



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

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**No. 7970**

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**Vol. 467**

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## GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

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### DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 644

28 May 2004

#### EXTRADITION ACT, 1962 (ACT NO. 67 OF 1962)

#### EXTRADITION TREATY BETWEEN THE REPUBLIC OF SOUTH AFRICA AND THE KINGDOM OF LESOTHO

I, Bridgette Sylvia Mabandla, Minister for Justice and Constitutional Development, hereby give notice in terms of section 2(3) of the Extradition Act, 1962 (Act No. 67 of 1962), that the Parliament of the Republic of South Africa has on 15 November 2001 agreed to the ratification of the Extradition Treaty between the Republic of South Africa and the Kingdom of Lesotho as set out in the Schedule.

**BRIDGETTE SYLVIA MABANDLA**  
**MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

#### SCHEDULE

**WET OP UITLEWERING, 1962 (WET NO. 67 VAN 1962)****UITLEWERINGSVERDRAG TUSSEN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE  
KONINGKRYK VAN LESOTHO**

Ek, Bridgette Sylvia Mabandla, Minister vir Justisie en Staatkundige Ontwikkeling gee, ingevolge artikel 2(3)ter van die Wet op Uitlewering, 1962 (Wet No. 67 van 1962), hiermee kennis dat die Parlement van die Republiek van Suid-Afrika op 15 November 2001 tot die bekragtiging van die Uitleweringsverdrag tussen die Republiek van Suid-Afrika en die Koningkryk van Lesotho, soos in die Skedule uiteengesit, toegestem het.

**BRIDGETTE SYLVIA MABANDLA  
MINISTER VIR JUSTISIE EN STAATKUNDIGE ONTWIKKELING**

**SKEDULE**



**TREATY**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**

**AND**

**THE GOVERNMENT OF THE KINGDOM OF LESOTHO**

**ON**

**EXTRADITION**

## **PREAMBLE**

**THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE KINGDOM OF LESOTHO, (hereinafter referred to as the "Contracting Parties")**

**DESIRING** to make more effective their co-operation in the prevention and suppression of crime by concluding a Treaty on Extradition;

**AFFIRMING** their respect for each other's sovereignty, legal systems and judicial institutions.

**HEREBY AGREE** as follows:

### **ARTICLE 1**

#### **Obligation to Extradite**

Each Contracting Party agrees to extradite to the other, in accordance with the provisions of this Treaty and their respective domestic law, persons who are wanted for prosecution or the imposition or enforcement of a sentence in the Requesting State for an extraditable offence.

**ARTICLE 2****Extraditable Offences**

1. For the purposes of this Treaty, extradition shall be granted for conduct which constitutes an offence under the laws of both Contracting Parties that is punishable by deprivation of liberty for a term of one year or more or by a more severe punishment.
2. Where the request for extradition relates to a person sentenced to deprivation of liberty by a court of the Requesting State for an extraditable offence, extradition shall be granted if a period of at least six months of the sentence remains to be served.
3. For the purpose of this Article, in determining whether conduct is an offence against the law of the Requested State:
  - (a) it shall not matter whether the laws of the Contracting Parties place the conduct constituting the offence within the same category of offence or describe the offence by the same terminology;
  - (b) the totality of the conduct alleged against the person whose extradition is sought shall be taken into account and it shall not matter whether, under the laws of the Contracting Parties, the constituent elements of the offence differ.
4. An offence of a fiscal character, including an offence against a law relating to taxation, customs duties, foreign exchange control or any other revenue matter, is an extraditable offence: Provided that the conduct for which extradition is sought is an offence in the Requested State, extradition may not be refused on the ground that the law of the Requested State does not impose the same kind of tax or duty or does not contain a tax,

customs duty or exchange regulation of the same kind as the law of the Requesting State.

5. An offence is extraditable whether or not the conduct on which the Requesting State bases its request occurred in the territory over which it has jurisdiction. However, where the law of the Requested State does not provide for jurisdiction over an offence in similar circumstances, the Requested State may, in its discretion, refuse extradition on this basis.

6. Extradition may be granted pursuant to the provisions of this Treaty in respect of an offence provided that:

- (a) it was an offence in the Requesting State at the time of the conduct constituting the offence; and
- (b) the conduct alleged would, if it had taken place in the Requested State at the time of the making of the request for extradition, have constituted an offence against the law of the Requested State.

7. If the request for extradition relates to a sentence of both imprisonment and a pecuniary sanction, the Requested State may grant extradition for the enforcement of both the imprisonment and the pecuniary sanction.

8. If the request for extradition relates to a number of offences, each of which is punishable under the laws of both States, but some of which do not meet the other requirements of paragraphs 1 and 2, the Requested State may grant extradition for such offences provided that the person is to be extradited for at least one extraditable offence.

**ARTICLE 3****Mandatory Refusal of Extradition**

Extradition shall be refused in any of the following circumstances:

1. Where the offence for which extradition is requested is considered by the Requested State to be a political offence or an offence of a political character. For the purpose of this paragraph, the following conduct does not constitute a political offence or an offence of a political character:

- (a) a murder or other violent crime against a Head of State or Deputy Head of State of the Requesting or Requested State or of or against a member of such person's family;
- (b) conduct that constitutes an offence mentioned in a multilateral agreement to which the Kingdom of Lesotho and the Republic of South Africa are parties and are obliged to extradite the person or submit the matter to appropriate authorities for prosecution;
- (c) murder;
- (d) inflicting serious bodily harm;
- (e) sexual assault;
- (f) kidnapping, abduction, hostage-taking or extortion;
- (g) using explosives, incendiaries, devices or substances in circumstances in which human life is likely to be endangered or serious bodily harm or substantial property damage is likely to be caused; and



- (h) an attempt or conspiracy to engage in, counseling, aiding or abetting another person to engage in, or being an accessory after the fact in relation to, the conduct referred to in any of paragraphs (a) to (f).
2. Where there are substantial grounds for believing that the request for extradition is made for the purpose of prosecuting or punishing the person by reason of that person's race, religion, nationality, ethnic origin, language, colour, political opinion, sex, sexual orientation, age, mental or physical disability or status or that the person's position may be prejudiced for any of those reasons.
3. Where the prosecution for the offence for which extradition is requested would be barred by prescription under the law of the Requesting State.
4. Where the offence for which extradition is requested constitutes an offence under military law, which is not an offence under ordinary criminal law.
5. Where the person sought has been finally acquitted or convicted in the Requested State for the same offence for which extradition is requested and, if convicted, the sentence imposed has been fully enforced or is no longer enforceable.

#### **ARTICLE 4**

##### **Discretionary Refusal of Extradition**

Extradition may be refused in any of the following circumstances:

1. Where the offence for which extradition is requested is subject to the jurisdiction of the Requested State and that State will prosecute that offence.
2. Where the person sought is being prosecuted by the Requested State for the offence for which extradition is requested.
3. Where the offence carries the death penalty under the law of the Requesting State, unless that State undertakes that if a sentence of death is imposed, it will not be carried out.
4. Where, in exceptional cases, the Requested State while also taking into account the seriousness of the offence and the interests of the Requesting State considers that because of the personal circumstances of the person sought, the extradition would be incompatible with humanitarian considerations.
5. Where the person sought was a young offender within the meaning of the law of the Requested State at the time of the offence and the law that will apply to that person in the Requesting State is not consistent with the fundamental principles of the law of the Requested State dealing with young offenders.
6. Where the person sought has been finally acquitted or convicted in a third State for the same offence for which extradition is requested and, if convicted, the sentence imposed has been fully enforced or is no longer enforceable.

## **ARTICLE 5**

### **Nationality**

Extradition shall not be refused on the ground of the nationality of the person sought.

**ARTICLE 6****Presentation of Requests**

1. Requests for extradition shall be made -
  - (a) in the case of the Kingdom of Lesotho, to the Minister for Law and Constitutional Affairs;
  - (b) in the case of the Republic of South Africa, to the Minister for Justice and Constitutional Development.
2. Requests for extradition shall be made in writing and communicated through the diplomatic channel, however, direct communication between the competent authorities of the Contracting States is not excluded.
3. Requests for provisional arrest shall be made in writing and may be communicated either through the diplomatic channel or through the facilities of the International Police Organization [INTERPOL].

**ARTICLE 7****Documents to be Submitted**

1. The following documents shall be submitted in support of a request for extradition:
  - (a) in all cases, whether the person is sought for prosecution or the imposition or enforcement of sentence:

- (i) such information, as may be available, about the description, identity, location and nationality of the person sought;
  - (ii) a statement prepared by a public official, including a judicial, prosecuting or corrections official, which describes briefly the conduct constituting the offence for which the extradition is requested, indicating the place and the date of the commission of the offence and which provides a description or a copy of the text of the legal provisions describing the offence and the applicable penalty. This statement shall also indicate:
    - (aa) that these legal provisions were in force both at the time of the commission of the offence and at the time of the extradition request;
    - (bb) whether or not the prosecution of the offence, the imposition or the enforcement of any applicable penalty is barred by reason of prescription; and
    - (cc) where the offence occurred outside the territory of the Requesting State, the legal provisions establishing its jurisdiction; and
- (b) in the case of a person sought for prosecution for an offence:
- (i) the original or a certified true copy of the order of arrest or of any document having the same force and effect, issued in the Requesting State;
  - (ii) a copy of the indictment, charge sheet or other charging document; and

- (c) in the case of a request submitted by the Republic of South Africa, a record of the case comprised of a summary of the evidence available to the Requesting State, including identification evidence that would be sufficient to justify the committal for trial of the person sought, if the conduct had occurred in the Requested State. The record may include any report, statement or other relevant documentation.
- (d) in the case of a request submitted by the Republic of South Africa, *prima facie* evidence of the commission of the offence by such person.
- (e) in the case of a request submitted by the Kingdom of Lesotho, a certificate issued by the prosecutor in charge of the prosecution of the case containing a summary of the available evidence and a statement that the evidence is sufficient under the law of the Requesting State to warrant the prosecution of the person sought.
- (f) in the case of a person sought for the imposition or enforcement of a sentence:
  - (i) a statement by a judicial, prosecuting or corrections official describing the conduct for which the person was convicted and attaching a copy of the document that records the conviction and, where applicable, sentence of the person. This statement shall be certified by the judicial, prosecuting or corrections official to be accurate; and
  - (ii) if a portion of the sentence has already been served, a statement by a public official specifying the portion of the sentence which remains to be served.



2. Any sworn translation produced in the Requesting State of documents submitted in support of a request for extradition shall be admitted for all purposes in extradition proceedings.

## **ARTICLE 8**

### **Authentication of Supporting Documents**

Where the law of the Requested State requires authentication of documents, those documents shall be authenticated by a statement by-

- (a) if the Requested State is the Republic of South Africa, the Minister for Law and Constitutional Affairs of the Kingdom of Lesotho; or
- (b) if the Requested State is the Kingdom of Lesotho, the Minister for Justice and Constitutional Development of the Republic of South Africa, or

a person designated by such Minister under the seal of that Minister, identifying the person who has signed the document, including that person's position or title.

## **ARTICLE 9**

### **Language**

All documents submitted in accordance with this Treaty shall be in or translated into an official language of the Requested State.

**ARTICLE 10****Additional Information**

If the Requested State considers that the information furnished in support of a request for extradition is not sufficient in accordance with this Treaty to enable extradition to be granted, that State may request that additional information be furnished within such time as it specifies.

**ARTICLE 11****Waiver**

Extradition of a person may be granted pursuant to the provisions of this Treaty notwithstanding that the requirements of Article 7 have not been complied with provided that the person sought consents to being extradited.

**ARTICLE 12****Provisional Arrest**

1. In case of urgency, the competent authorities of the Requesting State may apply by any means which allows for a written record for the provisional arrest of the person sought.
2. An application for provisional arrest shall include the following:

- (a) such information, as may be available, about the description, identity, location and nationality of the person sought;
- (b) a statement that a request for extradition will follow;
- (c) a description of the nature of the offence and applicable penalty, with a brief summary of the facts of the case, including date and place of the offence;
- (d) a statement attesting to the existence of a warrant of arrest or a conviction to which this Treaty applies and details thereof;
- (e) any other information which would justify provisional arrest in the Requested State.

3. The Requested State shall promptly inform the Requesting State of the measures taken pursuant to the application for provisional arrest.

4. Provisional arrest shall be terminated if the Requested State has not received the request for extradition and supporting documents through the channel provided for in Article 6 within sixty (60) days after the arrest. The competent authorities of the Requested State, insofar as that is permitted by the law of that State, may extend that delay with regards to the reception of the documents referred to in Article 7.

5. The expiry of the sixty (60) day period does not preclude subsequent arrest and extradition if a request for extradition is subsequently received.

**ARTICLE 13****Competing Requests**

1. Where requests are received from two or more States for the extradition of the same person either for the same offence or for different offences, the Requested State shall determine to which of those States the person is to be extradited and shall notify those States of its decision.
2. In determining to which State a person is to be extradited, the Requested State shall have regard to all the relevant circumstances, and, in particular, to:
  - (a) if the requests relate to different offences, the relative seriousness of those offences;
  - (b) the time and place of commission of each offence;
  - (c) the respective dates of the requests;
  - (d) the nationality of the person sought;
  - (e) the ordinary place of residence of the person;
  - (f) whether the requests were made pursuant to an extradition treaty;
  - (g) the interests of the respective States; and
  - (h) the nationality of the victim.

**ARTICLE 14****Surrender**

1. The Requested State shall, as soon as a decision on the request for extradition has been made, communicate that decision to the Requesting State. Reasons shall be given for any complete or partial refusal of an extradition request.
2. Where extradition is granted, the Requested State shall surrender the person in accordance with arrangements agreed to between the competent authorities of the Contracting Parties.
3. The Requesting State shall receive the person within such reasonable period as the Requested State specifies and, if the person is not removed within that period, the Requested State may refuse to extradite that person for the same offence.
4. If circumstances beyond its control prevent a Contracting Party from surrendering or removing the person to be extradited it shall notify the other Contracting Party. The Contracting Parties shall decide upon a new date of surrender and the provisions of paragraph 3 of this Article shall apply.

**ARTICLE 15****Postponed or Temporary Surrender**

1. Where the person sought is being proceeded against or is serving a sentence in the Requested State for an offence other than that for which extradition is requested, the



Requested State may surrender the person sought or postpone surrender until the conclusion of the proceedings or the service of the whole or any part of the sentence imposed. The Requested State shall inform the Requesting State of any postponement.

2. To the extent permitted by its law, where a person referred to in paragraph 1 of this Article has been found extraditable, the Requested State may temporarily surrender the person sought for the purposes of prosecution to the Requesting State in accordance with conditions to be determined between the Contracting Parties. The person so surrendered shall be kept in custody in the Requesting State and shall be returned to the Requested State after the conclusion of the proceedings against that person. A person who is returned to the Requested State following a temporary surrender shall be finally surrendered to the Requesting State to serve any sentence imposed, in accordance with the provisions of this Treaty.

## **ARTICLE 16**

### **Surrender of Property**

1. The Requested State shall, in so far as its law permits and at the request of the Requesting State, seize and surrender property that may be used in the prosecution of the offence and which, at the time of the arrest, is found in the possession of the person sought or is discovered subsequently.

2. The property mentioned in paragraph 1 of this Article shall be surrendered even if extradition having been granted, cannot be carried out owing to the death or escape of the person sought.

3. Where the property referred to in paragraphs 1 and 2 of this Article is required in the Requested State in connection with civil or criminal proceedings, the Requested State may temporarily retain or surrender it over on condition that it be returned.

4. Any rights that the Requested State or third parties may have acquired in the property shall be preserved. Where these rights exist, the property shall be returned without charge to the Requested State as soon as possible after the trial.

### **ARTICLE 17**

#### **Rule of Specialty**

1. A person who has been extradited shall not be prosecuted, sentenced or detained for any offence committed prior to the surrender other than that for which that person was extradited, nor shall the person's liberty be restricted for any other reason, except in the following cases:

- (a) where the Requested State consents;
- (b) where the person, having had an opportunity to leave the Requesting State, has not done so within thirty (30) days of final discharge, or has voluntarily returned to that State after having left it; or
- (c) where the person extradited consents before a judicial authority in the Requesting State.

2. A request for the consent of the Requested State under paragraph 1 of this Article shall, if required by the Requested State, be accompanied by the relevant documents required by Article 7 as well as a record of any statement made by the extradited person in respect of the offence concerned.

3. If the charge for which the person was extradited is subsequently changed, that person may be prosecuted or sentenced provided the offence under its revised description is:

- (a) based on substantially the same facts contained in the extradition request and its supporting documents;
- (b) punishable by the same maximum penalty as, or a lesser maximum penalty than, the offence for which the person was extradited; and
- (c) substantially the same in nature to the original offence.

### **ARTICLE 18**

#### **Re-extradition to a Third State**

1. Where a person has been surrendered to the Requesting State, that State shall not extradite the person to any third State for an offence committed before that person's surrender unless:

- (a) the Requested State consents to that extradition; or
- (b) the person has had an opportunity to leave the Requesting State and has not done so within thirty (30) days of final discharge in respect of the offence for

which that person was surrendered by the Requested State or if the person has voluntarily returned to the Requesting State after having left it.

2. The Requested State may request the production of the documents submitted by the third State in relation to any consent pursuant to paragraph 1(a) of this Article.

## **ARTICLE 19**

### **Transit**

1. To the extent permitted by its law, transit through the territory of one of the Contracting Parties shall be granted on a request in writing by the other Contracting Party.

The request for transit -

- (a) may be transmitted by any means affording a record in writing; and
  - (b) shall contain the information referred to in paragraph 2 of Article 12, and the particulars of the transit and ultimate proposed surrender.
2. No authorization for transit shall be necessary when air travel is used and no landing is scheduled in the territory of the transit State. In the case of an unscheduled landing, the transit State may require the request for transit provided for in paragraph 1. To the extent permitted by its law, the transit State shall detain the person in transit until the request is received and the transit is carried out, provided that the request is received within twenty four (24) hours after the unscheduled landing.

**ARTICLE 20****Expenses**

1. The Requested State shall make all necessary arrangements for and meet the cost of any proceedings arising out of a request for extradition.
2. The Requested State shall bear the expenses incurred in its territory in the arrest of the person whose extradition is sought, and in the maintenance in custody of the person until surrender to the Requesting State.
3. The Requesting State shall bear the expense incurred in conveying the person extradited from the territory of the Requested State.

**ARTICLE 21****Conduct of Proceedings**

1. In the case of a request for extradition presented by the Republic of South Africa, the Director of Public Prosecutions shall conduct the extradition proceedings before Lesotho courts.
2. In the case of a request for extradition presented by Lesotho authorities, the extradition proceedings shall be conducted in accordance with the law of the Republic of South Africa.



**ARTICLE 22****Consultation**

The Ministry for Law and Constitutional Affairs of the Kingdom of Lesotho and the Department of Justice and Constitutional Development of the Republic of South Africa and their respective prosecuting authorities, or persons designated by them, may at any time consult with each other directly or through the facilities of INTERPOL in connection with the processing of individual cases and in furtherance of the efficient implementation of this Treaty.

**ARTICLE 23****Entry into Force, Amendment and Termination**

1. This Treaty shall enter into force on the date on which the Contracting Parties have notified each other in writing that their respective legal requirements have been met. The effective date of entry into force will be the date of last notification.
2. This Treaty shall apply to any offence specified in Article 2 committed before or after this Treaty enters into force.
3. This Treaty may be amended by mutual consent.
4. Either Contracting Party may terminate this Treaty. The termination shall take effect six (6) months from the date of notification thereof.

5. The Parties may also terminate this Treaty by mutual consent on such terms and conditions as may be agreed to between the Parties.

6. Upon the entry into force of this Treaty, the Extradition Agreement between the Government of the Republic of South Africa and the Government of the Kingdom of Lesotho, signed at Cape Town on 20 June 1995, shall cease to have effect. Nevertheless, the prior Agreement shall apply to any extradition proceedings in which the extradition documents have already been submitted to the courts of the Requested State at the time this Treaty enters into force.

**IN WITNESS THEREOF** the undersigned, being duly authorized thereto by their respective Governments, have signed and sealed this Treaty, in duplicate, in English.

**DONE** at Maseru, this 19<sup>th</sup> day of April 2001.

Dr P M Maduna, MP  
Minister for Justice and Constitutional  
Development  
**FOR THE GOVERNMENT OF THE  
REPUBLIC OF SOUTH AFRICA**

Mr M T Thabane, MP  
Minister of Home Affairs  
**FOR THE GOVERNMENT OF  
THE KINGDOM OF LESOTHO**

**DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF  
THE JUSTICES OF THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963  
(ACT NO. 16 OF 1963)**

I, Penuell Mpapa Maduna, Minister for Justice and Constitutional Development, under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), hereby amend Government Notice No. 903 of 10 July 1998, as set out in the Schedule.

## SCHEDULE

## Definitions

1. In this Government Notice, "the Notice" means Government Notice No. R. 903 of 10 July 1998, as amended by Government Notice Nos. R. 1687 of 24 December 1998, R. 950 of 6 August 1999, R. 1317 of 12 November 1999, R. 1510 of 24 December 1999, R. 1511 of 24 December 1999, R. 847 of 14 September 2001, 515 of 22 April 2002, R. 211 of 14 February 2003, R. 401 of 28 March 2003, R. 402 of 28 March 2003, R. 623 of 16 May 2003, R. 624 of 16 May 2003, R. 942 of 4 July 2003, R. 943 of 4 July 2003, R. 947 of 4 July 2003 and R. 1675 of 21 November 2003.

### Amendment of item 11B

2. Item 11B is hereby amended by the substitution therefor of the following item:

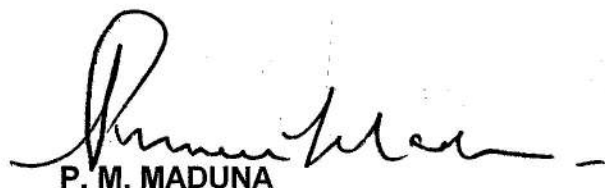
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"11Ba. BoE Stockbrokers (Pty) Limited

Chief Executive Officer, Director, Dealer.

11Bb. BoE (Pty) Limited

Director, Company Secretary, Department Head, any officer whose title contains the word "Manager", Team Leader, Legal Advisor, Risk Officer, Compliance Officer, Chief Executive Officer, Fiduciary Specialist, Trust Practitioner, Estates Officer."



**P. M. MADUNA**

**Minister for Justice and Constitutional Development**

No. R. 645

28 Mei 2004

**AANWYSING VAN KOMMISSARISSE VAN EDE INGEVOLGE ARTIKEL 6 VAN  
DIE WET OP VREDEREGTERS EN KOMMISSARISSE VAN EDE, 1963 (WET NO.  
16 VAN 1963)**

Ek, Penuell Mpapa Maduna, Minister vir Justisie en Grondwetlike Ontwikkeling, kragtens artikel 6 van die Wet op Vrederegters en Kommissaris van Ede, 1963 (Wet No. 16 van 1963), wysig hierby Goewermenskennisgewing No. 903 van 10 Julie 1998, soos in die uiteengesit in die Bylae.

**BYLAE****Woordomskrywing**

1. In hierdie Goewermenskennisgewing beteken "die Kennisgewing" Goewermenskennisgewing No. R. 903 van 10 Julie 1998, soos gewysig by Goewermenskennisgewings Nos. R. 1687 van 24 Desember 1998, R. 950 van 6 Augustus 1999, R. 1317 van 12 November 1999, R. 1510 van 24 Desember 1999, R. 1511 van 24 Desember 1999, R. 847 van 14 September 2001, R. 515 van 22 April 2002, R. 211 van 14 Februarie 2003, R. 401 van 28 Maart 2003, R. 402 van 28 Maart 2003, R. 623 van 16 Mei 2003, R. 624 van 16 Mei 2003, R. 942 van 4 Julie 2003, R. 943 van 4 Julie 2003, R. 947 van 4 Julie 2003 en R. 1675 van 21 November 2003.

**Wysiging van item 11B**

2. Item 11B word hierby om dit deur die volgende item te vervang

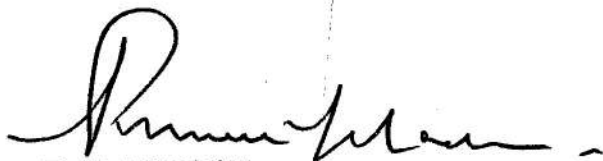
"11Ba BoE Stockbrokers (Pty) Limited

Hoof – Uitvoerende Beamppte, Direkteur, Handelaar.

UL 20000000

"11Bb. BoE (Pty) Limited

Direkteur, Maatskappysekretaris, Departmentshoof, enige Beampte wie se title die woord "Bestuurder" bevat, Spanleier, Regsadviseur, Risikobeampte, Voldoeningbeampte, Hoof – Uitvoerende Beampte, Fidusiêre Spesialis, Trustpraktisyn, Eiendedomsbeampte."



**P. M. MADUNA**

**Minister van Justisie en Grondwetlike Ontwikkeling**

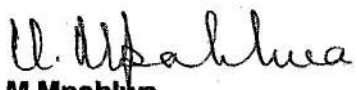
**DEPARTMENT OF TRADE AND INDUSTRY  
DEPARTMENT VAN HANDEL EN NYWERHEID**

No. R. 642

28 May 2004

**STANDARDS ACT, 1993  
REGULATIONS RELATING TO THE PAYMENT OF LEVY AND THE ISSUE OF SALES  
PERMITS WITH REGARD TO COMPULSORY SPECIFICATIONS: AMENDMENT**

It is hereby made known under section 37 of the Standards Act, 1993 (Act No. 29 of 1993), that the Minister of Trade and Industry, hereby with effect from date of publication in the Government Gazette, amends Schedule 2 of the Regulations published by Government Notice No. R. 999 of 3 May 1985 by the deletion of the existing tariffs for food products, and the substitution thereof with the tariffs set out in the attached Schedule.



**M Mpahlwa  
Minister of Trade and Industry**

**SCHEDULE**

<b>COMMODITY</b>	<b>LEVY UNIT</b>	<b>TARIFF PER UNIT R</b>
Canned Abalone	1 000 kg	424,00
Canned crustaceans	1 000 kg	300,00
Canned Fish and canned fish products (other than fish paste)	1 000 kg	430,00 for 1 <sup>st</sup> two units 360,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 143,00 for 13 <sup>th</sup> to 62 <sup>nd</sup> unit 38,00 for 63 <sup>rd</sup> to 562 <sup>nd</sup> unit 26,00 for 563 <sup>rd</sup> to 5 562 <sup>nd</sup> unit 23,00 for 5 563 <sup>rd</sup> to 20 562 <sup>nd</sup> unit 12,40 for each subsequent unit
Canned marine molluscs (other than abalone)	1 000 kg	302,00
Canned meat and canned meat products	1 000 kg	430,00 for 1 <sup>st</sup> two units 365,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 100,00 for 13 <sup>th</sup> to 62 <sup>nd</sup> unit 90,00 for 63 <sup>rd</sup> to 1 000 <sup>th</sup> unit 49,00 for 1 001 <sup>st</sup> to 3 000 <sup>th</sup> unit 28,50 for each subsequent unit
Fish paste	1 000 kg	64,00
Frozen cephalopods	1 000 kg	430,00 for 1 <sup>st</sup> two units 340,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 63,30 for 13 <sup>th</sup> to 62 <sup>nd</sup> unit 36,20 for each subsequent unit
Frozen crabs	1 000 kg	60,00
Frozen fish and frozen fish products	1 000 kg	430,00 for 1 <sup>st</sup> two units 340,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 71,20 for 13 <sup>th</sup> to 62 <sup>nd</sup> unit 17,80 for 63 <sup>rd</sup> to 562 <sup>nd</sup> unit 11,00 for 563 <sup>rd</sup> to 2 562 <sup>nd</sup> unit 7,80 for 2 563 <sup>rd</sup> to 7 562 <sup>nd</sup> unit 3,60 for each subsequent unit
Frozen unpackaged (loose) fish	1 000 kg	258,00 for 1 <sup>st</sup> two units 204,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 43,00 for 13 <sup>th</sup> to 62 <sup>nd</sup> unit 10,70 for 63 <sup>rd</sup> to 562 <sup>nd</sup> unit 6,60 for 563 <sup>rd</sup> to 2 562 <sup>nd</sup> unit 4,60 for 2 563 <sup>rd</sup> to 7 562 <sup>nd</sup> unit 2,10 for each subsequent unit
Frozen marine molluscs and frozen marine mollusc products (other than mussels)	1 000 kg	308,00
Frozen mussels	1 000 kg	292,00 for 1 <sup>st</sup> twenty units 113,00 for 21 <sup>st</sup> to 50 <sup>th</sup> unit 46,80 for each subsequent unit




COMMODITY	LEVY UNIT	TARIFF PER UNIT R
Frozen prawns, shrimps and langoustines	1 000 kg	503,00 for 1 <sup>st</sup> two units 428,00 for 3 <sup>rd</sup> to 12 <sup>th</sup> unit 108,00 for each subsequent unit
Frozen rock lobster:		
Frozen whole rock lobster, cooked and uncooked	30 kg	144,00 for 1 <sup>st</sup> ten units 5,70 for each subsequent unit
Frozen rock lobster tails, leg and breast meat	10 kg	144,00 for 1 <sup>st</sup> ten units 5,70 for each subsequent unit
Smoked Snoek	1 000 kg	90,00

No. R. 643

28 May 2004

**STANDARDS ACT, 1993****COMPULSORY SPECIFICATION FOR SMALL ARMS SHOOTING  
RANGES**

I, Mandisi Mpahlwa, Minister of Trade and Industry, hereby under section 22 (1) (a) (i) of the Standards Act, 1993 (Act No. 29 of 1993), and on the recommendation of the Council of the South African Bureau of Standards, with effect from the date two months after the date of publication of this notice, declare the specification contained in the Schedule, to be compulsory.



**M Mpahlwa**  
**Minister of Trade and Industry**

## Schedule

VC 9088

# COMPULSORY SPECIFICATION FOR SMALL ARMS SHOOTING RANGES

## 1 Scope

**1.1** This specification covers general requirements for the planning, construction and operation of indoor and outdoor shooting ranges.

**1.2** It does not apply to any area where it could otherwise be lawful to discharge a firearm.

## 2 Definitions

For the purpose of this specification the following definitions apply:

### 2.1

#### **backplate**

the steel plate covering the area of the protected zone (qv) of an indoor range, behind and around the bullet trap (qv), where bullet strikes are likely. It has no direct equivalent on an outdoor range.

### 2.2

#### **baffle**

a structure or device, that is mounted with its face towards the firing point (qv). It is intended to stop or redirect misdirected shots.

### 2.3

#### **bullet trap/catcher**

the device or construction behind the targets intended to stop and trap shots that pass through or near the targets.

### 2.4

#### **danger area**

the fan shaped area beyond the targets where those misdirected shots that do not impact the stop butt (qv), either in azimuth or elevation, will impact. A danger area is not required if the stop butt is of sufficient size.

NOTE – Only outdoor ranges can have a danger area.

### 2.5

#### **firing point**

the point, or points, from which shots may be fired on the range.

### 2.6

#### **full bore**

centre fire cartridges and firearms so chambered.

### 2.7

#### **protected zone**

the area of an indoor range, behind and around the Bullet Trap (qv) and Backplate (qv), intended to stop all misdirected shots that may reasonably be expected to be fired. Depending on the dimensions of the range it may include parts of the sidewalls and ceiling. Analogous to the stop butt (qv) on an outdoor range.

**2.8****ricochet**

a bullet that continues to travel through the air after rebounding or skipping off some object or part of the range.

**2.9****safety angle**

the required minimum angle between the sighting line (qv) and an imaginary line drawn from the eye of the shooter to the top or side of the stop butt (qv) or protected zone (qv).

**2.10****small arms**

handguns, rifles and shotguns.

**2.11****small bore**

the 0,22 inches rim fire cartridge and firearms so chambered.

**2.12****sighting line**

an imaginary line drawn from the eye of the shooter to the target.

**2.13****stop butt /back stop**

the bank, wall or other device, behind and around the bullet trap (qv), intended to stop all misdirected shots that may reasonably be expected to be fired. It applies only to outdoor ranges.

### **3 Categories of ranges**

#### **3.1 General**

There are three basic categories of shooting ranges:

- a) Indoor ranges (see Annex B),
- b) Outdoor no danger area ranges (see Annex C), and
- c) Outdoor danger area ranges (see Annex D).

NOTE – There is no essential difference between handgun and rifle ranges. However, the much higher velocities and muzzle energies of most rifle ammunition impose greater demands on the bullet trap, protected zone or stop butt, and danger area of the range. The use of a range for centre fire rifle, in addition to handgun, will often be dependant on the economics of the necessary construction and/or the danger area available.

#### **3.2 Indoor ranges**

Indoor range is a range that is constructed inside a building.

#### **3.3 Outdoor no danger area ranges**

A no danger area outdoor range shall be constructed or designed in such a way that no misdirected shot, that can reasonably be expected to be fired towards the targets, will leave the range.

#### **3.4 Outdoor danger area ranges**

**3.4.1** Outdoor danger area ranges are ranges where the stop butt (only outdoor ranges can have danger areas) is not sufficiently high and/or wide to meet the requirement to contain all reasonably expected misdirected shots.

**3.4.2** Outdoor danger area ranges shall have a danger area (see figure 1) beyond the stop butt. In the case of shotgun ranges there is no stop butt, and the danger area then naturally is the area where all the shot impacts.

## **4 Potential hazards associated with shooting ranges**

### **4.1 Indoor range potential hazards**

The following potential hazards should be taken into consideration when designing and constructing a shooting range:

- a) Bullets striking some part of the range other than the bullet trap and ricocheting so as to pose a hazard to shooters or a third party.
- b) Splashback of particles from target frames, bullet trap or any other item within the protected zone.
- c) Noise from the discharge of the firearm damaging shooters' hearing.
- d) Noxious fumes from the propellant gases.
- e) Lead dust and particles fromunjacketed bullets.
- f) Risk of fire from dust build-up and from tracer ammunition.
- g) Ejected cartridge cases or gas and propellant particles striking an adjacent shooter.
- h) Inadequate lighting affecting the shooter's ability to see clearly the sights and targets.
- i) Incorrect usage of the range.

### **4.2 Outdoor range potential hazards**

The following potential hazards should be taken into consideration when designing and constructing a shooting range:

- a) Bullets missing the stop butt and leaving the range.
- b) Bullets striking some part of the range other than the stop butt and ricocheting so as to miss the stop butt, and thus leaving the range.
- c) Splashback of particles from target frames, bullet trap or stop butt.
- d) Noise from the discharge of the firearm damaging shooters' hearing.
- e) Ejected cartridge cases or gas and propellant particles striking an adjacent shooter.
- f) Glare from the sun affecting the shooter's ability to see clearly the sights and targets.
- g) People entering the danger area, or into the range itself.
- h) Incorrect usage of the range.
- i) Any extraordinary hazards e.g. low flying aircraft from a nearby airfield.

## 5 Distances over which ammunition is dangerous

When designing a range the maximum range distances should be taken into consideration, see Annex A.

NOTE - Small arms projectiles will travel a considerable distance when fired at a slight elevation angle.

## 6 Range construction

### 6.1 Stop butt or protected zone

**6.1.1** The range shall have a stop butt, or protected zone in the case of an indoor range. This shall be of such a height and width that it will intercept any shot that can reasonably be expected to be fired in the general direction of the targets and bullet trap. For this purpose the top of the stop butt/protected zone shall subtend a safety angle of  $8^{\circ}$  (vertical) from the sighting line, as seen from the firing points and the ends of the stop butt (horizontal),  $12^{\circ}$  (see figure 2). The stop butt/protected zone shall, in addition, be of thickness and material that bullets will not penetrate. It shall not cause ricochets or splashback of bullets or pieces of bullet.

**6.1.2** The size of the stop butt/protected zone will depend on the length of the range from rearmost firing point to targets, the distance between targets and stop butt/protected zone, the width of the firing point and the height or heights above the ground (or range floor) that shooting takes place (prone or standing shooting, etc) and will incorporate a vertical safety angle of at least  $8^{\circ}$  to the firing point.

**6.1.3** Specific requirements for different types of ranges are given in annexes B, C, D and E.

### 6.2 Danger area

**6.2.1** The construction of a stop butt becomes impractical and/or uneconomic on ranges of more than 25 m to 100 m, unless a high hill behind the bullet trap, that incorporate a safety angle of at least  $8^{\circ}$  to the firing point, is available. In such cases it is therefore necessary to have a fenced off danger area beyond the stop butt. Such danger area shall not be entered by people or animals whilst the range is in use.

**6.2.2** It is not uncommon to use such a danger area for farming. However, measures shall be taken to clear the area before the range is used, and warning notices and flags shall be employed.

**6.2.3** The extent of the danger area will depend on the types of firearm used on the range (handgun, shotgun or rifle, or some combination), the length of the range and the width of the firing point or points.

### 6.3 Bullet trap

**6.3.1** The bullet trap shall not only stop/trap bullets without splashback or ricochets, but it shall continue to do so in the face of repeated impacts over a concentrated area. The mostly common used basic forms of bullet trap are:

- a) A sand or earth bank that is usually employed on outdoor ranges, and
- b) Steel sheets that either deflects the bullets down into sand or a water filled tray, or that redirect the bullets into a swirl chamber where repeated impacts remove the bullet's energy.

**6.3.2** The bank type shall be regularly dug out and sieved, to remove spent bullets and stones that could cause ricochets ("de-leaded"), and the slope of the bank restored. The steel sheet type shall have any damage repaired by welding and smooth grinding. Thick plate, preferably armoured steel, should be used as a bullet trap.

## 6.4 Ricochet prevention

A ricochet may occur when a bullet strikes a hard surface at an oblique angle. The ricochet will not leave the surface at the same angle that it impacts.

If the floor and walls of an indoor range are hard and smooth, a bullet that strikes them will ricochet and will continue down range and strike within the protected zone or on ricochet preventing baffles.

Similar conditions apply on outdoor ranges, with the added danger that ricochets could miss the stop butt and leave the range. For this reason targets should not be placed on the floor of the range, but rather shall be elevated above the ground so that the bullets impact on the bullet trap.

Where obstructions cannot be removed then baffles shall be used to trap or deflect potential ricochets.

It is recommended to wear eye protection whilst shooting.

## 6.5 Baffles

6.5.1 Baffles are used for one of two purposes:

a) To protect against ricochets from light fittings, wall pillars and other obstructions that could cause ricochets. In protecting against ricochets, the baffles serve also to protect the fittings from damage (see figure 2). However, the primary purpose is to protect against ricochets.

b) To stop misdirected shots that could be expected to leave the range because the protected zone (indoor ranges) or stop butt (outdoor ranges) is not as high or wide as it should be and thus cannot incorporate a vertical safety angle of  $8^{\circ}$  and a horizontal angle of  $12^{\circ}$  to the furthest firing point.

6.5.2 The baffles shall be positioned so that they intercept the sighting line, and hence line of fire, of shots that are fired too high or wide to impact on the protected zone or stop butt. They can be used in the case of a stop butt of insufficient height on an outdoor range, or in lieu of a bulletproof ceiling (within the protected zone area) in an indoor range. However, the disadvantage is that they severely limit the positions within the range where firing points may be situated.

6.5.3 All baffles should be faced with a material that prevents bullets splashback e.g. a 50 mm thick softwood (on the face towards the firing point) spaced from the steel on 50 mm battens. The wood facing stops backslash, and the space between the steel and wood prevents damage to the wood from ricochets across the face of the baffle. The battens should be mounted vertically to permit bullets and particles to fall out.

6.5.4 Consideration should be given to the secondary projectiles when baffles are within 10 m of any firing point.

## 6.6 Firing point

6.6.1 For safety reasons, shooters shall be a minimum of 1,5 m apart. This will either dictate the number of shooters who may shoot at the same time, or conversely dictate the width of firing point required on a new range. Screens are sometimes used between firing points on a range where firing always takes place at one fixed distance. In these circumstances, the distance between shooters can be reduced to 1m. However, screens cause ejected cartridge cases ("brass") from self-loading pistols to bounce around and sometimes strike the shooter.

6.6.2 For standing shooting the firing point should be a flat hard surface. However, for prone shooting a surface that slopes slightly upwards towards the targets is preferred. For outdoor ranges, the firing point surface should also be of a nature that drains well and does not become a mud bath in wet weather and a dust bowl in dry weather.

6.6.3 If tables or benches are used in front of the shooters at the firing point, then they should be made of wood to prevent ricochets or splatter if accidentally hit by a shot.



## **6.7 Ventilation and dust control**

**6.7.1** Indoor ranges shall have extractor fans installed. Such fans should be installed at the target end of the range so that fumes are pulled away from the shooters and any range staff or spectators. Filters on the outlets of the ventilation ducting will reduce the discharge of lead dust into the atmosphere. Inlet ventilators shall be installed behind the shooters.

**6.7.2** If the air supply and extraction is horizontal, the average air speed measured at a level of 1,5 m above the floor shall not be less than 0,3 m/s. If the air supply is vertical and extraction thereof is done through slits or grills along the side walls at floor level, the average air speed measured at a level of 1,5 m above the floor level, shall not be less than 0,3 m/s.

**6.7.3** It is recommended that a build up of dust in an indoor range should be avoided by regular weekly cleaning. Dry dusting should be avoided to prevent the dust becoming airborne.

**NOTE** - Although modern propellants are "smokeless" they nevertheless do liberate large quantities of gas and particles, which are neither pleasant nor healthy to inhale. In addition,unjacketed lead bullets can release particles of lead into the air when they break up on impact. Excessive exposure to lead particles and fumes may be dangerous and hence the need for adequate ventilation.

## **6.8 Noise reduction in indoor ranges**

**6.8.1** Hearing protection shall always be worn on both indoor and outdoor ranges.

**6.8.2** It is recommended to install noise absorption materials on the walls, and possibly, also in the ceiling. The advice of an acoustics expert should be considered.

**6.8.3** The materials used should be non-flammable.

## **6.9 Location of a range**

It is recommended that an environmental impact study should be carried out to evaluate the ecological impact of the range on the surrounding environment.

## **6.10 Noise abatement**

Indoor and outdoor ranges can largely be treated together when considering noise abatement.

When planning/positioning a range the environs of the range should be taken into consideration. An industrial or business area is preferable to a residential area. In the case of an indoor range, a stand-alone building will avoid the transfer of noise to adjacent properties through the structure of the building. Danger area ranges shall be situated in sparsely populated locations. Even so, the positioning of the firing point end of the range should take into consideration adjacent dwellings.

In the case of outdoor ranges (with or without danger area) screening of the firing point end by means of earth banks, rows of shrubs or trees, etc can make a considerable difference to the propagation of noise away from the range.

## **6.11 Range orientation and lighting**

**6.11.1** It is recommended that the in Southern hemisphere outdoor ranges should be orientated facing South to keep the sun out of the shooters' eyes.

**6.11.2** Indoor ranges should be lit throughout their length. If required, dimmers can be used to enable low light shooting practice.



## **7 Range (shooting) safety**

**7.1** Irresponsible conduct of the shooters can negate the safety built into the range design.

**7.2** The shooters shall obey the range (shooting) safety rules at all times.

**7.3** The shooting needs to be supervised by a person competent to do so and who is able to give his or her full attention to the safety aspects without the distraction of trying to shoot at the same time. Such a supervisor is known as the range officer.

**7.4** The duties of a range officer are given in Annex F and suggested range safety rules are given in Annex G.

**7.5** The range should have first aid resources.

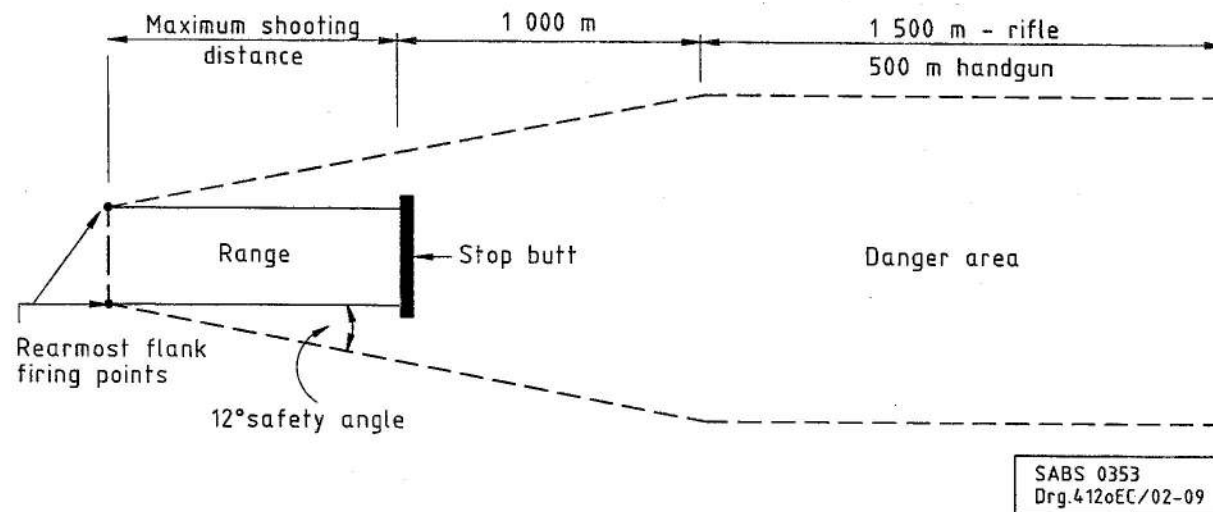


Figure 1 – Outdoor danger area range (danger area template)

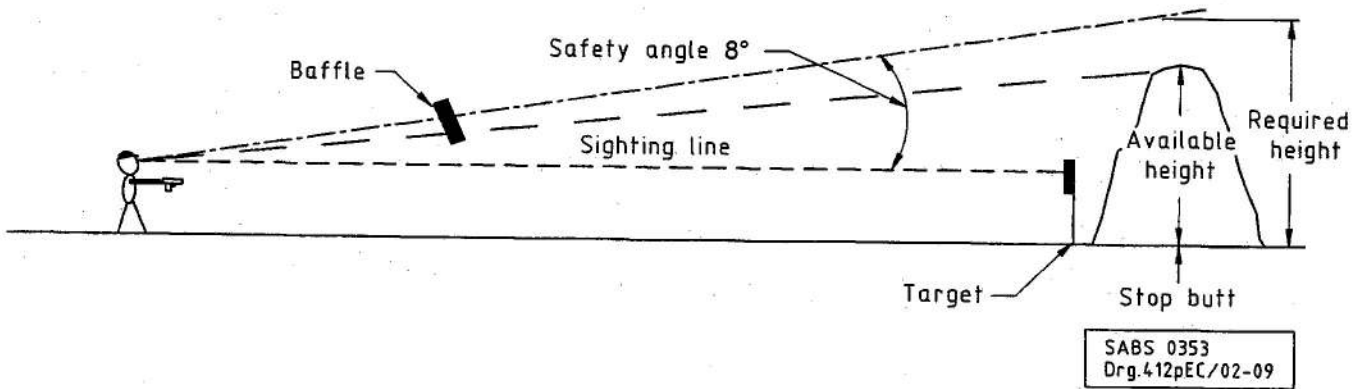


Figure 2 – Application of safety angle (showing use of baffle)

NOTE – The safety angle of 8° equates to 142 mm height required for every meter between the shooter and stop butt. The height of the sighting line above the ground should be added to the calculated safety angle height to determine the required height of the stop butt to be constructed or whether a natural hill is high enough to act as a stop butt.

**Annex A**  
(Normative)

**Examples of maximum ranges**

**Table A.1 – Shot cartridges**

1	2
Shot size / diameter (mm)	Maximum range (m)
7 to 9 / 2 to 2,5 mm	200
BB / 4 mm	350
Buckshot, greater than 5 mm	1200

**Table A.2 – Ammunition of muzzle velocity less than 330 m/s (1000 ft/s)**

1	2	3
Ammunition/firearm	Calibre examples	Maximum range (m)
Rim-fire cartridges	22 short	1000
	22 long rifle	1500
Centre-fire handgun cartridges	9 mm short, 38 Spl, 45 ACP	1500

**Table A.3 – Ammunition of muzzle velocity greater than 330 m/s (1000 ft/s)**

1	2	3
Ammunition/Firearm	Calibre examples	Maximum range (m)
Shotgun slugs	12 Bore	1400
Rim-fire cartridges	22 long rifle	1500
Centre fire handgun cartridges	9 mm Para, 357 Mag	2500
Centre fire rifle-cartridges	223 Rem, 308 Win, 30-06	2500 - 4000

## **Annex B**

### **(Normative)**

## **Indoor ranges**

### **B.1 Bullet Trap**

Bullet trap shall take one of several forms of angled ( $45^{\circ}$ ) steel plate or plates that direct the spent bullets down into a sand or water pit. Alternatively, an escalator type of steel plate trap may be used which, while more complex to construct, will require less maintenance. A sand bank, as used on outdoor ranges may also be used, but this will take up considerable space and may lead to a dust and dirt problem. Heavy plastic/rubber sheeting may be hung in front of the bullet trap to stop small particles of backsplash and dust from returning up range.

Old car or truck tyres should not be used as a bullet trap. Many tyres contain metal bands that can cause ricochets. Spent bullets can lodge in the tyres and cause ricochets. There is also a distinct risk of fire from the particles of rubber broken out by the impact of the bullets.

### **B.2 Backplate**

The backplate should cover the rear wall behind the bullet trap, and should extend outwards to cover the entire part of the rear wall that falls within the protected zone (see B.3). The area of the backplate that is visible from the firing point/s shall be faced with wood or compactible material spaced on battens in the same manner as any baffles (see 6.5).

### **B.3 Protected zone**

This is the part of the range that is enclosed by the safety angle of  $8^{\circ}$  to the sighting line in both the vertical and horizontal planes. All parts of the range falling within this zone shall be bulletproof and proof against ricochets and backsplash. Smooth faced flush jointed double brick or 250 mm dense concrete or similar can be considered suitable. Where parts of the structure within the protected zone are not considered bulletproof then they shall be overplated with steel plate.

Where the rear wall of the range does not contain the safety angles, those parts of the side walls or ceiling or both that come within the safety angles shall also be bullet-proof, and proof against ricochets and splashback. Suitably designed and situated baffles may be erected in lieu of bulletproofing of sidewalls or ceilings where this is more practicable or economic.

The floor of the range should be hard (e.g. concrete) and smooth, and should be kept clear of any objects that could cause ricochets if struck by a bullet.

Cladding (as for baffles) should be used when the protected zone surfaces are not proof against ricochets and backsplash.

NOTE 1 The required size of the protected zone can be calculated by taking the safety angle of  $8^{\circ}$  as equalling 142 mm for every metre of distance between firing point and backplate.

NOTE 2 Centre fire rifle ammunition can inflict major damage to steel plates and great care is needed in selecting suitable plate material and thickness. Armoured steel is highly preferable.

NOTE 3 Steel overplating of the protected zone is only required when the structure is not bullet proof. However, in the long term overplating may prove more economic.

#### **B.4 Range entrances**

No door or entrance should exist forward of the rearmost firing point, unless secured from the inside. A red light should be fitted above all doors giving direct access to the range itself (not the building). Such lights should lit whenever the range is in use.

#### **B.5 Fire**

Cognisance should be taken of local bylaws, and a fire extinguisher should be available on the premises.

## **Annex C**

### **(Normative)**

## **Outdoor no danger area ranges**

### **C.1 Stop butt**

The stop butt shall be enclosed by the safety angle of  $8^{\circ}$  to the sighting line in the vertical and  $12^{\circ}$  in the horizontal planes. The stop butt should be the steep side of a hill, the wall of an abandoned or disused quarry, sandpit, etc, or a purpose erected bulletproof brick or concrete wall, or a bank of hard earth. In the latter case, the core of the bank can be made of hard fill such as rock, building rubble, etc. The minimum slope of the face of the stop butt is  $56^{\circ}$  from the horizontal, and the face will have to be of hard material to retain such a slope over time. It will thus be unsuitable to also act as a bullet trap. The stop butt should not be less than 5 m high for all shooting at 15 m or less.

A thick covering of light earth or sand would make a suitable bullet catcher, but this would collapse to a natural angle of repose of  $30^{\circ}$  to  $35^{\circ}$  as a result of weathering, de-leading and constant bullet impacts. It is therefore normally more practicable and economic to provide a bullet trap as a separate exercise.

NOTE – The required size of the stop butt should be calculated by taking the safety angle of  $8^{\circ}$  as equalling 142 mm for every metre of distance between firing point and stop butt. The height of the sighting line above the ground should be added to the calculated safety angle to determine the required height of the stop butt.

### **C.2 Bullet trap**

The bullet trap should be made of steel plate in the same way as for indoor ranges, but a thick bank of earth and/or sand is normally more practicable. Care shall be taken to ensure that all rocks and stones are removed from the material used, and that the top part of the bank is deep enough from front to back. It should be remembered that bullet strikes occur at target level, not ground level. The bottom front of the bank can be made of a sand bag wall to avoid what would otherwise be a sloping bottom taking up considerable space. A top-covering layer of mixed sand and sawdust will provide a light non-caking surface that is easily de-ledged when required.

### **C.3 Baffles**

Where the butt stop is not, or cannot economically be made, wide or high enough, baffles should be used to block the sighting line beyond the stop butt sides and/or top. Regardless of the use of baffles, the stop butt shall not be less than 5 m.

### **C.4 Range floor (ground)**

The range floor shall be free from hard surfaces, rocks or other ricochet inducing surfaces. A sand or grassed surface is preferable, and drainage should be taken into consideration when constructing the range.

### **C.5 Range boundary**

The periphery of the range should be fenced and warning notices permanently displayed. The fence should pass some 5 m behind the stop butt.

## **Annex D**

(Normative)

### **Outdoor danger area ranges with stop butt**

#### **D.1 Introduction**

The most common application of such ranges is for rifle shooting up to 600 m, and sometimes more (1000 yards or 900 m). However, similar design considerations apply to any outdoor range where the butt stop is not, or cannot be made, big enough to accommodate the specified safety angles.

#### **D.2 Danger area**

Shooting ranges shall be constructed so that the full danger area is on ground that is unfrequented by the public. No occupied buildings, public roads, power lines or telephone lines should lie within the danger area. Public roads, private roads and footpaths are permissible provided that they are closed when firing is in progress.

The length of the standard danger area behind the targets is 1500 m for handguns and 2500 m for centre fire rifles. The width will vary according to the width of the firing point, which in turn will dictate the number of targets that can be accommodated.

The above are minimum distances, and all new ranges should be constructed to comply with these limits. The danger areas of certain old established ranges may not conform to the distances given. However, these ranges may well be acceptable, subject to the following conditions:

- a) that it is impractical or impossible to extend the danger area to the prescribed dimensions, and
- b) that the past history and accident record of the range indicates that it is safe to use.

Warning notices and flags shall be employed around the periphery of the range and its danger area, and both of these shall be fenced in with at least the equivalent of a five-strand farm fence. Warning notices and flags shall be placed in such a way that they are visible to a person approaching a range from any direction.

#### **D.3 Determination of the required danger area**

This is done by applying the safety angle of  $12^{\circ}$  from the rearmost flank firing points to a line 1000 m behind the stop butt, and then continuing parallel to the line of fire for a further 500 m or 1500 m as appropriate.

All the corners of the shooting ranges danger area shall be marked permanently. If this is not possible for practical reasons, e.g. the safety area falls within the fields of a farmer where the day to day actions of the owner will be impaired, other points on the side directly opposite the corners shall be marked so that during inspections the corners can easily be plotted.

#### **D.4 Reduction of the danger area under certain circumstances**

If a sufficiently high hill that incorporate the vertical safety angle of  $8^{\circ}$  exists within the standard danger area then it may be possible to reduce the size of the danger area. The height of the hill shall be taken in relation to the extension of the sighting line to the perpendicular from the hilltop, and not from the height of the targets.

#### **D.5 Location of the range**

The ground should be level and the sub-soil firm. An uphill site should be avoided as the chances of ricochets are greatly increased. A hollow site is also unsuitable because, unless the hollow is shallow (in which case the firing points can be built up to give a level line of sight), the line of sight from the shorter ranges would invariably be uphill. This increases the chances of ricochets. In addition, a target frame suitably positioned for firing from the shorter distances is liable to be struck by shots from the more distant firing positions.



## D.6 BULLET TRAP

All rifle, shotgun slug and handgun ranges require a bullet trap that should not be less than 5 m high for all shooting.

On certain sites, a hillside may enable an artificial bullet trap to be dispensed with. In such cases, the ground at the rear of the targets shall rise at an angle of not less than  $30^{\circ}$  to the general level of the firing points. If the angle is less than  $30^{\circ}$ , the hillside should be scarped from a height of 1 m above the targets to 0,3 m below the lowest possible line of fire from the most distant firing point. If an ample danger area is provided, the scarping is not essential and some form of bullet trap on the face of the hillside may be substituted, if more economical.

The bullet trap shall be of such length as to project at least 3 m beyond the outside edges of the outermost targets. Allowance should be made during construction for wear and tear due to the weather and the strike of bullets. The face of the bullet trap need not be steeper than the natural slope of the material from which it is made, a slope of 1 in 3 is usually suitable. The material of the bullet trap is a matter for local consideration, but an area behind each target should be faced with earth or sand to show the strike of the bullet.

The distance of the bullet trap from the targets depends on the material used to construct the trap. When sand or soft earth free from stones, etc, is used, the trap may be placed within 5 m of the targets. The presence of stones, etc, is a common cause of "backsplash" and when these are present, the distance shall not be less than 30 m. When possible, the trap should be 30 m from the targets, the intervening space can then be adapted for use as a 25 m range. The stop butt can also be used as a bullet trap.

## D.7 Markers' gallery (if required)

For penetrable targets, the requirements for the gallery (markers shelter) are practically the same, whatever apparatus or pattern of frame for holding the targets is used. The main conditions to be fulfilled are the following:

- a) the gallery shall be exactly at right angles to the axis of the range and parallel to the bullet trap.
- b) the height shall be not less than 2 m.
- c) ample protection shall be provided to ensure the safety of the markers.
- d) to facilitate marking, the markers should be able to see the strike of the bullets on the bullet trap.
- e) the roof of the gallery shall slope slightly downwards towards the targets to avoid ricochets from the roof on to the targets. A layer of sand or earth should be used to reduce the chances of these ricochets.
- f) the crest of the gallery should be defined with a plank on the edge. Care should be taken to keep the gallery crest up to the limit to avoid the formation of scoops in front of the targets, which cause widely divergent ricochets through shots striking the sides of the scoops.
- g) the bottom of the target shall be raised so that it can be seen clearly from all firing points.
- h) the choice of concrete or brick for construction will depend on the supply of these materials and the situation of the range.
- i) the actual level of the floor of the gallery in relation to the ground level is a matter for local consideration. It may be necessary to keep the gallery as low as possible in order to reduce the height of the bullet trap or to raise the floor level to provide for efficient drainage of both the gallery and the target trench.
- j) it should be remembered that ricochets occurring from a range on which the targets are some distance above the ground level are likely to be fewer than when the targets are positioned at lower levels.

k) the retaining wall and the gallery shall be bulletproof. The material from which they are constructed depends on the permanency of the range. It is recommended that the whole construction should be of brick and/or concrete.

l) the entrance to the sunken gallery should be by a ramp, as steps increase the difficulty of transporting targets and other stores. It is essential that if steps are provided they be made as wide as possible.

### **D.8 Firing points**

The firing points are normally at ground level. Raised platforms may, however, be needed when the site is hollow or swampy, or when the targets are not visible without them. Where raised platforms are required, the width at the top should be not less than 3 m.

Where a stop butt has to be constructed, building up the firing point may permit the stop butt to be lower than would otherwise be the case.

### **D.9 Other construction considerations**

#### **D.9.1 Target numbers**

If required, all targets can be numbered from the left, looking from the firing point. Numbers should be placed on the crest of the bullet trap in such a position that, from the firing points each number appears directly above the target.

#### **D.9.2 Flagpoles and flags**

Flagpoles and red danger flags should be provided as indicated below:

##### **a) Bullet traps**

A tall flagpole erected at one end of the bullet trap. This flagpole to be fitted to allow for the hoisting of a 1 m<sup>2</sup> red danger flag.

##### **b) Markers' shelter**

A flagpole to be erected at one end of the markers' shelter and to show at least 2 m clear of the shelter roof. It shall be possible to hoist a 1 m<sup>2</sup> red danger flag from under cover of this shelter.

##### **c) Firing points**

A portable flagpole, to which a 1 m<sup>2</sup> red danger flag has been attached, to be available for use on the firing points.

#### **D.9.3 Target store**

A target store is normally required on ranges. It is best to construct it as a continuation of the markers shelter when it may be a lean-to shed with back and end walls of brick or concrete and with a corrugated iron roof. The size will depend on the number of targets to be stored.

#### **D.9.4 Communications**

Telephone or radio communication between the markers' shelter (where there is one) and the firing points is recommended.

## Annex E (Normative)

### Outdoor shotgun ranges (no stop butt) for cartridges only

#### E.1 General

Although the muzzle energy of most shot cartridges is high, this energy is shared between the total quantity of shot, and the energy of each individual shot is low. Furthermore, round shot has a ballistically inefficient shape and as a result, the velocity and energy rapidly falls off and the maximum range is very limited in comparison to a normal bullet. However, even falling spent shot can cause injury, particularly to unprotected eyes, and a danger area is required.

Shotguns are usually fired at moving targets and so the precise direction of fire can vary over a wide arc. The spent shot can also be carried by the wind. The danger (shot fall) area shall take both these factors into account in addition to the theoretical maximum range.

A stop butt is not required for outdoor shotgun shooting with shot cartridges. Instead, a shot fall (danger) area complying with Figure A.1 and the dimensions given below shall be applied.

**NOTE** Shotgun slugs should be treated as the large heavy bullets that they are, and a stop butt range in compliance with Annex B or C is required.

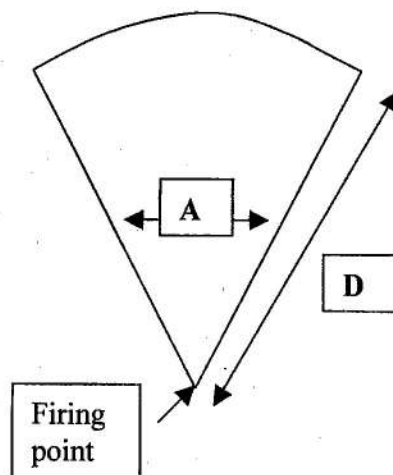


Figure A.1 – Shotfall Area

Table A.4 – Distance D

1	2
Shot Size / Diameter	Distance D (m)
7 to 9 / 2 to 2.5 mm	300
AAA to BB / 4 to 5 mm	550
LG to SSG / greater than 5 mm	1000 <sup>1)</sup>

1) If used for aerial targets. For ground targets a stop butt range would be a better choice.

## **E.2 Angle A**

The required distance D shall be applied over at least the entire arc over which shots may be fired. For aerial targets thrown across the front of the shooter, this will normally mean an angle of  $180^{\circ}$ . For targets thrown going away from the shooter, a narrower angle will be appropriate.

Where a clear shot fall area can only be obtained over a limited angle, barriers or a shooting cage are recommended to prevent the shooter swinging the shotgun beyond the limits of the area.

## **E.3 Trap Protection**

Many forms of clay target shooting require that the target traps be positioned forward of the shooter. In such cases protection shall be installed to entirely shield the trap and operator from any shot fired towards them from the firing point. Such shields shall be shot proof, and can be either permanent (brick, concrete, etc) or temporary (multiple straw bales and zinc sheeting, etc).

**Annex F**  
(Normative)

**Duties of the range officer**

One or more range officers shall be responsible for supervising the conduct of most shooting at ranges. Only shooting by experienced shooters is excluded. In such instances, the shooters should appoint one of their numbers to undertake the duties of the range officer.

NOTE – The range officer's responsibility is safety, not the conduct of shooting in accordance with the rules of a particular shooting discipline or competition.

The range officer shall be a responsible for the following:

- a) to ensure that all the shooters are acquainted with the provisions of the range rules.
- b) to ensure that the range safety rules are observed at all times.
- c) constantly supervise the shooters whilst they are at the firing points.
- d) for controlling or operating any barrier, warning or signalling systems at the commencement of, during, and at the conclusion of shooting activities.
- e) for managing and supervising ancillary staff such as target-operators, etc.
- f) decide when shooting is to commence, be interrupted and cease.
- g) to ensure that all firearms in use on the range are holstered or put down unloaded before allowing anyone to proceed in front of the firing point (to change targets, for example).
- h) be empowered to exclude from the shooting range persons who disrupt operations or pose a threat to safety, and persons perceptibly under the influence of alcohol or drugs.
- i) to ensure that all spent cartridge cases and litter are removed from the range.
- j) ensure that all shooting exercises are carried out in accordance with the shooting instructions for that particular range.

**Annex G**  
(Informative)

**Suggested range safety rules**

General as well as specific safety requirements for a shooting range should be laid down in a set of range safety rules. These rules should be displayed at the firing point and at the entrance to the range. Taking into account local conditions and the type/s of shooting practised, the rules should contain the following stipulations:

**G.1** The types of firearms, ammunition and bullets that are permitted or not permitted on the shooting range and any specific types of firearm, ammunition and bullet not to be used.

**G.2** Commands and signals to be used, such as "Fire", "Cease fire", and the like, should be explained.

**G.3** The safety measures (closing of barriers, hoisting of warning flags, switching on of warning lights, ventilation, emergency lighting, etc.) to be taken prior to any shooting event, and the opposite measures to be taken after such event (opening of barriers, etc.) should be stated.

**G.4** Rules of conduct for shooters:

**G.4.1** The firing point shall not be left with a loaded firearm (not applicable for firearm carried for self protection).

**G.4.2** Firearms shall only be loaded at the firing point on instructions from the range officer, and with the barrel pointing at the bullet trap.

**G.4.3** Only the targets provided shall be fired at. Under no circumstances shall glass bottles, etc be used as targets.

**G.4.4** No shooting shall be done at targets, tin cans, or any other item placed on the floor of the indoor range, since this poses a ricochet hazard.

**G.4.5** Turning around with a loaded firearm is forbidden.

**G.4.6** Firearms shall be holstered, or put down unloaded, whenever shooting is interrupted for target changing, etc. Under no circumstances may firearms be handled whenever anyone is in front of the firing point or points in use at the time.

**G.4.7** Other people's firearms shall not be touched without the express permission of the owner.

**G.4.8** Hearing and eye protection shall be worn during shooting.

**G.4.9** Smoking and handling of naked lights on indoor shooting ranges is prohibited.

**G.4.10** Instructions given by the range officer shall be complied with unconditionally.

**G.4.11** Persons engaged in shooting (shooters, target changers, ancillaries, etc.) shall not be under the influence of alcohol or drugs.

**DEPARTMENT OF LABOUR  
DEPARTMENT VAN ARBEID**

No. R. 658

28 May 2004

**LABOUR RELATIONS ACT, 1995****CORRECTION NOTICE****ROAD FREIGHT INDUSTRY: EXTENSION OF MAIN COLLECTIVE  
AGREEMENT TO NON-PARTIES**

The following corrections to Government Notice No. R. 493 appearing in Government Gazette No. 26268 of 30 April 2004, are hereby published for general information:

1. In the English text of the Schedule:

1.1 **CLAUSE 1: SCOPE OF APPLICATION**

In sub-clause (4)(b), delete "31".

1.2 **CLAUSE 1A. PERIOD OF OPERATION OF AGREEMENT**

Substitute "31 May 2004" for "29 February 2004".

1.3 **CLAUSE 2. DEFINITIONS**

In the definition of "Road Freight Industry", in sub-paragraph (ii), insert "ancillary or" before "incidental to".

1.4 **CLAUSE 7. WAGES**

In sub-clause (1), substitute 29 February 2004 for "31 May 2004"

## **1.5 CLAUSE 37. INTEREST**

Insert " or part thereof" after "period".

## **2. In the Afrikaans text of the Schedule:**

### **2.1 KLOUSULE 1. TOEPASSINGSBESTEK**

In sub-clause (4)(b), delete "31".

### **2.2 KLOUSULE 1A. GELDIGHEIDSDUUR VAN OOREENKOMS**

Substitute "31 Mei 2004" for "29 Februarie 2004".

### **2.3 KLOUSULE 2. WOORDOMSKRYWINGS**

In the definition of "Padvragnywerheid", in sub-paragraph (ii), insert " of dieselfde is as in" between "tot" and "paragraaf"

### **2.4 KLOUSULE 7. LONE**

In sub-clause (1), substitute "31 Mei 2004" for "29 Februarie 2004".

### **2.5 KLOUSULE 37. RENTE**

In sub-clause (1), insert "of gedeelte daarvan" after "30 dae tydperk".



**WET OP ARBEIDSVERHOUDINGE, 1995****VERBETERINGSKENNISGEWING****PADVAGNYWERHEID: UITBREIDING VAN HOOF KOLLEKTIEWE  
OOREENKOMS NA NIE-PARTYE**

Onderstaande verbeterings aan Goewermentskennisgewing No. R. 494 wat in Staatskoerant No. 26268 van 30 April 2004 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae:

**1.1 CLAUSE 1. SCOPE OF APPLICATION**

In sub-klousule (4)(b), skrap "31".

**1.2 CLAUSE 1A. PERIOD OF OPERATION OF AGREEMENT**

Vervang "29 February 2004" deur "31 May 2004".

**1.3 CLAUSE 2. DEFINITIONS**

In die woordskrywing van "Road Freight Industry", in sub-paragraaf (ii), voeg "ancillary or" in voor "incidental to".

**1.4 CLAUSE 7. WAGES**

In sub-klousule (1), vervang "29 February 2004" deur "31 May 2004"

**1.5 CLAUSE 37. INTEREST**

Voeg "or part thereof" in na "period"

**2. In die Afrikaanse teks van die Bylae:****2.1 KLOUSULE 1. TOEPASSINGSBESTEK**

In sub-klousule (4)(b), skrap "31".

**2.2 KLOUSULE 1A. GELDIGHEIDSDUUR VAN OOREENKOMS**

Vervang "29 Februarie 2004" deur "31 Mei 2004".

**2.3 KLOUSULE 2. WOORDOMSKRYWINGS**

In die woordoms krywing van "Padvragnywerheid" in sub-paragraaf (ii), voeg "of dieselfde is as in" in tussen "tot" en "paragraaf"

**2.4 KLOUSULE 7. LONE**

In sub-klousule (1), vervang "29 Februarie 2004" deur "31 Mei 2004"

**2.5 KLOUSULE 37. RENTE**

In subklousule (1), voeg "of gedeelte daarvan" in na "30 dae-tydperk".

No. R. 639

28 May 2004

## LABOUR RELATIONS ACT, 1995

**ROAD FREIGHT INDUSTRY: EXTENSION OF PERIOD OF OPERATION OF  
PROVIDENT FUND COLLECTIVE AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (i) of the Labour Relations Act, 1995, extend the periods fixed in Government Notice Nos. R. 368 of 14 March 2003 and R. 251 of 27 February 2004, by a further period ending 30 June 2004.

**T. MKALIPI****Executive Manager: Collective Bargaining**

No. R. 639

28 Mei 2004

## WET OP ARBEIDSVARHOUDINGE, 1995

**PADVAGNYWERHEID: VERLENGING VAN TYDPERK VAN GELDIGHEDSDUUR VAN  
KOLLEKTIEWE VOORSORGFONDSOOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: Kollektiewe Bedinging, behoortlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32 (6) (a) (i) van die Wet op Arbeidsverhoudinge, 1995, die tydperke vasgestel in Goewermentskennisgewing No. R. 368 van 14 Maart 2003 en R. 251 van 27 Februarie 2004, met 'n verdere tydperk wat op 30 Junie 2004 eindig.

**T. MKALIPI****Uitvoerende Bestuurder: Kollektiewe Bedinging**

No. R. 640

28 May 2004

## LABOUR RELATIONS ACT, 1995

**ROAD FREIGHT INDUSTRY: RENEWAL OF PERIOD OF OPERATION OF THE EXEMPTIONS AND  
DISPUTE RESOLUTION AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notice Nos. R. 919 of 24 July 1998, R. 1688 of 24 December 1998, R. 286 of 12 March 1999, R. 1279 of 29 October 1999 and R. 121 of 11 February 2000, to be effective from 1 June 2004 and for the period ending 28 February 2005.

**T. MKALIPI****Executive Manager: Collective Bargaining**

No. R. 640

28 Mei 2004

## WET OP ARBEIDSVARHOUDINGE, 1995

**PADVAGNYWERHEID: HERNUWING VAN VRYSTELLINGS- EN  
GESKILBESLEGTINGS KOLLEKTIEWE OOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: Kollektiewe Bedinging, behoortlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32 (6) (a) (ii) van die Wet op Arbeidsverhoudinge, 1995, dat die bepalings van Goewermentskennisgewing Nos. R. 919 van 24 Julie 1998, R. 1688 van 24 Desember 1998, R. 286 van 12 Maart 1999, R. 1279 van 29 Oktober 1999 en R. 121 van 11 Februarie 2000, van krag is met ingang van 1 Junie 2004 en vir die tydperk wat op 28 Februarie 2005 eindig.

**T. MKALIPI****Uitvoerende Bestuurder: Kollektiewe Bedinging**

**No. R. 641****28 May 2004**

## LABOUR RELATIONS ACT, 1995

**ROAD FREIGHT INDUSTRY: EXTENSION OF PERIOD OF OPERATION OF THE  
MAIN COLLECTIVE AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (i) of the Labour Relations Act, 1995, extend the period fixed in Government Notice No. R. 493 of 30 April 2004, by a further period ending 28 February 2005.

**T. MKALIPI****Executive Manager: Collective Bargaining****No. R. 641****28 Mei 2004**

## WET OP ARBEIDSVERHOUDINGE, 1995

**PADVAGNYWERHEID: VERLENGING VAN TYDPERK VAN HOOF KOLLEKTIEWE OOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32 (6) (a) (i) van die Wet op Arbeidsverhoudinge, 1995, die tydperk vasgestel in Goewermentskennisgewing No. R. 493 van 30 April 2004, met 'n verdere tydperk wat op 28 Februarie 2005 eindig.

**T. MKALIPI****Uitvoerende Bestuurder: Kollektiewe Bedinging**

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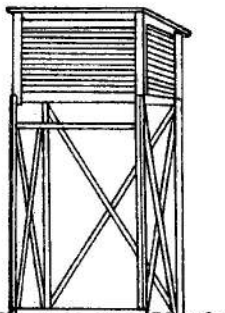
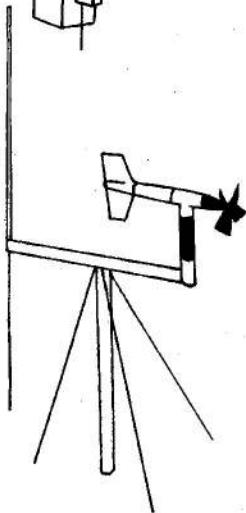
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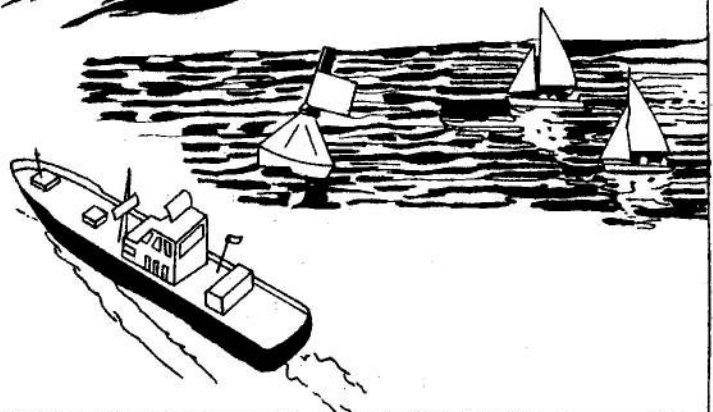
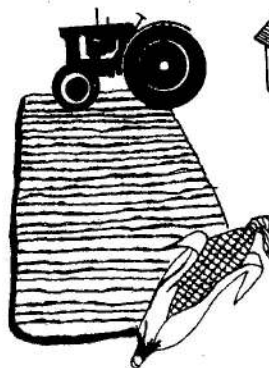
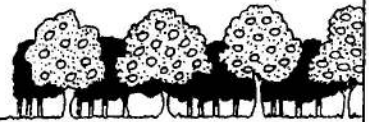
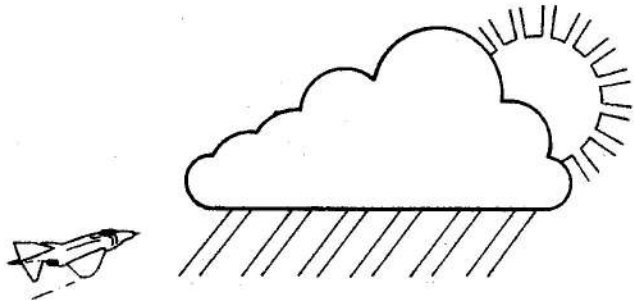
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