further, MTN noted that the Regulations covered the preparation of an annual plan and budget for Council approval.

2.3.1.4 Ms Mabotja proposed that Regulation 3 (2) (a) be amended to read as follows:

“(a) preparation and submission of quarterly, advisory and annual reports to the Authority, on consumer related issues resulting from the usage of Electronic Communications, Broadcasting, and Postal services, which includes:

(i) critical concerns affecting consumers especially youth, women, persons with disabilities, senior citizens and people living in underserved areas” (own emphasis).

2.3.1.5 Ms Mabotja proposed the deletion of regulation 3(2) (c), which outlines the Panel’s duty to promote consumer interests, with particular emphasis on persons with disabilities, senior citizens, women, youth, and people living in underserved areas when submitting their findings to the Authority. The proposal was made on the basis that sub regulation (2)(c) was a repetition of regulation (2)(a).

2.3.2 **The Authority’s Decision:**

2.3.2.1 A copy of the quarterly and annual reports can be sent via email upon request.

2.3.2.2 The Authority has considered the amendments proposed by Ms Mabotja and agrees with her that sub regulation (2)(c) is a repetition of sub regulation (2)(a)(i).

2.4 Ad Regulation 4: The appointment process of the Panel

2.4.1 Submissions Received

2.4.1.1 MTN supported the process of appointing the Panel members and recommended that the member nomination period be long enough and be sufficiently advertised and communicated to the public to facilitate participatory recommendations for eligible candidates.

2.4.1.2 MTN supported the minimum conditions that nominees must meet before they will be considered for the Panel positions.

2.4.1.3 Ms Mabotja proposed that the Authority allow prospective Panel members an opportunity to either apply for the vacant position or be nominated. She further submitted that most people know their skills and therefore there will be more CVs received by the Authority which will broaden the variety of skills.

2.4.1.4 Ms Mabotja further proposed that regulation 4 (2) (b) be amended to include knowledge of the fields of economics and engineering as a factor that nominations should take into consideration. Ms Mabotja further proposed that reference to NGO's be deleted as it does not constitute a field of knowledge and NGO's are represented in Regulation 7 (e).

2.4.2 The Authority's Decision:

2.4.2.1 Regarding the proposal to open the vacant positions for direct application by prospective applicants, it is envisioned that the CAP is made of members who represents designated groups as outlined in regulation 7 (2). In order to ensure their legitimacy, it is important that applicants be appointed by way of nomination as opposed to direct applications as proposed by Ms Mabotja.

- 2.4.2.2 The Authority agrees with Ms Mabotja's proposal to include economics and engineering as a skills requirement when nominating Panel members and has amended regulation 4 (2) (b).

2.5 **Ad Regulation 5: Membership of the Consumer Advisory Panel**

2.5.1 **Submissions Received**

- 2.5.1.1 MTN supported the suggested tenures for both the Panel members and the Chairperson, and further suggested the appointment of a deputy or vice Chairperson if the Chairperson is not available.
- 2.5.1.2 Ms Mabotja made a similar proposal to ensure that the Deputy Chairperson has the attributes and ensure continuity and consistency.
- 2.5.1.3 The CAP Committee appreciated the rationale for the reduction of panel members from eleven (11) to nine (9) members, but requested the Authority to consider the implications of a reduced panel. The CAP Committee explained in detail the implications that could affect a reduced Panel in their submission.
- 2.5.1.4 Ms Mabotja further proposed that regulation 5 (1) provide for the appointment of 15 Members to the Panel as opposed to 9 without further substantiation.

2.5.2 **The Authority's Decision:**

- 2.5.2.1 The Authority has made provision for the appointment of a new Chairperson or an acting Chairperson in the event the Chairperson resigns, as per Regulation 6 (2).
- 2.5.2.2 The Authority is operating under a reduced budget and that affects the available budget of the Panel. The Authority is of the view that the enhanced requirements of regulation 7 (1), requiring Panel members to have a minimum of five (5) years' experience in the electronic

communications, broadcasting and postal services sectors compensates for the reduction from eleven (11) to nine (9) members. The Authority is of the considered view that a reduced but well experienced Panel will be able to deliver its mandate and ensure that all members are contributing meaningfully to the work of the Panel.

2.6 Ad Regulation 6: Resignation

2.6.1 Submissions Received

2.6.1.1 MTN supports the recommended one (1) month written notice period for when Panel members resign. With regard to resignation of an acting or new Chairperson, MTN suggests that the notice period be amended to two (2) months, given the administrative process of replacing the Chairperson and the process of finalising projects and handing over.

2.6.2 The Authority's Decision:

2.6.2.1 The Authority notes MTN's suggestion of two (2) months written notice period for the Chairperson upon resignation. In terms of regulation 6 (2) the Authority is empowered to appoint a chairperson from the remaining Panel members and will thus not need to cater for additional time to replace the Chairperson or to facilitate a handover. The Authority is of the view that the proposed 1 month written notice as per regulation 6 (1) is sufficient for all Panel members including the Chairperson.

2.7 Ad Regulation 7: Eligibility of Panel members

2.7.1 Submissions Received

2.7.1.1 MTN supported the proposed minimum period of experience proposed in the electronic communications, broadcasting and postal sector as they believe the members should be fit and proper. MTN was also in favour of the Panel representing different groups in society. MTN has, however,

noted that representatives from industry were not explicitly included as potential Panel members, nor were industry representatives from the electronic communications, broadcasting or postal sectors appointed as Panel members. MTN believes that industry representatives have first-hand knowledge of products, technology and consumer insights that would assist the Panel and realise benefits for consumers. MTN proposed that the regulations explicitly provide for membership by industry representatives.

- 2.7.1.2 The CAP Committee proposed that the Authority replace the reference to experience in the ICT sector with electronic communications, broadcasting and/postal services sector and that the Authority scrutinise the five (5) year requirement during the shortlisting phase.
- 2.7.1.3 Ms Mabotja proposed a minimum of three (3) years' experience in the ICT sector to allow for the youth to participate.

2.7.2 **The Authority's Decision:**

- 2.7.2.1 The Authority notes MTN's proposal for the inclusion of industry representatives as panel members. However, in order to avoid potential conflicts of interest the members appointed to the panel should not represent specific market participants in order to ensure that they are able to act in the broader interest of consumers and the public at large.
- 2.7.2.2 The Authority noted the CAP Committee's submission, and reference to ICT sector has been replaced with electronic communications, broadcasting and postal services sector.
- 2.7.2.3 The Authority does not agree with the proposed three (3) years' experience proposed by Ms Mabotja, as it believes the five (5) years' experience proposed in the Regulations is more appropriate to bring into existence a well-experienced Panel which will advise the Authority on the basis of in-depth experience.

2.8 Ad Regulation 8: Disqualification

2.8.1 Submissions Received

2.8.1.1 MTN supported the conditions set out in the Regulations for disqualifying Panel members from occupying the position.

2.8.2 The Authority's Decision:

2.8.2.1 The Authority notes MTN's support of the conditions for the disqualification of Panel members.

2.9 Ad regulation 9: Removal of Panel Members from Office

2.9.1 Submissions Received

2.9.1.1 Ms Mabotja proposed that the Authority should revise regulation 9 (c) as follows: "absence from three consecutive meetings of Panel without acknowledgement of the Chairperson, except on good cause shown". She further submitted that Panel members were not subordinates and therefore need no approval to be absent from a meeting.

2.9.2 Authority's Decision:

2.9.2.1.1 The Authority notes and agrees with Ms Mabotja's comment and has accordingly amended Regulation 9 (c) to reflect that a panel member does not need the permission from the Chairperson, however the Chairperson does need to acknowledge the Panel member's absence from a meeting.

2.10 **Ad Regulation 10: Induction of panel members**

2.10.1 **Submissions Received**

2.10.1.1 MTN supported the introduction of the induction process which will facilitate Panel members becoming familiar with ICASA operations.

2.10.1.2 The CAP Committee also supported the induction of Panel members and proposed that the Authority include inducting Panel members on the Authority's strategic plan and high-level regulatory universe.

2.10.1.3 Ms Mabotja proposed that the Authority consider a special focus on organisational strategy, the roles of Council Committees, and linkages and regulations governing the organisation and the relevance of CAP's role.

2.10.2 **The Authority's Decision:**

2.10.2.1 Regulation 10 is open-ended, the scope of an induction is not limited, and the Authority is amenable to covering any relevant area of interest which may impact the role and responsibilities of the Panel.

2.11 **Ad Regulation 11: Functions of the Chairperson**

2.11.1 **Submissions Received**

2.11.1.1 MTN supported the duties enumerated for both the Chairperson and Panel members, but submitted that the duties should be obligatory, as failure to fulfil the duties without any reasonable justification should result in removal from office.

2.11.1.2 With regards to Regulation 11 (f) the CAP Committee proposed that the Authority replace the requirements of Chairperson to manage the budget with a monitoring role as the Chairperson does not have daily control of the budget.

2.11.1.3 Ms Mabotja proposed that the Authority delete the provision of Regulation 11 (f) given that the Panel only works in an advisory capacity on a part-time basis and is dependent on ICASA for its resources – the Authority’s finance department does not report to the Chairperson of the Panel. It is therefore impossible for the Chairperson to manage the budget. Ms Mabotja further submitted that the Chief Financial Officer is the Ex-officio Member of the Board and as an Accounting Officer he or she is accountable for ICASA governance inclusive of oversight of operational management and as such he or she manages the Budget or finances. According to Ms Mabotja, the Panel Members can only prepare an Annual Plan and Budget for approval by the Authority but has no capacity to manage the Budget as per reasons provided.

2.11.1.4 The CAP Committee proposed the insertion of an additional sub-regulation 11 (g): *“In the execution of its mandate the Panel may need to set up Working Groups to focus and facilitate its work between meetings of the full CAP”*. The CAP Committee further proposed that the Chairperson, as part of his or her function to allocate and manage the Panel’s work as per regulation 11(a) and (f), shall approve such Working Group meetings.

2.11.1.5 Further, the CAP Committee submitted that the reason for giving the Chairperson the responsibility to approve Working Group Meetings is to ensure that such decisions are made quickly as they are operational and essential to achieving the Panel Work Plan targets as the Chairperson is, in any event, already tasked with “monitoring” of the budgetary resources.

2.11.2 **The Authority’s Decision:**

2.11.2.1 The Authority notes MTN’s submission regarding the need to make the duties of the Chairperson obligatory. The functions of the Chairperson are already couched in mandatory terms given that regulation 11 emphasis that the Chairperson must carry out the duties enumerated in regulation 11 (a-f). Furthermore regulation 9 (1) (b) provides that a Panel member

may be removed from office on account of inability to perform the roles of Chairperson, Acting Chairperson or Panel member.

2.11.2.2 Having considered the CAP Committee and Ms Mabotja's submissions, the Authority has replaced the management requirement in relation to the budget with a monitoring requirement. The Authority is of the view that the Chairperson of CAP should be able to exercise the monitoring function as and when assigning tasks to the Panel members.

2.11.2.3 Further, The Authority is of the view that working groups can be included in the Panel's operational plan.

2.12 **Ad Regulation 12: Functions of the Panel**

2.12.1 **Submissions Received**

2.12.1.1 The CAP Committee proposed rewording of Regulation 12 (e) to only the carrying out of "preliminary" research on issues affecting consumers.

2.12.1.2 Ms Mabotja, without motivation, proposed regulation 12 (2) be amended to reflect that the Panel establish the following three Sub-Committees:

2.12.1.2.1 Stakeholder Engagement and Advocacy (Chairperson and 4 members);

2.12.1.2.2 Research and Regulations Analysis (Chairperson and 4 member); and

2.12.1.2.3 Strategy, Budget and Risk (Chairperson and 4 members).

2.12.2 **The Authority's Decision:**

2.12.2.1 The Authority is of the view that the Panel will have the necessary expertise (five years' experience in the electronic communications, broadcasting and postal services sector) to carry out the required research on issues affecting consumers beyond preliminary research findings.

2.12.2.2 Further, the Authority is of the view that Sub-Committees can be achieved through the Panel's workplans.

2.13 **Ad Regulation 13: Meetings of the panel**

2.13.1 **Submissions Received**

2.13.1.1 The CAP Committee submitted that the Authority must ensure that Panel meetings are made accessible to persons with disabilities.

2.13.2 **The Authority's Decision:**

2.13.2.1 The Authority notes the submission. The Authority is always sensitive towards the needs of persons with disabilities and will endeavour to cater for such needs on a case-by-case basis to enable affected Panel members to perform their functions.

2.14 **Ad Regulation 18: Minutes**

2.14.1 **Submissions Received**

2.14.1.1 The CAP Committee proposed that the Authority amend regulation 18 (2) to include offering of *secretariat* support towards all panel activities.

2.14.2 **The Authority's Decision:**

2.14.2.1 The Authority will provide administrative support afforded to the Panel and as explained in clause 0 above it is not necessary to revise regulation 18 (2).

2.15 **Ad Regulation 19: Decisions of panel**

2.15.1 **Submissions Received**

2.15.1.1 MTN submitted that it was in favour of the recommendations or decisions being determined through majority vote. The stipulated total number of Panel members, which is ten (10), will make the voting process more efficient, as the Chairperson or acting Chairperson will have a casting vote.

2.15.2 **The Authority's Decision:**

2.15.2.1 The Authority notes MTN's support for the Panel's decisions to be determined by a majority vote. The Authority points out, however, that regulation 5 (1) provides that the Authority will appoint nine (9) members of the Panel instead of the ten (10) stipulated by MTN.

2.16 **Ad Regulation 22: Recommendations of the panel**

2.16.1 **Submissions Received**

2.16.1.1 The CAP Committee recommended that the Authority should include an additional sub regulation that clarifies what the Authority does with the recommendations of the Panel. The CAP Committee submits that it is prudent to ensure that there is also an obligation on the Authority's part to provide visibility and regular feedback on how and what happens with these recommendations.

2.16.1.2 Further, the CAP Committee expressed that in its engagements with the Authority it has consistently expressed concern about the lack of engagement with some of the recommendations that it submits from time to time.

2.16.2 **The Authority's Decision:**

2.16.2.1 The Authority notes the concerns from the CAP Committee. The Authority considers all recommendations from the Panel and the Panel members may request for feedback on any of its recommendation.

2.17 **Ad Regulation 24: Engagements with other consumer bodies**

2.17.1 **Submissions Received**

2.17.1.1 MTN welcomed the proposal made in the regulation relating to collaboration with other consumer bodies as that will result in more coherent consumer services across the board, as well as giving the Panel the opportunity to learn from and add to the existing body of knowledge in the field. They further submitted that a collaborative position will be of benefit to the consumers and similarly placed consumer bodies.

2.17.1.2 Ms Mabotja proposed that regulation 24 (3) be amended to say that the Authority will as opposed to may pay for registration fees and membership fees required where necessary.

2.17.2 **The Authority's Decision:**

2.17.2.1 The Authority notes MTN's support in relation to Regulation 24 (1).

2.17.2.2 The Authority considered Ms Mabotja proposal but is of the considered view that it is within the Authority's discretionary powers to pay registration and membership fees for Panel members. The Authority will assess the necessity for such membership and registration payments request from time to time and advise members of its decision.

2.18 **Ad Regulation 25:**

2.18.1 **Submissions Received**

2.18.1.1 Ms Mabotja proposed that regulation 25 be amended to say that the Authority will as opposed to may pay the travel and accommodation expenses of a Panel member.

2.18.2 **The Authority's Decision:**

2.18.2.1 The Authority will consider request from Panel members and advise the Panel of its decision towards such request for travel and accommodation from time to time.

END

SOUTH AFRICAN RESERVE BANK**GENERAL NOTICE 1918 OF 2023****THE BANKS ACT, 1990 (ACT NO. 94 OF 1990 – “THE BANKS ACT”)****CONSENT GRANTED IN TERMS OF SECTION 34 OF THE BANKS ACT FOR A FOREIGN INSTITUTION TO ESTABLISH A REPRESENTATIVE OFFICE WITHIN THE REPUBLIC OF SOUTH AFRICA: CAPITAL INTERNATIONAL BANK LIMITED**

Notice is hereby given for general information, in accordance with the provisions of section 30 of the Banks Act, that Capital International Bank Limited, an institution that lawfully conducts business similar to the business of a bank in the Isle of Man, has been granted permission by the Prudential Authority (formerly the Office of the Registrar of Banks), in terms of section 34 of the Banks Act, to establish a representative office within the Republic of South Africa, with effect from 8 November 2022. The representative office referred to above is, however, not authorised to conduct the business of a bank in the Republic of South Africa.

Fundi Tshazibana

N Tshazibana
CEO: Prudential Authority

DEPARTMENT OF TRANSPORT

GENERAL NOTICE 1919 OF 2023

TRANSPORT APPEAL TRIBUNAL REGULATIONS, 2024

TRANSPORT APPEAL TRIBUNAL ACT, 1998 (ACT NO. 39 of 1998)

The following draft regulations are hereby published for public comment. All interested persons are invited to submit comments relating to them within 30 days from the date of publication hereof to:

The Director-General
Department of Transport
Private Bag X193
PRETORIA
0001

Attention: Mr KS Mudau
Room 3058, Third Floor
Forum Building, Struben Street, Pretoria
E-mail MudauKS@dot.gov.za
Tel: 012 309 3449

TRANSPORT APPEAL TRIBUNAL ACT, 1998 (ACT No. 39 OF 1998)**TRANSPORT APPEAL TRIBUNAL REGULATIONS, 2024**

I, Lydia Sindisiwe Chikunga, the Minister of Transport, after consultation with the Transport Appeal Tribunal hereby, in terms of section 17 of the Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998) (“the Act”) make the regulations in the Schedule hereto.

Ms L S Chikuga MP

Minister of Transport

Schedule

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ANNEXURE 1: Forms

ANNEXURE 2: Fees

Definitions

1. In these Regulations, any word or expression which is defined in the Act, the National Land Transport Act or the Cross-Border Road Transport Act has the same meaning and, unless the context indicates otherwise—

“Act” or “the Act” means the Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998).

“appeal” means any appeal lodged with the Tribunal in terms of the National Land Transport Act, Cross-Border Road Transport Act or Transport Appeal Tribunal Act;

“appeal fee” means the fee prescribed in Annexure 2;

“appellant” means any person appealing to the Tribunal in terms of the National Land Transport Act, Cross-Border Road Transport Act or Transport Appeal Tribunal;

‘chairperson’ means the chairperson of the Tribunal appointed under section 5 of the Act and includes any member thereof who is acting as chairperson under that section;

“Cross-Border Road Transport Act” means the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998);

“day” means any day which is not a Saturday, Sunday, public holiday or falls between the date of 15 December to 15 January;

“designated official” means an officer in the Department of Transport whom the Director-General has designated in terms of section 16(1) of the Act to perform the administrative and secretarial work of the Tribunal or to undertake investigations;

“directive notice” means a directive issued to a party to an appeal in terms of regulation 4(1);

“directive reply” means a reply submitted to the Tribunal by a party to an appeal in terms of regulation 4(2);

“entity” means the regulatory entity as defined in the National Land Transport Act or the Regulatory Committee as defined in the Cross-Border Road Transport Act, as the case may be, against whose act, direction or decision an appeal has been lodged;

“ITP” means an integrated transport plan contemplated in section 36 of the National Land Transport Act;

“National Land Transport Act” means the National Land Transport Act, 2009 (Act No. 5 of 2009);

“party to the appeal” means and includes the following persons:

- (a) the appellant;
- (b) the aggrieved applicant in the application relating to the act, direction or decision of the regulatory entity in question, if not the appellant;
- (c) the holder of any operating licence or permit affected by the act, direction or decision of the regulatory entity if not the appellant or aggrieved applicant;
- (d) any other person interested in or affected by such act, direction or decision, and
- (e) any person who was a party to or participated in the process leading up to the act, direction or decision which is the subject matter of the appeal, either as an applicant, objector or a person who submitted representations,

who has been identified as the appellant or a respondent in the notice of appeal or has been recognised as such by the Tribunal;

“planning authority” means a municipality that is a planning authority as defined in the National Land Transport Act;

“serve” means delivered to the person concerned by–

- (a) delivering a copy to the person personally;
- (b) leaving a copy at the place of residence or business of the person with a person apparently in charge of the premises who is apparently not less than 16 years of age;
- (c) delivering a copy to the place of employment of the person to a person who is apparently not less than 16 years of age;

- (d) in the case of a corporation, company or other juristic person by delivering a copy to a responsible employee thereof at its registered office or principal place of business or by affixing a copy to the main door of such office or place of business, or
- (e) by delivering a copy to an agent or representative appointed by the person to represent him, her or it at the proceedings before the regulatory entity, or
- (f) by sending a copy to the person by electronic mail to an e-mail address provided by the receiving person or his, her or its agent or representative.

Lodging of appeal

2. (1) An appeal in terms of section 92 of the National Land Transport Act, section 34 of the Cross-Border Road Transport Act or section 1 of the Transport Appeal Tribunal, as the case may be, must be lodged in writing with the Tribunal after being served on all parties to the appeal within 30 days of the date of the written notice whereby the relevant act, direction or decision of the relevant entity was communicated to the appellant or 30 days from the date when appellant became aware of decision in the absence of written notice but not more than 90 days when the act, direction or decision was made.

(2) The appellant must attach to the notice of appeal as an annexure a typed document setting out the grounds on which the appeal is based, which must refer to the applicable legislation where appropriate.

(3) An appellant lodging such an appeal must first pay the appeal fee and then submit proof of payment to the Tribunal with the original and nine copies of the completed notice of appeal (Form TAT 01 in Annexure 1), together with the information and documents specified in that Form and proof of service to the parties in the lodged appeal.

(4) An appellant must deliver a copy of the notice and accompanying documents by electronic mail (e-mail) to the other parties to the appeal and forward the proof of service to the Tribunal.

(5) The appellant must also submit a copy of the notice of appeal and accompanying documents, to the planning authority or authorities in whose areas of jurisdiction the relevant road transport services are or will be provided and to any person who made representations or lodged an objection to the application to which the appeal relates, and provide proof of such service to the Tribunal.

(6) Should the notice of appeal or lodging of the appeal not comply with the Act or these Regulations, the designated official receiving them must within 10 days of receipt of the

notice of appeal send a notice to the appellant specifying details of the non-compliance and asking the appellant to comply within seven days of sending of the notice.

(7) If the appellant does not comply with the notice referred to in sub-regulation (6) the Tribunal may, subject to the right of the appellant to apply for condonation in terms of section 13 (a) of the Act, remove the appeal from the appeal register if—

- (a) in its view substantial information is missing from the notice of appeal;
- (b) any of the required documents have not been attached to the notice of appeal, or
- (c) the appeal fee has not been paid.

(8) Where an appeal has not been removed from the appeal register in terms of sub-regulation (7), the designated official must allocate a reference number to the appeal and start the appeal proceedings.

(9) Application for suspension of an act, direction or decision of the entity must be made simultaneously with the lodging of the appeal in accordance with section 13(b) of the Act.

Appeal procedure: entity

3. (1) The designated official must send a notice of the appeal to the relevant entity and attached documents by electronic mail within 10 days after date of receipt of the notice of appeal.

(2) The relevant entity receiving such a notice of appeal must within 21 days after the date of receipt of the notice of appeal, forward to the Tribunal and to all parties to the appeal—

- (a) copies of all documents relating to the act, direction or decision appealed against;
- (b) a copy of the original application form submitted to the entity;
- (c) a copy of the portion of the *Government Gazette* wherein the application was published, if applicable;
- (d) any written representations or objections lodged with it in regard to the application;
- (e) any recommendations or comments received from planning authorities;
- (f) any maps and route descriptions that were considered;
- (g) a reference to any applicable ITPs that were considered, or reasons why applicable ITPs were not considered;
- (h) a transcript of the proceedings before it;
- (i) if applicable, copies of agreements relating to the application, and
- (j) any further documents that were considered during the application process.

(3) The relevant entity receiving such a notice of appeal must also within 21 days after the date of receipt of the notice of appeal, forward to the Tribunal and to all parties to the appeal its reasons in writing for the act, direction or decision appealed against.

(4) The chairperson may, in any particular case, extend the period contemplated in sub-regulation (2) or (3) on the written request of the entity concerned, but not for more than 14 days.

(5) The designated official must on receipt of documents contemplated in sub-regulations (2) and (3), verify with the parties as to whether they received the said documentation and if not, forward copies thereof to any person who made representations or lodged an objection to the application to which the appeal relates.

(6) Thereafter, the designed official must request parties to the appeal to make and forward their comments on the response documentation received from the entity within 10 days and to serve their comments to the Tribunal and to all the parties to the appeal.

(7) If the entity fails to provide the information set out in sub-regulations (2) or (3) within the period of 21 days prescribed in those sub-regulations, or any extended period granted in terms of sub-regulation (4), the Tribunal may—

- (a) proceed to hear the appeal on the basis of the lodged notice of appeal and attached documents, or
- (b) cause a summons in the form of Form TAT 03 shown in Annexure 1 to be served on the chairperson of such entity in accordance with section 14(1)(b) of the Act calling upon him or her to appear before the Tribunal and produce the documents referred to in sub-regulation (2) or (3), as the case may be.

Appeal procedure: parties

4. (1) The chairperson or his or her delegate may at any time after the filing of a notice of appeal in terms of regulation 2 issue a directive notice directing one or more of the parties to the appeal to send a directive reply that complies with sub-regulations (2) and (3) stating and curtailing the issues for consideration at the appeal hearing, being such issues as determined by the chairperson or his or her delegate and set out in the directive notice and must deliver such a reply if he, she or it wishes to raise or rely on any grounds or issues at the appeal hearing, and must set out those grounds or issues in the directive reply.

(2) A party who has been issued with a directive notice must comply therewith and send a directive reply to the Tribunal in writing that complies with sub-regulation (3) within 10 days from the date of issue of the directive notice: provided that any party to the appeal may deliver such a directive reply despite not having received a directive notice from the Tribunal.

(3) A directive reply—

- (a) must respond to the questions in the directive notice and state the facts which are in dispute, admitted or rejected that are material to the appeal;

- (b) must set out any other facts on which the parties propose to rely that are material to the appeal;
- (c) must provide details of witnesses if any, that the parties intend to call during the appeal hearing,
- (d) may attach a settlement agreement signed between the parties, and
- (e) may provide for any other issues for consideration by the Tribunal.

Appeal procedure: Tribunal

5. (1) Subject to sub-regulation (6) an appellant may at a hearing of an appeal rely only on the grounds and issues stated in the notice of appeal and may give only such evidence as was given before the relevant entity.

(2) Subject to sub-regulation (6), other parties to the appeal may at the hearing of the appeal also only rely on the grounds and issues stated in writing in their directive reply and any grounds or issues that were given as evidence before the relevant entity.

(3) An appellant who did not participate in the application, the outcome of which is the subject of an appeal, may at the hearing of the appeal rely only on the grounds stated in his or her notice of appeal and may give relevant evidence not given before the entity that considered the application.

(4) Any party not cited or joined in the appeal proceedings and appeared to have an interest in the outcome of the appeal, may apply to be joined in the appeal proceedings at the discretion of the Tribunal.

(5) The Tribunal may at any stage of the appeal proceedings, in its own discretion and on application by the appellant or any other party to the appeal, allow any document submitted by any party to be amended upon such terms as the Tribunal considers just.

(6) Despite sub-regulations (1) and (2), the Tribunal may allow, in special circumstances and on good cause shown, evidence not given before the relevant entity to be admitted.

(7) The designated official must send any directive notice or directive reply sent to a party to the appeal or filed by such a party with the Tribunal, as the case may be, to all other parties to the appeal by e-mail if they have not already received the same.

(8) The Tribunal may grant an order on any point which appears to be an issue in the appeal to be determined as a preliminary issue, and may, in appropriate circumstances, decide

on or dismiss the appeal in terms of section 12 of the Act based on its decision on such a preliminary issue.

(9) If in the opinion of the Tribunal, the determination of a preliminary issue will substantially dispose of the entire appeal, the Tribunal may treat the hearing of the preliminary issue as the hearing of the appeal and may grant such an order by way of disposing of the appeal as it deems fit.

(10) Any Notice or Reply filed by the parties to an appeal with the Tribunal must first be served on all other parties and proof of service must be furnished to the Tribunal.

(11) A party who is in default of any of the provisions of this Regulations shall not be heard in respect of any issue raised in such Regulations except on good cause shown to the Tribunal for its failure to comply.

(12) Where at a sitting of the Tribunal it has partly heard the merits of an appeal and further hearings are needed to finalise the appeal, the Secretariat must ensure that the members who constituted the Tribunal continue as members in subsequent sittings until the partly heard matters are finalised, except where a member is permanently or temporarily unable to participate as a member of the Tribunal.

(13) Sub-regulation (12) does not apply to the hearing of preliminary issues.

(14) A preliminary issue contemplated in sub-regulation (8) may be raised by any party to the appeal.

(15) The Tribunal may in its discretion postpone the hearing of an appeal or alter the place of any hearing of the appeal.

(16) If the Tribunal decides on or dismisses an appeal in terms of section 12 of the Act, or postpones an appeal or alters the place of any hearing in terms of sub-regulation (15), the designated official must notify all parties to the appeal of the Tribunal's decision in writing not later than 10 days after such decision.

(17) Any irregularity resulting from a failure to comply with any provision of these Regulations before the Tribunal has reached its decision does not in itself render the proceedings void.

(18) Any clerical mistake or error in any document recording a decision of the Tribunal, or any error arising in such a document from an incidental error or omission may be corrected by the person presiding at the proceedings in which the decision was made.

(19) (a) Before the commencement of any hearing of an appeal, members of the Tribunal must disclose any direct or indirect financial or personal interest that any of them may have in any matter before the Tribunal that may affect the impartiality of the member concerned.

(b) The chairperson may at his or her discretion after consideration of all disclosures, if any, contemplated in paragraph (a) make a ruling for the member to be recused from such hearing or make any other ruling that will ensure the impartiality of the Tribunal.

Time limit for appeal and condonation

6. (1) A notice of appeal must be lodged with the Tribunal within 30 days from the date of the written notice whereby the act, direction or decision of the relevant entity was communicated to the Appellant or in the case of an appellant who did not receive such written notice, within 30 days of the date when the appellant became aware of the decision but not later than 90 days from the date on which the act, direction or decision appealed against was taken.

(2) An appellant who fails to lodge an appeal within the period contemplated in sub-regulation (1) may apply to the Tribunal for condonation of the late filing of the notice of appeal in terms of section 13(a) of the Act, provided that—

- (a) the application for condonation is in writing and is lodged simultaneously with a duly completed notice of appeal with supporting documentation;
- (b) the application for condonation is accompanied by a supporting affidavit setting out the reasons for the late filing of the notice of appeal, with supporting documentation, if any, and
- (c) the notice of appeal, application for condonation and supporting affidavit, are received by the Tribunal not later than 90 days as contemplated in sub-regulation (1).

(3) The Tribunal must consider an application for condonation prior to the hearing of the appeal whether the application is opposed or not.

(4) A ruling by the Tribunal to condone an appellant's late filing of a notice of appeal allows the appeal to proceed as if it was properly filed.

Suspension of the operation of the act, direction or decision appealed against

7. (1) An application to suspend the operation of an act, direction or decision appealed against made in accordance with section 13(b) of the Act must be made simultaneously with the lodging of the appeal, must be in writing and be accompanied by—

- (a) a copy of the notice of appeal;
- (b) a copy of the application for condonation for late filing of the appeal made under regulation 6(2) where applicable;
- (c) an affidavit by the appellant showing good cause for suspending the decision appealed against, and
- (d) proof that the appellant has delivered a copy of the application to all parties to the appeal, either by means of an affidavit showing that the copy was delivered by hand to the relevant party or by proof that it was sent by registered post or e-mail.

(2) Any party to an appeal may give written notice to the Tribunal that he, she or it opposes an application contemplated in sub-regulation (1), except where the chairperson has already granted or refused such an application in terms of section 13(b) of the Act, and the chairperson may set down the question of such suspension for hearing by the Tribunal as a preliminary hearing before hearing the merits of the main appeal.

Appearance before Tribunal

8. (1) The Tribunal may summon any person to appear before it in terms of section 14(1)(b) of the Act by completing Form TAT 03 in Annexure 1.

(2) A summons contemplated in sub-regulation (1) must be signed by the chairperson or his or her delegate and must be served by a sheriff contemplated in the Sheriffs Act, 1986 (Act No. 90 of 1986) or an authorised officer as defined in section 1 of the National Land Transport Act.

(3) The sheriff or authorised officer must transmit a return of service or non-service, as the case may be, to the designated official.

(4) Any person who fails to comply with a summons is guilty of an offence as contemplated in section 15 of the Act.

Right to Representation

9. (1) A party to an appeal has the right to appear in person or to be legally or otherwise represented in proceedings before the Tribunal.

(2) A representative may be an attorney or advocate registered with the Legal Practice Council established by section 4 of the Legal Practice Act, 2014 (Act No. 28 of 2014), or any other person appointed by the party to the appeal that is named and appointed by the power of attorney shown as Form TAT 02 in Annexure 1 or a similar document authorizing such appointment.

(3) The represented party must notify the Tribunal of any withdrawal or change in representation and provide new details for communication and service of documents.

Notification of hearing

10. (1) The designated official sends a notice of a hearing at least 10 days before the hearing or such shorter period as may be agreed upon by all of the parties to the appeal, by electronic mail to—

- (a) the appellant or the representative of the appellant on record with the Tribunal;
- (b) the relevant entity;
- (c) all other parties to the appeal and
- (d) any person who has formally joined the proceedings.

(2) A notice contemplated in sub-regulation (1) must reflect—

- (a) the names of the appellant, the respondents and other party who has formally joined the proceedings;
- (b) the citation of the appeal, and
- (c) the date, time and venue of the hearing.

Postponement of proceedings, removal of appeal from roll and withdrawal of appeal

11. (1) The chairperson may on application by any party to the appeal grant a written request for postponement of a hearing, and such a request must contain reasons for the request and must reach the Tribunal at least 10 days before the scheduled date of the hearing.

(2) The chairperson may grant a postponement of the proceedings or remove the appeal from the roll upon good cause shown, either before or on the date of the hearing and may refuse the application for postponement or removal.

(3) If a postponement is opposed, the chairperson may request the parties to the hearing to make representations within three days before ruling on the matter.

(4) If the chairperson makes a decision to postpone proceedings or to remove the appeal from the roll, the designated official must give notice of such postponement or removal to all parties to the appeal, either telephonically or by e-mail, not later than three days after the Tribunal has taken that decision.

(5) If an appellant requests withdrawal of the appeal less than 10 days before the date of the hearing of the appeal, the appeal fee shall be forfeited.

Proceedings at hearings

12. (1) Save in the case of a preliminary issue raised in terms of sub-regulation 5(8), the chairperson must allow the appellant to present his, her or its case first, and thereafter the Tribunal must allow any other parties to the appeal to present their case, whereafter the appellant must be afforded an opportunity to respond to issues raised by such other parties.

(2) The relevant entity, having filed the reasons for its decision in writing, may not make further representations unless requested to clarify a particular issue by the Tribunal as it is *functus officio* during the appeal proceedings.

(3) The chairperson may allow any party to the appeal to tender evidence and to call witnesses, and the parties may be allowed to put questions to such witness at an appropriate time determined by the chairperson.

(4) The chairperson may request any of the parties to an appeal to confirm documentation in their possession that they intend using during the hearing by sending a notice to that party, who or which must respond within five days of receipt of that notice.

Hearing of appeal in absence of parties

13. (1) Where a notice of a hearing has been served in terms of regulation 10, the Tribunal may hear an appeal in the absence of the appellant or any other party to the appeal if—

- (a) the Tribunal is satisfied that the reasons provided to it by the appellant or other party are not of such a nature as to necessitate his or her attendance;
- (b) the appellant or other party has indicated to the Tribunal that he or she does not wish to be present at the hearing;
- (c) the appellant or any other party fails to attend the hearing without providing reasons at all or provides reasons that are unacceptable to the Tribunal;
- (d) the issues involved are of such a nature that the Tribunal may take a decision without hearing the appellant or other party;
- (d) the appellant or other party has submitted documents of a vexatious or frivolous nature,
- (e) the appellant or other party has applied for unwarranted or unnecessarily repetitive postponements of the hearing, or
- (f) the appeal was removed from the roll on two or more previous occasions and the Tribunal considers it in the interests of justice to dispose of the matter.

(2) Where the Tribunal proceeds with a hearing in the absence of the appellant or any other party to the appeal, the Tribunal may consider and determine the appeal on the strength of the information available to it at the time of the hearing.

Combined hearings

14. The Tribunal may decide that two or more appeals must be heard together where the parties to the appeal have so agreed, and where—

- (a) some common question of fact or law will arise, and
- (b) in the opinion of the Tribunal it will be practical and appropriate to proceed with the appeals at the same time,

Records of proceedings

15. (1) The Tribunal must keep a record of every appeal lodged, every document relating thereto and a summary of the proceedings and minutes of its hearings relating thereto, by means of shorthand notes or mechanically.

(2) The records referred to in this regulation must be disposed in accordance with the National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996).

(3) Records may be kept as hard copy, microfilm or in electronic format: provided that no such record may be stored in a format that can be changed from the original format without the use of encryption codes.

Decisions of Tribunal

16. (1) The Tribunal must within 21 days after the parties to the appeal have closed their cases or such extended period as may be determined by the Tribunal, finalise the decision of the hearing, but not later than 30 days after the parties have closed their cases.

(2) The Tribunal must within 10 days from the date the Tribunal has finalised its decision, notify the relevant entity and the parties to the appeal about the decision of the Tribunal.

(3) A decision of the Tribunal must be conveyed in writing by e-mail to the parties to the appeal and must include full particulars of the Tribunal's decision with reasons and set out whether the appeal fee or any part thereof is to be refunded or forfeited by the appellant.

(4) Where the Tribunal issues a directive to an entity in terms of section 12(5) of the Act, it must notify the Director-General in terms of section 12(6) of the Act by completing and sending Form TAT 04 in Annexure 1 and requesting the Minister, MEC or municipal council, as the case may be, to intervene in the matter.

Fees

17. (1) The appeal fees contemplated in section 11 of the Act are prescribed in Annexure 2.

(2) Where the Tribunal—

- (a) dismiss an appeal in terms of section 12(1)(a) of the Act, the appeal fee will be forfeited;
- (b) upholds an appeal in terms of section 12(1)(b) of the Act, the appeal fee or any part thereof as decided by the Tribunal must be refunded to the appellant;
- (c) partially upholds an appeal in terms of section 12(1)(c) of the Act, the appeal fee or any part thereof, may be refunded to the appellant at the discretion of the Tribunal.

(3) Where an appeal lodged with the Tribunal is withdrawn by the appellant less than 10 days before the hearing date, the appeal fee will be forfeited.

(4) Where the chairperson of the Tribunal refuses an application for condonation of the late filing of an appeal in terms of section 13(a) of the Act, the appeal fee must be refunded to the appellant.

(5) Where any act, direction or decision of the entity against which an appeal is lodged is set aside and referred back to the entity for reconsideration by the Tribunal in terms of section 12(1)(b)(ii) of the Act, the appeal fee must be refunded to the Appellant.

(6) Any person summonsed in terms of section 14(1)(b) of the Act to appear before the Tribunal in order to give evidence or to produce a book, plan or other document or object must be paid the witness fees that are paid to any witness attending or summonsed to give evidence in a civil case before a magistrate's court, subject to sub-regulation (7).

(7) No witness fees are payable to a state employee who attends a hearing in the course of his or her duties.

Repeal of Regulations

18. The Transport Appeal Regulations, 2012 published under Notice No. 26 of 17 January 2013 are hereby repealed.

Short title and commencement

19. These Regulations are called the Transport Appeal Tribunal Regulations, 2024, and come into operation on the date of their publication in the *Government Gazette*.

ANNEXURE 1: FORMS

FORM TAT 01	NOTICE OF APPEAL
FORM TAT 02	SPECIAL POWER OF ATTORNEY
FORM TAT 03	SUMMONS
FORM TAT 04	DIRECTIVE TO REGULATORY ENTITY OR REGULATORY COMMITTEE IN ACCORDANCE WITH SECTION 12(5) OF THE ACT



TRANSPORT APPEAL TRIBUNAL ACT 39 OF 1998

FORM TAT 01: NOTICE OF APPEAL

(PLEASE NOTE: *The notice of appeal recorded on this form TAT 01 must be completed in full, a clear answer must be furnished to each question and the Form must be submitted to the Tribunal in compliance with the Transport Appeal Tribunal Regulations, 2024, and to comply with the General Provisions in clause 8 below.*)

**1. APPEAL AGAINST THE ACT, DIRECTION OR DECISION OF:
(PLEASE TICK WHERE APPROPRIATE)**

Provincial Regulatory Entity (PRE)	National Public Transport Regulator (NPTR)	Municipal Regulatory Entity (MRE)	Regulatory Committee of the Cross- Border Road Transport Agency (CBRTA)	Other (specify)
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IN RESPECT OF: (PLEASE TICK WHERE APPROPRIATE)

OPERATING LICENCE NUMBER & EXPIRY DATE (OR STATE IF NEW APPLICATION)	DATE OF DECISION	DATE DECISION COMMUNICATED	REASONS PROVIDED
			YES / NO
APPLICATION FOR ADDITIONAL ROUTES			YES / NO
OTHER			YES / NO

2. DETAILS OF APPELLANT (PLEASE TICK WHERE APPROPRIATE)**SURNAME AND NAMES**

REGISTERED NAME OF COMPANY/CLOSE CORPORATION (CC) OR OTHER ENTITY

Identity/passport number (Attach copy of identity document/card/passport)

Registration number (Attach copy of the company's Certificate of Incorporation, proof of registration of close corporation, certificate of registration of trust or other)

Street address

Postal address

Business tel. no.

Cell no.

E-mail address

Vehicle Type (type of vehicle involved in the act, direction or decision appealed against):

N.B: (If there is more than one appellant, details must be set out in an annexure clearly marked as an annexure and attached)

3. NAME OF THE ENTITY THAT GAVE THE ACT, DIRECTION OR DECISION APPEALED AGAINST (FIRST RESPONDENT) AND OTHER RESPONDENTS

- 2.1 Name of entity: _____
- 2.2 Names of other respondents:
1. _____
 2. _____
 3. _____ (Add more if applicable)

4. APPLICATION FOR CONDONATION AND/OR SUSPENSION – WHERE APPLICABLE (PLEASE TICK WHERE APPROPRIATE)

		SUSPENSION	
YES	NO	YES	NO
(It is essential that the condonation and/or suspension application/s are set out in full with reasons as an annexure clearly marked "Annexure to Condonation/Suspension Application" (whichever is applicable, or both) and attached hereto.)			
Was the Appeal to the Tribunal lodged within 30 days from the date of act, direction or decision notice to the appellant?		YES	NO
If not, how many days is the appeal outside the 30 days required to lodge an Appeal?			
Was the Appeal to the Tribunal lodged within 30 days of the appellant being aware of the act, direction or decision by the entity?		YES	NO
If not, how many days is the appeal outside the 30 days required to lodge an Appeal?			

5. TYPED GROUNDS OF APPEAL INCLUDING REFERENCES TO APPLICABLE LEGISLATION MUST BE ATTACHED AS AN ANNEXURE AND MARKED "ANNEXURE: GROUNDS OF APPEAL"

6. DETAILS OF THE APPELLANT'S REPRESENTATIVE: SURNAME AND NAME

Note: An appointment letter must be attached on FORM TAT02 or a similar letter, as well as a resolution appointing the representative in the case of a company or other juristic person.

Contact Details of representative:

Telephone number: _____ Cell phone number: _____

E-mail address: _____

7. DECLARATION

I HEREBY CONFIRM THE CONTENTS OF THE NOTICE OF APPEAL.

SIGNED:..... NAME IN PRINT:.....

DATE:..... CAPACITY:

8. GENERAL REQUIREMENTS:

The Notice of Appeal to comply with the following requirements:

- 1.1. The Appellant must include an index of the Notice of Appeal and all attached annexures and bind the documents together.
- 1.2. Page numbers must be inserted in clear, bold black ink eg. 1, 2, 3, 4, etc.
- 2 All information must be completed and where not applicable this must be clearly indicated.
- 3 All documents must be typed and neatly bound.
- 4 Failure to comply with the provisions contained herein may result in the Appeal being removed from the Appeal Register in terms of regulation 2(7) of the Regulations.
5. Details of the parties' representatives must be clearly indicated inclusive of their capacity, with a resolution in the case of a juristic person, as provided in clause 6 above.
6. A completed Power of Attorney on Form TAT 02 for the representative must be attached if applicable.

PLEASE NOTE: IF THE SPACE PROVIDED IN THIS FORM IS INSUFFICIENT, FURTHER DETAILS MUST BE SET OUT IN AN ANNEXURE CLEARLY MARKED AS TO THE RELEVANT SECTION AND ATTACHED.

APPEAL LODGING FEE PAYMENT DETAILS

Account Name	Department of Transport
Account Number	4053620095
Bank	ABSA
Reference Number	13033034 or the Identity Number of the Appellant or company/CC/Trust registration number

TRIBUNAL CONTACT DETAILS

Physical Address	Secretariat, Transport Appeal Tribunal Department of Transport Forum Building 159 Struben Street, Corner Struben & Bosman Streets, Pretoria
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Postal Address Private Bag X 193, Pretoria, 0001

Email Address: Tribunal@dot.gov.za

Tel Nos. (012) 309 3690/3526//3499/3861



TRANSPORT APPEAL TRIBUNAL ACT 39 OF 1998

FORM TAT 02: SPECIAL POWER OF ATTORNEY

I/We, the undersigned

(If the appellant/respondent is a company, close corporation, trust, or association with a constitution, a resolution of the directors, members, trustees, or committee of such body, authorizing the said person to sign the Power of Attorney on its behalf, must be attached) hereby nominate, constitute and appoint

To act on my/our behalf as our duly appointed agent and representative throughout the proceedings of the appeal against the act, direction, or decision of the _____ (Name of Entity) dated _____ 20____ I/We, furthermore authorize my/our said representative to appoint in his or her name, place and stead, an advocate or attorney registered with the Legal Practice Council in terms of the Legal Practice Act, 2014 (Act No. 28 of 2014) or other person appointed in terms of regulation 9 of the Transport Appeal Tribunal Regulations, 2024, to represent me/us at any hearing of the said Appeal by the Transport Appeal Tribunal.

Signature of the Appellant/Party

Date:

Witnesses:

1. _____ [Signature and full names]
2. _____ [Signature and full names]

Signature of the Representative _____ Date:



TRANSPORT APPEAL TRIBUNAL ACT 39 OF 1998 (“the Act”)

FORM TAT 03: SUMMONS (in terms of section 14(1)(b) of the Act)

In the appeal of _____ Appellant

Before the Transport Appeal Tribunal to be held at _____

TAT No _____ of 20 _____

Physical Address

TO:

1. Regulatory Entity (First Respondent) of _____
2. Second Respondent of _____
3. Third Respondent of _____
4. Fourth Respondent of _____

You are hereby required to appear in person before the Transport Appeal Tribunal on the _____ day o _____ 20 _____

at _____ (time) and at _____ (venue) at the abovementioned hearing to give evidence and bring with you and then produce to the Tribunal the books, papers or documents specified below.

LIST OF BOOKS, PAPERS OR DOCUMENTS TO BE PRODUCED:**(Attach relevant documents)**

Date	Description	Original or Copy

Failure to comply with this summons is an offence in terms of section 15 of the Transport Appeal Tribunal Act, 1998 (Act No. 39 of 1998)

Dated at _____ this _____ day o _____ 20_____

Signature of the Tribunal Chairperson or Delegated Member



TRANSPORT APPEAL TRIBUNAL ACT 39 OF 1998 (“the Act”)

**FORM TAT 04: DIRECTIVE TO REGULATORY ENTITY OR REGULATORY COMMITTEE
(In accordance with section 12(5) of the Act)**

DIRECTIVE TO COMPLY WITH AN ORDER OF THE TRIBUNAL

FROM: THE TRANSPORT APPEAL TRIBUNAL (TRIBUNAL)

TO: THE DIRECTOR GENERAL OF THE DEPARTMENT OF TRANSPORT

IN THE MATTER OF: (DESCRIPTION OF THE PARTY/IES)

.....Upon hearing the appeal lodged by the Appellant on _____ and heard by the Tribunal on _____;

the following order was made by the Tribunal on _____

(DESCRIPTION OF THE ORDER) [The Full Decision of the Tribunal is attached]

.....The Entity has to date failed to comply with or implement the above Tribunal Order as contemplated by section 12 of the Act.

The Director-General is requested to ensure implementation of the Decision of the Tribunal through invoking the provisions of the Intergovernmental Relations Framework Act 13 of 2005 and/or related processes and to notify the Minister/MEC/council in terms of section 12(5) of the Act with a request for them to intervene in the matter in terms of that subsection.

Thereafter, the Director-General is requested to advise the Tribunal within 30 days of receipt of whatever interventions will be undertaken herein leading to compliance with the Tribunal Order by the Entity.

Signed _____

Name: _____

Capacity: Chairperson of the Tribunal or Delegated Member

Date:

ANNEXURE 2: FEES

[Note: Vehicle and service types are as defined in the National Land Transport Act, 2009]

DESCRIPTION	FEE
Appeal fee – Scheduled service: any vehicle	R2000,00
Appeal fee – Minibus taxi-type service: midibus	R1500,00
Appeal fee – Minibus taxi-type service: minibus or motor car	R1000,00
Appeal fee - Charter service: any vehicle	R1000,00
Appeal fee - Tourist transport service: any vehicle	R1000,00
Appeal fee – Accreditation of tourist transport operator	R1 500,00
Appeal fee - Metered taxi service: any vehicle	R1000,00
Appeal fee – Other service: any vehicle	R1000,00
Appeal fee – Administrative decision (eg against a decision to postpone)	R1 000,00

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 456 OF 2023

SOUTH AFRICAN COUNCIL FOR NATURAL SCIENTIFIC PROFESSIONS

RECOMMENDED CONSULTATION FEES

The South African Council for Natural Scientific Professions herewith retract Board Notice 353 of 2022 as published on 14 October 2022 in Government Gazette No. 47302.

The South African Council for Natural Scientific Professions has under article 35 (1) of the Natural Scientific Professions Act, 2003 (Act 27 of 2003), determined the amended tariff of recommended fees in this Schedule, which has been approved.

SCHEDULE

Definitions

1. In this Schedule the definitions are as follows:

"Category A", in respect of a private consulting practice in natural sciences, shall mean a top practitioner whose expertise is nationally or internationally recognised and who provides advice at a level of specialisation where such advice is recognised as that of an expert;

"Category B", in respect of a private consulting practice in natural sciences, shall mean a partner, a sole proprietor, a director, or a member who, jointly or severally with his other partners, co-directors or co-members, bears the risk of the business, takes full responsibility for the liabilities of such practice, performs work of a conceptual nature in natural sciences and development, provides strategy guidance in planning and executing a project and/or carries responsibility for quality management pertaining to a project;

"Category C", in respect of a private practice in natural sciences, shall mean all salaried professional and technical staff performing work of a natural scientific nature and who carry the direct technical responsibility for one or more specific activities related to a project. A person referred to in Category B may also fall in this category if such person performs work of a natural scientific nature at this level;

"Category D", in respect of a private consulting practice in natural sciences, shall mean all other salaried technical staff with adequate expertise and relevant experience performing work of a natural scientific nature with direction and control provided by any person contemplated in Categories A or B or C.

RECOMMENDED RATES

CATEGORY OF STAFF	Indicative Rates per hour in Rands (2023)
A	R2 833.00
B	R2 422.00
C	R1 437.00
D	R 1 032.00

BOARD NOTICE 457 OF 2023**HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)****LIST OF CLASSIFIED AND CERTIFIED PSYCHOLOGICAL TESTS**

The Professional Board for Psychology hereby publish, in terms of the regulations defining the scope of the profession of psychology as published under Government Notice R993 in *Government Gazette* 31433 of 16 September 2008, the list of tests, which are classified for use by persons registered in the profession of psychology, in the schedule.

SCHEDULE

Name of test	Distributer/Developer	Reference number
Ability Assessment Suite	CHC Consulting	18/11/269
Abstract Reasoning Test (ART)	Psytech SA (Pty) Ltd	18/11/157
Acrophobia Test ACRO (Fear of Heights)	CPRD Consulting	18/11/206
Adaptive Employee Personality Test (ADEPT-15®)	TTS Top Talent Solutions	18/11/268
APIL	APROLAB	18/11/1
Apta Architecture	SHL	18/11/251
Aptitude Tests for School Beginners (ASB)	Mindmuzik Media	18/11/16
AssessFirst Questionnaire	Yellow Seed	18/11/275
BarOn Emotional Quotient Inventory (BarON EQ-I™)	JVR Psychometrics	18/11/45
Basic Traits Inventory (BTI)	JVR Psychometrics	18/11/240

Business Comprehension Test	Evalex	18/11/116
California Psychological Inventory (CPI)	JVR Psychometrics	18/11/45
Campbell Interest And Skill Survey™ (CISS)	JVR Psychometrics	18/11/45
Career Development Questionnaire (CDQ)	Mindmuzik Media	18/11/25
Career Manager Software Program	Deon Engelbrecht	18/11/267
Career Preference Test (CPT)	M&M Initiatives	18/11/197
Cattell Culture Fair Intelligence Tests	JVR Psychometrics	18/11/7
Clerical Test Battery (CTB2)	Psytech SA	18/11/66
Cognitive and Potential Assessment (COPAS) version I & II	Integrity International	18/11/40
Cognitive Process Profile (CPP)	Cognadev	18/11/59
Complexity Navigation Test (CNT)	Joint Prosperity	18/11/92
Computerised Adaptive Test of General Reasoning Ability (GSAT Senior)	Mindmuzik Media	18/11/19
Critical Reasoning Test Battery (CRTB)	Psytech SA	18/11/69
Critical Reasoning Test Battery (CRTB)	CEB SHL Talent Measurement Solutions	18/11/199
Customer Contact Styles Questionnaire (CCSQ)	CEB SHL Talent Measurement Solutions	18/11/44
Differential Aptitude Tests: Forms R, S, K & L (HSRC)	Mindmuzik Media	18/11/54
Discus Behavioural Profile System	Discus Behavioural Profile Systems	18/11/21
Dependability and Safety Instrument (DSI)	CEB SHL Talent Measurement Solutions	18/11/185
Dover Vienna Test System	Dover Systems	18/11/101
Dover Vienna Test System	CPRD Consulting	18/11/205
Emotional Intelligence questionnaire (EIQ) Thomas international	Thomas international	18/11/129
EQ-I 2.0	JvR Psychometrists	18/11/210
ESSI Reading and Spelling Tests	ESSIKOR	18/11/36

Fifteen Factor Questionnaire (15FQ)	Psytech SA	18/11/60
Fifteen Factor Questionnaire Plus (15FQPlus)	Psytech SA	18/11/60
Fundamental Interpersonal Relations Orientation-Behaviour TM (FIRO-B) TM	JVR Psychometrics	18/11/45
General and Graduate Reasoning Test Batteries (GRT2 and GRT1)	Psytech SA	18/11/67
General Scholastic Aptitude Test (GSAT)	Mindmuzik Media	18/11/18
Giotto Integrity Questionnaire	Giotto SA	18/11/43
Herbst Test	Dr I Herbst	18/11/99
HFMtalentindex Personality Assessment	HFMtalentindex	18/11/175
Hogan Development Survey (HDS)	JvR Psychometrists	18/11/213
Hogan Personality Inventory	JVR Psychometrics	18/11/146
Hogan Motivation, Values, Preference and Interest test	JvR Psychometrics	18/11/186
HR Avitar	Yellow Seed	18/11/270
Impact 3.0	Prof A Edwards	18/11/102
Integrity Profiles (IP-200)	Integrity International	18/11/79
Insights Discovery Preference Evaluator (previously Insights Learning and Development)	Connemara	18/11/97
Jackson Personality Inventory – Revised (JPI-R)	JvR Psychometrics	18/11/45
Jung Type Indicator	Psytech SA	18/11/62
Kolbe Conative Index (KCIA)	Kolbe Corp	18/11/41
Learning Potential Computerised Adaptive Test (LPCAT)	M&M Initiatives	18/11/49
Life Role Inventory (LRI)	Mindmuzik Media	18/11/27
Lumina Leader	Lumina Learning SA	18/11/273
Lumina Spark	Lumina Learning SA	18/11/274
Luso Zakheni Aptitude Tests (non- pressurized) IBM Test (pressurized)	IBM	18/11/37

Managerial and Graduate Item Bank (MGIB)	CEB SHL Talent Measurement Solutions	18/11/201
Maree Career Matrix (MCM)	Prof Kobus Maree	18/11/161
Matrigma	JvR Psychometrics	18/11/249
Mettl Personality Profiler	Induslynk Training Services Pvt. Limited	18/11/251
Meyer Interest Questionnaire (MB-10)	University of Stellenbosch	18/11/30
Minnesota Multiphasic Personality Inventory-2 (MMPI-2)	JvR Psychometrics	18/11/236
Motto Individual Assessment	Motto Human Research	18/11/252
Motto Leadership 360 Survey	Motto Human Research	18/11/253
Myers-Briggs Type Indicator (MBTI)	JvR Psychometrics	18/11/200
Neo Personality Inventory-Revised (NEO-PI-R) (Pam Morris and Collin Wilford) Neo Professional Development Report (NEO-PD-R) Neo Five Factor Inventory (NEO-FF-I)	JvR Psychometrics	18/11/76
Neo Personality Inventory-Revised (NEO-PI-R)	JvR Psychometrics	18/11/75
NEPSY II	Mindmuzik	18/11/262
Occupational Interest Profile (OIP)	Psytech SA	18/11/61
Occupational Personality Profile (OPP)	Psytech SA	18/11/63
Occupational Personality Questionnaire (OPQ)	CEB SHL Talent Measurement Solutions	18/11/44
Organisational Behaviours Index (OBI)	TTS	18/11/282
Organisational Personality Construct Scale (previously Managerial construct scale and work orientation scale) (OPCS)	Evalex	18/11/52
Orpheus Personality Questionnaire	Giotto	18/11/43
Paper and Pencil Games (PPG)	Mindmuzik Media	18/11/14
Perceptual Developmental Assessment Device (PDAD)	Stark Griffin Dyslexia Academy	18/11/254

Personal Orientation Profile	ThinkSales	18/11/154
Personality At Work (PAW)	Integrity International	18/11/123
Potential Index Batteries (PIB) (previously Pro-Index)	PotentialIndexAssociation Dr PF Erasmus	18/11/23
Predictive Index (PI)	The Confidant Group	18/11/168
Proactive Personality Scale	Omicor	18/11/276
Profile XT	Profiles International	18/11/85
Prospective Screener	JvR Psychometrics	18/11/243
Psycruit Suite	CHC Consulting	18/11/277
Rapid Assessment for Dyslexia and Abnormalities in Reading	Stark Griffin Dyslexia Academy	18/11/255
Ravens Progressive Matrices	JVR Psychometrics	18/11/212
Rorschach Performance Assessment System® (R-PAS®)	Gregory J. Meyer, Donald J. Viglione, Joni L. Mihura, Robert E. Erard, and Philip Erdberg	18/11/256
Saville Consulting Wave™ Styles questionnaires	Saville Consulting	18/11/113
School-readiness Evaluation by Trained Testers (SETT)	Mindmuzik Media	18/11/17
Select Assessment for Leader Development	Select International	18/11/278
Select SalesPro™	Select International	18/11/279
Self Scoring Interest Blank		18/11/72
Senior South African Individual Scale – Revised (SSAIS-R)	Mindmuzik Media	18/11/15
Situation-Specific Evaluation Expert Batteries (SpEEX Batteries)	PibSpeex	18/11/34
Sixteen Personality Factor Questionnaire (16pf®)	JVR Psychometrics	18/11/232
Skyrise City – Personality	Arctic Shores	18/11/280
South African Vocational Interest Inventory (SAVII)	Mindmuzik Media	18/11/28
Stark-Griffin Adult Dyslexia Test	Stark Griffin Dyslexia Academy	18/11/257

Stark-Griffin Dyscalculia Assessment	Stark Griffin Dyslexia Academy	18/11/258
Stark-Griffin Dysgraphia Assessment	Stark Griffin Dyslexia Academy	18/11/259
Stark-Griffin Dyslexia Test	Stark Griffin Dyslexia Academy	18/11/260
Stark-Griffin Junior Dyslexia Test	Stark Griffin Dyslexia Academy	18/11/261
Strong Interest Inventory (SII)	JVR Psychometrics	18/11/45
Structure of Intellect (SOI Tests)		18/11/58
Talegent PATH Cognitive Ability Assessments	Yellow Seed	18/11/271
Talegent PATH Personality Questionnaire	Yellow Seed	18/11/272
Talentx7 Assessment	The Kaya Group	18/11/245
Test for Selection and Training (TST)	Thomas International	18/11/55
Technical Test Battery (TTB2)	Psytech SA	18/11/68
Thomas International Personal Profile Analysis	Thomas International	18/11/5
Tick	Transform Leadership Consulting	18/11/281
TRAM-1	APROLAB	18/11/2
TRAM-2	APROLAB	18/11/3
Values and Motives Inventory	Psytech SA	18/11/65
Value Orientation	Cognadev	18/11/247
Verify Interactive - Deductive Reasoning	SHL	18/11/263
Verify Interactive - G +	SHL	18/11/264
Verify Interactive - Inductive Reasoning	SHL	18/11/265
Verify Interactive - Numerical Reasoning	SHL	18/11/266
Verify Range of Ability Test (VRAT)	CEB SHL Talent Measurement Solutions	18/11/238
Vienna Test System	CPRD Consulting	18/11/205

Weschler Adult Intelligence Scale SA (WAIS-IV)	JvR Psychometrics	18/11/241
Wellness Questionnaire for Higher Education (WQHE)	Nelson Mandela Metropolitan University (NMMU)	18/11/140
Work Personality Index (WPI)2 ND Edition	JvR Psychometrics	18/11/159
Work-related Risk and Integrity Scales (WRISc)	JvR Psychometrics	18/11/250

These tests were condoned by the Psychometrics Committee as being psychological tests as the Human Sciences Research Council and/or the Test Commission of South Africa had classified them as psychological tests.

Academic Aptitude Test (AAT)(Standard 10)
Academic Aptitude Test (AAT)(University)
Academic-Technical Aptitude Tests (ATA)
Adjective Checklist (EWL) - Part of Vienna Test System
Adjective Checklist (EWL) - Part of Vienna Test System
Adolescent Self Concept Scale
Anxiety Questionnaire for Pupils (AFS) - Vienna Test System
Aptitude Test Battery for Pupils in Standards 6 and 7 (ATB Standards 6/7)
Aptitude Dimension Test
Aptitude Profile Test
Aptitude Test Battery for Adults (AA)
Bayley Scales II
Beck Tensor (TENSOR) - Vienna Test Catalogue
Bender Visual Motor Gestalt Test
Benton Visual Retention Test
Blox Test (A/80)
Children's Apperception Test - Human Figures (CAT-H)
Children's Apperception Test - Supplement (CAT-S)
Children's Apperception Test (CAT)
Children's Personality Questionnaire (CPQ)

Clinical Analysis Questionnaire (CAQ)
Cognitrone (COG) - Vienna Test Catalogue
Columbus Picture Analyses of Growth towards Maturity
Communication and Insights Analysis Questionnaire (CIAQ)
Concentration under Monotony Test (Q1) - Austrian Road Safety Board
Conceptual Reasoning Test (A/138)
Continuous Attention Test (DAUF) - Vienna Test Catalogue
Continuous Symbol Checking Test (CSC)(A/84)
Decision Reaction Test (DR2) - Austrian Road Safety Board
Decision Preference Analysis
Deductive Reasoning Test (B/112)
Developmental Test of Visual Perception (Frostig)
Developmental Test of Visual-Motor Integration (Beery)
Differential Interest Test (DIT) - Part of Vienna Test System
Electronic Diagnostic Systems (SADF)
Experience of Work and Life Circumstances Questionnaire (WLQ)
Eysenck Personality Inventory
Eysenck Personality Profiler (EPP)
Factors of Aggressiveness Questionnaire (FAF) - Part of Vienna Test System
Family Functioning in Adolescence Questionnaire (FFAQ)
Family Assessment Device
Figure Classification Test (A/121)
Form Series Test (Industrial Version)(A/79)
Gesell Developmental Test
Giessen Test (GIESS) - Part of Vienna Test System
Goodenough-Harris Drawing Test
Graz Assertiveness Test (GAT) - Part of Vienna Test System

Group Test for 5/6 and 7/8 year-olds
Grover-Counter Scale of Cognitive Development
Guidance Test Battery for Secondary Pupils (GBS)
Hamburg Neuroticism and Extroversion Scale (HANES) - Vienna Test System
High School Personality Questionnaire (HSPQ)
High Level Battery (B/75)
High Level Figure Classification Test (A/129)
High School Interest Questionnaire (HSIQ)
Hypothesis Formation Test (HYPO) - Vienna Test Catalogue
Individual Scale for Southern Sotho-speaking pupils
Individual Scale for General Scholastic Aptitude (ISGSA)
Individual Scale for Northern Sotho-speaking pupils
Individual Scale for Tswana-speaking pupils
Individual Scale for Xhosa-speaking pupils
Individual Scale for Zulu-speaking pupils
Industrial Test Battery (ITB) includes Anomalous Concept Test (ACTA)(A/133), Anomalous Figure Test (AFTA)(A/134), and Series Induction Test (SIT)(A/135).
Intelligence Structure Test (IST 70) - Vienna Test System
Intermediate Battery (B/77)
Interpersonal Relations Questionnaire (IRQ)
Intra- and Interpersonal Relations Scale (IIRS)
IPAT Anxiety Scale
Jung Personality Questionnaire (JPQ)
Junior South African Individual Scales (JSAIS)
Junior Aptitude Test (JAT)
Junior Eysenck Personality Inventory

Line Labyrinth Test (LL5) – Austrian Road Safety Board
London House Personnel Selection Inventory (PSI-3)
McCarthy Scales of Children Abilities
Miller Assessment for Pre-Schoolers (MAP)
Minnesota Multiphasic Personality Inventory – Short Form (MMPIK)
Minnesota Multiphasic Personality Inventory (MMPI)
Movement Assessment Battery for Children
Myers-Briggs Type Indicator (MBTI)
Nineteen Field Interest Inventory (19FII)
Non Verbal Matrices Intelligence Test (M30) – Austrian Road Safety Board
Normal Battery (A/76)
Number Combination Test (ZVT) – Vienna Test Catalogue
Paranoid Depressiveness Scale (PDS) – Vienna Test System
Pattern Relations Test (B15/1)
Perceptual Motor Survey (Kephardt)
Personal, Home, Social and Formal Relations Questionnaire (PHSF)
Picture Vocational Interest Questionnaire for Adults (PVI)
Picture Motivation Tests (PMT)
Porteus Mazes
Programmer Aptitude Battery (PAB)(A/137) – includes Procedures Test, Matrices Test I, and Matrices Test II.
Psychological Map
Questionnaire to Assess the Risks of Suicide (FBS) – Part of Vienna Test System
Questionnaire: Assessing Willingness to take Risks (FRF) – Austrian Road Safety Board
Raven’s Progressive Matrices (RPM)

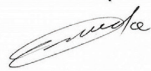
Rorschach cards
Rotate and Flip Test (RAFT)(A/136)
Rothwell-Miller Interest Blank (RMIB)(C/134)
Scholastic Aptitude Test Battery for Pupils in Standards 2 and 3 (SATB Standards 2/3)
Scholastic Aptitude Test Battery for Pupils in Standards 4 and 5 (SATB Standards 4/5)
Self-Concept Scale
Self-Directed Search Questionnaire (SDS)
Senior Aanlegtoets vir Swaksiendes (SAT-S)
Senior Academic-Technical Aptitude Test (SATA)
Senior Aptitude Tests (SAT)
Sexual Adaptation Functioning Test (SAFT)
Short Questionnaire for Problem Detection (KFP30) – Part of Vienna Test System
Siegmund System for Computerized Testing (pending final classification)
Signal Detection (SIGNAL) – Vienna Test Catalogue
South African Individual Scale for the Blind (SAISB)
South African Wechsler Adult Intelligence Scale (SAWAIS)(C/35)
Spielberger Trait/State Anxiety Scale
Structured-Objective Rorschach Test (SORT)
Suid-Afrikaanse Groeptoets vir Swaksiendes: Intermediêr (SAGS:I)
Survey of Study Habits and Attitudes (SSHA)
TAT cards (Murray)
Technical Aptitude Test Battery for Low Literates (TAB)
Test to Examine Reactive Stress Tolerance (RSTS) – Austrian Road Safety Board
Test to Examine Peripheral Perception (PVT) – Austrian Road Safety Board
Three-dimensional Point Tracking (3PTR) - Vienna Test Catalogue
Three-dimensional Contour Tracking (3KTR) - Vienna Test Catalogue
Toets vir Bestuurskennis

Trade Aptitude Test Battery (TRAT)
Two-dimensional Contour Tracking (2KTR) - Vienna Test Catalogue
Two-dimensional Labyrinth Tracking (2PTR) - Vienna Test Catalogue
Two-dimensional Point Tracking (2LTR) - Vienna Test Catalogue
Two-hand Co-ordination (2HAND) - Vienna Test Catalogue
Values Scale (VS)
Vienna Matrices Test (VMT) - Vienna Test Catalogue
Vigilance (VIGIL) - Vienna Test Catalogue
Vocational Interest Questionnaire for Pupils in Standards 6 to 10 (VIQ)
Wechsler Pre-School and Primary Scale of Intelligence-Revised (WPPSI-R)
Wechsler Intelligence Scale for Children (WISC-III)
Wechsler Adult Intelligence Scale-Revised (WAIS-R)
Wechsler Memory Scale-Revised (WMS-R)
Work Performance Test Series (ALS) - Vienna Test Catalogue

Repeal

Board Notice No. 155 of 2017 as published under *Government Gazette* No. 41100 of 08 September 2017 is hereby repealed.

Signed by: Magome Albanos Masike
 Signed at: 2023-05-29 13:42:06 +02:00
 Reason: Witnessing Magome Albanos Ma



DR. MAGOME MASIKE
REGISTRAR

BOARD NOTICE 458 OF 2023**HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA****HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)****RULES RELATING TO THE REGISTRATION BY MEDICAL PRACTITIONERS AND DENTISTS OF ADDITIONAL QUALIFICATIONS: AMENDMENT**

The Health Professions Council of South Africa intends, under section 61A of the Health Professions Act, 1974 (Act No. 56 of 1974), to make the rules in the schedule.

Interested persons are invited to submit any substantiated comments or representations in writing on the proposed amendments to the Registrar, Health Professions Council of South Africa by e-mail at: ntsanem@hpcsa.co.za for the attention of the Legal Advisor: Legislative drafting within three months from the date of publication of this notice.

SCHEDULE**Definitions**

1. In these rules “**the rules**” means the rules relating to the registration by medical practitioners and dentists of additional qualifications published as Board Notice 35 of 1999 published under Government Gazette No: 19890 of 31 March 1999 as amended by Board Notices. 46 of 2005 published under Government Gazette No: 27592 of 20 May 2005, 34 of 2006 published under Government Gazette No: 28779 of 05 May 2006, 22 of 2007 published under Government Gazette No: 29689 of 16 March 2007, 130 of 2010 published under Government Gazette No: 33540 of 17 September 2010, 109 of 2011 published under Government Gazette No: 34362 of 17 June 2011, 122 of 2012 published under Government Gazette No: 35517 of 20 July 2012, 31 of 2013 published under Government Gazette No: 36225 of 15 March 2013, 28 of 2014 published under Government Gazette No: 37421 of 14 March 2014, 85 of 2014 published under Government Gazette No: 37872 of 01 August 2014, 164 of 2015 published under Government Gazette No: 39127 of 21 August 2015, 4 of 2016 published under Government Gazette No: 39736 of 26 February 2016, 172 published under Government Gazette No: 42037 of 16 November 2018, 224 published under Government Gazette No:

46032 of 11 March 2022, and 363 published under Government Gazette No: 47489 of 11 November 2022, any word or expression to which a meaning has been assigned in the rules shall have that meaning, unless the context otherwise indicates.

Amendment of Rule 2 of the rules

Rule 2 of the rules is hereby amended by the insertion, in alphabetical order and in paragraph (b), of the following qualifications –

Examination authority	Qualifications	Abbreviation for registration
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<i>Stellenbosch, University of</i>	Qualifications	Abbreviation for registration
	Master of Medicine (Clinical Pharmacology)	MMed (Clinical Pharmacology) Stell
	Postgraduate Diploma in Family Medicine	PGDip (Fam Med) Stell
	Master of Philosophy in Adult Critical Care	MPhil (Adult Critical Care) Stell
	Master of Philosophy in Developmental Paediatrics	MPhil (Developmental Paediatrics) Stell
	Master of Philosophy in Gynaecological Oncology	MPhil (Gynaecological Oncology) Stell
	Master of Philosophy Maternal and Fetal Medicine	MPhil (Maternal and Fetal Medicine) Stell
	Master of Philosophy in Neonatology	MPhil (Neonatology) Stell
	Master of Philosophy in Paediatric Medical Cardiology	MPhil (Paediatric Medical Cardiology) Stell
	Master of Philosophy in Paediatric Critical Care	MPhil (Paediatric Critical Care) Stell
	Master of Philosophy in Paediatric Endocrinology	MPhil (Paediatric Endocrinology) Stellenbosch
	Master of Philosophy in Gastroenterology, Hepatology and Nutrition	MPhil (Gastroenterology, Hepatology and Nutrition) Stell

	Master of Philosophy in Paediatric Infectious Diseases	MPhil (Paediatric Infectious Diseases) Stell
	Master of Philosophy in Paediatric Medical Oncology	MPhil (Paediatric Medical Oncology) Stell
	Master of Philosophy in Paediatric Nephrology	MPhil (Paediatric Nephrology) Stell
	Master of Philosophy in Paediatric Neurology	MPhil (Paediatric Neurology) Stell
	Master of Philosophy in Paediatric Pulmonology	MPhil (Paediatric Pulmonology) Stell
	Master of Philosophy in Paediatric Cardiology	MPhil (Paediatric Cardiology) Stell
	Master of Philosophy in Reproductive Medicine	MPhil (Reproductive Medicine) Stell
	Master of Medicine (Clinical Pharmacology)	MMed (Clinical Pharmacology) Stell
	Postgraduate Diploma in Family Medicine	PGDip (Fam Med) Stell
<i>Cape Town, University of</i>	Postgraduate Diploma in Interdisciplinary Pain Management	PG Dip (Interdisciplinary Pain Management) Cape Town
	Postgraduate Diploma in TB-HIV Management	PG Dip (TB-HIV Management) Cape Town
<i>Kwazulu-Natal, University of</i>	Master of Medicine (Emergency Medicine)	MMed (Emergency Medicine) Kwazulu-Natal

Amendment of Rule 3 of the rules

Rule 3 of the rules is hereby amended by the insertion, in alphabetical order and in paragraph (b), of the following qualifications: -

Examination authority	Qualifications	Abbreviation for registration
Sefako Makgatho Health Sciences University	Master of Dentistry in Periodontology and Oral Medicine	M Dent (Periodontology and Oral Medicine) SMU

Signed by:Magome Albanos Masike
Signed at:2023-05-16 12:01:14 +02:00
Reason:Witnessing Magome Albanos Ma



DR. MAGOME MASIKE
REGISTRAR

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